

The Testament of the Nun Maria (Kale)

Commemorative Dining, memoria and Servitude in Byzantium at the Time of the First Crusade

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Abstract

The testament of Kale (in religion Maria), written in the year 1098 and transmitted by copy in the archive of Iviron Monastery on Mount Athos, constitutes one of the most remarkable documents of the *Moyen Âge grec*. While its contents have hitherto been analyzed through the lens of economic and rural history, her will contains exhaustive commemorative prescriptions which shed light on how Byzantine founders sought to preserve their memory. The present contribution examines this testament, along with related documents, as a remarkable expression of Maria's concern for the salvation of her soul, and that of her spouse, which she sought to realize through memorial services, charitable distributions and commemorative feasting. The testament makes clear that Maria pursued various commemorative strategies to perpetuate her own memory and that of her deceased husband: to this end, she incentivized several groups of people with bequests to pray for her after her death. A complete translation of the testament into English is offered along with an annotated commentary in an appendix.

Keywords

memorial meal; liturgical commemoration; Mount Athos; Iviron Monastery; charity

Introduction¹

The testament of the nun Maria (in secular life Kale), written in the year 1098, is a document standing at the center of many paradoxes. Transmitted by copy in the archive of Iviron Monastery on Mount Athos, whose monks were the testament's principal beneficiaries, it was one of two complete women's

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testaments written in Greek to have survived from the entire Middle Ages.² Both of these wills are transmitted in the archives of Athonite monasteries, thus in a place – Mount Athos – where women were and are by custom forbidden to tread (abaton).³ Despite this fact, in the case of Maria's testament, we are in the interesting position of having a source which gives fascinating insights into a woman's life, even at times in her own voice.⁴ It represents, moreover, another unique circumstance, in that the will of the testatrix's deceased husband has also been transmitted: the survival of testaments for a couple is, in the Byzantine case, at the very least extraordinarily rare, and might in fact be a singular occurrence.⁵

Given the uniqueness of Maria's testament as a document dictated by a Byzantine woman, it is not surprising that she has been analyzed via the lens of women's history, especially in the publications of Alice-Mary Talbot, who has utilized the sources of the Athonite archives for this purpose.⁶ But gender is not the only sphere where Maria's will offers unique insights into -eleventhcentury Byzantium. The question of ethnicity and cultural affiliation would be another: Maria stemmed from a family of (probably) Chalcedonian Armenian ancestry, and her husband, Smbat, came from an illustrious Georgian clan, the Pakourianoi. Both Maria and Smbat were benefactors of the Iviron Monastery, the "Monastery of the Iberians [Georgians]", on Mount Athos. Smbat's and Maria's testaments mention persons who appear to have names stemming from Arabic, Armenian and Turkic (Pecheneg). Last but not least, Maria's testament has been used for economic and rural history, mainly because Maria endowed Iviron with a village, Rhadolibos, whose history is, by Byzantine standards, exceptionally well-attested.⁷

² See Talbot 2014, 201, with the other example being the testament of the nun Nymphodora (1445). Only the preface to the will of Anna Komnene, the daughter of Alexios Komnenos, has been transmitted. On Anna Komnena's will, see the study (with an edition and translation) of Papaioannou 2012.

³ Abaton (literally "untrodden") denotes the practice that developed in Byzantine monasticism, whereby monastic establishments were exclusively male or female and which members of the opposite sex were forbidden from visiting. It is better known in the context of male monasteries, but the concept also applied (with exceptions granted for certain categories of men, such as priests and doctors) to female convents, as noted by Talbot 2019, 79–81. For the development of the *abaton* rule on Mount Athos, which seems to have been based on oral tradition and was not "codified" during the Byzantine period (Talbot 1996, 67–70), see especially Konidares 2003. In the case of male monasteries, the *abaton* came to encompass not merely the exclusion of women, but also female animals as well. The origins of this practice are perhaps to be sought with the Stoudites, as Plato of Sakkoudion (the uncle of Theodore the Stoudite) was the first major Byzantine monastic figure to endorse the exclusion of female animals from male monasteries, according to Galatariotou 1987, 121.

⁴ The preambles to Byzantine wills sometimes offer a short biography of the testator or testatrix. The preamble to Maria's will is fairly short, and it is only from the twelfth century that these preambles became longer and more rhetorically elaborate: see Saradi 2019, esp. 363–364 (short discussion of Maria's will).

⁵ This assertation requires further investigation, but no other examples of testaments surviving from both a husband and wife come to mind, at least for the author.

⁶ On Kale's/Maria's testament in particular, see Talbot 2014. For women and Mount Athos, see Talbot 2012; Talbot 2013.

⁷ Analyses of Kale's testament for its economic and fiscal contents include: Bartusis 2012, 145–147; Otsuki 2001.

This contribution will aim to illuminate another aspect of Maria's testament, which, although prominently emphasized in the will itself, has hitherto not been the subject of a detailed study: her memorial endowment. In particular, Maria's will contains exhaustive commemorative prescriptions which shed light on how Byzantine founders sought to preserve their memory. The present essay examines this testament, along with related documents, as a remarkable expression of Maria's concern for the salvation of her soul, and that of her husband, which she sought to realize through memorial services, charitable distributions and commemorative feasting. The testament makes clear that Maria pursued various commemorative strategies to perpetuate her own memory and that of her deceased husband: to this end, she incentivized several groups of people with bequests to pray for her after her death. These groups included the monks of Iviron Monastery, numerous freedmen and freedwomen, her dependent peasants (paroikoi) and, last but not least, what appears to have been a domestic convent based at her household in Constantinople. Finally, in the interest of allowing non-specialists to read this remarkable document, a full translation of the Maria's testament into English, is provided as an appendix to this article, along with an annotated commentary.8 The study, translation and commentary of the testament will contribute to the scholarship within Byzantine Studies on commemoration, as well as offering an intriguing case study for scholars from other fields interested in memoria.9

The Background: Kale's Marriage to Smbat and His Untimely Death

Sometime before the year 1090, a marriage of two members of the Byzantine elite took place: the bride, Kale, was the daughter of one Basilakios and Zoe. Her family, the D[i]abatenoi, were probably Chalcedonian Armenians – that is, Armenians who were in communion with the imperial church – whose members were particularly active on the Byzantine's empire eastern frontier, including the office of military commander (*doux*) of Edessa.¹⁰ The father of the bride, Basilakios, bore the title of *kouropalates*, one of the empire's highest dignities. Kale's marriage took place at the zenith of the family's fortunes, for though Diabatenoi are attested in the following centuries, their social station had by then precipitously declined to that of farmers, priests and small-landholders.

⁸ Shortly before the submission of this study for peer-review the author learned of the translation of a short extract of Maria's testament into English: see Talbot 2022.

⁹ There is no comprehensive study of commemoration/*memoria* within Byzantine Studies: see in this regard especially Grünbart 2012.

¹⁰ Arutjunova-Fidanjan 1994, 85–86; Kazhdan 1991. On Chalcedonian Armenians in the Byzantine Empire, see especially Garsoïan 1998, 103–124.

The groom, Smbat(ios), also came from a wealthy family of Caucasian origin, the Pakourianoi.¹¹ Smbat bore the same title, *kouropalates*, as the father of the bride. The most famous scion of this clan, Gregory Pakourianos, was a prominent general during the reign of Alexios I Komnenos (r. 1081–1118).¹² Over his years of military service, Gregory had acquired vast estates first in the eastern borderlands of the empire, and after these were permanently lost following the incursions of the Seljuk Turks, he had amassed a new fortune in the Balkans. He employed this wealth to create a monastic foundation in what is now Bačkovo, Bulgaria, which, in a much-altered form, survives to the present day. Indeed, as recently demonstrated by Martin-Hisard, there were strong links between these two Georgian monasteries on Byzantine territory.¹³

This wedding between Smbat and Kale must thus have been full of promise: through their marriage two of the empire's leading families, both of which likely stemmed from the Caucasus, were now united. We know nothing of the details of the wedding itself, because it is in fact only mentioned in passing in a document from the year 1090, the year in which Smbat composed his last will and testament. Smbat, although he was still apparently quite healthy when he had had his will drawn up, desired to make concrete preparations for his funeral and for the benefit of his soul. As their union had as yet not produced any children (and, in fact, never would), he was free to distribute his estate among several groups of people, including his relatives, retainers, slaves and the monks of Iviron Monastery on Mount Athos.

In addition to leaving various legacies to his wife, brother, Emperor Alexios I and his two retainers, one whose name is effaced from the manuscript and another named Abū l-Gharīb¹⁴– his Arabic name does not automatically mean that he was also of Arab origin, as this name is attested among Georgians in this period¹⁵ – he lists some provisions for his male slaves (*psycharia arrenika*). At the time of his death they were to be released from "the yoke of servitude" (*zygou tes douleias*), as well as granted their clothes, bedding and possessions, including their arms and mounts, and 20 *folleis* (bronze coins) each.¹⁶ From these provisions of manumission, it appears that these male slaves were armed retainers, who perhaps acted as a sort of household guard. Smbat's female slaves, by contrast, were to remain with his widow.¹⁷

¹¹ Arutjunova-Fidanjan 1994, 83–84; Garsoïan 1991. On the sigillography of the Pakourianoi, see especially Jordanov 2013 and Seibt 2014, esp. 131–132 (mentioning seals of Smbat Pakourianos, possibly to be identified with the Smbat in this study).

¹² For an extensive reconstruction of Gregory's biography based on all the surviving sources, see now the excellent study of Martin-Hisard 2018.

¹³ Martin-Hisard 2018, 729–733.

¹⁴ For information on Arabic names, I would like to express my deep thanks to Dr. Ignacio Sánchez (Warwick).

¹⁵ As proposed by Talbot 2014, 202; on the question of the ethnic identity of these persons, see n. 118 below.

¹⁶ *Testament of Smbat Pakourianos* 155, lines 12–13.

¹⁷ *Testament of Smbat Pakourianos* 155, line 17.

It is worth mentioning at this point that Smbat by freeing his male slaves at his death was following a long-established practice in the Roman and Byzantine world, whereby testators secured their commemoration by manumitting their slaves and granting these slaves bequests.¹⁸ Numerous examples of this sort of memorial groups of freedmen are known from ancient Rome, and the practice continued in the Early Medieval West, where Bishop Bertram of Le Mans used his vast fortune to create a commemorative group composed of his former serfs and slaves in his testament of 616. A prominent example in Byzantium is found in the eleventh-century testament of the provincial magnate Eustathios Boïlas, who had formed a semi-monastic community around a church he had founded.¹⁹ Though commemorative provisions are not contained in Smbat's testament, we might likewise infer that these former slaves would have been obligated or at the very least felt inclined to pray or perform other pious acts for their erstwhile master.

Further distributions to Smbat's freedmen, as well as to the poor, were also envisioned in the testament. For the repose of Smbat's soul the poor were to receive 6 pounds of *trachea protocharaga* gold coins and 3 *chiliades* of grains, while Smbat's freedmen still serving him at the time of his death could expect 6 pounds of *trachea protocharaga* gold coins.²⁰ The identity of the poor is not further specified: these might have been the poor gathered at Smbat's Balkan estates or perhaps where the testament was drawn up, at the Church of the Forty Martyrs in Constantinople.²¹

To this point Smbat's testamentary dispositions had been focused on charitable acts, both in the form of manumissions and legacies to his slaves and freedmen as well as distributions to the poor. Clearly, Smbat believed that such largesse would benefit his soul after his death. Yet Smbat made further provisions in his testament providing for his burial and his commemorative rites. He desired that his remains be transported and interred in the Monastery of Iviron, and stated that his wife would negotiate the precise conditions of his burial there with the monks.²² Kale, moreover, was to ensure that his death was followed by the customary days of commemoration, namely on the third, ninth and fortieth days after death, which had already been customary among Byzantine Christians as early as the end of the fourth century.²³

The Nun Maria's memoria

Smbat did not in fact long survive the drawing up of his last will and testament, because a further document transmitted by the archive of Iviron

¹⁸ See especially Borgolte 1982. For Ottoman examples, see now Wagner 2020.

¹⁹ Testament of Eustathios Boïlas.

²⁰ Testament of Smbat Pakourianos 155, lines 15–16.

²¹ Several churches in Constantinople with this name are known: Janin 1969, 482–486.

²² Testament of Smbat Pakourianos 155, lines 14–15.

²³ *Testament of Smbat Pakourianos* 155, line 18.

Monastery records that in 1093 he had already died and that his widow, Kale, had taken the habit and become the nun Maria.²⁴ Maria (*quondam* Kale) herself composed her last will and testament on November 4th, 1098, some eight years after her husband had drawn up his own testament. It is a far more detailed document, with much more exhaustive prescriptions concerning charity and commemoration, than that of her husband. Maria herself seems to have lived in a household convent which included her own widowed mother, sister and four other nuns.²⁵ The testament is fascinating not only for its commemorative provisions, but also because it is a rare instance in which we get to hear the voice of a Byzantine woman. She described her married life towards the beginning of the testament in the following moving terms: "We lived together in life but a short time, and he [Smbat] – o thrice wretched am I – unexpectedly flew away [died] while in the flower of youth, and I have been left guideless, inconsolable and alone. For we had been fated to be childless – a shameful matter for all, and even more so for women."²⁶

Despite the largesse which Smbat had distributed in his testament, it seems that he left the more concrete details of his commemoration to his widow. She relates in her own will that she had paid 7 pounds of *chichata* coins to the monks to ensure his burial within the monastery.²⁷ Yet Maria seems to have been unsatisfied with the burial of Smbat in the monastery and the commemorative rites that would have been performed on the third, ninth and fortieth days after his death, since no more lasting commemoration had been called for by Smbat himself. In her own words, she relates: "For this reason and since I bear longing for my husband always before my eyes and wish that he be eternally commemorated, I give to the said monastery as a part for the soul [*psychikon*] of my oft-remembered lord and spouse for the partial remission of my many sins, my estate of Rhadolibos with all its rights and privileges."²⁸

Before discussing the details of her benefaction, it is worth contextualizing the *terminus technicus* which Maria had used to describe her pious gift, namely the "part for the soul" (*psychikon*). This doctrine of the "part for the soul", was developed by the Cappadocian Fathers – a trio of highly intellectual and innovative Greek-speaking bishops in Asia Minor who flourished in the second half of the fourth century and were immensely influential on the Byzantine tradition.²⁹ In addition, John Chrysostom, a slightly younger contemporary of the Cappadocian Fathers and no less important in the eyes of later Byzantine authors, likewise had a role in the propagation of this notion. In their formulation of the "part for the soul", a wealthy benefactor could

²⁴ Procuration of the Nun Maria.

²⁵ Talbot 2014, 206–207.

²⁶ Testament of the Nun Maria 178, lines 4–6.

²⁷ *Testament of the Nun Maria* 178, line 13.

²⁸ Testament of the Nun Maria 178, lines 13–15.

²⁹ The classic study on the subject is Bruck 1956, 1–75. Though Bruck's narrative of the development of the *psychikon* is convincing in broad strokes, his emphasis on the singular importance of Basil of Caesarea in the formulation of this doctrine (to the degradation of Gregory of Nazianzus and Gregory of Nyssa) and the notion that the "part for the soul" was fixed at one-third has been criticized by Holman 2001, 14–16.

attain a beneficial effect on the salvation of his soul by dedicating a portion of his estate for a pious purpose. Initially, the proportion of the *psychikon* varied in the writings of these Church Fathers: it could be equivalent to an heir's share of the inheritance, or a specific fraction of the estate. Eventually, the *psychikon* was given official sanction in the legislation of Byzantine emperors from the eighth century onwards in certain contexts, such as intestate succession.³⁰

Maria's *psychikon* was in essence a commemorative endowment aimed at facilitating pious acts, especially memorial prayer, that would come to the benefit of her soul and perhaps improve her post-mortal fate.³¹ It is true that Byzantium lacked the clearly-structured afterlife which the Catholic Church would later develop with its purgatory and dogmas precisely regulating how to better the state of the deceased in the afterlife. Nonetheless, there were multiple conceptions of the afterlife in the Orthodox world that included a purgatory-like space between heaven and hell.³² In addition, the notion that offering prayers and alms on behalf of the dead came to their benefit in some way seems to have widespread by the time Maria composed her testament, even if tracts defending this idea continued to be authored into the eleventh and twelfth centuries, suggesting that skepticism of memorial prayer was not unknown, even in this period.³³

In securing her *memoria*, Maria clearly pursued a multipronged commemorative strategy. While the monks of Iviron Monastery would receive the lion's share of Maria's estate, she also made sure to enlist other groups of people in cultivating her memory. In fact, the structure of the testament reflects Maria's efforts at memorialization, so that the recipients of her bequests can be categorized into four groups: 1) the monks of Iviron Monastery; 2) family and other monks and clergy; 3) her current and former slaves and retainers; 4) the workers of her estates. It is worth discussing the role of each of these groups in some detail.

The Monks of Iviron Monastery

By the end of the eleventh century, Iviron had become the wealthiest monastery on Mount Athos, eclipsing even the older foundation of the Great Lavra; its landed estates exceeded 100,000 *modioi.*³⁴ Originally founded

³⁰ For a very succinct summary of the Byzantine "part for the soul", see Zepos 1980– 1981, 20–22. The most comprehensive overview of the *psychikon* in Byzantine and post-Byzantine law is Papagianne 2008.

³¹ For the connection between *memoria* and foundations for the salvation of the soul in the medieval world from a cross-cultural perspective, see now Borgolte 2019.

³² On conceptions of the Byzantine afterlife, see now the study of Marinis 2017, who offers a useful corrective to the classic but in many ways controversial overview of Beck 1978.

³³ See the two treatises defending commemorative practices recently edited in Krausmüller 2018.

³⁴ Smyrlis 2006, 47–48.

around the year 979/980 by Georgian monks, it attained imperial status by 1080 at the latest and until the end of the twelfth century it was one of two monasteries of "foreign" monks on Mount Athos, along with the Latin monastery of Amalfion, which retained special legal status and was independent of the *protos*, the leader of the Athonite monasteries.³⁵ Maria was thus entrusting her commemoration to one of the most important monasteries in the Byzantine world around the year 1100.

Exceptionally for this period, Maria's benefactions to the monks of Iviron are recorded not only in her testament, but also in a unique source of Iviron Monastery, namely the Book of Commemorations (Agapes). Originally compiled in the year 1074 and reworked at the beginning of the twelfth century, the Book of Commemorations is a list of donations and endowments made to the monastic community at Iviron.³⁶ Today this source, which is often misleadingly described as a *synodikon* in the scholarly literature, is no longer at the monastery but is instead preserved at the Korneli Kekelidze National Manuscript Center in Tbilisi, Georgia, under the signature A-558.³⁷ A typical entry lists the donor, the content of the donation and then the memorial services offered by the monks in exchange for the gift. The benefactor's memory was celebrated annually on a particular day and various allowances were listed for the monks, such as the distribution of wine. These commemorative celebrations are termed *agapes* within the text, corresponding to the Christian memorial meal known from Late Antiquity. The donors in the Iviron Book of Commemorations were wealthy benefactors from the elite spanning the entire Byzantine world as well as from Orthodox Christian principalities in the Caucasus. The figures listed in the text include Byzantine emperors (Constantine ix Monomachos), prominent military commanders (Gregory Pakourianos), churchmen (Samuel, archbishop of Kutaisi) and Georgian royalty (Queen Tamar, King Bagrat iv).

A total of four entries in the *Book of Commemorations* are connected with Maria and her deceased husband, Smbat. Entry no. 60 establishes an annual commemoration (*agape*) for Maria and Smbat on April 30th for her endowment of the village of Rhadolibos.³⁸ A further commemoration on August 31st was established for Maria by entry no. 103, which was given in return for her testamentary legacies of a silver plate worth 200 gold coins and donations in money.³⁹ The couple was also commemorated by entry no. 120 on November 1st (probably Smbat's day of death) for bequests made by Smbat

³⁵ On the legal status of Iviron, see Benoit-Meggenis 2017; Martin-Hisard 1991. For the founding of Iviron in a broader eastern Mediterranean context, see Nastase 2004. The role of Georgian monks in the (early) history of Mount Athos is discussed in Grdzelidze 2012 and Papachryssanthou 1992, 226–232. On Amalfion, see now Merlini 2017.

³⁶ For information on this manuscript and the translations of the individual entries, I would like to express my profound gratitude to Dr. Tinatin Chronz, who is preparing a new edition, translation and commentary of the text within the MAMEMS project. The manuscript is described in Blake 1940, 19–21.

³⁷ For a recent discussion of the manuscript, including the sometimes misleading terminology used to describe it, see now Tchkoidze 2021, 370–371.

³⁸ Brief summary in *Actes d'Iviron* ii 6.

³⁹ Actes d'Iviron ii 7.

and by Maria after his death.⁴⁰ A fourth and final entry in the *Book of Commemorations*, no. 121, gives further details on how the couple was to be jointly commemorated; though the date April 30th is also listed, it is mainly concerned with additional details of their *memoria*, and is essentially a continuation of the previous entry, no. 120.⁴¹ According to this entry, a weekly votive mass was to be celebrated by a priest for Smbat and Kale individually on different days. Burial is also discussed: a marble tomb had been built for them, according to Smbat's wishes, in the Church of the Archangels in Iviron. Interestingly, this statement contradicts stipulations in Maria's will, whereby her remains were not to be transported elsewhere after her death.⁴²

Although the bequests of money and objects made by Maria in favor of Iviron were substantial, the most valuable part of her gift to the monastery was her estate of Rhadolibos. This estate, at least according to records of the Byzantine fiscal administration, consisted of an entire village of landless, dependent peasants, all of whom had worked for Kale and Smbat.⁴³ Moreover, as is clear from later documents associated with Rhadolibos, its peasants had been granted exemption from the numerous secondary taxes which were levied on most Byzantine peasants, so that they were to pay them instead to the lords of the estate. Rhadolibos also grew quite rapidly over a period of five years after Kale's testament, from a total of twelve peasant households to 122 and perhaps a population of around 300 villagers in total.⁴⁴ The reasons for this development are debated by scholarship, but perhaps are connected with the remission of secondary taxes which Kale granted to her peasants, which would have given them quite favorable tax status and perhaps attracted additional persons to work the estate.

In economic terms, the gifting of Rhadolibos to Iviron was a major addition to the monastery's endowment. Moreover, unlike the rest of the provisions of Maria's testament, which were one-time bequests in the form of donations, Rhadolibos was clearly intended as a foundation: Maria stipulated that the monks should never be able to alienate or sell it, and that its incomes would fund the commemoration of herself and her deceased husband.⁴⁵ This village, although under the ownership of Iviron, also played a key role in Maria's commemorative strategy addressed to groups beyond the monks of Iviron.

⁴⁰ Actes d'Iviron ii 8.

⁴¹ Actes d'Iviron ii 8.

⁴² Testament of the Nun Maria 181, lines 52–53.

⁴³ The tax status of the peasants in the testaments of Kale and Smbat is extensively discussed in Bartusis 2012, 145–147 and Ostuki 2001–2003, 95–97.

⁴⁴ For a detailed discussion of this estate, on which over a hundred dependent peasants lived at this time, see Lefort 2006. According to the *praktikon* of 1102, there were 122 fiscal units (number of hearths) in the village. An average of 2.7 persons each for the 104 fiscal units listing the number of persons indicates a population of 283 villagers (Lefort 2006, 168–170).

⁴⁵ *Testament of the Nun Maria* 179, lines 19–20.



The various bequests, mainly of objects, which Maria left to her relatives did not have the same commemorative role as her benefactions to Iviron Monastery. Instead of memorial prayer, in this case she was distributing items from her estate as tokens of remembrance. Both Maria's mother, Xene Diabatene, and her sister, Eirene, had also become nuns and were granted bequests in the testament, as were four further nuns, including two of her former slaves. Further legacies in the testament to household maidservants, who may have supported and worked for the nuns, and to a priest-monk, who may have served as a confessor to Kale and her fellow sisters, support the idea, proposed by Alice-Mary Talbot, that Kale's residence perhaps functioned as a domestic monastic community of nuns.⁴⁶

Iviron was not the only monastery mentioned in the testament. Another venerable Athonite community, Vatopedi Monastery,⁴⁷ was granted two icons. Two other monasteries, probably in Constantinople, were also included in Maria's benefactions, one dedicated to Raboula and the Hosios Monastery. The first of these institutions seems to have been particularly closely connected to Maria, since its abbot, Theodore, served as Maria's confessor, and Theodore's pupil, Symeon, was likewise mentioned in the testament.⁴⁸

Slaves, Former Slaves and Retainers

A third category of persons entrusted with Maria's *memoria* were persons, both men and women, who had been or still were owned by her, as well as her retainers. The testament mentions a total of sixteen freedmen and freedwomen, some of whom have Turkic names, presumably Pechenegs who had been taken captive during the frequent wars between that tribal confederacy and Byzantium at the end of the eleventh century.⁴⁹ As noted above in the case of Smbat's testament, the testament of Eustathios Boïlas demonstrates that some Byzantine testators created commemorative communities from amongst their freedmen and freedwomen. In Boïlas' case, he had given bequests to his freedmen and freedwomen who had dedicated their children to the Church of the Theotokos. Furthermore, he explicitly stated in his testament that any of the male descendants of his former slaves who desired to do so could be brought up and supported at the Church of the Theotokos to learn Holy Writ and eventually be ordained as clergy.

⁴⁶ Talbot 2014, 206–207.

⁴⁷ Testament of the Nun Maria 180, lines 30–31.

⁴⁸ Testament of the Nun Maria 179, lines 29–30.

⁴⁹ As noted below in the translation, two persons identified as freedmen by both *PBW* and Talbot 2014, 213, John Stratares and Chastounes Balmas, are not explicitly identified as such in the testament and other circumstances (their large bequests and family names) make it extremely unlikely that they were freedmen.

Maria seemed to have employed a similar strategy to that of Boïlas, although on a lesser scale: two of her freedwomen, Christina and Maria "the Hungarian" (i.e. a Pecheneg), had become nuns, and perhaps were a part of the household convent containing Maria herself, her mother and her sister, as plausibly postulated by Alice-Mary Talbot. In addition, one of her "men" (retainers), the ordained monk Anthony, was also granted a bequest: if Talbot's theory of the existence of a household convent is correct, then he may have conducted services there.

The category of Maria's "men" (*anthropoi*) in the testament, to which Anthony belonged and was the only religious in the group, consists of ten persons.⁵⁰ They seem to have been a diverse bunch, with Georgian (Apelgaripes/ Abū l-Gharīb), Arabic (Chaasanios/ Ḥasan) and Armenian (Mechitares/ Mxit'ar) names, while two of them were eunuchs (Basil and Nicholas). In short, their composition was probably typical of the elite Byzantine families of Caucasian extraction. Maria did not give them a specific commemorative function in the testament: like her family members and elite friends, gifts to these retainers were probably tokens of remembrance as well as being compensation for their service.

No slaves are mentioned in the testament specifically by name, but one clause of the testament states that all the workers on her estates, both free and slaves, were to be given an allowance in grain and wine for one year after her death, as well as two pigs and two other animals.⁵¹ In addition, Maria stipulated that all of her slaves would be manumitted after her death.⁵² These unfree persons are better discussed in the final commemorative group, that of the workers of her estates.

Estate Workers

Maria's estate at Rhadolibos was the most valuable part of her fortune. Though the estate was to be transferred to the monks after her death, Maria ensured that the estate workers would also play a role in her commemoration. This bond was to be established at the moment of her death, and then strengthened during the annual commemorations for both her and Smbat. First of all, the dependent peasants (*paroikoi*) working her lands would be freed from the taxes and exactions which she had levied upon them during her lifetime, because, as Maria herself states, she wanted them to pray for her.⁵³ In addition, all the animals and grains (both wheat and barley) found at Rhadolibos at the time of her death were to be distributed, presumably to everyone on the estate. Moreover, connected with the commemorative rites (*mnemosyna*) of both herself and her husband that were to be performed annually, at each anniversary of their deaths 100 *modioi* of wheat, ten

⁵⁰ *Testament of the Nun Maria* 180, lines 31–36.

⁵¹ Testament of the Nun Maria 181, lines 47–48.

⁵² Testament of the Nun Maria 182, lines 63–65.

⁵³ Testament of the Nun Maria 181, lines 49–50.

slaughtered animals and 100 measures of wine were to be collected from the estate for a "spiritual symposium" (*pneumatikon symposion*) and distributions to her "Brothers in Christ", i.e. the poor.⁵⁴

What sort of event was this "spiritual symposium"? Even though the term is not used in the text, this was in fact what in Late Antiquity had been termed an *agape*, a commemorative banquet for the deceased.⁵⁵ The massive quantities of grains, wine and meat which Kale commanded to be gathered and distributed at her and Smbat's commemoration would have been engendered a joyous, holiday-like atmosphere for the landless peasants who worked her estate. Though known from Late Antiquity, there is no comprehensive study of these memorial banquets for the Byzantine period.⁵⁶

A testimony stemming from several centuries earlier, namely in a letter of Theodore the Stoudite (759–826) to the deaconry (*diakonia*) of the *Apronoetai*, does provide important information on the character of these feasts. Indeed, it suggests that these commemorative banquets could escalate into raucous affairs. This deaconry seems to have had a special obligation to tend to the burial of the poor and travelers to the capital without means who had died while on their journey, as well as to care for their memorial rites (*mnemosyna*). Theodore listed a number of rules which were to be observed for this duty, but warned against excessive eating or drinking during the celebration of the memorial rites.⁵⁷

Maria thus employed multiple inducements for the peasants of her estates to prayer for her: by remitting their taxes and other exactions, distributing the harvest and animals at the time of her death and staging annual memorial banquets both for herself and for Smbat. Over bread, roasted meat and wine her memory would have been kept alive year after year. The number of peasants at Rhadolibos numbered perhaps three hundred persons and thus would have roughly equaled in scale the monastic community of Iviron.

Conclusion

By means both of an endowment – namely the estate of Rhadolibos – and of numerous bequests, the nun Maria incentivized various groups of people to pray for her and preserve her memory: the monks of Iviron Monastery; family and other monks and clergy; her former and current slaves and retainers; and the workers of her estates. One examination of her will came to the conclusion

⁵⁴ *Testament of the Nun Maria* 179, lines 16–18.

⁵⁵ Hauschild 1977.

⁵⁶ See, however, the remarks of Béatrice Caseau on feast days and commemorations in her study on monastic food regimes in Byzantium and feasting: Caseau 2008, esp. 244–245.

⁵⁷ Theodore the Studite, *Letters*, 41–43 (Letter 13), at lines 21–26.

that "Maria's seems a typical example of Byzantine testament",⁵⁸ and it may indeed have been typical of aristocratic Byzantine women around the time of the First Crusade. As a childless widow who had embraced the monastic life, she does fit the profile of a typical Byzantine foundress from the Late Byzantine period, where their activities are much better attested.⁵⁹

Yet one could also offer a contrary opinion, for, at least among the sources that have survived to the present day, Maria's testament was in many respects highly unusual, if not unique. Besides the fact that it is only one of two complete testaments of women written in Greek to have survived from the Middle Ages, it also offers profound insights into an individual woman's life. Her memorial provisions can moreover, be checked against the corresponding entries of the *Book of Commemorations* from Iviron Monastery, something that is impossible for almost all other documents which institute a comprehensive commemorative regime from the Byzantine era, like *typika*. Though the monks of Iviron Monastery were to be the main guarantors of her memory, Maria's efforts to incentivize other groups of people to pray for her led to her testament bringing together a cross-section of Byzantine society that normally did not cross paths in one source: monks on Athos and in Constantinople, elite women and nuns, retainers, freedmen and freedwomen, peasant workers on rural estates.

Translation and Annotated Commentary of the *Testament of the Nun Maria*

Line in the edition = [1]

Translation:

[1] It is exceedingly fitting for all mortals to mediate upon the impending prospect of the approach of death, and even more so for those embracing the solitary life and having [2] compacts with God; they who, on the one hand, have put away the things of this world, and, on the other, long for the heavenly. For this reason, $I_{,60}$ the nun Maria, daughter of the deceased *kouropalates* Basilakios⁶¹ and the still-living nun Xene⁶² Diabatene, though

⁵⁸ Otsuki 2001, 92.

⁵⁹ See especially Gerstel – Kalopissi-Verti 2014 on the agency of Late Byzantine widows, mainly on the basis of inscriptions.

⁶⁰ Kale 102 in *PBW*.

⁶¹ Anonymous 319 in *PBW*. Though undoubtedly an important personage, this Basilakios cannot be concretely identified (various options are listed in *Testament of the Nun Maria* 173). In any case, he had died already by the time of the composition of Smbat's testament in 1090.

⁶² Zoe 103 in *PBW*. Though identified only by name in religion (Xene) and her family name (Diabatenos) in Kale's testament, the *PBW* plausibly connects her with one Zoe Diabatene, for whom three seals from the second half of the eleventh century survive. All three seals are found at Dumbarton Oaks (seals do 58.106. 1550; do 58.106. 2754;

afflicted by sickness yet healthy in mind and unimpeded in thought, [3] by the grace of my God desire to make my will and testament today, since I fear lest, should the blow of inexorable death unexpectedly come upon me, all my affairs might be left unarranged and neglected. For since my aforementioned [4] lords and parents married me to the now deceased kouropalates lord Symbatios Pakourianos, who accepted my person and received the dowry, as much as was stipulated in the nuptial agreements, we lived together in life but a short time, and [5] he – o thrice wretched am I! – unexpectedly flew away [died] while in the flower of youth, and I have been left guideless, inconsolable and alone. For we had been fated to be childless – a shameful matter for all. and even more so for [6] women. And, so as not to begrudge my fate in detail, but to continue my line of thought, he, my blessed lord and husband, made a last will and testament and expressed his clear intent in it, and made me the [7] uncontested, responsible and accountable mistress and owner of his entire estate, both in movable and immovable property. And he willed and entrusted the supervision and management of everything to me and his half-brother, the magistros Sergios,⁶³ [8] and by the grace of my God and my intercessions to the Theotokos I have done everything he commanded according to his intent and to their realization, and I shall not be ashamed on account of this on the fearful Day of Judgment, nor shall I apologize that until the present [9] I have overlooked anything he prescribed nor left anything he commanded undone, as he commanded it. Since I opened his will at the office of the koiastor and he confirmed it and I embraced its executorship, and with the [10] lord magistros Sergios, his brother, I made a distribution of all those things left to him and to me by his brother, and I gave to him [Sergios] the share left to him and received confirmation of this [11] from him. But I also gave the bequests left by their lord to the legatees, both freedmen and free-born, and their confirmations are with me, and by the grace of my God nothing remains to be taken from [12] his estate. My blessed lord and husband, instead of writing in his will that he be buried in the Monastery of the Iberians [Iviron], left his burial to me, which would later be agreed between me and the monks, and I paid to the monks [13] of the said monastery in exchange for confirmation 7 pounds of chichata [coins], and I buried his body, which I so missed, in the said monastery, just as he had desired. For this reason, and since I bear longing for my husband always before my eyes and wish that he be eternally [14] commemorated, I give to the said monastery, as a part for the soul [psychikon]⁶⁴ of my oft-remembered lord and spouse for the partial remission of my sins, my estate of Rhadolibos with all its rights [15] and privileges, excepting the animals, both fat and thin, and the entire yield of wheat and barley harvested at the time of my death and in the time before it. For I desire that the entire vield and [16] anything else from elsewhere be distributed at that time, and that after this the monks of the said monastery shall collect every yield as its lords and masters, and that they ought to pay for the commemorative rites

and do 58.106. 5500). For further information on the Diabatenos family, see *Testament of the Nun Maria* 173–174.

⁶³ Sergios 102 in *PBW*.

⁶⁴ *Psychikon* is a *terminus technicus*, originally formulated by the Cappadocian fathers and John Chrysostom in the second half of the fourth and first part of the fifth century, which denoted the share of the estate which wealthy Christians were encouraged to donate or endow for charitable purposes. Originally equivalent to the share of a son, its value fluctuated depending on the time and context.

[mnemosyna] of my husband each and every year 100 modioi of wheat, ten slaughtered animals and 100 measures of wine for the spiritual symposium and for distributions to my brothers in Christ, and I desire that a further 100 modioi of wheat, 100 measures of wine [17] and ten slaughtered animals be paid by those very monks for the commemorative rites [18] of myself, the sinner. But if the monks of the said monastery do not hold to what I have prescribed, but depart from what I have commanded even a single time, either in part or entirely, for its overthrow, I want my trustees to sue them in their [19] court, so that, even if the monks do not wish to do so, they might preserve all I have ordered and have surety. Yet the monks of the monastery of the Iberians ought not to be able to sell or gift or exchange the aforementioned estate, but it is to always remain with the monastery [20], so that, through the yearly incomes from this [estate] that were donated for our commemoration, those succeeding [monks] might intercede for my husband and for me, the sinner. I still desire that on the tomb of my lord and husband be placed: the great icon [depicting] Christ my Lord⁶⁵ and [21] my other icon [depicting] the Most Holy Theotokos *Blachernitissa*,⁶⁶ which have edges of silver, the silver cross⁶⁷ and the two six-candled cast candelabras.⁶⁸ I leave to my mistress and mother as a bequest in my memory my [22] large dish with niello rim,⁶⁹ the purple cloth⁷⁰ and one *litra* of gold *Romanate*. To my sister the *proedrissa kyra* Maria,⁷¹ the purple cloak decorated with pearls,⁷² my purple garment,⁷³ my green belt⁷⁴ and **[23]** a pair of large, enameled gold bracelets.⁷⁵ To my sister the *proedrissa kyra* Eudokia,⁷⁶ the red silk cloak with vertical gold looping⁷⁷ and the headscarf [embroidered with] golden letters.⁷⁸ To my sister [24] the lady nun Eirene,⁷⁹ my only undecorated silver plate⁸⁰ and the gilt cup with cover.⁸¹ To Philaretos⁸² my brother, two bowls with niello bands in the middle⁸³ and a gilded flask with a cover.⁸⁴ To my brother-in-law the [25] proedros Sergios, in memory of the love which I held for him, I leave 50 litra

⁷² *ByzAD*, no. 538.

⁸¹ *ByzAD*, no. 546.

⁸³ *ByzAD*, no. 547.

⁶⁵ *ByzAD*, no. 531.

⁶⁶ *ByzAD*, no. 532.

⁶⁷ *ByzAD*, no. 534.

⁶⁸ According to *ByzAD*, no. 535, these candelabras were probably made of copper alloy.

⁶⁹ *ByzAD*, no. 536.

⁷⁰ *ByzAD*, no. 537.

⁷¹ Maria 111 in *PBW*.

⁷³ *ByzAD*, no. 540: this garment was a different shade of purple (*alethene*) than the coat mentioned immediately beforehand (*oxys*).

⁷⁴ *ByzAD*, no. 541.

⁷⁵ *ByzAD*, no. 542.

⁷⁶ Eudokia 102 in *PBW*.

⁷⁷ The translation here follows the interpretation advanced by *ByzAD*, no. 543, though it is no means certain what design feature of the cloak is being described.

⁷⁸ *ByzAD*, no. 544.

⁷⁹ Eirene 105 in *PBW*.

⁸⁰ Following *ByzAD*, no. 545, aspros should here be read as "silver" (i.e. white in color) rather than as literally "white".

⁸² Philaretos 102 in *PBW*.

⁸⁴ Following the interpretation of *ByzAD*, no. 546, *kaneion* should read as a variant of *kannion* (derived from Latin/Germanic *canna*) according to the *LBG*, and thus a vial or small bottle, perhaps with a spout.

of gold *dia charagmatos tetarteras*. To my nephew Basilakes,⁸⁵ the saddle and harness, all in gold,⁸⁶ of my husband. To the *protobestes* lord Leo,⁸⁷ my cousin, my book of [26] Saint John Klimax,⁸⁸ and my estate of Soudaga, which lies in the *petiton*⁸⁹ of Macedonia, just as it is with all of its fullness, retention and rights. To the reverend brothers of the Hosios [Monastery], a bracelet twisted with gold, [27] weighing two *litra* and 12 *exagia*⁹⁰ and a yellow tunic of *hexamitos* fabric;⁹¹ a large silver dish with a lid,⁹² a large silver jug⁹³ and a silver ewer and basin,⁹⁴ the large, "Saracen" wine-jug,⁹⁵ a two-handed silver gilt [28] vase with a lid,⁹⁶ the other gilded flask⁹⁷ and two new silk, feather pillows.⁹⁸ I wish [for these items] to be sold and [the proceeds] to be given to my reverend brothers in Christ. I leave to Belkonas,⁹⁹ the son of my brotherin-law, a purple tabard with a cross motif.¹⁰⁰ To my lord [29] the monk kyr Sabbas,¹⁰¹ the pupil of the patriarch, I leave a golden encolpion with a relic of the True Cross inside and weighing 24 exagia.¹⁰² To my spiritual [p. 180] father the monk lord Thomas,¹⁰³ three *litrai tetarteras*. To the monk *kyr* Theodore,¹⁰⁴ the abbot of our Holy Father Raboula,¹⁰⁵ a book [**30**] of Saint Basil¹⁰⁶ and my small psalter with a silver clasp.¹⁰⁷ To the monk Symeon,¹⁰⁸ the pupil of my blessed spiritual father, kry Theodore, a panegyrikon¹⁰⁹ covered in black leather¹¹⁰ and an ochtoechos in one tone.¹¹¹ To the most reverend [31] Monastery of Vatopedi, my icons, both the one of the Deesis with silver

⁸⁷ Leon 103 in *PBW*.

- ⁹⁴ *ByzAD*, no. 555.
- ⁹⁵ *ByzAD*, no. 556.
- ⁹⁶ *ByzAD*, no. 557.
- ⁹⁷ *ByzAD*, no. 558.
- ⁹⁸ *ByzAD*, no. 559.

¹⁰⁰ *BvzAD*, no. 560.

¹⁰³ Thomas 103 in *PBW*.

⁸⁵ Anonymous 325 in *PBW*: Basilakes is the nephew's family name, his first name is unknown.

⁸⁶ ByzAD, no. 549. This appears to the same piece of equipment which had been bequeathed by Smbat to one Niketas, the brother-in-law of Smbat (Niketas 124 in PBW), in his testament of the year 1090. It is possible that the nephew mentioned here was the son of Niketas, who appears to have died in the meantime.

⁸⁸ As noted by *ByzAD*, no. 550, this book is *The Ladder of Divine Ascent*, an immensely popular work of spiritual edification directed at monks and anchorites. ⁸⁹ According to *LBG*, *petiton* (from Latin *petitum*) designates uncultivated land which

has been returned to the fisc.

⁹⁰ ByzAD, no. 551: as noted here, that one litra was approximately 320 grams and one exagion equaled 4.4 grams. This bracelet thus weighed just under 700 (692.8) grams.

⁹¹ As noted by *ByzAD*, no. 552, *hexamitos* ("six-threaded") was a type of weave used for fabric, especially silk.

⁹² *ByzAD*, no. 553.

⁹³ *ByzAD*, no. 554.

⁹⁹ Belkonas 101 in *PBW*, the son of the *proedros* Sergios, the brother-in-law of Kale.

¹⁰¹ Sabas 103 in *PBW*.

¹⁰² *ByzAD*, no. 561: this encolpion weighed 105.6 grams.

¹⁰⁴ Theodoros 135 in *PBW*.

¹⁰⁵ Janin 1969, 445 for the Monastery of Raboula, whose exact location within Constantinople is unknown.

¹⁰⁶ ByzAD, no. 563: the exact work of Saint Basil is uncertain.

¹⁰⁷ *ByzAD*, no. 564.

¹⁰⁸ Symeon 111 in *PBW*.

¹⁰⁹ Å panegyrikon is a book containing homilies for the liturgical year and for immovable feasts.

¹¹⁰ ByzAD, no. 565.

¹¹¹ *ByzAD*, no. 567.

edges¹¹² and the painted one of the Baptism,¹¹³ and the remaining books of my church.¹¹⁴ To my man Bardas,¹¹⁵ a plate and bowl of plain silver,¹¹⁶ two animals¹¹⁷ from those on the [32] mountain and one *litra dia charagmatos* trachea kainourgia. To my man Apelgaripes [Abū l-Gharīb],¹¹⁸ two animals from those on the mountain, a cow, pair [of oxen]¹¹⁹ and one *litra trachea* kainourgia of gold. To my man Chaasanios,¹²⁰ a four-year-old foal,¹²¹ an animal [33] from those [on the mountain], a cow, a calf¹²² and one litra trachea kainourgia of gold. To my man Joseph,¹²³ an animal from those [on the mountain], a cow and one *litra trachea kainourgia* of gold. To my man the patrikios Machetares,124 a shallow bowl,125 an animal from those [on the mountain] and one *litra trachea* of gold. [34] To my man the monk and priest Anthony,¹²⁶ thirty-six nomismata trachea and a purple [sacerdotal] garment.¹²⁷ To my man the eunuch Basil,¹²⁸ a plain silver bowl,¹²⁹ an animal from those [on the mountain] and one *litra trachea* of gold. To my man Salakouses,¹³⁰ a cow and a calf. To my man the eunuch [35] Nicholas,¹³¹ the gray horse named Daimonitzes and one litra dia charagmatos trachea. As for my men, either those found serving by me at the time of my death or laboring elsewhere, may

¹¹⁵ Bardas 106 in *PBW*.

¹¹⁶ *ByzAD*, no. 572.

¹²³ Joseph 102 in *PBW*.

¹²⁸ Basileios 138 in *PBW*.

¹¹² As noted by *ByzAD*, no. 568, the Deesis mentioned here does not necessarily correspond to the modern understanding of this scene, normally depicting Christ, the Theotokos and John the Baptist. Instead, it might refer to a more general depiction of an intercession or prayer, or perhaps the Theotokos in prayer or an intercession addressed to the Virgin (Paraklesis).

¹¹³ *ByzAD*, no. 570.

¹¹⁴ *ByzAD*, no. 571; the "church" (*ekklesia*) mentioned here is probably better understood as a private chapel.

¹¹⁷ Understood as "two mares" in the entry to Bardas 106 in *PBW*. This is probably too narrowly construed, since *phorbadion* (ϕ ορβάδιον) is generally used in this period for breeding or pasture animals: see *LBG* sub ϕ ορβάδιος.

¹¹⁸ Apelgaripes 101 in *PBW*. The Greek rendering of his name in the document, Apelgaripes ($\Lambda\pi\epsilon\lambda\gamma\alpha\rho(\pi\eta\varsigma)$, corresponds to the Arabic Abū l-Gharīb, which is attested as the Georgian name Abuharib in this period. A colophon of Cod. 9 of the Georgian manuscripts of Iviron Monastery notes that both a brother and uncle of John Tornikios had this name: Gippert et al. 2022, 111–113 (English translation of the Georgian colophon), at 113. Talbot 2014, 202, with reference to an Apelgaripes (probably the same person, as assumed by the *PBW*) in the testament of Smbat Pakourianos, postulated that he might have been of Arabic origin: again, given that Abū l-Gharīb is attested as a Georgian name in this period, it is far more likely that he was Georgian.

¹¹⁹ While the term *zeugari*[-*on*] can also designate a measure of land, this meaning here is unlikely, given that a bequest of land would have been more minutely specified (e.g., where it lay).

¹²⁰ Chaasanios 101 in *PBW*. Like Agelgaripes the Greek rendering of this person's name possibly refers to an Arabic name (Hasan), though it does not seem to have been common among Georgians in this period.

¹²¹ In contrast to the entry for the entry to Chaasanios 101 in *PBW*, I read (as with the editor) the diminutive $\pi\omega\lambda$ άρι(ον), thus a foal rather than a full-grown horse or mule. ¹²² In contrast to the entry for the entry to Chaasanios 101 in *PBW*, I read (as with the editor) the diminutive βοΐδι(ον), thus a calf rather than an ox.

¹²⁴ Anonymus 326 in *PBW*. This is perhaps a Greek rendering of the Armenian name Mxit'ar (Uhhpun).

¹²⁵ *ByzAD*, no. 573.

¹²⁶ Antonios 104 in *PBW*.

¹²⁷ *ByzAD*, no. 574.

¹²⁹ *ByzAD*, no. 575.

¹³⁰ Salakouses 101 in *PBW*.

¹³¹ Nikolaos 125 in *PBW*.

they receive their bequests. Furthermore, I leave to my man Theodore [36] Ioannokampites¹³² one pair [of oxen] from those at my estate of Soudaga, one cow, a four-year-old foal from the horses born at the estate and one litra trachea kainourgia of gold. To my freedman Touganos,¹³³ the black foal, the used Antiochene [37] tabard for dress or decoration,¹³⁴ the purple brocade coat,¹³⁵ two cotton textiles, one green, the other blue,¹³⁶ one hundred nomismata trachea and one pair [of oxen]. To my freedman Charatzas,¹³⁷ one animal, one cow, one litra trachea kainourgia and two cotton textiles, [38] one green and the other purple.¹³⁸ To my freedman Tapanes,¹³⁹ a three-year-old foal, one *litra trachea*, a plain silver cup and two cotton textiles, one white and the other blue.¹⁴⁰ To my freedman Solimas,¹⁴¹ an animal and thirty-six nomismata trachea. To my freedman Prokopios,¹⁴² a calf [39] and thirty-six nomismata trachea. To John Stratares,¹⁴³ twenty-four nomismata trachea. To Chastounes Balmas,¹⁴⁴ an animal and thirty-six nomismata trachea. Let my freedmen retain all their clothes, arms, bedding and *pekoulia*.¹⁴⁵ I leave to my aforementioned [40] master kyr Theodore,¹⁴⁶ the abbot of our holy father Raboulas, three litrai dia charagmatos tetarterai, and to my cousin, the aforementioned *protobestes* Leo Diabatenos,¹⁴⁷ all my animals, the female mules with their studs.¹⁴⁸ Along with them, I leave as a bequest and for the salvation of my soul [41] to the nun Helen Diaxene¹⁴⁹ thirty litrai dia charagmatos tetarterai and my bracelet plaited with gold and studded with enamel,¹⁵⁰ my cloak of goat hair inscribed with letters,¹⁵¹ my wool blanket threaded with silk¹⁵² and [42] one of my monastic habits¹⁵³ and one of my

- ¹³⁶ *ByzAD*, no. 578.
- ¹³⁷ Charatzas 101 in *PBW*.

¹⁴² Prokopios 101 in *PBW*.

¹⁴³ Ioannes 189 in *PBW*. Contrary to the information given in the *PBW* and the table in Talbot 2014, 213, there is no reason to assume that this person was a freedman of the nun Maria, or at the very least he is not named as such in the text. In fact, given that the amount of his bequest (twenty-four as opposed to thirty-six *nomismata trachea*) differs from those of the bequests of the other freedmen in the testament, it stands to reason that his status was different from theirs as well. The fact that he has a family name makes his being a freedman highly unlikely.

¹⁴⁴ Chastounes 101 in *PBW*. As in the previous footnote, the testament does not explicitly state that Chastounes was a freedman of Maria, *pace* both the entry in *PBW* and Talbot 2014, 213, due to both the different amount of the bequest and his family name.

¹⁴⁵ The Greek word *pekoulion* (derived from Latin *peculium*) was a legal term to designate the property of those who normally were not able to exercise their full rights of ownership, such as minors and slaves. In this context it denotes the property that these freedmen had acquired or gained while in servitude.

¹⁴⁶ Theodore 135 in *PBW*.

¹⁴⁷ Leon 103 in *PBW*.

¹⁴⁹ Helena 107 in *PBW*.

¹⁵⁰ *ByzAD*, no. 585.

¹⁵¹ *ByzAD*, no. 586.

¹⁵² *ByzAD*, no. 587.

¹⁵³ *ByzAD*, no. 588.

¹³² Theodoros 137 in *PBW*.

¹³³ Touganos 101 in *PBW*.

¹³⁴ *ByzAD*, no. 576.

¹³⁵ *ByzAD*, no. 577.

¹³⁸ *ByzAD*, no. 579.

¹³⁹ Tapanes 101 in *PBW*. ¹⁴⁰ *ByzAD*, no. 580.

¹⁴¹ Assumed to be the Greek rendering of the Turkish name Sulayman, according to Sulayman 104 in *PBW*.

¹⁴⁸ Here reading κηλώνια ("Zuchthengst", according to *LBG*) for κηλόνεια.

monastic robes of good quality.¹⁵⁴ To my freedwoman the nun Christina,¹⁵⁵ two *litrai tracheai*, a foal, one habit¹⁵⁶ and robe¹⁵⁷ from my monastic [clothes]. To the nun Theodoule,¹⁵⁸ one *litra trachea* and the blue cloak.¹⁵⁹ To [**p. 181**] my domestic freedwoman Thaumaste,¹⁶⁰ thirty-six nomismata trachea. [43] To my freedwoman the nun Maria the Hungarian,¹⁶¹ two *litrai tracheai*. To my freedwoman Mangouse,¹⁶² my green *molcham* tunic,¹⁶³ my black-green silk cloak,¹⁶⁴ one *litra trachea*, a cloak made of double wool and fully dyed¹⁶⁵ and two textiles, one of silk in blue¹⁶⁶ and the other of cotton in green.¹⁶⁷ [44] To my freedwoman Choudana,¹⁶⁸ three textiles, one of silk in blue,¹⁶⁹ two of cotton, in green and blue,¹⁷⁰ and one *litra trachea*. To my freedwoman Maria,¹⁷¹ the daughter of Barbara,¹⁷² three textiles, one of silk in blue,¹⁷³ two of cotton, in green and blue,¹⁷⁴ and one *litra trachea*. To my freedwoman Euphemia [45],¹⁷⁵ three textiles, one of silk in blue,¹⁷⁶ one of cotton in white¹⁷⁷ and another of cotton in green,¹⁷⁸ and thirty-six *nomismata trachea*. To my freedwoman Agathe,¹⁷⁹ three textiles, one of silk in blue,¹⁸⁰ the others of cotton in white and green,¹⁸¹ and thirty-six *nomismata trachea*. To my freedwoman Prothymia [46],¹⁸² three textiles, one of silk,¹⁸³ another of cotton in white and yet another in green¹⁸⁴ and thirty-six *nomismata trachea*. To my freedwoman Epilekte,¹⁸⁵ three textiles, one of silk in blue,¹⁸⁶ the other two of cotton in white

- ¹⁵⁴ *ByzAD*, no. 590.
- ¹⁵⁵ Christina 101 in *PBW*.
- ¹⁵⁶ *ByzAD*, no. 592.
- ¹⁵⁷ *ByzAD*, no. 593.

- ¹⁵⁹ *ByzAD*, no. 594.
- ¹⁶⁰ Thaumaste 101 in *PBW*.
- ¹⁶¹ Maria 112 in *PBW*: according to this entry, her designation as "Hungarian" (*Ougkraine*) means that she was Pecheneg.
- ¹⁶² Mangouse 101 in *PBW*.
- ¹⁶³ *ByzAD*, no. 595: as noted in the entry, molcham is a Greek rendering of Arabic *mulham*, a textile composed of silk mixed with cotton or wool.

- ¹⁶⁵ *ByzAD*, no. 597.
- ¹⁶⁶ *ByzAD*, no. 598.
- ¹⁶⁷ *ByzAD*, no. 4107.
- ¹⁶⁸ Choudana 101 in *PBW*.
- ¹⁶⁹ *ByzAD*, no. 599.
- ¹⁷⁰ *ByzAD*, no. 4108.
- ¹⁷¹ Maria 113 in *PBW*.
- ¹⁷² Barbara 101 in *PBW*.
- ¹⁷³ *ByzAD*, no. 600.
- ¹⁷⁴ *ByzAD*, no. 4109.
- ¹⁷⁵ Euphemia 101 in *PBW*.
- ¹⁷⁶ *ByzAD*, no. 601.
- ¹⁷⁷ *ByzAD*, no. 4110.
- ¹⁷⁸ *ByzAD*, no. 4370.

¹⁸⁰ *ByzAD*, no. 602.

¹⁸² Prothymia 101 in *PBW*.

¹⁸⁶ *ByzAD*, no. 604.

¹⁵⁸ Theodoule 101 in *PBW*. As in n. 143 and 144 above, I see no hard and fast reason to assume, as the entry in *PBW* does, that Theodoule was also a freedwoman; this is not explicitly stated in the text.

¹⁶⁴ *ByzAD*, no. 596.

¹⁷⁹ Agathe 102 in *PBW*.

¹⁸¹ *ByzAD*, no. 4111.

 ¹⁸³ ByzAD, no. 603: as noted in the entry, the fact that the color of the silk textile is not specified perhaps represents a slip by the scribe, and thus probably was blue, like the other silk textiles in these bequests.
¹⁸⁴ ByzAD, no. 4112.

¹⁸⁵ Epilekte 101 in *PBW*.

and green,¹⁸⁷ and thirty-six nomisata trachea. To my freedwoman Melitene,¹⁸⁸ three textiles, [47] one of silk in blue,¹⁸⁹ the other two of cotton, in white and green¹⁹⁰ and thirty-six nomisata trachea. Let my freedwomen retain all their clothes, bedding and *pekoulia*. In addition, I also order the following, that I shall distribute what is necessary, including the wine there at the time [of my death], from the crops on all [48] my estates, and that all my people, great and small, slaves and freedmen, both men and women, shall receive this distribution for a year, just as they received from me in grain and wine, and that [49] similarly each of these are to be given two pigs and two other animals [sheep or goats?] for a year. And whatever remains after this expenditure, let it be distributed to the poor monks. But I command that the *paroikoi* of all my estates at the time of my death shall [50] be kept unburdened and untaxed from all the exactions which I today levy upon them, by which I mean the oikomodion,¹⁹¹ the zeugologion,¹⁹² the tithe on their animals and their other yearly exactions. For I desire that they might pray on my behalf. For the burial of the [51] thrice-afflicted and suffering body of myself the sinner and the funerary rites on the third, ninth and fortieth days after death, I want 100 litrai trachea to be expended, reserving these 100 litrai after exactly all the remaining bequests that I have ordered are to be found from my [52] estate, in money,¹⁹³ gold objects,¹⁹⁴ textiles,¹⁹⁵ silver objects,¹⁹⁶ animals and other movable goods. For I trust in my God that in all these affairs I have commanded what is sufficient and used my wealth. I order that wherever death should strike me, there also is my body to be buried, so that if I am in the [53] City [Constantinople] I will be buried there, and if I am outside of it again, I will be buried there. For I do not desire that this, my filthy body, be transported, but just as I have said, in the place where death finds me, there also I am to be buried. Except for the nomismata I allow [54] for the bequests that dia tracheas kainourgias charages should be given, excepting the bequest of the nun Elene and the bequest of the imperial treasury. For these alone are to be rendered by the dia tetarteras type. Moreover, I leave to the scribe of the present testament thirty-six nomismata trachea as a bequest for the sake of my memory. [55] To my relatives who were unmentioned, one nomisma each. To the imperial treasury, twelve *nomismata tetartera* and to the witnesses of the present will and testament four nomismata each. I leave as the executors of my will and testament, my beloved lady and mother, the nun [56] kyra [p. 182] Xene Diabatene, my beloved brother-in-law Sergios Pakourianos, my lord the monk kyr Sabbas, the pupil of the patriarch, my brother the protobestes kyr Leo Diabatenos and the most reverend monk kyr Basil Peribleptenos,¹⁹⁷ to whom I leave as [57] a bequest the enkolpion with two lids with [a piece of]

¹⁹⁶ *ByzAD*, no. 609.

¹⁸⁷ *ByzAD*, no. 4113.

¹⁸⁸ Melitene 101 in *PBW*.

¹⁸⁹ *ByzAD*, no. 605.

¹⁹⁰ *ByzAD*, no. 4114.

¹⁹¹ A tax for the surveying of land.

¹⁹² A tax on draft animals.

¹⁹³ *ByzAD*, no. 4395.

¹⁹⁴ *ByzAD*, no. 610.

¹⁹⁵ *ByzAD*, no. 608.

¹⁹⁷ Basileios 139 in *PBW*. Presumably he was a monk the famed Constantinopolitan monastery dedicated to the Virgin Peribleptos, constructed at considerable expense by the emperor Romanos iv Argyros (r. 1028–1034). In fact, the monastery served as this emperor's mausoleum. On the monastery see: Osti 2011; Özgümüs 2000.

the reverend [True Cross] on the inside.¹⁹⁸ I swear to them on our Lord Jesus Christ and his pure mother the Theotokos and the all the heavenly powers not to omit any of my ordinances, but that everything I have commanded is to be executed [58] with the fear of God and all truth. For I trust in their kinship and friendship, and in this I also lift up the intention of my soul and of all those with them. And if all my commands be performed according to my order and in a manner pleasing to God [59], may God give to them [their] wages on the Day of Judgment, since by the grace of God neither public nor private debts shall be found for me, but instead my estate is pure and blameless. Yet if, which [60] I pray may not be the case, something great or meagre of [the provisions] which I wrote does not come to pass according to my command, let those of executors responsible for this render account on that fearful Day of Judgment, when all are to stand naked and in four rows before that fearful [61] and incorruptible court. In addition, I command that all my executors be responsible, inscrutable, not accountable [to others] and blameless, since they will render account to God alone on the administration of all that I have commanded [62]. For a relative or friend or foreigner or some other person ought not to question them, or to investigate or say so much on account of the administration of my [properties], but let each person either opposing my present testament or bothering my executors [63], even with a simple word, or endeavoring to bring them to account, may such a person receive the curse of the 318 Holy Fathers, so that he shall be condemned with those calling "away with him, away with him, crucify the Son of God."199 And if it is a legatee, he is to be excluded from his bequest. Apart [64] from all my freedmen and freedwomen, whom I manumitted long ago by the grace of my God, I have retained their servitude alone for the span of my life, [so that] I want and desire that from the hour of my death all shall be free and all shall be [65] Roman citizens, with none from among them or none from among my relatives or my executors hindering the implementation and provision, wherever they want. Having ordered all these matters to come to pass and having permission for their immediate and complete implementation, I swear to my executors [66] on my God himself that they perform everything that I have commanded, whether it be the distributions of my bequests, my pious provisions, the stipends of my freedmen and everything else for all my funerary rites. Since they are able to contend for the fate of my soul, [67] they might also receive a recompense from God. After all the things that I have commanded have been distributed and fulfilled, I desire that everything remaining from my entire estate and movable, immovable [real estate] and self-propelled [animals] property be granted by my executors to my brothers in Christ [68], the poor, for the ransom and remission of my sins. From the aforementioned bequest to be given to my sister the proedrissa kyra Maria, only the purple cloak decorated with pearls²⁰⁰ is to be given to her, since everything else I gave to her during my life with my own [69] hands. But also of the two silk pillows filled with feathers²⁰¹ which I ordered be obtained and given to my brothers in Christ, one was already paid for. The present copy was written by John Phoritos the notary²⁰² in the month of November in the

¹⁹⁸ *ByzAD*, no. 611.

¹⁹⁹ John 15:14.

²⁰⁰ *ByzAD*, no. 613. This is the same purple cloak mentioned above in the testament.

²⁰¹ *ByzAD*, no. 615.

²⁰² Ioannes 190 in *PBW*.



seventh indiction of the year 6607 [1098] in the presence [70] of the witnesses who signed the original, namely: George Karabidas, priest of Saint Menas;²⁰³ Basil Boïlas, eunuch and priest of the Most Holy Theotokos Eleousa;²⁰⁴ Constantine Bouninos, eunuch and priest of the Oratory of the Most Holy Theotokos;²⁰⁵ [71] Niketas, priest of Saint Nicholas of the Bigla,²⁰⁶ [the son] of Kouboukleisine;²⁰⁷ Constantine Loupadiotes, priest of Saint Panteleimon ton Sophion;²⁰⁸ John Sophiotes, imperial cleric and notary;²⁰⁹ and Constantine Phorites, judge and *taboullarios*.++++²¹⁰

[72] The *koiastor* Niketas Xiphilinos,²¹¹ having compared the present copy of the last will and testament of the nun Maria, the [daughter] of Basilakios, with the original, which was opened, and finding in its entirety no mistake, signed it as confirmation and sealed it. ++++

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²⁰⁸ Konstantinos 146 in *PBW*.

²⁰³ Georgios 144 in *PBW*. The entry erroneously states that he received 36 *trachea* as a bequest for his serving as a witness (rather than the correct figure of 4 *nomismata*); this comment applies to the entries in the *PBW* for the other witnesses of this testament. For the Church of Saint Menas, see Janin 1969, 333–335.

²⁰⁴ Basileios 140 in *PBW*: the entry there does not note that he was a eunuch.

²⁰⁵ Konstantinos 145 in *PBW*: the entry there does not note that he was a eunuch.

²⁰⁶ Niketas 125 in *PBW*.

²⁰⁷ Anonyma 130 in *PBW*.

²⁰⁹ Iohannes 191 in *PBW*.

²¹⁰ Konstantinos 147 in *PBW*; he was perhaps connected with the Church of the Theotokos in the Forum, as suggested by the same entry. For this church, see Janin 1969, 236–237.

²¹¹ Niketas 126 in *PBW*.



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