

Augustine of Hippo as Politician. Political Practices at the Service of Christian Ideals

Debate is ongoing about Augustine's political philosophy, and more particularly about his views on the relations between Church and State. This volume brings together a number of contributions that examine Augustine's theoretical views on the subject. The current chapter tests Augustine's political theory against his own practice. How did Augustine actually relate to the politics, civil authorities, and power relations of his time?

Church and State were not fully separate institutions or autonomous spheres in the early fifth century as they currently are in our Western society. First, bishops in those days were not isolated individuals.

A bishop in those days was a very great man. Even if he lived with his clerics in a monastic community, he did not in any way resemble a metropolitan in old Czarist Russia; he did not, like the latter, live withdrawn from the world in his monastic residence in some provincial town, nor was he, again like the latter, on certain specified occasions received politely but with unmistakable coolness by the governor, who invariably kept up running conversation right through the liturgy. Nor must we think of a French bishop of the time following on the separation of Church and State, when a bishop might be honoured if he possessed some special personal quality, but was normally completely ignored. It would be truer to say that Augustine was the secret or, rather, the openly revered spiritual governor of the town (van der Meer "Augustine" 265).¹

In addition, there were personal contacts between the ecclesiastical and political-administrative hierarchies. Thus Augustine maintained friendly re-

¹ Lancel has written that had Augustine not been elected a bishop, he would have been able to dedicate himself fully to study and community life as he himself initially desired, and he would therefore have been no more than a Christian intellectual, without any lasting impact, with at most a moral responsibility: "It may seem paradoxical, but it was only by placing himself fully at the service of the Church that Augustine placed himself at the service of his times, and of Africa, with all that this entailed" (15).

lations with Macedonius and Marcellinus, imperial functionaries in North Africa, and with Boniface and Darius, military attachés who worked in the African province. This cooperation involved more than simply personal ties. The governments of the Catholic Church and of the Roman Empire worked together closely and intensively. Augustine himself pointed to the substantial interconnectedness between Church and State: “Church and state must learn to know and understand each other; and in order to attain this, they must become united with each other. For they have one origin, i.e. justice; one common goal, i.e. order and peace” (qtd. in Duijnste 253). According to Augustine, Church and State were independent spheres that were simultaneously interconnected. Augustine wrote that the Church is useful for the civil society, because it is a school of ethics (*mor.*, 1, 46), civic virtue (*ep.*, 138, 15), and fraternity (*mor.*, 1, 63). In short, Augustine thought Christians were the State’s best citizens.² In practice, the Church, and Augustine as one of its bishops, also exercised functions on behalf of the State, such as the administration of justice in civil trials, and care for the poor and for orphans. Conversely, the State assisted the Church by giving support and protection. The apostolate of the State Church was supported financially by the State (Duijnste 282-315). Moreover, the State guaranteed the unity of the Church, and thus religious peace in the Empire, by protecting it against all non-Christian and dissenting Christian movements.

Bishops became politically active after the Edict of Milan (312) afforded Christianity freedom of religion, and certainly after the elevation of Christianity to the status of State religion by the Emperor Theodosius (391). This must not be seen as an attempt by the bishops to acquire secular power. In fact, it was the opposite. The Roman Empire appealed to the Church’s hierarchy for help. As the Roman Empire slowly collapsed and the imperial administration became unable to safeguard the unity of the empire, this appeal by the emperor to the Church became even more insistent:³

² “Indeed, though Augustine is sometimes questioned by his correspondents about the compatibility of Christian teaching and public duty (*ep.* 136.2), he in fact argues that Christians indeed make the best citizens, precisely because of their principled understanding of the human condition and the role of political authority in human communities, and because they obey the law out of a religious duty (*epp.* 137.5.17; 138.2.9-10). In numerous places Augustine argues that the city would be much better off, even in earthly terms, if all the citizens were Christian (*epp.* 91.6; 138.2.15; *civ.* 2.19; *conf.* 3.8.15-16)” (Dougherty 194-195).

³ “We must assess Augustine’s views in the light of the situation of his time. It cannot be denied that as the old Roman Empire slowly collapsed the emperors assigned great power to the Church in order to save their own power. If the Church therefore exercised certain secular functions in Augustine’s time, this was not due to its thirst for power, but to the

The secular power observed that the taxes were no longer coming in, the finances of the State were in bad shape, the courts were losing influence, the governors in the provinces were exceeding their authority. Therefore the people sought support from the Church, because it was able to weather all storms (Duijnstee 256).

The bishops took on secular tasks that were bestowed upon them by the civil authorities. In Augustine's time, bishops had various institutional responsibilities towards, and relations with the civil authorities. Thus they were in touch with the various levels of government and administration (municipal, provincial, imperial) and with the various jurisdictions (political, military, legislative, ecclesiastical).

Augustine did not write any treatise on political theory, or a practical handbook on Church-State relations. Nor did he leave any political memoirs. He wrote an account of his conversion in the *Confessiones* when he had just been consecrated a bishop. His ministry as a bishop, and therefore also his relations with the political world, had yet to start at that point. For a reconstruction of Augustine's actual relations with the State we must therefore search for traces in a variety of sources. One important source is the biography of Augustine written by Possidius (*Vita Augustini*), a good friend of Augustine's who lived with him for a long time and subsequently became Bishop of Calama. This source is somewhat limited by its genre, as it is conceived as a hagiography and does not contain many factual details about Augustine's relations with the political authorities. Possidius's *Vita Augustini* has therefore been read in conjunction with Augustine's correspondence (*epistulae*), particularly the letters that Augustine himself exchanged with the civil authorities of his time. This information has then been complemented with a number of clues from his sermons and other writings.

This source material offers two ways to approach the analysis of Augustine's specific dealings with politics, and each one illustrates the two roles that Augustine fulfilled: the administration of justice—Augustine as a judge and as a pastor, and theological controversies—Augustine as a theologian and as a Church leader.

secular power's weakness, which imposed these functions upon it. As we shall see, Augustine was no admirer of these responsibilities and would have preferred to see the Church remain within its own sphere" (Duijnstee 245-246).

Judicial Responsibilities⁴

Ever since the Emperor Constantine, bishops had the right and even the responsibility to give judgment in civil trials. In 318, the episcopal courts had been given the same legal jurisdiction as the civil courts.⁵ The bishop's civil jurisdiction was known as the *audientia episcopalis*. Historians of Roman law are not agreed on whether this episcopal jurisdiction in the late Roman Empire was limited to ecclesiastical cases and arbitration between Christians, or whether it was truly on a par with the civil courts both as regards competency and actual functioning.

Whatever the precise historical and legal answer to this question may be,⁶ the reality is that Augustine had to deal with a dizzying array of legal cases which he had to resolve. Possidius tells us in *Vita Augustini* (19) that Augustine acted as a judge in civil cases in his episcopal town of Hippo. Every morning—and often even part of the afternoon—Augustine, surrounded by his secretaries, held session in the *secretarium* of his church. The sources show that he had to rule on a wide range of cases: usually related to property rights, contracts, and successions. He also presided over cases concerning the status of slavery and accusations of adultery. Other examples are a case in which Augustine was the judge of a Donatist bishop who had broken the ban on rebaptism, and of imperial functionaries who had infringed the right of asylum (Dodaro “Church” 177). Both members of his own denomination and other (non-Catholic) citizens of Hippo—including pagans, schismatics, and heretics—appeared before his court.

Augustine was entitled to give judgment—for instance by imposing fines, and, for Christians, the sentence of excommunication (*ep.*, 153, 21). He did not hesitate to impose the punishment of flogging, though in moderate form (*ep.*,

⁴ This chapter is based primarily on the following studies: Dodaro (“Between the two cities” 99-115); Dodaro (“Church” 176-184); Raikas 459-481; van der Meer (“Augustine de zielzorger” 244-245).

⁵ Frederick van der Meer has described this evolution in somewhat oversimplified fashion: “... the legal procedure of the time, with its sanctions and its appeal to force, had been replaced by a procedure in which persuasion and good counsel played a determining part. ... Judicial authority was beginning to pass from the strict representative of the laws of the Empire to the mild man who judged issues by a purely religious yardstick” (“Augustine” 260).

⁶ “However, the lack of precise information concerning the specific nature of the majority of legal cases brought to Augustine makes it difficult to know in each case whether he was exercising civil or ecclesiastical jurisdiction and whether, in either case, he was acting as arbiter or as judge” (Dodaro “Church” 177).

133, 1, 2; 134; *ep. Divjak*, 8; 9, 2; 10, 3-4).⁷ Imperial law stipulated that clerics could only be tried by an ecclesiastical court. The sentences that could be imposed upon clerics were excommunication or dismissal from the clerical state, and Augustine did actually impose these sentences (*ep.*, 65, 77-78; 106 s., 355; *Divjak* 20). Augustine himself emphasised that a bishop-judge should exercise evangelical gentleness (*mansuetudo*) in administering justice, and should observe moderation in sentencing (*en. Ps.*, 50; s., 13). He pointed in this context to a difference with the civil courts, which set greater store by the deterrent effect of the punishment. Bishops should pass sentence from a different perspective, oriented to the moral conversion of the convicted person (*ep.*, 134, 3-4).

Two important legal issues frequently facing Augustine's episcopal court were slavery and the ecclesiastical right of asylum.⁸ Slavery was permitted under Roman law. Possidius writes that Augustine often used Church funds to redeem slaves (*Vita Augustini* 24). Augustine did not contest the existence of slavery. On the one hand this can perhaps be explained through the importance which he attached to the existing order and to stability. Augustine rejected every form of injustice, but was certainly not moved by any desire to reform the whole of earthly society: "With regard to social theory, therefore, Augustine in no way could be classified as a social reformer; he rather was a most effective spokesperson for the social and political establishment" (Mathisen "Society" 806). On the other hand, Augustine's insight into the dire economic conditions of his time was sufficiently great to understand that slavery for many people offered greater social security than freedom in poverty (s., 21, 6; 356, 3-7; *en. Ps.*, 99, 7). These dire economic circumstances—especially towards the end of Augustine's life, when the Roman Empire was slowly but surely disintegrating—are clearly evident in his newly discovered letters (*Epistulae Divjak*). These also show that Augustine, as a judge, had to rule on the legal status of slaves (*ep. Divjak*, 8; 10; 24). His court most frequently had to deal with the legal distinction between born slaves and temporary slaves. Temporary slaves were originally free citizens, who of their own free will had sold their labour for a certain amount of time and thus acquired the status of slaves. This distinction had consequences for children handed over as temporary slaves by their parents when these parents died. The question was whether the status of these children changed due to the death of their parents, i.e. from temporary to permanent slaves (*ep. Divjak*, 1; 4; 24; 83). Augustine vehemently resisted the abuses committed by slave traders in North Africa, who violently abducted

⁷ See also Houlou (5-29).

⁸ See di Berardino (731-733); Mathisen ("Roman" 733-735).

free citizens, forcing them into slavery. He sent his friend and fellow bishop Alypius, who had legal training, to the court of Ravenna with the purpose of search for a legal text issued by the Emperor Honorius which gave bishops the authority and jurisdiction to act against these crimes by the slave traders (*ep. Divjak*, 10). In *ep. Divjak*, 10, Augustine pointed out that this was the responsibility of public authorities and functionaries, who had the task of applying this law against forced slavery, and of preventing Africa from being emptied of its inhabitants (*ep. Divjak*, 10, 3). The Bishop of Hippo not only confronted the civil authorities with their responsibility, he also contended that the abuses were due to the fact that the existing legislation was not being applied by the functionaries of the State, insinuating that they had been bribed for this reason (*ep. Divjak*, 10, 4-8).

Churches were entitled to offer asylum to any accused person, and thus to postpone the verdict or the execution of the sentence. There was only one exception: no asylum could be granted to tax dodgers. The emperor only granted this full right of asylum (which the Council of Carthage had already demanded in 399) in 419. This initial exception to the right of asylum is further illustration of the unfavourable economic circumstances in the Roman Empire in the early fifth century. The economic crisis, in combination with high taxes, had caused financial hardship for many. Roman law allowed debtors who were in default to be punished legally (often with corporal punishment) at the behest of their creditors. However, these debtors could then seek Church asylum. In Hippo, too, this right of asylum belonged to the jurisdiction of the bishop (Augustine). He granted asylum to Fascius, a parishioner of Hippo, when the latter faced this kind of punishment due to his failure to pay outstanding taxes (*ep.*, 268). Augustine intervened in a similar way in favour of Faventius, a tenant farmer from Hippo, who had been unlawfully imprisoned by Florentius, an officer, as a result of a financial suit against Faventius. Augustine invoked the existing legal procedures for his ruling. In other words, Augustine used existing legislation to prevent the unjust treatment of the accused (*ep.*, 113-116).

Through the work of individual bishops, with Augustine as a clear example, and also through communal action—for instance the African councils during Augustine's time—the Church fought political and social injustices and demanded administrative reforms from the State, such as reform of the laws on slavery or asylum. This is the context in which the Council of Carthage's demand (in September 401) for the appointment of a *defensor civitatis* must be seen. A *defensor civitatis* was a functionary, an ombudsman as it were, who defended the rights of the poorer classes and protected them from exploitation. In 409

Honorius granted the right to choose a *defensor civitatis* to the clergy, together with the bishop and the important citizens. Thus the Church authorities caused the secular power to develop a new civil office focused on social justice, and the same Church also bore responsibility for the appointment of the holder of this new office. Augustine wrote to Alypius in 420 asking him to make the case in Ravenna for a *defensor civitatis* for the city of Hippo (*ep. Divjak*, 22).⁹

Augustine's interventions on behalf of convicts must be seen in the same context (*ep.*, 100; 133; 134; 139; 151; 153; 155). These interventions were not the result of his jurisdiction, because they did not appertain to the bishop's legal rights or responsibilities. Augustine himself confirmed this. He explained that he made these interventions purely out of pastoral concern and religious compassion (*ep.*, 154, 4-6). When Macedonius, the Catholic imperial emissary for Africa, inquired whether Augustine was planning to turn these interventions into a customary right of the Church—Macedonius was doubtful as to whether this was a requirement of religion—Augustine denied this. All he wanted to do is mediate in capital cases, to avoid the supreme punishment as it did not lead to repentance. Augustine believed that the purpose of punishment was to reform criminals, not to destroy them. He emphasised in his letter that it was the task of bishops to plead before public officeholders in favour of convicts, in order to ensure that unjust excesses would be avoided in the just execution of punishments (*ep.*, 151). Thus Augustine asked Donatus and his successor Apringius, the proconsuls responsible for Carthage and Hippo, not to impose capital punishment upon Donatists convicted of murder (*ep.*, 100; 134). He banned capital punishment and torture from his own court, and advised others to follow suit. Augustine's purpose in doing so was not to interfere as a bishop in the judicial independence of the public authorities or to arrogate this authority to himself. Instead, as a pastor, he wished to guarantee that the evangelical values would also be respected in that independent sphere.¹⁰

⁹ In Africa, the position of *defensor ecclesiae* was also common: laymen who represented the local church communities in court cases and administered the land owned by the Church.

¹⁰ On the basis of this dual interpretation of the episcopal office as a judge and as a pastor, Augustine assumed responsibility not just for the city of Hippo, but also for the surrounding countryside. "It was a semi-feudal world of poor peasants who were dependent on masters and mistresses who applied the legal rules according to their own interpretation. Augustine used the privileged relations which he necessarily had as a bishop with these *domini* and *dominae* to improve the plight of the serfs." Thus Augustine wrote *ep. Divjak*, 14, to Dorotheus, a senator and landowner, because one of the latter's agents had raped a religious sister (Lancel 18).

Augustine dedicated much of his mornings to the administration of justice, although he had not been trained for this.¹¹ Yet he made efforts to become acquainted with Roman law, and his personal studies gave him wide-ranging knowledge of it.¹² He regarded this as a form of pastoral ministry, in order to guarantee that he would exercise Christian justice in his own judicial practice. Nor did he hesitate to use the expertise of people who had received legal training. On slavery, for instance, he consulted the Roman lawyer Eustochius (*ep. Divjak*, 24) and Alypius.

The traces of Augustine's legal career that we have do not testify to a well-developed, premeditated programme for the good administration of justice and just governance. Instead, they show how Augustine, moved by the ideal of justice, was confronted on a daily basis with all kinds of contested issues and with concrete forms of injustices. In dealing with these cases, he tried to use the existing judicial structures to promote social justice on the basis of his evangelical inspiration.

Appeals to the Power of the State to Defend Catholic Orthodoxy

In practice, the Church gave support to the civil authorities, for instance in the form of episcopal jurisdiction and care for the poor and for orphans. In the eyes of the Church, the relationship was mutual. Thus the State had the responsibility to finance the Church's apostolate. And it was also incumbent

¹¹ Knowledge of Roman law was not easy to acquire in Augustine's time because imperial legislation had not yet been codified. This only happened after Augustine's death (*Codex Theodosianus*, 15 February 438/1 January 439). In other words, Roman law was often a complex tangle for Augustine's contemporaries. No one could know all the laws that had been promulgated. In addition, the promulgation of a law did not necessarily mean that it would be actually applied (for instance because a pagan provincial governor refused to apply repressive measures against non-Catholics), or even that it could actually be applied. The *Edict of Unity* was promulgated in 405, and was applied only a few months later in Carthage. In Hippo, by contrast, this law had not yet been applied two years later (*ep.*, 86; 89; s., 299B, 9). See also di Berardino (731-732). Augustine shows that he had the legal knowledge necessary to live in a Roman city (*ep.*, 34; 35, 3; 91, 8), and had knowledge of the laws on personal freedom and judicial procedure (*ep.*, 115), and of the legal context of property rights (*ep.*, 83). See also di Berardino (733).

¹² Thus Augustine quoted laws that would otherwise have fallen into oblivion, for instance in *ep. Divjak*, 24, 10. He has also given us the most precise description of the legal procedure of *manumissio in ecclesia*, the process in which a slave owner freed his slave through the mediation of the Church (s., 21, 6; 185).

upon the State to safeguard orthodoxy from anything that was non-Christian and non-Catholic (Dodaro “Church”). After the creation of a State Church, motivated particularly by the political desire to guarantee unity, peace, and stability (in religious affairs also) in the empire, successive emperors issued laws that increasingly suppressed anything that was not Christian and Catholic. The bishops of North Africa often appealed to this legislation, requested the stricter application of these laws, or even demanded more stringent measures. This legislation was directed primarily against the pagans, Jews, Manichaeans, Donatists, and Pelagians. Thus the Council of Carthage asked the emperor to outlaw statues of pagan deities, temple sacrifices, and pagan festivals on Sundays and Christian feast days, to protect converts to Christianity, and to remove all idols from the city (15 June and 13 September 401). Augustine himself asked the civil authorities for protection of the Christians against pagans (*ep.*, 50), and defended imperial measures against the pagans (*cons. ev.*, 1, 22; 1, 41; *c. litt. Pet.*, 1, 9, 15). Anti-Jewish laws were every more frequently adopted in the Roman Empire, but there is no indication that Augustine supported these anti-Jewish edicts or himself asked for their application. It is true, however, that Augustine supported the imperial laws against Manichaeism, a sect of which he himself had been a member in his younger years (*c. Faust.*, 5, 8; *c. litt. Pet.*, 3, 25, 30; *c. Felic.*, 1, 12; 1, 14; 2, 1). The bishops of North Africa first asked Ravenna for protection of the Catholic bishops against the Donatists, who sometimes used violence, then requested the emperor to compel the Donatist bishops to take part in public debates with their Catholic counterparts, and finally, after the emperor’s denunciation of Donatism, asked for the punishment of refractory Donatists. Augustine and his North African colleagues, confronted with a reluctant pope, succeeded in convincing the emperor to denounce Pelagianism as a heresy, which meant that the existing anti-heresy laws could be used against Pelagianism. According to Augustine, this oppression of pagans and heretics ought to happen with the moderation of a good housefather, who never hesitated to chastise his children out of love (*s.*, 302, 19; *ep.*, 138, 14; 140, 7-10; 153, 17; 173, 3; 185, 21-23), but never lost sight of mercy either, in order to avoid excesses (*s.*, 13, 9; *ep.*, 86; 100; 133, 1-2; 134, 2-3; 139, 2; 204, 3). Just as for criminals, Augustine accepted the principle of punishment, on the condition that moderation was observed.

In sum, the Church, the North African episcopate, and Augustine appealed to the secular arm of the law for the management of religious affairs. We will now look at two examples: Augustine’s involvement in the Donatist and Pelagian controversies.

The Donatist Controversy¹³

The Donatist schism had existed for more than a century, dividing North African Christianity into two camps that were—sometimes literally—at daggers drawn with each other. Donatism denied the validity of the sacraments celebrated by clerics (the so-called *traditores* and *lapsi*) who had avoided martyrdom during the time of the persecutions of Christians by collaborating with the pagan civil authorities. Donatists endeavoured to create a pure and elitist Christianity, and they advocated a strict separation between the Church and the world, between Church and State. Anything within the Church was holy and pure. Everything outside it was sinful and to be rejected. In addition to this theological component, Donatism was also a nationalist movement, a social and political protest movement: poor versus rich, countryside versus city, African Christianity versus a Romanised Church. Despite imperial persecutions in the periods between 317–320 and 346–348, the schism continued and flourished in North Africa.

In Augustine's time, this Donatism had developed into the dominant Christian denomination in North Africa. Augustine responded on substance to Donatism in various writings: *Contra Epistulam Parmeniani* (400), *De Baptismo* (400–401), *De Unitate Ecclesiae* (401), *Contra Cresconium* (405), *Breviculus Conlatio-nis cum Donatistis* (411), *Contra Gaudentium* (420). These writings responded to the Donatist accusations against the Catholics, and refuted their claim to be the one true (martyrs') Church. Augustine also had real-life encounters with Donatists; thus there was a Donatist antibishop in his own city. Two dimensions can be discerned in Augustine's actual dealings with the Donatists in the context of his relations with the civil authorities: his requests for political support against the Donatists, and—after the denunciation of the Donatists—his plea to the same authorities for moderation in punishment.

Appeal for Government Support Against the Donatists¹⁴

A first tactic that Augustine applied in his struggle against Donatism was to appoint reliable friends to the sees of surrounding dioceses: Alypius in

¹³ On the Donatist controversy see Frend ("Donatismus" 128–147); Maier ("Le dossier du Donatisme 1" 303–361; "Le dossier du Donatisme 2" 361–750); Markus 284–287; Tenström; Willis.

¹⁴ See particularly Hermanowicz "Possidius and the legal"; "Possidius of Calama" 83–220; Gaumer.

Thagaste, Severus in Mileve, Possidius in Calama. The same concern to form a united front against Donatism caused the Catholic bishops to hold a plenary council every year in Carthage (Munier and Sieben 1085-1107; Merdinger 248-250). This enabled them to speak with one voice against the Donatists, and to appeal with one voice to the emperor. During these councils, great emphasis was also placed on discipline among the Catholic clergy, in order to obviate any Donatist criticism. The regular occurrence of these councils emboldened the Catholic bishops in their struggle against Donatism. One example is that the council decided, in 401, to send out missionaries to convert Donatists to Catholicism.

This Catholic proselytism, and the constant danger for the Donatists that the anti-heresy laws might (once again) be applied to them made the Donatist camp nervous. Polemics and apologetics increased sharply on both sides. *Circumcelliones*, a violent rebel movement linked to Donatism, attacked Catholic clergy and State functionaries (*cath. fr.*, 19, 50; 20, 54; *Cres.*, 3, 42, 46). Major disturbances occurred. In order to restore the peace, the Catholic bishops decided to organise a public debate with the Donatists. Augustine and Aurelius therefore invited the Donatist bishops to attend the 403 Council of Carthage. However, when the Donatists refused to participate in this debate, the Catholics made a first appeal to the civil power. At the Catholics' behest, the proconsul Septimus compelled the Donatists to participate. However, this did not contribute to restore order; on the contrary, Possidius, a friend of Augustine's and the Bishop of Calama, was attacked by a gang of *circumcelliones* led by a Donatist priest. The case went to court. The proconsul Septimus decided that Crispinus, the Donatist bishop of this priest, was responsible for the crimes of his priest. Furthermore, Septimus ruled that Crispinus was guilty of heresy according to the 392 law of the Emperor Theodosius, and that he had to pay a fine (*Cres.*, 3, 47, 51). This was the first time Theodosius's anti-heresy laws were used against the Donatist Church, and the first time the Donatists were designated as heretics and enemies of the State. But Augustine and Possidius were not unreservedly happy with this ruling. The Donatists were always eager to present themselves as the martyrs' Church, oppressed by the Roman State. Were Crispinus actually to have to pay this fine, this would only strengthen this self-image, and encourage further violent reprisals by the *circumcelliones*. Nevertheless, before they were able to prevent the execution of the sentence, Crispinus appealed to the court in Ravenna. The imperial court confirmed the punishment and even doubled the fine.

In the meantime, the riots and the raids by the *circumcelliones* continued apace. Augustine and the African bishops in general opposed large-scale and heavy persecution of Donatism, because this would fuel the movement's claims to martyrdom and resistance against the "Roman oppressor" (claims which can partially explain its initial success), possibly leading to a revival of Donatism. The 405 Council of Carthage therefore opted not for violent repression, but for the imposition of fines and the forfeiture of property and of the succession rights of Donatists, in conformity with the Theodosian laws. In the spring of the same year, the Emperor Honorius issued the *Edict of Unity*, in which he decreed the unity of all the churches in Africa and simultaneously condemned the Donatists as heretics. The application of this law saw the confiscation of Donatist property, the exiling of Donatist clergy, the abrogation of Donatist property rights, and the banning of the Donatist practice of rebaptism.

However, the Donatists did not disappear, and in fact their new martyrdom caused a revival. In the year 410, when Alaric, the Visigoth leader, was menacing Italy and Rome, the importance for the Emperor Honorius of North Africa being quiet and stable only increased, as he required a possible place of refuge for the Roman Empire. He therefore sent the Catholic count (*comes*) Marcellinus to North Africa with the express task of eradicating Donatism for once and for all, no matter the cost. With this purpose in mind, Marcellinus convened a general African council in Carthage for 1 July. To prevent the Donatists from boycotting the council, he returned previously confiscated basilicas to them, much to the Catholics' annoyance. The Donatists responded positively to his gesture, and attended the council with a delegation of 284 bishops. But the council turned out totally different from what they had expected. They wanted open debate with the opportunity to explain their point of view, in the hope of undoing the *Edict of Unity*. Marcellinus had in fact lured them to the council to invite them to convert to Catholicism. He was planning to issue a final condemnation of Donatism if they were to refuse. After an extremely brief council, Marcellinus decided in favour of the Catholics. This decision was immediately imposed upon the entire province. The Donatist bishops appealed to the emperor, but in vain. The Emperor Honorius adopted further anti-Donatist measures, but he avoided capital punishment so as to preclude new Donatist claims of martyrdom.

During the 411 Council of Carthage, the religious and secular authorities joined forces to bring about the end of Donatism as an institutional group, as an organised denomination. Donatist possessions were confiscated and many Donatist communities were forced to join Catholic communities. Al-

though it was now officially banned, Donatism disappeared only very slowly. It continued to lead a clandestine existence, especially in the countryside and in family contexts, surviving the collapse of the Roman Empire in Africa after the Vandal invasion. Augustine was strongly conscious of this at the end of his life (*Io. ev. tr.*, 10, 5; *ep.*, 185, 7; 30).¹⁵ Small pockets of Donatism perhaps still existed in North Africa when Islam arrived.

Plea for Moderation in the Punishment of Donatists¹⁶

Ever since the Emperor Constantine, the State had sought the punishment of the Donatists, ranging from restrictions on citizenship rights to execution (Grasmück). Augustine strongly opposed the execution of capital punishment and of torture. Augustine wrote to the proconsul Donatus, who had been sent to North Africa with the task of suppressing the Donatists, that he should not be motivated by the desire to kill Donatists, despite the nature of their crimes, but that he should offer prayers for them (*ep.*, 100). In a similar vein, Augustine wrote to the tribune Marcellinus, who had to judge the *circumcelliones* who had murdered a Catholic priest, not to apply the law of equal retaliation (*ep.*, 133). According to Augustine, the fundamental purpose of punishment is to convert those who err, to bring them back onto the straight and narrow path. This result cannot be obtained by imposing capital punishment. Augustine also warned against executing pagans who had attempted to restore pagan worship and had committed acts of violence against Catholics (*ep.*, 91, 1; 104, 1).

Augustine rejected capital punishment and the practice of torture as a matter of principle.¹⁷ Initially he even repudiated any form of coercion of *haeretici* and *schismatici*. He wrote to Maximinus that he favoured the peaceable exchange of views with the Donatists, and that he was consequently planning to postpone discussions with them until the armed force was no longer in the vicinity (*ep.*, 23, 7). He did not want to coerce the Donatists to return against their will, but wanted to convince them of the truth of the Catholic faith (*ep.*, 34, 1). Augustine forbade a father to force his Donatist daughter to return to the Catholic Church. According to Augustine, the woman could only return to the

¹⁵ See also *c. Gaudentium*, 1, 23, 26.

¹⁶ This section is based largely on Dupont (30–47).

¹⁷ In an early work Augustine did not yet oppose the death penalty and/or torture due to his desire for order in society: *ord.*, 2, 4, 12 (November 386–March 387): “What is more horrid than a public executioner? And yet he has a necessary place in the legal order, and he forms part of the order of a well-governed society.”

Catholic Church if she wanted to do this and desired it herself (*ep.*, 35, 4).¹⁸ Initially, Augustine even opposed applying the imperial anti-heresy legislation. In a letter to Januarius, he explained why he did not apply the existing laws in the name of charity and leniency. The same letter reveals that Augustine was willing to countenance only the imposition of a fine in cases of proven acts of violence against Catholics, whereas the law of Theodosius stipulated that all heretics had to pay this fine anyway (*ep.*, 88, 7).

The year 400 saw a change in Augustine's attitude. From that point on, he accepted the use of coercive measures as stipulated in the imperial legislation, and he justified the use of them (Brown 382-391; Burt 25-54; Himbury 33-37; Gaumer and Dupont 345-371; Jans 133-163; Lamirande). In *ep.*, 185, addressed to the tribune Boniface, Augustine explained that the Donatists must be treated by the Church and the State like doctors treat their patients, that they must be rebuked like disobedient sons are by their father, corrected like wives by their husbands. The idea that no one must be forced to accept the faith against their will remained a crucial aspect for Augustine (*c. Gaud.*, 1 8; 1, 28). Conversion requires interior assent, which can, however, be furthered by external coercion (*s.*, 112, 8). This coercion, as a last resort, must be accompanied by teaching with a view to accomplishing the interior conversion (*ep.*, 93, 2). Augustine never tired of exhorting the imperial functionaries whose responsibility it was to administer justice and to do so with mildness and leniency (*ep.*, 153).

Augustine himself also proposed a number of punitive measures: the abrogation of certain citizenship rights, a ban on worship and on rebaptism,¹⁹ the confiscation of Donatist ecclesiastical properties (*c. litt. Pet.*, 1, 102; *c. Gaud.* 1, 50-51; *c. ep. Parm.*, 2, 18-20), the declaring null and void of Donatist wills (*s.*, 47, 22). He accepted the imposition of fines, provided that the convicted persons would still have enough money to support themselves (*ep.*, 104). He also accepted flogging, a customary practice in schools and before the episcopal courts, given that this served to discover the guilty party as quickly as possible, thus avoiding the risk of punishing the innocent (*ep.*, 133, 2).

Augustine's change of attitude was perhaps due to the failure of his peaceful attempts. One of his own priests, Restitutus, was murdered by the *circumcel-*

¹⁸ Augustine opposed forced conversions in order to avoid false conversions. He summarised in *retract.*, 2, 5, by recalling that he had confessed to the Donatists in the lost *Contra Partem Donati*: "it has never pleased me that schismatics are forced to return to the community under coercion by the civil authorities."

¹⁹ This measure was stipulated in the edict of 12 February 405.

liones. His good friend Possidius became the victim of an attack. Augustine himself only barely escaped an ambush. His acceptance of coercive measures against the Donatists was founded on the desire to protect the Catholic community against Donatist violence (*ep.*, 185, 18). He articulated the rationale for his appeal to the secular power and argued that the civil authorities, the State, had the duty to act in religious affairs, as they must pursue the good of their subjects. As Christians, they were held to defend the highest good, i.e. the faith and the unity of the faithful. Because the emperor was a Christian, he could not content himself with measures that eradicated violence, but must also prevent error (*ep.*, 185, 2). This argument rests upon the interpretation of schism or heresy as a *crimen*, which, like all other crimes, falls under the emperor's and the public authorities' judicial power. The Donatists, as a matter of principle, advocated the strict separation between the religious and the secular, between Church and State.²⁰ But Augustine argued, in rather polemical tones, that the repressive intervention of the civil power was justified, because the Donatists themselves accepted it. Thus their "founder" Donatus himself had argued his case before the emperor. The Donatists had themselves appealed to the imperial authorities, the secular power. They had been the first to address their petitions to the imperial court. Augustine recalled that the Donatists had collaborated with the oppressive government during the persecutions of the Christians under Julian the Apostate (*ep.*, 93, 12). The Donatists also supported the imperial repression of the pagan cult (*c. Gaud.*, 1, 51; *ep.*, 93, 10). The Maximianists had effected a split within Donatism, and these Maximianists had themselves been prosecuted in the courts by the Donatists. In other words, Augustine accepted—both in theory and in practice—the intervention of the State in religious issues whenever the Church requested the State to do so (Frend "Augustine" 49-73).

²⁰ Donatist thought can be summarised as "separatist", as it used schemes of opposition and separation. In theory, the Donatists wanted full separation between Church and State, so as to avoid contamination of the holy community by contact with the impure world. Augustine recognised the Church and the State as independent spheres, which are, however, mutually connected here on Earth, and Augustine also realised that the earthly Church was situated in the concrete world. Furthermore, the Donatists were convinced that the African Church was the only true Church. Augustine, by contrast, regarded the *Catholica* as a universal bond between all churches worldwide. Finally, the Donatists were moral elitists as they believed that all sinners had to be expelled from the Church community, leaving only the saints. Augustine countered with the notion of the Church as a *corpus (per)mixtum*: within the Church there are both sinners and non-sinners. He doubted also whether anyone could truly be totally without sin (see the section "The Pelagian Controversy"). Moreover, he believed God alone had the right to separate the just from the sinners.

The Pelagian Controversy²¹

The Donatist controversy was concerned mainly with ecclesiology (“what is the true Church community?”) and with sacramentology (“who are the true ministers?”). The Pelagian controversy was a fundamental theological debate about the relationship between grace and human freedom, about whether it is possible to lead a sinless life, about the meaning of human mortality, and about the question whether there was such a thing as the transmission of an original sin. In the following outline of Augustine’s attitude to politics in this controversy, the various theological positions defended will also be mentioned and briefly explained.

The controversy began when Caelestius, a follower of Pelagius, arrived in Carthage after the fall of Rome. He asked to be ordained to the priesthood (Honday 271-302; Bonner 693-698; Lamberigts 129). This request was refused, because he had contended that children are born without original sin, and that the reason for infant baptism was not therefore the remission of sin. In 411, a council met in Carthage which condemned Caelestius.²² Augustine did not attend this council, but when he was appraised of the views of Pelagius and Caelestius, he wrote a number of treatises in which he defended the necessity of infant baptism on account of the *peccatum originale* that rests upon every human since Adam’s fall. He also proved that *impeccantia*, the possibility of living without sin, is impossible, precisely because of every human being’s original sin. Two of these writings from the early phase of the Pelagian controversy were addressed to Marcellinus, the imperial emissary who had denounced Donatism: *De peccatorum meritis et remissione* (411-412) and *De spiritu et littera* (spring 412). The tone of *De natura et gratia* (415), Augustine’s answer to Pelagius’s *De natura*, was still polite rather than polemical, and it focused on the theological issue at stake.

This tone soon changed when Pelagius, who had moved from Rome via Carthage to Palestine, received the support of bishops in the East. The North African bishops had sent envoys to Palestine to denounce Pelagius’s and

²¹ This chapter is based on Carefoote; Lamberigts 363-375; Wermelinger. For an overview of the history and theological content of the Pelagian controversy, see the first chapter of Dupont (“Gratia”).

²² This Carthaginian council accused Caelestius of six errors: 1. Adam was created a mortal; 2. Adam’s sin affected only himself; 3. Children are born in a prelapsarian condition; 4. Humanity does not die because of Adam’s sin; 5. The law, just like the Gospel, gives access to heaven; 6. There were people without sin before Christ.

Caelestius's heterodoxy. A synod in Jerusalem (28 July 415) decided that Pelagius was innocent, and shortly afterwards a synod in Diospolis (December 415) acquitted Pelagius of the charge of heterodoxy. News of this acquittal was received as a bombshell in Carthage. Provincial councils were convened immediately in Carthage and Milevis in the later summer of 416. The North African council fathers decided to appeal to the Bishop of Rome, Innocent I, and sent him three letters.²³ In short, the African bishops argued that the bishops in Diospolis had been insufficiently informed and had been misled by Pelagius. The three letters then expressed great respect for the *sedes* of Rome, without however assigning any primacy to this Roman see (Marschall 127-150). They regarded Rome more as an equal see, which was subject, just like the see of Carthage, to the higher authority of Scripture. They did not seek the judgment of Rome as such (as if Rome were a higher authority), but Rome's help (as an equal partner). As far as the theological substance is concerned, the Pelagians were accused in these three letters of denying that infants must be baptised in order to be saved (*ep.*, 175, 6).²⁴ The Pelagians were also accused of promoting human freedom to the extent of leaving no room for God's grace (*ep.*, 175, 2; 176, 2).²⁵ Pope Innocent replied in three letters of his own (27 January 417) (*ep.*, 181; 182; 183).

Pope Innocent (pontificate: 402-417) was attempting to expand the primacy of Rome (Lamberigts "Innocent I"; "Innocentius"). He considered that the episcopal see of Rome had a unique position, because in the West the Gospel had been preached from Rome. He entertained the view that the Western churches should follow Rome in the field of discipline, and that Rome was the highest court of appeal for *causae maiores*. This Roman primacy was by no means self-evident yet in the early fifth-century Church, let alone a reality. The letters of the North African bishops drew Innocent into the Pelagian

²³ The *corpus* of African letters to Innocent consists of three letters: Council of Carthage: *ep.*, 175; Council of Mileve: *ep.*, 176; and the letter written by Augustine, Aurelius of Carthage, Alypius of Thagaste, Possidius of Calama and Evodius of Uzalis: *ep.*, 177. The bishops of Rome during Augustine's life time were: Damasus (366-384), Siricius (384-399), Anastasius (399-401), Innocent (402-417), Zosimus (417-418), Boniface (418-422), and Celestine (422-432).

²⁴ It must be mentioned here that no "Pelagian" denied the necessity of infant baptism. They did however refuse to associate this necessity with the existence of an inherited original sin.

²⁵ This was not entirely fair of the North African bishops. In fact, Pelagius and Caelestius did not deny the necessity of grace (in Christ). They did, however, attack the idea that additional grace was necessary due to some kind of original sin. See also Dupont ("Die Christusfigur" 321-372).

controversy. His letters show that Innocent's answer, and the condemnation of Pelagius and Caelestius which it contained, was based solely on the files that the Africans sent him. The main emphasis of his letter was the *auctoritas* of Rome. Whereas the Africans had approached him as an equal partner, he distorted this equal approach to make it look like the consultation of a higher authority. Thus he wrote that the council of Carthage had acted rightly by submitting the Pelagian issue to his judgment, even though this had not in fact been the Africans' intention.²⁶ In the same breath, Innocent presented Rome as the source (*natalis fons*) for all the churches, implying that the opinion of Rome was binding on all the churches. Finally, he condemned Caelestius and Pelagius because they regarded human freedom as equal to God's grace, and regarded divine assistance as superfluous (*ep.*, 181, 8). Innocent tellingly said nothing about the issue of the *peccatum originale*, which was a crucial factor in the Africans' rejection of Pelagianism. The conclusion must be that for Innocent Church politics were more important than theology. Innocent used the Pelagian controversy to underline papal authority, and was more interested in the support of the entire African episcopate than in the standpoints of two theologians who lacked influence (Wermelinger).

Carthage appealed to Rome in 416. The North African bishops had not needed Roman support before, in 411, when they had condemned Caelestius. When handling the Donatists, Carthage had equally operated entirely without recourse to the bishop of Rome.²⁷ The acquittal in Diospolis, however, necessitated a Church political change of attitude. This acquittal threatened the legitimacy and orthodoxy of the African Church. The reversal of a condemnation for heterodoxy inevitably raises questions about the orthodoxy of the authorities responsible for issuing the initial condemnation. Faced with the patriarchate of Jerusalem, the Africans did not feel strong enough. They needed a new ally: Rome. For reasons of self-interest, Carthage recognised the authority of Rome in a very limited way. The approval given by this Roman authority afforded greater legitimacy to their own conciliar decisions. That

²⁶ "Significantly, the Fathers had merely asked him to confirm their denunciation of Pelagianism, but Innocent treated their request as a plea for an authoritative papal decision" (Merdinger "Roman" 728).

²⁷ The councils of Carthage had regularly consulted the bishops of Rome on whether converts from Donatism might be admitted to the Catholic clergy. Pope Siricius did not reply to this query (393 and 397). Pope Anastasius answered that it was not permitted. But the Council of Carthage, going against this papal advice, decided to permit it on the basis of an evaluation of individual cases. Despite the fact that they ignored the papal decision, the North African bishops ensured that their relations with Anastasius were cordial.

this recognition must not be equated with full submission to papal authority is evident from the relationship between the African bishops and Innocent's successor, Zosimus, whose authority they did not automatically recognise.

Pope Innocent I died on 12 March 417. Augustine was under the impression that the Pelagian controversy had been definitively settled (s., 131, 10: "causa finita"). Six days later, however, the Greek-speaking Zosimus was elected bishop of Rome (Merdinger "Roman" 728-729). Caelestius and Pelagius appealed to the new pope, who acquitted them on 21 September 417 of the charge of heresy and rehabilitated them. It is striking that this pope and his theologians did not object to Caelestius's proposition that children are born without original sin, which involves a rejection of the doctrine of original sin. What is more, Pope Zosimus in his letters *Magnum Pondus* and *Postquam a Nobis* (addressed to Paulinus of Milan, Heros, and Lazarus among others) strongly criticised the accusers of Caelestius and Pelagius. Just like his predecessor, Zosimus founded his authority to rule in this matter on the special authority of the see of Peter. In his letters to the African episcopate, Innocent had stressed the formal right of the see of Peter to take doctrinal decisions for the universal Church. Zosimus used the same authority to take a contrary decision. The North Africans, however, informed the pope that they were not planning on changing their view, and that they were maintaining their condemnation. The pope replied that he was not planning to change his acquittal either, again underlining the authority of Rome. He incidentally also indicated that his decision had been based on more thorough study than his predecessor's had been. Innocent had based himself solely on the letters from the North African bishops. Zosimus, together with his theologians, had meticulously studied both camps' propositions, had interrogated Caelestius himself when he was in Rome, had perused the writings of Caelestius and Pelagius, and consulted other bishops and theologians. Both "camps" were becoming entrenched in their positions.

The North African bishops concluded that they had to change tactics again in order to vindicate their position. Messengers were sent from North Africa to the imperial court in Ravenna. The condition of the empire was far from stable and prosperous at the time. Britain had been lost, the barbarians were on the offensive in Gaul, and Spain was in trouble. In other words, the Emperor Honorius could not afford religious unrest in North Africa, all the more so as peace had only recently been restored after the Donatist controversy. In addition, the empire was strongly reliant both economically and militarily on North Africa. This province was the granary of Italy, and it also supplied

horses for the emperor's cavalry, and he needed a well-equipped army in troubled times. Religious calm had to be restored whatever the cost. The Emperor Honorius therefore intervened personally, without consulting the pope, and condemned Pelagius and Caelestius (edict of 30 April 418), expelling all their adherents from Rome. This decision was not inspired primarily by any doctrinal concerns on the part of the emperor, but by the political imperative to guarantee stability.²⁸ The emperor decided to back the strongest party, i.e. the influential African episcopate, at the cost of a small group of idealists without any great political influence. The wording of the imperial condemnation was similar to that of the councils of Carthage (both the 411 condemnation of Caelestius and the reaction to the acquittal at Diospolis (415) in 416), and of the African letters to Rome: the Pelagians were misleading the ordinary faithful by teaching that Adam had been created as a mortal (i.e. that his mortality was not the result of his sin), and that Adam's sin had no consequences at all for his progeny. The North African bishops explicitly referred to these two points in a new condemnation (issued by the council of Carthage on 1 May 418). Anyone who taught that Adam had been created a mortal, that infant baptism was not necessary, or anyone who held a reduced concept of grace, was excommunicated. This plenary council, in which more than two hundred bishops participated, sent this decision to Zosimus and told him that they would henceforth abide by Innocent's, rather than Zosimus's own decisions. The emperor once again confirmed his position in edicts against the Pelagians issued in June 419. He did not contact the bishop of Rome even once throughout the affair.

This alliance between Carthage and Ravenna forced Pope Zosimus to rethink his stance. Zosimus grudgingly accepted the African viewpoint (21 March 418). He condemned Pelagius and Caelestius in a letter addressed to all the Italian bishops (*Epistula Tractoria* of later June 418), not on the basis of any substantive reasons, but because he wished to avoid total political isolation.²⁹ Yet he refused to subscribe to the African doctrine of original sin in this letter of condemnation. Zosimus condemned Pelagius and Caelestius, did not deny the necessity of infant baptism (neither had Pelagius and Caelestius, as a matter of fact), but refrained from teaching the doctrine of original sin. He remained

²⁸ "Having recently witnessed the devastating effects of Donatist fanaticism, Honorius was not inclined to tolerate another movement whose teachings might ignite further civil disorder" (Merdinge "Roman" 729). An underlying explanation for this denunciation can perhaps be found in the fact that Pelagianism is sometimes associated with social critiques of wealth, and could therefore be regarded as a destabilising factor. See also Kessler.

²⁹ "To put the matter bluntly, Zosimus changed his mind for purely political reasons" (Lamberigts 372).

silent particularly about the African interpretation of infant baptism, i.e. that infants should be baptised to remit original sin (which had been present since their birth). Innocent had never confirmed this doctrine of original sin, which held that children were born in sin, either. Zosimus felt compelled to condemn the Pelagians not by force of argument, but by political motives.³⁰ For this reason, a number of Italian bishops led by Julian of Aeclanum refused to sign Zosimus's letter of condemnation (Lamberigts "Iulianus" 453–508). Julian of Aeclanum clearly pointed out that Rome's about-face had been due entirely to political pressure, and he proved to be well acquainted with the intensive correspondence between Carthage and Ravenna. Julian even accused the African bishops of having bribed the imperial court with horses (*Ad Florum*, 1, 74; 3, 35). This accusation of corruption was never proven, and Augustine stringently denied it, but—leaving the specific accusation aside—the Roman cavalry was certainly dependent on African horses after the supply from Spain dried up, and Italy was also economically dependent on this province. The following two popes, Boniface and Celestine, supported the African viewpoint and dedicated their pontificates to combatting Pelagianism.

As the protagonist of the African episcopate, Augustine was very much at the forefront of this struggle against Pelagianism. He responded to the substance of the Pelagian claims and played an important role in the reaction against them. He also defended the imperial condemnation of Pelagianism (*nupt. et conc.*, 2, 3, 9; *grat. Chr.*, 2, 17, 18). Thus Augustine appealed both to the ecclesiastical and to the civil authorities to solve a doctrinal issue. The Africans initially attempted to resolve the problem themselves. When they were faced with an opposing ecclesiastical authority, the patriarchate of Jerusalem, they sought support—under Augustine's leadership—from the civil power. This recourse to the civil authorities was a third option—after their own efforts had failed, and the ecclesiastical authority of Rome had turned against them. What is striking is that Pope Innocent and the Emperor Honorius, who supported the Africans, were uninterested in the substance of the issue. The only party who did take an interest, Zosimus, refused to back them. The Africans' tactical power play

³⁰ Augustine would later act at Zosimus's behest out of gratitude for this reversal, in an ecclesiastical conflict in Mauretania Caesariensis, where a certain bishop Honorius wanted to swap sees, something which was not permitted under canon law. When feelings became too heated in Mauretania, Augustine submitted the case to Pope Boniface (*ep. Divjak*, 22; 23; 23A). Similarly, Augustine submitted the case of Antoninus, the bishop of Fussala whom Augustine deposed on account of his avarice, to Pope Celestine (*ep.*, 209; *ep. Divjak*, 22). Apparently the North African bishops also appealed to the pope in disciplinary issues, in addition to the doctrinal question of Pelagianism.

ultimately forced him to concede. Perhaps the Africans' zeal can be explained by their fear of a new schism so soon after Donatism, a controversy that had driven the North African province to the brink of a civil war, and by the fact that their struggle against Donatism had turned the North African episcopate into a well-organised body.

When Augustine became a bishop, the Donatist controversy had been around for some time. Cooperation between the State and the Catholic Church in this conflict was also a long-established reality by the time of his appointment. Augustine placed himself in an existing policy, legitimated the conduct of the Catholic hierarchy and of the imperial administration *vis-à-vis* the Donatists, and provided theological justifications for this response. The Pelagian controversy, on the other hand, arose during Augustine's episcopate. The course he took was his own. Augustine was at the forefront of the intellectual rejection of Pelagianism. This is evident from his many anti-Pelagian treatises, sermons, and letters. It is also clear from the African council documents of the time. The strong similarities which exist between these and Augustine's own writings point to Augustine's authorship of these conciliar documents, for instance of the council's letters to Innocent and Zosimus. The fact that Augustine shaped the contours of the case against the Pelagians implies, as his letters show, that he played an important role in the actual move against the Pelagians, in the successive appeals to Rome and Ravenna, in seeking papal and imperial support for the condemnation of Pelagianism. As has been seen, Augustine's reaction to Pelagianism was largely his own choice. He chose the same approach he had used in the struggle against Donatism, repression with state support, presumably as a result of the traumatic experience that he and his fellow bishops had had with Donatism.

Augustine as a Bishop *vis-à-vis* the State

According to Duijnsteek (257-258),

The good relations between Church and State in the days of the Bishop of Hippo also had their drawbacks. Conscious of their own impotence, and convinced of the Church's influence, the emperors were all too eager to use this influence for their own purposes, which posed a threat to a healthy cooperation on the basis of mutual independence. Too many secular tasks were entrusted to the bishops, so that in certain respects they in fact became servants of the State. The Church was invited on the basis of her authority to assume and guarantee a number of public tasks, such as the protection of the poor and of orphans,

judicial authority and the administration of justice in civil cases, the defence of the city.

Augustine accepted this mutual utilitarian understanding between Church and State. The State used the Church's well-organised, hierarchical and mobile structure. The Church, in its turn, assumed responsibility for official commissions and used the facilities that the Roman Empire had to offer. Augustine assumed the secular responsibilities that were assigned to him, but he did not allow himself to be reduced to an uncritically obedient servant of the State.

The first way to approach Augustine's attitude to politics is that of his involvement in the administration of justice. As a judge, Augustine himself exercised civil authority. He did not ask for this, but he fulfilled this task conscientiously. In order to be able to take decisions that were legally right, he studied Roman law. He was guided in his interpretation and execution of the civil law by the law of the Gospel. This is where the roles of judge and pastor converged. As a judge, he endeavoured to judge moderately. He petitioned civil and military authorities to exercise the same moderation. These interventions were not based on any legal power of intervention that bishops might have had, but derived from the pastoral responsibilities of the episcopal office. As a pastor, he asked that the authorities should not follow the letter of the law, but should be clement with a view to the conversion of the convicted person. He did this both for criminals and for Donatists, which is another way in which the two ways—judicial authority and theological controversy—converged.

As a practicing judge, Augustine accepted the existing body of legislation. He also called for the civil obedience of Christians to the Roman State. But this obedience was not blind or unquestioning. To put it differently, Augustine only approved of obedience to the State if the State in its turn was obedient to the highest authority, that of God. This is a theme that recurs frequently in his sermons on the feasts of martyrs. It is a characteristic of martyrs that they disobeyed the (pagan) State that attempted to force them to commit apostasy, thus preserving their faith intact, even though this resulted in death. In the sermons on the martyrs, Augustine contended that obedience to the civil authorities was premised on the strict condition that these authorities should not violate divine commandments (s., 62).³¹ The martyrs' resistance to the State, however, was peaceful resistance. Martyrs resisted the injustice that forbade them to profess their God and forced them to commit idolatry (for

³¹ For Augustine's theology of martyrdom see Leemans and Dupont (365-379).

instance by sacrificing to the emperor), but they did not therefore take up arms. Thus Augustine in s., 302, condemned the murder of a corrupt imperial civil servant in Hippo by pointing to the examples of the martyr Laurence and of Christ. Both resisted injustice, but without using violence. According to Augustine there was always an existing political order, which Christians were called to respect (this civil obedience was based on the exhortation of Rom., 13, 1). If this political order was the author of injustice, peaceful resistance was the only permissible response for Christians, as the examples of Christ and Laurence show. This peaceful resistance testified to a higher justice. Augustine thought it was impossible to obtain a just system through violence, which was always fundamentally unjust in his eyes.

Although Augustine was a protagonist in the struggle against the Donatists and despite the fact that he legitimated the imperial repression of the Donatists, he himself resisted the state by refusing to tolerate capital punishment. Thus Augustine coupled his request to the proconsuls Donatus and Apringius not to execute Donatist murderers with the threat that Catholics would refuse to cooperate in such executions, as this policy could not bring reconciliation but would lead only to further entrenchment of the two camps. The underlying proposition is that violence does not solve violence, but only breeds further violence. This example also demonstrates that Augustine followed politicians, but not uncritically. Whenever the civil authorities took unwise decisions, he did not hesitate to threaten a boycott. Nor did he fear criticizing holders of public office: "A certain Romulus, whom he himself had baptized, was threatened by him in a letter with 'wrath that is piling up before the judgement seat of God', because he was squeezing double the taxes due from some wretched *coloni*" van der Meer "Augustine" 262). The senior military officer Boniface, whom he had previously congratulated on halting the Moors who had invaded North Africa, received a strong rebuke from Augustine in 425/426 because he was unable to prevent the Moors from plundering Numidia. Augustine's critical attitude with regard to political leaders was founded on his basic conviction that Christ was the only true leader of society, both the current society and the society which is to come. Only Christ is the founder of justice. Augustine thought that political leaders should imitate Christ's example, especially by practicing the virtue of humility, so that they would not indulge in self-glorification, and would continue to critically assess their own actions on a moral basis. Augustine respected the existing political order, participated in political decision making, but was never uncritical. He recognised the value of a legal framework, and furthered correct knowledge of this judicial

system, but also regarded this framework as subject to the requirement of justice. Thus he used the same pericope of Rom., 13, 1-7 to legitimate the obedience that was incumbent upon Christians to the civil authorities, and to remind political leaders of their duty to govern justly and mercifully (Dodaro “Church” 182).³² Augustine took his commitment to the civil society and the secular State very seriously. He regarded the intrinsic purpose of the earthly society and the earthly state (*civitas terrena*)—the promotion of peace and justice—as very valuable. But he did not regard this earthly peace and justice, the politics of the here and now, as absolute values. Ultimately, despite Augustine’s own struggle against concrete instances of injustice, Augustine continued to regard earthly politics as inevitably imperfect. It is evident from Augustine’s *De civitate Dei* that he had relinquished the ancient notion of a Christian empire as an instrument for the salvation of humanity after the fall of Rome. Political aspirations and realisations were always temporary and fleeting. Human life within this *civitas terrena*, this earthly dispensation, was no more than a *peregrinatio*, a pilgrimage. Real happiness transcended these temporary and fleeting things.³³

Augustine also assumed his responsibilities as a theologian and Church leader: the truth of the faith and the unity of the Church could not be compromised. He did not hesitate to appeal to the civil authorities in the pursuit of this goal. In fact, he even ventured to deploy the civil authority, the emperor, against an ecclesiastical authority such as Pope Zosimus. This appeal to the secular arm of power was inspired on the one hand by Augustine’s concern for the preservation of order and peace, and on the other by his faith in the rights of truth. Yet

³² “True political justice requires that each person be ‘given his or her due’, a principle which necessitates that society also practices true worship or piety (*vera pietas*) in order to ‘give to God what is due’ (*civ.* 19.21). This true worship, which is constitutive of justice, also requires that political leaders and citizens acknowledge their moral failings openly and pray for the forgiveness of their sins, while at the same time they extend forgiveness to their enemies (*civ.* 19.27; cf. 5.24, 26). Only Christ, who alone is both just (*solus justus*) and justifying (*justificans*), can establish and rule society justly (*civ.* 17.4; cf. 2.21; 10.24; 20.6). Political leaders who would act justly ought to imitate Christ’s example—in particular, his mercy toward sinners (s. 13; *ep.* 153; *en.* Ps. 50)” (Dodaro “Justice” 483).

³³ “Augustine’s political thought, therefore, reminds us of the contingency of political achievements, and that any outcome will not likely endure as long as expected or longed for. Human beings are permanently caught in the tragic situation of longing for true happiness, but they face the mysterious impossibility of not being fully capable of attaining it. This does not mean that political activity is fruitless; it means only that the fruition of our greatest longings lies elsewhere, an insight achieved only by thinking and acting in the world, and by discovering that such longings reorients our being in the world. Between our political activities and that fruition, we long and live in hope” (Heyking 260-261).

this aspiration of Augustine's was not absolute either. He rejected the idea that humans should be converted forcibly, against their will. He also condemned anything that compromised the physical integrity of human beings.

In short, Augustine recognised the value of the political system. This served to safeguard the good ends of earthly life, i.e. peace and justice. But Augustine believed this earthly peace and justice were reflections of the heavenly peace and justice, which are the foundation of earthly order and stability. Augustine, himself a civil functionary in his capacity as a judge, and a practitioner of Church politics as a bishop, shaped his responsibilities and his dealings with the temporal sphere on the basis of his love of God; therefore he called on Christian politicians to adopt the same orientation. Augustine's theoretical views on the civil society, on politics, and on the secular State are in harmony with his actual experience of, and practical dealings with them.

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