

Constantine, *The Edict of Milan* (313 CE)¹

Constantine was the son of the Roman Emperor Constantius; he claimed the throne in 306 CE but had to fight several rivals until 324, at which point he became the supreme Roman Emperor (though he still had co-emperors). According to his biographer Eusebius, Constantine had a dream the night before a major battle in which he saw a Christian symbol and the inscription “conquer by this.” He took it as his battle standard and was victorious. Constantine embraced Christianity in the early 300s, and issued this official edict (with his co-emperor Licinius) in 313 CE.

When I, Constantine Augustus, as well as I, Licinius Augustus, fortunately met near Mediolanurn (Milan), and were considering everything that pertained to the public welfare and security, we thought, among other things which we saw would be for the good of many, those regulations pertaining to the reverence of the Divinity ought certainly to be made first, so that we might grant to the Christians and others full authority to observe that religion which each preferred; whence any Divinity whatsoever in the seat of the heavens may be propitious and kindly disposed to us and all who are placed under our rule...Therefore, your Worship² should know that it has pleased us to remove all conditions whatsoever, which were in the rescripts formerly given to you officially, concerning the Christians and now any one of these who wishes to observe Christian religion may do so freely and openly,

¹ from Lactantius, *De Mort. Pers.*, ch. 48. *opera*, ed. O. F. Fritzsche, II, p 288 sq. (Bibl Patr. Ecc. Lat. XI). Translated in University of Pennsylvania. Dept. of History, *Translations and Reprints from the Original Sources of European History*, (Philadelphia, University of Pennsylvania Press [1897?-1907?]), Vol 4:, 1, pp. 28-30. From the Internet Medieval Sourcebook <http://www.fordham.edu/halsall/source/edict-milan.asp>

² Here they are addressing one of the other co-emperors, but the Edict was also public.

without molestation...When you see that this has been granted to them by us, your Worship will know that we have also conceded to other religions the right of open and free observance of their worship for the sake of the peace of our times, that each one may have the free opportunity to worship as he pleases; this regulation is made we that we may not seem to detract from any dignity or any religion.

Moreover, in the case of the Christians especially we esteemed it best to order that if it happens anyone heretofore has bought from our treasury from anyone whatsoever, those places where they were previously accustomed to assemble, concerning which a certain decree had been made and a letter sent to you officially, the same shall be restored to the Christians without payment or any claim of recompense and without any kind of fraud or deception, ...All this property ought to be delivered at once to the community of the Christians through your intercession, and without delay. And since these Christians are known to have possessed not only those places in which they were accustomed to assemble, but also other property, namely the churches, belonging to them as a corporation and not as individuals, all these things which we have included under the above law, you will order to be restored, without any hesitation or controversy at all, to these Christians...

Constantine, Edicts (regarding religion)³

These edicts, or imperial laws, were compiled in the 400s into a larger collection of imperial decrees called the Theodosian Code. The year of the original decree is given in parentheses.

C. Th. IX.xvi.2 (319 CE): We prohibit all soothsayers, priests of prophecy, and those who are accustomed to administer such rites from entering a private house, or, under the guise of friendship, from crossing another's threshold. And if they despise this law penalties shall be meted out to them. You, who think this applies to yourselves, go to the public altars and shrines, and celebrate your customary ceremonies, for we do not forbid the full services of ancient tradition from being conducted in the day time.

C. Th. XVI.ii.4 (321 CE): Every man, when dying, shall have the right to bequeath as much of his property as he desires to the holy and venerable Catholic Church. And such wills are not to be broken.

C. Th. XV.xii.1 (325 CE): Bloody spectacles are not suitable for civil ease and domestic quiet. Wherefore since we have disallowed gladiators, those who have been accustomed to be sentenced to such work as punishment for their crimes, you should cause to serve in the mines, so that they may be punished without shedding their blood. Constantine Augustus.

C. Th. XVI.v.1 (326 CE): It is necessary that the privileges which are bestowed for the cultivation of religion should be given only to

³ Oliver J. Thatcher, ed., *The Library of Original Sources Vol. IV: The Early Medieval World* (Milwaukee: University Research Extension Co., 1907), 69-71.

followers of the Catholic faith [as opposed to other Christian sects]. We desire that heretics and schismatics be not only kept from these privileges, but be subjected to various fines. Constantine Augustus.

C. Th. XVI.x.4 (346 CE): It is decreed that in all places and all cities the temples should be closed at once, and after a general warning, the opportunity of sinning be taken from the wicked. We decree also that we shall cease from making sacrifices. And if anyone has committed such a crime, let him be stricken with the avenging sword. And we decree that the property of the one executed shall be claimed by the city, and that rulers of the provinces be punished in the same way, if they neglect to punish such crimes. Constantine and Constans⁴ Augusti.

⁴ Constans I was one of Constantine's sons; he was co-emperor with his father 333-340 CE, after which he ruled (and fought with) his brothers until his assassination in 350.