



Augustus Pontifex Maximus
ces, greeting.

... taking for the advantage and
... hitherto that every deficiency
... the established law and public
... or this—that the Christians who
... or forefathers should return to
... reasoning such arrogance and
... they refused to follow the path
... perhaps blazed long ago by their
... laws to suit their own ideas and
... held various meetings at various

... der to the effect that they were
... by the ancients, many of them
... ny were proceeded against and
... of them indeed persisted in the
... neither paying to the gods in
... giving any honor to the god of
... nce and the established custom
... l men, we have thought proper
... most gladly, so that the Chris-
... es in which they used to meet,
... ary to public order. (Eusebius,

... and Licinius—Galerius had died
... ruction from Milan.

... l, Licinius Augustus, had hap-
... l everything that concerns the
... ght that, among other things
... to men, we ought first to order
... the Deity by granting to the
... n to follow whatever form of
... ay whatever Deity there is in
... to us and to all subject to our
... ith the benefit of sound coun-
... at we in no way deny the legal
... observance or to that worship
... himself, to the end that the

Supreme Deity, whose worship we freely follow, may continue to grant us His accustomed favor and goodwill. . . .

Further, as regards the Christians, we have thought fit to ordain this as well, that if anyone has bought, either from our exchequer or from others, the places in which they were formerly accustomed to congregate . . . that the same be restored to the Christians, without delay or dispute, and without payment or the demand for such. Those who have obtained such places as gifts should likewise restore them to the said Christians without delay. (Lactantius, *On the Death of the Persecutors* 48)

The Christian Church was at last free to pursue its own course—and to discover that it had a new and highly complex relationship with that "Caesar" so effortlessly separated by Jesus three centuries before.

4. The Conversion of Constantine,

312 C.E.

Whether those decrees of toleration were motivated by liberal piety, by simple pragmatism, or by an uncanny reading of the future, and however welcome they were to the Christians, they could scarcely have foretold the course taken by one of those emperors who issued the instruction at Milan only the year before.

The anniversary of Maxentius' accession, the twenty-seventh of October, was near, and his (own first) five years of rule were drawing to a close. Constantine [who was camped opposite Maxentius' forces at the Milvian Bridge near Rome] was directed in a dream to mark the heavenly sign of God on the shields of his soldiers and then to begin the battle. He did as he was ordered, and with the cross-shaped letter X, with its top bent over, he marked Christ on the shields. (Lactantius, *On the Deaths of the Persecutors* 44.3-6)

Accordingly, he [Constantine] prayed to his father's god in heaven, beseeching him and imploring him to tell him who he was and to stretch out his right hand to help him in his present difficulties (with Maxentius). And while he was praying thus fervently, a truly incredible sign appeared to him from heaven, the account of which might have been difficult to believe had it been related by any other person. But since the victorious emperor himself long afterwards described it to the writer of this account, when he was honored with his acquaintance and company, and confirmed his statement with an oath, who could hesitate in accepting the story as true, especially since the testimony that followed has established its truth?

He [Constantine] said that about noon, when the day was already beginning to wane, he saw with his own eyes the victory signal of a cross of light in the heavens, above the sun, and the legend, "Conquer by this," attached to it. At this sight he himself was struck with amazement, and his whole army as well, which was accompanying him on expedition and witnessed the miracle.

He said, further, that he had his own doubts about the meaning of this portent. And while he was pondering and thinking about its meaning, night overtook him; then the Christ of God appeared to him in his sleep and commanded him to make a likeness of the sign which he had seen in the heavens, and to use it as a protection in all engagements with his enemies. (Eusebius, *Life of Constantine* 1.28-29)

5. Christianity as the State Church of the Roman Empire

The results of Constantine's conversion to the Christian faith were quick in coming: benefits and exemptions for the clergy began to be written into Roman law (see below), new churches were endowed out of state funds, and in Palestine in particular Constantine interested himself in the monumental enshrinement of the places associated with the life and death of Jesus. It was Constantine who convened the first ecumenical council of the bishops of the Great Church at Nicea in 325 C.E., and he also presided over its deliberations.

These were only beginnings. Later in that same century other emperors intervened even more directly in the affairs of the Church. The following is an imperial edict, dated 27 February 380 and issued in the names of the co-emperors Gratian and Valentinian II in the West and Theodosius in the East. It undertakes to define, in the formal context of Roman law, the official teaching of the Catholic Church and, in effect, to constitute it the imperial church of the Roman Empire.

It is our will that all the peoples whom the government of our Clemency rules shall follow the religion which a pious belief from Peter to the present declares that the holy Peter delivered to the Romans, and which it is evident that the pontiff Damasus (bishop of Rome) and Peter, bishop of Alexandria, a man of Apostolic sanctity, follow; that is, according to the Apostolic discipline and evangelical teaching we believe in the deity of the Father and the Son and the Holy Spirit of equal majesty, in a Holy Trinity. Those who follow this law we command shall be comprised under the name of Catholic Christians; but others, indeed, we require, since they are insane and raving, to bear the infamy of heretical teaching; their gatherings shall not receive the name of churches; they are to be smitten first

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The State Church Empire

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with the divine punishment, and after with the vengeance of our indignation, which has the divine approval. (Theodosian Code 16.1.2)

On the occasion of another ecumenical council, held in the imperial capital of Constantinople in 381 C.E., the assembled bishops made a final report to Emperor Theodosius that reveals in its unstated but obvious premises the importance and prestige of the Roman emperor in the affairs of what had become the state church.

We begin our letter to your Piety with thanks to God, who has established the empire of your Piety for the common peace of the churches and for the support of the True Faith. And after rendering due thanks to God, as is our duty, we lay before your Piety the things which have been done in the Holy Synod.

When, then, we had assembled in Constantinople, in accordance with the letter from your Piety, we first of all renewed our unity of heart with each other, and then we pronounced some concise definitions, ratifying the faith of the Fathers at Nicea and anathematizing the heresies which have sprung up contrary to that faith. Besides this we also framed certain canons for the better ordering of the churches, all of which we have appended to this letter. We therefore beseech your Piety that the decree of the synod may be ratified, to the end that, as you have honored the Church by your letter of convocation, so you should set your seal to the conclusion of what has been decreed. (Council of Constantinople, *Address to Theodosius*)

6. The Roman State and the Catholic Church in the Fourth Century

The course of imperial favor, and of a hardening of attitudes toward other forms of religion, can be clearly charted in the series of enactments dealing with the Christian Church that began to appear in Roman law in the fourth century. These start with a modest decree concerning what was still in 321 C.E. called the "Day of the Sun."

3 July 321 C.E.: Just as it appears to Us most unseemly that the Day of the Sun which is celebrated on account of its own veneration should be occupied with legal altercations and with noxious controversies of the litigation of contending parties, so it is pleasant and fitting that those acts which are especially desired shall be accomplished on that day. Therefore all men have the right to emancipate and to manumit on this festive day, and the legal formalities thereof are not forbidden. Given on 3 July at Cagliari in the second consulate of Crispus and Constantine Caesars. (Theodosian Code 16.2.8)

tions whereby earthly peace is secured and maintained, so long only as no hindrance to the worship of the one supreme and true God is thus introduced. Even the heavenly city, therefore, while in its state of pilgrimage, avails itself of peace on earth, and so far as it can without injuring faith and godliness, desires and maintains a common agreement among men regarding the acquisition of the necessities of life, and makes this earthly peace bear upon the peace of heaven; for this alone can be truly called and esteemed the peace of reasonable creatures, consisting as it does in the perfectly ordered and harmonious enjoyment of God and of one another in God. (Augustine, *City of God* 19.17) [AUGUSTINE 1948: 2:493-494]

9. "There Are Two Powers"

Augustine's philosophical approach to the dissociation of the Roman City of Man from the Christians' City of God looked to history. The bishop of Rome, who claimed a primacy of ecclesiastical jurisdiction, had to deal with a closer political reality: his relationship with another primate, the emperor in Constantinople. In 494 C.E. the imperial incumbent was Anastasius, and in that year Pope Gelasius wrote to him in an effort to set the emperor straight on the matter of authority.

I implore your Piety not to judge a sense of duty to the divine truth as a form of arrogance. I trust that it will not have to be said of a Roman Emperor that he resented the truth being told him. There are indeed, most august Emperor, two powers by which this world is chiefly ruled: the sacred authority of the Popes and the royal power. Of the two the priestly power is much the more important because it must give an account of the kings of men themselves before the divine tribunal. For you know, our most clement son, that though you have the first place in dignity over the human race, yet you must submit yourself faithfully to those who have the charge of divine things and look to them for the means of your salvation. You know that you should, when it concerns the reception and reverent administration of the sacraments, be obedient to the Church's authority rather than seek to control it. So too in such matters you ought to depend on the Church's judgment instead of seeking to bend it to your own will.

For if, in matters that deal with the administration of public discipline, the bishops of the Church, since they are well aware that the Empire has been conferred on you, are themselves obedient to your laws, so that in purely material matters they ought not to voice contrary opinions, with what willingness, I ask you, should you obey those to whom is

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assigned the administration of the divine mysteries? So just as there is great danger for the Popes in not saying what is necessary in matters of the divine honor, so there is great danger for those who are obstinate in resistance—which God forbid should happen—at the very time they should be obedient. And if the hearts of the faithful ought to be submitted to all priests in general, who rightly administer holy things, how much more ought assent be given to him who presides over the See which the Supreme Godhead Himself desired to be pre-eminent over all priests, and which the pious judgment of the whole Church has honored ever since? (Gelasius, *Letter to Anastasius*)

10. The Imperial View

The issue of the two spheres of authority, the spiritual and the temporal, argued with such economic finesse by Gelasius, could hardly be gainsaid by any Christian. But even granting the argument, with or without the corollary of Papal primacy, there were other considerations and other equally persuasive responsibilities. These are set forth by Emperor Justinian, who was not unsympathetic to Papal claims, in a letter not just to the bishop of Rome but to all his Roman subjects. The imperial decree, which had the force of law, is dated 17 April 535 C.E.. It begins with a respectful echo of Gelasius' own argument.

The greatest of the gifts which God in His heavenly mercy has given to men are the priesthood and the imperial authority. The former ministers to divine matters and the latter presides and watches over human affairs; both proceed from one and the same source, and together they are adornments of human life. And so nothing is so close to the hearts of emperors as the moral well-being of the priesthood, since it is the priests who have the task of perpetual prayer to God on behalf of the emperors themselves. For if the priesthood is entirely free from vice and filled with faith in God, and if the imperial authority sets in order the commonwealth committed to its charge in justice and efficiency, there will come about an ideal harmony providing whatever is useful for the human race. We therefore have the greatest anxiety for the true doctrines of God and for the moral well-being of the priesthood by which, if it is preserved, we believe that the greatest gifts will be given to us by God and we shall preserve undisturbed those things which we have and moreover gain the benefits which we presently do not possess. But all things are done rightly and efficiently if a beginning is made which is fitting and agreeable to God. We believe that this will come about if there is due care for the

observance of the holy canons, which the justly praised Apostles and venerated eyewitnesses and servants of the word of God handed down and which the Fathers preserved and interpreted. (Justinian, *Novella 6*)

11. The Keys of the Kingdom

On 15 March 1081 Pope Gregory VII sent a letter to Hermann, bishop of Metz, on the subject of the Pope's power over the secular authority, in this instance Emperor Henry. The letter's title in the papal archives is "Against those who stupidly maintain that the Emperor cannot be excommunicated by the Roman Pontiff," and that appears to be an adequate summary of both its tone and its contents. None of the themes are new, perhaps, but they are marshaled with marvelous force, ease, and confidence.

It seems hardly necessary for us to comply with your request, namely, that we lend some assistance with a letter of ours and fortify you against the madness of those who keep repeating with perverse mouth that the Holy and Apostolic See has no authority to excommunicate Henry—a man who despises Christian law, destroys the churches and the Empire, sponsors and sustains heretics—and to absolve any from the oaths of fealty sworn to him. Indeed this enterprise seems to us hardly necessary because of the many and perfectly clear proofs that are available in Holy Scripture. . . . To say only a few words out of many, who does not know the words of our Lord and Savior Jesus Christ, who says in the Gospel, "You are Peter and upon this rock I will build my Church, and the gates of hell shall not prevail against it; and I will give you the keys of the kingdom of heaven; and whatsoever you shall bind upon earth will be bound also in heaven; and whatsoever you shall loose upon earth shall be loosed also in heaven"? Are kings excepted here? Are they not among the sheep that the Son of God committed to St. Peter? Who, I ask, can consider himself as exempted from this universal power of binding and loosing conferred on St. Peter, except perhaps some unfortunate who, because he is unwilling to bear the yoke of the Lord, subjects himself to the burden of the devil and refuses to be among Christ's sheep? For such a one it will be a small addition indeed to his wretched freedom if he shakes off from his proud neck the power divinely granted to St. Peter; the more anyone, out of pride, refuses to bear it, the more heavily it shall press upon him and he shall carry it to his damnation at the Judgment.

The Holy Fathers, supporting and serving the Holy Roman Church with great veneration, called her the Universal Mother in the Councils and by other such titles in their writings and acts. In doing this they