An Expedient Doctrine:[1]
Separation of Church and State
in the Donatist Controversy

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The aim of this article is not to introduce Donatism as such, or to rehearse what is known about it. Rather, the focus is on a single aspect of Donatist thought — the shaping of the idea of the separation of church and state. On the basis of Donatist martyrologies, imperial documents, Optatus of Milevis's seven books usually known as *Contra Parmenianum Donatistam*, and some of Augustine's relevant treatises and epistles, it will be shown how, in time, the Donatists' initial collaboration with the empire turned into an eventual confrontation with the empire, and how the doctrine of the separation of church and state began to act as justification for their collective change of mind.

Keywords

Introduction

In one of his booklets, John Caputo makes an interesting observation.[2] To paraphrase him, one should notice the all-important conjunction 'and' in the phrase 'church *and* state'. Sometimes 'and' announces a happy coming together of two things: for example, when a pastor says, 'I pronounce you husband *and* wife'. Other times, however, the same conjunction poses an insurmountable challenge and opposition: for example, when it is used in a statement 'Democrats *and* Republicans'. Likewise, the conjunction 'and' in 'church *and* state' can be understood in many ways, and there is a long history of understanding it in both positive and negative ways. The Donatist controversy was primarily about figuring out the Christian community's relation to the Roman state and society;[3] about how to understand the conjunction 'and' in the phrase 'church *and* state'.

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[1] The word 'doctrine' needs to be taken with reservations. At least in the early period, one is equally justified to use the words 'idea', 'notion', or 'attitude'.

[2] J. D. Caputo, *Philosophy and Theology, Horizons in Theology* (Nashville: Abingdon, 2006), p. 3.

[3] See the classic W. H. C. Frend, *The Donatist Church: A Movement of Protest in Roman North Africa* (Oxford: Clarendon, 1952), especially pp. 141-226. Calling various separatists 'Donatist' was common in the Middle Ages and in the period of Protestant Reformation(s) (M. A. Gaumer, 'Donatists Abound!!! The Polemical *Ressourcement* of Late Antique Villains in the Medieval and Early Modern Periods', in *The Uniquely African Controversy: Studies on Donatist Christianity,* ed. by A. Dupont and others, Late Antique

The relation between church and state has been ambivalent from the beginning.[4] When Christians turned to their about-to-be canonised New Testament for guidance,[5] they found primarily two sets of texts: pro-state loyalty texts (e.g. Rom 13:1–7, although the exact meaning of *exousia* is controversial; 1 Pet 2:13–15) and anti-state disloyalty texts (e.g. Rev 13), as well as everything in between.[6] In other words, the New Testament mentions both the God-given power of earthly rulers, and also the satanic behaviour of secular governments. It teaches both the 'ethics of subordination' and the 'ethics of resistance'.[7] Hence the ambivalence, hence the problem of interpretation![8] The constant ups and downs of the uneasy relations between church and state meant constant oscillation between the two sets of texts.[9] The Donatist controversy illustrates well the increasing dominance and the eventual absolutising of the anti-state set of texts, until the crystallisation of the conviction that church had to be separated from the state.

But first a word about the nature and character of the available evidence. The literary information available for the Donatist controversy(ies)

History and Religion 9 (Leuven: Peeters, 2015), pp. 30-70; and J. Hoover, '''They Bee Full Donatists'': The Rhetoric of Donatism in Early Separatist Polemics', *Reformation and Renaissance Review* 15/2 (2013): 154-76). For example, Melanchthon wrote in his *Loci*, 'The Anabaptists revive the errors of the Donatists' (Philipp Melanchthon, *The Chief Theological Topics: Loci Preacipui Theologici 1559*, trans. by J. A. O. Preus (St Louis: Concordia, 2011), p. 249). Yet the differences were important as well: later separatists were usually not limited to a particular geographical location and/or nationality, and above all, later separatists were not calling the members of the 'state-church(es)' graciously 'brethren' (Optatus, *c. Parm.* 1.3-4; *Optat de Milève: Traité contre les donatistes*, ed. by M. Labrousse, *SC* 412 (Paris: Du cerf, 1995), pp. 176-80; *Optatus: Against the Donatists*, trans. by M. Edwards, Translated Texts for Historians 27 (Liverpool: Liverpool University Press, 1997), pp. 2-4). For the question of the authenticity of Optatus's account, see B. Kriegbaum, 'Zwischen den Synoden von Rom und Arles. Die donatistische Supplik bei Optatus', *Archivum Historiae Pontificiae* 28 (1990): 23-61, especially pp. 35-49.

[4] For this topic in general, see H. Rahner, *Church and State in Early Christianity*, trans. by L. D. Davies (San Francisco: Ignatius, 1992).

[5] True, one should not suppose that the New Testament contains clear doctrines, which would be unambiguous and normative for every Christian. 'We cannot read a few "timeless truths" about the "state" off the surface of the N[ew] T[estament]' (N. T. Wright, 'The New Testament and the "State"', *Themelios* 16/1 (1990): 11-17 (p. 11)).

[6] Oscar Cullmann contended that, in the New Testament, we do not find 'a renunciation of the State as such as a matter of principle; but neither do we find an uncritical acceptance' (*The State in the New Testament* (New York: Charles Scribner's Sons, 1956), p. 5 and pp. 18-20); cf. M. E. Doerfler, 'Introduction' to *Church and Empire*, Ad Fontes: Early Christian Sources (Minneapolis: Fortress Press, 2016), pp. xi-xii.

[7] W. E. Pilgrim, *Uneasy Neighbors: Church and State in the New Testament* (Minneapolis: Fortress, 1999), pp. 7-36, 145-80.

[8] 'The fountainhead of all false biblical interpretation and of all heresy is invariably the isolation and the absolutising of one single passage' (Cullmann, *The State in the New Testament*, p. 56), and we might add, 'one single set of texts'. A well-known Canadian Mennonite scholar, Arnold Snyder, who taught me Anabaptism, admitted that his father's Bible opened easily in certain places — in the places of the favourite verses of Anabaptists.

[9] I remember a telling transformation, which I discerned in the statements of Estonian Baptists, after the country regained political independence from the Soviet Union in 1991. During the Soviet occupation, at the top of the hierarchy of the cited texts were the ones from the Book of Revelation. But after 1991, Romans 13 and 1 Peter 2 made it to the top.

is contradictory.[10] The polemical nature of sources, either Donatist or Caecilianist,[11] has to be taken very seriously, because 'the available literary sources come from the active protagonists in the dispute'.[12] Consequently, features such as selective, one-sided, and tendentious information, biased assessment, distorted facts, baseless accusations, overstatements, and rhetorical put-downs of the other side are some of the characteristics of the available sources. Optatus told Parmenian, 'I believe you have acted subtly for the purpose of seducing and deceiving the minds of your audience' (*c. Parm.* 1.9) and called Donatist documents pejoratively 'records of some kind (*aliquos*)' (*c. Parm.* 1.22).[13] At least it was equally clear to both parties that their opponents were twisting and distorting the evidence. In fact, perhaps we will never know what exactly happened, for as Optatus put it, 'Truth is hindered by zeal' (*c. Parm.* 5.3) — only that this would be the case for both the Donatist and the Caecilianist accounts.

Under Emperor Constantine

In the history of the Christian church, the issue of the relation between church and state surfaced with new urgency during the seismic political shifts of the fourth century.[14] What was later called the Donatist church[15] came into

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[10] For example, there exist both Donatist and Caecilianist versions of the *Passio Ss. Dativi, Saturnini presbyteri et aliorum* (which is better known as *The Acts of Abitinian Martyrs,* henceforth *Acta Abit.*) and *Sermo de passione Donati et Advocati* (*Donatist Martyr Stories: The Church in Conflict in Roman North Africa*, ed. and trans. by M. A. Tilley, Translated Texts for Historians 24 (Liverpool: Liverpool University Press, 1996), p. 52). There are also diametrically different accounts of the same incident (e.g., *Pass. Marc.* 12 versus Augustine, *c. litt. Pet.* 2.20.46).

[11] It has been difficult to find proper names for the participants in the Donatist controversy. Both sides wanted to be called 'catholics' and considered themselves to be the establishment. For example, when Optatus spoke in the name of Caecilianists, he said, 'Us, the catholics' (*c. Parm.* 1.3; 5.1). On the other hand, *Acta Abit.* 19 explicitly claimed that the Donatists were the 'catholic church'. Evidently, such discourse was part of the struggle for rhetorical dominance. Therefore, and among others, J. J. O'Donnell, *Augustine: A New Biography* (New York: HarperCollins, 2005), pp. 14-15, has proposed an arguably more neutral name 'Caecilianists' for anti-Donatists. This would create a fairer symmetry after the respective founding bishops — Donatists (Donatus) and Caecilianists (Caecilian) — without pre-judging which of the parties was more ancient and widespread (i.e. catholic) in Roman North Africa. However, both parties deeply disliked these very designations and, therefore, constantly debated the issue of naming. See J. A. Hoover, *The Donatist Church in an Apocalyptic Age*, Oxford Early Christian Studies (Oxford: Oxford University Press, 2018), pp. 18-24; and P. Marone, 'The Use of the Term "Catholic" in the Donatist Controversy', *Pomoerium* 6 (2008): 81-91.

[12] J. Whitehouse, 'The Course of the Donatist Schism in Late Roman North Africa', in *The Donatist Schism: Controversy and Contexts*, ed. by R. Miles, Translated Texts for Historians 2 (Liverpool: Liverpool University Press, 2016), pp. 13-33 (p. 15).

[13] *Contra Parmenianum Donatistam* was written in response to Parmenian's *De ecclesia traditorum* in 364–67 CE, and edited by Optatus himself in the 380s.

[14] Augustine, *ep.* 43.1.4-7.20; Introduction to *SC* 412:57-72.

[15] Again, 'Donatist' is a pejorative name given by Caecilianists. Augustine loved to call the separatists *pars Donati*, 'Donatus' party'; that is, emphatically not 'Christ's party' (e.g. Augustine, *c. litt. Pet.* 2.39.94; *c. ep. Parm.* 2.2.5; cf. Optatus, *c. Parm.* 3.3).

existence during the time of Emperor Diocletian, when 'the storm of persecution spread throughout the whole Africa' (Optatus, *c. Parm.* 1.13).[16] Shortly after the persecution was brought to an end, in 312 CE, Emperor Constantine gained control over Roman North Africa; that is, 'in those provinces which the divine Providence has freely entrusted to [his] fidelity' (Eusebius, *eccl. hist.* 10.5).[17] Constantine immediately bumped into ecclesiastical infighting, into the problem of a divided church in North Africa. Obviously, he did not particularly like the Christian divisions for his own imperial reasons. No doubt, he wanted to have a religiously unified empire. In late antiquity, religion and state were thoroughly integrated and thus considered inseparable. Religion and its ceremonies were perceived as a unifying force and a mark of one's loyalty to the state.[18]

Having secured his God-given power, Constantine ordered that the property taken from Christians should be restored to them, that Christian clergy should be exempt from civil duties, and more particularly, that the Bishop of Carthage, Caecilian, could use the imperial funds for his flock (Eusebius, *eccl. hist.* 10.5–7).[19]

However, not everyone welcomed the imperial support for Bishop Caecilian. Donatist Christians had not tolerated any sort of co-operation with 'pagan' persecutors and therefore accused their opponents of being collaborators during the hours of testing. 'You call us *traditores*' (Augustine, *ep.* 105.1.2). Although also guilty of collaboration,[20] Donatists were relentless in their rejection of the legitimacy of Caecilian's episcopacy. Their argument was that he had been consecrated by a *traditor,* Felix of Aptunga, and thus, his whole ecclesiastical community was contaminated with sin. In 311 CE, Donatists elected their own schismatic bishop Majorinus. Optatus contends that by doing so, Donatists destroyed the God-given peace (John 14:27) and shattered the unity of the African church, the 'one dove' (Song

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[16] B. Kriegbaum, *Kirche der Traditoren oder Kirche der Martyrer?: Die Vorgeschichte des Donatismus*, Innsbrucker theologische Studien 16 (Innsbruck: Tyrolia, 1986), pp. 59-129.

[17] Cf. Dan 2:37, 4:22; Wis 6:3; Rom 13:1, and Clement of Rome, *Cor.* 61, 'For you, Lord [...] have given them their sovereign authority'.

[18] One of the functions of a religion is to strengthen social cohesion within a community (E. Durkheim, *Elementary Forms of Religious Life*, trans. by C. Cosman (Oxford: Oxford University Press, 2001; first published 1912), p. 46).

[19] Eusebius explicitly mentions the 'epistles of the emperor [i.e. Constantine]', which were 'addressed to the bishops, with honours and superadded donations of monies' (*eccl. hist.* 10.2).

[20] Optatus, *c. Parm.* 1.13-14; 6.1. A particularly telling case was that of a Donatist bishop Silvanus, Caecilian's formidable opponent, who was accused by his deacon in a secular court of being a *traditor* (Optatus, *c. Parm.*, App. 1; Augustine, *c. litt. Pet.* 1.21.23; 3.57.69-58.70). (As an Appendix, Optatus's *Contra Parmenianum Donatistam* includes a dossier of ten historical documents.) 'They [i.e. Donatists] themselves handed over the Books' (Augustine, *Ps. c. Don.* B; cf. *bapt.* 2.6.9). A Donatist, Cresconius, claims however that Silvanus was victimised because of his refusal to side with Caecilianists (Augustine, *Cresc.* 3.30.34). See B. D. Shaw, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine* (Cambridge: Cambridge University Press, 2011), pp. 75-78.

of Songs 6:8; *c. Parm.* 1.1–2, 10, 15; 4.6; cf. Cyprian, *ep*. 73). 'From this point on, two rival altars were erected and two parallel church hierarchies began to oppose one another.'[21] The Roman North African church was split basically until the Arab conquest in the seventh century started to quench the once vibrant Christianity of any kind in North Africa.

But there was more to the Donatists' dislike of Caecilian. In 304 CE, Roman soldiers had arrested and imprisoned a group of Christians for an unlawful assembly in Abitinia, a village near Carthage.[22] Faithful friends came to bring food and water for the confessors in jail. However, and for reasons which are not entirely clear, the bishop of Carthage, Mensurius, and his deacon Caecilian conspired with Roman guards to prevent this act of mercy and harassed the visitors. When the relatives of those imprisoned came, dishes were smashed, people were beaten and 'struck down left and right' (*Acta Abit*. 20).[23] *Acta Sermo de passione Donati et Advocati* 9 says, 'We must hold Caecilian responsible for the blood of all, for we are sure that he arranged for the whole populace to be killed.' It was a sad precedent indeed: Christians conspired with the Roman state against other (kinds of) Christians.

So, the Donatists petitioned,[24] through Proconsul Anullinus, the self-proclaimed 'Christian' emperor,[25] to look into the case of Caecilian. Indeed, in the classical tradition of *parrhēsia*, bishops could voice their concerns directly to the emperor. 'The general accessibility of the emperor was one of the characteristic features of late Roman government [...] There was no limit

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[21] F. Decret, *Early Christianity in North Africa*, trans. by E. L. Smither (Eugene: Cascade Books, 2009), p. 103.

[22] A version of these events is recorded in the Donatist *Passio Ss. Dativi, Saturnini presbyteri et aliorum*.

[23] While usually considered to be an early fourth-century text, Dearn has argued that the *Passio Ss. Dativi, Saturnini presbyteri et aliorum* is an early fifth-century text. Namely, after the Council of Carthage (411 CE), the defeated Donatists authored a *passio* which reconstructed the events of the fourth century according to the polemical needs of the later time (A. C. M. Dearn, 'The Abitinian Martyrs and the Outbreak of the Donatist Schism', *JEH* 55/1 (2004): 1-18). For comparison, martyr stories were also used for identity-formation in *Foxe's Book of Martyrs* (1563) and the Mennonite *Historie der Martelaren* (1615).

[24] The document is found in Optatus, *c. Parm.* 1.22, and a mention of the two additional *libelli* in Augustine, *ep*. 88.2. 'The fog of forensic litigation' surrounded the Donatist controversy from the start and thus, its history can be documented by 'court proceedings, conciliar *acta*, and imperial correspondence' (R. Miles, 'Textual Communities and the Donatist Controversy', in *The Donatist Schism*, ed. by R. Miles, pp. 249-83 (p. 264)). For the various types of documents and legislative action, see J.-L. Maier, *Le dossier du donatisme*, Texte und Untersuchungen zur Geschichte der altchristlichen Literatur 134 (Berlin: Akademie Verlag, 1989), vol. 1, pp. 137-254; N. Lenski, 'Imperial Legislation and the Donatist Controversy: From Constantine to Honorius', in *The Donatist Schism*, ed. by R. Miles, pp. 166-219 (pp. 167-70), and for an exhaustive list of imperial communications, pages 197-219; S. Corcoran, *The Empire of the Tetrarchs: Imperial Pronouncements and Government, AD 284-324*, Oxford Classical Monographs (Oxford: Clarendon, 1996), p. 2, pp. 58-62, 153-60; and P. Marone,'Some Observations on the Anti-Donatist Legislation', in *The Uniquely African Controversy,* ed. by A. Dupont and others*,* pp. 71-84.

[25] My understanding of Constantine's 'conversion' and his deeply complex, lifelong growth into Christianity, culminating at his baptism in 337 CE, is explicated in T. Toom, 'Constantine's *Summus Deus* and the Nicene *Unus Deus*: Imperial Agenda and Ecclesiastical Conviction', *Vox patrum* 34 (2014): 103-22.

to the content of these petitions.'[26] Because of the enthusiastic optimism after the so-called 'Edict of Milan', neither Donatists nor Caecilianists were initially opposed to the state that favoured Christianity. There seemed nothing wrong with petitioning the emperor. Both parties effectively ignored 1 Corinthians 6:1, 'If any of you has a dispute with another, do you dare to take it before the ungodly for judgement instead of before the Lord's people?' — unless they did not regard Constantine and his officials 'ungodly'.

In the beginning, it was not clear how Constantine would react to the church-splitting events in his North African domain and behind whom he would throw his support. Donatists asked Emperor Constantine for a 'fair' verdict (read: a verdict favourable to them). Three bishops from Gaul were summoned to Rome (313 CE) to assess the situation together with the bishop of Rome, Miltiades, who in turn invited another fifteen Italian bishops on his own initiative (Eusebius, *eccl. hist.* 10.5; Optatus, *c. Parm.* 1.23).[27] They were supposed to 'leave no room for schism or division' (Eusebius, *eccl. hist.* 10.5). Mostly because the Donatist practice of rebaptism and laying hands on 'every head' was untraditional (Optatus, *c. Parm.* 1.2, 24), the Roman Council decided in favour of Caecilian(ists). The council's decision was backed up by Constantine's letter,[28] which is no longer fully extant (Optatus, *c. Parm.* 1.23–24). However, the Donatists just could not let the matter rest. Perhaps the dichotomy found in Acts 5:29 was ready at hand: 'We must obey God rather than any human authority.'[29] So, 'Donatus thought it proper to appeal' (Optatus, *c. Parm.* 1.25; cf. Augustine, *ep.* 43.7.20) — only to receive a stern rebuke from the Emperor, with a possible allusion to 1 Corinthians 6:1–6 (Optatus, *c. Parm.* 1.25).

Nevertheless, Donatists managed to make Constantine write a letter to *vicarius* Aelius Paulinus, which commanded an investigation of the case of Caecilian's consecrator Felix (Optatus, *c. Parm.* 1.26–27). Although Constantine realised that 'the number and magnitude of these claims [i.e. Donatist claims] was prolonging the disputes with excessive stubbornness' (Constantine's letter to *vicarius* Aelafius in Optatus, *c. Parm.*, App. 3), he summoned a larger council in Arles in 314 CE (excluding the bishop of

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[26] C. Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition*, The Transformation of the Classical Heritage 17 (Berkeley: University of California Press, 2005), p. 260, cf. pp. 267-69.

[27] H. A. Drake, *Constantine and the Bishops: The Politics of Intolerance* (Baltimore: Johns Hopkins University Press, 2000), pp. 218-19.

[28] Lenski contends, 'The letter had thus become a general purpose legal instrument that acted as the most versatile workhorse in the stable of imperial legal communications' ('Imperial Legislation and the Donatist Controversy', p. 170).

[29] Referring to the decisions of Rome and Arles, Augustine assessed, 'But these judgements [were] regarded as human' (*ep.* 89.4).

Rome), because 'those very persons who ought to exhibit a brotherly and peaceful unanimity, rather disgracefully and detestably are at variance with one another' (Constantine's letter in Eusebius, *eccl. hist*. 10.5). To the great disappointment of the Donatists, their case against Felix was considered mere 'pernicious injury to our religion and tradition […] [by] men of unbridled mind' (a letter from the bishops at Arles to Silvester of Rome in Optatus, *c. Parm.*, App. 4) and the *episcopus religiosus* Felix was vindicated (Optatus, *c. Parm.* 1.27 and App. 2).[30] Parmenian, of course, thought that the emperor and his council were 'corrupted by favouritism' (Augustine, *c. ep. Parm.* 1.6.11). In any case, it started to become clear to the Donatists that the state, as well as the worldwide 'apostate' church, was not on their side. The world hated them, as it was supposed to hate God's elect (John 15:19; *s. Don. et Adv.* 7). 'Constantine's rejection of their position provided the opportunity to further strengthen their self-proclaimed credentials as the True Church, kept pure by the rod of imperial sanction.'[31]

After the Council of Arles, Emperor Constantine sent a letter to the 'catholic brethren' by whom he unambiguously meant Caecilianists (Optatus, *c. Parm.*, App. 5). The emperor's use of language was significant. In Constantine's mind, Caecilianists were 'catholics', for, as said, the letter was addressed to *episcopis catholicis carissimis fratribus*. Thus, the Council of Arles had made the schism official — it had named one group of Christians 'Donatists' and regarded them as distinct from the worldwide 'catholic church'. The emperor was especially agitated by the fact that the 'equitable judgement' of the bishops in Rome and Arles was not taken by Donatists as 'the judgement of Christ'/'the judgement of heaven'.[32] Instead, the 'officers of the devil' had the audacity to protest against the decision of bishops[33] and to appeal the same case again (Optatus, *c. Parm.*, App. 5).[34] Evidently getting tired of the whole affair, Constantine sighed, 'How often already have I myself suppressed their shameless approaches' (Optatus, *c. Parm.*, App. 5). The emperor surely hoped that the legal wrangling between Donatists and Caecilianists would come to an end, but it did not.

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[30] It appeared that a Donatist, Ingentius, had falsified the documents accusing Felix (Optatus, *c. Parm.*, App. 2.9-10; Constantine's letter in Augustine, *ep.* 88.4).

[31] Miles, 'Textual Communities', p. 254.

[32] At the Council of Nicaea, Emperor Constantine said, 'All that is decided in the holy meetings of the bishops reflects the will of God' (Eusebius, *VC* 3.20).

[33] It seems that after referring a case to a council of bishops, Constantine considered the matter closed and the bishops' verdict binding. After all, the emperor used 'the episcopal system as an instrument of imperial policy and control' (A. Brent, *A Political History of Early Christianity* (London: T&T Clark, 2009), p. 286).

[34] Although Constantine carried the title *pontifex maximus*, the high priest of every religion and sect of his empire, his famous self-designation *ho episkopos tōn ektos* (Eusebius, *VC* 4.24) can be taken in the sense that the un-baptised emperor was 'the bishop of those outside [the church]', and as such, responsible for the religious affairs of the empire in general.

Constantine wrote to the Donatist bishops at Arles as well, but without calling their church 'catholic'. Instead, he pointed out their 'excessive obstinacy' and again, 'having little respect for equitable judgement [of bishops]' (Optatus, *c. Parm.*, App. 6).[35] This was followed by an imperial plan to enforce unity, confiscate Donatist churches, and exile their bishops,[36] but all this did not come to much. Nevertheless, now it really started to dawn on the Donatists that their 'true'[37] church of God was under threat again, although from unexpected agents — the state and the 'Christian' Emperor Constantine.

It seems that Donatists remained 'pre-Constantine' in their thinking, because they increasingly insisted on the radical dichotomy between church and state/world. Yet there had been a significant change in circumstances. In the fourth century, there was no longer a 'pagan' state which persecuted Christians. Now it was the 'Christian' state that enforced religious unity.[38] True, it was not yet the Theodosian *tempora Christiana* of the 380s, it was still the *tempora Constantiniana* of the 310s.[39] Yet, since martyrdom at the hands of 'pagans' was no longer viable, *separatism* became the new hallmark of the 'true' church. It almost always does.[40] After all, 2 Corinthians 6:17 insisted that Christians should keep their purity by separating from sinners. Once again, amid all the decisions that went against them, Donatists began to perceive themselves as the persecuted 'faithful' church, which was separate from and stood in opposition to both the state and the worldwide 'apostate' church of 'semi-Christians'.

A few years later, in 321 CE, Constantine complained that the Donatists 'continued to plead on their own behalf' (Optatus, *c. Parm.*, App. 9) and about nine years later still, he basically seems to have given up, as he assures his official that they have acted 'rightly and wisely […] by abstaining from […] the perverse quarrels' (Optatus, *c. Parm.*, App. 10). That is, the best way seemed to have been just to ignore the Donatists. On this particular occasion, 'the enemies of the church' had refused to vacate a church in a city called Constantina and, instead of forcing them out, Emperor Constantine

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[35] Donatists tried to get Caecilian, who was summoned to Rome but did not show up, condemned by yet another appeal. But it was only in 316 CE, in Milan, that Emperor Constantine himself ruled on the *causa Caeciliani* — and yes, found him innocent (Augustine, *Cresc.* 3.71.82).

[36] 'Then Constantine […] issued a very severe law against the sect of Donatus' (Augustine, *ep.*105.2.9).

[37] I have used quotation marks here and below, because such expressions concern Donatists' self-understanding, their claims and contentions, and not objective facts.

[38] In *c. Parm.* 3.3, Optatus invoked 1 Tim 2:2 against the Donatists who confronted the imperial agents of unification.

[39] For this distinction, see R. Markus, '"*Tempora Christiana*" Revisited', in *Augustine and His Critics: Essays in Honor of Gerald Bonner*, ed. by R. Dodaro and G. Lawless (London: Routledge, 2005), pp. 201-13.

[40] Consequently, separatist movements of various kinds (including Anabaptists and English Separatists) have almost always treasured the notion of the separation of church and state.

unexpectedly offered money for the Caecilianists to build a new church (Optatus, *c. Parm.*, App. 10).

In short, during the reign of Emperor Constantine, Donatists never really ceased sending their petitions and appeals to the imperial/secular courts. 'They annoyed the emperor with daily appeals' (Augustine, *ep.* 105.2.8; cf. *c. ep. Parm.* 1.9.15). Although they experienced mostly set-backs, the idea of the separation of church and state had not yet rooted itself deeply in Donatists' minds. They did not start out as state haters, but they become just that within a few decades. Yet, the full conviction that church and state had to be separated had to wait for the Donatists' more decisive confrontation with the secular powers.

Under Emperor Constans

It got much tougher for Donatists under Constantine's son Constans. Namely, in 347 CE, an initially peaceful imposition of unity turned violent as Donatists experienced deadly state aggression. For their own reasons, the Donatists would have concurred with Hilary of Poitiers' words to (a homoean) Emperor Constans, 'You lie when you say you are a Christian; you are a new enemy of Christ; you have become the Antichrist' (*c. Const.* 1.7).

Donatists were in the majority in all provinces in North Africa, except Proconsularis. According to Jerome, Donatus, the successor of Majorinus, succeeded 'in deceiving nearly all Africa' (*vir. ill.* 93). At times, at least, the Donatists did indeed welcome the intimidating force of the militia-like *circumcelliones* to further their cause (Optatus, *c. Parm.* 3.4). Caecilianists, who in turn had already experienced the state's favour and support, readily trusted themselves again into the mighty hands of the civil power. Optatus highlights the particular cases of Counts Taurinus and Silvester in the mid-340s,[41] who had to use police force against the armed *circumcelliones* in order to protect Caecilianist communities (Optatus, *c. Parm.* 3.4). However, this also meant that Caecilianists were increasingly perceived as the associates of the persecuting state, and that now there was a full-blown antagonism between the Donatist church and the state — just like it had been at the time of the Great Persecution. The conjunction 'and' in the phrase 'church and state' started to designate two opposing and incompatible realities. As one of the theological defence moves, the doctrine of separation

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[41] See J. Alexander, 'Count Taurinus and the Persecutors of Donatism', *ZAC* 2/2 (1998): 247-67, which argues that in placing Taurinus before Macarius and Paul (see the next paragraph), Optatus's 'polemical needs' took 'precedence over chronological precision' (p. 260).

of church and state started to triumph. The on-and-off persecution gave Donatists the reason and justification for turning against the state. Their attitude was famously expressed by Donatus's questions, 'What have Christians to do with kings? Or what have bishops to do with the palace? (*Quid christianis cum regibus, aut quid episcopis cum palatio?*)' (Optatus, *c. Parm.* 1.22). Petilian echoed, 'What do you [Christians] have to do with the kings of this world? (*Quid nobis est cum regibus saeculi?*)' (Augustine, *c. litt. Pet.* 2.92.212). Lenski observes, 'The valorization of suffering at the hands of the imperial government provided the Donatists with the conceptual apparatus needed to create an identity separate from that of the Roman state.'[42]

As a consequence of the events of 347 CE,[43] Caecilianists had to defend themselves against an accusation of having requested military force against Donatists in Bagai (Optatus, *c. Parm.* 1.5, 7; 3.1). What happened earlier was that Emperor Constans had sent two imperial emissaries, Macarius and Paul,[44] to lead the Donatists back to the government-approved church. But during this 'bloody business' (*Pass. Marc.* 3), bishop Donatus of Bagai (not to be confused with Donatus of Carthage) defied any unification attempts and was killed together with several others. Evidently, in the Donatists' minds, Romans 13:2 ('Whoever resists authority resists what God has appointed') did not apply at all to this particular case of 'enforced Caecilisation'.[45] What did apply was Revelation 13:7a ('[The beast] was given power to wage war against God's holy people and to conquer them').

In a related incident, Maximianus and Isaac were among the most aggressive 'rebels' who were imprisoned and lost their lives. This occasion gave Donatists their first martyr stories, for example, *Passio Maximiani et Isaac*.[46] Likewise, the beating and killing of a Numidian, Marculus, was recorded in *Passio Marculi*. Such texts already presented a clear dichotomy between church and state[47] and fuelled the Donatist self-perception as the

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[42] Lenski, 'Imperial Legislation and the Donatist Controversy', p. 187.

[43] The turning-point for the Donatists' attitude was indeed the Macarian persecution of them (A. Bass, 'Ecclesiological Controversies', in *Augustine in Context*, ed. by T. Toom (Cambridge: Cambridge University Press, 2017), pp. 145-52 (p. 149)).

[44] Optatus used a telling phrase to speak about Macarius and Paul — 'agents of unity [taking] many harsh measures' (*c. Parm.* 3.1). Donatists, however, compared them to the beast(s) in Rev 13 (*Pass. Marc.* 3) to whom Satan gave the power, the throne, and great authority.

[45] O'Donnell, *Augustine*, p. 211.

[46] For various *passiones*, see Maier, *Le dossier du donatisme*, vol. 1, pp. 40-122, 256-91.

[47] For example, see the juxtaposition of 'martyrs' and 'traitors', 'Christ' and 'Antichrist' in *Acta Abit.* 1 and 22. Furthermore, in *Acta Abit.* 6, 10, and 22, it is the devil who speaks through the persecuting representatives of the state. *Pass. Marc.* 1, in turn identifies Caecilianists as 'Gentiles' (i.e. not the new faithful Israel) and 'traitors', and the state officials whom they serve as 'the devil' and 'the Antichrist'. After all, in Christian memory, the devil had been linked with the 'world', for it was Satan who offered Christ 'all the kingdoms of the world and their glory' (Matt 4:8).

genuine church of martyrs (vis-à-vis the 'renegade' church of collaborators; cf. Rev 1:5; 20:4).[48] 'Ground-level violence thus provoked imperial reaction and then overreaction, which eventually cemented the dissident side into an entrenched position from which it would not easily be extracted.'[49]

As one might expect, Optatus denied any collaboration charges and called these 'an empty slander' (*c. Parm.* 4.1). He attempted to distance Caecilianists from the actions of Macarius and Paul, by arguing that Caecilianists had not endorsed Macarius's violent actions; they had not been behind the violence (although they evidently also did not mind). 'And yet of all these measures none was taken at our wish, none in consultation with us, none with our cognisance, none with our collaboration' (*c. Parm.* 3.2; cf. 7.6).[50] (Total denial is a very effective political device indeed.) Optatus rebutted that Donatists, because of their separatist, obstructionist spirit and their provocative acts (i.e. preventing the imperial distribution of alms to the poor, or perhaps rather bribe money, tearing down orders, and resisting any attempts of unification) brought the punishment upon themselves. They provoked the violent interferences of soldiers in the first place and were punished as regular criminals because of their unlawful actions (Augustine, *ep.* 105.2.7). After all, 'For rulers are not a terror to good conduct, but to bad […] It is the servant of God to execute wrath on the wrongdoer' (Rom 13:3-4).

Under Emperor Julian the 'Apostate'

An interesting reversal took place during the short reign of Emperor Julian (361–63 CE), who tried to halt the Christianisation of the Roman Empire. Although he evidently had a Christian upbringing and a good, inside knowledge of Christianity (Gregory of Nazianzus, *Or*. 42.52), Julian turned against the church and attempted to reinstate 'paganism'. He called back the exiled clergy,[51] rehabilitated schismatics and heretics, as well as restored

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[48] Shaw has pointed out a close parallel between the anonymous martyrs of 303 CE (Eusebius, *eccl. hist.* 8.5) and a Donatist martyr Maximian (*Sacred Violence*, p. 176). Such continuity was crucial for Donatist self-understanding after 347 CE.

[49] Lenski, 'Imperial Legislation and the Donatist Controversy', pp. 177-78.

[50] Nevertheless, Caecilianists were nick-named 'Macarians' (or 'party of Macarius') because of their alleged cooperation with Macarius (Augustine, *c. litt. Pet.* 2.39.94; *ep.* 49.3, 87.10).

[51] For the names of the recalled Donatist clergy, see Augustine, *c. litt. Pet.* 2.97.224.

their property. He hoped that all this would create alarm, discord, and bickering in the Christian church.[52] And it certainly did.[53]

Under Julian, one of the most outstanding leaders of Donatism, Parmenian, obtained permission to return to Africa. Optatus wrote, 'You [Parmenian] brought a petition to him [the Emperor Julian], that you might be able to return' (*c. Parm.* 2.16).[54] Naturally, the emperor gave permission, for 'he knew that they [the returning Donatist clergy] were going to disturb the peace with their madness' (*c. Parm.* 2.16). To add spice to his shocking disclosure, Optatus declaimed, 'Blush, if you have any shame; freedom was restored to you by the same voice [i.e. that of Emperor Julian] that commanded the idols' temples to be opened!' (*c. Parm.* 2.16; cf. Augustine, *c. litt. Pet.* 2.83.184; 2.92.203, 205, 97.224 [which calls Julian 'the son of Gehenna']; *ep.* 105.2.9).[55] While Caecilianists co-operated with 'Christian' emperors, Donatists sent their requests to an anti-Christian emperor(!).

As a consequence, the time for an almost inevitable retaliation had arrived. A 'massacre of catholics was carried out' (Optatus, *c. Parm.* 2.18). For example, in a city called Tipasa, 'by a partisan madness of some officials, Athenius the chief magistrate being present with soldiers, the large catholic community was expelled from its own homes amid panic and bloodshed' (*c. Parm.* 2.18).[56]

Whether all this was entirely true or not, the point is that the opportunistic and pragmatic Donatists did not shy away from petitioning the emperor (whoever he was) whenever it promised to further their cause. Optatus wrote, 'In many cases you [the Donatists] have thought it right to use secular tribunals and public laws to snatch away the instruments of divine law [e.g. melting down chalices, levelling altars] through the executive power of officials' (Optatus, *c. Parm.* 6.5). It seems that the evolving

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[52] A fourth-century Roman historian Ammianus observed that 'no wild beasts are such enemies to mankind as are most Christians in their deadly hatred of one another' (*Res Gestae* 22.5.4). Indeed, Donatists were taught not to say 'Hello!' to Christians of other churches (Optatus, *c. Parm.* 4.5), not to bake bread for the Caecilianists (Augustine, *c. litt. Pet.* 2.83.184), and when they took over Caecilianist church buildings, Donatists allegedly sprinkled the altars, or cleaned the floors and walls with salt water in order to wash away 'contamination' (Optatus, *c. Parm.* 6.6; Augustine, *ep.* 108.6).

[53] After the Second World War, when Estonia was incorporated into the Soviet Union, the atheistic government gave an old, ruined gothic cathedral to seven different Christian denominations for worshipping there together. Knowing all too well how badly Christians got along, the government hoped that such an experiment would quickly end the existence of these seven groups of Christians. Yet, I am glad to report that it is still the largest Free Church in Tallinn, the capital of Estonia.

[54] For various documents from the time of Emperors Julian, Theodosius, and Honorius, see Maier, *Le dossier du donatisme*, vol. 2, pp. 42-206.

[55] A similar case was with Nichomachus Flavian, a *vicarius* of Africa (376–77 CE), a promoter of 'paganism', whose favour Donatists sought (Augustine, *ep.* 87.8).

[56] Augustine seconded that a rich Donatist bishop, Crispinus of Calama, had acquired a farm in the diocese of Hippo and forced approximately eighty catholic farmers to be rebaptised as Donatists (*ep.* 66). But the reverse case (i.e. Donatists becoming Caecilianists) was evidently just fine (Augustine, *ep.* 28*.1).

principle of separation of church and state was applied rather selectively, opportunistically, and pragmatically, depending on whether 'the powers that be' were for or against the Donatist churches.

Under Emperors Gratian, Theodosius, and Honorius

After this 'small cloud', as the Emperor Julian was named, passed away (Socrates, *eccl. hist.* 3.14), Emperor Gratian turned his attention — no doubt, partially because of Caecilianists' petitions — to forbidding rebaptism and outlawing rebaptisers (*Codex Theodosianus (CTh)* 16.5.5, 6.2). However, perhaps the biggest change concerned Christianity itself. Having been an imperially preferred religion for almost seventy years (with a short break in the beginning of the 360s), in 380 CE, pro-Nicene Christianity became the only official religion of the Roman Empire under Emperor Theodosius (*CTh* 16.1.2).

While all this was happening, Donatists experienced a rather embarrassing development in their internal affairs. Namely, the African schismatic movement had its own divisions and, at a council in 394 CE, Primian, Parmenian's successor, together with 310 bishops, condemned a 'Donatist schismatic' Maximian, who was fighting 'for the truth of the gospel'[57] (Augustine, *Cresc.* 3.15.18-16.19, 4.4.5; *c. ep. Parm.* 1.10.16).[58] In order to get hold of the property of the expelled Maximianists, Primian and his colleagues submitted a formal petition to the Proconsul of Africa (Augustine, *Cresc.* 3.59.65; 4.47.57). This was a sweet piece of information for Caecilianists, for how can one insist on the separation of church and state, and drag, at the same time, its internal conflicts into the state courts (e.g. Augustine, *c. litt. Pet.* 1.27.29; *c. ep. Parm.* 1.4, 2.3; 297; *en. Ps.* 21[2].31)?

The revitalisation of the state repressions against Donatists took place at the beginning of the fifth century after a usurper Gildo had put his military might behind a Donatist bishop Optatus of Thamugadi (not to be confused with Optatus of Milevis) (Augustine, *c. ep. Parm.* 2.4.8). Caecilianist lobbying and sending of their petitions to the emperor intensified significantly and, as a result, in 405 CE, Aurelius, bishop of Carthage, and

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[57] These are the opening words of the Decree of the Council of Cebarsussa, condemning Primian (Augustine, *en. Ps.* 36[2].19-20). The claim of standing fast 'for the truth of the gospel' has been typical of separatist churches ever since. On 8 September 2019, Falls Church Anglican Church, Falls Church, VA, which had lost their place of worship because it belonged to the Episcopal Church (cf. the quarrel over church buildings between Primian and his ecclesiastical enemies in Carthage (Augustine, *en. Ps.* 36[2].20)), consecrated their new place of worship. The bulletin said, '[...] *commitment to biblical Christianity* and Anglican tradition necessitated separating from the national church' (emphasis mine).

[58] Similarly, about twenty years earlier, the Donatists had achieved a condemnation of a breakaway Donatist bishop, Rogatus, by a state official, Firmus (Augustine, *c. litt. Pet.* 2.83.184; *c. ep. Parm.* 1.10.16).

Augustine, bishop of Hippo, 'a dynamic duo capable of reviving Catholic [i.e. Caecilianist] fortunes',[59] succeeded in persuading Emperor Honorius to issue an anti-Donatist 'Edict of Unity'. Schismatic Donatists, who '[did] not cease their madness' (*CTh* 16.5.38), had indeed become 'heretics',[60] and as such, they lost their right to congregate, own property, and make appeals in courts. 'It [was] not in the king's best interest to tolerate them' (Esther 3:8). All this sealed the Donatists' evolving conviction that the state was definitely against the 'true' church. Primian expressed his contempt of Caecilianists, 'With the letters of emperors, they [the Caecilianists] come against us, who possess only the Gospel' (Augustine, *c. Don.* 31.53).

One of the last major attempts by the Donatists to gain legitimacy, imperial justice, and state support was undertaken at the Conference of Carthage in 411 CE — 'an enormous effort, unparalleled in the history of state involvement in ecclesiastical business'.[61] This too, turned out to be a big disaster for Donatists. However, with the coming of the Vandals in 429 CE, much of the controversy was terminated.[62]

Conclusion

Space does not allow a further elaboration on the later phase of the Donatist controversy and on Augustine's anti-Donatist ventures. Yet, it should nevertheless be evident that the doctrine of the separation of church and state proved to be an expedient doctrine. It hardly ever functioned (or functions) as an absolute principle. Rather, it is dependent on the church's *Realpolitik* in particular circumstances, and on whether anything is gained by holding it or not. In other words, there was a striking contradiction between the evolving Donatist conviction about the separation of church and state, and their actual behaviour/practice; between their progressively embracing this doctrine, and constantly pleading for a favourable intervention of the state. Yet, since the Donatists hardly ever succeeded, the state eventually just had

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[59] Whitehouse, 'The Course of the Donatist Schism', p. 28.
[60] M. Tilley, 'When Schism Becomes Heresy in Late Antiquity: Developing Doctrinal Deviance in the Wounded Body of Christ', *JECS* 15/1 (2007): 1-21; cf. *CTh* 16.5.41, 44. While Optatus carefully distinguished between schism and heresy (*c. Parm.* 1.10-12), it is striking that Emperor Constantine evidently did not care much about this distinction. In his letter, he at times uses the telling phrase 'schismatics or (*siue,* line 100; *vel,* line 141) heretics' (Optatus, *c. Parm.,* App. 10). Augustine famously argued that heresy is 'a schism grown old *(schisma inueteratum)*' (*Cresc.* 2.7).
[61] N. McLynn, 'The Conference of Carthage Reconsidered', in *The Donatist Schism*, pp. 220-48 (p. 222).
[62] But see S. Adamiak, 'When Did Donatist Christianity End?' in *The Uniquely African Controversy*, pp. 211-36.

to be dubbed as 'antichrist'. After all, it 'persecuted' God's eschatological 'holy remnant'.[63]

In short, while the doctrine of the separation of church and state was pretty much affirmed after the events of 347 CE, its application varied due to the particular circumstances until Donatists lost the right to voice their concerns entirely (i.e. until they were suppressed as 'heretics'). That is, the particular socio-religio-political situation largely dictated the use and acceptance of the doctrine of the separation of church and state.[64] After all, Christians inevitably lived and live as members of a certain state.[65] It also determined the sense in which the conjunction 'and' had to be taken in the phrase 'church *and* state'.

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[63] Hoover, *The Donatist Church*, pp. 137-38, 149-55.

[64] For how the doctrine of the separation of church and state, which was originally intended to protect the church from the state, eventually turned into protecting an individual from religion in modern 'secular' societies, see A. Copson, *Secularism: A Very Short Introduction* (Oxford: Oxford University Press, 2019).

[65] Interestingly, a representative of the state, Pontius Pilate, is mentioned every time Christians confess their creed(s). It is as if a reminder that state is always a reality to be reckoned with. Yet, Donatists/separatists might also point out that Jesus 'suffered/was crucified under Pontius Pilate'.