

## THE LEGACY OF THE 13TH APOSTLE: ORIGINS OF THE EAST CHRISTIAN CONCEPTIONS OF CHURCH AND STATE RELATION

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### *1. Introduction*

It is remarkable to consider how much has been written on the notion of the early Christian and Byzantine attitudes to political theory relying on the singularly useless concept of caesaro-papism. It illuminates nothing, apart from the standing-point of the user. It was, in origin, a term of disparagement, comparable in its intent to the scornful use of Byzantinism to signify all that was corrupt and devious. This bigoted Gibbonesque apologetic, so beloved of Protestant and Catholic theorists alike in their mutually conflicting critiques of Eastern Christian political theology, should by now have fallen into desuetude though a surprising amount of authors have still continued to use it well into the modern era; apparently unaware of the theological "animus" that gave birth to the word, and even more so of the fact that it is hopelessly anachronistic. To try to explain the complexity of the Eastern Christian attitudes to political theory with such a term is doomed from the outset. One presumes from the context in which the word "caesaro-papism" has largely figured, that it is supposed to connote "sacral autocracy"; but the whole point of any serious investigation would surely be to consider just how the dimension of religion overlaid itself onto political theory in antiquity, and how this went on, through the stimuli of controversy and considered reflection, to arrive at any kind of consensus in regard to a theory of church-state relations in Byzantium. Papism is hardly appropriate for the highly extended

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systems of episcopal collegiality and autonomy practised in the eastern churches, and the use of the designation "Caesar" to connote autocracy is something that demands such extensive qualification as to make it all but useless as a definition. The Byzantine inheritors of the imperial title remained "Supreme Autocrat of the Romans" to the end, but the amazing amount of those "Emperors dear to God" who died prematurely and violently more than demonstrates that the autocracy of a late Roman Emperor was "not as the world knows it." The imperial power in Byzantium was, arguably, even more so than in the times of the pre-Christian empire, radically circumscribed by a volatile aristocracy, the stability of the city populations, the capacity to demonstrate fiscal and military success, and to some extent the pressures of the bishops and monastics who represented a considerable traditionalist consensus but who brought their influence to bear largely through indirect means.

In this article I wish to query the notion that there is a single Eastern Christian religious political theory, such a one that could be stood in opposition to Catholic medieval or early modern Protestant theories of church-state relations, both of which systems separately posed the thesis of a Byzantine ecclesiastical sell-out to secular power, as a foil for what they each thought themselves to be positing as the pure Christian political ideology that corrected the other. Such a theory needs to be queried, not least for the anachronism of looking at Byzantine theory from the vantage point of the conflict of early modern western ecclesial politics. I would go further to argue that while there are distinctively classic Byzantine ideas of the relations of Church and State nevertheless there never was a single, coherent, Byzantine political theology. And this for two reasons: firstly because the fundamental authorities of "Christian law" (the Gospels, the wider Scriptures and the later Conciliar canons) themselves did not enshrine a coherent theory of the relation of the Kingdom of God to the kingdoms of the earth, nor did they permit a single model to be elevated from the several they suggested at different periods; and secondly because the significant

Byzantine theorists were too much concerned with *ad hoc* solutions to occasional and locally contextualised controversies to allow them to develop an authoritative macro-theory.

## *2. The Ambiguity of Scriptural Paradigms for Byzantine Political Theology*

It is not my intent here to present a micro treatise on the biblical data that could underlie a Christian theology of politics, but merely to state the commonplace that it is impossible to elevate a coherent political theology on the basis of biblical evidence; or at least on the basis of the evidence objectively considered, without processing that data in a highly selective manner through a peculiar interpretative ideology one has set as a prejudgement of the issue. The Byzantine biblical theorists were at least honest enough to recognise that, even if subsequent Christian theorists of many periods including our own, have not been. Moreover they knew that apart from not having a coherent body of data in the scriptures, the Church itself did not possess a sufficiently coherent theory of biblical exegesis to sort what data there was.

Let me briefly sketch out the case. It is clear, for example, that the Old Testament canonises a quasi-divine kingship in the case of the Davidic messianic dynasty. The origins of the sacral kingship in the scriptures are, however, both ascribed to God as beneficial grace for Israel, and to the petty-mindedness of men who stand in opposition to the peculiar covenant that set up God himself as the sole, and jealous, King of his elect nation. If the Davidic King was a messianic sign, however, such a symbol had well and truly reached its fulfilment in the person of Jesus the glorified and eternally regnant Christ, as far as any early Christian theory of kingship was concerned. Jesus' own ideas on kingly power themselves range across a wide spectrum. At times he seems highly affirmative. Did he not conceptualise the entire relation of God to the world in terms of kingly dominion? Again he demonstrates a sardonic detachment that can be seen in the saying: "Render to Caesar what is Caesar's, and to God what is God's"; the castigation of Herod Antipas as "a

fox"; or the weary reply to Pilate: "My kingdom is not of this world." And he can be unstraightforwardly ambivalent, as in the second part of that same Johannine saying: "Yet if my kingdom *were* of this world, my disciples would have fought to prevent me falling into your hands." Even the most positive aspect of Jesus' attitude to kingship, the choice of the idea as the primary analogy of his preaching, tends to exclude any but God (or later his Christ) from the active role as king. In other words a theocratic concept of kingship is an exclusion, not an affirmation of the idea in terms of political theory.

Wherever we touch down in Jesus' statements or analogies of kingship the same ambivalence is present. His kingdom is certainly not of this world, but there is a "yet" added on as a rider to suggest how disciples might behave if it were. Kingly and state authority are flouted in the cause of his achievement of the goals of the kingdom, and yet his recorded political statements advocate obedience and submission. One must render to Caesar. Pilate is told the true source of his power: not from Tiberius, but from God himself who has validated the dominion of Rome's legal representatives: "You would have no power over me if it had not been given to you from above." The earliest disciples of this enigmatic master maintained the same ambivalence. Paul advocated obedience to the civil leaders as if to God himself. Other writers, suffering a sharper edge of religious oppression, saw in the imperial cult the single clearest example of world apostasy and denounced the Caesars as the dragon enslaved to the Beast. Even though Paul gained a wider hearing than the Apocalypse in the Eastern church (the latter is never once cited in any liturgical text of the Orthodox world), the negative reservations were not forgotten. Paul himself, as the monks never tired of reminding the bureaucrats among the bishops, had told the church that: "here we have no abiding politeia." But if the New Testament was so ambivalent could anything clearer be gained from exegesis of the Old?

Here were godly kings who were faithful to the covenant and flourished; and also wicked kings who disobeyed the covenant and were punished. The whole structure of many books of the Old Tes-

tament turns on this notion of covenantal relation with Israel through the deeds of the king. This in itself was powerful material for a positive depiction of the king beloved of God, and his role as the one who safeguards the authenticity of the people's obedience of the covenant. This, of course, was quintessentially what the Christian Caesars claimed as their own role. But this theology of kingship raised as many difficulties as it solved. For who was to decide who was the god-beloved king? Certainly not the king himself. And for every Old Testament icon of the righteous king, there were others of a more cautionary type. Designations of Josiah as well as Ahab flew around freely in Byzantine times. Some Old Testament kings could even manage to combine both in one figure. To be a new David was presumably meant as a compliment when the Chalcedonian fathers offered it in their acclamations to Marcian. It might, however, turn out to be a liability, such as the way Ambrose assigned it to Theodosius when he demanded a Davidic repentance after the massacre of Thessaloniki. To be a new Solomon was a dubious distinction when it could easily be read as signifying an apostate as much as a wise judge. No-one wanted to be called an Ahab,<sup>2</sup> and several emperors who offended the monks or bishops were reminded of the impertinent king Ozias (2 Chron 26:16), who thought he could offer incense to God, thus usurping the priestly prerogative, and was duly afflicted with leprosy, to show him the error of his ways.<sup>3</sup> All in all the problem was with all this scriptural symbolism: what could be said to apply into the Christian era? Or, had it not all been superseded, and rendered inapplicable as an authoritative pattern, in what Cyril of Alexandria called the "time to lay aside the shadows of the Old Law"?<sup>4</sup>

At no time in its history did the Eastern Christian world allow a

2 Athanasius calls Constantius (in his privately circulated text the *Historia Arianorum*) *atheos* (godless), and *anosios* (unholy); and describes him as a new Ahab, a Pharaoh, a god-hated Saul: *Hist. Arianorum* 30; 34; 45; 53; 67-68 (PG 25.726f).

3 Justinian's opponents to his synodical policy of the 3 chapters (esp. Facundus) compared him to the impious Ozias who tested God's patience because he arrogated priestly functions. Cf. *Pro defensione trium capitulorum* 12.3 (PL 67.838).

4 Cf. J. McGuckin, "Moses und das Geheimnis Christi in der Exegese des Cyrill von

coherent theory of exegesis to develop, such that would allow definitive answers to be gleaned from the richly suggestive biblical sources. Two chief factors stopped the scriptures from ever becoming "fodder for dogmatics" in this manner in the Early Byzantine world. The first was the high complexity of the Origenian system of scriptural typological adumbrations and fulfilment;<sup>5</sup> and the second was the wholesale and public bankruptcy of an exegetical approach as the governing factor in authoritatively establishing theological orthodoxy, as demonstrated in the Arian crisis of the fourth century, and underscored again in the Nestorian and Monophysite crises of the fifth and sixth when all sides in controversy cheerfully applied themselves to the same texts to make their opposite points. Biblical hermeneutic underpins Byzantium's theories on kingship. Eusebius<sup>6</sup> followed his theological master, Origen, in seeing the fabric of the empire as a providential scheme for the transmission of the message of gospel salvation. It was a short step for the latter to identify the generic principle with the specific instance of a sympathetic ruler. In both cases, however it was primarily an exegetical process that served as the intellectual foundation of the argument. The same can be witnessed in the West, where Lactantius' *De Mortibus Persecutorum*, equally mirrors the theodicy of the Books of the Kings.

Alexandrien," *Tübingen Theologische Quartalschrift* 4 (1998): 272–86.

5 Origen's own cardinal beliefs that that text was (a) deliberately enigmatic and (b) had within itself a system of self obsolescence that afforded its principle of progress from old to new, from shadow to reality, from higher to lower, made it impossible to press the analogy of a coherent systematic of biblical revelation beyond the magnificent structural impression he himself had given of this. For Origen the biblical text did not merely give way in terms of Old Testament to New, but there was a "giving way" even within the New Testament itself to other parts of the canon which demonstrated a higher spiritual perception at play. Thus the Gospel of John was the first fruits of all the revelation superseding all, and the visions of the Apostle Paul, who had been rapt into the third heaven and seen mysteries, excelled even the teachings of Jesus in the Gospels, since the Lord had been speaking low-level moralistic parables for the benefit of wooden disciples. There remained a double question for exegesis, then: not merely what was meant by any given passage, but whether what was meant had any material application in the present.

6 Eusebius of Caesarea *Demonstratio evangelica* 3.2.37 (GCS vol. 23, p. 102).

The Psalms, of course, were a relatively straightforward source of much of Christianity's understanding of kingship. As the prayer book of the monks, and eventually the basic structure of the entire Eastern church's public prayer, the ideas on divine kingship they enshrined became commonplaces of Eastern Christian theology. Even though many of the Psalms' references to kingship were reserved as messianic prophecies, what survived in addition, as it were, was sufficiently weighty to provide the nucleus of an authoritative biblical dossier on the duties of righteous kings, for Byzantine theologians. Here Psalms 20, 71, and 19 particularly become constitutive. The first speaks of how the king's power is entirely dependent on the favour of God;<sup>7</sup> and the two others outline the essential function of the king: the military protection of the elect people, and the dispensation of justice to the poor and oppressed.

Jesus words on the kingdom as not of this world certainly set a severe limit on the tendency to identify the spread of the Byzantine domains with the spread of the kingdom on earth. Any temptation to resurrect the old theodicy so as to claim the "New Israel" of the Byzantines as the Kingdom realised once more on earth, was fundamentally rejected from the outset of Christianity. The church never wholly flattened its apocalyptic landscapes. Despite the Byzantines' understanding of themselves as the new elect people, the force of the Gospels in forbidding an identification of this world and God's kingdom remained strong. The monastic movement, more distanced from the sycophantic tendencies of some of the court bishops, also served to keep the apocalyptic "distance" alive. It was the supreme apocalyptic kingship of Christ that was ultimately enshrined in the scriptures, and this led to a polarity in the Christian theology of earthly kingship. The Christian emperor might well be a copy of God's power on earth, and even divinely validated, but his rule was subject to God's law, and subject too to

7 "Lord your strength gives joy to the King ... Through the mercy of the Most High he shall stand firm" (Ps 20).

the canons of the church. If the king deviated from this kind of rule his own dominion was rendered fragile. This was not just so in theory but also in Byzantine practice, for Byzantium never accepted the dynastic principle. Ability to hold the throne was a sign of God's favour. As it was with Saul, failure to retain God's favour signalled an end to the divine validation of the right to rule.

So, while there are theological attitudes to kingship provided by a number of biblical sources, the overall significance of the biblical material largely remained ambivalent, incapable of providing clear guidance to the later Byzantine theorists as to exactly what were the lineaments of a Christian theology of *imperium*. Certain key notes, especially from the psalms, remained dominant in the Byzantine mind, however, and these were, firstly, the ultimate dependence of the King on God (and that certainly meant for Christians his constant subjection to the divine law as witnessed in the Gospels and canons however much he might occasionally protest his elevation above Roman law), and secondly, the radical relativisation of the king. True kingship was not of this world and belonged to another.

### 3. *Dvornik's Macro-Thesis and its Problems*

This rapid summary may demonstrate well enough that the theological underpinnings to the Byzantine idea of sacral kingship are far more complex and worthy of consideration than the cliché of caesaro-papism has led many to think, but perhaps it is an emerging picture that is also at odds with what has been advanced by that most learned and indeed exhaustive study on the idea of Byzantine political theory. I refer, of course, to Dvornik's classic work: *Early Christian and Byzantine Political Philosophy*.<sup>8</sup> This was a highly influential two-volume analysis that left its mark on most subsequent commentators. Its general thesis is that Jesus' apocalypticism kept the primitive church well clear of political involvement in what was seen as a hostile environment from the first to the third

8 F. Dvornik, *Early Christian and Byzantine Political Philosophy*, 2 vols. Dumbarton Oaks Studies IX, (Harvard, 1966). Vol. 2 is relevant to our concerns, and henceforward shall be referred to simply as "Dvornik."



centuries. Their pacific endurance, however, gave way with the appearance of Constantine, aided and abetted by Eusebius, the arch-villain who heavily introduced Hellenistic political paradigms into Christian speculation<sup>9</sup> from his reading of Philo. This, he supposed, then became a standard patristic attitude (with a few local exceptions such as bishops who fell foul of the emperor) that in turn led on inexorably into the lugubrious stages of increasing corruption as Christian emperors felt justified by the Gospels to exercise coercive force on others in the name of religion.<sup>10</sup> This is a striking macro-theory, but does it correspond to the facts? There are some serious problems with it, both in general terms, and in the specifics of Dvornik's evidence.

The pacific vision of the earliest Christian society, of course, presumes much, and equally leaves a great deal out of consideration. It was itself highly influenced by Harnack's macro thesis that organised his great history of dogma, and not least his late studies in New Testament Christology, where the fierce old historian finally showed how his real heart belonged profoundly to the tradition of pacific German Pietism. In Dvornik's case the macro-thesis of a primitive non political pacifism unfolding more and more into Hellenism on the way towards the sad state of medieval religious intolerance gives the strongest suggestion that an anachronistic historical method is at work. Though it is a comparative methodology that has dogged the heels of Byzantine studies for centuries, the western middle ages are no good place to start when considering

9 "The founder's teaching on God's supreme Kingship, on his fatherhood, on the consummation of justice in every soul, on Jahweh's Day of Judgement, also helped the Christians to steer clear of the Zealot's fanaticism and violence, and to 'possess their souls in patience.' There lay the superiority of the Kingdom of God over its earthly counterparts: it was created not to dominate, but to transform." Dvornik, 610.

10 "Jovian's clemency found no imitator among his successors; the Christian version of imperial duties prevailed, and Constantine's compromise ... was destroyed. Constantius set the stage for the new imperial policy and it is at this moment that we touch the historical roots of that religious intolerance which wrought such havoc to human rights throughout the Middle Ages in both East and West." Dvornik, 766.

the thought of early and middle Byzantium. It needs to be repeated (frequently) that Byzantine religious thought is neither just a brainless rehearsal of Late Antiquity, nor a dim adumbration of western medieval or reformation concerns. The longstanding neglect of Byzantium, at least in the theological arena, even today can be readily discerned by a cursory perusal of university and seminary curricula.

To describe the origins of early Christian political theology by thus drawing the stark contrast between New Testament pacific non-involvement on the one hand, and repressive patristic Hellenism on the other, is, however, by no means an unbiased statement of the evidence, though it has enjoyed a great vogue, not least because it is an important brick in the wall of theological ideology emanating from early modern Protestant theologians and Church historians making a case for what it was that Protestantism "Reformed." The macro-thesis of a return to the purity of New Testament times after the worldly decline brought about by episcopal and princely arrogance or (even worse) the arrogance of the bishop as supreme king, was a mainstay of the theological construct of the Reformation teachers. The contrary position, though based more or less on the same macro-theory structure, was long sustained by western catholic church historians and theologians, to the effect that an unbroken line of continuance ran on from the sayings of Jesus about earthly power, and the deductions of the medieval popes about their worldly powers. A clear instance being the doctrine of the Two Swords, advocated by Jesus in the Garden of Gethsemane. This has been a long running ideological battle, but the terms of the construct are becoming very tired and it is certainly time to abandon several of the categories that have led us to approach this issue from such narrow lines in the past, a diminished gauge that can be seen even into several modern studies that do not sufficiently distinguish their theological pieties from their historical ones.

Dvornik describes the Hellenistic principle as composed of the collation and adoption by Christians of several parts of a pre-exist-

ing thesis: first that the rise of Rome coincided with the spread of the Gospel as part of God's providential plan for the world;<sup>11</sup> second, that the monarchical ruler on earth possessed of supreme power was an earthly *mimesis* of the divine monarchy of God in heaven; third, that the ruler on earth was divinely validated as the earthly presence of the god; and fourth, that the monarchy of the king was necessary on earth for re-establishing peace among societies that were disunited; and fifthly that as divine icon, the King was above all law, and the source of law (*nomos empsychos*).

The notion of the monarch as a mirror of God's single power makes its literary theoretical debut in Aristotle's *Politics* 3.18, and increasingly had an allure for imperial Rome as it moved further East and saw the extent of the oriental ideas of divine Kingship, especially as manifested in their great imperial rival, Persia. The idea is described by Aristotle, in one of his less inspired moments as a naturalist, in terms of the example of the "King Bee," and the image can be readily identified when it turns up in subsequent authors dependent on him. Origen was a leading proponent of the idea that the empire was providentially gifted to the church by God.<sup>12</sup> Eusebius follows his teacher with even greater enthusiasm as he thinks the promise is finally being honoured with Constantine. Neither Origen nor Eusebius, however, is the importer of such a Hellenism into the church, for the notion is clearly a central pillar of the Pauline school, and can be witnessed in many places in Paul's letters and was enthusiastically endorsed by his disciple

11 The idea is clearly witnessed in the Life of Constantine where Augustus is credited with the founding of the empire, and Constantine with the vision that it had to become monarchical. Eusebius of Caesarea *Vita Constantini* 2.19; 4.19 (GCS vol. 7. pp. 48f, 128f). It is repeated in the *Praises of Constantine* delivered at the Emperor's thirtieth anniversary of accession, an occasion where Eusebius argues that the defeat of the four Caesars and the centralisation of all power in his own hands was Constantine's *mimesis* of the single sovereign power of God. Eusebius of Caesarea *De Laudibus Constantini* 3 (GCS. vol. 7. p. 201).

12 Chrysostom (*In Isaiam* 2 [PG. 56. 33]) follows Origen in seeing the Pax Augusta as prophesied in Isaiah's vision of the peacefulness of the messianic age. By the fourth century the view had become widespread.

Luke, in the Acts and the third Gospel. It is thus tendentious to see it as a Eusebian Hellenisation of the pure tradition, when it is the case that the Greek theologians apply it as an exegesis of the foundational texts.

Similarly, the idea of the divinely validated king, and the image of monarchy in heaven being represented as the true pattern of political events on earth, is not reducible to Aristotle, but is a deep current running through the whole construct of biblical theodicy. What is different, of course, is the purely oriental idea, that the king is the exact mirror of God on earth. In other words, what constitutes true Hellenistic political theology in this regard, and what certainly distinguishes it from a distinctively biblical tradition, is the belief that the king is divinely validated "over and against his subjects" and in his own quasi-divine person transcends the pre-scripts which it is his duty to ensure other mere mortals obey. If this is the kernel of Hellenistic political thought, a very different picture emerges from a survey of Byzantine Christian theorists, even including Eusebius and Justinian (certainly two who pressed the boundaries most) for there is a massive shying away from the two ideas in all this that are most antagonistic to biblical theory: (a) that a Christian king can ever be dispensed from subjugation to the ultimate law of God, his Christ, and the same as manifested in the canons of the church, and (b) that the affairs and aspirations of the earthly kingdom are so divinely validated as simply to be reflections of the divine will in heaven. It is these two principles, and these alone, which properly mark the strict difference between Hellenism's theology of kingship and the doctrine offered by the scriptures. None of the Byzantine theologians ever endorses the latter ideas. Dvornik failed to discern the difference in the way Byzantine and earlier Hellenistic thought used the concepts of divine *mimesis* (imitation) and *theopoiesis* (deification). He presumed that the notion of the king's *mimesis* of God, endorsed by several Byzantine theorists, simply means the same as the king being an earthly god, oblivious of the way in which Origen had already laid out careful foundations for a theology of the image in Byzantine theology that

made no such presuppositions, and which by the fourth century had already become commonplace in Christian thought. Again, to presume that *theopoiesis* meant the same for the Byzantine Church (which had hammered out the idea as its central vehicle for its doctrine of incarnate redemption) as it did for the non-Christian world, is to fail utterly to exegete the texts properly.

More than this, time and again Dvornik seems blind to the biblical underpinnings of doctrine he readily assigns to Hellenistic importations into the primitive purity of the faith. His Harnackian macro-thesis is so dominant that it starts pulling in every author regardless of what the text has to say. There are numerous examples of his insensitivity to biblical symbolism, but the classic is his treatment contrasting Eusebian monarchism with the doctrine of the Book of Revelation. In Dvornik's version of the argument the Book of Revelation represents anti-kingship, and Eusebius represents the volte-face that occurred when the emperor needed to be drawn in and non-demonised. In fact this antithesis is not sustainable. The Book of Revelation demonises the earthly king who stands against the will of God and refuses to align himself with the royal king's policies for the world – the Kingdom of God. It is abundantly clear, however, that the idea the earthly ruler is either the agent of God or the servant of the beast, is prevalent throughout the entire book, and underlies all its notions of kingship. It is the biblical sense of the dual potentiality of the king (to be either the servant of the heavenly God or the servant of the beast) which is strongly characteristic of the late biblical view of kingship, and which is profoundly determinative for Christian thought. It is this latter concept which Eusebius and the Christian fathers apply, and it is this which refashions the Hellenistic absolutism Dvornik wishes to foist on them.

Similarly, Dvornik's recurring belief that Eusebius's over-enthusiasm for Constantine massively affected the line of transmission of ideas for Byzantine theorists following him is never demonstrated, but simply presumed at every turn. Yet Eusebius' reputation for the later tradition was permanently damaged by his anti-Athanasian

stance in the Arian crisis. He never assumed the status of a patristic authority, though he was regarded as a learned scholar and frequently quarried for his source texts. Moreover, to read the political theology of the Byzantines only from the rhetorical transmission of texts is, however, to neglect the fact that, as with politics today, Press Spin may be one thing, the attitudes of the whole body politic another thing altogether. It does not take long to see, quite clearly, that the political theories of a Eusebius or Justinian are not descriptive of Byzantine society as a whole. Dvornik massively over-estimates the linear accumulation of ideas from the authorities he discusses.

More than this, the terms of his macro-theory have so embedded themselves in his consciousness that he tends to force his authorities into proclaiming his theory regardless of their context. This leads to several examples of erroneous patristic interpretation. We can take a few examples of this. Dvornik cites passages praising Constantius from Gregory of Nazianzus' *Adversus Julianum* as instances of the latter's political Hellenism.<sup>13</sup> But Gregory's addresses to Theodosius show that he certainly regarded the emperor as under the law not Law itself. And, in spite of all Eusebius' fulsome rhetoric about Constantine's monarchy, he too never ascribes to the emperor the status of being *nomos empsychos* which, in the Origenian tradition had already become a reserved title of Christ himself, and throughout the Greek tradition, with the exception of Clement of Alexandria, and a few passing claims in the *Novellae* of Justinian, was solidly to remain an attribute of Christ and Christ alone. When, in his farewell speech after his resignation in 381, Gregory Nazianzen cites the courtly phrase that Theodosius should strive to "be as a god" to his people, it is not so much an alien Hellenistic idea he has imported, but simply that Dvornik has missed Gregory's biblical allusion to the Gospel of John. In case his imperial lord also misses the reference, Gregory is careful to add as a counter balance the much favoured Byzantine "political text" of Proverbs 21:1:

13 Dvornik, 685.

Emperors respect your purple. For my oration lays down laws that also bind our legislators. Know how much has been committed to your conscience and what a mysterious thing your kingly power is. The whole world lies in your hands, however small the crown or weak the body. What is above you belongs to God; what is below you belongs also to you. If I may express it in this way: be as gods to your subjects (Ps 81:1, 6). The king's heart is in the hands of God (Prov 21:1). It is there your strength should lie, not in your gold or your armies.<sup>14</sup>

The whole gist of this is to remind the monarch that his *mimesis* of God, and his validation from God are entirely conditional. He stands under judgement, and this is particularly brought out by the two biblical phrases Gregory has selected. The image of God holding the heart of the king is double-edged, signifying support as well as the ability to terminate that life in a moment. This, of course, is also the gist of Gregory's contrasts of imperial glory, and human frailty, a suitable reminder to a conqueror who only a year or so before was lying on his deathbed in Thessalonike. The allusion to the Psalm, which Dvornik thinks is endorsing a Hellenistic *mimesis* theory, needs to be cited so that the full complexity of Gregory's point becomes obvious:

I have said to you that you are gods,  
all of you sons of the Most High,  
and yet you shall die like men,  
fall like any of the princes. (Ps 81:6–7)

The text is one of the clearest indications of biblical kingship theory. The king's power is sustained by God only in so far as he exercises that God-given power correctly, that is, as the Psalm says:

to do justice for the weak and the orphan,  
to defend the poor and the needy. (Ps 81:3–4.)

Gregory, who was to become the most copied authority in all subsequent Byzantine manuscript tradition after the bible, here offers the classic Byzantine statement on kingship. He has particularly subtle ambivalences of his own, as would be expected from a

<sup>14</sup> Gregory of Nazianzus *Oration* 36.11 (PG. 36. 277).

master-rhetorician, who was not averse (as for example in his autobiographical poem, *De Vita Sua*), to drawing a parallel with Eusebius and himself, as he described the new sign in the heavens given as he and Theodosius (the new Constantine), took possession of the church of the Holy Apostles after decades of Arian incumbency. But it by no means supports Dvornik's misleading conclusion: "Gregory was, therefore, a convinced monarchist in the Eusebian sense."<sup>15</sup>

Gregory Nyssa likewise receives a completely erroneous exegesis, so anxious is Dvornik to press all the Cappadocian fathers into the service of his thesis that the Hellenistic idea of absolute power has become standard to the early Byzantine theologians. Dvornik<sup>16</sup> thinks he can recognise underlying citations from Philo or even Dio Chrysostom in Nyssa's text, but they seem to me forced parallels. He fails, however, to recognise the obvious source of the peroration on royal power which is in his funeral sermon for the empress Pulcheria; and that is the biblical text on which he has based himself. For Dvornik, Nyssa's funeral oration supposedly emphasises the absolute nature of imperial rule. The words in question are these:

I have seen this sublime stem, this heavy feathered palm,  
I mean the imperial power, whose imperial virtues spread like  
branches over the whole world and overshadowed everything –  
I have seen it towering over all and subduing all, but then suc-  
cumbing to nature and bending down at the loss of its flower.

Here Nyssa's primary text, of course, is Psalm 36:35. As is frequently the case with his mentor Gregory Nazianzen, the rhetoric sounds positive and impressive, but not far below the surface is another message entirely, which the monastics and biblically literal of his audience would recognise immediately: The Psalm describes the image of the towering tree as follows:

I have seen the wicked triumphant, towering like a cedar of  
Lebanon.  
I passed by again; it was gone.

15 Dvornik, 689.

16 Dvornik, 691.



I searched it was nowhere to be found.  
See the just man, mark the upright,  
For the man of peace a future lies in store,  
but sinners shall all be destroyed.  
No future lies in store for the wicked.

By adding his own detail of the branches that spread throughout the world Nyssa actually combines the psalm image with the parable about the Kingdom of God that spreads over the whole world, and whose branches shelter many birds. The latter is the Kingdom which shall endure to the end of time and which cannot be gain-said. In the context of an imperial funeral sermon, the point of the "Consolation" was to offer a traditional reminder to the mourners that death puts all aspiration into a severe perspective. But the Christian philosopher, carefully using a biblical code, has clearly offered a political judgement quite the opposite to that which Dvornik heard superficially. The Emperor, despite all his aspirations for imperial absolutism, remains mortal and subject to the will and judgement of God. Deviation from justice will corrupt the imperial power and leads to its collapse. This is pure Byzantine Kingship theory running on as a direct exegetical inheritance from the covenantal theology of the Old Testament.

When Dvornik interprets Nyssa's comments on the petition in the Lord's Prayer, "May Your Kingdom come," he similarly offers an odd conclusion that here Nyssa wishes to draw a straight parallelism between the affairs of the heavenly and earthly kingdoms (something that certainly would merit the accusation of Hellenistic deviation from biblical theology) and he says that this is largely because of his dependence on Philo. Dvornik argues the case as follows:

The enslavement of man by his passions is for (Nyssa) the tyranny of a usurper of kingly power that keeps God's Kingdom out of the soul. This monarchic conviction he owed to Philo whose guidance he follows in his interest in Moses.<sup>17</sup>

17 Dvornik, 690, referring to Gregory of Nyssa *De Oratione dominica* 3 (PG. 44. 1156f).

This amounts to the dubious thesis that because of the heavy reliance on Philo in the treatise *Vita Moysi*, Philo must surely be behind Gregory's thought in the *De Oratione dominica*. In fact the concept of the enslavement to passions weakening the kingdom is drawn directly from the exegesis of the Gospels where demonic possession is characterised as an attempt by the prince of this world (Satan) to stand against the advent of the Kingdom of God. In the Gospels the powerful place occupied by Jesus' exorcisms is not accidental. The exorcisms are not simple works of a magus, but constantly designed in all the evangelical accounts as signs (*semeia*) of the irresistible force of the kingdom when the rule of the prince of this world will be definitively terminated. The exorcism as such, therefore, is the primary aspect of Jesus' preaching of the kingdom, while the parables are the secondary. If Dvornik has missed this biblical doctrine entirely, Gregory Nyssa has not. What Dvornik has also missed by his failure to spot the allusion is the New Testament proclamation that the kingdom cannot be resisted despite all the attempts by the prince of this world to frustrate it. It is like a seed growing in secret, a harvest that inevitably exceeds the sown grain. In short, Nyssa's point here is pure New Testament exegesis of the nature of the kingdom. It is hardly what Dvornik claims – a straightforward, Hellenistic, paralleling of the affairs of the two kingdoms in which what the godly king does on earth is *de facto* the pleasure of God.

The same carelessness of exegesis appears in Dvornik's treatment of Basil, Gregory's brother. He cites a passage that seems, to me at least, clearly to be maintaining the biblical prescripts on the limited nature of earthly kingship, and presses it to mean that Basil endorsed the full Hellenistic principle of the King's absolute dominion on earth fully validated by God. Once again Dvornik bases his case on presumed sources. He speculates, without offering evidence, that here Basil "may have been" reading Dio Chrysostom's Third Oration on Kingship. Soon after, this "may" mutates into a "probably read," before ending up as a conclusion that Basil's text therefore must have meant exactly the same thing as

Dio Chrysostom's. But the source is not Dio Chrysostom, and is much closer to home, an exegesis of two psalms which were to become classic in the Byzantine treatment of conditional monarchy: Prov 21:1. "The king's heart is in the hands of God"; and Psalm 32:14-16:

From his dwelling place in heaven the Lord looks down on the dwellers on earth. He who shapes the hearts of them all, scrutinises all their deeds. There is no protection for kings in their amassing of armies.

Basil's doctrine is clearly in complete agreement with that of the two Gregories, and could not be further removed from an endorsement of Hellenistic monarchical theology that paralleled the affairs of the earthly kingdom and those of the heavenly world of which they were supposed to be the authoritative *mimesis*.

John Chrysostom, who as archbishop of Constantinople had much to resent from the heavy handedness of his imperial overlords Arcadius and Eudoxia, represents the same doctrine of conditional imperial power. When the citizens of Antioch defaced the statues of Theodosius, Chrysostom reminded them that they had committed a capital crime by offending the supreme earthly majesty:

He who has no equal on earth has been insulted; for he is the emperor, the head and crown of all men on earth. For this reason let us have recourse to the Supreme King and implore his aid. Unless we secure assistance from above, we shall be left no expiation to wash away the crime.<sup>18</sup>

Dvornik applies these words to argue that Chrysostom "frankly affirmed" the "emperor's exalted position." This is a truism but to me it masks a more accurate conclusion that Chrysostom is clearly stating here the fundamental difference between Hellenistic absolutism and Christian conceptions of the king under God's eye. The absolute earthly power which can devastate opponents (as efficiently as Theodosius avenged himself on Thessalonike) stands

18 John Chrysostom *Ad populum Antiochenum* Hom. 2 (PG. 49. 36).

under the judgement of the only Supreme and absolute Ruler, who is God, and who can protect his people against the wrath of a king since his law of mercy and forgiveness transcends all other earthly laws and rights of dominion; a fact that all Christian monarchs must admit. The point was especially apt for Theodosius for he was the first of all the emperors to have been baptised as a regnant monarch. Chrysostom presses the point often: the emperor stands before God like any other man<sup>19</sup> and like all Christians he is judged on the manner in which he fulfils his duty as a servant of the Most High.<sup>20</sup>

Chrysostom, the greatest patristic exegete of Paul, knows his texts well, and bases himself on them. As Paul had said, in words which became constitutive of Byzantine attitudes to imperial rule:

Let all be subject to the governing authorities, for all authority derives from God. ... Rulers are not a terror to good conduct but to bad. Would you have no fear of him who is in authority? Then do what is good and you will receive his approval, for he is God's servant for your good. ... the servant of God to execute his wrath on the wrongdoer. ... Pay all of them their dues; taxes to whom taxes are due, revenue to whom revenue is due, respect to whom respect is due, honour to whom honour is due<sup>21</sup>

It is an easy game to focus in on these questionable details of his patristic exegesis, but the significant fact I wish to highlight is not so much randomly inaccurate treatment of passages taken from their context, but rather the wholesale pressing of the macro-thesis onto the evidence, without the necessary questioning whether the evidence is any longer sustaining the initial theory. It is this reason why the various patristic pieces can be so wrenched from their contextual sense to support alien meanings.

19 Ibid. Hom. 4 (PG. 49. 62).

20 Ibid. Hom. 3 (PG.49. 56).

21 Rom 13:1-7; Chrysostom *Ad populum Antiochenum* Hom. 21 (PG. 49. 216f).

#### 4. Early Byzantine Attitudes about the relation of the Emperor to the Church

It seems to me that if Dvornik's macro-thesis is dismantled, a simultaneously simpler yet more diffuse picture emerges. The Byzantine tradition, as such, never adopted a single theoretical attitude to the monarchy, but developed instead a set of responses that rose from a common set of stimuli and authoritative evidences; responses that varied according to the manner in which the emperors of any given period intersected more or less vigorously with the monks, the remaining city populations, and the hierarchs, on matters of religious controversy. The descriptive "Byzantine" theology of kingship, therefore, emerges as less of a coherent theory, than a series of rhetorical tropes that could be applied. Several of these were continuations of ancient kingship theory: such as the idea that monarchy stabilised earthly order as a *mimesis* of monotheistic rule. Many Christian writers found this a helpful analogy in a polytheistic environment, though never to the extent that they simply absorbed the classical Hellenistic ideas that the king was an earthly mirror of the divine will for his subjects, such that the affairs of this earthly dominion ran parallel with those determined in heaven. The biblical notion of the apostate king, along with Jesus' sceptical teachings about the powers of this world, conspired to prevent this. What the scriptural body of evidence did allow, however, came out among the Byzantines as three descriptive marks, a particularly East-Christian refiguring of ancient kingship theory. I take these three marks to be the ascription of a priestly status to the Christian king, some view of his office as apostolic (though this in itself was a complex issue), and lastly the aspiration that there would be an attempt at *symphonia*<sup>22</sup> between the earthly ruler and God's Kingdom (as was also the central aspiration of the Lord's prayer<sup>23</sup>) and a corresponding *symphonia* between the church and the state in a Christian *imperium*. Let us consider those three aspects singly.

22 A *mimesis* in the Christian sense, that is, not a mirroring in the Hellenistic manner.

23 Let your Kingdom come! Let your will be done on earth as it is in heaven.

*4(a) The Emperor as priestly figure.*

The Byzantines developed an imperial tradition that described the office in quasi priestly terms. It follows from Psalm 109 which first described the Messianic role as a priesthood, while being quite aware, of course, that the king of Israel was not a priest in the commonly meant sense of Aaron or the sons of Levi. It is assigned to the mysterious priesthood of Melchizidek. The Psalm reads:

A prince from the day of your birth on the holy mountains ...  
The Lord has sworn an oath ... you are a priest for ever,  
a priest like Melchizidek of old.

Since Hebrews had already assigned this text as a Christological type, the priestly Kingship was assigned primarily to Christ, but in this charism the emperor was thought to have a certain share. This was expressed by the Byzantine traditions that invested the emperor with ceremonial duties in Orthodox ritual. His priesthood was, therefore, defined *kat' oikonomian*, by economy. It is an important distinction in eastern Christian canon law. What does not touch the substance of the faith may be subjected to adaptation according to local necessity. In the case of the Emperor, it would seem, a particular claim had already been lodged by Constantine, and affirmed by the court bishops of his circle, for some continuance in the Christian world of his traditional roles as Pontifex. The manner in which these were affirmed by later Byzantine tradition, however, reflect how they limited and cut back the priestly prerogatives of the emperor, thus denying them in substance, by affirming them economically. The Christian emperor had the right to take communion behind the altar screen where only clergy communicated. This he did, however, after all the clergy had communicated. He therefore communicated as the most privileged of all the laity, one who could enter and communicate in the holy of holies from the hand of the high priest, the bishop. He did not communicate himself, but received from the hand of the bishop. The bishop alone had command of the celebration and distribution of the mysteries. The emperor by virtue of this highest of his liturgical

privileges, which was to approach the altar (though never to pray the priestly intercessions there) was iconically given honor as having a priesthood *kat' oikonomian*<sup>24</sup> It was never suggested, or ever understood by anyone in the Byzantine world, that this was a *de facto* priesthood.<sup>25</sup> And the exercise of priestly functions was never attempted by the emperors. The incensing rituals spoken of by Constantine Porphyrogennitos as part of the imperial privilege have to be contextualised in the post-iconoclastic environment where the censing of the icons had been appropriated widely among the monks and laity too. Dvornik has correctly noted that not one of these functions is inalienably priestly as such, but he argues against seeing them as a deliberate attempt to afford the emperor merely a minor clerical role, such as that of the deacon or *defensor deputatus* (what later emerged as the *hierokerux*). His understanding of the Byzantine view of priesthood is unclear at this point however, and this is abundantly evidenced soon after when he describes the diaconate as a minor degree of clerical order,<sup>26</sup> whereas in fact it was one of the three orders of priesthood in eastern Christian theology. The emperor, however, for all his sacred anointing (and it needs to be remembered that anointing of priests and deacons was not a part of eastern ordination rituals as it was in the West) did not have anything like the priestly functions of the deacon. His was a series of liturgical privileges *kat' oikonomian*.

24 In the Byzantine Book of Ceremonies of Constantine Porphyrogennitos, the imperial liturgical privileges are listed as the incensing of the altar, kissing the altar and relics and sacred vessels, reading the Gospel, giving the congregation a blessing at solemn services, receiving communion in the sanctuary, and preaching. Cf. Dvornik, 645.

25 This "economic" nature of the ascription of priestly honours is often over-emphasised by readers with little understanding of Orthodox ritual process or rhetorical style. In contemporary ecumenical affairs it has often been the source of much misunderstanding. The invitation of clergy from other churches to assist in the prayers of Orthodox services in the more ecumenically "open" Orthodox churches of America, Romania, or western Europe, has courtly economic overtones that are worlds away from the liturgical symbolism of the "open altar" of more liberal western churches.

26 Dvornik, 646.

Neither Church nor emperor in Byzantine times ever came close to confusing the roles. Bishops and priests and deacons were incapable, by canon law of exercising arms, or spilling blood. Priests were forbidden by eastern canon law of exercising secular judgements over other laity. To have enjoyed a priestly office would have been to debar the emperor from his most important state functions, and to have strayed into secular power would have canonically rendered a priest unfit to celebrate. These canons have always been most strictly interpreted, and hold today in eastern canon law. A priest who even accidentally sheds blood, such as through a fatal car accident, is canonically debarred from the celebration of the mysteries, and the profession of law is forbidden to clergy.

On occasions the emperor preached in the church. In the earliest times this too was the sole prerogative of the bishop, but already by the fourth century priests had taken this role, while the deacons would exercise their proclamatory role in the reading of the Gospel as well as in the general litanies they initiated on behalf of the people. On such occasions however, it was very rare for an emperor to discourse on theology proper. A few emperors, Justinian most noted among them, had skills in theological matters and wrote on the subject, the great majority however knew what to leave to the episcopate, and applied what their leading hierarchs advised. The imperial preaching in the church was mainly restricted to *paraenesis* of the congregation. Once more it was a priestly action *kat' oikonomian*, an office any layman could exercise on the instruction of the bishop, whereby he would be elevated as a *hierokerux*. Dvornik's conclusion, for which he offers no evidence at all, is quite startling, and very untypical: The emperors "were more than defensores, or deacons, even more than bishops or patriarchs: the emperors stood above the hierarchy and outside the ecclesiastical circle as the representatives of God on earth, and the leaders of their people to God. Such eminence made them indifferent to the prerogatives of priests or bishops."<sup>27</sup> This is another extraordinarily

27 Dvornik, 646.



careless and disconnected synopsis coming after his marshalling of the evidence. For the Byzantine emperors knew that their pre-eminence came in a different degree and order altogether, and were highly conscious of the appropriate dignities of the priesthood. To regard them, presumably from the many instances of their imperious readiness to exercise power of command over clergy as well as aristocrats, as being “indifferent to the prerogatives of priests or bishops” is a radical misunderstanding of the data.

Apart from the ceremonial affirmation of the emperor’s liturgical privileges, however, the Byzantine theological tradition means one thing by the imperial priesthood: and that is the emperor’s defence of orthodoxy, as interpreted by synodical judgements of bishops. This is the manner in which it appears in the acclamations of the council of Chalcedon.<sup>28</sup> The same idea is found in the correspondence between Pope Leo and the Emperors Marcian and Leo<sup>29</sup> and also between Vigilius and Justinian.<sup>30</sup> Priestly charism is attributed as

28 “To Marcian, the new Constantine, the new Paul, the new David: many years to the Emperor David. ... Many years to the priest-emperor. You have built churches, conqueror of battles, you have destroyed heretics. May your empire be eternal.” Acclamations after Session VI of the Council of Chalcedon. (Mansi 7.169–77).

29 Leo writes to Marcian in a letter of 453 commending him on his defence of orthodoxy through his support of the Romans at Chalcedon: “You have the priestly palm as well as the imperial crown.” (Mansi. 6. 219. Ep. 111.3; Schwartz. ACO, 64. Ep.58). He wrote to Bishop Julian that the continuing vigilance of Marcian and Pulcheria against monophysite resistance was a sign of “the sublimity of their royal greatness, and their sacerdotal holiness.” (Ep. to Bishop Julian. Mansi 6.235. Ep. 117.2). cf. Dvornik, 773. Subsequently, to Emperor Leo I the Pope wrote that his imperial policies to suppress heresy will be his “association with the apostles and prophets”; and that “The Lord has given you the royal power not merely to rule the world, but mainly to protect the church.” (Mansi. 6. 325. Ep. 156.). Cf. Dvornik, 773.

30 Vigilius says to the emperor: “Not least is it to our satisfaction to see that God in his mercy has designed to give to you not only an imperial but a priestly soul as well. When the pontiffs offer sacrifice according to ancient tradition, it is so that the Lord may deign to unify the catholic faith throughout the world. This your Piety has effected with all possible strength when you imposed in all the provinces the inviolate maintenance of that faith which was defined at the most venerable synods of Nicaea, Constantinople, Ephesus 1 and Chalcedon.” (Mansi 9. 35. Vigilius, Ep. 4). Cf. Dvornik, 822.

an aspect of character. This is how the priesthood is attributed to the emperor by the historian Socrates, who oddly describes Theodosius as the most gentle of all men on earth.<sup>31</sup> The emperor always has a priestly soul, or a priestly character. The emperor is not a priest. The idea was obvious to the subtle Byzantines, perhaps not so to numerous subsequent commentators.

#### *4(b) The emperor as apostle*

Dvornik sees the idealised Christian emperor, who keeps strictly to his role, and favours the church to the expense of paganism, a radical Christian reining in of Eusebius' dangerous Hellenistic ideas, after Constantius had proved such a pain to orthodox bishops. If the apostolic role of Constantine (and Constantine alone) was affirmed, it could be restricted to the now dead founder, and safely discharged. It must be admitted, however, that he presents little if any serious evidence that Constantius had actually claimed to enjoy "apostolic" charism in his office as Christian emperor. The argument is that the son claimed the apostolic charism of the father by his building the Mausoleum of the Holy Apostles.<sup>32</sup> This was undoubtedly his father's own project, probably finished by the son. His other argument is the way in which Constantius deposed Macedonius, bishop of Constantinople, in 359 after the latter had removed the emperor's body from the Holy Apostles after the earthquake of 358 that allegedly damaged the church. It is doubtful, however, why he removed Macedonius: and not clear whether it was because the bishop, as Dvornik suggests, was attacking the apostolic symbolism his dynasty claimed. The last of the three arguments is a mis-exegeted text from Lucifer of Cagliari.

. It is my belief that Constantine himself envisaged his tomb in

31 "Theodosius was like the true priests of God . . . in fact he surpassed in gentleness all true and genuine priests. What was written about Moses [that he was the meekest man on earth, cf. Num 12:13] can be said about the emperor Theodosius, that he is the gentlest of all men in this world. It is owing to his gentleness that God has brought all his enemies under his power without a battle." (Socrates *HE* 7.42 [PG 67.832]).

32 Dvornik, 748f.

the symbolic circle formed by the Twelve Apostles, and this much is accurate as narrated in the last chapters of the *Vita*. But the interpolator has made significant changes when he attributes the motive for this mausoleum to the emperor's assimilation to the apostles of Christ. The occupation of the central sarcophagus surely claimed not the status of *isapostolos*, or Thirteenth Apostle, but rather the role of new incarnation of the divine force of the Logos, whom he felt had inhabited Jesus too, but not necessarily Jesus only. It is certainly true of all Constantine's own Christian religious writing that while he refers often enough to the principle of the divinity, and the Logos, which is the heart of the Christian religion, he never refers to the founder Jesus. Perhaps this was too Jewish an incarnation to suit him. His own displacement of the founder in the circle of the twelve, by virtue of his imperial deification I suspect, was cleverly and successfully deflected by the clergy, through the device of transmuting this claim of the emperor, into a statement that he was merely of apostolic rank, albeit the thirteenth in line: after all, being the thirteenth, was a charism that had already been afforded to others, such as Paul, and Barnabas, and Apollos, as an honorary (economic) nomenclature. If this is so, then Dvornik's thesis about Constantius' aspirations completely falls, as claims for apostolic rank was not a dynastic ambition entertained by his father: something much more was intended.

By the time of Chrysostom the issue of imperial apostolicity is clearly canonised for Constantine alone: but his status as thirteenth apostle prefigures the roles of later Christian emperors who are buried in the "vestibule" of the Holy Apostles. This represents the architectural arrangements of the church as they emerge from the time of Gregory Nazianzen in the fourth Century, when the church and the circular mausoleum were quite separate, and the mausoleum was an annex to the main building. For Chrysostom this symbolises how: "Those who wear the diadem in Constantinople, consider it a great thing to be buried in the vestibule, not adjacent to the apostles. It is a matter of honour for the emperors thus to be the doorkeepers of the fishermen. It is their glory in death,

not a source of shame, and a glory they wish for their children too."<sup>33</sup>

Sozomen the historian also claims that the emperors who were customarily buried in Holy Apostles, were also in the company of bishops who lay there too. "Bishops were also buried there," he says, "since the priestly dignity is of the same honour as the imperial dignity; or rather in holy places it takes precedence."<sup>34</sup> This is hardly the case as no bishops of Constantinople were ever associated with the imperial burial place, no matter what the wishful thinking of the ecclesiastical author might be. It is probably, as Dvornik first saw, an encrypted reference to the translation of the relics of John Chrysostom to the church of the Holy Apostles in January 438 by Theodosius II.<sup>35</sup> This gives Sozomen the excuse to dress up his argument that the priestly dignity exceeds the imperial, for it had been a recurring theme of Chrysostom's subversive writing, that the priestly dignity was superior to that of the civic leaders.<sup>36</sup>

#### 4(c) *Early Byzantine Ideas on Symphonia*

To a large extent the idea of *symphonia* was an aspiration not an elaborated political theory, but this does not mean that it was not the subject of a considerable amount of thought in the early Byzantine period. Gregory Nyssa expressed the classical basis of the belief (based on the biblical idea of God's protection of his covenant people) in the form that: if the emperor followed the will of

33 Chrysostom *Contra Judaeos et gentiles* 9 (PG. 48.825). The same idea is repeated in *In Epist. II ad Corinthios* Hom. 26.5 (PG 61.582).

34 Sozomen *HE* 2.34 (PG 67.1032).

35 Theodoret *HE* 5.36 (PG 82.1265f). Dvornik, 761.

36 He means the Prefects and Magistrates. It is an easy step, later, to extend it to the emperors. "There is a form of leadership more sublime than civil authority, and what is it? It is the leadership that prevails in the church which Paul speaks about when he says: Obey your superiors and be subject to them for they are on the watch as men who must give an account of your souls (Heb 13:17). And this leadership excels the civil authority as much as heaven excels earth, and is even more noble still. For its first important care is not the punishment of crime but its prevention. And if a crime is committed the spiritual leadership is not concerned with expunging the criminal, but rather his guilt." In *Ep. II ad Cor.* Hom. 15. 4 (PG. 61. 507f).

God and the people preserved faith then God would bless the affairs of the earthly dominion with his protection and favour. A *symphonia* of earth and heaven would result, especially seen in the protection of the Christian imperium from its enemies.<sup>37</sup>

Chrysostom also tried to describe *symphonia* in terms of a clear delineation between the proper roles of church and state. It is, however, an attempt to distinguish the affairs of the body and the soul, which Chrysostom knew well enough was a *syzygy* that could only be notionally, never really, distinguished. Chrysostom's experience was far from being a happy one. This is why he regularly uses the example of the King Osias who was afflicted with leprosy for his impertinence in offering priestly incense to God.<sup>38</sup> He describes the two limits concisely in his Oration to the Antiochenes:

Therefore, stay within your proper domain. The government and the priesthood each have their own boundaries, even though the priesthood is the greater of the two. A king should not be judged merely on the appearance, or valued merely from the gold and jewels in his costume. His domain is the administration of earthly affairs, whereas the jurisdiction of the priesthood is a power derived from above. . . . Bodies are under the care of the King, souls under the care of the priest. The king remits earthly debts, the priest remits the debts of guilt. . . . One uses earthly weapons, the other uses spiritual weapons, and it is the latter which bears greater power. This is why the King bends his head to the hand of the priest, and why, in the Old Testament, kings were always anointed by priests.<sup>39</sup>

Athanasius, also using the cautionary tale of Osias, had himself tried to plead for the same kind of "space" in his *Historia Arianorum*, from an equally unhappy context.<sup>40</sup> For him the evangelical injunction (Render to Caesar what is Caesar's, and to God what is

37 Gregory of Nyssa *Orat. funebris de Flacilla Imperatrice* (PG. 46.889).

38 2 Chron 26:16–18. Chrysostom *In Osiam, Vidi Dominum* Hom. 4 (PG 56.126); also *Ecloga de imperio* Hom. 21 (PG.63. 697).

39 John Chrysostom *Ad populum Antiochenum* Hom. 3 (PG 49.50).

40 In 358 when Athanasius wrote, he had been radically disillusioned by the role the

God's) becomes a fundamental statement of the importance of boundaries without which *symphonia* cannot mean anything.

The idea of *symphonia* can also be clearly discerned in the Byzantine understanding of the role of the emperor in the governance of church affairs through the Ecumenical Councils. This was a friction point of church governance: the exercise of practical authority in matters which often did relate to substantial matters of the faith. Constantine began the dialectic himself with his intervention in the Donatist affair, and his intervention over Bishop Alexander's condemnation of Arius. His summoning of Nicea, of course, is the same thing taken to a larger scale. The church had long been accustomed to settling local and regional issues by synodical process. After Constantine first handed over the Donatist issue for papal judgement, we can see the Roman church being careful to preserve synodical form, and not make the bishop of the capital simply "stand in for" the emperor on religious questions. The collapse of the synodical system as it was stretched over the Arian crisis of the fourth century, and the attempts of the Constantinian dynasty to impose a common state-recognised orthodoxy around Homoiousianism, led soon enough to the settling down of the Byzantine theory of *symphonia* into a doctrine that the emperor had the right to summon a council that affected the international church, and had the duty to ratify and impose its findings afterwards. He had no right, however, to interfere in the proceedings of the council or press the bishops towards his own views. Such, at least, was the theory.

emperor Constantius II has played in church politics. He tried to draw a clear line between church and state, and cites Hosius of Cordoba to make his position clear: "Do not interfere with church affairs, or give instructions in ecclesiastical matters. Rather take instruction from the bishops. God has given the imperium to you. To us he has commended the church. If a man took away your imperium he would be offending against the providence of God. Just so, you yourself should be aware that if you subject the church to your own will you will be committing a great wrong. It is written: Render to Caesar what is Caesar's, and to God what is God's [Mat 22:21]. Just as we bishops are not allowed to rule the world, you have no power to swing the censer." *Historia Arianorum* 44 (PG. 25.745).

It is difficult to see any pattern from Theodosius I who was imposing a state orthodoxy in the Nicene cause. His personal promulgation of the “faith of Peter and Damasus” to be observed in the East, when he was still making his way to the eastern capital, at first sight demonstrates a continuance of the policy of Constantius, an imperially led religious policy. And yet, when Theodosius imposed that religious policy he did so knowing it was the form of “orthodoxy” recognised at three of the major sees, and was now bringing the fourth, Constantinople, into alignment with the international synodical *symphonia*. It is difficult to read his actions solely as imperial state orthodoxy in that light. Certainly his convocation of the Second Ecumenical council shows him anxious to determine eastern affairs through synodical process, and in 381 his limited interventions in the council demonstrated that under the umbrella of reconciliation, he was willing to tolerate a wide range of opinions. Because of this Gregory Nazianzus was sacrificed, and he insisted that thirty Pneumatomachian bishops should take their seats in the debate. At the end of the proceedings in 381 the bishops themselves appealed to Theodosius to ratify their work directly.

By the time of Ephesus 431 all the episcopal protagonists at Rome, Alexandria, Antioch and Constantinople, clearly wanted to use regional synods independently of the court. It was only when the court determined that an international (not national) synodical process was in order, that the Ecumenical status of Ephesus was assured. Then the procedure of the Theodosius II’s dynasty was established that became the good standard for subsequent regimes: emperors summoned and ratified the councils, they did not participate in their decrees. This was the privilege of the bishops alone. Theodosius II states the dynastic principle in his Letter read as the prelude to the council of 431:

The stability of the state depends on the religion through which we honour God. The two are closely linked, as each depends on the other and thrives as each other flourishes. Since God has handed us the reins of government, and made us the link of piety and righteousness for all our subjects, we shall preserve the association

between the two and watch over the interests of both God and men.

This principle of non-interference was stated in his instructions to Count Candidianus who presided over security matters at Ephesus. But Candidianus interfered constantly in the affairs of the council, contrary to his instructions. And Pulcheria's influence was just as decisive behind the scenes. The aftermath of Ephesus even gave the lie to Theodosius' pious decision not to be involved, as the Nestorian issue was finally decided at the imperial palace at Chalcedon in private review. Its final decision lay with Cyril's ability to command access to the emperor through the eunuchs (his famous disbursement of much gold and gifts), and more to the point in popular city riots against the very unpopular Nestorius, who had probably sealed his fate by earning the enmity of Pulcheria, and that of the people by banning erotic entertainments. The same story of official non-involvement, alongside massive imperial pressure placed on Ecumenical synods, can be traced in every succeeding council to the eighth century. By the regular reiteration of the principle set down by Theodosius II, however, Byzantium rehearsed its creed, even if it did not observe such an idealistic *symphonia* in practice.

Justinian states exactly the same principle in his letter convoking Constantinople II in 553: It is the duty of the priests to define the faith, and the task of the emperors to carry out the conciliar decrees.<sup>41</sup> In the legal preface to his Sixth Novel issued in March 535, he promulgated his definition of the respective spheres of imperium and sacerdotium:

The greatest gifts that God's heavenly philanthropy gave to men are the *sacerdotium* and the *basileia*; of which the former serves divine affairs, and the latter presides and watches over human affairs, and both proceed from one and the same principle and regulate human life. So, nothing should be so much the care of the emperor as the saintliness of the priests since

41 PG 86.1035.



these constantly pray to God on his behalf. If the *sacerdotium* is in all ways blameless and acceptable to God, and the *basileia* rules justly and properly over the state entrusted to it, good harmony will result, which will bestow all that is beneficial on the human race.<sup>42</sup>

This depiction of *symphonia* has often been seized on as an example of how Justinian so pressed the boundaries as to almost revert to Hellenistic kingship theory. It has often been elevated as a mantra for “caesaro-papist” readings. In fact, this is not a text where Justinian imposes any new or intensified theology at all. It is simply a learned biblical allusion (much unrecognised by later commentators it has to be said) to Psalm 131 (esp. vv. 8-12) which defines the Christian understanding of political *symphonia*. The king is blessed by God. He ensures the holiness of the priests who in turn pray for the welfare of his kingdom, so that his throne shall endure, but only as long as his sons: “keep the covenant, and observe the laws which I have commanded.” This is the classical Byzantine sense of *symphonia*: the biblical doctrine of the conditional blessing from God based upon covenant fidelity. Justinian used this argument of harmony to justify his imperial role in the oversight of correct doctrine in the churches. But the harmony would only be possible, he goes on to say in the same preface:

If the holy canons are observed which the rightly praised and venerable apostles, the eyewitnesses and ministers of God’s word, have transmitted, and the holy fathers have preserved and interpreted.

In Justinian’s decree of May 535 he goes even further in the theory of the *symphonia* of the powers:

The priesthood and the imperium do not differ very greatly. Nor are sacred things so very different from those of public and common interest.<sup>43</sup>

42 Corpus Iuris Civilis, vol. 3, *Novellae*, ed. R Schoell and W Kroll (Berlin, 1928), 35f.

43 *Novellae* 7.2.1 (Schoell & Kroll, 53).

But this too, as Dvornik<sup>44</sup> has convincingly argued, has to be set in the context of a past controversy, rather than a contemporary attempt to press his advantages. In the time of Emperor Anastasius, Pope Gelasius had tried to argue a more separatist vision of the spheres of church and state. It was a draft of an argument that would grow and grow into the Two Swords theory.<sup>45</sup> Gelasius, however, was not advancing anything like this, but a more clarified statement of the rights of the church in the relationship of *symphonia*. Having been called to account by Anastasius for not informing the court of his election in the time of the Acacian schism, Pope Gelasius excused himself in a letter, that turned much on the idea of the distinction between the imperial *potestas*, and the *auctoritas* that belonged to the church:

There are two things, August emperor, by which this world is ruled: the sacred authority of the pontiffs and the royal power. Of these two the priests carry the heavier weight, as they must render an account to the Lord's judgement seat even for kings. Most merciful son, you know well enough that you surpass all mankind in your dignity, yet even so you must bend your head in submission to the ministers of divine things, and from them receive the pledge of your salvation. In receiving the heavenly sacraments, which it is their office to dispense, you must depend on their judgement and not desire to submit them to your will. In matters concerning public life, the ministers of religions understand that the imperial

44 Dvornik, 816–17.

45 Dvornik, 807, sees in Gelasius' desire to distinguish the two spheres (and in the Pope's implicit claims to spiritual potestas as well (in the binding and loosing) the real beginning of the end of the old Byzantine compromise theories of state-church relations, and the start of a new medieval mindset. This is seen emerging in Gelasius' treatise on the power of binding and loosing. (*De anathematis vinculo*, PL 59.108f.) The idea of separation of the two powers is even more underlined in the letters exchanged between Pope Symmachus and Anastasius: "You administer human affairs, the pontiff dispenses to you divine things. I would not say that the priestly honours are greater than the imperial, but certainly they are equal." (Pope Symmachus Ep. 10. PL. 62. 68). This is well on the way to the position of the Medieval popes as princes rationalising their stand-off before the Emperors of Byzantium.

power has been given to you from above and they themselves will obey your laws.<sup>46</sup>

The distinction was not carelessly used. *Potestas* was what mattered most to the Roman mind. The Senate could bear *auctoritas*. Moral prestige lay with it, but it was *potestas* that signified effective power. In Roman law only the holder of *potestas* effected religious legislation on the advice of those who held the *auctoritas*. The bishops, of course, claimed for themselves *potestas* in religious affairs within the church. In so far as these came within the public domain (and what did not after the increasing Christianisation of the empire?) the emperor had to validate large-scale public matters.

### 5. Conclusion

The heart of the Byzantine political theology is expressed in the concept of *symphonia*. This has two particular aspects that are worthy of scrutiny. The first is the manner in which *symphonia* as an ideal evokes the biblical doctrine of the “conditional” blessing from God upon his people for their political stability, a conditionality in some sense based upon covenant fidelity, but a blessing that regularly renews itself after numerous failures in the socio-political and moral dimensions of life, simply in the graciousness of “restoration.” In fact the Byzantines, by this concept of *symphonia*, remained fundamentally faithful to the biblical witness that “salvation” is first and foremost understood in terms of gracious restoration and renewal of a people. The second, and this is something that particularly distinguishes Byzantine thought, gains its force from an important distinction in Roman law: that between *auctoritas* (such as the Senate possessed) and *potestas* (such as the effective ruler possessed). *Auctoritas* amounts to substantial influence over another’s sphere of action. *Potestas* is the ability to perform definitively that which is constitutive of your own proper sphere of action. This, simply put, is the political principle of: “To each one, his own proper sphere of governance. Between them all a

46 Gelasius *Ad Anastasim imperatorem*, ep. 8 (PL 59.41).

moderate system of listening and balance." The Roman Catholic scholastic "principle of subsidiarity" has done much in the late twentieth century to elucidate and enliven reflection about transnational legislation in the counsels of the European Community. The Byzantine principle of *symphonia* might well have a role to play yet in reconstituting political systems in Eastern Europe. In most states that still comprise the thought-world of Eastern Europe, Byzantine cultural paradigms run deep. An authentic understanding of the root tradition would be a great benefit. Both foundational ideas behind Byzantine dominion theory—the religious notion of accountability, and the political notion of *symphonia*—stand to offer a great deal for modern theorists considering the relation of Orthodoxy to Democracy today, in the light of the extensive damage done to human and political systems in the aftermath of the bankruptcy of totalitarianism.

In the practical working-out of the Byzantine concept of *symphonia*, no one ever denied the emperor's right to command the allegiance of clergy, and their obedience, in all state matters; which included the right of validating or annulling appointments to important sees, and the right to announce and sanction international church councils. No one in Byzantium (at least no one who ever got far enough from the capital to express the matter freely) ever doubted, equally, that if the emperor strayed too far in matters relating to conscience and orthodoxy (if he transgressed the limits of orthodoxy, that is, which was carefully regulated by the written and synodical tradition) his authority was rendered void, and his throne was endangered by the very fact that he had demonstrated that he no longer had sacral protection as the defender of the true faith. There were, always, a ready supply of Byzantine aristocrats and warlords waiting in the wings to replace him, and even a cursory look at the average number of regnant years for Byzantine emperors will give cause to ponder to what extent the emperors were the absolutist monarchs they claimed to be. The empire, despite all its rhetoric of the divine election of the supreme autocrat, never substantially endorsed anything like a rule of imperial

succession. The emperor was emperor by virtue of being able to fulfil the proper function. If he transgressed too far on the many real limits to his theoretical autocracy, he was not long for this world. Once again, it cannot be emphasised too strongly, that in matters relating to Byzantine political theology the commentator must avoid the temptation to rely too strongly on Greek rhetoric, or to neglect the unwritten tradition. The limits to imperial power were manifold and strong even in Late Antiquity. In later Byzantine times they were no less apparent, and this was precisely why the rhetoric of imperial priesthood was developed: to defend the fragility of the emperor not simply to express his power. The idea of the *symphonia* of the two kingdoms is a dominant idea of Byzantine Christian thought. This has sometimes been read as if it was a continuation of the Hellenistic political theory of the King as the mirror of God and the earthly kingdom's affairs as paralleled to those of heaven. It is not this. *Oikonomia* in Byzantine political and religious thought is not merely "rolling with the punches," though this is part of it, and all to its credit for that form of survivalism. The willingness to affirm *oikonomia* in all that does not touch the substance of the faith, allowed the Byzantines to redefine monarchical power in a sacral manner that tried to keep faith with the fundamental biblical teachings that the Kingdom of God is not to be identified with the concerns of the powers of this world. *Oikonomia*, in this important and positive sense, amounts not so much to the "wriggling" that displeases many western commentators, but rather to the significant insistence that all political theology is dialectic in nature. The Christian empire is conditionally blessed. The symphony that should exist between church and state is a relative and fragile thing. No matter how godly the Christian emperor might appear, at the end of the day, as the monks knew, from their constant recitation of the Psalter, they were advised to "put no trust in princes, nor in the leaders of the people" (Ps 146:3). The sacrality of the emperor, and the apostolic status of Constantine as model for subsequent emperors, were both put forward as "economic" theological positions. Like the theory of

*symphonia* itself, they were in the nature of dialectics. The Byzantine political theology never lost sight of its biblical underpinnings, though many subsequent commentators have not recognised the amount of exegesis underlying its rhetoric and have, in consequence, over-stated the Byzantine rhetoric and often falsified the picture by creating an anachronistic caesaro-papist caricature that does no justice to the evidence.