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# *The Origins of Coercion in Late Antiquity: Reconsiderations and their Relevance*

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The past several decades have seen increased attention to religion in late antiquity with special focus on repression by the Roman Empire on behalf of Christian orthodoxy.<sup>1</sup> Within this research we can discern a trend attributing the rise of Christian religious coercion primarily to one cause, namely, the force of religious zeal.<sup>2</sup> To be sure, the charge that religious zeal drove Catholic Christians<sup>3</sup> to utilize state power to coerce heresy and paganism is nothing new. It was, in fact, a staple of Enlightenment critiques of traditional Christianity. However, as Steven Smith has recently observed, many contemporary accounts of early Christian-

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<sup>1</sup> See H.A. Drake, *Constantine and the Bishops: The Politics of Intolerance* (Baltimore: Johns Hopkins University Press, 2000); Thomas Sizgorich, *Violence and Belief in Late Antiquity: Militant Christian Devotion in Christianity and Islam* (Philadelphia: University of Pennsylvania Press, 2009); Mark Gaddis, *There Is No Crime for Those Who Have Christ: Religious Violence in the Christian Roman Empire* (Berkeley: University of California Press, 2015).

<sup>2</sup> See Guy Stroumsa, *Barbarian Philosophy: The Religious Revolution of Early Christianity* (Tubingen, 1999); Johnathan Kirsch, *God Against the Gods: The History of the War between Monotheism and Polytheism* (New York: Viking, 2004); Jan Assmann, *The Price of Monotheism* (Stanford: Stanford University Press, 2009); James O'Donnell, *Pagans: The End of Traditional Religion and the Rise of Christianity* (New York: Ecco, 2015); and Catherine Nixey, *The Darkening Age: The Christian Destruction of the Classical World* (New York: Mariner, 2019).

<sup>3</sup> By Catholic or orthodox, I mean Christians not historically identified as being at this time heretical or schismatic.

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ity exhibit “a different and darker” view than did Edward Gibbon or the eighteenth century *philosophes*,<sup>4</sup> who though sharp in their denunciations of the Christian past, still wrote in a largely Christian context.<sup>5</sup> Such can also be said of much of the criticisms of an alleged Constantinian disfigurement of the Gospel advanced by a range of early Protestant thinkers. Although at times equally severe in their repudiation of the Church following Constantine’s conversion, they still expressed some measure of restraint, lest their critiques cast central Christian doctrines solidified during this period—such as the Trinity, the nature of Christ, and the Biblical canon—into disrepute. Such restraint is increasingly absent in contemporary writings on the late Roman period.

In this essay, I defend an interpretation of the rise in the fourth and fifth centuries of institutionalized repression on behalf of orthodox Christianity that sees it developing not from a single predominant cause—that of Christian zeal—but from a variety of causes. The view I develop accepts that Christian zeal to expand the faith and to “conquer for Christ” had an important causal role in such repression while also problematizing the sufficiency of this explanation. I emphasize the defensive nature of much of the rise of repressive religiosity and its marriage with imperial coercive power. To a considerable degree, the rise of Christian willingness to use coercion on behalf of orthodox faith resulted from the view that the faithful within the Empire of the mid-fourth and early fifth centuries, although governed mostly by Nicean Christian rulers, were still exposed to serious threats. In this continuing condition of uncertainty, the best defense was indeed a good offense: the state should be seen as authorized to use force to protect the faith from a variety of encircling threats intent on capturing the state to undermine orthodoxy. Although only one significant cause among several, highlighting the defensive posture of repressive orthodox Christian action in the late antique period provides a much more nuanced portrayal of the origins of institutionalized repression than an approach centered predominantly on Christian religious zealotry alone.

To establish this claim, in the first section I provide a very brief survey of two nodal points in the history of the relationship between Christianity and religious coercion: the Edict of Milan of 312, which decreed religious liberty across the Roman Empire, and the Theodosian Decree of 438, a collection of Imperial decrees that affirmed unambiguously

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<sup>4</sup> Steven D. Smith, *Pagans and Christians in the City: Culture Wars from the Tiber to the Potomac* (Grand Rapids: Eerdmans, 2018), 204.

<sup>5</sup> See Gibbon, *History of the Decline and Fall of the Roman Empire* (London: 1776-1781; Penguin, 1995), 515.

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the legality and religious propriety of coercion of pagans and heretical Christians. In section two, I explore prominent explanations for this dramatic change that assign blame to the propulsive force of Christian zeal. I then demonstrate the inadequacy of each of these as primary, causal explanations for the change. In the third section, I show the important role contributed by a religiously defensive mentality among orthodox Christians in the eventual embrace of religious coercion, indicating the ways religious coercion grew as a response to attempts among the non-orthodox to seize state power and to undermine Christian orthodoxy. In section four, I respond to a potential counterargument to this position relating to the growth of religious coercion by the Empire in times when threats to orthodox faith were less significant. In section five, I underscore how the position I defend provides a more nuanced view of the emergence of institutionalized Christian violence than found in much of the contemporary literature, one that appreciates how ordinary human dynamics informed at least a considerable portion of the religious coercion that emerged in the late antique period.

In the final section, I reflect briefly on the relevance of this history for contemporary affairs, acknowledging first that lessons drawn across the centuries can only ever be approximate. Nevertheless, the fact that a plurality of causes drove repression by Christians—including a defensive spirit driven by a genuine sense of fearfulness that the state would be captured and used against them—helps to remind us that in contemporary debates over religion and public life, focus should not only be placed on mitigating religious zealotry but also on institutions that reinforce what George Washington advocated: a republic that would enkindle feelings of peaceable belonging for all citizens, freeing each from fear of the state in matters of religious belief and practice.

### ***I. From Libertas to Coercito***

After the first Christian emperor, Constantine I, secured power, a remarkable development occurred. Religious liberty for all came to be decreed as a law throughout the Empire. This development is all the more remarkable given the tendency in human nature to seek revenge for prior wrongs. Despite years of persecution of the Christian community, from Nero's well-known savagery in the mid-60s, to Trajan's imposition of a law mandating death for those who professed "the name" of Jesus,"<sup>6</sup>

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<sup>6</sup> Gerhard Krodel, "Persecution and Toleration of Christianity until Hadrian," in *The Catacomb and the Colosseum: The Roman Empire as the Setting of Primitive Christianity*, eds. Stephen Benko and John J. O'Rourke (Valley Forge: Judson Press, 1971), 263, 262. Beyond

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to the violence in the reign of the philosopher-king Marcus Aurelius in the 170s, to Decius's and Valerian's repressive policies in the mid-third century, to, finally, Diocletian's merciless attempts to eradicate the burgeoning faith from roughly 303 to 311, the first Christian ruler decreed liberty of religion for all across the Roman Empire.

Specifically, in Milan in 313 Emperor Constantine, then the Western Emperor, demanded, and his weaker pagan co-emperor Licinius came to agree, that there would be no state religion in the Roman Empire; in turn the two Augusti decreed a policy of broad religious freedom. The so-called Edict of Milan stating this new policy held that "we grant both to Christians and to all men freedom to follow the religion which they choose . . . each must have the liberty of choosing and worshipping whatever deity he pleases" and so "no cult or religion may be impaired by us."<sup>7</sup>

As Robert Louis Wilken documents, "these ideas are without precedent in the ancient world."<sup>8</sup> Tim Whitmarsh relates that it was "the general assumption throughout Greco-Roman antiquity, that ruling . . . was best done by cooperating with or at least co-opting the Gods."<sup>9</sup> Indeed, as Robert Moore recounts, "In ancient China, it was held to be the emperor's duty to uphold the proper observance of religious rites and respect for the gods."<sup>10</sup> And the same was true in India and nations such as Thailand, with its state-imposed Theravadan Buddhist orthodoxy. Although statements of an absolute first are to be indulged with caution, the Edict of Milan is either the first or among the very first statements of a general principle of religious freedom by those in a position of political power.

The Edict of course is not the first expression of religious sufferance. Jews enjoyed religious toleration at points in Roman history, as did

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"summary executions," other modes of persecution at times included forcing Christian women to sell themselves in brothels and draconian economic restrictions. Bruce Winter in *Divine Honours for the Caesars: The First Christians' Responses* (Grand Rapids, MI: Eerdmans, 2015), 286; Adrian Goldsworthy, *How Rome Fell: The Death of a Superpower* (New Haven: Yale University Press, 2009), 98-99; Winter, *Divine Honours*, 11.

<sup>7</sup> Robert Louis Wilken prefers the term "Protocols of Milan." Wilken, *Liberty in the Things of God: The Christian Origins of Religious Freedom* (New Haven: Yale University Press, 2019), 22.

<sup>8</sup> Robert Louis Wilken, *The Christian Roots of Religious Freedom* (Marquette: Marquette University Press, 2014), 16. Angelo Scola goes so far as to call it the *initium libertatis* of religious freedom. Scola, *Let's Not Forget God: Freedom of Faith, Culture, and Politics* (New York: Image, 2014), 31.

<sup>9</sup> Tim Whitmarsh, *Battling the Gods: Atheism in the Ancient World* (New York: Knopf, 2015), 235.

<sup>10</sup> R.I. Moore, *The War on Heresy* (Cambridge: Harvard University Press, 2014), 8.

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Christians before Constantine, as for example during the time of the so-called Edict of Toleration announced by Emperor Galerius in 311, a decree that ended Diocletian's savage attempts to destroy the Christian faith. Galerius, however, "did not give up on the correctness of his [earlier] actions" through which he had "distinguished himself by his relentless enforcement of the norms against Christianity."<sup>11</sup> Instead, he fell late in life into "anguish" arising from a recognition of Christianity's remarkable growth, and reluctantly allowed the suspension of persecution while retaining a firm belief in his "inalienable prerogative . . . to manage the relationship between the divine sphere and the subjects of the Empire."<sup>12</sup> Beyond Rome, the historical record is replete with bargains for religious freedom in return for peace, service, or taxes: such is nothing new.

The Edict, on the contrary, is not a matter of lordly gift-giving, temporizing sufferance or bargained toleration. The Edict states what it intends to be a permanent principle and not a truce or stratagem to rest and reload, so to fight false believers on another day. Moreover, unlike earlier brief periods of toleration, the Edict of Milan was not limited to one or a few cults but included all religious groups.<sup>13</sup>

How did this remarkable development come to pass? Angelo Scola has shown the profound indebtedness of the decree to orthodox Christian thought and theology and, specifically, to that of the theologian Lactantius. Lactantius was the tutor to Constantine's son Crispus, and both Scola and H.A. Drake have established that he exercised considerable influence on Constantine,<sup>14</sup> so much that the Edict is based "squarely on a core Christian principle"—that religious life and practice must be free of coercion—a principle expounded in Lactantius's writings.<sup>15</sup> Lactantius in turn received particular inspiration from the earlier theologian Tertullian. As such, the Edict's "categorical statement of an individual's religious freedom can only be understood in the framework of the spread of Christianity."<sup>16</sup>

Nevertheless, by 438, things had dramatically changed. In that year,

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<sup>11</sup> Scola, *Let's Not Forget God*, 27.

<sup>12</sup> *Ibid.*, 27-28.

<sup>13</sup> Indeed, this meant that the decree covered not only the traditional pagan groups, but also heretical Christian communities, such as the Manicheans, who were on fire with missionary passion but whom orthodox Christians viewed as seductively false.

<sup>14</sup> Drake, *Constantine and the Bishops*, 207-212.

<sup>15</sup> *Ibid.*, 419-420.

<sup>16</sup> Mar Marcos, "The Debate on Religious Coercion in Ancient Christianity," *Chaos e Kosmos* XIV (2013): 1-16, 6.

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Emperor Theodosius II published the so-called Theodosian Codex. The code collected a vast range of previous decrees and organized them chronologically, ending with a current slate of legislations. Emphasizing religion as the summit of imperial solicitude, the code ends with a book titled *On Religion*. Its contents indicate that “religious belief as such was now treated as a subject for legislation” across the Empire with the harsh ordinances that the code contained now “intended for universal application.”<sup>17</sup> These harsh proscriptions and punishments include bans on pagan assemblies and confiscation of the property where assemblies occur; bans on pagan sacrifices and punishment up to exile or death for doing so; the burning of heretical and pagan books, with punishments up to death for those who recalcitrantly kept copies of heretical works or obstinately adhered to Manicheanism.<sup>18</sup> In all, the Theodosian Codex held, in Dill’s words, a “fierceness of tone, and severity of penalties” unprecedented in Christian imperial history.<sup>19</sup> Moreover, connected with the code’s promulgation was a new “religious stance” by the church hierarchy, one that “could hardly be more definitive.”<sup>20</sup> The mission “of the church triumphant” was by this point “to eradicate every trace of paganism” and heretical error.<sup>21</sup> As Peter Brown relates, the Theodosian Codex and related church developments “signaled the arrival of a new attitude to religion. Now it was ‘thought crime’—wrong views on religion . . . which was disciplined.”<sup>22</sup> This “new attitude” was defined by a marriage of church and state committed to repression in service of the one true faith.

## *II. Freedom’s Decline: Aggressive Religious Zeal and Its Causal Limits*

In answering how this seismic shift took place from religious liberty to a repressive confessional state, two explanations have become predominant in the contemporary literature. Each is based, to varying degrees, on the claim that religious zeal catalyzed violent coercion. Zeal-borne coercion, as I use the concept here, consists in two elements. First, it is a form of coercion that depends ultimately on physical restraint

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<sup>17</sup> Maijastina Kahlos, *Forbearance and Compulsion: The Rhetoric of Religious Toleration* (London: Duckworth, 2009), 107.

<sup>18</sup> Pano, “Heretical Texts,” 136. *Codex Theodosianus*, 356 16.10.16; 391 16.10.10; 415 16.5.56. The death penalty, however, would rarely be utilized until the eleventh century.

<sup>19</sup> S. Dill, *Roman Society in the Last Century of the Roman Empire* (London: 1899), 37.

<sup>20</sup> D. Hunt, “Christianising the Roman Empire: The Evidence of the Code,” in *The Theodosian Code*, ed. J. Harries and I. Wood (London: 1993): 143-158, 145.

<sup>21</sup> Alan Cameron, *The Last Pagans of Rome* (Oxford: Oxford University Press, 2013), 785.

<sup>22</sup> Peter Brown, *The Rise of Western Christendom*, 2<sup>nd</sup> ed. (Oxford: Blackwell, 2004), 75.

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backed by violence. Second, it is internally propelled by religious belief itself, and is not straightforwardly self-defensive. That is, it entails repression that can be considered *offensive* in character, in the sense that violence and state repression emerge independently of prior serious attacks visited on the faithful. To be sure, the line between offensive and defensive coercion is at times blurry; a community can define itself as under siege in circumstances many would not usually designate as such. For example, the mere existence of certain sinful practices in society could be defined as an assault on that community. For our purposes, defensive violence is limited to actions in response to overt hostile acts intent on undermining or eliminating the community, and so zeal-borne coercion does not include what we can label, with reasonable precision, violent self-defense. The two positions which see Christian coercion as the outcropping of religious aggression, so understood, each capture, I concede, an important element in the emergence of systematized religious violence and state confessional repression by and on behalf of orthodox Christianity. Nevertheless, these interpretations also appear incomplete. Recognizing this incompleteness, in turn, highlights the need for a substantial additional contributing factor.

### *The Intrinsic Force of Theological Principles*

Jan Assmann asserts that the repression exacted by late antique Christianity flowed from how Christianity's "exclusive and ambitious claims about truth"<sup>23</sup> developed, by their own inner logic, into a force that "brought a new form of hatred into the world, the hatred for pagans, heretics, idolaters and their temples, rites and gods,"<sup>24</sup> which led to violent religious repression. In the same vein, Averil Cameron asserts that "the concept of orthodoxy implies not only intolerance but also violence."<sup>25</sup> Brown adds that "the alliance of the Christian church with Christian Emperors, to abolish sacrifice and to close and destroy the temples," was the consequence of intense beliefs about "the coming of Christ to earth" and His being "raised on the cross at Calvary," beliefs that impelled coercive action by instilling confidence that the faithful

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<sup>23</sup> Smith, *Pagans and Christians*, 205.

<sup>24</sup> Assmann, *The Prince of Monotheism*, 16.

<sup>25</sup> Averil Cameron, "The Violence of Orthodoxy" in *Heresy and Identity in Late Antiquity*, eds. Eduard Iricinschi and Holger Zellentín (Tübingen: Mohr Siebeck, 2008), 114. See also Guy Stroumsa, "Open Religion and its Enemies," in *Confronting Religious Violence: A Counternarrative*, eds. Johnathan Sachs and Simon Burridge (Waco: Baylor University Press, 2018), 59-71.

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should and would “make manifest on earth the victory already won, centuries before, by Christ, over the shadowy world of demons.”<sup>26</sup> Such theological conviction inspired, Brown argues, “first strike” measures against the enemies of Christ.<sup>27</sup>

Another claim concerning the violence-catalyzing nature of certain aspects of Christian theology centers on the symbolic power of the cross. James Carroll contends that the centrality of crucifixion and its remembrance through cruciform imagery and a cross-centered liturgy engendered what he calls an “ethos of the cross.”<sup>28</sup> Such an ethos became a minatory one, replete with celebrations of bodily suffering and death. This ethos led Christians to assume that if God can kill his son, so God’s regents can also kill their “sons.”<sup>29</sup> The cross, in other words, encouraged death-dealing on the part of representatives of God on earth by the way it inspired these representatives to send those under their care to die in a righteous battle against unbelievers, just as God sent his own son to die in battle with the devil. Moreover, Stephen Patterson argues that the declaration that combatants should be willing to die for a cause “always also buys” the leaders “a license to kill for it.”<sup>30</sup>

A further argument about the Christo-genesis of religious violence concerns the violent potency of belief in divine providence. This claim contends that, given a belief in God’s influence on worldly outcomes, if a group of believers uses violence, even when the use is initially unsupported by the broader community of believers, and if this violence subsequently achieves positive outcomes, the violence can be seen by all believers as having been successful only because of divine favor.<sup>31</sup> Brown’s description of the way some local acts of Christian violence came later to be celebrated by a broader range of Christians gives evidence of this dynamic in late antiquity.<sup>32</sup>

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<sup>26</sup> Peter Brown, *Authority and the Sacred: Aspects of the Christianisation of the Roman World* (Cambridge: Cambridge University Press, 1995), 4-5.

<sup>27</sup> Brown, *The Rise of Western Christendom*, 73.

<sup>28</sup> James Carroll, *Constantine’s Sword: The Church and the Jews* (New York: Mariner, 2001), 203.

<sup>29</sup> *Ibid.*, 203.

<sup>30</sup> Stephen J. Patterson, *The Lost Way: How Gospels Are Rewriting the Story of Christian Origins* (New York: HarperOne, 2014), 41.

<sup>31</sup> For a more recent example of this logic, we can think of the case of Israel in the 1960s, as a number of Orthodox Jews, at first disapproving of Israel’s creation, came to see victory in the 1967 War as evidence of providential favor for a Jewish state.

<sup>32</sup> Brown, “Christianization: Narratives and Process,” in Brown, *Authority and the Sacred*, 3-26.



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### *Limitations of Theological Propulsion*

That theological principle alone was the driving force has been questioned by scholars such as Drake and Alan Cameron. Both point out that the mingling of violence and the faith was, in the decades following Constantine, a minority view, and that for long periods during and after Constantine's reign, violent attacks were rarely officially condoned.<sup>33</sup> Cameron notes that "on the Christian side, most violence was unofficial" in the fourth century.<sup>34</sup> For example, Firmicus Maternus, a pagan convert to Christianity who advocated in 346 for "active violence to eradicate paganism," was seen to have the "radicalism of a neophyte" who "innovated" in ways unacceptable as a normative definition of the faith.<sup>35</sup> The fact that he was seen as innovating is compelling. Why was what he advocated perceived as new if it dwelt in the heart of the true faith? The reason appears to be because it took a considerable length of time for Christianity to embrace violent repression, and the vast majority of believers and clerics in the mid-300s disavowed it. Indeed, Drake remarks on just how long it took "before coercion could become a respectable alternative."<sup>36</sup> In all, Van Nuffelen underscores that it remained true throughout the fourth century that "Christianity self-identified with peace and a rejection of violence."<sup>37</sup>

From these considerations, Drake perceptively asks those who see Christian theology as harboring an inner propulsion to violent aggression: why did theology not engender official endorsements of violence much earlier?<sup>38</sup> Of course, without political power, the coercive use of imperial authority was unavailable. But from Constantine's ascension on, it often was—leaving unexplained the fateful transition.

### *Episcopal Ecclesiology and The Actions of Prominent Bishops*

In answering the question of how coercion emerged in the life of orthodoxy, some point not to the inherent propulsive tendencies of Christian thought, but to the special influence of certain high-ranking bishops. The embrace of coercion by members of the hierarchy supplied tremen-

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<sup>33</sup> Cameron, *Last Pagans*, 799; Sizgorich, *Violence and Belief*, 12.

<sup>34</sup> Cameron, *Last Pagans*, 799.

<sup>35</sup> Drake, *Constantine and the Bishops*, 425, 402.

<sup>36</sup> *Ibid.*, 402.

<sup>37</sup> Peter Van Nuffelen, "Religion and Violence," in *The Cambridge History of Violence*, Garrett G. Fagan, Linda Fibiger, Mark Hudson and Matthew Trundle, eds. (Cambridge, Cambridge University Press, 2020): 512-530, 524.

<sup>38</sup> Drake, *Constantine and the Bishops*, 418.

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dous momentum for the view that violence in matters of faith is permissible, given the elevated status of bishops in the church's ecclesiology. In his work *Constantine and the Bishops*, Drake comes to just this conclusion by asserting that the "authority of the bishops" played a massive role in "stilling" the voices that had long expressed moderation and patience.<sup>39</sup> Drake's work and much in the broader historiography of late antiquity places emphasis on two hierarchs especially: Ambrose and Augustine.

Drake emphasizes how Bishop Ambrose of Milan's decision to forcefully rebut Emperor Theodosius I over the so-called Callinicum affair of 388 catalyzed the embrace of coercion among orthodox Christians. In that year, a synagogue in Callinicum, a town on the edges of the Empire, was destroyed in a riot that included many Christian rioters. Theodosius ordered that the local church in Callinicum pay for the restoration of the synagogue. In response, Ambrose demanded that the church not be forced to pay. In his sharply worded letter to Theodosius about the synagogue's destruction, Ambrose goes so far as to say that "the maintenance of civil law should be secondary to religion."<sup>40</sup> Drake asserts that here Ambrose bespeaks a "new orthodoxy": that "the end justifies the means."<sup>41</sup> And this, he argues, had a contagious effect, coming from so senior—and so well-connected—a Catholic leader.

Additionally, many look beyond Ambrose to his student, the even more prominent Augustine of Hippo, as an indispensable link in the causal chain resulting in officially sanctioned religious coercion. Phillippe Buc goes so far as to assert that it is "thanks to Augustine" that religious coercion "survived Rome's Christianization."<sup>42</sup> No doubt Augustine came to a position endorsing religious coercion. His view combined a felt need to save throughout the whole of society those in risk of damnation with a belief in the efficacy of some measure of persecution to cure many wayward minds of deeply engrained misconceptions. Due to these views, Augustine could say of religious coercion, "Oh, merciful savagery."<sup>43</sup>

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<sup>39</sup> Ibid.

<sup>40</sup> *Catholic Encyclopedia*, Letter 40.14, accessed 2 December 2021, <http://www.newadvent.org/fathers/340917.htm>. Emphasis added.

<sup>41</sup> Drake, *Constantine and the Bishops*, 431.

<sup>42</sup> Phillippe Buc, *Holy War, Martyrdom, and Terror: Christianity, Violence, and the West* (Philadelphia: University of Pennsylvania Press, 2015), 123. Lumirande calls Augustine *le prince et patriarche des persecuteurs*. E. Lamirande, "Un Siecle et Demi E'tudes sur L'ecclesologie de S. Augustin: Essai Bibliographique," *Rev. des Etudes Augustin VIII* (1962): 1-124, 1.

<sup>43</sup> Sermon 279.4.

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### *Limitations of the Episcopal Catalysts for Religious Violence*

The position that assigns causal blame to a few significant prelates such as Ambrose and Augustine is, however, also overdrawn. In regard to Ambrose, his letter to Theodosius regarding Callinicum actually expresses, as Swift recounts, “serious ambiguities.”<sup>44</sup> Most importantly, “Ambrose never called for the use of physical violence against heterodoxy” or any form of false belief.<sup>45</sup> For this reason, Ambrose does not supply an unequivocal source for the ralliers of religious violence.

For an unambiguous defense of religious coercion, we must look primarily to Augustine. As Brown remarks, Augustine, whose writings on the coercion of heretics date to the early 400s,<sup>46</sup> “was the only writer in the early Church to discuss the subject of religious coercion at length.”<sup>47</sup> His writings doubtless came to have tremendous influence over time. However, we should also recall that not everything Augustine maintained was everywhere accepted. His thought was much less influential in the East than in the West. Even in the West, a number of his views were not accorded full weight: his strong view of predestination, including his belief that most are predetermined to damnation, for example, never became predominant; nor his associated rejection of a free will defense to the problem of evil; nor his belief in the communication of original sin through sex.

Moreover, Augustine’s body of writings display a remarkable lack of internal consistency. Indeed, Brown remarks that a “danger to be avoided, at all costs, is the temptation to impose an academic consistency on Augustine”<sup>48</sup>—a point in evidence precisely in terms of the use of violence to secure the faith. In *De Vera Religione*, composed around 390, Augustine says of Christ that “He did nothing by force, but all things by persuading and admonishing;”<sup>49</sup> and with respect to paganism he at times counsels that “cult images should be broken in pagans’ hearts” through conversion, which requires dealing with pagans “civilly,” and “pray[ing] for them, not burn[ing] in anger against them.”<sup>50</sup> What is

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<sup>44</sup> Louis J. Swift, “St. Ambrose of Violence and War,” *Transactions of the Proceedings of the American Philological Association* 101 (1970): 533-543, 537.

<sup>45</sup> *Ibid.*, 536.

<sup>46</sup> His shift toward endorsing religious coercion is clearly seen by 417 in his Letter to Boniface, the Roman Governor of Africa.

<sup>47</sup> Peter Brown, “St. Augustine’s Attitude to Religious Coercion,” *The Journal of Roman Studies*, 54, Issue 1-2 (1964): 107-116, 107.

<sup>48</sup> *Ibid.*, 108.

<sup>49</sup> *Ibid.*

<sup>50</sup> Kahlos, *Forbearance and Compulsion*, 119.

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more, Augustine himself expressed in several of his letters, many of which were published,<sup>51</sup> his deep misgivings and inner doubts about the use of coercive measures even after he had endorsed them publicly. In Letter 95, written in 408, he questions whether coercion has in fact made matters worse; he wrestles in anguished uncertainty with the passages of scripture that seem clearly to denounce coercion; he recognizes how he has made numerous errors and remains unsure exactly how scripture should be applied, and so recognizes that he may be in error in endorsing coercive policies; and, finally, he exclaims wearily that “fearfulness and trembling have come upon me” due to the hard questions of coercion, clemency, and peace.<sup>52</sup>

The fact, therefore, that the luminary Augustine would at one point endorse coercion does not itself give an adequate account for the entrenchment of such a policy, as it leaves unanswered why this aspect of his thought was not relegated to secondary status as was so much of his *oeuvre* in Eastern Christianity; was not more or less dismissed, as his speculations on predestination and sexual lust; was not deemphasized in favor of his own earlier statements; or was not rejected wholesale, as a reading of his own self-questioning could allow his readers to do.<sup>53</sup>

### *An Additional Factor: Fears of Attack and Escalating Orthodox Calls for State Support of the Faith*

Additional factors therefore should be examined to assess the seismic change from *libertas* to *coercito*. One major element was the rise in fear of renewed persecution. During this period, we see among the leadership of pagan and heretical groups a rejection of religious freedom and the resulting weaponization of the state against the Nicean faithful, a development that produced growing concerns over the value and sustainability of religious liberty among orthodox Christian leaders. In turn, this permitted doubts among Christians about the theology of religious freedom to approach the forefront, and for the view to become more respectable that, now that the state is in Christian hands, it should be used to defend the faithful from continuing threats. A complete treatment of this transi-

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<sup>51</sup> Augustine had copies made of all his letters and “purposely published” many of them. “Augnet,” accessed on 15 December 2021, <http://www.augnet.org/en/works-of-augustine/writings-of-augustine/his-letters/2153-letters/>.

<sup>52</sup> Letter 95.3.

<sup>53</sup> Augustine’s remarkably self-critical later work, *Retractiones*, is a body of revisions and self-questioning “unique among Classical authors up to his era.” “Augnet,” accessed on 15 December 2021, <http://www.augnet.org/en/works-of-augustine/writings-of-augustine/2148-the-retractions/>.

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tion is not possible here. In a necessarily abbreviated form, however, we can trace five of the threats Christians were exposed to during and after Constantine's reign, which together contributed to the collapse of Christian attachment to religious liberty.

### ***III. The Pagan Betrayal of Religious Liberty***

Constantine's pagan co-ruler Licinius eventually "became alienated" from the principle of religious liberty he had signed on to in the Edict of Milan, and he ended his reign as a persecutor of the orthodox.<sup>54</sup> Mark DiMaio has documented how Licinius eventually came to issue laws that prevented bishops from communicating with each other and from holding synods; prohibited men and women from attending Christian services together and young girls from receiving instruction from their bishop or Christian schools; ordered that Christians hold services only outside city walls; and deprived officers in the army of their commissions if they refused to sacrifice to the Roman gods.<sup>55</sup> Moreover, Licinius intended for his decrees to be fully enforced, as he initiated a considerable inquest to discover Christians within the army, killing in one case forty soldiers who were discovered to be Christians—the so-called "Forty Martyrs of Sebaste."<sup>56</sup> In addition, several bishops were executed.<sup>57</sup>

#### ***Freedom Betrayed from Within: Imperial Heresy***

After the death of Constantine, heretical Christian groups would become strong violators of the Edict of Milan. This can be seen in the emperors of Constantine's son and successor in the East, Constantius II, who reigned from 337 to 361. Constantius was widely held to be an adherent of Arianism. Further, Constantius would come to enact perse-

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<sup>54</sup> Drake, *Constantine and the Bishops*, 271.

<sup>55</sup> "Roman Emperors," accessed on 20 December 2021, <https://www.roman-emperors.org/licinius.htm>.

<sup>56</sup> "Christian Church History Timeline," accessed on 20 December 2021, <https://www.christianity.com/church/church-history/timeline/301-600/licinius-edict-relieved-christians-11629644.html>. See also, "Roman Emperors," accessed on 20 December 2021, <https://www.roman-emperors.org/licinius.htm>.

<sup>57</sup> Drake, "The Impact of Constantine," 123. In response, Constantine attacked Licinius's forces in the East in 321, and he publicly justified his attack precisely as a defense of Christian freedom. To be sure, Constantine was a battle-hardened former pagan commander, and we should not be surprised if a religious justification was conjoined with earlier military habits of revenge or glory-seeking. In any case, among many Christians, his defensive action against Licinius made him "a new Moses, leading his people from servitude to liberation, from persecution to freedom." Patrick Whitworth, *The Church from the Apostles to Constantine* (Durham: Scarcity Press, 2018), 139.

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cution against those who stubbornly refused Arian Christianity.<sup>58</sup> Indeed, in the minds of orthodox believers, the full weight of Constantius's persecutory impulse was felt to be directed toward Nicean Christianity. The *Catholic Encyclopedia*, preserving this traditional historical view, relates: "Constantius seemed to have clearly in mind only one aim: the destruction of Catholic doctrine."<sup>59</sup> Contemporary historians in the main support this traditional assessment. Mark Humphries, for example, describes Constantius's efforts against the orthodox community as eventually becoming "particularly violent,"<sup>60</sup> so much so that "the brutality with which Constantius's officials enforced imperial religious policy was notorious."<sup>61</sup> Thus, the idea circulated widely among orthodox Christians that Constantius was an anti-Christ much to be feared.<sup>62</sup>

### *Julian Strikes Terror in the Heart of the Church*

The treatment by imperial authorities of the Nicean faith, which by the 360s had experienced "a tidal wave of exponential increase,"<sup>63</sup> would only grow more precarious following the death of Constantius in 361. For then came Julian. A fallen away Christian, Julian proved an even more determined foe of orthodoxy than Constantius. Through the systematic use of imperial power, Julian attempted to crush the Christian communities and extinguish the burgeoning faith.

Not wanting to create new martyrs,<sup>64</sup> due both to a recognition of Tertullian's assessment that martyrdom only grows the Church, and because the sheer size of the Christian community now made violent attacks

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<sup>58</sup> Hugo Rahner, *Church and State in Early Christianity*, trans. Donald Davis (San Francisco: Ignatius, 1992), 51-60.

<sup>59</sup> *Catholic Encyclopedia*, "Flavius Julius Constantius," accessed on 8 January 2022, <http://www.newadvent.org/cathen/16027c.htm>.

<sup>60</sup> Mark Humphries, "In Nomine Patris: Constantine the Great and Constantius II in Christological Polemic," *Historia: Zeitschrift Für Alte Geschichte* 46, no. 4 (1997): 448-64, 455; Barnes, *Athanasius and Constantius: Theology and Politics in the Constantinian Empire* (Cambridge: Harvard University Press, 1993), 121-122.

<sup>61</sup> Humphries, "In Nomine Patris," 455.

<sup>62</sup> Hilary of Poitiers had this to say to Constantius: "hear now what applies to you. Under the mask of a Christian, you are a new enemy of Christ, a precursor of the Anti-Christ, you already work his perfidious deeds." "Tradition in Acton," accessed on 22 February 2022, [https://www.traditioninaction.org/religious/n055rp\\_FalseUniy.htm](https://www.traditioninaction.org/religious/n055rp_FalseUniy.htm).

<sup>63</sup> Rodney Stark, *Bearing False Witness: Debunking Centuries of Anti-Catholic History* (West Coshohocken: Templeton Press, 2016), 57. Stark estimates that by this time approximately 57% of the Empire was Christian. Stark, *The Rise of Christianity: How the Obscure, Marginal Jesus Movement Became the Dominant Religious Force in the Western World in a Few Centuries* (Princeton: Princeton University Press, 1996), 3.

<sup>64</sup> Stark, *Bearing False Witness*, 53, 63.

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problematic, Julian unleashed a persecution nevertheless eliminationist in intent. He developed a method of eradication that would use the full force of the state short of wholesale violent repression. Despite avoiding largescale violence, Glenn Bowersock brands Julian's reign an early iteration of Leninism, given its unwavering passion to destroy what it saw as its enemies.<sup>65</sup>

Julian first banned all Christian schools, then prohibited Christians from serving as teachers in the pagan schools, and later sought to remove all Christians from other positions of public authority.<sup>66</sup> He sought also to "oppress with taxes" the faithful, while dispensing unequal justice, according Christians limited rights at trial.<sup>67</sup> Further, Julian composed and disseminated at public expense a diatribe against Christianity. Lastly, he sought to use the imperial treasury to disprove Christianity: a year into his reign, no longer satisfied with stale polemics, Julian commissioned the Jews in Palestine to rebuild the Jewish temple in Jerusalem; such a development, Julian thought, would supply an irrefutable "monument to the falsity of Christ as a prophet," and ensure the downfall of what he contemptuously branded "the Galilean" folly.<sup>68</sup>

Although his reign lasted only two years, Julian's attempts created a major change in the prevailing sentiments within the orthodox episcopacy as well as the mass of Christian believers. As Drake and other scholars have documented, the effect of Julian's reign was to strike terror in the minds of Christians.<sup>69</sup> In the words of the pagan historian and friend of Julian, Libanius, Julian's undeniable efforts to eradicate Christianity only created Christian fears of being "blinded or beheaded" by a "new master [who] would devise new-fangled tortures, the fire, the sword, drowning, burial alive, hacking and mutilation [all as] child's play."<sup>70</sup> Fear came to be a central fact for Christians. This fear was deepened by reports of human sacrifice. Indeed, John Chrysostom delivered a homily against pagan practices only a few decades after Julian's reign in which he contrasted "the moral precepts of the Church" to the practice of "human sacrifice" that the pagans were allegedly then practicing.<sup>71</sup> As

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<sup>65</sup> G.W. Bowersock, *Julian the Apostate* (London: Duckworth, 1978), 85: "Julian never contemplated any other solution to the problem [of Christians] than total elimination."

<sup>66</sup> Wayne Jackson, "The Strange Case of Julian 'The Apostate,'" *Christian Courier*. See also and Stark, *Bearing False Witness*, 58, 3.

<sup>67</sup> Stark, *Bearing False Witness*, 58.

<sup>68</sup> Jackson, "The Strange Case of Julian 'The Apostate.'"

<sup>69</sup> Drake, *Constantine and the Bishops*, 346, 409. Stark, *Bearing False Witness*, 64.

<sup>70</sup> Stark, *Bearing False Witness*, 64.

<sup>71</sup> Ioannis Papadopoulos, "Reactionary Paganism: Renewal and Invention of Traditions

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Ioannis Papadopoulos highlights, these allegations had some evidential basis. Citing evidence from the Mithraeum in Naples, the Vatican hill, and the base of the cult statue of Jupiter Heliopolitanus, he notes that although Rome had long prided itself on avoiding human sacrifice, by the time of Julian, a form of “reactionary paganism” had surfaced, likely in response to “Christian competition.”<sup>72</sup> Evidence suggests that human sacrifice had reemerged—likely as an “attempt of counter-balancing the Christian influence in the public space of the city,” being an expression of pagans’ “anxiety for the wrath of the gods of Rome” for having permitted the expansion of the Christian cult, a transgression now requiring “an exceptional offering for very exceptional circumstances.”<sup>73</sup> There is no evidence that Christians were the ones sacrificed. Nevertheless, from the Christian perspective, although numbers were increasingly on their side, could they become the next sacrificial victims?

Moreover, even if we reject as overdrawn fears of human sacrifice, Christian concerns always existed within immovable political background conditions that only served as a kind of psychological accelerant to religious fear. Specifically, nothing in the Roman Empire as a political organization “could prevent a determined emperor from ruling with terror.”<sup>74</sup> As Brown describes the political structure of the Empire, “we are in a world characterized by a chilling absence of legal restraints on violence in the exercise of power.”<sup>75</sup> In turn, Drake elaborates that “the importance of Julian is that he brought into focus for the Christian community the weakness in the imperial system . . . How stable can a policy be when the whim of one man is sufficient to change it?” The threat of pagan reassertion in a fundamentally unstable political (and geopolitical)<sup>76</sup>

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in Late Fourth Century Rome,” in Leeds International Medieval Congress (2015), 11, and *Patrologia Graeca*, 50. 533-9.

<sup>72</sup> See R. Turcan, *The Cults of the Roman Empire* (Cambridge: Blackwell, 1996), 189, 239.

<sup>73</sup> Papadopoulos, “Reactionary Paganism,” 8. Earlier moments of social panic had caused Roman officials to embrace similarly extreme and “unusual rites,” such as “burying a foreigner alive.” Robin Lane Fox, *The Classical World: An Epic History from Homer to Hadrian* (New York: Basic Books, 2008), 306.

<sup>74</sup> Drake, *Constantine and the Bishops*, 62.

<sup>75</sup> Brown, *Power and Persuasion*, 50.

<sup>76</sup> Another kind of political background condition is the geopolitical situation of the faithful. The Roman Empire’s long nemesis, the Persian Empire, was known to have commenced significant persecution of Christians in the late fourth and early fifth centuries. These persecutions came to be widely known among Christians in the Roman Empire due to the waves of exiles who fled to Constantinople. See Socrates, *Historia Ecclesiastica*, vi, 6. Trans. Philip Schaff, rev. A.C. Zenos, in *Nicene and Post-Nicene Fathers*. Given these persecutions and the Persian Empire’s clear intent to acquire land from the Roman Empire, the idea of Christians looking upon the Empire as a defender of the faith is all the more comprehensible.



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system ended up “lending credence to . . . fear, as Christians at the time . . . had no assurance that another Julian was not in the offing, and they could plausibly fear that [even] worse was yet to come.”<sup>77</sup>

### *Theodosius’s Decrees, Arbogast, and Eugenius*

Despite his menacing reign, the emperor immediately following Julian, the Nicean ruler Jovian, restored the Edict of Milan in 364,<sup>78</sup> a policy he asserted by stating, “I would not mistreat anyone on account of his religious sentiments.”<sup>79</sup> This restoration of religious liberty despite the stresses that Julian exacted on the faithful is testament to how deeply ingrained in the Christian mindset was the principle of religious freedom.

However, by this time fissures had begun to form in the orthodox commitment to religious liberty. These fissures would expand in the decades following Jovian. In 379, Theodosius I assumed the position of Augustus of the East. Theodosius was an orthodox ruler who largely upheld the principle of religious freedom during the vast percentage of his sixteen year reign.<sup>80</sup> However, toward the end of his reign, he came to embrace the role of fierce protector of the faith through his decree of November 8, 392, a law banning heresy and paganism, and decreeing punishments for imperial officials for non-enforcement. As Cameron notes, this law “marks a new stage in anti-pagan legislation”<sup>81</sup> by its being “a comprehensive ban on pagan worship in every form.”<sup>82</sup> Although Theodosius had made earlier anti-pagan decrees in 391 and June 392, Cameron argues that these earlier decrees were not “anything more than a response to a specific local situation, rather than a dramatic new shift in Theodosius’s policy toward paganism.”<sup>83</sup> But now things seem to have changed. The question becomes, why? Cameron answers this question tersely: the rebellion of Eugenius.<sup>84</sup> Seen in this light, Theodosius’s reign is another example of the way fear of pagan attacks on Christianity would help to undermine the Catholic commitment to religious freedom and drive religious leaders to embrace religious coercion as a defensive posture.

The rebellion of Eugenius occurred on August of 392. After the death

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<sup>77</sup> Drake, *Constantine and the Bishops*, 365.

<sup>78</sup> Kahlos, *Forbearance and Compulsion*, 79.

<sup>79</sup> *Ibid.*

<sup>80</sup> John Curran, “From Jovian to Theodosius”, in *Cambridge Ancient History*, vol. XIII (Cambridge: Cambridge University Press, 1998): 78-110, 106.

<sup>81</sup> Cameron, *Last Pagans*, 63.

<sup>82</sup> *Ibid.*, 60.

<sup>83</sup> *Ibid.*, 62.

<sup>84</sup> *Ibid.*, 63.

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of Valentinian I in May of 392, and following the brief reign of Valentinian II,<sup>85</sup> the Frankish pagan Roman general Arbogast (pagans at this time still holding high positions) used his influence to usher in illegally Eugenius, a teacher of rhetoric, as Western emperor on August 22, 392, while Theodosius I was still only emperor of the East. Eugenius was only nominally Christian and was very sympathetically disposed to Arbogast. Soon after his ascension, Eugenius “vowed to restore the old gods,”<sup>86</sup> and assigned leading pagans prominent positions in government. Cameron argues that it appears to have been this reassertion of paganism, and the associated fear that paganism might soon become ascendant, which produced Theodosius’s strong decree against it in November 392.<sup>87</sup> Theodosius seems, therefore, to have marshaled his response to what he perceived to be a real threat of resurgent pagan religiosity, and the legacy of persecution it evoked in the minds of Christians.

Despite the invasion of Italy by Eugenius in 393, it took two years before Theodosius finally marshaled a major attack to unseat the usurper Eugenius and his puppet-master Arbogast. The fateful battle took place on the Frigidus River in September of 394, when Theodosius defeated Eugenius. Soon after the Frigidus battle, accounts came to narrate the conflict as a grave contest protecting the true faith from its unrelenting adversaries. For example, it came to be reported that one of the leading pagans in Rome, the elder Flavianus, had published, just before the battle, an oracle announcing the coming of a “great year,” an *annus mirabilis* which would signify the final and fateful end of Christianity.<sup>88</sup> Rufinus in his *Ecclesiastical History* also claimed that Flavianus was among many pagans who made sacrifices and prophesied the victory of Eugenius. Further, Paulinus of Milan, writing ca. 422, added the detail that Flavianus and Arbogast “threatened to convert Ambrose’s own church to a stable upon their victorious return.”<sup>89</sup> These developments only contributed to the sense of orthodox fearfulness. For although victory had been secured, how long would it last?

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<sup>85</sup> Many historians believe Arbogast poisoned Valentinian II. See B. Croke, “Arbogast and the Death of Valentinian II,” *Historia* 25, no. 2 (1976): 235-44.

<sup>86</sup> J.M. Hussey, *The Cambridge Medieval History*, eds. H.W. Gwatkin and J.P. Whitney (Cambridge: Cambridge University Press, 1936), 245; and Drake, *Constantine and the Bishops*, 246.

<sup>87</sup> Cameron, *Last Pagans*, 63.

<sup>88</sup> Flavianus allegedly counted from A.D. 29. Brian Croke and Jill Harries, *Religious Conflict in Fourth Century Rome: A Documentary Study* (Sydney: Sydney University Press, 1982), 58.

<sup>89</sup> Paulinus, *Vita Ambrosii*, 31.

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### *The Alarician Threat and Fears of a New Constantius*

By 394, religious liberty hung in the balance. Despite the decree of November 392, religious freedom still was not extinct, since even after his victory in 394, Theodosius seems to have lumbered in enforcing his November decree.<sup>90</sup> Yet the sense of fear among the orthodox would deepen in the years ahead as a result of the threat posed by the Visigothic chieftain Alaric in the early fifth century. As a consequence, religious liberty would teeter all the more precariously.

Visigoth tribes under Alaric invaded Italy in 401 and as part of their campaign attacked Milan. Although they were unable to sustain their initial advance, this attack would have major effects.<sup>91</sup> Barnes argues that the Alarician threat was seen by Christian leaders as exposing anew the faith to attack by the Empire's pagans, who remained relatively significant—their continuing significance due in large measure to the mild enforcement of Theodosius's anti-pagan legislation. Christian fearfulness intensified in part because, as Barnes argues, many pagans after Alaric's initial invasion were very likely making the argument that the Empire was declining so rapidly—as evidenced by Alaric's shocking advance—precisely because of the loss of its state-supported pagan religion. The loss of pagan sanctity was seen as the cause of this bitter loss of Imperial territory and security.<sup>92</sup> Indeed, evidence indicates “the political strengthening of the pagan cause at this time,”<sup>93</sup> as seen by the replacement in December of 402 of a Christian prefect of Rome by Caecina Decius Albinus, a leader whose paganism “stands documented in contemporaneous writing.”<sup>94</sup>

This pagan reassertion meant that the faithful faced the renewed threat from that long-standing pagan belief that a failure to acknowledge and acclaim the gods would see punishments cast down from the heavens. In the environment of the early 400s, we should see Christians asking, “Would a set of pagan imperial leaders seek desperately to re-

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<sup>90</sup> Despite the ominous November 392 decree, Hunt argues that its enforcement always remained largely “token steps,” a point Bradbury reiterates: throughout the whole of the fourth century, “no evidence exists for the infliction of the horrendous punishments” that the law technically expressed. Hunt, “Christianizing the Empire,” 157; “Bradbury, Constantine and the Problem of Anti-Pagan Legislation,” 134.

<sup>91</sup> T.D. Barnes, “The Historical Setting of Prudentius' *Contra Symmachum*,” *The American Journal of Philology* 97, no. 4 (1976): 373-86, 375.

<sup>92</sup> This same argument had been made earlier by many pagan writers. As Smith relates, “persecution of Christians typically picked up during times of trouble.” Smith, *Pagans and Christians*, 3380. There is no reason to assume that Christians were not well aware of this pattern.

<sup>93</sup> Barnes, “Historical Setting of Prudentius,” 386.

<sup>94</sup> *Ibid.*, 386, referencing Macrobius, *Saturnalia*. 1.1.7ff.

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impose mandates for pagan religious practice despite Christian refusals? And might this happen not just now, but in the years ahead, as looming external threats to the Empire were all too easy to foresee?" Such questions must have presented a frightening prospect, as the previous half-hearted enforcement measures against paganism had left it a lingering and potentially revivable force.

Meanwhile, Alaric continued in 408 to advance against the heart of the Western Empire. Confirming orthodox fears, calls came to be made "to revive pagan practices while Alaric was besieging Rome for the first time in the winter of 408-9."<sup>95</sup> At this time, a nominally orthodox prefect of Rome, Pompeianus, "was induced by Etruscan haruspices" to consider "the celebration of the appropriate [pagan] rites to ward off the besiegers."<sup>96</sup> (Note that even at this late date, prefects could make use of pagan augurs and ritual leaders.) Ultimately, of course, Alaric succeeded in sacking Rome in 410.

Moreover, Alaric had not only smashed the ancient heart of the Empire, he was a devotee of the heresy of Arianism (and attempted to impose a new emperor to unseat Honorius in 409, the Arian Priscus Attalus). Being both an Arian and a supporter of the pagan cause, a two-fold concern about Alaric now can be suspected to have consumed the minds of the orthodox. First, would a large wave of pagan renewal be seen, and, as part of this, might pagans be tempted to lash out at Christians through a felt need to placate the long-spurned gods and goddesses of the pagan fatherland to solidify the safety of the Empire? Second, might the Arian Visigoths come effectively to constitute a new reign of Constantius II—a period of renewed Arian persecution of the orthodox?

### *The Consequences*

The developments from Licinius to Alaric exacted a significant toll on the viability of religious freedom. They contributed to moving the center of Christian thought closer to abandoning entirely the principle of religious freedom. We see fear emerge among orthodox Christian leaders from the time of Licinius and Constantius, and this fear was exacerbated by Julian. Hence, we see a "toughening of attitudes and a tenser atmosphere after Julian's reign."<sup>97</sup> These attitudes were marred by the "deep wounds [Julian] was able to inflict."<sup>98</sup> Additionally, the threat Christians

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<sup>95</sup> Ibid., 385.

<sup>96</sup> Ibid.

<sup>97</sup> Kahlos, *Forbearance and Compulsion*, 81.

<sup>98</sup> Drake, *Constantine and the Bishops*, 85.

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were exposed to after Julian had a compounding influence over time, so much so that “a quarter century after [Julian’s] death Christians still spent as much time worrying about another Julian” as anything else. This fear, moreover, was only enhanced by Alaric.<sup>99</sup> Should it surprise us, then, that “imperial legislation became more decisive and oppressive” in late 392, and became progressively worse thereafter?<sup>100</sup> In the faith’s defensive slouch toward persecution, we see the manifestations of what Brown and Drake call “the peculiar ruthlessness of the insecure”<sup>101</sup>—and not the aggression of righteous Christians as they move from victory to victory, conquering the world for Christ.

#### IV. A Lingerinɡ Doubt

A critique of the argument that a defensive mindset was a major contributing factor in the erosion of religious liberty among orthodox Christians can be expressed along the following lines: if defensiveness were in fact a substantial cause of Christian coerciveness, should not the latter have *decreased* as orthodox Christianity became more firmly established? The record, however, does not disclose such diminished coercion with the secure ascent of orthodox Christianity. Indeed, it is at perhaps the apogee of Christian Imperial power—the reign of Emperor Justinian—that we see the empire declaring that “since we strive by all means to enforce the civil laws, whose power God in His goodness has entrusted to us for the security of our subjects, how much more keenly should we endeavor to enforce the holy canons and the divine laws which have been framed for the salvation of our souls.”<sup>102</sup>

Two points can be made in response to this critique. First, the interpretation that I have advanced does not deny that aggressive religious zeal is a substantial factor in the emergence of Christian willingness to use coercion to advance the Christian faith. No doubt such zeal contributed to the mindset of rulers such as Justinian. Second, the suspicion that coercion over time should decrease presumes that religious coercion is not an *emergent* phenomenon, one that once it surfaces is hard to eliminate. But this appears to be just what religious coercion is. As

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<sup>99</sup> *Ibid.*, 435.

<sup>100</sup> Kahlos, *Forbearance and Compulsion*, 90.

<sup>101</sup> Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison: University of Wisconsin Press, 1992), 116; Drake, *Constantine and the Bishops*, 439.

<sup>102</sup> Justinian, *Corpus Iuris Civilis* III, *Novellae*, ed. R. Sholl and G. Kroll, 8<sup>th</sup> ed. (Berlin: Weidmann, 1963), 695.

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Drake argues, religious violence etches “coercive habits.”<sup>103</sup> Or as Brown remarks, “a policy of religious discrimination,” once pursued, “cannot be summed up in a code of rules; it can best be understood . . . as an ‘atmosphere,’” whose toxic air envelopes the hearts and minds of those exposed to it.<sup>104</sup> Additionally, coercive policies can create institutional inertia—and the Church by the late fifth century was an institutional powerhouse, subject to inertial forces just as any growing bureaucracy.

### *Religion, Violence, and Human Nature*

In a real sense, then, part of the explanation for the momentous change from liberty to compulsion in the history of Christianity is simply fear—a rational fear based on concrete actions against the faithful. Van Nuffelen’s recent work can assist us to see the force of this point. He argues that we must view religious violence not only as an isolated category but also an expression of the dynamics of human violence more generally. If we do so, “we may be able to return to the evidence and reassess it with fresh eyes.”<sup>105</sup> The history of Catholic repression I have sketched here is one such fresh perspective: it sees much of the orthodox embrace of coercion as a human response to difficult situations, not unique to the time period or religion involved.

Seen in this light, much of the orthodox religious violence in late antiquity is unsurprising. It seems natural for people—even Christians who are called to turn the other cheek and to place their reliance in God, but who remain always human—to say, “if the state might advance a false religion, let it be in the hands only of the believers of the true faith to avoid such a fate; and if the state might persecute the faithful, let it be in the hands of the faithful precisely to prevent such attacks.” And, finally, to add: “having suffered so much but having now the gift of power at our disposal, let it be deployed against our adversaries in self-defense.” All would seem natural since in that hackneyed phrase, the best defense can be a good offense. Such is all so *human*.

### *Relevance to Contemporary Affairs*

Seeing the emergence of religious coercion among orthodox Christians as partly arising from common human dynamics involving self-defense suggests that this history is not merely of antiquarian interest.

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<sup>103</sup> Drake, *Constantine and the Bishops*, 416.

<sup>104</sup> Peter Brown, “Religious Coercion in the Later Roman Empire: The Case of North Africa,” *History* 48, no. 164 (1963): 283-305, 287.

<sup>105</sup> Van Nuffelen, “Religious Violence,” 519.

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Indeed, it appears that we can draw from it at least some suggestions that are relevant to the contemporary era, even while admitting that any lessons will only be approximate. In fact, the great expanse of time and the uncountable changes from late antiquity to contemporary Western life did not deter classicist Brent Shaw from drawing insights connecting the 419 siege of a Donatist basilica to the violence exacted by the Branch Davidians and the federal government in the 1993 siege outside Waco, Texas.<sup>106</sup> The question, therefore, is not whether lessons can be drawn, but which lessons the history instructs us.

If the view were confirmed that Christian religious zeal constitutes the predominant cause for the emergence of the repressive Christian state in late antiquity, this would provide historical support for imposing a special watchfulness, through political and legal institutions, on Christianity to prevent excessive zeal from manifesting in public life. The current search for “right wing,” often allegedly religiously based, extremism in the U.S. military is one such current example of this sentiment,<sup>107</sup> as are aspects of the broader initiatives to investigate and curtail domestic terrorism advanced by the Biden Administration.<sup>108</sup>

As the historical trajectory outlined here has noted, Christian zealotry did indeed contribute to a religiously repressive state in late antiquity. Based on this history, the claim that we need a watchfulness of potential

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<sup>106</sup> Brent D. Shaw, “State Intervention and Holy Violence: Timgad/Paleostrovsk/Waco,” *Journal of the American Academy of Religion* 77, no. 4 (2009): 853-894.

<sup>107</sup> The 2021 National Defense Authorization Act requires oversight “to protect military personnel against radicalization from hate groups, religious extremists, and gangs.” Alexander Aguilastratt, “Diversity is Our Army’s Strength,” *NCO Journal*, 9 Oct 2021. Programs like this promise in practice special focus on “conservative” Christians. Mikey Weinstein, founder of what he calls The Military Religious Freedom Foundation, has described conservative Christians as “bloody monsters,” and cites those with a “Christian Crusader warrior” mentality as a major source of military extremism. For Weinstein and his allies, the state must purge its soldiery of Christian malevolence. Mikey Weinstein, “Open Letter to the United States Air Force Academy: ‘We Told You So,’” *Daily Kos*, 12 Jan. 2021; “Fundamentalist Christian Monsters: Papa’s Got a Brand New Bag,” *Huffington Post*, 16 June 2013.

<sup>108</sup> Biden’s Department of Homeland Security maintains that “Domestic violent extremism poses the most lethal, persistent terrorism-related threat to our homeland.” Ken Dilanian and Julia Ainsley, “DHS Weighs Major Changes to Fight Domestic Violent Terrorism, Officials Say,” *NBCNews*, 25 March 2021, accessed on 14 April 2021, <https://www.nbcnews.com/politics/national-security/dhs-weighing-huge-changes-fight-domestic-violent-extremism-say-officials-n1262047>. Providing more specificity, former CIA Director James Brennan notes that the Administration is now moving with urgency to restrain “religious extremists” in the United States, including groups often referred to as “Christian nationalists.” Rachel Mivka, “Christian Nationalism is a Threat, and Not Just for Capitol Attackers Invoking Jesus,” *USA Today*, 31 Jan. 2021.

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Christian excess is not wholly misplaced. At the same time, this recognition must be balanced with the acknowledgement that genuine threats to undermine Christianity by those either in the state or seeking to capture the state also drove many Christians to use the power at their disposal by way of self-defense.

It is arguable that we see shades of these earlier efforts against orthodox Christians in aspects of contemporary public policy. As Smith maintains, for some on the political Left, just as was the case in “the ancient city,” contemporary citizens “with commitments to strong [or traditional] versions of Christianity or other truth-oriented faiths are today a foreign and divisive element” who merit to be marginalized, and removed from serious public discussion.<sup>109</sup> In turn, this history suggests that the attempt to use the state to oppose traditional Christianity might engender an unsettling backlash.

From these acknowledgments, I believe a more general set of principles emerges. We need a watchfulness of religious extremism, to be sure. But we also and perhaps most fundamentally need a commitment to institutions that can minimize the prospect of tensions surrounding religion impelling rivals to use state power to suppress the other side. If institutions are structured such that the state is unable to be used to undermine any religious view, then the tensions among religious rivals can be channeled into creative polemics in the arena of personal and social persuasion. Although presented here only in broad strokes, this would require something akin to the classical liberal view of the state as an organization primarily designated the protector of rights and not the promoter of comprehensive visions, and a state fortified by checks and balances to rein in actions should the state veer off track.

In fact, this vision appears to be just what George Washington articulated as his aspirations for the new American nation, a conception he described eloquently in the borrowed phrases of the Prophet Micah. In the United States, Washington hoped, *all* citizens “can sit in safety, under their own vine and fig tree, and no one shall make them afraid.”<sup>110</sup> The history developed here reinforces why we should aspire to forge a state that promotes only the most basic elements of the common good—becoming, in turn, a state whom only the lawless have to fear.

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<sup>109</sup> Smith, *Pagans and Christians in the City*, 359, 363. One can also think of the cases of adoption agencies that adhere to traditional religious values surrounding the family being singled out for closure, among many other cases.

<sup>110</sup> George Washington, “Letter to the Hebrew Congregation in Newport, Rhode Island,” August 18, 1790, accessed on March 22, 2023, <https://founders.archives.gov/documents/Washington/05-06-02-0135>.