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A CRITICAL EXAMINATION OF THE CHURCH'S RECEPTION OF EMPEROR CONSTANTINE'S EDICT OF MILAN OF AD 313

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ABSTRACT. Since its enactment in AD 313, the Edict of Milan (sometimes referred to as 'the Edict of Toleration'), an edict that freed Christianity from empire-wide persecution, Constantine's declaration has received a significant amount of attention within Christendom. Most of the discussion has centered on Constantine's conversion, the precursor to the actual edict (whether the conversion was real or insincere, as some have suggested), with many suggesting that Constantine was acting more as a politician than a Christian. While this line of inquiry is legitimate, perhaps a better approach to the question may be more helpful to present-day Christians. That is, while it is logical to deduce that every prudent politician will ignore the largest religious movement in his/her time at his/her own peril, Christians of every age will be better served if they critically evaluate their reception of each and every major policy that is clearly aimed at their benefit. With this background, this paper will attempt to critically examine the reception of Constantine's edict by the Church in the years immediately following its enactment. Two early exhibits will be brought to bear here: the Donatist controversy and the Arian controversy. In so doing, the thesis that while Christians had every reason to celebrate the enactment of the edict, down the road, an uncritical adoption of the emperor's policies and favors towards the church opened a door for an unhealthy marriage between earthly powers and the church that proved detrimental in the ensuing years, will be defended. As such, the Church's reception of the Edict of Milan continues to be a lesson to Christians of every age in their relationship with the political leadership of their time.

KEYWORDS: Constantine, Edict of Milan, Donatists, Arian, Eusebius, Zosimus, Lactantius

Introduction

Church historian Robert L. Wilken begins his short paper entitled 'In Defense of Constantine' with these words: '[T]he ritual pronouncement of anathemas against Constantinianism has become so commonplace that the historical Constantine (A.D. 288?–337) has slipped from our sight' (Wilken 2001:36). What Wilken is getting at here is the immense attention that has been given to the 'negative' implications of Emperor Constantine and his

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policies to Christianity as evidenced in subsequent Constantinian scholarship. Indeed, the place of Constantine in Christianity has been continually debated.

For the most part, the argument has been that, in accepting the offer of toleration from Constantine together with all the favors that came with the conversion of Constantine, Christianity lost her authentic Christian witness. For example, in his work entitled *The Politics of Jesus*, after listing a number of problems that were a result of Constantine's interaction with Christianity, the pacifist Obery M. Hendricks, concludes:

> Unfortunately, this is not all. Constantine's adoption of Christianity as the de facto religion of the Roman Empire had another result as well: it sped the Church's slide down the slippery slope of assimilation to the social mores and values of Greco-Roman culture. This was a disastrous development in that these values, such as social elitism, instructing slaves to honor their enslavers, and endorsing male domination of women were in direct opposition to the gospel of freedom and equality taught by Jesus. In reality, though, the post-Constantinian Church only heightened the move toward assimilation that had been begun long before. In part, it is already evident in the New Testament letters known as 1 Timothy, 2 Timothy, and Titus (Hendricks 2007:92).

This echoes the of John Howard Yoder's earlier observation that Christians in the fourth century, who found themselves 'in positions of social responsibility…had to go for their ethical insight to other sources than Jesus' (Yoder 1972: 135). He further argues that these changes were inevitable in the age of Constantine, writing: '[T]he real reason we should not be surprised that the church at the age of Constantine had to resort to other models for the construction of a social ethic in Christendom was that, quite simply and logically, Jesus had nothing much to say on the subject. And if, perchance, Jesus might be said to have spoken in this area, due to vestiges of the prophetic tradition which he took up only to transmute them into something more existential, then at least it is clear by the time of the Pauline churches any such dimension was lost' (Yonder 1972: 135–36).

Indeed, the idea that the credibility of Christianity was severely impacted negatively by the actions of Constantine runs deep in scholarship. For example, while not naming Constantine specifically, historian of doctrine, Adolf Harnack, sees the development of early Christian doctrine as regress instead of progress. He writes, 'The Gospel entered into the world, not as a doctrine, but as a joyful message and as a power of the Spirit of God, originally in the forms of Judaism. It stripped off these forms with amazing rapidity, and united and amalgamated itself with Greek science, the Roman Empire and ancient culture, developing, as a counterpoise to this, renunciation of the world and the striving after supernatural life, after deification. All this was

summed up in the old dogma and in dogmatic Christianity' (Harnack 1894–1899: 272, cf. Harnack 1902). And, as noted, the main reason for this argument is that Constantine's conversion was itself insincere. Hendricks' comment is typical of many others concerning Constantine's conversion. He argues that the 'problems caused by the Roman Empire's acceptance of the faith seem to mirror the questionable conversion of Constantine himself' (Hendricks 2007: 87). While the question of Constantine's conversion will be briefly treated, suffice it to say that, as Latourette noted in the last century, 'whether he [Constantine] was a Christian from political motives or from sincere religious conviction has been hotly debated' (Latourette 1953:92). However, the focus of this paper is on Constantine's edict of toleration: its reception by the church and its impact on her. Hence, the question of Constantine's personal conversion will be treated to the extent that it is pertinent to the main issue that is being addressed in this paper.

The Edict of Milan: The Setting, Stipulations and Meaning of the Edict of Toleration

Historians note that the so-called 'Edict of Milan' is intrinsically tied to the conversion of emperor Constantine himself. While specifics differ from historian to historian, there are some agreeable traits in the report of Constantine's conversion to Christianity, which, according to Henk Singor, 'is one of those momentous events in history of which nobody doubts the importance but of which it is nearly impossible, or so it seems, to grasp the reality of what actually occurred' (Singor 2003: 481). While it is believed that he was exposed to Christianity through his mother, many agree that his conversion is connected to the sign that he saw while battling his co-heir, Maxentius in the battle of Milvian Bridge in AD 312. According to Zosimus while Maxentius was the son of Emperor Maximian and the son-in-law of Emperor Galerius, Constantine is believed to have been 'born out of the relationship between an ignoble woman and the emperor Constantius, who was not her lawful husband' (Lieu and Montserrat 1996:14). Lieu further elaborates that

> the issue of [Constantine's] illegitimacy resurfaces at the proclamation of Constantine by the army—the soldiers proclaimed Constantine emperor because they felt that none of Constantius Chlorus' legitimate heirs was fit to rule, thereby confirming Constantine's status as a bastard. This is reinforced by Maxentius' resentment at the proclamation: he 'the son of Maximianus Herculius thought it intolerable that Constantine, born of an ignoble woman, should achieve his ambition, whereas he, son of so remarkable an emperor, remained at the whim of chance while others exercised his father's power'… The soldiers wanted Constantine not because of his ability to command but because of his fine looks and particularly because of his liberality with donatives (Lieu and Montserrat 1996:15).

This shaky biography of Constantine highlights the significance of his 'conversion'.

The main Christian source for the events that took place in this battle on October 28, AD 312, is Eusebius' *Life of Constantine* (*Vita Constantini*). According to this official biographer of Constantine, in the vision, Constantine saw a sign by which he was to conquer his nemesis, Maxentius, in this battle. Eusebius writes concerning this sign (of the cross?) in *Vita* 1.28.2: 'He [Constantine] said that about noon, when the day was already beginning to decline, he saw with his own eyes the trophy of a cross of light in the heavens, above the sun, and bearing the inscription, CONQUER BY THIS. At this sight he himself was struck with amazement, and his whole army also, which followed him on this expedition, and witnessed the miracle' (Eusebius 1904:1.28.2). As it can be observed, this report came from Constantine himself many years after the event. This may explain why the report does not appear in Eusebius' more famous work entitled *Ecclesiastical History*. [Eusebius also notes that Constantine reported that he also had a dream the same night in which the Lord appeared to him and asked him to protect him from his enemies. Eusebius writes in *Vita* 1.29: 'He said, moreover, that he doubted within himself what the import of this apparition could be. And while he continued to ponder and reason on its meaning, night suddenly came on; then in his sleep the Christ of God appeared to him with the same sign which he had seen in the heavens, and commanded him to make a likeness of that sign which he had seen in the heavens, and to use it as a safeguard in all engagements with his enemies' (Eusebius 1904:1.29)]. Additionally, Lactantius, in *De Mortibus Persecutorum* 44.5, says that the emperor was admonished in this dream to 'note 'the heavenly sign of God' (*caeleste signum dei*) on the shields before going into battle' (Singor 2003: 482). But what did Constantine see and what did his conversion mean?

Debates concerning what kind of a 'sign' Constantine saw and what his conversion means continue. The Greek phrase of what he saw is simply this: Ἐν Τούτῳ Νίκα ('in this [sign], conquer'). The question remains: what was the *actual* sign that he saw? The earliest account of what the sign was comes from Lactantius who, writing in AD 315, described it not as the 'chi/rho/Christogram (i.e., ☧)—a schematic representation of the first letters of the name «Christos» in Greek—but as a «staurogram» (☧)—a tau cross surmounted by a half a circle' (Lenski 2016: 9). But, as Lenski argues, 'the first datable appearance of the labarum [the military banner] in an epigraphic context—on two inscriptions from North African milestones dated to early 313—represents not the staurogram but the Christogram' (Lenski 2016: 9). So, did Constantine see a staurogram, as Lactantius notes, or a Christogram, as evidence seems to suggest?

One of the more interesting exercises is to see how non-religious historiographers of Constantine describe this vision. Copying probably from the historian Eunapius, Zosimus, presenting what would be a typical interpretation of the sign from a non-religious historian, provides a pagan interpretation of the sign, writing:

> The event revealed the truth: in fact when Maxentius brought his army out before the city of Rome and crossed the bridge which he himself had built, a numberless crowd of screech owls landed on the wall and covered it; when Constantine saw this he instructed his forces to form battle lines; when the armies were in position face to face, flank against flank, Constantine sent his cavalry forward which advanced and defeated the enemy horsemen (Lieu 1996: 15).

Thus, for him, the 'sign' for Constantine, was the 'screech owls'. However, as Lieu correctly observes, the 'episode of the owls, only found in Zosimus, is probably an invention of Eunapius' sources intended to counter Christian stories of Constantine's visions' (Lieu 1996: 15; cf. Bhola 2015).

While it may be impossible to resolve this discrepancy concerning the sign that Constantine saw, the most likely explanation is that there was a process of the adaptation of the sign from an earlier military ensign to a Christogram with Christian implications. Both J. D. Zwaan and Lenski arrive at this conclusion, noting that the Christogram resembles the Egyptian symbol *ankh* (☥), which, 'whatever its origin, was a sign for life and similar to the sign of the cross' (Zwaan 1920: 332). Therefore, according to this hypothesis, particularly in Egypt where most of the earliest archeological evidence for the Christogram comes from, 'Constantine's Egyptian subjects and those familiar with Egyptian iconography were thus likely to have seen in the labarum a further confirmation of Constantine's well-documented attachment to the divine Sun (Lenski 2016: 11). The implication is that, by the time of the establishment of the archeological artifacts, the Christogram had fully been recognized as the closest representation of Constantine's sign that led to his conversion.

In any case, everyone agrees that whatever sign Constantine saw led to his dramatic conversion. And, while, as noted earlier, debates continue as to whether his conversion was sincere, there is no doubt that whatever happened brought about a dramatic change in the emperor's life. Bart Ehrman captures this change. 'Later historians would sometimes question whether the conversion was genuine', he writes, concerning Constantine' conversion, noting further that 'to Constantine himself and to spiritual advisers close to him, there appears to have been no doubt' (Ehrman 2018: 13). This is really interesting concession from the usually very skeptical historian. Ehrman further remarks that '[F]ew events in the history of civilization have proved more transformative than the conversion of the emperor Constantine in the year 312 CE', adding that

> He [Constantine] had shifted from one set of religious beliefs and practices to another. At one point in his life he was a polytheist who worshipped a variety of pagan gods—gods of his hometown Naissus in the Balkans, gods of his family, gods connected with the armies he served, and the gods of Rome itself. At another point he was a monotheist, worshipping the Christian god alone. His change may not have been sudden and immediate. It may have involved a longer set of transitions than he later remembered, or at least said. There may have been numerous conversations, debates with others, and reflections within himself. But he dated the event to October 28, 312 (Ehrman 2018: 13).

At that point he began to consider himself a Christian (ibid). This may explain why Constantine delayed his baptism up to just a few moments before his death (he was baptized by the Arian bishop, Eusebius of Nicomedia in AD 337). However, Constantine may have been concerned with post-baptismal sins and, thus, delayed his baptism until very close to his death. In other words, to Constantine and his advisers, his conversion was *genuine*. And, as an immediate consequence, Constantine would issue the Edict of Milan a few months after his conversion.

The Edict of Milan

As noted above, the results of Constantine's conversion were tremendous. The most significant of these developments was the enactment of the Edict of Milan in AD 313. The occasion of the enactment of this edict has led to some lively debates in Constantinian scholarship. For example, while it is generally agreed that the document was the product of a meeting between emperors Constantine and Licinius, some, like Ehrman, have pointedly argued that this 'so-called Edict…was not an edict and was not from Milan' (Ehrman 2018: 35). The reasoning behind this conclusion by Ehrman is that rather 'than being an imperial edict issued from Milan, it was a letter from Licinius based on an agreement he and Constantine had reached at a meeting they had held earlier in Milan' (Ehrman 2018: 299). The meeting in question here, was the meeting between Constantine and Licinius (the emperor of Macedonia and Greece who was in the crosshairs of Constantine because of his cruel treatment of his subjects, and whom Constantine had, thusly, divested of his power) took place in Milan a few months after the conversion of Constantine. According to H. A. Drake, the occasion that brought both emperors together 'was the marriage of Licinius and Constantia, the traditional manner for Romans to seal an alliance' (Drake 2000:193). Concerning how Licinius' realm came to be under Constantine, Lieu explains that [I]n his flight [from Constantine], Maxentius met the kind of death that he himself had often thought up in order to destroy his enemies, and fell into the ditch that he had dug. [Then] some Romans cut off his head, stuck it on a pole and walked with it through the city' (Lieu 1996: 7). Lieu further explains that Constantine 'had

learned that Licinius was also treating his subjects with inhuman cruelty [like Maxentius]… Unable to tolerate this unbearable treatment of his fellow citizens, Constantine undertook an expedition against him in order to make him exchange his tyrannical ways for a sovereign's attitude' (Lieu 1996: 7–8). Licinius was able to escape the fate met by Maxentius by swearing to Constantine that he would be good to his subjects As a result, they worked on details of the relationship 'which included agreement on a postpersecution policy' (Drake 2000:193). This policy is what is popularly referred to as 'The Edict of Milan'. And, while their meeting was cut short by the reports that Maxentius' ally, Daza, had launched an assault and had to rush back east, when 'he returned to Nicomedia that June, Licinius publicly posted a letter to the provincial governor announcing the allies' policy toward religion, whence it found its way into Lactantius's *On the Deaths of the Persecutors*' (Drake 2000:194). Surviving in different forms, it is now traditionally known as the 'Edict of Milan'.

The general scholarly consensus is that this document is one of the most significant developments in early Christianity. While the movement towards the toleration in Christianity had been building up for some time (the Edict of Toleration by Galerius, for example, in AD 311 was a major development towards the granting freedom of worship to Christians 'provided they do nothing contrary to good order'), the provisions of the Edict of Milan went much further than any other of such agreements in the past. Citing Elizabeth DePalma Digeser, Wilken correctly observes that Lactantius, whose views are particularly the essence of this Edict, 'was the first Western thinker to adumbrate a theory of *religious freedom* rooted not in notions about toleration but in nature of religious belief ' (Wilken 2001: 36, cf. Digeser 2013). Drake further notes that, with the requirement of the 'Edict of Milan' that Christian exiles be returned and seized property be restituted, 'the Edict of Milan goes substantially beyond the edict of Galerius two years earlier, which showed no willingness to concede that the Christians had been harmed in any way and thus made no provision for restitution' (Drake 2000: 194). Wilken also explains that

> [B]y mentioning not only Christianity… but other forms of worship, the decree forth a policy of religious freedom, not simply the toleration of a troublesome sect. As the emperors put it, each person should be given the freedom 'to give his mind to the religion to which he felt was most fitting to himself ', for the supreme divinity is to be served 'with free mind' (Wilken 2001: 37).

Milton Anastos further elucidates:

> Although the Edict guaranteed freedom to all religions, the emphasis throughout is on the Christians, who had never before been granted this privilege so

> unreservedly. The studied ambiguity in the references to the Godhead, on the other hand… as many have remarked, was both acceptable to the Christians, whom it was the primary purpose of the Edict to conciliate, and also at the same time inoffensive to the pagans, who were too numerous… to alienate. Since the latter constituted the majority throughout the Empire, especially in his portion of it, Constantine, despite the sincerity of his conversion to Christianity, would have made a special effort (as in the choice of an innocuous substitute for the divine name in this Edict) to avoid alarming them or goading them into rebellion under the banner of the ancient gods. Similar considerations would have weighed heavily also with Licinius, in whose part of the Empire the Christians, though more numerous than in the West, were nevertheless outnumbered by the pagans (Anastos 1967: 38).

Indeed, as Drake declares, the Edict 'constitutes a landmark in the evolution of Western thought—not because it gives legal standing to Christianity, which it does, but because it is the first official government document in the Western world to recognize the principle of freedom of belief' (Drake 200: 194). In other words, this Edict was the first official document to clearly stipulate the concept of freedom of religion/worship, an idea that will later become one of the principal concepts in the formulation of the United States' constitution.

With the main details of surrounding the enactment of the Edict of Milan having been highlighted, the focus now shifts to this the central question: how did the church receive and utilize the provisions of this Edict? How did, for example, the outright involvement the emperor in church matters, and of bishops in politics, impact the church? What are, if any, lessons present-day Christians can learn from this past experiment? These and related matters, form the content of the remaining pages of this paper.

A Critical Examination of the Church's Reception of the Edict of Milan

As the introductory scan has demonstrated, the interpretation of the church's reception of the 'Edict of Milan', has been mixed. This reception, sometimes referred to as the doctrine of 'Constantinianism', is 'an accommodation between the churches and political authority in which the churches 'identify themselves with the power structures of their respective societies instead of seeing their duty as calling these powers to modesty and resisting their recurrent rebellion' (Wilken 2001: 39). Understood this way, 'Constantinianism' is akin to some aspects of Postmillennialism in its view of the world. For example, it 'holds that the world is already 'by itself' on the way to achieving the 'fullness' of salvation', and the Church is to be but an instrument to aid it on its way' (Wilken 2001: 39). But, is this so? Or, better, how did the Church understand and relate with the 'Constantinian settlement' immediately after and the centuries succeeding the enactment of the 'Edict of Milan?' While it is impossible to deal with every single development concerning this matter, a few aspects will be examined here.

While generalizations in scholarship, sometimes tend to mask than to reveal, in some cases, not only are they helpful, but they are the most accurate assessment of the issues. At the risk of overcomplication, therefore, it can be stated that the Church's reception of the provisions of the Edict of Milan brought with it both positive and negative results. That is, while, on the one hand, the provisions provided an insurmountable relief to Christians from the persecutions that had been codified by such emperors as Diocletian through their successive edicts, on the other hand, it led to an admixture of Christianity and politics that was to prove detrimental in the succeeding centuries. A few of these results are highlighted here.

One of the most significant and immediate consequences of the issuing of the Edict of Milan was the legalization of Christianity. That is, while Constantine did not make Christianity the official religion of the empire (doing so would not have been politically expedient since the empire was polytheistic), Christianity moved from being *religio illicita* to *religio licita*. However, 'Christianity was not only decriminalized; it went from being a persecuted faith to being the religion of most-favored status' (Ehrman 2018: 35). And, as expected, the bishops returned the favor to their favorable benefactor: they invited Constantine to be involved in the affairs of the Church. As response, the emperor was involved in at least two key Church affairs: the Donatist and Arian controversies. It is possible that Constantine did this out of his sincere commitment to the Lord. Ehrman is perhaps correct in observing that, despite the incredulity of some scholars concerning Constantine's conversion, 'his deep personal commitment to Christian causes, if nothing else, should lay all suspicions to rest' (Ehrman 2018: 230). Ehrman further notes, in addition to Constantine's actions, his words should also put aside all of those doubts, writing: '[A]s should his own words, found repeatedly throughout the sources, as in a letter he sent to those living in Palestine: «Indeed my whole zeal and whatever breath I draw, and whatever goes on in the depths of the mind, that I am firmly convinced, is owed by us wholly to the greatest God» (*Life of Constantine* 2.29)' (Ehrman 2018: 230). Thus, the theological onus was on the Church leadership: in which areas and to what extent should they involve political leaders in theological and ecclesial matters? The two issues highlighted here serve to demonstrate that, by inviting and/or letting Constantine lead the way in matters of doctrine and polity, the bishops set a problematic precedent that would, in later years, prove detrimental to both entities. Both are analyzed here briefly.

The Donatist Controversy

In a very truncated manner, this controversy is named after Donatus, who was the leader of a schismatic group in North Africa at the time of the enactment of the Edict of Milan. Donatists were concerned with the question of

traditores. This was a term that referred to members of the clergy who had turned the Scriptures to authorities to be destroyed in accordance with Diocletian's first decree of AD 303. As Ehrman explains, most 'Christians saw this not only as an awful policy of the persecutors but also as an act of sacrilege for anyone who complied' (Ehrman 2018: 222). However, after persecution ended, there were multiple questions concerning what to do with *traditores* who had come back to the Church. For example, were they to be rebaptized or was their baptism still valid? Or, better, 'if a bishop had been ordained by laying on of the hands of a *traditor*?' (Ehrman 2018: 222). Donatus and his followers took a very stringent approach to the issues. 'In particular', Ehrman writes, 'Donatus argued that the bishop of Carthage, Caecilian, had not received a valid ordination' (Ehrman 2018: 222). According to the Donatists, any rite performed by 'tainted' clergy, was invalid. For them, 'rebaptism was the only solution' (Drake 2000: 213–14). Their opponents, on the other hand, 'held that churches elsewhere only recognized one baptism and in any case the option of rebaptism for deceased Christians who had received last rites from compromised clergy' (Drake 2000: 214). Eventually, this became a full-fledged controversy. This is when Constantine got involved.

Ironically, it was the Donatists who first requested Constantine's intervention in this matter. This was 'Constantine's first foray into ecclesiastical matters' (Ehrman 2018: 221). When the Donatists appealed to him, Constantine was reluctant to get involved, and turned the case over to the bishop of Rome, who handed a defeat to the Donatists. According to Drake, the case involved bishop Caecilian in North Africa. He explains:

> At least initially, personality conflict fed the flames. Caecilian had been a deacon at Carthage during the persecution, and in that capacity he had taken steps that his opponents interpreted as interfering with attempts by members of his congregation to bring food to other Christians imprisoned by the authorities. He had also offended a wealthy parishioner by forbidding her from fondling relics of her favorite martyr in the church. Many reasonable explanations can be given for Caecilian's actions, but all would miss the point. In the North African church, martyrs had always been revered even more than elsewhere, and even one of these charges by itself was enough to ruin a cleric's career. When Caecilian became bishop of Carthage, around 311, with a hasty consecration that prevented bishops from neighboring Numidia (modern Algeria), where Donatist sentiment was strongest, from exercising their traditional rights to participate, his enemies exploded. Instead of taking steps to diffuse the situation, Caecilian coolly informed the furious Numidians that they could exercise their rights by confirming his appointment after the fact (Drake 2000: 214).

Rejecting the verdict of Rome, the Donatists, again, appealed to Constantine. However, as Lenski notes, Constantine showed remarkable patience, 'famously claiming, «They demand my judgement when I myself await the

judgement of Christ»' (Lenski 2016: 80). Indeed, according to him, there were a number of letters in which Constantine refused to allow the Catholic Church to be harsh towards the Donatists, arguing that they should leave revenge to God. Lenski, however, adds the caveat that 'these statements of tolerance [on the part of Constantine], for all they display disgust and exasperation toward the Donatists, are based on the theological principles advocated by Lactantius that counseled the truly just ruler—that is, the Christian emperor—to remand the punishment of religious dissenters to divine judgment' (Lenski 2016: 81). This was the attitude adopted by Constantine even as the controversy dragged on.

With his patience finally waning, Constantine, for a time, 'unleashed the coercive machinery of the state against a group that he now characterized as false teachers, agents of the devil, stubborn militants' (Drake 2000: 221). He even angrily 'sought to close off Donatists from the reward of martyrdom, as if he, as emperor, had the right to decide what was true and was false martyrdom' (Drake 2000: 221). But this approach was neither consistent nor far-reaching. As Lenski observes, during this his first involvement in ecclesial matters, 'Constantine was more commonly willing to tolerate the ongoing existence of pagans in the hope that God would do his part—spurred on by Constantine's example—to bring all to right worship' (Lenski 2016: 81). That is, while some scholars have reached different conclusions concerning this first involvement in church matters, Drake is correct in observing that, in this case, 'it remains significant that the face he chose was that of Christian love and endurance [amidst the pressure of the Catholic bishops], that the principle he chose was one compatible with the Edict of Milan' (Drake 2000: 221). Therefore, as noted earlier, the onus was on the church (both the Donatists and the Catholic Church) to rightly appropriate the spirit and terms of the Edict. How did they fare in this incident, one may ask?

Two key observations can be made in response to this question. First, as part of the church, the Donatists' initial appeal to Constantine on doctrinal matters was, at the very least, theologically problematic. This is because it opened the door for a theologically unqualified person to make key theological decisions, setting the precedence for future political leaders to be at the helms of theological decisions. To his credit, however, Constantine, it seems, 'failed to attain to the *Pontifex Maximus* [high priest] role as had been the scenario with preceding significant emperors such as Augustus Caesar (27 BCE–14 CE)' (Rukuni and Oliver 2019: 2), a title that continued until it was dropped by Gratian, who was emperor from AD 375 to AD 383. However, it should be noted that scholarship is divided on this question (whether or not Constantine saw himself as Maximus Pontfex of the church. Most of the information concerning Constantine viewing himself in this capacity, comes

from such early Constantinian apologists as Eusebius. As Alan Cameron explains,

> From as early as Constantine, many a Christian emperor tried to impose his will on the church. Constantine once jokingly referred to himself as 'bishop of those outside the church', and Eusebius… adds that the emperor did indeed 'exercise a bishop's supervision (ἐπισκόπει) over his subjects'. In another passage he compared Constantine to a 'universal bishop appointed by God'. It is also worthy observing that, when quoting in his own Greek translation, the edict of Galerius and Constantine ending persecution of Christians, Eusebius gives the full titulature of both emperors (running fifteen lines) rendering *pontifex maximus* as ἀρχιερεὺς μέγιστος without comment. In this, as in many others, Constantine cast a long shadow (Cameron 2007: 360).

Cameron sees this tradition of ascribing the pontifex maximus title to the emperor in the writings of Ambrosiaster (Cameron 2007: 361). However, others like Pope Galesius (492–496), argued that 'only pagan emperors, inspired by the Devil, had taken the title pontifex maximus' (Cameron 2007: 362; cf. Seston 1947). This understanding seems consistent with the observations that have already been made concerning his seeming hesitancy to get involved in ecclesial matters. But once the Donatists appealed him and he got involved, a problematic precedence was set whereby non-theological politicians would be making far-reaching theological decisions such as to determine orthodoxy and heresy. This leads to the second observation.

The second observation pertains to the handling of the matter by the Catholic church as well. During their second attempt to resolve it, as a result of Constantine's order that the Catholic bishops convene the Council of Arles in AD 314 to resolve the matter, they were willing to accept a lot more favors from the state from that point onwards. Drake summarizes concerning the provisions for this meeting at Arles:

> The council that opened in Arles on August 1, 314, was a major departure [from previous councils]. Not only did Constantine take the initiative in summoning the council himself, but he also gave the bishops to the public post—a highly prized perquisite because of the relative comfort and efficiency of this service compared with the normal means of travel; it signaled the elevated status of Christian leaders in the new regime, as well as the benefits that could flow from imperial favor (Drake 2000: 219).

Indeed, when the Council convened at Arles on August 1, 314, it did so 'with Constantine sitting as a layman in the audience' (Potter 2013: 200). Again, while there is nothing wrong with accepting such favors from the emperor, the incident opened the path for more state favors, which, eventually, led to bishops becoming 'central power brokers in the late antiquity city' (Lenski

2016: 21). As Lenski further notes, 'at the same time that Constantine was redirecting landed and movable property from cities and temples to Christian churches and building Christian architecture into the urban infrastructure of cities, he was also working to transfer power from traditional *civic magistrates* to the officers of the church' (Lenski 2016: 21). Again, this would prove detrimental to the church down the road.

A final comment needs to be made particularly concerning the granting of the power to render civil judgment to the bishops by Constantine. Specifically, Constantine did this through these two laws: *Theodosian Code* 1.27.1 of June 23, 318 and the *Sirmondian Constitution* 1 of May 5, 333. The first law states that 'the decisions of the bishops should be considered 'as sacred' (*pro sanctis*)' (Lenski 2016: 198). This meant that, 'like the decisions of the emperor and those entitled to issue judgments in his stead (*vice sacra*)—the bishop's decision was not subject to appeal' (Lenski 2016: 198). This is an extremely high standard, given that although 'some bishops had a background in Roman law, most did not, leaving them ill equipped to adjudicate imperial law on the bewildering variety of questions they now faced' (Lenski 2016: 199). The same can be said about the second law, which pertained to the question of whether or not the bishop's decision can be appealed 'if it had been issued in a case involving minors, whose appeals were normally governed by special rules' (Lenski 2016: 199). Again, in line with the first law, 'Constantine's answer affirms the inviolability of the bishop's decision, which—once again—is to be considered 'as sacred' (*pro sanctis*) even in this instance' (Lenski 2016: 199). In so doing, therefore, the privileges and favors provided by Constantine to the bishops in the Council of Arles in AD 314, provided the gateway for many other favors and privileges to the bishops and the church at large.

In summary, as a consequence of the appropriation of the Edict of Milan to Christianity, both the Donatists' and the Catholic's involvement of Constantine in the Donatist controversy opened the door for the emperor and his successors to be involved in theological questions of the church, most of which they were unqualified to deal with. And, of course, as demonstrated above, this involvement and granting of favors and privileges to the church, did not stop there. Looking back, one sees how the church would have (but didn't) chosen to refrain herself in the involvement of political power and limited Constantine's involvement in theological matters to that of an emperor who happens to be a Christian. As Lenski further notes, 'the first Christian emperor thus set a bold new course that, although it had to be corrected significantly, made a lasting impact on the bishop's rise to dominance' (Lenski 2016: 200). Indeed, concerning these favors to the Church by Constantine, Lenski, lists as he assesses them thusly:

> a grant to bishops of the right to adjudicate civil cases with full reliance on imperial authorities for the enforcement of their decisions (*episcopale iudicium*); his institution of a new manumission process whereby Christian clergy could offer full and formal freedom to slaves in their places of worship; his opening of the use of the public posting system (*cursus publicus*) to Christian clergy; and his grant of curial immunity to Christian clerics (Lenski 2016: 197).

Ha adds that '[E]ach of these new privileges represented a significant departure from earlier precedent, and they quickly began to be overused and abused by individuals eager to seize on these new opportunities for personal gain' (Lenski 2016: 197). And, while some of these were repealed by later emperors like Julian, 'with this redistribution of power at the local level from civic aristocrats and members of the old curial elite to a new class of civic grandee, the bishop, Constantine was initiating a trend that would eventually result in the radical transformation of power structures at the local level in all ancient cities' (Lenski 2016: 197). The same approach is seen in the second major theological issue that Constantine was involved in during those years immediately following the enactment of the Edict of Milan, *viz*, the Arian controversy, which is treated here briefly.

The Arian Controversy

About a decade after the Council of Arles, the church was faced with another theological issue: the Arian controversy. Indeed, the Arian controversy was about an issue that is theologically far more central than the Donatist one: the nature of the relationship between the Father and the Son especially after Jesus' incarnation. The controversy revolved around the north African presbyter, Arius who, although some have dismissed as picayune (Ehrman 2018: 224), was one of the most significant theological controversies to engulf the early church. According to John Kelley, Arius taught that, *first*, the son must be a creature, a κτίσμα, or ποίημα, whom the Father has made by fiat in order to use as an agent of creation. *Second*, as a creature of God, the Son must have had a beginning, for there was a time when he was not. Arius is known to have composed into songs the phrase 'ἦν πότε ὅτε οὐκ ἦν' ('there was a time he was not'). *Third*, the son has no communion with the Father, he argued. That is, the son is alien and dissimilar to the Father in terms of His essence because he is a creature. Fourth, the son is liable to change and even sin, just as the Devil was. For Arius, therefore, although the son was transcended above all the other creatures, he was, nevertheless, a creature, a demigod, so to speak (Kelley 1978: 227–30) For Arius, 'there cannot be two beings who are both almighty, since then neither of them is «all» mighty' (Ehrman 2018: 225). This teaching goes against the central teaching of Christianity that 'Jesus Christ is fully god and fully human [otherwise] in no other way could he have performed the redemptive act that brought the «good news» of eternal life

and freedom from death' (Drake 2000: 238). Even at a more practical level, this belief 'was also the most effective way to distinguish Jesus from the galaxy of dying and resurrected gods who populated ancient mythology, as well as from the sons of philandering gods in the heroic pantheon' (Drake 2000: 238). How and in what way did Constantine get involved? How did his involvement relate to the Edict of Milan?

Drake notes that this controversy, which had been brewing since at least 318 CE, could not have peaked at a worse time for Constantine. This is because, at this time, he had 'suffered—and inflicted—severe personal tragedy' (Drake 2000: 237). For some unknown reasons, Constantine ordered the execution of his eldest son, Crispus, as well as his wife, Fausta, who 'fell victim to the emperor's wrath in a particularly grisly way, locked into a steam room and poached to death' Information about these tragic executions is missing in the main Constantinian biographers (panegyrists), Eusebius and Lactantius. However, in Zosimus' *Historia nova*, the executions are reported in an unflattering (exaggerated?) manner. Zosimus, writes in is *Historia nova* II.29:

> When all the power was in Constantine's hands alone, he no longer concealed his natural wickedness, but took the liberty of acting exactly as he pleased in every respect; he still celebrated the ancestral rites, not through respect, but out of advantage; it is why he also obeyed soothsayers, his experience of whom being that they had foretold the truth about all his successes; when he arrived in Rome full of conceit, he thought it necessary to instil his impiety into his own household. In fact his son Crispus, who, as I have already said, had been considered worthy of the rank of Caesar, and had been suspected of a liaison with his mother, Fausta, he put to death without any regard for the laws of nature. Since Helena, Constantine's mother, was indignant at such violence and could not accept the young man's murder, Constantine, as if to console her, brought her a cure for this evil which was worse than the evil itself; having ordered an extremely hot bath to be heated, he placed Fausta in it, only taking her out when she was dead. As he had these crimes on his conscience, and, moreover, had paid no attention to his promises, he went to find the priests and asked them for expiatory sacrifices for his misdeeds; the latter had replied that no method of expiation existed which was effective enough to cleanse such impieties, when an Egyptian, having arrived in Rome from Spain and made the acquaintance of the palace women, met Constantine and stated strongly that the Christian belief destroyed all sins and included the promise that unbelievers who were converted would immediately be purged of all crimes (Lieu and Montserrat 1996: 16–17).

Finally, in a recent article, David Woods, after surveying different ancient medical practices, concludes that Fausta's death was a result of her personal attempt to abort as she had become pregnant as a result of an incestuous relationship with her son, Crispus. 'It is my argument', he writes, 'therefore, that Fausta was pregnant by Crispus, and died in her bath when an attempt to induce abortion went fatally wrong' (Woods 1998: 77). It is noteworthy

that there is no record of the church ever taking any disciplinary actions towards Constantine for these developments in his personal life.

Whether or not these tragedies had anything to do with Constantine's full throttle involvement with the Arian controversy remains debated within scholarly circles. In this case, however, it seems Drake is correct in observing that, because of amount of support each side of the issue enjoyed, Constantine 'had little choice; indeed, he can be said to have acted in spite of, not because of, these misfortunes' (Drake 2000: 237). After the warring theological sides were unable to reach a settlement, Constantine felt compelled to intervene as the controversy was causing much disturbance in the empire. And, after wring letters to both Arius and Alexander, who both failed to resolve the matter, 'Constantine decided to intervene in a major way by calling for the first worldwide, ecumenical, council of bishops to meet and resolve this issue' (Ehrman 2018: 226). This is the Council of Nicea of AD 325, attended by 318 bishops, so named because it met in this Asia Minor city.

While space does not allow a full treatment of the Council, a few comments are in order. *First*, not only did Constantine attend, but he gave the opening address and participated in the debates. Because of his earlier involvement in determining matters of the church, Constantine may have been the one who called this meeting (this point is debated). As Drake elaborates, while the two controversies were theologically different, 'politically, however, the two had one thing in common: they both presented Constantine with choices that, as much as his writings, can be used to reveal his own preferences and priorities' (Drake 2000: 250). It seems that, in both cases, Constantine sided with 'Christians who would be inclusive, who were 'team players', who worked for consensus' (Drake 2000: 250). In the case of this council, he did this through his letter to Arius and Alexander, which he had entrusted to bishop Ossius of Corduba.

Second, and most significant, owing to the place the church had given Constantine in past theological matters, not only did he participate (there are elaborate details of his elegant entry into the meeting contained in the *Vita*), but, during his speech, rendered in Latin and translated into Greek, he, 'with remarkable economy…managed both to identify with his audience and to slip his own agenda onto the table' (Drake 2000: 253). Seston summarizes Constantine's approach to this and other religious councils: 'Disturbances having occurred in various countries, he acted like a universal bishop appointed by God (οἱά τις κοινὸς επίσκοπος ἐκ Θεού καθεσταμένος), and he summoned councils of the ministers of God' (Seston 1947: 128). Specifically, in Nicea, 'He sat in the middle of them, as one among many; without armed men or soldiers, without guards of any kind, he wore the fear of God as a garment, and the most devoted of his faithful colleagues were a rampart about him' (Seston 1947: 128). Thus, it is clear that Constantine, in these meetings,

considered himself as a 'bishop', equal with the other bishops in terms of theological knowledge and ability to deliberate on these matters.

Finally, thanks to the church's uninhibited involvement of Constantine in the theological matters of the church, the bishops went even further and held that Constantine was not only just a 'bishop', but the 'first among other' bishops. Again, Seston elucidates that 'Constantine at Nicea is not placed over the Church by right divine, as it were—he is, and possibly through God's will, *primus inter pares*' (Seston 1947: 128). Therefore, this understanding of Constantine not just as a bishop but the 'first among equals' (and combined with his view of himself as the bishop of those outside the church), 'the 'universal bishop', the peer in dignity of the bishops sitting together in councils, Constantine seems to know only one type of action—the use of force in the service of the Church' (Seston 1947: 129). It is in this capacity that, when two bishops finally refused to sign the creed which held that the Father and the Son are of the same substance (*homoousios*), were, by *imperial decree*, 'sent into exile, along with Arius (who, as a presbyter, did not participate in his own condemnation) and a miscellanies group of priests and students loyal to his cause' (Drake 2000: 257). Thus, Constantine's involvement in Nicea was way beyond that of any normal bishop—he was willing to enact and execute an imperial decree against Arius and his supporters.

Although the bishops had every reason to rejoice at Constantine's intervention in this theological matter, a problematic precedence was being set: the involvement of imperial authority in the determination of orthodoxy and, consequently, the punishment of heresy (in this case, by banishment). While space does not allow full exploration of the ensuing details, sadly, the bishops learned almost immediately that the matter was far from over. In a very summarized manner, within a very short time after the enactment of the Nicene creed, more bishops showed their sympathy with Arius—and—were also exiled. But they knew what to do—having learned their lesson from the orthodox ones—that is, to draw Constantine, again, into the matter. The climax came in AD 327 when Arius himself wrote to Constantine, signaling that he could sign the creed! Of course, this was a manipulative attempt by Arius, which worked beyond his wildest expectations. This letter, written by Arius and Euzoïus, is contained in Socrates' *Ecclesiastical History* 1.26, reads in part:

> This faith we have received from the holy gospels, the Lord therein saying to his disciples: 'Go and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit'. If we do not so believe and truly receive the Father, the Son, and the Holy Spirit, as the whole Catholic Church and the holy Scriptures teach (in which we believe in every respect), God is our judge both now, and in the coming judgment. Wherefore we beseech your piety, most devout emperor, that we who are persons consecrated to the ministry, and holding the faith and sentiments of the church and of the holy Scriptures, may by your pacific and

> devoted piety be reunited to our mother, the Church, all superfluous questions and disputings [sic] being avoided: that so both we and the whole church being at peace, may in common offer our accustomed prayers for your tranquil reign, and on behalf of your whole family (Lieu 1996: 16–17).

Indeed, as Drake observes, 'Arius had done his homework. In reminding Constantine of God's ability to punish wrongs done himself, his confession picked up a refrain from a long tradition of pagan and Christian toleration which Constantine had himself learned to us' (Drake 2000: 260). And, as expected, Constantine was beside himself as he wrote particularly to Arius' nemesis, bishop Alexander of Alexandria. However, throughout the rest of his life, Constantine vacillated between supporting the anti-Arian side and the Arian side, bequeathing his successors with a major problem. According to Ehrman, 'Emperors after Constantine—including his own offspring—adopted the Arian view and exercised their authority to cement its stature in the church, even though… it eventually lost' (Ehrman 2018: 227). In other words, by allowing the state (Constantine) to put its imprint on a theological position and defend it by exiling the position's opponents, the bishops were establishing a precedent which would prove detrimental especially when the shoe moved to the other foot. This is essentially the point being argued here.

Conclusion and Implications

To conclude, this paper has argued that the church's earliest reception of the Edict of Milan proved the edict to be both a blessing and a curse for posterity. While one must be careful not to reach the historically unsupported conclusion that Constantine prescribed early Catholicism (and some have reached that conclusion), still, from the earliest invitation and involvement of Constantine in participating in key theological and ecclesial discussions, and, both determining orthodox and heretical positions, would prove problematic in the ensuing years and centuries. Thus, while the Edict of Milan resulted in exponential growth of the church, thanks to the withdrawal of the anti-Christian edicts of emperor Diocletian, it also, in exchange, enticed the church to involve non-theological political leaders in the theological matters of the church. And, as a result, it paved the way for the immense political power and wealth of the church in subsequent centuries. In some cases, this power would be a result of trickeries. An example here is in the case of the forged document known as 'the Donation of Constantine' This is a forged document that purported to have originated from Constantine, and allegedly bestowed the rule of all western Roman provinces to the bishop of Rome. The existing fragment of this document reads briefly this way: 'King Constantine he gave so much As I wish to relate to you, To the See of Rome: spear, cross and crown. Outright the angel loudly cried «Woe, woe, thrice woe!» Once Christendom stood in fair decorum: Into which a poisoned gift has fallen, Its

honey has turned to gall. To the world this will yet cause much harm' (Fried and Brandes 2007: 7).

There are many lessons that modern-day believers can learn from the ancient church's reception of the Edict of Milan. Overall, as believers living today, we should be cautious about involving non-theological political leaders of any capacity in the ecclesial and theological matters of the church. While this does and will always look different in different politico-ecclesial contexts, as it has been demonstrated, the onus is always on the side of the church as God can (and does) use any political leader for His own purposes. Thus, it is for the church to determine the nature and level of involvement and participation in these matters.

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