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## The Perspective of Saint Ambrose on the Church-State Symphony

### Abstract

The Church has divine and human origins. Founded in a mysterious way by Christ the Saviour on the cross and in a visible way after the sermon of the Saints Apostles on Pentecost, the Church's aim is that all its members attain sainthood. The State's role, however, is to offer its citizens the guarantee of a happy and just earthly life. Its aim is limited to the created world.

The inaccurate understanding of each of these two institutions' aim has generated several conflicts throughout the years. The Church suffered, among other reasons, because the Roman emperors could not evaluate correctly the attitude of the Christians towards the State as created reality, and thus as an ephemeral one.

After Christianity became religio licita, some emperors tried to use the Church and Christianity only as means of maintaining the state unity. This led to conflicts, out of which the Church has almost always come out



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victorious. It managed to maintain and assert its divine attribute and it could not be used only for ephemeral purposes. Within the minutely organised Church-State symphony, there were also solitary, but strong voices that had the power to protest against the abuses caused by too strong a cooperation between the two institutions.

## Keywords

State, Church, Saint Ambrose of Milan, dissonance, Byzantine Empire

## 1 Introduction

The relations between the Church and the political power in the Roman Empire, and even later in the Byzantine Empire, in the first centuries of Christianity, have constituted the subject of several historical analyses and at present there is an interesting bibliography concerning this<sup>1</sup>. These relations have been

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<sup>1</sup> Here we quote the most established authors: Luigi Sturzo, *L'Eglise et l'Etat*, translated from Italian by Juliette Bertrand, (Paris: Les Éditions internationales, 1937); Kenneth M. Setton, *Christian Attitude Towards the Emperors in the Fourth Century Especialy as Schown in Addresses to the Emperor* (Studies in History, Economics and Public Law no. 482), (New York: Columbia University Press, 1941); Gerald Francis Reilly, *Imperium and Sacerdotium according to St. Basile the Great*, (Washington DC: Catholic University of America Press, 1945); Oscar Cullmann, *Christ et le temps. Temps et histoire dans le christianisme primitif*, (Neuchâtel: Delachaux et Niestlé, 1947); Idem, *Jésus et les révolutionnaires de son temps*, (Neuchâtel: Delachaux et Niestlé, 1970); Gustave Bardy, *L'Eglise et les derniers Romains*, (Paris: éditions Robert Laffont, 1948); Ehelbert Sauffer, *Le Christ et les Césars*, (Colmar/Paris: Editions Alsatia, 1956); Hugo Rahner, *L'Eglise et l'Etat dans le christianisme primitif*, textes choisies et présentés par Hugo Rahner, S.

different according to the respective epoch, and throughout the centuries there have also been dissimilarities between the Christian West and East<sup>2</sup>. Knowing these relations well was

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J., traduction du texte allemand de G. Zinck, textes grecs et latins traduits sous la direction de Cl. Mondésert, S. J. et revus par P.-Th. Camelot, O. P., (Paris: Les Éditions du Cerf, 1964); Henri Cazelles, Bible et politique, *Recherches des Sciences Religieuses*, LIX (1971), (497-530); Jacques Guillet, Jésus et la politique, *Recherches des Sciences Religieuses*, LIX (1971), (531-544); Hélène Ahrweiler, *L'idéologie politique de Byzance*, (Paris: Presses Universitaires de France, 1975), translated in Romanian by Cristina Jinga, under the title: *Ideologia politică a Imperiului Bizantin*, afterword by Nicolae-Șerban Tanașoca, (Bucharest: Corint Publishing House, 2002); Michel Clévenot, *Les chrétiens et le pouvoir: II-e – III-e siècles*, F. Nathan (Ed.), (Paris, 1981); Francis Dvornik, *Early Christian and Byzantine Political Philosophy: Origins and Background*, vol. I-II, (Washington, 1966); Rafaelo Farina, *L'Impero e l'imperatore cristiano in Eusebio di Cesarea. La prima teologia politica del cristianesimo*, (Zürich, 1966); Jean Gaudemet, *L'Eglise dans l'Empire Roman (IV<sup>e</sup>-V<sup>e</sup> siècles)*, (Paris, 1958), with a present-day approach of the issue in the 1989 edition; André Manaranche, *Attitudes chrétiennes en politique*, (Paris, 1978); Roland Minnerath, *Les chrétiens et le monde (I-er et II-er siècles)*, (Paris, 1973); Idem, *Jésus et le Pouvoir*, (Paris, 1987); S. G. F. Brandon, *Jésus et les Zélots. Recherches sur le facteur politique dans le christianisme primitif*, (Paris, 1976); Charles Munier, *L'Eglise dans l'Empire romain (I-er-III-er siècles)*, (Paris, 1979); See also Costică Popa, Principiul loialității față de stat la apologetii creștini, *Studii Teologice*, new series, year XXVII, 1975, no. 1-2 (January-February), (52-63) and the doctoral thesis of Adrian Gabor, *L'Eglise et l'Etat au temps de Théodose le Grand (379-395)*, written and defended at the Catholic Theological Faculty of the University of Humanistic Sciences in Strasbourg, under the guidance of Monsenior Roland Minnerath, Strasbourg, July 1996, published in Romanian under the title: *Biserică și Stat în timpul lui Teodosie I cel Mare (379-395)*, (Bucharest: Bizantină Publishing House, s. a.). The above-mentioned author also published the study *Biserică și Stat în secolul al IV-lea. Modelul teodosian*, in *Anuarul Facultății de Teologie Ortodoxă Patriarhul Justinian*, university year 2000-2001, anual volume dedicated to the memory of Patriarch Justinian Marina, on the occasion of the centenary of his birth, (Bucharest, the Publishing House of the University in Bucharest, 2001), (193-212).

<sup>2</sup> Jean M. Petritakis, *Interventions dynamiques de l'Empereur de*

hindered by the objectivity or subjectivity of historical sources. The relations between the Church<sup>3</sup> and the power include conflicts of conscience, sometimes latent, other times manifest. However, the research concerning the State-Church relations reveals a series of factors that have determined the evolution of ecclesiastical life. It is necessary to evaluate correctly what were the multiple forces that existed behind the State-Church relations, their components, their real contributions. At the same time, one must not avoid the human mentalities and interests, among which an important part was played by *opportunism*. For the faithful, the Church represents the community and the communion of people with God through Christ, the Son Incarnated, in the Holy Spirit, as well as the visible form of a supernatural association with Jesus Christ, the Son of God Incarnate, as the faithful form only one body, whose Head is Christ, in a new, mysterious life they genuinely partake of.

The Church goes beyond all human societies whose subject is man; man is considered not just as a mere rational creature, subject to strictly temporal necessities and interests, but considering his supernatural purpose, towards which all his individual and social existence must converge<sup>4</sup>. The Church fights for the theosis of man<sup>5</sup>. The first Christians constituted a special world, considering earthly possessions neither as finality, nor as good. The profane world was foreign and even hostile to them. The Christian community could be considered as a state in state even if it did not aim any kind of political

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Byzance dans les affaires ecclésiastiques, *Byzantion*, III (1971), p. 137.

<sup>3</sup> It has often been stated that the Church constitutes a parallel power to the State.

<sup>4</sup> E. Dublanchy, *Église*, A. Vacant, E. Maugenot, É. Amman, *Dictionnaire de Théologie Catholique*, IV/2, Paris: Éditions Letouzey et Ané, 1939, col. 2111, (2108-2224).

<sup>5</sup> Georgeos J. Mantzaridis, La déification de l'homme, *Contacts*, XXXVIII, no. 141, 1-ère trimestre, 1988, (6-18).

separation and did not intend, not even in the future, to become a distinct political unity<sup>6</sup>.

Against a political theology that created the premise of deification of the sovereign, Christians did not cease to remind that the emperor was only a man, whose power came from God. The Church of martyrs claimed without fear of death: "Deus maior et non imperatur"<sup>7</sup>. The State allowed the Church a certain degree of freedom, but it did not give up intervening in its evolution. The interventions of political authority were justified either through the protection of public order, or through the guarantee of the rights of religious communities<sup>8</sup>.

The Church-State relation has constituted through the ages an extremely controversial issue, which influenced decisively the entire history. The disputes specific to the first Christian centuries have remained extremely present even now, in the beginning of the third millennium.

In the minutely organised Roman-Byzantine symphony there also appeared solitary, but strong voices, protesting against the abuses caused by too close a cooperation between the State and the Church. The closeness between the two institutions brought about many advantages for both parts, but it also created many compromises. Christians became good citizens of the Empire, but the Church risked losing its independence through a wrong adaptation to the social and political life<sup>9</sup>. In this period, courageous prophets made their voices heard, in an attempt to delimitate the two dignities by establishing precise boundaries. Saint Ambrose of Milan (c. 339 - 4 April 397) can be considered

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<sup>6</sup> Luigi Sturzo, *L'Eglise et l'Etat*, p. 31.

<sup>7</sup> *Acta Saturnini*, 41, cf. Hugo Rahner, *L'Eglise et l'Etat dans le christianisme primitive*, p. 14. See also Jean Beaujeu, *Les apologètes et le culte du souverain, Le Culte des Souverains dans L'Empire Romain*, Genève: Foundation Hardt, 1973, (103-142).

<sup>8</sup> Such as the case of the interventions of Alexandru Sever (222-235) and Aurelianus (270-275).

<sup>9</sup> Ion Dumitriu-Snagov, *Relațiile Stat-Biserică*, (Bucharest: Gnosis Publishing House, 1996), p. 76.

one of these dissonant voices who tried to change the complicated score of the Byzantine symphony. After gaining experience in the civil administration, where he was *Consularis Liguriaie et Aemiliae*, Ambrose understood the necessity of establishing the limits of the imperial authority in the relation with the Church<sup>10</sup>. He succeeded in imposing this delimitation, although he was a hierarch in a difficult period from a political and social point of view.

Considered by historians as an archetype of Cardinal Richelieu<sup>11</sup>, Saint Ambrose managed, with patience and tenacity, to change the course imposed by Emperor Constantine the Great (306-337) in the relation State-Church. The bishop of Mediolanum did not want to annul the principles of the Byzantine symphony, useful both to the Church as to the Empire, but he tried to establish the limits of this cooperation. Firstly, he tried to emphasize the superiority of divine authority over secular authority. Although legitimate and deriving from divine authority, secular power has a temporary and relative character. It is useful, but it cannot be in conflict with the religious values that must prevail and influence the institutions of the State. If the *Edict of Milan* enframed the Church in the Roman State, Saint Ambrose enframed the State in the Church.

## **2 The role of the Church in the economic and social stability of the Empire**

According to Saint Ambrose, all the values characteristic to the State and to this world have a relative value and can represent obstacles for salvation<sup>12</sup>. Although it exists and develops in the

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<sup>10</sup> Adrian Gabor, *Biserică și Stat în timpul lui Teodosie I cel Mare (379-395)*, p. 171.

<sup>11</sup> Eugen Cizek, *Istoria Romei*, (Bucharest: Paideia Publishing House, 2002), p. 555.

<sup>12</sup> Vincennt Vassey, *The Social Ideas in the Works of Saint Ambrose*,

State, the Church must prepare its members for the eternal values, which cannot be obtained by means and methods specific to this world<sup>13</sup>. Saint Ambrose even uses the expression *the city from above (civitas superna)*, in opposition with *the city of these times*. The Byzantine symphony thus becomes a temporary cooperation, which ensures the Church only the framework necessary to the preparation for an eternal existence, superior to the ephemeral condition of the political structures. However, the members of the Church do not intend to create a parallel, competing structure, but a structure which can develop in the frame offered by the Roman State. The aim of Christians does not contravene the interests of the Empire, as it is linked to a future reality, to an existence which goes beyond the historical, temporal character of the State<sup>14</sup>. The Sons of God can coexist with *the sons of the Earth (terrae filii)*<sup>15</sup>, but they must follow their own way, overcoming the limits imposed by earthly existence. They can be good citizens of the State without endangering their salvation if they keep the necessary distance from the temporal structures of the State. Endeavouring to estrange the Church from the utopian political vision of Eusebius, the bishop of Mediolanum took a stand against the abuses that could compromise the authentic Christian life. Through a close connection with the State, the Church could influence in a positive way the social, political and cultural life of the Empire, but it could in turn be influenced and led towards secularisation. A major danger identified and condemned by Saint Ambrose was the wrong use of material

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(Rome: Institutum Patristicum Augustinianum, 1982), p. 243.

<sup>13</sup> Saint Ambrose of Mediolanum, Letter XXVIII. Ambrose to Irenaeus, health!, 5, Sfântul Ambrozie, *Scrieri*. Partea a doua, translation and notes by David Popescu, collection *Părinți și Scriitori Bisericești*, vol. 53, (Bucharest: Institutul Biblic și de Misiune al Bisericii Ortodoxe Române Publishing House, 1994), p. 148.

<sup>14</sup> Idem, Letter XXIX. Ambrose to Irenaeus, greeting, 21-22, *Ibid*, p. 153.

<sup>15</sup> Idem, Letter XXX. Ambrose to Irenaeus, greeting, 4, *Ibid*, p. 155.

resources<sup>16</sup>. Alike other Fathers and Church writers, he tried to highlight the conditions in which Christians could use material goods without compromising their evolution at a spiritual level. Without adopting an extremist position, he insisted on the right way to administrate wealth, which may lead to salvation<sup>17</sup>.

These details are not arbitrary, as at the end of the fourth century the members of the ecclesiastical hierarchy and Christians in general had to face the temptation of the Empire's abundance. The new quality of the official Church offered multiple rights and easements that were useful to the institutional development and to the mission that could endanger their salvation. This is the reason why Saint Ambrose insists on the true values and on Christians' final destination<sup>18</sup> and his criticism does not avoid the leaders of the State either<sup>19</sup>. Just as in the case of the connection with the political power, he does not require the isolation from society, but an awareness of the Christian mission.

The bishop also answers to the ones who believed that economic recession is a way in which gods punish the Christians' unfaithfulness. Thus, Saint Ambrose considers that economic problems did not rest upon gods' benevolence and that they had also existed in the history of the Empire when the pagan cults were in full vigour, without having been caused by *Christian atheism*. The period following the edict of Mediolanum was also not characterised by a permanent economic crisis, the periods of crisis alternating with favourable ones<sup>20</sup>.

As for economy, the bishop of Mediolanum condemned usury and considered that this tradition had to disappear after the Christianisation of the Roman Empire. Unlike other pagan

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<sup>16</sup> Idem, Letter LXXIV. Ambrose to Irenaeus, greeting, 8, *Ibid*, p. 299.

<sup>17</sup> Idem, Letter II. Ambrose to Constantius, 11, *Ibid*, p. 30.

<sup>18</sup> *Ibid*, 15-16, *Ibid*, p. 31.

<sup>19</sup> Idem, Letter XXVII. Ambrose to Irenaeus, greeting, 7, *Ibid*, pp. 144-145.

<sup>20</sup> Idem, Letter XVIII. Ambrose, Bishop, to the most blessed prince and most gracious Emperor Valentianus, the August, 20, *Ibid*, p. 96.

institutions and practices which were preserved and became Christian, usury was considered incompatible with the quality of being a Church member<sup>21</sup>. The idea was also taken over in “Letter XXXV”, selfish abundance and usury being associated with idolatry<sup>22</sup>. Instead, the bishop encourages the gain earned through honest work, asserting that the members of the Church must support the economy of the city<sup>23</sup>.

This authentic Christian position expressed by Saint Ambrose was extremely useful to the Roman society, affected by economic recession and social conflicts. In the Church the differences made by material values were annihilated and there was even a reversal of the values characteristic to the pagan world. Thus, the bishop refers to an abundance of *faith*<sup>24</sup>. In the Church this is more important than material wealth and it offers its owner an important position in the spiritual progress. Hence the state had the chance to attenuate the prominent differences in society and to temperate the economic and social conflicts and complaints. In the Church, the inhabitants of the Empire enjoyed the equality which was refused to them by the State: “and pours forth the same grace not only on the rich and powerful, but also on men of lowly estate. She weighs all with equal balance, gathers all in the same bosom, and cherishes them in the same lap”<sup>25</sup>. Even the slaves, marginalised by Roman society and considered mere objects had the chance to enjoy a new kind of freedom through the faith in Christ<sup>26</sup>.

According to Saint Ambrose, the wisdom acquired through Christianisation leads to the relativisation of social positions,

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<sup>21</sup> Idem, Letter XIX. Ambrose to Vigilius, 4, *Ibid*, p. 100.

<sup>22</sup> Idem, Letter XXXV. Ambrose to Horontianus, 16, *Ibid*, p. 170.

<sup>23</sup> Idem, Letter XXVII. Ambrose to Irenaeus, greeting, *Ibid*, p. 144.

<sup>24</sup> Idem, Letter LXIII. Ambrose, a servant of Christ, called to be a Bishop, to the Church of Vercellæ, and to those who call on the Name of our Lord Jesus Christ, Grace be fulfilled unto you in the Holy Spirit from God the Father and His only-begotten Son, 86, *Ibid*, p. 265.

<sup>25</sup> Idem, Letter XLI. The brother to his sister, 22, *Ibid*, p. 198.

<sup>26</sup> Idem, Letter XXXVII. To Simplician, greeting, 17-18, *Ibid*, p. 175.

inward freedom being much more important than outward freedom<sup>27</sup>.

In the same context, Saint Ambrose also supported the emancipation of woman, confuting the image of a possessed object and insisting on the Christian teaching that turned the wife into a partner: "Let a woman be obedient, not servile to her husband"<sup>28</sup>. The ideas were extremely important and useful to the Empire in the difficult context of the fourth century. The emperors were facing an acute instability of the State, potentiated by centrifugal tendencies and barbaric invasions. Military costs involved additional expenses and implicitly, larger taxes. Diocletian, Constantine and Theodosius tried to ensure these incomes by establishing the categories of taxpayers. Thus, evading from a social category became more and more difficult, being possible only through three important *careers*: military service, the bureaucratic system and monachism<sup>29</sup>. Although the number of slaves decreased after the rise of Christianity, the opposition between *honestiores* and *humiliores* became greater. Moreover, the *coloni* became semi-slaves, with a hereditary statute, being tied to the land through the laws of Constantine the Great (332), Constantius II (357) and Theodosius I (380, 393). They could no longer own personal properties, could not get married without the approval of the landowner and did not have the right to be soldiers or clerks, which ensured their emancipation<sup>30</sup>. Thus, Christianity remained the only open gate for these underprivileged and the bishop of Mediolanum highlighted the role of the new official religion, which had succeeded through its teachings in preventing and appeasing the social conflicts

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<sup>27</sup> *Ibid*, 13-14, 22, *Ibid*, pp. 174, 176.

<sup>28</sup> Idem, Letter LXIII. Ambrose, a servant of Christ, called to be a Bishop, to the Church of Vercellæ, and to those who call on the Name of our Lord Jesus Christ, Grace be fulfilled unto you in the Holy Spirit from God the Father and His only-begotten Son, 86, *Ibid*, p. 269.

<sup>29</sup> Eugen Cizek, *Istoria Romei*, p. 589.

<sup>30</sup> *Ibid*, pp. 590-591.

which had convulsed the Empire a century earlier. The social and economic discontentment was materialised more in robbery and less in revolts. Through the belief in eternal life and through the equality in front of God, Christian monotheism managed to ensure the stability of the State at an internal level. While the temples could not survive without the direct material support of the authorities, the Christian Church helped the State solve economic problems. Unlike the mercantilism and formalism of the pagan cult, Christianity developed a vast social work, important for the stability of the Empire: “The fortune of the Church is to help the poor. Let the temples show how many slaves they liberated, what food they gave to the poor, what support they offered the outlaw”<sup>31</sup>.

Therefore, the participation of the Church in social and economic life brought important advantages, which could not be offered by pagan syncretism. The State gave up a religious partner who had to be supported and developed a relationship with a partner capable of supporting itself and solving important social problems.

### 3 Between the State law and the divine commandment

Saint Ambrose mentioned the position that the Church should adopt in relation with the juridical system. Although Roman justice at the end of the fourth century did not guarantee the equality of the citizens<sup>32</sup> and was affected by corruption, the bishop considered that the Church had to accept and support it, as it was necessary in order to maintain social order. Despite

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<sup>31</sup> Cf. *Ibid*, p. 96.

<sup>32</sup> For the same crime, the accused received different punishments, according to the social position. *Honestiores* could be exempt from a fine, whereas *humiliores* could pay with their life for the same crime.

having imperfections and sometimes leading to unjust verdicts, the laws remained important weapons to prevent anarchy<sup>33</sup>. According to Saint Ambrose, justice and the Church have important common purposes and the activity of the two institutions could be complementary: the Church supports juridical norms which are compatible with its message, and the State turns the divine commandments into laws<sup>34</sup>. Moreover, the methods and norms of the two institutions may coincide<sup>35</sup>. However, the bishop of Mediolanum mentions the important differences between the civil and religious norms. The Church aims at transforming the faithful into *citizens* of the eternal kingdom, whereas the State aims at turning them into citizens loyal to the Empire. The two aims do not exclude each other, the State ensuring through its laws the framework necessary to the activity of the Church. Yet, in the case of a conflict between the two institutions, the exterior and temporary laws of the Empire are less important than the divine commandments: "I would not wish your law to be above the law of God. The law of God has taught us what we should follow, human laws cannot teach us this. They can compel a change in the timid, but they cannot inspire faith"<sup>36</sup>.

Alike other authors, the bishop of Mediolanum considers that the laws cannot represent obstacles for the members of the Church because the authentic Christians respect the rules of social harmony out of conviction, not being constrained. They are the ideal citizens, who are not in the scope of the State's laws if they respect the teachings of the Gospel<sup>37</sup>. Unlike civil laws, divine commandments have a preventive character which

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<sup>33</sup> Saint Ambrose of Mediolanum, Letter XXXVII. Ambrose to Simplician, greeting, 8, *Ibid*, p. 173.

<sup>34</sup> Idem, Letter LX. To Paternus, 8, *Ibid*, p. 245.

<sup>35</sup> Idem, Letter X. Ambrose to Syagrius, 2, *Ibid*, p. 38.

<sup>36</sup> Idem, Letter XXI. To the most clement Emperor, his Blessed Majesty Valentinian, Ambrose, bishop, sends greeting, *Ibid*, p. 114.

<sup>37</sup> Idem, Letter XXXVII. Ambrose to Simplician, greeting, 8, *Ibid*, pp. 175, 178.

is very important for the social stability, stopping sin in an incipient stage, not punished by the State<sup>38</sup>. At the same time, if the people working with laws can be deceived or corrupt, the faithful are aware that they cannot hide their misdeeds and avoid divine punishment.

The State laws could play an important role in the struggle of the Orthodox faith with heresies. Following the tradition established by Constantine the Great and idealised by Eusebius of Caesarea, bishop Ambrose affirmed the necessity of confirming ecclesiastical decisions through imperial laws<sup>39</sup>. This mechanism was extremely important, becoming a way through which the Empire protected its religious partner, ensuring its stability implicitly<sup>40</sup>. According to Saint Ambrose, eliminating doctrinary errors represents the most important contribution of the State in the action of supporting the Church. Although religious conflicts constitute a danger for the stability of the Empire, the Emperor must ask for the consent and advice of the Church. This cooperation can also be observed in the case of the synod summoned by Saint Ambrose in Aquileia (381), where the political authorities took part and supported the decisions made by the Church through laws<sup>41</sup>. According to the principles of the Byzantine symphony, the bishop considers it necessary for the decisions of the Church to be approved by the Emperor, who can invest these with an official character: "Bishop Ambrose said: We must reinforce our debates by an imperial document, so that they have the power of proofs"<sup>42</sup>.

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<sup>38</sup> Idem, Letter LXIII. Ambrose, a servant of Christ, called to be a Bishop, to the Church of Vercellæ, and to those who call on the Name of our Lord Jesus Christ, Grace be fulfilled unto you in the Holy Spirit from God the Father and His only-begotten Son, 86, *Ibid*, p. 249.

<sup>39</sup> Idem, Letter LVI. Ambrose to Theophilus, 3, 4, *Ibid*, p. 325.

<sup>40</sup> Idem, Letter I. Ambrose to the blessed Emperor and most Christian Prince Gratian, 2, *Ibid*, p. 27.

<sup>41</sup> *Ibid*, 2, *Ibid*, p. 56. According to Saint Ambrose representatives of the State attended the synod: consuls Syagrius and Eucherius.

<sup>42</sup> *Ibid*.

The same idea is expressed through a letter addressed to Emperors Gratian, Valentinian II and Theodosius, whose duty is to support the Church, just as God protects the Empire<sup>43</sup>. Thus Saint Ambrose affirms the idea of a mutual support, necessary to both partners, making the most of the ancient Roman principle “do ut des”<sup>44</sup>. Another letter of the same synod establishes a direct relation of interdependence between the stability of the Church and that of the Roman society, between the teachings of faith and the imperial legislation<sup>45</sup>.

A controversial issue was the direct involvement of Christians and especially of clerics in the process of justice<sup>46</sup>. In this case, Saint Ambrose rejects the possibility of judging a hierarchy by a lay judge. The idea is presented in a letter addressed to Valentinian II, who had summoned the bishop to present to the imperial Consistory. In this case, Saint Ambrose invokes the wise attitude of emperors Constantius II (337-361) and Valentinian I (364-375), who understood the importance of a precise delimitation of the two authorities<sup>47</sup>.

However, the members of the hierarchy can administrate the process of justice by reason of the worthiness entrusted to them by Christ, without breaking the commandment of love. The bishop of Mediolanum solves this contradiction,

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<sup>43</sup> Idem, Letter X. The holy council which is assembled at Aquileia to the most gracious and Christian Emperors, and most blessed Princes, Gratian, Valentinian and Theodosius, 8, *Ibid*, p. 73.

<sup>44</sup> Idem, Letter XLI. The brother to his sister, 26, *Ibid*, p. 199. Saint Ambrose underlines the Emperor’s duty towards the Church following the divine support and in the relation with Theodosius: “Seeing therefore, O Emperor ... how severe the Lord’s censures are wont to be, you must take care, in proportion as you become more illustrious, to submit so much the more humbly to your Maker.”

<sup>45</sup> Idem, Letter XI. The holy council which is assembled at Aquileia to the most gracious and Christian Emperors, and most blessed Princes, Gratian, Valentinian and Theodosius, 4, 6, *Ibid*, pp. 75-76.

<sup>46</sup> Idem, Letter XXIV. Ambrose to Irenaeus, 3, *Ibid*, p. 140.

<sup>47</sup> Idem, Letter XXI. To the most clement Emperor, his Blessed Majesty Valentinian, Ambrose, bishop, sends greeting, 2, 15, *Ibid*, pp. 113, 115.

distinguishing between the accused and the punishment for his act<sup>48</sup>. Although they have the right to punish the errors of the accused, Christian judges must show clemency, aiming at the amendment of those who did something wrong<sup>49</sup>. In "Letter LXXXII to Marcellus", Saint Ambrose describes how he fulfilled this role when the magistrates could not solve a process:

"the advocates of either party recriminated on each other, asserting that my investigation would make manifest to whose side the suffrages of right and justice would incline ... When the days were almost concluded, and only a few hours remained, in which the Prefect was hearing other business; the advocates in the suit requested that it should be adjourned for a few days, that I might preside as judge."<sup>50</sup>

Participating in the process of justice, the Church demonstrated once again the determination to contribute to the stability of the contemporary society. Without affecting the balance of the Roman world, Christian teachings, severely persecuted until the *Edict of Mediolanum*, were actually in agreement with the political aspirations of the Empire. Saint Ambrose highlighted the importance of this cooperation at a juridical level, yet he also set the boundaries the two partners of the symphony could not trespass.

## 4 Conclusions

Transferring the capital of the Empire in the New Rome, Constantine achieved such an important and new thing that one can indeed refer to a creation: he founded the first Christian citadel in history. All the other citadels of the Empire were pagan citadels which had become Christian, but this citadel gave life to a new reality, political and religious at the same

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<sup>48</sup> Idem, Letter XXVI. Ambrose to Irenaeus, 20, *Ibid*, p. 143.

<sup>49</sup> Idem, Letter XXV. Ambrose to Studius, 3, *Ibid*, p. 139.

<sup>50</sup> Idem, Letter LXXXII. Ambrose to Marcellus, 2, *Ibid*, p. 315.

time, which conferred its superiority above all the other citadels, even above ancient Rome.

In the New Rome, the Church and the State had to organise their relations, not only in the spirit of solidarity, but also of unanimity. This was the ideal of the Christian Empire and moreover, that of Byzantine Christianity. This mentality's purpose was for the Church not to exist without the Empire and viceversa: a unique vivid, inseparable reality, just as the soul and the body need each other in order to live. That is why the Empire was bicephalous, the Emperor and the Patriarch being inseparable. The bicephalous Byzantine eagle symbolises this double unity of temporal and spiritual power.

Such a unique power and yet distributed in two heads is not only a theoretical principle or an ideal disposition addressed to executive power, but it is a constitutive structure which controls the life of the Empire and which is translated in clear affirmations in civil legislation. Thus, the laws of the Church (*canones*) and the laws of the State (*nomoi*) had equal importance in a distinct, but unique legislation (nomocanonical). This unity of the juridical code is a characteristic of the Byzantine world in comparison with the Roman world.

Nevertheless, the play between the Church's *auctoritas* and the State's *potestas* allowed a distribution of power so as to create a balance which was satisfactory for both parts. But no matter how great this acknowledged *auctoritas* of the bishop or patriarch was, *potestas* eventually remained in the hands of the Emperor's representative or of the Emperor himself. This means that practically the Emperor had the last word.

This system was given the name "symphony of powers".

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