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Introduction

Between 2 April and 25 May of the year 1440 Lorenzo Valla composed his devastating exposure of the so-called Donation of Constantine. His work refers explicitly to the death of the monstrous Cardinal Vitelleschi on 2 April. On 25 May Valla wrote a letter to his friend Giovanni Tortelli to accompany a copy of his recently completed *opusculum*.[1] The Donation provided the papacy, at least since the eighth century when it seems to have been fabricated, with a justification for its claims to political authority over the realms of the western Mediterranean. The document, allegedly written by Constantine the Great shortly before his death at Nicomedia in May 337, presented Pope Sylvester with title to the western part of his empire.

Until the early fifteenth century Constantine himself, considered as the author of the Donation, had been held personally responsible for the corruption of the temporal power of the popes,[2] but not long before Valla the Donation had come under fire in a treatise by Nicholas of Cusa,[3] and it must have figured importantly in the protracted debates about papal authority in the Councils of Ferrara and Florence in 1438 and 1439. The invalidation of the Donation should have meant that the corruption of the papacy could be conveniently postdated, to the advantage of Constantine's posthumous reputation, to the time when the forgery was made, but in fact his reign continued to figure as what Robert Black has called "a crucial turning point in history."[4]

Valla launched his assault on the authenticity of this document from his post as secretary to Alfonso, King of Aragon and Sicily, as the king was trying to wrest control of Naples from papal clients in the house of Anjou. Valla had himself sought an appointment from Pope Eugenius in 1431 and 1434, but without success.

He found a patron who appreciated him in Alfonso, who cultivated a circle of literary men in his entourage. Valla had already proven himself a master of Latin style and the ancient classics, with previous studies of Cicero and Quintilian, as well as a philosophical treatise on pleasure that was revised under the title of *On the True Good*.

Valla's attack on the Donation is more reasonably seen as an extension of his literary and philosophical interests than as a political weapon offered to Alfonso in the struggle with Eugenius. These were dangerous times, with the insecurity of Eugenius in Italy and the threat from the Ottoman Turks to the very existence of Byzantine orthodoxy in the East. The Patriarch of Constantinople came to Ferrara and Florence in search of allies, and even the Grand Prince of Moscow sent a representative of the Slavic church. The validity of the Donation was hardly a new topic in 1440.

What was new was Valla's way of treating it. He split his work into two main parts, rhetorical and philological. The opening part, imagined as set in a court of kings and princes, brings together the sons of Constantine, an orator representing the Roman senate and people, and Pope Sylvester as petitioners before the jurors, and they deliver elaborate speeches all designed to demonstrate the inherent implausibility of Constantine's giving away half his empire. In the second part Valla rips apart the Latinity of the text of the Donation to prove, brilliantly and decisively, that Constantine could not have written it. His analysis of language and style has often been seen, rightly, as the beginning of serious philological criticism. His heirs, in acumen and savagery, were Richard Bentley and A. E. Housman.

The speeches and the argument against the Donation are finely spun with all the finesse of a master rhetorician.[5] Ultimately philology proves to be an even more powerful instrument than rhetoric for demolishing the document. But Valla makes no attempt to

develop a case for the other side, in favor of the Donation. For this reason alone it would be wrong to consider Valla's work a declamation, which, by the classic standard of Quintilian, should argue both sides of an issue. In his printed editions from the early sixteenth century Ulrich von Hutten first attached the title *Declamatio* to Valla's piece. Valla himself had never used it.

In his letter to Tortelli Valla wrote of his *opusculum* as concerned with canon law and theology, but in opposition to all canon lawyers and all theologians (*rem canonici iuris et theologie, sed contra omnes canonistas atque omnes theologos*).[6] This is not an unreasonable description since it is devoted to a document appended to the *Decretum* of Gratian, which constitutes the principal part of the fundamental corpus of canon law, and its theological implications for the papacy flow naturally from that.[7] Three years later, in a letter to his Greek teacher Giovanni Aurispa, Valla called his work a speech that was more rhetorical than anything he had written (*oratio qua nihil magis oratorium scripsi*).[8] It is evident that the work is presented as an *oratio*. It is full of addresses to putative listeners, while rhetorical questions and exclamations abound. Valla even conducts his detailed linguistic analysis in the form of a debate with the presumed forger, and at the end he launches a tirade addressed directly to the popes.

Although by the late sixteenth century Valla's fierce attack on the Donation and on the papacy itself seemed nothing less than incendiary and warranted placing the work on the Index of Prohibited Books in 1559,[9] it clearly did not look like that when it was written. It joined a debate that was already current at the time, especially after a repudiation of the document in 1433 by Nicholas of Cusa.[10] Soon after the *oratio* appeared in 1440 the humanist Gregorio Tifernate, who was a colleague of Valla's at the court of Alfonso, read it and proclaimed that it had been written *pro Christi ecclesia, non contra ecclesiam*—in support of the church of Christ, not against the church.[11]

By late 1443, however, two cardinals, Trevisan and Landriani, appear to have made some effort to persuade Valla to retract or revise his work, possibly with a view to satisfying his longstanding desire to return to Rome. We have only Valla's side of the correspondence, but it could not be clearer about Valla's intentions. In fact, in November 1443, writing to Trevisan, he himself put the question, "Why did I write *On the Donation of Constantine?*" He would have preferred to have written the work under another pope than Eugenius. The defense of truth and the conviction of falsehood were his sole objectives. He could not suppress or emend the work even if he had to, and even if he could he would not feel that he had to.[12] To Landriani in January 1444 Valla acknowledged that he had stirred up enemies at Rome as a result of his *oratio*, but, were it not for his mother who lived there, he attached no importance to their threats.[13]

Curiously, after Valla's correspondence with the two cardinals in late 1443 and early 1444, there is no trace of any interest in his work on the Donation until copies dating from the 1480s. Although Valla's enemies in Eugenius' entourage managed to bring him before the Inquisition at Naples in 1444, the accusations turned entirely on his other writings and, so far as can be told, had nothing to do with the Donation. They arose from his criticism of Aristotle and Boethius. Alfonso, who had already won his claim to Naples through a treaty with the pope at Terracina in June of the previous year, succeeded in closing down the investigation against Valla. In 1448, after Eugenius' death, the next pope, Nicholas V, finally made Valla apostolic *scriptor* in Rome, and in 1455 Calixtus III named him papal secretary. Apart from personal enmity in the court of Eugenius there was no sign that the papacy was smarting from his demolition of the Donation.

Notoriety lay in the future. Copies of Valla's *oratio* from the late fifteenth century provided the basis for a little noticed and now very rare printed edition, the first ever, in 1506. But when Ulrich

von Hutten printed the text twice in successive years, in 1518 and 1519, it spawned reprints of the original Latin as well as translations into modern European languages. By 1546 it was available in Czech, French, German, English, and Italian. Its value for reformation theology was immediately apparent, and it soon became an embarrassment for a church that had accepted it with equanimity a century before. Luther famously hailed it soon after von Hutten had made it widely available. Later no less a personage than Cardinal Baronius denounced it in a strenuous defense of the Donation. Baronius even went so far as to invoke brickstamps that he claimed to have seen when the original basilica of St. Peter's was taken down to make way for Michelangelo's creation at the Vatican. He reported that the brickstamps named Constantine himself, and these were advanced as proof of Constantine's support of the papacy. But we now know that Baronius deliberately falsified what he saw in an effort to shore up papal claims to Constantinian support.[14] Although the spirit of Lorenzo Valla can rest in peace today, the Catholic church still inveighs against him for loose morals and licentiousness.[15]

It is difficult to approach his *opusculum* without being reminded of its later notoriety. Yet, read on its own terms, it is immensely rewarding simply as a bravura exercise in rhetoric and philology. Keeping company with Valla is a thrilling experience. His writing evokes a powerful mind fueled by dazzling erudition. His mastery of the Latin language makes most of his contemporaries look like barbarians, as he would have been the first to assert. To summon up an English voice for so great a writer, without burdening him with antiquarian diction that would traduce him by alienating him, is formidably difficult. The strength of his arguments for the implausibility of the Donation and the incisiveness of his philological dissection of its Latin text must come through without destroying the pulsating energy of his prose.

To pepper the translation with Latin words in parentheses would perhaps make the translation more serviceable for those who are trying to negotiate the original, but it would drain the text of all its blood and leave a cold cadaver where there had once been flaming passion. For example, Valla mocks the diction of the forger by observing that in the course of his inflated language he pretentiously uses *extat* for *est*, *nempe* for *scilicet*, and *concubitores* for *contubernales*. It would seriously diminish the impact of Valla's outrage if all these Latin words were inserted into the text of the translation. But an English equivalent may be offered as follows:

> Everything is stuffed with these words—*we decree, we adorn, imperial, imperatorial, power, glory;* and he has put *exists* in place of "is," since existing implies prominence or superiority, and *indeed* for "of course," and *bed-mates* for "companions." Bed-mates are those who sleep together and have intercourse, and must naturally be understood to be whores.

Similarly, when the forger made Constantine order that the holy clergy should ride on horses adorned with white saddles, he wrote *ut clerici sancti . . . equos equitent*. In his excellent English translation of 1922, Christopher Coleman hit upon precisely the right equivalent, *that the holy clergy . . . should mount mounts*.[16] Not every English equivalent can be so stylishly felicitous, but an anglophone reader deserves to have the best approximation possible.

The depth and range of Valla's reading is astonishing. He quotes freely from Scripture and always from memory, as slight variations in the order of words or verses clearly demonstrate. Similarly, in drawing examples from Latin and Greek authors of classical antiquity, he plucks apposite lines at will from such voluminous writers as Livy, Valerius Maximus, Macrobius, and Homer. He clearly knew Virgil's *Aeneid* by heart and could produce phrases and whole lines effortlessly. His knowledge of Hebrew surfaces in a brief but accurate discussion of the name

Kephas in the New Testament. With a few deft strokes he evokes institutions and titles from the history of republican and imperial Rome. His treatment of the relative social status of senator and patrician is exceptionally acute, and his knowledge of provincial organization under Constantine allows him to highlight grotesque anachronisms. The most egregious of these is the forger's use of the term "satraps" to refer to high-ranking officials.

It is now generally agreed that the forgery was made in the middle to late eighth century. Johannes Fried has recently explored its historical context as well as the significance of its espousal in the Middle Ages. He sees Frankish opposition to the emperor Louis the Pious as the background for the original fabrication.[17] The manuscript tradition, as sorted out by Horst Fuhrmann in his edition of the document, which is known as the *Constitutum Constantini*,[18] reveals extensive alteration and editing by copyists over succeeding centuries. Comparison of Valla's text with the one established by Fuhrmann shows that he was in possession of a considerably improved text through Gratian, even though quite enough barbarisms remained for him to destroy it with his sharp philological instruments.

Curiously, historians of Rome now know, as Valla did not, that the subscription at the end of the document, providing a date in the joint consulship of Constantine (for the fourth time) and a certain Gallicanus, indicts the forger unequivocally.[19] The consular list, as scholars can reconstruct it today from various testimonia, reveals that Constantine and Gallicanus never served in the same year. Constantine was consul in 329, Gallicanus in 330. Furthermore, in 329, although the consul Constantine was serving for the fourth time, this was not the emperor but his son. In that year the emperor was consul for the eighth time. Let this revelation be offered admiringly here to the shade of Lorenzo Valla.

For someone coming to the *oratio* on the Donation for the first time, there could be no better salutation than the words of

Apuleius at the opening of his novel, *Metamorphoses* or *The Golden Ass: Lector intende, laetaberis*—Reader, pay attention, you will enjoy it!

NOTES

1. For the circumstances of composition and the *Nachleben* of Valla's work, the fundamental study remains W. Setz, *Lorenzo Vallas Schrift gegen die Konstantinische Schenkung*, Bibliothek des Deutschen Historischen Instituts in Rom 44 (Tübingen, 1975).The preface to Setz's edition of the work in the *Monumenta Germaniae Historica, Quellen zu Geistesgeschichte des Mittelalters* vol. 10 (Weimar, 1976), resumes the fundamental points about composition and provides a list of manuscripts and printed editions. The less said the better about the deplorable edition of Walther Schwahn (Leipzig, 1928), on which see Setz's preface, p. 46, n. 146. Teubner reprinted it in 1994.

2. See the richly documented account of the Donation in the Middle Ages in Robert Black, "The Donation of Constantine: A New Source for the Concept of the Renaissance," in *Languages and Images of Renaissance Italy*, ed. Alison Brown (Oxford, 1995), pp. 51–85, especially pp. 63–67 on the denunciations of Constantine by Marsilius of Padua, Dante, and Petrarch.

3. Cusanus attacked the treatise's authenticity in his *De concordantia catholica*, 3.2. See note 10 below.

4. Black, *op. cit.* (n. 2 above), pp. 70–71.

5. See Salvatore I. Camporeale, "Lorenzo Valla e il *De falso credita donatione*. Retorica, libertà ed ecclesiologia nel '400," *Memorie domenicane* n.s. 19 (1988), 191–293, and his summary treatment in "Lorenzo Valla's *Oratio* on the Pseudo-Donation of Constantine: Dissent and Innovation in Early Renaissance Humanism," *Journal of the History of Ideas* 57 (1996), 9–26.

6. *Laurentii Valle Epistole*, ed. O. Besomi and M. Regoliosi (Padua, 1984), no. 12, p. 192.

7. Valla knew well (and discusses at length) that the Donation was a later insertion into the Decretum of Gratian, and canonists had treated the document as suspect: Rudolf Weigand, "Fälschungen als Paleae im Dekret Gratians," in *Monumenta Germaniae Historica, Schriften*, Bd. 33. II: *Fälschungen im Mittelalter*, Teil II (Hannover, 1998), pp. 301–318, with particular reference to the Donation on pp. 310–311. See also D. Maffei, *La Donazione di Costantino nei giuristi medievali* (Milan, 1964).

8. *Epistole* (n. 6 above), no. 23, p. 252.

9. Cf. Setz, *Lorenzo Vallas Schrift* (n. 1 above), pp. 100–101, 151–194, and Giovanni Antonazzi, *Lorenzo Valla e la polemica sulla Donazione di Costantino, con testi inediti dei secoli XV–XVII* (Rome, 1985).

10. See Riccardo Fubini, "Contestazioni quattrocentesche della Donazione di Costantino: Niccolò Cusano, Lorenzo Valla," in *Costantino il Grande dall' antichità all' umanesimo*, ed. G. Bonamente and F. Fusco (Macerata, 1992), I: 385–431. Fubini returned to this topic in his paper, "Humanism and Truth: Valla Writes against the Donation of Constantine," in *Journal of the History of Ideas* 57 (1996), 79–86. He argued that Valla knew Cusanus' analysis in *De concordantia catholica*, and he surmised that this knowledge "might have been the very reason for his writing on the Donation of Constantine." Fubini's case for Valla's familiarity with Cusanus' argument, particularly in the domain of canon law, is strong.

11. *Epistole* (n. 6), no. 12a, p. 193.

12. *Epistole* (n. 6), no. 22, p. 247: *At cur De Constantini donatione composui? . . . Id ego tantum abest ut malivolentia fecerim, ut summopere optassem sub alio pontifice necesse mihi fuisse id facere, non sub Eugenio. . . . Opus meum conditum editumque est, quod emendare aut supprimere nec possem si deberem, nec deberem si possem. Ipsa rei veritas se tuebitur aut ipsa falsitas se coarguet.*

13. *Epistole* (n. 6), no. 25, p. 255: *Causam meam, ut opinor, nosti: de opere, inquam Constantiniane donationis, ob quod multis sancte apostolice sedis senatoribus invisus sum et reus agor, immo peragor ab inimicis meis atque invidis.* He says that he is reproached and terrorized for attacking the living as well as the dead: *quam ego reprehensionem terroremque, nisi matris causa, que istic est, pro meo more nihil facerem.*

14. For proof, see the photograph on p. 10 of G. W. Bowersock, "Peter and Constantine," in *St. Peter's in the Vatican*, ed. W. Tronzo (Cambridge, 2005), with notes 36 and 38 on pp. 14–15.

15. See, for example, the article under his name in the current *Catholic Encyclopedia*.

16. Christopher B. Coleman, *The Treatise of Lorenzo Valla on the Donation of Constantine* (New Haven, 1922), p. 117. Jean-Baptiste Giard found an equally appropriate French rendering in his translation for the series *La roue à livres* (Paris, 1993), pp. 66 and 73: *que les saints clercs . . . chevauchent des chevaux.*

17. Johannes Fried, *"Donation of Constantine" and "Constitutum Constantini": The Misinterpretation of a Fiction and its Original Meaning*, with a contribution by Wolfram Brandes, "The Satraps of Constantine" (Berlin, forthcoming, 2007). For the intellectual context of Valla's work, Carlo Ginzburg, in his preface to the Giard translation (see the previous note), is worth reading.

18. See Fuhrmann's text, included in this volume, with a translation providing comparisons with Valla's quotations from the document.

19. For bibliography and details see the final note to the translated *Constitutum* in this volume. The view that the forger might have had the years 315 or 317 in mind (cf. Camporeale, n. 5 above) presupposes a reference to Constantine's real fourth consulate or another Gallicanus. But such early dates, even for the forger, would be preposterous.

LAURENTII VALLENSIS DE FALSO CREDITA ET EMENTITA CONSTANTINI DONATIONE

1 Plures a me libri compluresque emissi sunt in omni fere doctrinarum genere, in quibus quod a nonnullis magnisque et longo iam evo probatis auctoribus dissentio, cum sint, qui indigne ferant meque ut temerarium sacrilegumque criminentur, quid tandem nunc facturi quidam putandi sunt? quantopere in me debacchaturi? et, si facultas detur, quam avide me ad supplicium festinanterque rapturi? qui non tantum adversus mortuos scribo, sed adversus etiam vivos, nec in unum alterumve, sed in plurimos, nec contra privatos modo, verum etiam contra magistratus! At quos magistratus! Nempe summum pontificem, qui non temporali solum armatus est gladio regum ac principum more, sed ecclesiastico quoque, ut ab eo neque supter ipsum, ut sic loquar, clipeum alicuius principis protegere te possis, quominus excommunicatione, anathemate, exsecratione feriare. Quod si prudenter ut dixit sic fecisse existimatus est, qui inquit, *nolo scribere in eos qui possunt proscribere*, quanto mihi magis idem faciendum esse videatur in eum, qui ne proscriptioni quidem relinquat locum? quique invisibilibus me potestatis sue iaculis persequatur, ut iure possim dicere, *quo ibo a spiritu tuo et quo a tua fugiam facie?* nisi forte putamus patientius hec esse laturum summum pontificem quam ceteri facerent. Nihil minus, siquidem Paulo, quod bona se conscientia conversatum esse diceret, Ananias, princeps sacerdotum, coram tribuno, qui iudex sedebat, iussit os verberari, et Phasur eadem preditus dignitate, Ie-

LORENZO VALLA ON THE FORGED AND MENDACIOUS *DONATION OF CONSTANTINE*

Many, many books have issued from my pen in almost every 1
area of learning, and in these I have disagreed with some great authors of long established reputation. Inasmuch as there are those who feel ill treated and accuse me of recklessness and impiety, what must we imagine they are going to do now? How much will they rant against me? And if they have the chance, how eagerly and swiftly will they carry me off to punishment? I am one who writes not only against the dead, but against the living as well—not one or two of them, but many—and not merely against private persons but even against those who hold high office! What office-holders they are! The supreme pontiff, of course, who is armed not only with a temporal sword in the manner of kings and princes, but an ecclesiastical one as well, so that you cannot find protection from him by sheltering, so to speak, under the shield of any prince, to avoid being struck down by excommunication, anathema, or execration. If the man who said, *I am unwilling to write against those who have the power to proscribe*,[1] should be thought to have acted as prudently as he spoke, how much more should I act similarly towards someone who does not even allow the possibility of proscription? And he would pursue me with the invisible darts of his power, so that I could rightly say, *Whither shall I go from your spirit, and whither shall I flee from your face?*[2] Unless by chance we think that the supreme pontiff will bear these assaults with greater tolerance than others would. Hardly, since Ananias, the high priest, in the presence of the tribune who was sitting as judge, ordered Paul to be struck on the mouth because he said

remiam ob loquendi libertatem coniecit in carcerem. Sed illum tribunus ac preses, hunc rex adversus iniuriam pontificis tutari et potuit et voluit, me vero quis tribunus, quis preses, quis rex e manibus summi sacerdotis, si me rapuerit ille, etiam ut velit, eripere poterit?

2 Verum non est causa, cur me duplex hic periculi terror conturbet arceatque a proposito. Nam neque contra ius fasque summo pontifici licet aut ligare quempiam aut solvere, et in defendenda veritate atque iustitia profundere animam summe virtutis, summe laudis, summi premii est. An vero multi ob terrestrem patriam defendendam mortis adiere discrimen: ego ob celestem patriam assequendam — assequuntur autem eam, qui Deo placent, non qui hominibus — mortis discrimine deterrebor? Facessat igitur trepidatio, procul abeant metus, timores excidant. Forti animo, magna fiducia, bona spe, defendenda est causa veritatis, causa iustitie, causa Dei! Neque enim is verus est habendus orator, qui bene scit dicere, nisi et dicere audeat. Audeamus itaque accusare, quicunque digna committit accusatione, et qui in omnes peccat, unius pro omnium voce carpatur. At non debeo palam obiurgare fratrem, sed *inter me et ipsum:* immo publice peccans et qui privatum consilium non admitteret, publice arguendus est, *ut ceteri timorem habeant*. An non Paulus, cuius verbis modo sum usus, in os Petrum coram ecclesia reprehendit, *quia reprehensibilis erat*, et hoc ad nostram doctrinam scriptum reliquit? At non sum Paulus, qui Petrum possim reprehendere: immo Paulus sum, qui Paulum imitor, quemadmodum, quod multo plus est, unus cum Deo spiritus efficior, cum studiose mandatis illius optempero. Neque aliquem sua dignitas ab increpationibus tutum reddit, que Petrum non reddi-

that he passed his life with a good conscience, and Phasur, holding the same office, threw Jeremiah into prison for his outspokenness. But the tribune and the governor had the power and the desire to protect the former from priestly abuse, and the king the latter. Yet what tribune, what governor, what king will be able, even if he wishes, to snatch me from the hands of the supreme priest if he seizes me?

But there is no reason why this double threat of danger should 2
trouble me or keep me from my plan. For the supreme pontiff is not allowed to bind or release anyone contrary to human and divine law, and giving up one's life in the defense of truth and justice is a mark of the greatest virtue, the greatest glory, the greatest reward. Many indeed have gone to the point of death to defend their earthly fatherland: shall I be deterred by the threat of death for striving to reach my heavenly fatherland, as do those who please God, not men? Anxiety be gone, let fears retreat far away, and worries disperse! With a bold spirit, great confidence, and good hope, the cause of truth, the cause of justice, and the cause of God must be defended. No one who knows how to speak well can be considered a true orator unless he also dares to speak out. So let us dare to accuse one who commits deeds that deserve accusation, and let one who sins against all be reviled by the voice of one who speaks for all. Yet perhaps I ought not to censure a brother openly but *between ourselves:*[3] on the contrary a person who sins in public and who accepts no private counsel must be charged in public, *to frighten all the rest.*[4] Did not Paul, whose words I have just used, reproach Peter to his face before the church, *because he was reproachable,*[5] and leave this in writing for our instruction? But I am not a Paul who can reproach a Peter: I am rather a Paul who imitates Paul in such a way — which is something much greater — as to become one spirit with God, since I scrupulously obey his mandates. Personal status does not make anyone safe from attacks. It did not do so for Peter and for many others endowed with the

dit multosque alios eodem preditos gradu, ut Marcellum, quod diis libasset, ut Celestinum, quod cum Nestorio heretico sentiret, ut quosdam etiam nostra memoria, quos ab inferioribus—quis enim non est inferior papa?—reprehensos scimus, ut taceam condemnatos.

3 Neque vero id ago, ut quenquam cupiam insectari et in eum quasi Philippicas scribere—hoc enim a me facinus procul absit—, sed ut errorem a mentibus hominum convellam, ut eos a vitiis sceleribusque vel admonendo vel increpando summoveam. Non ausim dicere, ut alii per me edocti luxuriantem nimiis sarmentis papalem sedem, que Christi vinea est, ferro coerceant, et plenas uvas, non graciles labruscas ferre compellant. Quod cum facio, nunquis erit, qui aut mihi os aut sibi aures velit occludere, ne dicam supplicium mortemque proponere? Hunc ego, si hoc faciat, etiam si papa sit, quid dicam esse: *bonumne pastorem*, an *aspidem surdam que nolit exaudire vocem incantantis*, velit eiusdem membra morsu venenoque prestringere?

4 Scio iamdudum exspectare aures hominum, quodnam pontificibus Romanis crimen impingam: profecto ingens sive supine ignorantie sive immanis avaritie que est *idolorum servitus*, sive imperandi vanitatis, cuius crudelitas semper est comes. Nam aliquot iam seculis aut non intellexerunt donationem Constantini commenticiam fictamque esse aut ipsi finxerunt sive posteriores in maiorum suorum dolis vestigia imprimentes pro vera, quam falsam cognoscerent, defenderunt, dedecorantes pontificatus maiestatem, dedecorantes veterum pontificum memoriam, dedecorantes religionem christianam, et omnia cedibus, ruinis flagitiisque miscentes. Suam esse aiunt urbem Romam, suum regnum Sicilie Neapolitanumque, suam universam Italiam, Gallias, Hispanias, Germanos,

same rank, such as Marcellus for pouring libations to the gods,—such as Celestinus for agreeing with the heretic Nestorius,—such as certain persons also in our own time, who we know were rebuked by persons of inferior status (who is *not* inferior to the Pope?), to say nothing of those who have been condemned.[6]

I am not acting to satisfy a desire to harass anyone and to write 3
Philippics against him—may I not be guilty of such a heinous deed—, but to eradicate error from people's minds, to remove persons from vices and crimes by admonition and reproof. I would not dare say that others, instructed by me, should prune with steel the papal seat—the vineyard of Christ—which is teeming with undergrowth, and force it to bear plump grapes instead of emaciated berries. When I do this, will there not be someone who would wish to stop my mouth or his own ears, to say nothing of calling down punishment and death? If so, even if it be the Pope himself, what kind of man should I say he is: a *good shepherd*, or a *deaf snake that would not hear the voice of the charmer*[7] and would prefer to go at the charmer's limbs with a poisonous bite?

I know that for a long time people have been waiting to hear 4
the accusation I would bring against the Roman pontiffs: a massive accusation assuredly, of either supine ignorance or monstrous avarice, which is enslavement to idols, or pride of rule, which is always accompanied by cruelty. Already for several centuries they either did not realize that Constantine's Donation was a lie and a fabrication, or else they invented it themselves. Their descendants, following the deceitful path of earlier generations, defended as true what they knew to be false—dishonoring the majesty of the pontificate, dishonoring the memory of the pontiffs of old, dishonoring the Christian religion, and confounding everything with slaughter, collapse, and crime. They say that the city of Rome is his, that the kingdom of Sicily and Naples is his, that the whole of Italy is his, the peoples of Gaul, Spain, Germany, and Britain,—in

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Britannos, suum denique occidentem: hec enim cuncta in ipsa donationis pagina contineri. Ergo hec omnia tua sunt, summe pontifex? Omnia tibi in animo est recuperare? omnes reges ac principes occidentis spoliare urbibus aut cogere, ut annua tibi tributa pensitent, sententia est? At ego contra existimo iustius licere principibus spoliare te imperio omni quod optines. Nam—ut ostendam—donatio illa, unde natum esse suum ius summi pontifices volunt, Silvestro pariter et Constantino fuit incognita.

5 Verum antequam ad confutandam donationis paginam venio, quod unum istorum patrocinium est non modo falsum, verum etiam stolidum, ordo postulat, ut altius repetam. Et primum dicam non tales fuisse Constantinum Silvestrumque: illum quidem, qui donare vellet, qui iure donare posset, qui, ut in manum alteri ea traderet, in sua haberet potestate; hunc autem, qui vellet accipere quique iure accepturus foret. Secundo loco: si hec non essent, que verissima atque clarissima sunt, neque hunc acceptasse neque illum tradidisse possessionem rerum, que dicuntur donate, sed eas semper in arbitrio et imperio Cesarum permansisse. Tertio: nihil datum Silvestro a Constantino, sed priori pontifici, antequam etiam baptismum acceperat, donaque illa mediocria fuisse, quibus papa degere vitam posset. Quarto: falso dici donationis exemplum aut apud decreta reperiri aut ex historia Silvestri esse sumptum, quod neque in illa neque ulla in historia invenitur, in eoque quedam contraria, impossibilia, stulta, barbara, ridicula contineri. Preterea loquar de quorundam aliorum Cesarum vel simulata vel frivola donatione, ubi ex abundanti adiiciam: si Silvester possedisset,

short that the West is his: they say that all these are encompassed in that document of donation. Is all this yours because of that, supreme pontiff? Do you intend to recover all of it? Is it your idea to despoil of their cities all the kings and princes of the West and to force them to pay you annual tribute? I, on the contrary, think that the princes have a better right to despoil you of the entire empire you hold. For, as I shall show, that Donation, from which the supreme pontiffs want to derive their legal right, was unknown to Sylvester and Constantine alike.

But before I come to refuting the Donation document, which is 5 the sole authority those people have, something that is not only false but even crude, structure demands that I go back farther. First, I shall assert that Constantine and Sylvester were not such men as, with the former, to want to make a donation, to be in a legal position to do so, and to have in his power the ability to hand over these territories to someone else, and, with the latter, to want to receive them and be in a legal position to do so. Second, even if these points were other than absolutely true and very clear, I shall assert that the one did not accept and the other did not hand over the possession of the things that are said to have been donated, but that they remained forever under the jurisdiction and authority of the Caesars. Third, I shall assert that nothing was given by Constantine to Sylvester, but rather to the previous pontiff before he received baptism, and that these were modest gifts of places where the Pope could spend his life. Fourth, I shall assert that it is falsely claimed a copy of the Donation was found among the emperor's decrees or was extracted from the Story of Sylvester, because it is neither found in that story nor in any other, and because in it are contained various contradictions, impossibilities, stupidities, barbarisms, and absurdities. Furthermore I shall speak about donations of certain other emperors—whether fictitious or worthless—and there I shall add from abundant evidence that if Sylvester ever had taken possession, once he or some other pontiff

tamen—sive illo sive quovis alio pontifice a possessione deiecto—post tantam temporis intercapedinem nec divino nec humano iure posse repeti. Postremo: ea, que a summo pontifice tenentur, nullius temporis longitudine potuisse prescribi.

: I :

6 Atque quod ad primam partem attinet—loquemur autem de Constantino prius, deinde de Silvestro—non est committendum, ut publicam et quasi Cesaream causam non maiore, quam private solent, ore agamus. Itaque quasi in contione regum ac principum orans—ut certe facio, nam mea hec oratio in manus eorum ventura est—libet tanquam presentes et in conspectu positos alloqui.

7 Vos appello, reges ac principes, difficile est enim privatum hominem animi regii concipere imaginem, vestram mentem inquiro, conscientiam scrutor, testimonium postulo: nunquid vestrum quispiam, si fuisset Constantini loco, faciendum sibi putasset, ut urbem Romam, patriam suam, caput orbis terrarum, reginam civitatum, potentissimam, nobilissimam, ditissimam populorum, triumphatricem nationum, et ipso aspectu sacram, liberalitatis gratia donaret alteri et se ad humile oppidum conferret, deinde Byzantium? donaret preterea una cum Roma Italiam, non provinciam sed provinciarum victricem? donaret tres Gallias, donaret duas Hispanias, donaret Germanos, donaret Britannos, totum donaret occidentem et se altero ex duobus imperii oculis orbaret? Hoc ego, ut quis faciat compos mentis, adduci non possum ut credam. Quid enim vobis exspectatius, quid iocundius, quid gratius contingere solet, quam accessionem imperiis vestris vos regnisque

had been had been deprived of it, after so great an interval of time it could not be recovered by any legal claim, human or divine. Lastly, I shall assert that the supreme pontiff's current possessions could not, in the course of time, have been administered under his authority.

: I :

To turn to the first part, we shall speak at the start about Constantine, then about Sylvester. It is unacceptable to make a public and, so to say, imperial case with the same kind of presentation as normally accorded to private cases. Therefore I permit myself to plead as if in an assembly of kings and princes, into whose hands I am confident my speech will come, and to address them as if they were present in front of me. 6

I speak to you, kings and princes. Since it is hard for a private person to form any idea of a royal disposition, I probe your mind, I examine your conscience, I ask for your testimony: Would any one of you, had he been in Constantine's place, have thought he should act to bestow upon another person, by gracious liberality, the city of Rome—his own fatherland, the center of the world, the queen of cities, the most powerful, noblest, richest of peoples, which triumphed over nations and was sacred to behold? Would he have thought to remove himself to a modest town, or after that to Byzantium,[8] and, in addition, to turn over Italy along with Rome, not just a province but a victor over provinces? Would he have thought to give away the three Gauls, the two Spains, the Germans, the British—the whole western world—and to deprive himself of one of the two eyes of his empire? I cannot be persuaded to believe that any sane person would do this. What is normally more desirable, more pleasurable, more welcome than for you to enlarge your empires and kingdoms and to extend your 7

Dei meo irritati errore blasphement. Filios mihi carissimos volo reddere, non servos; adoptare, non emere; generare, non manu capere; animas eorum offerre sacrificium Deo, non diabolo corpora. *Discite a me*, inquit Dominus, *qui mitis sum et humili corde. Capite iugum meum et invenietis requiem animabus vestris. Iugum enim meum suave et pondus meum leve*. Cuius ad extremum, ut iam finem faciam, illam de hac re sententiam accipe, quam quasi inter me et te tulit. *Reddite, que sunt Cesaris, Cesari, et que sunt Dei, Deo*, quo fit, ut nec tu, Cesar, tua relinquere neque ego, que Cesaris sunt, accipere debeam, que, vel si millies offeras, nunquam accipiam.'

27 Ad hanc Silvestri orationem apostolico viro dignam, quid esset, quod amplius Constantinus posset opponere? Quod cum ita sit, qui aiunt donationem esse factam, nonne iniuriosi sunt in Constantinum, quem suos privare imperiumque Romanum voluisse convellere? iniuriosi in senatum populumque Romanum, Italiam totumque occidentem, quem contra ius fasque mutari imperium permississe? iniuriosi in Silvestrum, quem indignam sancto viro donationem acceptam habuisse? iniuriosi in summum pontificatum, cui licere terrenis potiri regnis et Romanum moderari imperium arbitrantur? Hec tamen omnia eo pertinent, ut appareat Constantinum inter tot impedimenta nunquam fuisse facturum, ut rem Romanam Silvestro ex maxima parte donaret, quod isti aiunt.

: II :

28 Age porro, ut credamus istam donationem, de qua facit pagina vestra mentionem, debet constare etiam de acceptatione Silvestri. Nunc de illa non constat. 'At credibile est,' dicitis, 'ratam hunc ha-

my dearest sons, not my slaves; to adopt them, not buy them; to father them, not subject them; to offer their souls as a sacrifice to God, not their bodies to the devil. *Learn from me*, the Lord said, *who am gentle and of a humble spirit. Take my yoke and you will find rest for your souls. For my yoke is agreeable and my burden light.*[30] Finally, to come to an end, on this matter hear that remark which He uttered as if directed to you and me: *Render to Caesar the things that are Caesar's, and to God the thing that are God's.*[31] Wherefore it turns out that neither you, Caesar, should give up what is yours nor should I accept what is Caesar's. Even if you should offer it a thousand times, I would never accept."

To this speech of Sylvester, worthy of an Apostle, what could 27
Constantine put forward in rebuttal? Under the circumstances, those who say that the donation was made—do they not damage Constantine by asserting that he wanted to deprive his own family and tear apart the Roman empire? Do they not damage the Senate and the Roman people, Italy and the entire West, which allowed, they say, the empire to be transformed, contrary to laws human and divine? Do they not damage Sylvester, who, they say, accepted a donation unworthy of a holy man? Do they not damage the supreme pontificate, which they imagine is allowed to control earthly realms and to manage the Roman empire? All these points serve to show that Constantine would never, as they claim, have acted in the face of so many obstacles to bestow the Roman state, in large part, upon Sylvester.

: II :

Let us move on. To believe in that donation, which your docu- 28
ment mentions, there has to be some evidence of Sylvester's acceptance. None now exists. "But," you say, "it is believable that he approved this donation." It is as believable, in my opinion, as that he

buisse donationem.' Ita credo, nec ratam habuisse modo verum etiam petiisse, rogasse, precibus extorsisse credibile est. Quid, vos credibile, quod preter opinionem est hominum, dicitis? Nec quia in pagina privilegii de donatione fit mentio, putandum est fuisse acceptatum, sed e contrario, quia non fit mentio de acceptatione, dicendum est non fuisse donatum. Ita plus contra vos facit hunc donum respuisse quam illum dare voluisse, et *beneficium in invitum non confertur.*

29 Neque vero tantum donata respuisse Silvestrum suspicari debemus, sed tacite etiam indicasse nec illum dare iure nec se iure accipere posse. Sed o cecam semper inconsultamque avaritiam! Demus, ut tabulas quoque de assensu Silvestri proferre possitis veras, incorruptas, sinceras: num protinus donata sunt, que in talibus continentur? Ubi possessio? Ubi in manus traditio? Nam si chartam modo Constantinus dat, non gratificari Silvestro voluit, sed illudere. 'Verisimile est,' dicitis, 'qui donat quippiam, eum et possessionem tradere.' Videte, quid loquamini, cum possessionem non esse datam constet et, an datum sit ius, ambigatur. Verisimile est, qui possessionem non dedit, eum ne ius quidem dare voluisse.

30 An non constat possessionem nunquam fuisse traditam, quod negare impudentissimum est? Nunquid Silvestrum Constantinus in Capitolium quasi triumphantem inter frequentium Quiritum, sed infidelium plausum duxit? in sella aurea assistente universo senatu collocavit? magistratus pro sua quenque dignitate regem salutare et adorare iussit? Hoc erga novos principes fieri solet, non tantum aliquod palatium velut Lateranense tradi. Num postea per universam Italiam circunduxit? adiit cum illo Gallias, adiit Hispa-

not only approved it but even sought it, asked for it, and extorted it by his prayers. Why do you say that something that goes beyond human imagining is believable? We do not have to think that the donation was accepted just because the grant is mentioned in the document about the donation. On the contrary, we must say that the donation was never made because there is no mention of an acceptance. There is more evidence against you that Sylvester rejected the gift than that Constantine wanted to make it. *A benefaction cannot be bestowed upon someone who does not want it.*[32]

We ought to suppose that Sylvester not only repudiated the 29
gifts but also indicated implicitly that Constantine had no right to bestow them and that he himself could not rightfully accept them. The blindness and injudiciousness of greed! Let us grant that you can also bring forward genuine documents—uncorrupt and authentic—concerning the agreement of Sylvester: whatever items were mentioned in those documents were not turned over straightaway, were they? Where is the possession of them? Where the transference of property? For if Constantine merely gave a piece of paper, he did not want to be nice to Sylvester but to make fun of him. "It is likely," you say, "that a donor is also the one who assigns possession." Look at what you are saying, since clearly possession was not granted and the question is whether a legal claim was. It is likely that whoever did not give possession did not want to give even a title.

Surely it is evident that possession was never granted—some- 30
thing it would be outrageous to deny? Did Constantine bring Sylvester to the Capitol, almost in triumph amid the applause of crowds of unbelieving Roman citizens? Did he place him upon the golden throne in the presence of the entire Senate? Did he order the magistrates, each in accord with his rank, to greet their king and prostrate themselves before him? This normally happens for new emperors, not merely the transference of some such palace as the Lateran. Did Constantine take Sylvester on a tour of all Italy?

nos, adiit Germanos ceterumque occidentem? Aut si gravabantur ambo tantum obire terrarum, quibusnam tam ingens officium delegarunt, qui et Cesaris vice traderent possessionem et Silvestri acciperent? Magni ii viri atque eximie auctoritatis esse debuerunt, et tamen qui fuerint ignoramus. Et quantum in his duobus verbis tradere et accipere subest pondus! Nostra memoria, ut exempla vetusta omittam, nunquam aliter facitatum vidimus, cum quis aut urbis aut regionis aut provincie dominus factus est, ita demum traditam existimari possessionem, si magistratus pristini summoveantur novique surrogentur. Hoc si tunc Silvester fieri non postulasset, tamen magnificentie Constantini intererat, ut declararet non verbo se, sed re possessionem tradere, suos presides amovere aliosque ab illo substitui iubere. Non traditur possessio, que penes eosdem remanet qui possidebant, et novus dominus illos summovere non audet. Sed fac istud quoque non obstare et nihilominus putari Silvestrum possedisse atque omnia preter morem preterque naturam tunc esse dicamus administrata. Postquam ille abiit, quos provinciis urbibusque rectores Silvester preposuit? que bella gessit? quas nationes ad arma spectantes oppressit? per quos hec administravit? 'Nihil horum scimus,' respondetis. Ita puto nocturno tempore hec omnia gesta sunt et ideo nemo vidit.

31 Age, fuit in possessione Silvester. Quis eum de possessione deiecit? Nam perpetuo in possessione non fuit neque successorum aliquis, saltem usque ad Gregorium Magnum, qui et ipse caruit possessione. Qui extra possessionem est nec se ab ea deiectum

Did he visit the Gauls with him, the Spaniards, the Germans, and all the western empire? Or if both of them were overwhelmed by such a circuit of territories, to whom did they entrust such a huge responsibility—persons who would give possession on the emperor's behalf and take it on Sylvester's? They had to have been great men of exceptional authority, and yet we do not know who they were. How weighty are those two words: give and take! Leaving aside examples from the ancient past, we have never, to the best of my knowledge, seen matters handled in any other way, when someone was made master of a city or a region or a province, than that possession is considered to be finally given over when former magistrates are removed and new ones put in their place. If Sylvester had not demanded at the time that this be done, it would nonetheless have been in the interest of Constantine's dignity to assert that he was giving over possession not only in word but in deed, that he was displacing his own governors and ordering others to be put in their place by Sylvester. There is no transfer of possession if it remains in the hands of the same persons who had it before, and the new master dares not remove them. But suppose that even this does not stand in the way, and we acknowledge that Sylvester is nevertheless deemed to have been in possession, and that everything was then managed in an untraditional and unnatural manner. After Constantine's withdrawal, to whom did Sylvester entrust the stewardship of provinces and cities? What wars did he wage? What nations on the verge of armed revolt did he suppress? Through what subordinates did he manage these things? "We do not know anything about this," you answer. So I imagine that everything was accomplished in the dead of night, and that is why no one saw anything.

All right, Sylvester had possession: Who deprived him of it? 31
For neither he nor any of his successors remained in possession in perpetuity, at least down to Gregory the Great. Even he did not have possession. Anyone who is not in possession and cannot

probare potest, is profecto nunquam possedit et, si se possedisse dicat, insanit. Vides ut te insanum etiam probo, alioquin dic, quis papam deiecit: ipsene Constantinus an eius filii an Iulianus an quis alius Cesar? Profer nomen expulsoris, profer tempus, unde primum, unde secundo, ac deinceps expulsus est. Num per seditionem et cedes an sine his? coniurarunt in eum pariter nationes, an que prima? Quid, nemo omnium auxilio fuit, ne illorum quidem, qui per Silvestrum aliumve papam prepositi urbibus ac provinciis erant? Uno die universa amisit an paulatim et per partes? Restitit ipse suique magistratus an ad primum tumultum se abdicarunt? Quid, ipsi victores non in eam fecem hominum, quam indignam imperio ducebant, ferro grassati sunt in ultionem contumelie, in tutelam occupate dominationis, in contemptum religionis nostre, in ipsum etiam posteritatis exemplum? Omnino eorum, qui victi sunt, nemo fugam cepit, nemo latuit, nemo timuit? o admirabilem casum! Imperium Romanum tantis laboribus, tanto cruore partum, tam placide, tam quiete a christianis sacerdotibus vel partum est vel amissum, ut nullus cruor, nullum bellum, nulla querela intercesserit, et—quod non minus admirari debeas—per quos hoc gestum sit, quo tempore, quomodo, quandiu prorsus ignotum. Putes in silvis inter arbores regnasse Silvestrum, non Rome et inter homines, et ab hibernis imbribus frigoribusque, non ab hominibus eiectum. Quis non habet cognitum, qui paulo plura lectitarit, quot reges Rome, quot consules, quot dictatores, quot tribuni plebis, quot censores, quot ediles creati fuerint? Nemoque ex tanta hominum copia, ex tanta vetustate nos fugit. Scimus item, quot Atheniensium duces, quot Thebanorum, quot Lacedemoniorum exstiterint, pugnas eorum terrestres navalesque universas tene-

prove that he was dispossessed assuredly never had possession at all and is delirious if he says that he had. You see that I am proving you too to be delirious if you cannot tell me who dispossessed the Pope. Was it Constantine himself, or his sons, or Julian, or some other emperor? Produce the name of the man who expelled him, produce the date when he was first expelled, when for a second time, when after that. Was it through rebellion and slaughter, or without these? Did nations conspire all together against him, or which one came first? Tell me, did no one of all those peoples come to help him, not even some of those whom Sylvester or some other Pope had put in charge of the cities and provinces? Did he lose absolutely everything on one day, or bit by bit over time? Did he himself offer resistance along with his magistrates, or did they abdicate at the first sign of trouble? Tell me, did not the victors themselves move, sword in hand, against the dregs of mankind they judged unworthy of empire to take vengeance for insults, to take over the power that had been usurped, to trample upon our religion, even to set an example for posterity? Did absolutely no one of those who were conquered take flight, go into hiding, or feel afraid? What an amazing episode! The Roman empire, acquired with so much effort and with so much blood, was acquired or lost by Christian priests so calmly and so quietly that no blood, no war, no contention intervened, and—what must be no less amazing—no one at all knows by whom this was done, when, how, and for how long. You would think that Sylvester ruled in the woods among trees, not in Rome among men, and was expelled by winter rains and chills, not by people. Who is not aware, if he has done a little serious reading, how many kings were appointed at Rome, how many consuls, how many dictators, how many tribunes of the plebs, how many aediles? No one escapes us from this large crowd of persons, from the most ancient of days. Similarly we know how many leaders of the Athenians there were, of the Thebans, of the Spartans, and we remember all their land

mus; non ignoramus, qui reges Persarum, Medorum, Chaldeorum, Hebreorum fuerint aliorumque plurimorum, et quomodo horum quisque aut acceperit regnum aut tenuerit aut perdiderit aut recuperaverit: Romanum autem sive Silvestrianum imperium, qua ratione inceperit aut qua desierit, quando, per quos, in ipsa quoque urbe nescitur. Interrogo: num quos harum rerum testes auctoresque proferre possitis? 'Nullos,' respondetis: et non pudet vos, non tam homines quam pecudes, dicere verisimile esse possedisse Silvestrum?

32 Quod quia vos non potestis, ego e contrario docebo ad ultimum usque diem vite Constantinum et gradatim deinceps omnes Cesares possedisse, ut nequid habeatis, quod hiscere possitis. At perdifficile est et magni, ut opinor, operis hoc docere. Evolvantur omnes Latine Greceque historie, citentur ceteri auctores, qui de illis meminere temporibus, ac neminem reperies in hac re ab alio discrepare. Unum ex mille testimoniis sufficiat: Eutropius, qui Constantinum, qui tres Constantini filios a patre relictos dominos orbis terrarum vidit, qui de Iuliano, filio fratris Constantini, ita scribit: *Hic Iulianus rerum potitus est ingentique apparatu Parthis intulit bellum, cui expeditioni ego quoque interfui.* Nec de donatione imperii occidentis tacuisset nec paulo post de Ioviano, qui successit Iuliano, ita dixisset: *Pacem cum Sapore necessariam quidem, sed ignobilem fecit mutatis finibus ac nonnulla imperii Romani parte tradita, quod ante, ex quo Romanum imperium conditum erat, nunquam accidit. Quin etiam legiones nostre apud Caudium per Pontium Telesinum et in Hispania apud Numantiam et in Numidia sub iugo misse sunt, ut nihil tamen finium traderetur.*

and sea battles. We are not ignorant of the kings of the Persians, the Medes, the Chaldaeans, the Hebrews, and many others, and how each of these assumed his kingdom or retained it or lost it or recovered it. But of Sylvester's Roman empire it is not known, even in the city of Rome itself, in what way it began or ended, when, or through whom. I ask you: would you be able to produce any witnesses of these things or any writers about them? "No," you reply, and you, who are more cattle than people, feel no shame in saying that Sylvester probably had possession.

Since you are unable to do this, I, on the contrary, shall show 32
that down to the last day of his life Constantine had possession and so did all the emperors in succession after him, so as to leave you with nothing to sputter at. Yet it is exceedingly difficult, in my opinion, and very laborious to show this. Let all the Latin and Greek histories be spread out, let all other authors who have mentioned those times be cited, and you will discover that none is at variance with another in this matter. Let one out of a thousand testimonies suffice—Eutropius, who saw Constantine, who saw the three sons of Constantine left by their father as masters of the world, who wrote as follows about Julian, the son of Constantine's brother: *This Julian gained power and with a huge army waged war against the Parthians in an expedition in which I too participated.*[33] He would not have kept quiet about a donation of the western empire, nor a little later would he have said about Jovian, who succeeded Julian: *With Sapor he made a necessary peace but an ignoble one, with boundary changes as a consequence of giving up some part of the Roman empire—something that had never happened before from the time the Roman empire was founded. In fact our legions had been sent under the yoke at the Caudine Forks by Pontius Telesinus and in Spain at Numantia and in Numidia so that none of our territory should be given up.*[34]

33 Hoc loco libet vos nuperrimi, licet defuncti estis, convenire, pontifices Romani, et te, Eugeni, qui vivis cum Felicis tamen venia: cur donationem Constantini magno ore iactatis frequenterque vos ultores erepti imperii quibusdam regibus principibusque minamini? et confessionem quandam servitutis a Cesare, dum coronandus est, et a nonnullis aliis principibus extorquetis? — veluti ab rege Neapolitano atque Sicilie —, id quod nunquam aliquis veterum Romanorum pontificum fecit, non Damasus apud Theodosium, non Syricius apud Archadium, non Anastasius apud Honorium, non Ioannes apud Iustinianum, non alii apud alios, sanctissimi pape apud optimos Cesares, sed semper illorum Romam Italiamque cum provinciis, quas nominavi, fuisse professi sunt. Eoque nomismata aurea, ut de aliis monumentis sileam templisque urbis Romane, circunferuntur, non Grecis sed Latinis litteris inscripta Constantini iam Christiani et deinceps cunctorum ferme imperatorum, quorum multa penes me sunt, cum hac plerunque subscriptione supter imaginem crucis: CONCORDIA ORBIS. Qualia infinita reperirentur summorum pontificum, si unquam Rome imperassetis, que nulla reperiuntur, neque aurea neque argentea, neque ab aliquo visa memorantur, et tamen necesse erat illo tempore proprium habere nomisma, quisquis imperium Rome teneret, saltem sub imagine Salvatoris aut Petri. Proh imperitiam hominum! Non cernitis, si donatio Constantini vera est, Cesari — de Latino loquor — nihil relinqui. En qualis imperator, qualis rex Romanus erit, cuius regnum si quis habeat nec aliud habeat, omnino nil habeat? Quod si itaque palam est Silvestrum non possedisse, hoc est Constantinum non tradidisse possessionem, haud dubium erit ne ius quidem, ut dixi, dedisse possidendi, nisi dicitis

At this point I should like to turn to you, the most recent Ro- 33
man popes (though you are now deceased), and to you, Eugene, who are still alive but only by the grace of Felix.[35] Why do you loudly proclaim the Donation of Constantine and frequently threaten certain kings and princes as if you were exacting vengeance for a purloined empire? And why do you squeeze out some sort of admission of subjection from the emperor when he has to be crowned, as well as from some other rulers, such as the King of Naples and Sicily — something that not one of the older Roman popes ever did, not Damasus with Theodosius, not Syricius with Arcadius, not Anastasius with Honorius, not John with Justinian, nor other very saintly popes with other excellent emperors? On the contrary, they always maintained that Rome and Italy, together with the provinces I have named, belonged to the emperors. For this reason gold coins, of which I own many specimens, were in circulation (I do not speak here of other monuments and shrines of the city of Rome), bearing an inscription in Latin letters, not Greek, from the time of Constantine, already a Christian, and of almost all the emperors after him: CONCORDIA ORBIS, with this legend normally placed below a representation of the cross.[36] An innumerable number of coins of the popes would be found if you had ever ruled in Rome. No such coins are found, either in gold or silver, and they are not mentioned as seen by anyone, and yet it was necessary at that time for anyone who held power at Rome to have his own coinage — even with a depiction of the Savior and Peter. Alas for the ignorance of mankind! You do not perceive that, if the Donation of Constantine is true, the emperor — I am speaking of the one in the Latin West — has nothing left. What sort of Roman emperor or king will he be, if any holder of his kingdom who lacks another kingdom has absolutely nothing at all? But if therefore it is plain that Sylvester did not have possession, in other words that Constantine did not hand over possession, there will be no doubt that, as I have said, he did not even give the

ius quidem datum, sed aliqua causa possessionem non traditam. Ita plane dabat, quod minime futurum intelligebat? dabat, quod tradere non poterat? dabat, quod non prius venire in manus eius, cui dabatur, possibile erat, quam esset extinctum? dabat donum, quod ante quingentos annos aut nunquam valiturum foret? Verum hoc loqui aut sentire insanum est.

: III :

34 Sed iam tempus est, ne longior fiam, cause adversariorum iam concise atque lacerate letale vulnus imprimere et uno eam iugulare ictu. Omnis fere historia, que nomen historie meretur, Constantinum a puero cum patre Constantio christianum refert multo etiam ante pontificatum Silvestri, ut Eusebius ecclesiastice scriptor historie, quem Rufinus, non in postremis doctus, in Latinum interpretatus duo volumina de evo suo adiecit, quorum uterque pene Constantini temporibus fuit. Adde huc testimonium etiam Romani pontificis qui his rebus gerendis non interfuit, sed prefuit, non testis, sed auctor, non alieni negotii, sed sui narrator. Is est Melchiades papa, qui proximus fuit ante Silvestrum, qui ita ait: *Ecclesia ad hoc usque pervenit, ut non solum gentes, sed etiam Romani principes, qui totius orbis monarchiam tenebant, ad fidem Christi et fidei sacramenta concurrerent. E quibus vir religiosissimus Constantinus, primus fidem veritatis patenter adeptus licentiam dedit per universum orbem suo degentibus imperio non solum fieri christianos, sed etiam fabricandi ecclesias, et predia constituit tribuenda. Denique idem prefatus princeps donaria immensa contulit et fabricam templi prime sedis beati Petri instituit, adeo*

right to possess, unless you assert that the right was given but that for some reason possession was not assigned. Thus did he clearly give what he realized would not at all come into being? Did he give what he could not assign? Did he give what could not pass into the hands of the recipient before it ceased to exist? Did he give a gift that would be not be valid until five hundred years later or never? To talk or think like this is lunacy.

: III :

But now it is time, lest I go on too long, to administer a mortal 34
blow to my opponents' case, already battered and mangled, and to slice its throat with a single stroke. Virtually all history that is worthy of the name reports that Constantine was a Christian from childhood together with his father Constantius even well before the papacy of Sylvester. So Eusebius, author of an ecclesiastical history which Rufinus, a man of considerable erudition, translated into Latin, adding two books devoted to his own time. Both of these men were near contemporaries of Constantine. Add to this the testimony of a Roman pontiff who did not merely participate in the course of these events but was in charge of them, not as a passive witness but as an active instigator, a narrator not of someone else's affairs but of his own. He is Pope Melchiades, who immediately preceded Sylvester, and this is what he says: *The Church has reached the point when not only peoples but even Roman emperors, who held sway over the whole world, might join together in the faith of Christ and its sacraments. Of these emperors, Constantine, a highly religious man, first openly espoused faith in the truth and made it permissible for those who lived anywhere in the world under his rule not only to become Christians but to build churches, and he arranged for the assignment of properties. Finally the aforementioned emperor provided immense largesse and started the construction of the first basilica of the see of*

ut sedem imperialem relinqueret et beato Petro suisque successoribus profuturam concederet. En nihil Melchiades a Constantino datum ait, nisi palatium Lateranense, et predia, de quibus Gregorius in registro facit sepissime mentionem. Ubi sunt, qui nos in dubium vocare non sinunt, donatio Constantini valeat necne, cum illa donatio fuerit et ante Silvestrum et rerum tantummodo privatarum?

: IV :

35 Que res quanquam plana et aperta sit, tamen de ipso, quod isti stolidi proferre solent, privilegio disserendum est. Et ante omnia non modo ille, qui Gratianus videri voluit, qui nonnulla ad opus Gratiani adiecit, improbitatis arguendus est, verum etiam inscitie, qui opinantur paginam privilegii apud Gratianum contineri, quod neque docti unquam putarunt, et in vetustissimis quibusque editionibus decretorum non invenitur. Et si quo in loco huius rei Gratianus meminisset, non in hoc, ubi isti collocant seriem ipsam orationis abrumpentes, sed in eo, ubi agit de Ludovici pactione, meminisset. Preterea duo milia locorum in decretis sunt, que ab huius loci fide dissentiant, quorum unus est, ubi—que superius retuli—Melchiadis verba ponuntur. Nonnulli eum, qui hoc capitulum adiecit, aiunt vocatum Paleam vel vero nomine vel ideo quod, que de suo adiunxit, ad Gratianum comparata instar palearum iuxta frumenta existimentur. Utcunque sit, indignissimum est credere, que ab hoc adiecta sunt, ea decretorum collectorem aut ignorasse aut magnifecisse habuisseque pro veris.

36 Bene habet, sufficit, vicimus: primum, quod hoc Gratianus non ait, ut isti mentiebantur, immo adeo—prout ex infinitis locis datur

St. Peter, so that he gave up his own imperial residence and granted it to St. Peter and his successors for their future use.[37] You see that Melchiades says Constantine gave nothing except the Lateran palace and the properties that Gregory very often mentions in his register. Where are those who do not allow us to question the validity of the Donation of Constantine, when the actual donation took place before Sylvester and consisted solely of private properties?

: IV :

Although this issue is clear and obvious, we must nevertheless 35
discuss the document itself, which those blockheads keep putting forward. First of all, not only must we charge with dishonesty the person who wanted to pose as Gratian by making additions to Gratian's work, but we must also charge with ignorance those who think that the text of the document was included in Gratian's collection, since no scholars ever thought it was and it is missing in all the oldest editions of the decrees.[38] If Gratian had mentioned this matter anywhere, he would not have mentioned it where those persons put it, by interrupting the sequence of thought, but rather in the context of the settlement with Louis. Besides there are two thousand passages in the decrees which are at variance with the assertion of this text. One of these is where, as I have indicated above, the words of Melchiades occur. Some say that the person who added this chapter was called Palea,[39] either because that was really his name or because what he added on his own was, in comparison with Gratian, like chaff (*palea*) alongside wheat. Whatever the case may be, it is highly demeaning to suggest that the compiler of decrees either did not know what this man added or valued it highly and considered it authentic.

Fine, enough! We have won our case: first because Gratian does 36
not say what they mendaciously claimed, but rather—as can be grasped from innumerable passages—denies and refutes it, and

intelligi—negat atque confutat; deinde, quod unum et ignotum et nullius auctoritatis ac numeri hominem afferunt, ita etiam stolidum, ut ea Gratiano affinxerit, que cum ceteris illius dictis congruere non possent. Hunc ergo vos auctorem profertis? huius unius testimonio nitimini, huius chartulam ad tante rei confirmationem contra sexcenta probationum genera recitatis? At ego exspectaveram, ut aurea sigilla, marmoratos titulos, mille auctores ostenderetis. 'Sed ipse,' dicitis, 'Palea auctorem profert, fontem historie ostendit et Gelatium papam cum multis episcopis in testimonium citat: *Ex gestis*, inquit, *Silvestri, que beatus papa Gelatius in concilio LXX episcoporum a catholicis legi commemorat et pro antiquo usu multas hoc dicit ecclesias imitari, in quibus legitur Constantinus etc.* Multo superius, ubi de libris legendis et non legendis agitur, etiam dixerat: *Actus beati Silvestri presulis, licet eius qui scripsit nomen ignoremus, a multis tamen ab urbe Roma catholicis legi cognovimus, et pro antiquo usu hoc imitantur ecclesie.*

37 Mira hec auctoritas, mirum testimonium, inexpugnabilis probatio! Dono vobis hoc, Gelatium, dum de concilio LXX episcoporum loquitur, id dixisse: num idem dixit paginam privilegii in beatissimi Silvestri gestis legi? Is vero tantum ait gesta Silvestri legi et hoc Rome, cuius ecclesie auctoritatem multe alie sequuntur, quod ego non nego; concedo, fateor, me quoque una cum Gelatio testem exhibeo. Verum quid vobis ista res prodest, nisi ut in adducendis testibus mentiri voluisse videamini? Ignoratur nomen eius, qui hoc in Decretis ascripsit: et solus hoc dicit; ignoratur nomen eius, qui scripsit historiam: et solus is et falso testis affertur. Et vos, boni

second because they adduce an unknown person of no authority or consequence, who was so stupid that he added to Gratian material that could not be reconciled with all the rest of his utterances. Are you therefore advancing this person as the author? Do you rely upon the testimony of this one man, do you invoke his statement in confirmation of such an important matter against all kinds of proof? I should have expected you to show gold seals, marble inscriptions, a thousand authors. "But," you say, "Palea himself produces his author, displays the source of his history, and cites the testimony of Pope Gelasius together with many bishops: *It comes from the Acts of Sylvester,* he asserts, *which the blessed Pope Gelasius, in the Council of Seventy Bishops, mentions are read by Catholics, and he says that many churches imitate this in accordance with ancient custom—Acts in which Constantine is said etc.*" [40] Much earlier, in a discussion of which books should be read and which not, he had also said, *We know that the Acts of the blessed Sylvester, the high priest, are read by many Catholics from Rome, even though we have no idea of the name of the person who wrote them, and that churches imitate this example in accordance with ancient custom.*[41]

What wonderful authority this is, what wonderful testimony, 37
an unassailable demonstration! I grant you that Gelasius said this when he was speaking in the Council of Seventy Bishops. But he did not say, did he, that the item about the donation is read in the Acts of the most blessed Sylvester? He only says that the Acts of Sylvester are read, and at Rome, and that many other churches follow the authority of Rome's church. This I do not deny. I concede it, I admit it, I present myself as a witness along with Gelasius. But what does it do for you, except that you appear to have deliberately lied in producing witnesses? No one knows the name of the man who wrote this in the decrees, and he is the only one who says it. No one knows the name of the man who wrote the history, and he is the only one brought forward as a witness, and falsely too. Do you, good and sagacious people, think that this

viri atque prudentes, hoc satis superque esse ad tante rei testimonium existimatis? At videte, quantum inter meum intersit vestrumque iudicium: ego ne si hoc quidem apud gesta Silvestri privilegium contineretur pro vero habendum putarem, cum historia illa non historia sit, sed poetica et impudentissima fabula—ut posterius ostendam—nec quisquam alius alicuius duntaxat auctoritatis de hoc privilegio habeat mentionem. Et Iacobus Varaginensis, propensus in amorem clericorum ut archiepiscopus, tamen in gestis sanctorum de donatione Constantini ut fabulosa nec digna, que inter gesta Silvestri poneretur, silentium egit, lata quodammodo sententia contra eos, si qui hec litteris mandavissent.

38 Sed ipsum falsarium ac vere paleam, non triticum, optorto collo in iudicium trahere volo. Quid ais, falsarie? unde fit quod istud privilegium inter Silvestri gesta non legimus? Credo, rarus hic liber est difficilisque inventu nec vulgo habetur, sed tanquam fasti olim a pontificibus aut libri Sibyllini a decemviris custoditur, lingua Greca aut Syriaca aut Chaldaica scriptus est. Testatur Gelatius a multis catholicis legi, Varaginensis de eo meminit, nos quoque mille et antique scripta exemplaria vidimus, et in omni fere cathedrali ecclesia, cum adest Silvestri natalis dies, lectitantur, et tamen nemo se illic legisse istud ait, quod tu affingis, nemo audisse, nemo somniasse. An alia quedam fortassis historia est? et quenam ista erit? Ego aliam nescio nec abs te aliam dici interpretor, quippe de ea tu loqueris, quam Gelatius apud multas ecclesias lectitari refert. In hac autem tuum privilegium non invenimus. Quod si istud in vita Silvestri non legitur, quid tu ita legi tradidisti? Quid in tanta re iocari es ausus et levium hominum cupiditatem eludere?

is sufficient and more than sufficient as evidence for something so important? Look at how great a difference there is between my judgment and yours: Not even if the donation were contained in the Acts of Sylvester would I think it should be reckoned authentic, since that history is not history but a poetic and very brazen fabrication—as I will show later—and no one else of the slightest authority makes mention of this donation. Even Jacopo da Voragine, as an archbishop enthusiastically inclined towards the clergy, nevertheless in his Acts of the Saints kept silent about the Donation of Constantine as fictitious and unworthy of inclusion among the Acts of Sylvester.[42] In a way this was a judgment against those who might have written about the matter.

But this forger, this truly "straw man," the wheatless Palea, I 38
want to grab by the neck and drag into court. What do you say, forger? How does it happen that we do not find this grant in the Acts of Sylvester? To be sure, this book is a rarity, hard to find and not in general circulation, but it is kept as the Fasti were formerly kept by the ancient Pontifices or the Sibylline Books by the Decemviri. It was written in the Greek language or in Syriac or in Chaldaean. Gelasius testifies that it was read by many Catholics, and Voragine mentions it. We too have seen thousands of copies written long ago, and they are read out in almost every cathedral on Sylvester's birthday. Yet no one says that he has read there what you put in. No one says he has heard of it, or dreamt of it. Or perhaps there is some other history. And what will that be? I know of no other, and I cannot make out that any other is meant by you, since you talk about the one that Gelasius reports as being read in many churches. Yet in this history we have not found that grant of yours. But if it is not in the text of the life of Sylvester, why have you claimed that it is? Why in a matter of such importance have you dared to jest and to play off the desire of simple folk?

39 Sed stultus sum, qui illius potius insector audaciam quam istorum dementiam, qui crediderunt. Si quis apud Grecos, apud Hebreos, apud barbaros diceret hoc esse memorie proditum, nonne iuberetis nominari auctorem, proferri codicem et locum ab interprete fideli exponi, antequam crederetis? Nunc de lingua vestra, de notissimo codice fit mentio, et vos tam incredibile factum aut non inquiritis aut, cum scriptum non reperiatis, tam prona estis credulitate, ut pro scripto habeatis atque pro vero. Et hoc titulo contenti terras miscetis et maria et, quasi nullum subsit dubium, eos, qui vobis non credunt, terrore bellorum aliisque minis prosequimini. Bone Iesu, quanta vis, quanta divinitas est veritatis, que per sese sine magno conatu ab omnibus dolis ac fallaciis se ipsa defendit, ut non immerito, cum esset apud Darium regem exorta contentio, quid foret maxime validum, et alius aliud diceret, tributa sit palma veritati! Quia cum sacerdotibus, non cum secularibus mihi res est, ecclesiastica magis quam secularia sunt exempla repetenda: Iudas Maccabeus, cum dimissis Romam legatis fedus amicitiamque a senatu impetrasset, curavit verba federis in es incidenda Ierosolimamque portanda. Taceo de lapideis decalogi tabulis, quas Deus Moysi dedit. Ista vero tam magnifica Constantini et tam inaudita donatio nullis, neque in auro neque in argento neque in ere neque in marmore neque postremo in libris, probari documentis potest, sed tantum, si isti credimus, in charta sive membrana. Iobal, primus musices auctor, — ut est apud Iosephum — cum esset a maioribus per manus tradita opinio res humanas semel aqua, iterum igni delendas, doctrinam suam duabus columnis inscripsit —

But I am foolish to attack that man's brazenness rather than the 39
madness of those who have believed him. If anyone among the Greeks, Hebrews, or barbarians were to say that this was transmitted to memory, would you not ask for the author to be named, the book to be produced, and the passage to be expounded by a trustworthy critic before you believed him? Now your own language and a very famous book are at issue, and either you make no inquiry about such an unbelievable item or, when you fail to discover the written text, you show such headlong credulity that you accept it as written and as true. Fortified by this ascription, you confound earth and sea, and, as if there were no doubt at all, you pursue those who do not believe you with the terrifying prospect of war and other threats. Good Lord, what strength, what divinity there is in the truth, which, on its own, defends itself without great effort from all treachery and deceit. Thus not undeservedly, when a dispute arose at the court of King Darius as to what was strongest of all, and one person gave one opinion and another another, the palm was awarded to truth. Since my argument is with priests and not with laymen, ecclesiastical examples, rather than secular ones, ought to be produced. When Judas Maccabaeus sent his envoys to Rome to gain a treaty and friendship from the Senate, he made sure that the words of the treaty were incised on bronze and carried to Jerusalem.[43] I say nothing about the stone tablets of the Decalogue, which God gave to Moses. But this donation of Constantine, so splendid and so unexampled, can be proven by no document at all, whether on gold or on silver or on bronze or on marble or, finally, in books, but only, if we believe that man, on paper or parchment. Since the opinion was handed down from generation to generation that human achievements were to be destroyed at one time by water and at another by fire, Jobal, the inventor of music (according to Josephus),[44] inscribed his teaching on two columns — one in brick against fire, the other in stone against water, both of which lasted, by his own account,

latericia contra ignem, lapidea contra aquas, que ad Iosephi evum, ut idem scribit, permansit—ut suum in homines beneficium semper extaret. Et apud Romanos rusticanos adhuc et agrestes, cum parve et rare littere essent, tamen leges XII tabularum in es fuere incise, que in capta atque incensa a Gallis urbe incolumes postea sunt reperte. Adeo duo maxima in rebus humanis, diuturnitatem temporis et fortune violentiam, vincit circumspecta providentia. Constantinus vero orbis terrarum donationem papyro tantum et atramento signavit? cum presertim machinator fabule, quisquis ille fuit, faciat Constantinum dicentem se credere non defore, qui donationem hanc impia aviditate rescinderent. Hoc times, Constantine, et non caves, ne ii, qui Romam Silvestro eriperent, chartulam quoque surriperent? Quid, ipse Silvester pro se nihil agit? ita omnia Constantino remittit, ita securus ac segnis est in tanto negotio? nihil sibi, nihil ecclesie sue, nihil posteritati prospicit? En, cui imperium Romanum administrandum committas? qui tam magne rei tantoque aut lucro aut periculo indormit, siquidem sublata chartula privilegii donationem utique etate procedente probare non poterit.

40 *Paginam privilegii* appellat homo vesanus. *Privilegium*ne tu—libet velut presentem insectari—vocas donationem orbis terrarum? et hoc in *pagina* vis esse scriptum et isto genere orationis usum esse Constantinum? Si titulus absurdus est, qualia cetera existimemus?

to Josephus' own time—in order that his benefaction to mankind should exist forever. Even among the Romans when they were rustic and uncultivated, when there was slight and scarce literacy, the laws of the Twelve Tables were nonetheless incised on bronze. After the city was captured and burnt by the Gauls they were subsequently discovered intact. To such an extent does prudent foresight overcome the two greatest forces in human affairs, the length of time and the violence of fortune. Did Constantine really sign a donation of the world only on papyrus and with ink? The man who concocted this story, whoever he was, went out of his way to claim that Constantine said that he thought there would be no shortage of people to rescind this donation out of godless greed. Are you afraid of this, Constantine, and are you not exercising caution to stop those who would take Rome away from Sylvester from making off with the charter too? Tell me, is Sylvester himself doing nothing on his own behalf? Is he turning over everything to Constantine? Is he so indifferent and slothful in a matter of such importance? Does he take no thought for himself, no thought for the Church, no thought for posterity? Look at the man to whom you would entrust the administration of the Roman empire! He who falls asleep in a matter of such great consequence and of such potential profit or danger will be quite unable, once the grant charter has disappeared, to give proof of the donation after so much time has passed.

The madman calls it the *text of the grant*. Do you—I prefer to attack him as if he were present before me—do you speak of a donation of the world as a grant? Do you claim that this is written in the *text* and that Constantine used that kind of language? If the title is absurd, what should we think of the rest of it?

40

41 *Constantinus Imperator quarto die sui baptismatis privilegium Romane ecclesie pontifici contulit, ut in toto orbe Romano sacerdotes ita hunc caput habeant, sicut iudices regem.*

Hoc in ipsa Silvestri historia continetur, ex quo dubitari non potest, ubinam scriptum significetur privilegium. Sed more eorum, qui mendacia machinantur, a vero incepit, ut sequentibus, que falsa sunt, conciliet fidem, ut Sinon apud Virgilium: Cuncta equidem tibi, rex, fuerint quecunque, fatebor / vera, inquit, nec me Argolica de gente negabo; / hoc primum. Deinde falsa subiecit. Ita hoc loco noster Sinon facit, qui cum a vero incepisset, adiecit:

42 *In eo privilegio ita inter cetera legitur: utile iudicavimus una cum omnibus satrapis nostris et universo senatu, optimatibus etiam et cum cuncto populo imperio Romane ecclesie subiacenti, ut, sicut beatus Petrus in terris vicarius Dei videtur esse constitutus, etiam et pontifices ipsius principis apostolorum vicem, principatus potestatem amplius, quam terrene imperialis nostre serenitatis mansuetudo habere videretur, concessam a nobis nostroque imperio optineant.*

O scelerate atque malefice, eadem, quam affers in testimonium, refert historia longo tempore neminem senatorii ordinis voluisse accipere religionem christianam et Constantinum pauperes sollicitasse pretio ad baptismum: et tu ais intra primos statim dies senatum, optimates, satrapes quasi iam christianos de honestanda ecclesia Romana cum Cesare decrevisse. Quid, quod vis interfuisse *satrapes?* O caudex, o stipes! Sic loquuntur Cesares? sic concipi solent decreta Romana? Quis unquam satrapes in consiliis Romanorum nominari audivit? Non teneo memoria unquam legisse me ullum non modo Romanum, sed ne in Romanorum quidem

Emperor Constantine, on the fourth day after his baptism, conveyed to the pontiff of the Church of Rome a grant, so that throughout the entire Roman world priests should consider him their head, just as judges their king.[45] 41

This is contained in the actual history of Sylvester, which leaves no doubt where the word grant was indicated. But, just like those who concoct lies, he begins from the truth in order to win trust for the falsehoods that follow, just as Sinon in Virgil: *I shall tell you everything that happened, king, truthfully, he said, and I shall not deny that I am of the people of Argos.*[46] This comes first. After that he puts in the lies. This is what our Sinon does here, when he adds, after starting with the truth:

Among other things the following is said in this grant: We have judged it useful, together with all our satraps and the entire Senate, and the Optimates too, along with all people subject to the rule of the Church of Rome, that, just as the blessed Peter is seen to have been established as the vicar of God on earth, so too do the pontiffs in place of the prince of the apostles obtain from us and our empire the concession of a princely power of greater extent than the clemency of our earthly imperial serenity appeared to possess. 42

You scoundrel, you miscreant, the same history that you cite in your support reports that for a long time no one in the senatorial order wanted to accept the Christian religion and that Constantine bribed the poor to undergo baptism: and you say that straightaway within the first days the Senate, the Optimates, the satraps, as if they were already Christians, issued a decree with the emperor about adorning the Church of Rome. Why do you want to bring in *satraps?*[47] You blockhead, you dolt! Do emperors talk that way? Are Roman decrees normally drafted like that? Who ever heard of satraps being named in the deliberations of the Romans? I cannot recall reading that anyone, either in Rome or

provinciis satrapem nominatum. At hic imperatoris satrapes vocat eosque senatui preponit, cum omnes honores, etiam qui principi deferuntur, tantum a senatu decernantur aut iuncto populoque Romano. Hinc est, quod in lapidibus vetustis aut tabulis ereis aut numismatis duas litteras videmus scriptas: SC, id est, senatus consulto, vel quattuor: SPQR, hoc est, senatus populusque Romanus. Et, ut Tertullianus meminit, cum Pontius Pilatus de admirandis Christi actionibus ad Tiberium Cesarem, non ad senatum scripsisset — siquidem ad senatum scribere de magnis rebus magistratus consueverant —, senatus hanc rem indigne tulit Tiberioque prerogativam ferenti, ut Iesus pro deo coleretur, repugnavit ob tacitam tantummodo indignationem offense senatorie dignitatis, et — ut scias, quantum senatus valeat auctoritas — ne pro deo coleretur, optinuit. Quid, quod ais *optimates?* quos aut primarios in republica viros intelligimus — qui cur nominentur, cum de ceteris magistratibus silentium sit? — aut eos, qui populares non sunt, benevolentiam populi aucupantes, sed optimi cuiusque et bonarum partium studiosi ac defensores, ut Cicero quadam oratione demonstrat. Ideoque Cesarem ante oppressam rempublicam popularem fuisse dicimus, Catonem ex optimatibus, quorum differentiam Salustius explicavit. Neque hi optimates magis quam populares aut ceteri boni viri dicuntur in consilio adhiberi. Sed quid mirum, si adhibentur optimates, ubi *cunctus populus,* si homini credimus, cum senatu et Cesare iudicavit, et is quidem *Romane ecclesie subiacens!* Et quis iste est populus, Romanusne? At cur non dicitur 'populus Romanus' potius quam 'populus subiacens'? Que nova ista contumelia est in Quirites? de quibus optimi poete elogium est: *Tu regere imperio populos, Romane, memento.* Qui regit alios

even in the provinces of the Romans, was ever named a satrap. But this person speaks of the emperor's satraps and puts them in charge of the Senate, even though all honors, even those conferred upon the prince himself, are only decreed by the Senate or by the Senate jointly with the Roman people. Hence we see written on old stones, bronze tablets, or coins the two letters SC, i.e. *senatus consulto* (by decree of the Senate), or the four letters SPQR, meaning *Senatus Populusque Romanus* (the Senate and Roman People). And, as Tertullian recounts,[48] when Pontius Pilate wrote about the marvelous works of Christ to Tiberius Caesar, not to the Senate — magistrates had normally written to the Senate about great events —, the Senate took this as a slight and rebuffed Tiberius' proposal to have Jesus worshipped as a god, by showing only silent indignation over the offense to senatorial dignity, while ensuring that he was not worshipped as a god, so that you might know the strength of senatorial authority. Why do you talk about Optimates? We assume that these are either the leading men in the state — why should they be named, when other magistrates are passed over in silence? — or that they are not the Populares, who curry the goodwill of the People, but rather partisans and defenders of every noble citizen and of good parties, as Cicero put it in one of his speeches.[49] Thus we say that Julius Caesar was a Popularis before the destruction of the Republic, and Cato belonged to the Optimates. Sallust has explained the difference between the two.[50] Neither are these Optimates reported to have been involved in consultation any more than the Populares or all other worthy people. No surprise if the Optimates are involved when *all people,* if we trust the man, deliberated with the Senate and the emperor, and, for that matter, people *subject to the Church of Rome!* What people is this? The Roman people? Why not say "Roman people" rather than "subject people"? What is this new insult to the Quirites, whom the best of poets eulogized: *You, Roman, take care to rule over peoples with your imperial power.*[51] So the

populos, ipse vocatur populus subiacens, quod inauditum est. Nam in hoc, ut in multis epistolis Gregorius testatur, differt Romanus princeps a ceteris, quod solus est princeps liberi populi. Ceterum ita sit ut vis: nonne et alii populi subiacent? an alios quoque significas? Quomodo fieri istud triduo poterat, ut omnes populi subiacentes imperio Romane ecclesie illi decreto adessent? Tam et si num omnis fex populi iudicabat? Quid, antequam subiecisset Romano pontifici, populum Constantinus subiectum vocaret? Quid, quod ii, qui subiacentes vocantur, faciendo dicuntur prefuisse decreto? Quid, quod hoc ipsum dicuntur decrevisse, ut sint subiacentes et ut ille, cui subiacent, hos habeat subiacentes? Quid agis aliud, infelix, nisi ut indices te voluntatem fallendi habere, facultatem non habere?

43 *Eligentes nobis ipsum principem apostolorum, vel eius vicarios firmos apud Deum esse patronos. Et sicut nostra est terrena imperialis potentia, ita eius sacrosanctam Romanam ecclesiam decrevimus veneranter honorare et, amplius quam nostrum imperium terrenumque thronum, sedem sacratissimam beati Petri gloriose exaltari, tribuentes ei potestatem et gloriam et dignitatem atque vigorem et honorificentiam imperialem.*

Revivisce paulisper, Firmiane Lactanti, resisteque huic asino tam vaste immaniterque rudenti. Ita verborum turgentium strepitu delectatur, ut eadem repetat et inculcet, que modo dixerat. Huncne in modum evo tuo loquebantur Cesarum scribe, ne dicam agasones? Elegit sibi illos Constantinus non patronos, sed *esse patronos*, interposuit illud *esse*, ut numerum redderet concinniorem. Honesta ratio barbare loqui, ut venustius currat oratio, si modo quid in tanta scabritia venustum esse potest. *Eligentes principem apostolorum vel eius vicarios:* non eligis Petrum et eius deinceps vicarios, sed

people that rules over other peoples is itself called a subject people. This is unheard of. For, as Gregory attests in many of his letters,[52] the Roman emperor differs from all other rulers in this particular point: he alone is the leader of a free people. But even if what you claim be granted, are not other peoples also subject? Or do you also have other people in mind? How could it happen in three days that all peoples subject to the rule of the Church of Rome were on hand for that decree? The dregs of the people did not give their opinion, did they? Tell me, would Constantine call a people subject before he had subjected them to the Roman pontiff? How is it that those who are called subject are said to have participated in passing the decree? How is it they are said to have decreed precisely that they be subject and that the person to whom they were already subject should have them as his subjects? What else are you doing, miserable man, except to show that you have the will to deceive, but not the ability?

Choosing the very prince of the apostles, or his vicars, to be strong 43
advocates for us with God. And like our terrestrial imperial power, we have decreed honor with veneration for his sacrosanct Roman church, and that the most sacred seat of the blessed Peter be gloriously exalted more than our empire and earthly throne, in that we assign to him power, glory, dignity, and the vigor and distinction of empire.

Come back to life, Lactantius,[53] just for a moment, and shut up the gross and monstrous braying of this ass. He is so enchanted by the sound of turgid vocabulary that he repeats the same things and regurgitates what he has already said. Did imperial scribes in your time talk like that, or even imperial lackeys? Constantine chose those people not as advocates, but *to be advocates*. He inserted that *to be* to make a more harmonious prose rhythm. A fine reason to speak like a barbarian, to make your utterance go more prettily, as if anything pretty could be found in such coarseness. *Choosing the very prince of the apostles, or his vicars:* you do not choose

aut hunc exclusis illis aut illos hoc excluso? Et pontifices Romanos appellat *vicarios Petri*, quasi vel vivat Petrus vel minori dignitate sint ceteri, quam Petrus fuit. Nonne et illud barbarum est: *a nobis nostroque imperio?* quasi imperium habeat animum concedendi et potestatem. Nec fuit contentus dicere *optineant*, nisi etiam diceret *concessam*, cum satis alterum esset. Et illud *firmos patronos:* perquam elegans est. Scilicet firmos vult, ne pecunia corrumpantur aut metu labantur. Et illud *terrena imperialis potentia:* duo adiectiva sine copula. Et illud *veneranter honorare*, et illud *nostre imperialis serenitatis mansuetudo!* Lactantianam eloquentiam redolet cum de potentia agatur imperii, *serenitatem* nominare et *mansuetudinem*, non 'amplitudinem' et 'maiestatem.' Quod etiam tumida superbia inflatum est, ut in illo quoque *gloriose exaltari* per *gloriam et potestatem et dignitatem et vigorem et honorificentiam imperialem*, quod ex Apocalypsi sumptum videtur, ubi dicitur: *Dignus est agnus, qui occisus est, accipere virtutem et divinitatem et sapientiam et fortitudinem et honorem et benedictionem.* Frequenter, ut posterius liquebit, titulos Dei sibi arrogare fingitur Constantinus et imitari velle sermonem sacre scripture, quem numquam legerat.

44 *Atque decernentes sancimus, ut principatum teneat tam super quatuor sedes Alexandrinam, Antiochenam, Ierosolimitanam, Constantinopolitanam, quam etiam super omnes in universo orbe terrarum Dei ecclesias. Etiam pontifex, qui per tempora ipsius sacrosancte Romane ecclesie extiterit, celsior et princeps cunctis sacerdotibus et totius mundi existat, et eius iudicio, que ad cultum Dei et fidem christianorum vel stabilitatem procurandam fuerint, disponantur.*

Omitto hic barbariem sermonis, quod *princeps sacerdotibus* pro 'sacerdotum' dixit; et quod in eodem loco posuit *extiterit* et *existat*; et, cum dixerit *in universo orbe terrarum*, iterum addit *totius mundi*,

Peter, do you, at the same time as the vicars who succeeded him? Either you choose him with the others excluded or them with him excluded. He calls the Roman pontiffs *vicars of Peter*, as if Peter is still alive or all the others are of lesser eminence than Peter was. Is it not also barbarous to talk about *us and our empire?* As if the empire had a mind and an authority to grant anything. Nor was he content to say *obtain* without also saying *granted*, when one or the other would have sufficed. That *strong advocates* is very elegant. Of course he wants them strong, so they will not be corrupted by bribes or slip back from fear. And that *terrestrial imperial power* is two adjectives without a conjunction. That *honor with veneration*, that *clemency of our imperial serenity!* It reeks of Lactantian eloquence when the power of empire is addressed, to speak of *serenity* and *clemency* instead of *amplitude* and *majesty*. How inflated with swollen pride, as in that *gloriously exalted* through *glory, power, dignity, vigor and distinction of empire*, which seems taken over from the Book of Revelation, where it is said: *Worthy is the lamb that was slain to receive courage, divinity, wisdom, strength, honor, and blessing.*[54] Frequently, as will emerge later, Constantine is made to take over epithets of God and to affect an imitation of the language of Sacred Scripture, which he had never read.

And we sanction by decree that he have primacy over the four sees of 44
Alexandria, Antioch, Jerusalem, and Constantinople, as well as over all churches of God in the whole globe of earth. Furthermore, the pontiff who in the course of time has stood over the sacrosanct Roman church shall exist as loftier and leader[55] *to all the priests of the entire world, and whatever pertains to the worship of God and to guaranteeing the faith of Christians or their stability shall be arranged according to his judgment.*

Here I pass over the linguistic barbarisms, such as *leader to the priests* instead of *leader of the priests*, and the fact that he uses in the same context *stand over* and *exist*, and that when he said *in the whole*

quasi quiddam diversum aut celum que mundi pars est, complecti velit, cum bona pars orbis terrarum sub Roma non esset; et quod *fidem christianorum vel stabilitatem procurandam*, tamquam non possent simul esse, distinxit; et quod *decernere* et *sancire* miscuit et, veluti prius cum ceteris Constantinus non iudicasset, decernere eum et, tanquam penam proponat, sancire et quidem una cum populo sancire facit. Quis hoc christianus pati queat et non papam, qui hoc patitur ac libens audit et recitat, censorie severeque castiget? quod, cum a Christo primatum acceperit Romana sedes et id Gratiano testante multisque Grecorum octava synodus declararit, accepisse dicatur a Constantino vixdum christiano tanquam a Christo. Hoc ille modestissimus princeps dicere, hoc piissimus pontifex audire voluisset? Absit tam grave ab utroque illorum nefas!

45 Quid, quod multo est absurdius, capitne rerum natura, ut quis de *Constantinopoli* loqueretur tanquam una patriarchalium sedium, que nondum esset, nec patriarchalis nec sedes, nec urbs christiana nec sic nominata, nec condita nec ad condendum destinata? quippe privilegium concessum est triduo, quam Constantinus esset effectus christianus, cum Byzantium adhuc erat, non Constantinopolis. Mentior, nisi hoc quoque confiteatur hic stolidus, scribit enim prope calcem privilegii:

> *Unde congruum prospeximus nostrum imperium et regiam potestatem orientalibus transferri regionibus et in Byzantie provincie optimo loco nomini nostro civitatem edificari et illic nostrum constitui imperium.*

Si ille transferre volebat alio imperium, nondum transtulerat; si illic volebat constituere imperium, nondum constituerat; sic, si vole-

globe of earth he added *of the entire world*, as if he wants to include something different or the heavens, which are part of the world, although a good part of the globe of the earth was not under Rome. He also distinguished the *faith of the Christians or their stability*, as if they could not coexist. He mixed together decree and sanction and, as if Constantine had not made his decision earlier with all the others, makes him issue a decree and then sanction it like a punishment, and, for that matter, sanction it together with the people. What Christian would be able to put up with this and not chastise, rigorously and severely, the pope who puts up with this and gladly hears and proclaims it: although the Roman see received its primacy from Christ, and the Eighth Synod declared it, according to Gratian and many of the Greeks, it is said to have received this from Constantine, who was barely a Christian, as if from Christ. Would that very modest emperor have been willing to say this, and that very pious pontiff to hear it? Away with such serious wrongdoing on the part of either of them!

What of something much more absurd: would the nature of 45 things allow someone to talk about Constantinople as one of the patriarchal sees, when it was then neither patriarchal nor a see, nor a Christian city, nor was it so called, nor was it yet founded, nor was the foundation envisioned? The grant was made three days after Constantine became a Christian, when the city was still Byzantium, not Constantinople. I am a liar myself if this idiot does not also admit this, for he writes near the end of the grant:

> *Wherefore we have considered it appropriate for our empire and our power to be transferred for the eastern territories and for a state to be built named for us in the best place of the province Byzantia, and for our empire to be established there.*

If he wanted to transfer the empire somewhere else, he had not yet done it; if he wanted to establish his imperial rule there, he had not yet done it; thus, if he had any intention of building a city, he

bat edificare urbem, nondum edificaverat: non ergo fecisset mentionem de patriarchali, de una quatuor sedium, de christiana, de sic nominata, de condita; de qua condenda—ut historie placet, quam Palea in testimonium affert, ne cogitarat quidem. A qua non videt hec belua—sive is Palea sit sive alius, quem Palea sequitur—se dissentire, ubi Constantinus non sua sponte, sed inter quietem admonitu Dei, non Rome, sed Byzantii, non intra paucos dies, sed post aliquot annos dicitur decrevisse de urbe condenda nomenque, quod in somnis edoctus fuerat, indidisse. Quis ergo non videt, qui privilegium composuit, eum diu post tempora Constantini fuisse? et, cum vellet adornare mendacium, excidisse sibi, quod ante dixisset: hec gesta esse Rome tertio die, quam ille fuisset baptizatus? ut in eum decentissime cadat tritum vetustate proverbium *mendaces memores esse oportere*.

46 Quid, quod *Byzantiam provinciam* vocat, quod erat oppidum nomine Byzantium, locus haudquaquam capax tante urbis condende? Nanque muris complexa est Constantinopolis vetus Byzantium, et hic in eius *optimo loco* ait urbem esse condendam. Quid, quod Traciam, ubi positum erat Byzantium, vult esse in oriente, que vergit ad aquilonem? Opinor, ignorabat Constantinus locum, quem condende urbi delegerat, sub quo celo esset, urbsque an provincia, quanta eius mensura foret.

47 *Ecclesiis beatorum apostolorum Petri et Pauli pro continuatione luminariorum possessionum predia contulimus, et rebus diversis eas ditavimus, et per nostram imperialem iussionem sacram tam in oriente quam in occidente quam etiam a septentrione et meridionali plaga, videlicet in Iudea, Grecia, Asia, Tracia, Africa et Italia vel diversis*

had not yet built it. He would therefore not have made mention of patriarchal status, of one of four sees, of a Christian city, named for himself and already founded. According to the story that Palea invokes as evidence, he had not even thought of founding a city. This creature, whether he is Palea or someone else whom Palea is following, fails to see that he is in disagreement with this story, whereby Constantine is said to have issued a decree, not by his own volition but in a dream sent by God, not at Rome but at Byzantium, not within a few days but a good many years later, concerning founding a city and giving his name to it as he has been commanded when asleep. Who does not see that whoever composed the text of this grant lived long after the time of Constantine? When he wanted to embellish his falsehood, what he had said before escaped him—that these events took place at Rome on the third day after the emperor was baptized. So the hoary old proverb applies very properly to him: *Liars should have good memories*.[56]

What about his reference to the *province Byzantia*? There was a 46
town Byzantium, a place in no way big enough for so great a city. For Constantinopolis incorporated old Byzantium in its walls, whereas this man says that the city was to be founded in the *best place* in it. Does he want Thrace, where Byzantium had been placed, to be in the east, when it lies to the north? Constantine had, I suppose, no idea of the place that he had chosen for founding a city—under what sky it lay, whether it was a city or a province, what its size was.

To the churches of the blessed apostles Peter and Paul we have 47
granted properties of our possessions to guarantee the lights, and we have enriched those churches with various items, and by our sacred imperial ordinance we have turned over to them through our largesse, no less in the east than in the west and even in the northern and southern sectors, that is—in Judaea, Greece, Asia, Thrace, Af-