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**CONSTANTINE'S POLICY OF RELIGIOUS TOLERANCE:
WAS IT TOLERANT OR NOT?**

BY

PAMELA JUNE OBERG SHARP

B.A., English, The University of New Mexico, 1995

THESIS

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Requirements for the Degree of

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ABSTRACT

Focusing on Late Antiquity and in particular the fourth century AD, the question of Emperor Constantine's policy of religious tolerance is examined. Constantine and his times and issues introduce the theme. The sincerity of Constantine's Christian belief and his relationship to the Church set the background of the debate, along with a look at three influences upon him, Eusebius of Caesarea, Ossius of Cordova, and Lactantius. Examining the atmosphere or climate gives added criteria for determining Constantine's religious policy. Lactantian views are investigated more fully for his influence on Constantine. Other problems looked at are the controversy over the Edict of Milan, the question of Eusebius' reliability and whether or not Constantine issued a ban on sacrifice. After exploring these issues, it is concluded that Constantine did maintain a policy of religious tolerance.

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Introduction

Late antiquity, that middle ground between the classical and medieval worlds, yields not only the first Christian emperor, Constantine, but most importantly a crucial concept of religious toleration. Narrowing our focus to the fourth century, we can see the emergence of religious tolerance as a key issue. As the sides changed in the fourth century, from Roman persecution of the Christians to Christian harassment of the pagans, the debate remained.

We will follow Constantine as he grows in his Christian faith but also establishes as policy the concept of religious tolerance. The issue arises: Did Constantine really maintain a policy of religious toleration? After exploring Constantine's sincerity of faith, influences upon him and questions concerning his policy, we will conclude whether or not he maintained a policy of tolerance.

Chapter One addresses the chaotic world of the third century. When Emperor Diocletian came into power, he carried out reforms in the military administration, economics (especially to deal with the problem of inflation) and religion. He established a Tetrarchy, a four-way sharing of power, to stop the prevailing anarchy and civil wars. Diocletian stabilized the frontiers and brought peace to the empire.

Constantine, after Diocletian's abdication, became emperor. The world changed with Constantine becoming the first Christian emperor. Matters examined here include the sincerity of his Christian faith. This question has been an issue with some scholars, especially Jacob Burckhardt, earlier in the nineteenth century, who considered Constantine to have chosen the Christian faith for reasons of political advantage. The question of Constantine's sincerity will be looked at in some depth. The role of *pontifex*

maximus retained by Constantine and the idea of maintaining the *pax deorum* (peace of the gods) influenced how Constantine related to the Church. Misunderstanding of Constantine's concept of this role leads some scholars to misinterpret Constantine's motives and actions.

Controversy over the Edict of Milan, one of the earlier statements to establish religious toleration, will be looked at in some detail. The question is not whether there was such a statement but exactly what it was and how it came about. Whether Constantine favored the Christian church with legislation is another problem that will be addressed. One of the issues will be Constantine's giving more power to the bishops.

Chapter Two examines three influences on Constantine. The first of these, Eusebius of Caesarea, has long been considered to have been close to Constantine. We will look at why some scholars consider this not to be true. Ossius of Cordova was a constant companion of Constantine's from the beginning. A well-respected bishop, he early on guided Constantine in the development of his faith. In the various issues Constantine confronted, such as the Donatist and Arian controversies, Ossius was instrumental in searching out the truth and guiding Constantine in the right direction concerning decisions being made to resolve the disputes.

Lactantius, according to some scholars, especially Elizabeth Digeser, had the most influence on Constantine. From Lactantius developed ideas of religious tolerance which carried over into establishing a Christian nation. In writing his book, the *Divine Institutes*, to help stay the persecution of Christians, Lactantius laid out principles of tolerance that carried over to stem aggressive Christians against the pagans when the Great Persecution was ended.

Chapter Three considers whether Constantine's religious policy was tolerant or not. We will look at some of the determining issues, such as whether his policy followed his words. What were some of the statements or laws that were made and what did they really mean? What type of "climate" did there seem to be and can this help in sorting out Constantine's religious policy?

Lactantius' ideas are examined more fully with the thought in mind of the influence they exerted on Constantine as emperor. What kind of Christianity did Constantine desire? Was there an umbrella policy that included the Christian faith? What then was Constantine's actual policy of tolerance? These questions and more will be addressed in Chapter Three.

All of the chapters aim to answer the question: Did Emperor Constantine have a tolerant religious policy or not?

Chapter One

Constantine – His Times and Issues

Constantine's Times

To get an idea of the issues Constantine faced, we must first look at the world that he lived in. The third century was a time of chaos. There was a crisis of emperor and army brought on by military emergencies.¹ As Stephen Williams in *Diocletian and the Roman Recovery* says, in the fifty years “from the assassination of Severus Alexander to the coup of Diocletian there were 15 ‘legitimate’ Emperors and many more pretenders, and almost all died violently: an average reign of about three years.”² During this time the frontiers were repeatedly overrun. A factor in the disintegration was the distances in the vast empire. Before, the system of communication and military administration had been adequate as long as there were no serious external threats occurring simultaneously; when this did happen the system collapsed.³ Repeated invasions, year after year for generations, and worsening, ruined civil life. Bribing the invaders to leave them alone only advertised Roman weakness.⁴

Into this instability stepped Diocletian (284-303 AD) to right the ship of empire. He formed a Tetrarchy with which to govern the vast distances. Maximian became Augustus in the west and Diocletian ruled the east. Each Augustus adopted a Caesar. A Caesar was normally the natural son of the Augustus who was then in line for succession. Diocletian was without a son, so he adopted Maximian and made him Caesar, eventually raising him to Augustus. Then in 293 AD, Marcus Flavius Constantius or Constantius

¹ Noel Lenski, ed., *The Age of Constantine* (Cambridge: Cambridge University Press, 2006), 37.

² Stephen Williams, *Diocletian and the Roman Recovery* (New York: Methuen, Inc., 1985), 18.

³ *Ibid.*, 18.

⁴ *Ibid.*, 19.

Chlorus (Constantine's father) was adopted as Caesar by Maximian and Gaius Galerius by Diocletian. The military was rearranged to become an efficient fighting machine. The senatorial aristocracy was relieved of military commands and a new army of professional soldiers who had risen from the ranks was formed.⁵ These changes produced results and the borders were secured. Emperor Constantine carried on Diocletian's reforms and between the two emperors the Roman Empire became stable.

Constantine became sole emperor in 324 AD, after defeating Licinius, but before that happened his journey began as a young man at the court of Diocletian, where he received an education. Upon Diocletian and Maximian's abdication, Constantine's father, Constantius, became Augustus in the West and Galerius in the East. Constantine was raised to the purple, at his father's death, by the soldiers. In 311 AD, Maxentius, Maximian's son, declared war against Constantine. At the Milvian Bridge in 312 AD, Constantine turned to the Christian God to win in the battle against the pagan Maxentius. According to accounts by Lactantius and Eusebius, which differ in some details, in advance of the Battle of the Milvian Bridge, Constantine prayed to the god of his father for help. Before the battle he experienced a vision of a cross in the sky, along with the words, "In hoc signo vinces- In this sign, you will conquer." A dream, according to Eusebius, told him the god of his father was Christ, and he was to paint the Chi/Rho symbol on the shields of his soldiers. Victorious in battle, Constantine turned to the Christian religion. From that point on, Christianity had a champion and a protector.

⁵ Peter Brown, *The World of Late Antiquity* (New York: Norton, 1989), 24.

The Sincerity of Constantine's Christian Belief

Much has been written about the sincerity of Constantine's belief. Success in battle has long been a tradition from ancient times to show the validity of a god's protection. Constantine proved in many battles that his trust in the Christian God was not misplaced. But Constantine's consequent behavior has raised some doubts about his sincerity concerning the Christian faith, such as his continued usage of Sol Invictus, a monotheist symbol, on coins as late as 320-1 AD.

A closer examination of the cult of Sol Invictus might help in understanding why Constantine held on to references to it. The cult of Sol Invictus, originating in Syria, was imposed on Rome and the Empire at the beginning of the third century AD by the young emperor Elagabalus.⁶ Halsberghe states that in the third century, "the Romans were for a number of reasons increasingly attracted to a certain kind of monotheism, mainly because of the popularity of the cult of Deus Sol Invictus."⁷ Its first period of success was during the reign of Elagabalus (218-222 AD), who officially made the sun god, Sol Invictus Elagabal, the chief deity of Rome. But it was Aurelian (270-274 AD) who gave the cult its final form and adapted it to the traditional Roman cultural pattern.⁸ Halsberghe says that "it was thus adopted by Roman nationalists who clung to the idea of 'Romanitas' and saw in the cult a vehicle for conservatism."⁹

The cult of Sol Invictus was known before the religious reforms of Elagabalus.¹⁰ But Elagabalus became a high priest of Sol Invictus and remained a Syrian with Eastern

⁶ Gaston H. Halsberghe, *The Cult of Sol Invictus* (Leiden: E. J. Brill, 1972), x.

⁷ Ibid., x.

⁸ Ibid., xi.

⁹ Ibid., xi.

¹⁰ Ibid., 53.

customs and manners. His debauchery offended the Roman moral sense. Assassinated in 222 AD, Elagabalus and his cult received a *damnatio memoriae*. Alexander Severus who then became emperor sent back the conical black stone, the symbol of the cult, to its center at Emesa. Because of changes in the attitude of the Romans, Alexander promoted syncretism and made all gods equal, including Sol Invictus.¹¹ Halsberghe says that “the measures taken against the cult of Sol Invictus implied its continued existence,” and that “the return of the cult symbol to Emesa guaranteed its survival . . .”¹² According to Halsberghe, even with the *damnatio memoriae*, “the nucleus of the cult of Sol Invictus remained intact, even in Rome”.¹³

With the introduction in 274 AD of a reconstituted cult of the sun with the name of Deus Sol Invictus, Emperor Aurelian accomplished “the saving solution.”¹⁴ Into unstable conditions of anarchy and rebellion, he brought about moral unity with this cult. Halsberghe says that much had changed “in the preceding years, and the majority of the citizens, including the most prominent and influential officials, no longer subscribed to the rigid views upheld by previous generations.”¹⁵ Also, Halsberghe says that “the philosophers of the third century had systematized ideas which had become current and had made syncretism intellectually satisfying, and this had prepared the upper classes to accept Aurelian’s religious reforms.”¹⁶

Aurelian’s religious reform was not a re-institution of the cult of Sol Invictus Elagabal; the cult lost its Eastern influence and became more Roman. As a result it was

¹¹ Ibid., 105.

¹² Ibid., 106.

¹³ Ibid., 106.

¹⁴ Ibid., 122.

¹⁵ Ibid., 135.

¹⁶ Ibid., 136.

an example of a syncretic cult.¹⁷ In 274 AD, by decree of the emperor, Deus Sol Invictus became the official deity of the Roman Empire. Deus Sol Invictus was considered the conservator who watched over the emperor.¹⁸ Halsberghe says that “the fact that all these high priests of the sun god belonged to the most aristocratic families was an important factor not only in Romanizing the character of the cult but also in maintaining and perpetuating this specific character”.¹⁹ Also, he considers the holding of multiple priesthoods a sign of the times and an indication of how much syncretism had progressed by the end of the third century and especially in the fourth century. It was a way to prevent the disappearance of paganism.²⁰

Roman support of the cult, as Aurelian adapted it to suit the Roman mentality, “turned it into a powerful political weapon.”²¹ Halsberghe says, “Roman paganism gradually merged into a monotheism conceived under the general and concrete, the religious and philosophical form of the monotheism of the sun.”²² For half a century, the monotheism of the sun god developed a firm foundation so that after Aurelian, it flourished for some time.²³ “From the end of the third century on, religious syncretism, perfectly embodied by the cult of Deus Sol Invictus, was the ideal of both the masses and the intellectuals.”²⁴ As Halsberghe says, “The successive emperors were well aware of the extent to which this cult of the sun god lent support to their policies, and they spared

¹⁷ Ibid., 139.

¹⁸ Ibid., 140.

¹⁹ Ibid., 146.

²⁰ Ibid., 146-7.

²¹ Ibid., 149.

²² Ibid., 150.

²³ Ibid., 155.

²⁴ Ibid., 155.

no pains to keep the cult of Deus Sol Invictus flourishing.”²⁵ “The coins of the emperors of the fourth century carried the image of and texts referring to the sun god with increasing frequency, thus affording proof of the growth of the cult and the esteem in which it was held.”²⁶

The custom of representing Deus Sol Invictus on coins ended in 323 AD. After the battle with Licinius in 323, Constantine became sole ruler, and openly accepted Christianity. Only abstract concepts inoffensive to both pagans and Christians were allowed.

In looking at the development of the cult of Sol Invictus, we can see the need that it filled and the syncretic movement of the times. It became a powerful unifying tool for emperors. This monotheistic trend paralleled the interests of Constantine. He allowed the cult of Deus Sol Invictus to be his protector. His reign was spoken of as the Sun Emperorship.²⁷ Clues to his reasons lie in the background of the cult. It had become embedded in the Roman way of life. Everyone, from the masses to the aristocrats, found solace in this cult. The old Roman gods lost attraction compared to what the syncretic cult of the sun had become to people. Therefore, Constantine knew, also, the powerful tool this cult could be to him. It would have been foolish to turn away before he obtained sole rule. At that point, he was free to declare his true beliefs in Christianity. The reasons for Constantine holding onto the cult of the sun for the period of time that he did are in the history of the cult and what it had become. As Halsberghe says, “In the course of the third century, the Roman Empire had passed through a moral and material crisis.

²⁵ Ibid., 163.

²⁶ Ibid., 166.

²⁷ Ibid., 167.

The Eastern cults had shaken belief in the ancient Roman gods and robbed them of their capacity to support the devout.... The general religious trend was toward monotheism, not only locally but universally.”²⁸ Constantine tapped into this trend and relied on the sun god to carry him to victory until he faced another more imposing god- the Christian God.

Another discussion of Constantine’s reluctance to eliminate the old religion and make Christianity the sole religion of the empire can be found in Glanville Downey’s article “Education in the Christian Roman Empire: Christian and Pagan Theories under Constantine and His Successors.” Downey examines Constantine’s reasoning for the attitude that he took of basic neutrality. Constantine states the principle that “to insist upon the ancient customs is the discipline of future times. Therefore, when nothing that is in the public interest interferes, practices which have long been observed shall remain valid.”²⁹ Constantine, as Downey suggests, comes down on the side of Roman tradition, upon which Roman education was based.³⁰ Downey feels that Constantine’s attitude is based on the type of education that he had- that is, an “eclectic point of view in religion and philosophy which was typical of the cultivated pagans of his time . . . ”³¹

The tendency to take advantage of all possibilities of aid and acceptance of this point of view by the public appears in official panegyrics addressed to Constantine by pagan orators [AD 310 and 313].³² The eclectic or synergistic form of religion was strong at this time. Constantine also would have looked at Christianity from the point of

²⁸ Ibid., 149.

²⁹ Glanville Downey, “Education in the Christian Roman Empire: Christian and Pagan Theories under Constantine and His Successors,” *Speculum*, 32 (1957): 51.

³⁰ Ibid, 52.

³¹ Ibid.

³² Ibid.

view that the Roman state had achieved its success because of “the traditional Roman virtues and the official state cult.”³³ In Constantine’s letter to the Provincials of Palestine, he says: “Anyone who casts his mind back over the times which stretch from the beginning to the present, and lets his thoughts dwell upon all the events of history, would find that those who have first laid a just and good foundation for their affairs have also brought their undertakings to a good conclusion, and as it were from a pleasant root have also gathered a sweet fruit . . .” (Eusebius, *Vita Constantini*, II.25)³⁴ Constantine refers to the “Supreme,” which would also have resonated with pagans.

When doctrinal troubles developed within the Church, Constantine would have looked at the prosperity of the state as dependent on the unity of the Church.³⁵ This line of thinking goes along with fears of the wrath of heaven which was an important pagan belief. Appeasing the gods so that they would protect the state was the purpose of the polytheistic ritual- it was important to maintain the *pax deorum*.

In the contradiction of Constantine’s adoption of the Christian faith and then Constantine’s policy toward it, Downey suggests that the question is not his failure to understand what was involved in the doctrine but rather “the result of Constantine’s looking upon Christianity from the point of view of his own education and intellectual equipment.”³⁶ This point can be seen in Constantine’s handling of the Arian controversy. He at first states that philosophers differ frequently on certain points but are in harmony through “the uniting power of their common doctrines” and so the ministers of the new

³³ Ibid.

³⁴ Eusebius, *Life of Constantine*, trans. Averil Cameron and Stuart Hall (Oxford: Clarendon Press, 1999), 104.

³⁵ Downey, “Education”, 52.

³⁶ Ibid.

religion should be in agreement.³⁷ Constantine makes the statement that he has found the differences in Arius' doctrine to be "truly insignificant," and "a trifling and foolish verbal difference."³⁸ Downey considers this lack of preparation for the problems of the new religion to stem from Constantine's upbringing.³⁹ Downey says also that, according to Lactantius, Constantine had "the responsibility for guarding and handing on the Roman state which he had inherited" and so any hesitations or errors attributed to personal idiosyncrasies or not creditable motives were really due to his education.⁴⁰ Constantine was raised in the classical tradition, where synergism was prominent and narrow viewpoints unknown.

Downey further analyzes the situation by saying that Christianity became diffused and succeeded without the educated and governing classes. Those classes were mostly unaware of Christianity and its social and political significance.⁴¹ This gap produced Constantine's "supposed failure to understand Christianity."⁴²

Charles Cochrane in *Christianity and Classical Culture* feels that it was because of the pragmatic spirit of Constantine's faith that he retained on his coins, until middle age, figures and emblems of the traditional pagan gods and forbade divination in general, but specifically sanctioned it in the public interest.⁴³ These indications do not disqualify the sincerity of the emperor but do suggest that "his apprehension of Christianity was imperfect."⁴⁴ They indicate that, "whatever his errors, they were merely those of a man

³⁷ Ibid., 53.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid., 56.

⁴² Ibid.,

⁴³ Charles Cochrane, *Christianity and Classical Culture* (Indianapolis: Liberty Fund, 2003), 236.

⁴⁴ Ibid.

who, in the transition to a new world, carried with him a heavy burden of prejudice from the old.”⁴⁵ “The ambiguities of Constantinian Christianity may be ascribed, not to any deliberate wickedness on the part of the emperor, but to the enormous difficulty of breaking away from what Augustine was to call the ‘pernicious habit’ (*pessima consuetudo*) of classical life and thought.”⁴⁶ Cochrane also says that the deficiencies of the emperor were those of his teachers.

Jacob Burckhardt, in *The Age of Constantine*, was an earlier critic of Constantine’s sincerity of belief. Burckhardt suggested that Constantine used Christianity to consolidate his personal power.⁴⁷ According to Drake, Burckhardt’s real flaw was conceptual anachronism- projecting “modern assumptions about values and behavior onto periods in which such standards may not apply.”⁴⁸ Norman Baynes, in *Constantine the Great and the Christian Church*, destroyed most of Burckhardt’s arguments. Particularly, on the inner workings of Constantine’s mind, Baynes says, “The letters and edicts of Constantine are not the writings of one who was merely a philosophical monotheist whose faith was derived from the religious syncretism of his day - a faith into which Christianity had been absorbed . . . The emperor has definitely identified himself with Christianity, with the Christian Church and the Christian creed. Further, here is a sovereign with the conviction of a personal mission entrusted to him by the Christian God. . . . In the third place, in Constantine’s thought the prosperity of the Roman state is intimately . . . linked to the cause of unity within the Catholic Church. . . .

⁴⁵ Ibid.

⁴⁶ Ibid., 240.

⁴⁷ Drake, *Constantine and the Bishops* (Baltimore: Johns Hopkins University Press, 2000) 18.

⁴⁸ Ibid, 17.

Here, I believe, is to be found the determining factor of the religious policy of the emperor - his aim was ever to establish unity in the Catholic Church.”⁴⁹

Constantine eventually became a scholar of Christianity, according to Lactantius, and would go without sleep studying the Scriptures. Indications of the sincerity of Constantine’s Christian belief can be found in his letter of 314 AD to the bishops at Arles where he writes plainly about his Christian thoughts: “The eternal and incomprehensible goodness of our God will by no means allow the human condition to carry on straying in error, nor does it permit the abhorrent wishes of certain men to prevail to such a degree that he fails to open up for them with his most brilliant beams a way of salvation by which they may be converted to the rule of righteousness. This indeed I have learnt by many examples, but I measure these by myself. For there were initially in me many obvious defects in righteousness, nor did I believe that the supernal power saw any of those things that I did in the secrecy of my heart. So then, what lot awaited these offences of which I have spoken? Obviously that which abounds with all ills. But Almighty God who sits in the vantage-point of heaven bestowed upon me what I did not deserve; it is certainly impossible to tell or enumerate those benefits that his heavenly benevolence has vouchsafed to his servant.”⁵⁰

Constantine’s patronage of church building should leave no doubts of his interest. In the Holy Land, Constantine had built the Church of the Nativity in Bethlehem and the Church of the Holy Sepulchre in Jerusalem. In Rome, St. Peter’s Basilica arose from Constantine’s influence and in Constantinople, Hagia Sophia and the Church of the Holy

⁴⁹ Norman Baynes, *Constantine the Great and the Christian Church* (New York: Haskell House Publishers, 1975), 27.

⁵⁰ Optatus, *Against the Donatists*, trans. and ed. Mark Edwards (Liverpool: Liverpool University Press, 1997), 189.

Apostles, where he was buried. Late baptisms were common in that time, as no sin should be committed afterwards. Constantine was baptized upon his approaching death in 337 AD. It is unlikely that Constantine supported Christians for reasons of self-interest, because the percentage of Christians in the empire as a whole was still small.⁵¹

Some scholars have said that with the pagan majority it was not only practical but necessary in governing for Constantine to extend tolerance to them. Christianity at the time Constantine became sole ruler was a minority religion. The Senate, aristocracy and army were still largely pagan. It was not until the fifth century that the majority of the Senate and upper class became Christian. To avoid civil unrest, Constantine needed to establish a consensus. One of the ways he did so was through a policy of religious tolerance. Whether or not it was politically motivated, some scholars feel Constantine sincerely believed in this policy. Drake claims that Constantine eventually suffered politically in choosing unity over expediency.⁵²

The Edict of Milan

The so-called Edict of Milan, posted by Licinius at Nicomedia in 313 AD, under his and Constantine's names, after Licinius' defeat of Maximinus Daia, announced a policy of religious liberty.⁵³ "This edict granted 'Both to Christians and to all persons the freedom to follow whatever religion each one wished, by which [act] whatever divinity exists may be appeased and may be made propitious toward us and toward all who have been set under our power' in order that 'no cult may seem to be impaired.' (Lact. *Mort.*

⁵¹ Averil Cameron, *The Later Roman Empire* (Cambridge, Mass.: Harvard University Press, 1993), 57.

⁵² Drake, *Constantine and the Bishops*, 271.

⁵³ Elizabeth Digeser, *The Making of a Christian Empire: Lactantius and Rome* (Ithaca, NY: Cornell University Press, 2000), 122.

48.2,6)”⁵⁴ It is the first public statement of toleration for all religions. Constantine held to this policy of religious toleration throughout his reign, even as sole ruler.

The so-called Edict of Milan, according to Cochrane in *Christianity and Classical Culture*, made a number of changes:

First, it guaranteed the right to profess the faith and removed any legal problems which might be suffered in consequence. Second, no person could be prevented from exercising the obligations of his religion and it gave the right to subscribe to the “Christian law” and have freedom of assembly and worship. Third, provision was made for restitution of lands and buildings confiscated during the persecutions. Fourth, the church was recognized as a corporation by authorizing it to hold property.⁵⁵

Christianity was put on par with the other religions. But also with liberty extended to adherents of all religions, according to Cochrane, “this represented, on the part of the state, a formal and explicit abandonment of any attempt to control the spiritual life, which was thus proclaimed to be autonomous.”⁵⁶ Toleration, or complete religious neutrality, was a fundamental policy of public law, which was to remain until the accession of Theodosius in 378.⁵⁷ The Edict of Milan was a milestone in the history of human relations.⁵⁸ The mission of Diocletian and his colleagues had been to revive policies initiated by Aurelian but interrupted by his assassination. Those policies were a

⁵⁴ Ibid.

⁵⁵ Cochrane, *Christianity and Classical Culture*, 196.

⁵⁶ Ibid., 197.

⁵⁷ Ibid.

⁵⁸ Ibid.

kind of totalitarianism.⁵⁹ Constantine did not intend to return to “the classical *polis* in which the cult of certain official deities was recognized as a necessary function of organized society. From this standpoint, his proclamation of spiritual freedom represents a genuine departure from anything to be found in the experience of antiquity.”⁶⁰ New ground was being charted. Constantine led the way with roots in the past and pressed forward under a new banner.

In his article, “Religious Tolerance during the Early Part of the Reign of Constantine the Great (306-313),” John Knipfing presents a different view of the Edict of Milan. The first edict of toleration was issued in April, 311 by Galerius. This edict ended the persecution of the Christians and for the first time in the empire’s history Christians were granted “the right of professing their faith and practicing their cult.”⁶¹ Christianity became a *religio licita* and Christians were given the right of assembly.⁶² “The Roman state had been accustomed to exact of its citizens in their private worship and of its non-citizens in their public worship the condition that nothing should be done against good order, the government, the law, and public morals.”⁶³ This right continued but churches were restored to Christians so they might “directly devote their divine services and prayers in part at least to the welfare of their rulers and the Roman state.”⁶⁴ As Knipfing says, the Edict of Galerius of 311 ended the Galerian phase of the Diocletian persecution, and then the Licinian-Constantinian legislation of 313 terminated the

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ John Knipfing, “Religious Tolerance during the Early Part of the Reign of Constantine the Great (306-313),” *The Catholic Historical Review*, 10 (1925): 492.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid., 493.

persecution phase of Maximinus Daia.⁶⁵ This legislation has been called the Edict of Milan and is considered the initiative of Constantine.

Knipfing in his article pursues the question, along with some other scholars, of whether the “Edict of Milan” is a misnomer. Knipfing says that there is no “positive proof of the actual promulgation and existence of the Edict of Milan.”⁶⁶ “The texts given by Lactantius and Eusebius are nowhere cited by them, whether in rubric or in commentary, as the Edict of Milan.”⁶⁷ Knipfing says that the tradition of the existence of that decree is post-medieval. The designation “Edict of Milan” came into existence in the seventeenth century.⁶⁸ After a lengthy discussion, Knipfing says that the deliberations of Constantine and Licinius at Milan were not published in the form of a constitution, edict or rescript.⁶⁹ There would have been no justification for such a decree in the West with the Edict of Galerius, issued in 311 by Galerius, Constantine and Licinius, which officially ended the persecution of Christianity. A Licinian document, which Eusebius preserved, could not have been issued in the East until Licinius had conquered the territory from Maximinus.⁷⁰ We know that Licinius addressed the *constitutio* of Nicomedia to the governor of Bithynia and can assume that the “Latin archetype of the Eusebian version was addressed to the governor of Palestine.”⁷¹ “Consequently, we may regard the Latin and Greek documents reported by Lactantius (*de mort.* 48) and Eusebius (*hist. eccles.* X. 5.2-14) as two distinct versions of the one constitution of Licinius, addressed respectively to the governors of Bithynia and Palestine, and designed primarily

⁶⁵ Ibid., 494.

⁶⁶ Ibid., 495.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid., 501.

⁷⁰ Ibid., 497.

⁷¹ Ibid., 498.

to remove all previous conditions which Maximinus had imposed on Christians. . .”⁷²

Following are the imperial ordinances of Constantine and Licinius, as translated from the

Latin:

We have long intended that freedom of worship should not be denied but that everyone should have the right to practice his religion as he chose. Accordingly, we had given orders that both Christians and [all others] should be permitted to keep the faith of their own sect and worship. But since many conditions of all kinds had evidently been added to that rescript in which such rights were accorded these same people, it may be that some of them were shortly thereafter deterred from such observance.

When under happy auspices I, Constantine Augustus, and I, Licinius Augustus, had come to Milan and were discussing all matters that concerned the public good, among the other items of benefit to the general welfare- or rather, as issues of highest priority- we decided to issue such decrees as would assure respect and reverence for the Deity; namely, to grant the Christians and all others the freedom to follow whatever form of worship they pleased, so that all the divine and heavenly powers that exist might be favorable to us and all those living under our authority. Here, therefore, is the decision we reached by sound and prudent reasoning: no one at all was to be denied the right to follow or choose the Christian form of worship or observance, and everyone was to be granted the right to give his mind to that form of worship that he thinks suitable to himself, so that the Deity may show us his usual care and generosity in all things. It was appropriate to send a rescript that this is our pleasure, so that with all conditions canceled in the earlier letter sent to Your Dedication about the Christians, whatever seemed unjustified and foreign to our clemency might also be removed and that now everyone desiring to observe the Christians’ form of worship should be permitted to do so without any hindrance. We have decided to explain this very thoroughly to Your Diligence, so that you may know that we have granted to these same Christians free and limitless permission to practice their own form of worship. And when you note that we have granted them this permission unrestrictedly, Your Dedication will understand that permission has also been given to others who wish to follow their own observance and form of worship-something clearly in accord with the tranquility of our times-so that everyone may have authority to choose and practice whatever form he wishes. This we have done so that we might not appear to have belittled any rite or form of worship in any way.

As regards the Christians, in the previous letter sent to Your Dedication, definite instructions were issued regarding their places of assembly. We now further resolve that if any should appear to have

⁷² Ibid.

bought these places either from our treasury or from any other source, they must restore them to these same Christians without payment or any demand for compensation and do so without negligence or hesitation. If any happen to have received them as a gift, they must restore them to these same Christians without delay, provided that if either those who have purchased these same places or those who have received them as a gift appeal to our generosity, they may apply to the prefect of the district, so that they may also benefit from our kindness. All this property must be handed over to the body of the Christians immediately, through zealous action on your part and without delay.

And since these same Christians not only owned places of assembly, but are also known to have had others belonging not to individuals but to the corporation of the Christians, all such property, under provisions of the above law, you will order restored without any question whatever to these same Christians, that is, to their corporation and associations, provided, again, that those who restore the same without compensation, as mentioned above, may seek to indemnify their losses from our generosity.

In all these matters you should expend every possible effort in behalf of the aforesaid corporation of the Christians so that our command may be implemented with all speed, in order that here also our kindness may promote the common public tranquility. In this way, as mentioned earlier, the divine care for us that we have known on many prior occasions will remain with us permanently. And in order that our generosity and enactment may be known to all, what we have written should be announced by your order, published everywhere, and brought to the attention of all, so that the enactment incorporating our generosity may escape the notice of no one. (*Historia Ecclesiastica* X.5.2-14)⁷³

The Licinian constitution went beyond the terms of the Edict of Galerius and made restitution of property. It incorporated the philosophy of the connection between imperial welfare and divine favor.⁷⁴ Expressions used to designate the divine power were vague and indicate a type of pagan monotheism popular at the time. Also, the phrase “*summus deus*” was a term common to all religions.⁷⁵ Knipfing believes the “startling modern spirit of religious toleration” to have been Constantinian, as Licinius’ later

⁷³ Eusebius, *The Church History*, trans. Paul L. Maier (Grand Rapids: Kregel Publications, 2007), 322-324.

⁷⁴ *Ibid.*, 500.

⁷⁵ *Ibid.*, 501.

persecutions of Christians negated the spirit of the document.⁷⁶ On the contrary, Constantine “even during his years of sole supremacy, from 323 to 337, gave every evidence, and that often under conditions of extreme provocation, of sincerely endeavoring to conform to the exercise of his political and coercive power strictly to the letter and spirit of the Nicomedian-Palestinian decree of 313;”⁷⁷ that is, the two versions of the Licinian constitution.

Knipfing concludes that the Milan deliberations of Constantine and Licinius cannot be said to have been published. The Licinian Constitution dealt with problems of the East. “Although the Greek version of the Licinian Constitution leaves with the reader the impression that the Milan resolutions of Constantine and Licinius were officially published at Milan, the Lactantian version will serve as the proper corrective of the faulty work of the Eusebian translator.”⁷⁸ Contemporary literature was silent about the existence of a Milan decree.⁷⁹ Paul Maier in a footnote in Eusebius’ *The Church History* says that the Edict of Milan was “drawn up by Constantine and Licinius at Milan but announced at Nicomedia in June, 313. It was then dispatched to the governors of the Roman provinces.”⁸⁰ It cannot be exactly determined how the Edict of Milan was issued, only the fact that it was promulgated in some form. Generally, today the term “Edict of Milan” is accepted as a frame of reference for Constantine’s statement of religious tolerance.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid., 503.

⁷⁹ Ibid.

⁸⁰ Eusebius, *The Church History*, 322, n. 14.

Constantine's Relationship to the Church

According to Cochrane, despite the pledge of neutrality in the Edict of Milan, Constantine was not indifferent to questions of religion.⁸¹ With Constantine's involvement in the Donatist schism (313 AD) and other developments, such as enactment of a Lord's Day Act (321 AD), though, he issued a line of policy which was in contradiction to the spirit of neutrality in the Edict of Milan.⁸² Further discussion of Constantine's reasoning for involvement in religious questions follows.

Some of his legislation was of the type to bring Christianity in line with the other religions. One of these laws exempted Christian priests from public service. Priests of the imperial cults before had had this privilege. In Constantine's Second Letter to Anulinus, he gives his reasoning: "So I desire that those in your province in the catholic church, . . . who devote their services to this sacred worship-those whom they customarily call clergymen-should once and for all be kept entirely free from all public duties. Then they will not be drawn away from the worship owed to the Divinity by any error or sacrilege but instead strictly serve their own law unencumbered. In so rendering total service to the Deity, they will clearly confer immense benefit on the affairs of state."⁸³ Constantine is ever conscious of the role that religion plays in protection of the state. Earlier in the Second Letter to Anulinus, Constantine enumerates his philosophy: "Many facts prove that the vitiation of religious worship, by which the highest reverence for the most holy, heavenly [Power] is preserved, has greatly endangered public affairs and that its lawful restoration and preservation have conferred the greatest good fortune

⁸¹ Cochrane, *Christianity and Classical Culture*, 217.

⁸² Cochrane, *Christianity and Classical Culture*, 227.

⁸³ Eusebius, *The Church History*, 327-8.

on the Roman name and extraordinary prosperity on all humankind-blessings bestowed by divine grace.”⁸⁴ Constantine has turned to the Christian God, proven to him at the Battle of the Milvian Bridge as deserving of that honor, to pay highest homage for protection of the state. This belief in associating religion and morals in sustaining the state comes from Constantine’s upbringing and roots. This section from Horace’s Centennial Ode (*Carmen Saeculare*), 17 BC, sums up the respect for faith and virtue from which Constantine’s belief stems:

Faith and Peace and Honour
and ancient Modesty and neglected
Virtus dare to return and blessed
Plenty with her full horn appears.⁸⁵

Belief in protection of the state by God is not something that has been discarded with the Christian religion.

Other decisions could be considered to have been made in the best interest of the empire. One of these decisions was that of allowing bishops to become judges. H. A. Drake, in *Constantine and the Bishops: The Politics of Intolerance*, discusses the controversial decision by Constantine to extend judicial powers to bishops. Drake sees it as a civil matter rather than an effort by Constantine to achieve the ‘triumph of the church’, as some have suggested. The law of 333, “On the Judgment of Bishops” or CS1 (First Sirmondian Constitution) says that the testimony of a single bishop is to be accepted without further evidence, along with a specific injunction that “such testimony

⁸⁴ Ibid., 327.

⁸⁵ Donald Earl, *The Moral and Political Tradition of Rome* (Ithaca, New York: Cornell University Press, 1967), 73.

should not merely preclude the need for additional witnesses but actually prevent others from testifying.”⁸⁶ Drake insists that “Constantine was not concerned with the power of the bishop or of the church but with the administration of justice.”⁸⁷ Constantine’s primary concern was with legal delays for “those trapped in the snares of litigation,” especially the lower classes.⁸⁸ Constantine was confronting the problem of a judicial system that worked to the advantage of the rich and powerful. Drake claims that Constantine believed that “by this means he will secure divine favor” and that “such favor brought peace and prosperity to his subjects.”⁸⁹ Constantine held to the ancient tradition of securing divine favor (*pax deorum*) for protection of the state but looked to a just God, in obtaining justice for those on earth, to receive divine protection.

H. A. Drake reasons that Roman rulers extending back to the Republic had always been responsible for maintaining the *pax deorum* (the peace of the gods), and “it was natural both for Constantine to assume a position of leadership in the Christian organization once it became one of Rome’s legally recognized religions and for Christian leaders to accept him in that role.”⁹⁰ Constantine was maintaining the tradition of his upbringing. Drake also says that it is incorrect to see the authority Constantine asserted as “a power grab on his part or as spiritual capitulation by the bishops on theirs. Religious matters in the ancient world were no more clearly defined than secular ones, and in such an environment, participation by the emperor was not only normal and

⁸⁶ Drake, *Constantine and the Bishops*, 325.

⁸⁷ *Ibid.*, 327.

⁸⁸ *Ibid.*, 328.

⁸⁹ *Ibid.*, 336.

⁹⁰ *Ibid.*, 283.

expected but even demanded.”⁹¹ Constantine’s involvement in Christian matters, such as the Arian issue and Donatist schism, can clearly be explained by his heritage and the role of the *pontifex maximus* from the past.

Conclusion

We have found that ambivalences in Constantine’s behavior, such as upholding some traditions from the past and retaining Sol Invictus on coins, do not indicate insincerity in Constantine’s Christian faith. Rather, it was his upbringing and rooting himself in those traditions that were not detrimental to the public well-being which constituted Constantine’s way of thinking. The sincerity of Constantine’s faith can be shown by his studious learning of Scriptures, patronage of church building and other examples. The role that Constantine exerted concerning the church was immersed in traditions from the past and concern for justice. Constantine held to the Edict of Milan’s statement of respect for all religions, but carried out his role as *pontifex maximus* within the Christian religion. In examining Constantine’s sincerity of faith, we can see his overall concern for unity to obtain divine protection for the state. Exclusiveness of religion was not within his sights at this time. Constantine upheld the spirit of neutrality while fostering his chosen faith.

⁹¹ Ibid.

Chapter Two

An Examination of Three Influences on Constantine

Where did Constantine get his ideas, especially concerning Christianity, religious tolerance and the empire? In this chapter, we will look at three people who have been considered by scholars to have been influences upon Constantine. They are Eusebius of Caesarea, Osius of Cordova and Lactantius.

Eusebius of Caesarea

Scholars for a long time have considered Eusebius of Caesarea (ca. 263-339) to be an authority on Constantine and to have had a close relationship with him. Some other scholarship has shown that this might not be the case. Glanville Downey and H. A. Drake, along with T. D. Barnes and others, dispute Eusebius' accuracy but from different angles.

Looking at Eusebius' *Vita Constantini*, Glanville Downey suggests that additions and interpolations were made after Eusebius' death, "sometimes with the purpose of making the *Vita* a vehicle for particular ideas and points of view."⁹² Following N. H. Baynes, Downey points out that the purpose of the work was "to speak and write only of the matters which concern his [Constantine's] eager religious life . . ."⁹³ Downey says that Jules Maurice concluded that after Eusebius' death, the *Vita* was reworked by someone favorable to the religious policy of Constantius, which was different from his

⁹² Glanville Downey, "The Builder of the Original Church of the Apostles at Constantinople: A Contribution to the Criticism of the 'Vita Constantini' Attributed to Eusebius," *Dumbarton Oaks Papers* 6 (1951): 62.

⁹³ Ibid.

father's.⁹⁴ Also, the *Vita* differs in essential points from Eusebius' *Ecclesiastical History* and "contradicts itself with regard to the religious policy of Constantine."⁹⁵

Downey calls attention to W. Seston's study that the *Vita* is not consistent on major points of Constantine's religious policy and that it has an opposite statement of the Christian emperor's mission from that of Eusebius on Constantine's thirtieth anniversary celebrations in 335-6, "in an oration whose authenticity has not been questioned."⁹⁶ Those who find interpolations in the *Vita* have not been refuted.⁹⁷ Downey goes on to say that "in taking away from Eusebius the credit for having written certain unconvincing parts of the *Vita*, we are both doing the historian a service and placing our own studies on a more sensible basis."⁹⁸

A cautionary tale noted convincingly by Downey is the statement and description in Eusebius' *Vita* that the Church of the Apostles was built by Constantine; this statement accompanies the description of his funeral.⁹⁹ Later mentions of the church having been built by Constantius are provided by Philostorgius, Procopius of Caesarea, Constantine of Rhodes, and Nikoloos Mesarites. They all lived after the building of the original church but are considered authoritative.¹⁰⁰ The remark that "Constantine's tomb is to be seen 'even now' suggests that this is one of the passages which have been tampered with."¹⁰¹ Downey says, "... the *Vita*'s story represents an *ex post facto* interpretation of

⁹⁴ Ibid., 63.

⁹⁵ Ibid.

⁹⁶ Ibid., 64.

⁹⁷ Ibid., 65.

⁹⁸ Ibid., 72.

⁹⁹ Ibid., 69.

¹⁰⁰ Ibid., 66.

¹⁰¹ Ibid., 69.

Constantius' construction of the church.”¹⁰² Downey points out that scholars in the past have not had certain evidence available for the church of the Apostles. This lack of evidence affected Jakob Burckhardt, an earlier critic of Constantine and his motives, who concluded from his study of the *Vita* that Eusebius was “the first thoroughly dishonest historian of antiquity.”¹⁰³ Now, in the light of current scholarship and with alterations identified, the *Vita* can still be a valuable part of Eusebian/Constantinian research. The question then for Downey is not the unreliability of Eusebius or even all his works but only the problematic nature of certain sections of the *Vita*.

H. A. Drake, on the other hand, questions the accuracy and motives of Eusebius himself. Drake's first question concerns the closeness of Eusebius and Emperor Constantine. Beginning with the fact that the bishop and emperor are recorded to have met and conversed on only four occasions, Barnes has identified these four circumstances as follows: Eusebius and Constantine first met in 325 at the Council of Nicaea. Barnes says, “. . . the bishop arrived under a provisional ban of excommunication, and the emperor helped him to rehabilitate himself and to prove his orthodoxy.”¹⁰⁴ The next encounter was probably in December 327 where Eusebius “presumably attended” the Council of Nicomedia, which readmitted Arius. Then in November 335, Eusebius, along with five other bishops, arriving from Tyre, accused Athanasius of treason. In 336, Eusebius participated in the council in Constantinople which deposed Marcellus of Ancyra; Constantine was present at the council. At its close, the bishops celebrated Constantine's tricennalia where Eusebius delivered his *Panegyric to Constantine*.

¹⁰² Ibid., 71.

¹⁰³ Ibid., 72.

¹⁰⁴ Timothy D. Barnes, *Constantine and Eusebius* (Cambridge, Mass.: Harvard University Press, 1981), 266.

Barnes, also, suggested that letters exchanged between them were not frequent and seem to have been formal.¹⁰⁵ All of this record of meeting implies that Eusebius did not have that much opportunity to be an influence on Constantine. The importance of Eusebius lies in his being the author of one of the few records that we have of Constantine's reign. It is therefore important to assess the reliability of his testimony. Drake pursues further an implication that Eusebius may have had more opportunity than recorded of seeing Constantine. Eusebius' description of some events with striking detail suggests he is writing an eyewitness account, as when he describes the reaction of philosophers in the audience to a funeral oration Constantine delivered or how the city was "illuminated with candles" for Constantine's final Easter.¹⁰⁶ The theory that Drake develops is that Eusebius conceived of doing a biography of Constantine about two years before Constantine's death and so made a trip to specifically collect material, supposedly during Constantine's final Easter, which is not "clearly indicated by the record."¹⁰⁷ Drake concludes that Eusebius' "direct access to documents, as well as to Constantine himself, if not as extensive as once believed, appears to have been greater than the most recent studies would allow."¹⁰⁸

The next question is the motive for writing and the documents that Eusebius presents. Drake examines the stormy meetings at Tyre in 335 concerning Athanasius as a contribution to the genesis of the *Vita Constantini*.¹⁰⁹ In Book 4, repeated references "to the esteem in which the emperor held the author- references that go so far as to

¹⁰⁵ Ibid., 267.

¹⁰⁶ H. A. Drake, "What Eusebius Knew: The Genesis of the 'Vita Constantini,'" *Classical Philology* 83 (1988): 29.

¹⁰⁷ Ibid., 30.

¹⁰⁸ Ibid., 31.

¹⁰⁹ Ibid., 32.

emphasize that Constantine personally testified to the truth of Eusebius' theology"¹¹⁰ - indicate what might be an ulterior reason for calling it to attention. As Drake suggests, "the combination is particularly effective. It helps explain why some scholars for so long have tended to magnify the extent of Eusebius' influence on the emperor; but as evidence for Eusebius' state of mind, it also indicates how defensive the recent clashes with Athanasius had made the bishop of Caesarea."¹¹¹ Drake states flatly, "one original intent of the VC surely was to cloak Eusebius in the security of the emperor's mantle."¹¹² All of this posturing indicates insecurity by Eusebius concerning the perception of his orthodox position. This point is important for the question of the tolerance of Constantine toward the pagan religion. Eusebius' equation of Constantine's thought with his own leaves little room for a wider acceptance of different religions. Drake realizes this point when he says, "Although it is absent from the pages of Eusebius' biography, the emperor's equivocal treatment of the old and new faiths has long been known."¹¹³ Doubt is created concerning Eusebius' portrait of Constantine. Into the cracks of that doubt can be poured a more realistic model. Drake reveals the beginning formation of that model when he says, "No matter how favorably he presents the emperor's motives, Eusebius simply cannot hide the fact that Constantine's standards for judging Christian conduct were not identical to his own."¹¹⁴ If Constantine had a lower standard for admittance to the Christian faith, then his standard of religious tolerance would have been

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid., 33.

¹¹⁴ Ibid., 35.

more relaxed and not more rigid. Peering behind this curtain can help us in assessing Constantine's true beliefs concerning tolerance farther down the road.

A common complaint of scholars is the inaccuracy of Eusebius' documents. Some have suggested that he worked from memory or that another person did the copying with errors. Eusebius also summarized some documents "incompletely and even misleadingly."¹¹⁵ Drake's view of Eusebius' summaries is that they "consistently tend to exaggerate the narrowness of Constantine's Christianity."¹¹⁶ Drake suggests that all of Eusebius' works, if read in the light of apologia, show "a consistent effort to cast a Christian light on events and statements."¹¹⁷ With this idea in mind, we can see why it is difficult to ascertain Constantine's true thoughts and motives. Constantine did have a Christian sense of his place in the world, along with a traditional conception of an emperor. Drake lists Constantine's and Eusebius' shared attitudes as: "the idea that God had chosen him [Constantine] to bring peace and unity, an unyielding belief in the common destiny of Church and Empire, a concern for moral uplift."¹¹⁸ But, as Drake says, there was a difference in priorities between the two. "It seems clear that the bishop could not conceive of a Christianity as open to traditional influences and as flexible as Constantine envisioned."¹¹⁹ That question is what we will be looking at in the next chapter. What was Constantine's real stand on religious tolerance?

¹¹⁵ Ibid., 37.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid., 38.

Ossius of Cordova

Ossius, bishop of Cordova in Spain (ca. 257-359), became one of the early Christian clergy to advise Constantine. “He was a man of great learning, of the highest morality, and widely respected as an outstanding leader of the western church.”¹²⁰ He would become Constantine’s “foremost ecclesiastical counselor” and a regular companion for more than a decade.¹²¹ He returned to his bishopric in Spain after the eastern Nicene Council of 325 and the western Vicennialia of 326. Because of a poor choice he made toward the end of his career not much information about Ossius has been preserved.¹²² But what little we do know shows that Ossius was surely in the party of advisors of whom Constantine asked questions at his conversion experience. Ossius may have been ordained a bishop around the year 295. It was said that “Ossius had been a bishop for more than sixty years when the Arians began their agitation against him at the court of Constantius in 355/356.”¹²³

Ossius was very concerned about the “dignity and integrity of the clergy,”¹²⁴ and insisted that candidates for higher ecclesiastical offices pass through a long probation through all the minor grades of the hierarchy so that “through these promotions, which will take considerable time, it may be tested if he [the candidate] is a man of faith and

¹²⁰ Charles Odahl, “God and Constantine: Divine Sanction for Imperial Rule in the First Christian Emperor’s Early Letters and Art,” *The Catholic Historical Review* 81 (1995): 333.

¹²¹ Ibid.

¹²² Having championed the orthodox position his whole career, at the age of 100, leading the orthodox resistance in Spain against Arian Constantius’ strong-armed tactics, Ossius was summoned by Constantius to the palace and beaten into signing the Arian formulary. The orthodox never forgave him. Victor C. De Clercq, *Ossius of Cordova: A Contribution to the History of the Constantinian Period* (Washington, D.C.: The Catholic University of America Press, 1954), 459-530.

¹²³ De Clercq, *Ossius*, 79.

¹²⁴ Ibid., 115.

modesty, conducting himself with dignity and moderation.”¹²⁵ The integrity of the clergy remained an important point throughout his life. Although Ossius’ role concerning the canons of Elvira is obscure, we can assume he put his influence behind restoring ecclesiastical discipline and counteracting the moral decline of Spanish communities.¹²⁶ It has also been determined that he was a confessor, one who suffered for the faith but was not martyred, coming out of the persecution. There is a long list of Spanish martyrs preserved in the local tradition and not one allusion to the existence of *traditores* among the Spanish clergy.¹²⁷ Ossius was in the company of the “great”. The character of Ossius cannot be questioned.

Ossius’ influence on imperial decisions has been variously estimated. “Yet the existence and the primordial importance of Ossius’ role in the momentous events of these years have been unanimously acknowledged by the modern biographers of Constantine.”¹²⁸ A letter of Constantine’s sent to Caecilian, Catholic bishop of Carthage and primate of the entire African Church, around April 313 finds Ossius in the employment of Constantine: “Do thou therefore, when thou hast received the above sum of money, command that it be distributed among all those mentioned above, according to the brief sent to thee by Hosius.”¹²⁹ This letter, then, indicates that Ossius joined Constantine before April 313 and possibly before the end of 312.¹³⁰ Constantine was at Rome during this time.

¹²⁵ Ibid., 116.

¹²⁶ Ibid., 117.

¹²⁷ Ibid., 121, 128.

¹²⁸ Ibid., 149.

¹²⁹ Philip Schaff and Henry Wace, *A Select Library of Nicene and Post-Nicene Fathers of the Christian Church*, Vol. 1 (Grand Rapids, Michigan: W. B. Eerdmans Publishing Company), 382.

¹³⁰ De Clercq, *Ossius*, 150.

Eusebius is definite in fixing the time when Constantine first called upon Christian priests. He says that Ossius joined the court before the campaign against Maxentius at the end of 311 or beginning of 312.¹³¹ The historical accuracy of Eusebius' narrative has been challenged. Because of Eusebius' unreliability, it cannot be concluded that Ossius' association with Constantine started before October 312.¹³² Also, it cannot be determined "with certainty whether Ossius joined the court in Gaul (311-312) or in Rome (312-313)."¹³³ We do know that after he joined Constantine's court, he was "admitted to the emperor's table and also accompanied him on his travels."¹³⁴ Ossius was "in the emperor's confidence when the decree concerning the restitution of church property was issued."¹³⁵

Another mention of Ossius by name is given in the following passage, from Philostorgius' *Historia Ecclesiastica*: "Constantine exhibited a great and admirable eagerness to foster the expansion of the churches, he treated the bishops with the greatest honor, and especially those from the West, because through them he had received the first instructions and exhortations to virtue, and among them the Spaniard Hosius, presiding over the church of Cordova in Spain—a man who had obtained high fame everywhere because of his age and reputation of virtue—and with him other bishops prominent in that part of the empire. On his campaigns and wherever he went he made them accompany him, reverencing them as far as lay in him, and attributing to their prayers the things

¹³¹ Ibid., 153.

¹³² Ibid., 154.

¹³³ Ibid., 155.

¹³⁴ Ibid., 161.

¹³⁵ Ibid., 156.

successfully done by himself.”¹³⁶ It appears that Ossius was treated with the highest honor and respect. As to his influence with Constantine, De Clercq says, “These two testimonies combined prove clearly that Constantine received his first detailed knowledge of the Christian doctrine from Ossius, and that he played a decisive role in the conversion to Christianity.”¹³⁷ Ossius left no doctrinal works.¹³⁸

Other documents that indicate Ossius’ influence include a letter on subsidies where it is clear Ossius “was advising the emperor on church polity.”¹³⁹ Also, a law allowing manumission of slaves in churches was dedicated to Ossius and “indicates that he influenced Constantine to inject Christian morality into Roman jurisprudence.”¹⁴⁰

Ossius also seems to have been involved in the Donatist controversy. The Donatists were formed when Donatus refused to accept sacraments from priests who had become *traditores*, that is, handed over the Scriptures to Roman authorities, during the persecutions of Diocletian. The Donatists had a rigorist or “unforgiving” stance toward those who had erred and would not allow them to participate in the Sacraments and carry out their duties as they had before. They separated themselves from the more accepting attitude of the Catholics.

The controversy centered on the consecration of Caecilian as Bishop of Carthage, upon the death of his predecessor, by bishops considered *traditores* under the persecution; it was therefore not considered a valid ordination by some. Numidian bishops elected Majorinus in his place. Donatus soon succeeded Majorinus. It is in this

¹³⁶ Ibid., 152.

¹³⁷ Ibid.

¹³⁸ Ibid., 75.

¹³⁹ Odahl, “God and Constantine,” 333.

¹⁴⁰ Ibid.

way that the Donatist schism started. How Ossius learned of the controversy, we are not sure. Somehow Caecilian informed him of the intrigues of the Donatist rebellion, and persuaded “Ossius of the justice of his cause and of the validity of his claims to the Catholic see of Carthage.”¹⁴¹ “This fact proved to be of decisive impact upon the further development of the crisis.”¹⁴² Ossius used his influence to sway Constantine in the direction of Caecilian who he considered represented the true church. Constantine sent letters and granted favors from then on only to “the Catholic Church of the Christians”.¹⁴³ “. . . How determining Ossius’ intervention was at this early stage of the controversy may be judged from the intense hatred with which the Donatists pursued the memory of the great bishop of Cordova.”¹⁴⁴

Ossius’ power at court was at its peak during the Arian controversy and the Council of Nicaea.¹⁴⁵ Ossius was in a leading position at Nicaea and seems to have presided over the council.¹⁴⁶ After the conquest of the East by Constantine in 324, Ossius followed the emperor and he was “to attain the summit of his renown.”¹⁴⁷ “His influence on the emperor was never higher, and his fame in the entire Western Christianity unrivaled, momentarily eclipsing even the prestige of the See of Rome.”¹⁴⁸

It was not until Constantine and Ossius entered the East that they learned the seriousness of the Arian dispute.¹⁴⁹ Constantine before had thought that the problem was a minor, vexing disagreement, which Eusebius of Nicomedia had deceived Constantine

¹⁴¹ De Clercq, *Ossius*, 163.

¹⁴² Ibid.

¹⁴³ Ibid., 164.

¹⁴⁴ Ibid., 165.

¹⁴⁵ Ibid., 177.

¹⁴⁶ Ibid., 171, 229.

¹⁴⁷ Ibid., 184.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid., 197.

into believing.¹⁵⁰ Ossius was sent to Alexandria to ascertain the situation. Although Ossius failed to accomplish any reconciliation, as Constantine had hoped, the mission was not unsuccessful in that Ossius learned “the truth about Arianism.”¹⁵¹ “He now realized the dreadful menace it constituted for Christianity; he became convinced of the orthodoxy of Alexander’s teachings and of the basic accordance of his views with the western faith.”¹⁵² Bishop Alexander of Alexandria, of the orthodox view, was now poised against Arius, who believed that the Son was subordinate to the Father and did not exist from eternity.

At the Council of Nicaea the consensus among modern historians is that Ossius was responsible for the insertion of the term *homoousios* (“of the same substance”) into the creed.¹⁵³ “It is in this sense that the quotation from Athanasius, attributing to Ossius the authorship of the Nicene Creed, must be understood.”¹⁵⁴ Another reason for looking at Ossius for the origin of the term is that “there are indications that the term *homoousius*, and other cognate expressions, while being viewed with suspicion in the East, already formed part of the theological language of the West; the promoter, therefore, of the term at Nicaea must be sought among the Western representatives, and again one immediately thinks of the Bishop of Cordova.”¹⁵⁵ De Clercq indicates that Athanasius states that the bishops at Nicaea “did not invent this phrase for themselves, but using the testimony of the Fathers wrote as they did.”¹⁵⁶ “The analysis of the pre-Nicene sources reveals that both expressions, or their Latin equivalents, were known and used in the East as well as

¹⁵⁰ Ibid., 199.

¹⁵¹ Ibid., 205.

¹⁵² Ibid.

¹⁵³ Ibid., 258.

¹⁵⁴ Ibid., 259.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid., 260.

in the West.”¹⁵⁷ But the widespread opposition to the term which broke out in the East after Nicaea can only be explained by the fact that the term was suspect or unfamiliar to the majority of bishops.¹⁵⁸ Most modern historians prefer to see *homoeousios* as a western input.¹⁵⁹ Concerning the date of Easter, Ossius probably on his earlier mission to Alexandria in regard to the Arian issue found “useful information on the precise point of contention . . . to prepare the way for the solution adopted at Nicaea.”¹⁶⁰ With the decisions that were adopted, “we cannot but see in this the result of the vigorous action by Ossius and the Roman legates. . .”¹⁶¹

It appears that after Nicaea Ossius returned home, as there is no further mention of him until the Council of Serdica in 343. Looking at Constantine’s acts from 328 until his death in 337, it seems evident that the anti-Nicene leaders, Eusebius of Nicomedia and Eusebius of Caesarea, were all-powerful at the court.¹⁶² The absence of Ossius from the court could explain the turn of decisions that Constantine made concerning Athanasius’ exile, among other things. It seems probable that Ossius stayed one more year and traveled with Constantine to Rome, as in 325 Constantine enacted measures which were hard on the Arian cause but a few years later showed a complete change of attitude.¹⁶³ It would not be wrong to attribute this change to Ossius’ continued presence and influence,¹⁶⁴ then his absence. The reasons for Ossius returning home at this time are

¹⁵⁷ Ibid.

¹⁵⁸ Ibid., 262.

¹⁵⁹ Ibid., 263.

¹⁶⁰ Ibid., 274.

¹⁶¹ Ibid.

¹⁶² Ibid., 283.

¹⁶³ Ibid., 284.

¹⁶⁴ Ibid.

a matter of conjecture. Whether Ossius' retirement preceded rather than followed Constantine's reversal of policy concerning Arianism is mostly guesswork.

What is clear, though, is the continued influence that Ossius exerted on Constantine throughout their sojourn together, especially concerning the settlement of issues at the Council of Nicaea. Ossius traveled and prepared the groundwork for the council, presiding and bringing together the decisions that needed to be made. His exceptional character and the widespread respect he commanded lent support to bringing Constantine to agreement as to how the issues should be decided. Ossius helped to establish orthodoxy through his guidance of Constantine.

The importance of Ossius for the wider issue of tolerance lay in his leading Constantine to his Christian faith and in his helping him to grow in that faith. As Charles Odahl says, "Ossius very probably guided Constantine's early readings in the Bible and helped him learn what duties the Christian God would expect a Christian emperor to perform."¹⁶⁵ Among the many modern scholars who have maintained that Ossius played a key role in advising Constantine on the Christian faith and church matters are Louis Duchesne, Victor De Clercq, Ramsey MacMullen, W. H. C. Frend and T. D. Barnes.¹⁶⁶ One cannot dispute the role that Ossius played in many of the issues that came up in Constantine's reign from 312 to 326. Ossius has been shown, in many ways not touched upon here, to have played a major role in decisions that were made.

Lactantius

Another person who had an equal or greater influence on Constantine was Lactantius (ca. 240-ca. 320). Charles Odahl says, Lactantius was "the Christian teacher

¹⁶⁵ Odahl, "God and Constantine," 333.

¹⁶⁶ Ibid., n. 13.

who would have the most profound effect on his [Constantine's] early understanding of his new faith."¹⁶⁷ Lactantius, a converted rhetor from Africa, came to Constantine's court around 310, where he tutored Constantine's son, Crispus. Dedicating the second edition of his *Divine Institutes* to Constantine, Lactantius read it aloud to the court. The conception of the *Divine Institutes* began at the start of the Great Persecution in 303. Emperor Diocletian had called for a winter lecture series in 302-303 on the Christian question in Nicomedia given by Porphyry and Sossianus Hierocles, governor of Bithynia, a strong proponent of persecution. In the audience sat Lactantius. His response was to write the *Divine Institutes* between 305 and 310, as a defense of Christianity and an advocacy for toleration.

Elizabeth Digeser discusses whether the framework of the *Divine Institutes* was set out in response to Porphyry's *Philosophy from Oracles*, which could have been read aloud. The *Philosophy from Oracles* was an apologia of traditional religion and philosophy. Porphyry was a special danger to Christianity because when he was young he was attracted to Christianity and even studied awhile with Origen. Porphyry left to study Neoplatonism under Plotinus and eventually went to Rome where he studied and wrote. "The gravity of Porphyry's criticism of Christianity is evident from the many books and edicts against him."¹⁶⁸ Digeser opens by suggesting that Lactantius developed his argument for toleration to counter this challenge from "a formidable, influential foe."¹⁶⁹ Lactantius, obeying convention, did not name his adversary and Constantine and

¹⁶⁷ Ibid., 336.

¹⁶⁸ Elizabeth DePalma Digeser, "Lactantius, Porphyry, and the Debate over Religious Toleration," *The Journal of Roman Studies* 88 (1998): 131.

¹⁶⁹ Ibid., 130.

other emperors banned and burned the works of Porphyry.¹⁷⁰ The importance of Lactantius' *Divine Institutes* lies in the development of his theory of toleration and his thoughts on what a Christian empire would be.

One of the positions that Lactantius developed is that "it is inappropriate to threaten the use of force or penalties to defend any sort of religious worship."¹⁷¹ Relying on Cicero's ideal constitution in *De Legibus*, he emphasizes two points. "For Cicero, the gods should be approached chastely, 'by people offering *pietas* and laying aside wealth.' God would 'punish the one who does differently.'"¹⁷² As Lactantius says in the *Divine Institutes* (5.20.5-8): "We may then ask these people whom they think they most serve in forcing the unwilling to sacrifice. The people they compel? A kindness unwanted is no kindness. Oh, but when people don't know what is good, they must be counselled against their will. But if they want them to be safe, why harass and torment them into helplessness? Alternatively, where does such an impious piece of piety come from that has them either ruin or disable, in miserable fashion, people they would like to counsel? Or is it their gods they serve? An unwilling sacrifice is no sacrifice. Unless it come from the heart spontaneously, it is blasphemy when people act under threat of proscription, injustice, prison or torture. If those are gods that get worshipped like that, they are not fit to be worshipped for the single reason that they want to be worshipped like that . . ."¹⁷³

Lactantius develops the idea that a worthy god would not ask for forced acts of worship. He brings this issue to the forefront in asking those who would persecute the

¹⁷⁰ Ibid.

¹⁷¹ Ibid., 142.

¹⁷² Ibid.

¹⁷³ Lactantius, *Divine Institutes*, trans. Anthony Bowen and Peter Garnsey (Liverpool: Liverpool University Press, 2003), 324.

Christians if this is the kind of god that they want to have. He not only opens the issue of the type of god they are worshipping but also points the way to see that the Christian God does not ask or demand such slavery. Lactantius not only puts a question mark on the traditional gods but puts the Christian God in a better light. Adding that forbearance is a way that is the most civilized and most respectful of the gods, Lactantius enlarges the view for all those involved. Lactantius' proposal is a true theory of toleration, that is, both groups "disapprove of and disagree with each other" but "neither group should use force against the other. And he advocates forbearance in order to achieve a greater good, nothing less than that of proper worship."¹⁷⁴

Porphry asks why Christians are 'worthy of forbearance'. Lactantius answers that anything else would "undermine the sanctity of any sort of worship."¹⁷⁵ This second argument that Lactantius confronts is to show that tolerating Christianity promotes not sedition but rather *Romanitas*.¹⁷⁶ These two themes- toleration and *Romanitas*- are the "hallmark of *Lactantius' Divine Institutes*."¹⁷⁷

An indication of Lactantius' influence on Constantine, according to Digeser, can be seen in Constantine's letter of 314 to the bishops at Arles, which echoes "several salient themes from the main text of the *Divine Institutes*."¹⁷⁸ Digeser points out that after 324 in two letters- one to the Eastern provinces and one to the inhabitants of Palestine- "Lactantian motifs" are prolific.¹⁷⁹ Odahl notes that "Lactantian themes and phraseology are particularly evident in the edicts and letters Constantine issued in 324-

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ Elizabeth DePalma Digeser, *The Making of a Christian Empire: Lactantius and Rome* (Ithaca: Cornell University Press, 2000), 135.

¹⁷⁹ Ibid., 136.

325 to the eastern provinces and bishops in the aftermath of his ‘Holy War’ against Licinius.”¹⁸⁰ This can be seen in Constantine’s “Letter to the Eastern Provincials” (*Vita Constantini* II.60): “However let no one use what he has received by inner conviction as a means to harm his neighbour. What each has seen and understood, he must use, if possible, to help the other; but if that is impossible, the matter should be dropped. It is one thing to take on willingly the contest for immortality, quite another to enforce it with sanctions.”¹⁸¹ This theme will resonate for Constantine when the tables are reversed and Christians begin to militate against the pagans. Constantine again reminds those who would force worship that God does not ask or demand unwilling belief and the god that does is unworthy. Lactantian influence is evident here, as seen in the above quotation from the *Divine Institutes* about compelled sacrifice. Constantine has taken to heart this aspect of the benevolence of God concerning worship. The influence is not vice versa because Lactantius wrote the *Divine Institutes* before Constantine’s letter to the bishops at Arles.¹⁸² Lactantius’ views widened the interpretation of worship and eased the emperor into having an all-inclusive empire.

Determining where Constantine gets his ideas and why he uses them can give us a clue as to Constantine’s actual policy toward other religions. “. . . It is still possible to demonstrate that Lactantius’ conception of Christianity played an important role in Constantine’s policy. The evidence for such a relationship must be found, not in shared

¹⁸⁰ Odahl, “God and Constantine,” 341.

¹⁸¹ Eusebius, *Life of Constantine*, trans. Averil Cameron and Stuart G. Hall (Oxford: Clarendon Press, 1999), 114.

¹⁸² Elizabeth DePalma Digeser, “Lactantius, Constantine and the Roman *Res Publica*” (PhD diss., University of California, 1996), 90.

language, but in common ideas about religion and the state, particularly those that differ from the Christian mainstream.”¹⁸³

In Lactantius’ ideal state, two principles must hold: “All worship must be accorded to the one god alone; and all persons must be led to interact with each other in a spirit of *aequitas*. Finally, in order to guarantee that the spirit of *religio* remains unsullied, all religious differences must be borne with a spirit of forbearance.”¹⁸⁴ Odahl discusses the Christian view of the state which swings between “rendering to Caesar” and exhorting the faithful to obey earthly authorities because “all government comes from God,” and “civil authorities are divinely instituted to serve God by protecting good people and punishing wrong doers.”¹⁸⁵ “Emperors who prohibit the worship of the true God and persecute the faithful have forsaken their sacred duty . . .”¹⁸⁶ Odahl says that “church apologists had been expressing these views for centuries, and they were at the heart of the political theory Constantine was learning from the works of Lactantius.”¹⁸⁷

Constantine was also learning from his involvement in an internal dispute of the western church; that is, the Donatist Schism.¹⁸⁸ Odahl says, “these events are particularly important . . ., since it is in the words of Constantine’s Donatist correspondence, and in the motifs of contemporary imperial art that we can discern the emperor’s early attempts to define his role in terms of a political theory of Christian imperial theocracy.”¹⁸⁹

Constantine was not setting a new precedent by getting involved with internal matters of

¹⁸³ Ibid., 130.

¹⁸⁴ Ibid., 214.

¹⁸⁵ Odahl, “God and Constantine,” 342.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid., 343.

the church. Pagan emperors before him had been asked to settle church disputes.

Carrying the title *pontifex maximus* gave Constantine the right to oversee religion.

Constantine had other reasons for getting involved in disputes of the church. He had strong feelings about how God would perceive these disagreements. In a letter to Aelafius, vicar of Africa, he wrote: “. . . I consider it not right at all that contentions and altercations of this kind should be ignored by us, from which circumstance perhaps *the Highest Divinity may be moved* not only against the human race but also *against me myself, to whose care by his own celestial will He has committed the management of all* earthly affairs, and having been angered, may determine anything otherwise than heretofore. For then truly and most fully shall I be able to be secure and always to hope for the most prosperous and best things from the very prompt benevolence of the most powerful God, when I shall have perceived that all people are venerating the most holy God by means of the proper cult of the Catholic religion with harmonious brotherhood of worship.”¹⁹⁰

Constantine had a strong sense of responsibility for settling disputes to ensure the continued benevolence of God. Odahl says, “the Christian political concept that God institutes earthly powers was gaining ground in Constantine’s thinking, but with two important corollaries- the acceptance of political power from the Divinity required duties in return, and failure to perform those duties could result in divine anger and a consequent loss of divine benevolence.”¹⁹¹ Many things were coming together to shape Constantine’s view of his place in the world and what his responsibilities were. “His readings in biblical texts and Lactantian works, and his analysis of recent political events

¹⁹⁰ Ibid., 344.

¹⁹¹ Ibid.

under the influence of the themes therein, were obviously affecting Constantine's definition of his imperial role."¹⁹² When we turn to the next chapter, the Lactantian influence will be prominent in Constantine's decisions concerning tolerance. We will examine the various issues with a view toward Lactantius.

Brother Alban offers a different approach to the interpretation of the *Divine Institutes*. He assesses the text as need-driven against the prevalence of the "intransigent spirit." That spirit was "doing great harm to the cause of the Church among the large numbers of educated pagans then seeking admittance into her fold."¹⁹³ The remedy was with an approach from the "inherited learning of antiquity."¹⁹⁴ Lactantius took that broader path and changed the future of the world, opening up tolerance as a bright shining way of life, allowing all to join the school on the road of life, but pointing the way to see Christianity as "the only true religion and the only true philosophy."¹⁹⁵ As Brother Alban says, Lactantius played a major part "in minimizing the influence of the enemies of pagan culture among the Christians and in forming the attitude towards the ancient learning which the schools of the Church in Gaul were destined to pass on to the Middle Ages."¹⁹⁶

Conclusion

Eusebius' value lay in presenting actual letters and documents of Constantine, with which we can understand Constantine's thoughts. Finding alterations in Eusebius' work helps in establishing what is authentic. He seems not to have been that much of an

¹⁹² Ibid., 345.

¹⁹³ Brother Alban, "The Conscious Role of Lactantius," *The Classical Weekly* 37 (1943): 80.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid., 81.

influence on Constantine. Eusebius covered his Arian leanings with enough orthodoxy to have some association with the emperor. Eusebius gave us a portrait of the first Christian emperor which we would otherwise not have. The strength of Eusebius lay in leading Constantine in the Christian faith and in sifting through the issues, with a lot of groundwork, to establish the orthodox view. His acumen in discerning the truth and his strength of character in establishing what was right eventually gave the world the Christian faith as we know it today. The importance of Lactantius lay in his bringing about a policy of tolerance that could stand the test of time, no matter which side had the upper hand. Eliminating the intransigent spirit helped both sides in reaching out to the other. In appealing to antiquity, Lactantius was able to open the Christian religion to the pagans. A bridge was created for them to walk over. Appreciating the good instead of giving a blanket condemnation of antiquity allowed all to join together. In creating this avenue, Christianity became an open instead of a closed religion and the gift of antiquity was given to the world. These three great men of character helped to shape the future world through their guidance of the first Christian emperor to establish policies which reverberate even today.

Chapter Three

Constantine's Policy: Tolerant or Not?

We have looked at Constantine's Christian belief and the sincerity of that faith. But as Drake has questioned: Are belief and policy the same? The contradiction in two documents, "Letter to the Eastern Provincials"¹⁹⁷ and "Oration to the Saints"¹⁹⁸ consists of "the juxtaposition of ferociously anti-pagan language with pleas for peace, unity, and toleration."¹⁹⁹ In Constantine's words in the "Letter": "For the general good of the world and of all mankind I desire that your people be at peace and stay free from strife. Let those in error, as well as the believers, gladly receive the benefit of peace and quiet. For this sweetness of fellowship will be effective for correcting them and bringing them to the right way. May none molest another; may each retain what his soul desires, and practice it."²⁰⁰ (*Vita Constantini* II. 56.) Constantine is not afraid to say what he believes, as has been stated before, but the above quotation provides clear words of restraint. In other words, Constantine says, do no harm to others for what they believe. Others can be led to the faith by example, not through intimidation.

To ascertain policy Drake looks deeper into the "Oration" to discover that a keyword, Providence, is used 25 times.²⁰¹ As we have learned earlier, emperors used deity as a source of legitimacy. One of Constantine's aims seems to be in giving proof of

¹⁹⁷ 324 AD.

¹⁹⁸ Date is questionable. In "Suggestions of Date in Constantine's Oration to the Saints," *The American Journal of Philology* 106 (1985): 346, H. A. Drake pinpoints the date to 314-319 or 325-337 AD. In *The Cambridge Companion to the Age of Constantine* (Cambridge: Cambridge University Press, 2006), 3, Noel Lenski says the dates are between 315 and 328.

¹⁹⁹ H. A. Drake, "Policy and Belief in Constantine's 'Oration to the Saints,'" *Studia Patristica* 19 (1989): 113.

²⁰⁰ Eusebius, *Life of Constantine*, trans. Averil Cameron and Stuart G. Hall (Oxford: Clarendon Press, 1999), 47.

²⁰¹ Drake, "Policy and Belief", 48.

“his claim to Christian leadership.”²⁰² Drake says that Christians were divided by those “who wanted to impose orthodox belief on their neighbors from others accustomed by the apologetic tradition to seek common ground and consent.”²⁰³ Constantine needed to prove his credentials to throw his weight on the side of moderation and unity. In using Christ as an example of not using the power He possessed to punish error, Constantine meant this description to apply to himself.²⁰⁴ This statement demonstrates clearly that while Constantine holds strongly to his faith, he will not punish or persecute those who believe differently. As Drake points out, the key to Constantine’s policy and his methods lies in understanding his language but also his motives. Appeasing those who were aggressive about the faith and turning them to mildness might encourage others to move toward the message of peace and love. In so doing, “this emperor succeeded in ways that eluded his successors.”²⁰⁵

The Question of a Ban on Sacrifice

Constantine’s irenic message may have produced results in preventing volatility or a civil war, but putting aside the language, another question develops concerning Constantine’s religious tolerance. Some scholars have focused on the suggestion that Constantine enacted a ban on sacrifice. We will look at this issue in some detail.

Constantine seems to have issued some kind of a ban on sacrifice after he defeated Licinius in 324 and then became sole ruler of the Roman empire. We know that, according to Eusebius in the *Vita Constantini*, he “appointed mainly Christians to be provincial governors and forbade pagan governors the long-established custom of

²⁰² Ibid., 49.

²⁰³ Ibid.

²⁰⁴ Ibid., 50.

²⁰⁵ Ibid., 51.

preceding official business with a sacrifice.”²⁰⁶ This ban for officials is followed by a more general prohibition of pagan sacrifice, according to Eusebius. He states in the *Vita Constantini*: “Next, two laws were simultaneously issued. One restricted the pollutions of idolatry which had for a long time been practiced in every city and country district, so that no one should presume to set up cult-objects, or practice divination or other occult arts, or even to sacrifice at all. The other dealt with erecting buildings as places of worship and extending in breadth and length the churches of God, as if almost everybody would in future belong to God, once the obstacle of polytheistic madness had been removed.” (*Vita Constantini* II.45.1)²⁰⁷ T. G. Elliott points out that Barnes defends Eusebius’ “accuracy and probity” and accepts his claim concerning Constantine’s ban.²⁰⁸ Other viewpoints have been put forward. Elliott feels that if a law was issued forbidding sacrifice, it was then made clear that sacrifice was allowed. He feels then that Eusebius misled deliberately concerning Constantine’s “long-term policy.”²⁰⁹ However, Eusebius’ implication concerning Constantine’s hope for the end of paganism is probably true.²¹⁰ There is other evidence, besides Eusebius, that such a ban was issued. The Theodosian Code preserves a brief extract from an imperial *constitutio* by Constantius addressed in 341 to Crepereius Madalianus, the vicar of Italy, which reads as follows: “Superstition shall cease; the madness of sacrifices shall be abolished. For if any man in violation of the law of the sainted Emperor, Our father, and in violation of this command of Our Clemency, should dare to perform sacrifices, he shall suffer the infliction of a suitable

²⁰⁶ T. D. Barnes, “Constantine’s Prohibition of Pagan Sacrifice,” *The American Journal of Philology* 105 (1984): 70.

²⁰⁷ Eusebius, *Life of Constantine*, 110.

²⁰⁸ T. G. Elliott, “Eusebian Frauds in the ‘Vita Constantini,’” *Phoenix* 45 (1991): 169.

²⁰⁹ *Ibid.*, 170.

²¹⁰ *Ibid.*

punishment and the effect of an immediate sentence.” (*Codex Theodosianus* XVI.10.2)²¹¹

This statement would indicate that such a ban existed. Several have weighed in in support of the law. Barnes says that the loss of the law is not suspicious, since there is a parallel occurrence on another subject; that is, on the manumission of slaves in *ecclesia*. Only two laws are recorded in the Theodosian Code and the Justinianic Code, although Sozomenus mentions three laws. The more important fact of Eusebius’ failure to quote the law, Barnes explains, is that it could have been enacted by letters addressed to officials and so Eusebius may never have seen the law.²¹² Barnes says, “He knew the law through the regulations which the praetorian prefect residing in Antioch or the governor of Palestine issued on receipt of Constantine’s instructions in order to put them into effect.”²¹³

On the other side, Errington brings up evidence that contradicts the support of Eusebius’ view. The most important is Constantine’s “Letter to the Eastern Provincials” which scholars say was issued not long after the alleged ban on sacrifice. In this letter, Constantine says that peace should be granted to non-Christians as well as Christians. The closing of the pagan cult at Mamre, a site of holiness in the Old Testament, for which Eusebius quotes Constantine’s specific instructions, makes no reference to any “general imperial law or order he wishes to enforce in the present particular case.”²¹⁴ This absence

²¹¹ Clyde Pharr, trans., *The Theodosian Code and Novels and the Sirmondian Constitutions* (Princeton: Princeton University Press, 1952), 472.

²¹² Barnes, “Constantine’s Prohibition of Pagan Sacrifice,” 72.

²¹³ *Ibid.*

²¹⁴ R. Malcolm Errington, “Constantine and the Pagans,” *Greek, Roman and Byzantine Studies* 29 (1988): 313.

of mention “suggests that the general law of 324 played no part in the actions against pagan worship.”²¹⁵

Libanius, a pagan born in Antioch in 314, was 10 years old when Constantine defeated Licinius. He was a contemporary of events that occurred. In the *Pro Templis*, which he wrote, “he twice refers favourably to the time of Constantine.”²¹⁶ In an often used quotation, Libanius says that “Constantine used the confiscated temple treasure (after 324) to build up Constantinople.” (Libanius, *Oration* 30.6)²¹⁷ “But, though poverty reigned in the temples, one could see that all the rest of the ritual was fulfilled.”²¹⁸ (Libanius, *Oration* 30.6) This statement seems to indicate that there was not a ban on sacrifice. Errington says that it appears that the law that Eusebius mentions had a validity for only a few months and that “it was in effect quietly superseded and suppressed by the substantive content of Constantine’s *Letter to the Eastern Provincials*, which insisted firmly on peacefulness and universal tolerance.”²¹⁹

Errington brings up an interesting question about what may have been going on at Constantine’s court about policy in the aftermath of his victory in 324. With two opposite statements concerning the pagans a few months apart, Errington questions how all this fits with preparations for the Council of Nicaea and Ossius’ visit to Alexandria and probably Antioch during this same time.²²⁰ The hawks seem to have dominated at first: “the aggressive law against pagan sacrifice must be closely contemporary with Constantine’s letter to Alexander and Arius, which betrays a similar (western?)

²¹⁵ Ibid.

²¹⁶ Ibid., 314.

²¹⁷ Ibid.

²¹⁸ A. F. Norman, trans., *Libanius: Selected Orations*, Vol. 2 (Cambridge, Mass.: Harvard University Press, 1977), 105-6.

²¹⁹ Errington, “Constantine and the Pagans,” 315.

²²⁰ Ibid., 316.

underestimate of the importance of an eastern religious issue, a condescending impatience that would fit into the sort of political climate that produced the law against sacrifice (the like of which Constantine and his advisers had not dared to issue in their twelve years of rule in the west, not even in the propaganda battle against Licinius, presumably because they knew their ground better).”²²¹ This assessment fits in with what we studied earlier in Chapter Two with Ossius’ groundwork trips concerning the Arian issue. Early on, Constantine had mistakenly determined that the Arian controversy was a minor quarrel and then came to find out through Ossius that it was pertinent to the whole issue of orthodoxy in the Christian religion. Ossius may have turned the tide in the ban on pagan sacrifice also. However it came about, an apparent about face seems to have occurred if we can accept Eusebius’ word on a definite ban on sacrifice.

Bradbury has another point of view but concurs in the position of a definite ban on sacrifice. He, too, has a real problem with the *Vita Constantini* as a source, and states that the law Eusebius mentions is “not only unprecedented, it is also unparalleled before the Theodosian edicts of the late fourth century.”²²² The information in Book 4 is unverifiable, with the exception of the ban on gladiatorial combats which is mentioned in the Theodosian Code.²²³ As we discussed earlier in Chapter Two, the unreliability of Eusebius’ *Vita Constantini* has provoked much distrust. Many historians regard Eusebius’ assertions with skepticism. Bradbury says the majority of scholars conclude “Eusebius must be generalizing on the basis of isolated attacks on pagan cults.”²²⁴

²²¹ Ibid.

²²² Scott Bradbury, “Constantine and the Problem of Anti-Pagan Legislation in the Fourth Century,” *Classical Philology* 89 (1994): 122.

²²³ Ibid.

²²⁴ Ibid.

Attacks on several temples have been verified, but these are isolated cases. The closing of some temples has usually been associated with reasons such as conducting ritual prostitution or being erected on sites sacred to Christianity. Bradbury says we must keep in mind “the VC’s avowedly apologetic and partisan character, its relentless focus on Constantine’s religious character.”²²⁵ Further, Bradbury says, “The bold claim of a campaign against the temples is not borne out by the evidence, and it is understandable that scholars have suspected the same thing to be true of the claim about the total prohibition on sacrifices.”²²⁶ It is something to keep in mind about Eusebius’ agenda and his unreliability in the *Vita*.

Bradbury takes the opposite tack concerning the *Letter to the Eastern Provincials* and Libanius. He suggests that the *Letter* is not an “adequate legal instrument” to suppress a “legal prohibition against sacrifice.”²²⁷ It contains no guidance for imperial officials, nor makes any reference to anti-pagan legislation or any shock and upheaval, although he contradicts himself in saying that “an imperial epistle has the force of law.”²²⁸ Bradbury feels the purpose of the letter is “to prevent further civil unrest and to restore calm”,²²⁹ although there is no evidence of the need for such. Concerning Libanius, in his *Autobiography*, he alludes to a law against blood sacrifice which contains a death penalty.²³⁰ The question, though, is whether this is a law of Constantine’s or the law of Constans and Constantius issued in 341. In establishing the time frame of the statement, Bradbury concludes that it is Constantine’s legislation. How can this

²²⁵ Ibid., 123.

²²⁶ Ibid.

²²⁷ Ibid., 126.

²²⁸ Ibid.

²²⁹ Ibid.

²³⁰ Ibid., 127.

contradict Libanius' statement of no interference in the traditional religion by Constantine? Bradbury gets around it by calling the *Pro Templis* a tendentious historical source,²³¹ and comments that "there are good reasons to suspect that the narrative of the *Pro Templis* has been distorted for rhetorical purposes."²³² He considers the *Autobiography* a better guide.

Michele Salzman also examines Constantine's supposed ban on sacrifice. She considers that it likely did happen but that "it was a local law, applicable only in parts of the Eastern Empire; Eusebius supports this view, for he records Constantine's actions against pagan shrines only in the Eastern and never in the Western Empire."²³³ She reiterates Barnes' view that "it is the limited and local intent of this law which . . . explains its loss and why Eusebius does not cite it verbatim."²³⁴

Constantine does prohibit blood sacrifice at Mamre, a holy site to Christians, through an epistle to the Bishops of Jerusalem and Palestine. Constantine does not refer to a specific anti-pagan law but says sacrifices are "contrary to the character of our times" and Bradbury says that "in the rhetorical language of late Roman legislation, to call something 'contrary to the character of our times' is in effect to call it *contra legem*."²³⁵

If it was in effect the law, why does it seem that it was not enforced? Or was it? Many have suggested that the repetition of the law in the Theodosian Code suggests there was a need for enforcement. We will look later at the "climate" to get a general picture in reflecting back to Constantine's time. But looking now, there seems to have been "a

²³¹ Ibid., 128.

²³² Ibid., 129.

²³³ Michele R. Salzman, "'Superstitio' in the 'Codex Theodosianus' and the Persecution of Pagans," *Vigiliae Christianae* 41 (1987): 178.

²³⁴ Ibid.

²³⁵ Bradbury, "Constantine and the Problem of Anti-Pagan Legislation," 132.

wide gap between the emperor's will as expressed in imperial constitutions and the actual implementation of his will by provincial officials and local ruling elites."²³⁶ Examples of angry denunciations from fourth-century emperors concerning legislation ignored at the local level and penalties for officials who failed to implement the law suggest that a problem existed.²³⁷ Bradbury quotes one imperial letter, "Provincial governors set aside imperial commands for the sake of private favors, and they allow the religion which we [emperors] properly venerate to be openly disturbed, perhaps because they themselves are negligent."²³⁸ It is apparent that anti-pagan laws were unpopular and many times unenforced at the local level.²³⁹ Because we do not know of incidents happening as a result of these laws, it very well could be because they were unenforced. As Bradbury indicates, "There is no record of anyone in the fourth century having been prosecuted for offering conventional blood sacrifice and no evidence for the infliction of the horrendous punishments envisioned by these laws."²⁴⁰

Not only imperial officials but also emperors seemed unwilling to enforce the laws against sacrifice. Bradbury brings up Paul Veyne's point that some of the late Roman laws were of the type of a moralizing, disciplinary quality.²⁴¹ With this type of law, imperial officials had to decide how precisely to put the law into practice.²⁴² Sometimes there were discrepancies in laws, as Bradbury suggests. An example is the gladiatorial combats. The following is a law of Constantius, Constantine's son, but it gives a general picture of the conflicting signals that were sent at that time. In a letter

²³⁶ Ibid., 133.

²³⁷ Ibid.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Ibid., 134.

²⁴¹ Ibid., 135.

²⁴² Ibid.

sent to the City Prefect of Rome in 346, Constantius orders: “Although all superstitions must be completely eradicated, nevertheless, it is Our will that the buildings of the temples situated outside the walls shall remain untouched and uninjured. For since certain plays or spectacles of the circus or contests derive their origin from some of these temples, such structures shall not be torn down, since from them is provided the regular performance of long established amusements for the Roman people.” (*Codex Theodosianus* 16.10.3)²⁴³ Gladiatorial combats had been banned since the time of Constantine. Accommodation seems to be the key here. A harsher statement was issued one month later (although this date is not secure) by Constantius: “It is Our pleasure that the temples shall be immediately closed in all places and all cities, and access to them forbidden, so as to deny to all abandoned men the opportunity to commit sin. It is also Our will that all men shall abstain from sacrifices. But if perchance any man should perpetrate any such criminality, he shall be struck down with the avenging sword.” (*Codex Theodosianus* 16.10.4)²⁴⁴ Bradbury considers this type of law to be regarded as a moral proclamation “designed to instruct and discipline society through a combination of exhortation and threat. Their goal was to create an atmosphere or climate of opinion in which people would consider it ‘imprudent’ to conduct sacrifices in public.”²⁴⁵ Nothing has been recorded of the avenging sword being struck or any type of societal upheaval. Bradbury suggests that the attacks on temples may be the way sacrifices were suppressed. There is evidence of monks conducting such attacks. “Civil officials almost never

²⁴³ Pharr, trans., *The Theodosian Code*, 472.

²⁴⁴ Ibid.

²⁴⁵ Bradbury, “Constantine and Anti-Pagan Legislation,” 137.

initiated the coercion of pagans.”²⁴⁶ Issuance of such laws declared the Christian “character of our time.” Lack of enforcement preserved the peace. As Bradbury mentions, the atmosphere of Constantine’s reign seems to have been one of “tough talk against paganism” but no “vigorous action to suppress pagan rites.”²⁴⁷ This conclusion is reinforced by the pagan tradition preserving “no memory of the law against sacrifice” but “directing its anger instead against the emperor’s spoliation of temple treasures and the consequent impoverishment of the sanctuaries.”²⁴⁸ Bradbury concludes that the lack of enforcement caused the law to be forgotten, but that with the various pieces of supporting evidence, such a law did exist. It was not until Constantius that the harassment of pagans began.

Superstitio and Its Meaning

After looking at the question of whether or not Constantine did establish a ban on sacrifice, we will look more closely at the issue of “atmosphere” to help determine Constantine’s policy toward the pagans. Michele Salzman’s examination of the word *superstitio* in the *Codex Theodosianus* can give us an idea of the prevailing attitude in the fourth century. The changes in meaning of *superstitio* through time give an indication of the movement of the culture. In the first century BC, *superstitio* meant the religious beliefs of other cultures or non-orthodox Roman practices; the term had “disparaging connotations.”²⁴⁹ It also meant an excessive fear of the gods or an unreasonable religious belief. This meaning continued through the third century AD. The connection between *superstitio* and illicit divination or magic was made in a law in 297 AD. The Christian

²⁴⁶ Ibid.

²⁴⁷ Ibid., 139.

²⁴⁸ Ibid.

²⁴⁹ Salzman, “‘Superstitio,’” 174.

redefinition of *superstitio* as a synonym for paganism came about in the fourth century. Salzman says there was a period of transition in the early and middle decades of the fourth century, in which the pagan and Christian groups were vying for dominance.²⁵⁰ This struggle is reflected in the legal usage of *superstitio*. Salzman sets the stage in the West, in the early part of the fourth century. Pagans were in a powerful position compared to those in the East. As a result, in the West, *superstitio* had a period of competing definitions.²⁵¹ The change in attitude can be seen in two laws of Constantine shown in the Theodosian Code. In 319/20, it prohibits the private consultation of soothsayers- *haruspices*- but allows their public consultation in the service of *superstitio*, that is, divination. Then in 323 AD, Christians are not to be forced to participate in lustral sacrifices, which are called the rites of an “alien *superstitio*.”²⁵² The movement of definition shows a complete change in attitude. Ambiguity was characteristic of the language of imperial documents of the age.²⁵³ This ambiguity was true of the term *superstitio*.

Salzman feels that Constantine’s earlier legislation used *superstitio* in both the pagan and Christian senses of the word, that is, either meaning could be used depending on the territory in which it was applied. The importance then lies in finding out who was to interpret and enforce it. As an example, the law of 341 was issued when Constantius controlled the Eastern empire and Constans the West and was directed to the Vicar of Italy and Africa. Constans issued the legislation. The law was intended for an area where pagans were dominant. “The language of this Code pointedly states that Constans

²⁵⁰ Ibid., 176.

²⁵¹ Ibid.

²⁵² Ibid., 177.

²⁵³ Ibid., 178.

is following the religious policy of his father, and frames the law with a term, *superstitio*, utilized in earlier Constantinian codes and inscriptions.”²⁵⁴ The ambiguity in the term *superstitio*, as Salzman says, meant that administrators could interpret it by the pagan definition, for example at Rome where it would have been impolitic to enforce the Christian definition.

“Independent testimony from the period 340-363 indicates that paganism and sacrifice continued in Rome despite the law.”²⁵⁵ Zosimus, a pagan, writes concerning Valentinian (364-375 AD): “Having decreed that laws be promulgated, he prohibited the performance of nocturnal sacrifices, beginning with his own household (as they say); by this law he meant to impede mystical rites. But when Praetextatus, the proconsul of Greece, a man outstanding in every virtue, maintained that this law would make life for the Greeks not worth living, since it would put a stop to the most sacred mysteries ever to bind together humankind, the Emperor remitted the law and allowed the mysteries to be duly performed, provided that all was done in exact accordance with ancestral custom.”²⁵⁶ Another indication that sacrifices continued comes from Firmicus Maternus, converted to Christianity, in *The Error of the Pagan Religions*, where he advises the emperor to use the secular arm: “And so let that filth which you are accumulating be washed away. Seek the native springs, seek the clean waters, so that there Christ’s blood with the Holy Spirit may wash you white after your many stains. But a higher authority is needed to enable full conviction to restore wretched human creatures to sound thinking, so that in minds cured and renewed in health there may remain no vestige of the quondam

²⁵⁴ Ibid., 180.

²⁵⁵ Ibid., 181.

²⁵⁶ Zosimus, *Historia Nova*, trans. James J. Buchanan (San Antonio, Texas: Trinity University Press, 1967), 138-9.

pestilential disease. So through the mouth of the prophets and by divine utterance of God we are informed what idols are and what reality they possess.”²⁵⁷ Further, Firmicus says, “It is to you, Most Holy Emperors Constantius and Constans, and to the strength of your worshipful faith that we must now appeal. . . . Only a little is lacking that the devil should be utterly overthrown and laid low by your laws, and that the horrid contagion of idolatry should die out and become extinct.”²⁵⁸ It would have been unnecessary for Firmicus to speak in this way if there was no pagan worship occurring.

Another example that sacrifice continued comes from Ammianus Marcellinus’ history (AD 354-378), where he describes a time of food riots at Rome:

“While these storms were fast succeeding one another in the far East, the Eternal City was disturbed by fear of an approaching shortage of grain. The people, to whom the prospect of famine is the worst of all disasters, threatened the then urban prefect Tertullus with violence on several occasions. This was quite unreasonable, since it was no fault of his that the regular arrival of cargo-boats was hindered by rough weather at sea and strong contrary winds, which drove them into the nearest sheltered water and deterred them from risking the grave danger of entering the harbour of Augustus (Ostia). . . . Soon afterwards, through the divine providence which has attended the growth of Rome from its cradle and guaranteed that it shall endure forever, while Tertullus was sacrificing in the temple of Castor and Pollux at Ostia, the sea became smooth and the wind changed to a light southerly breeze. The ships entered harbour under full sail and replenished the

²⁵⁷ Firmicus Maternus, *The Error of the Pagan Religions*, trans. Clarence A. Forbes (New York: Newman Press, 1970), 107-8.

²⁵⁸ *Ibid.*, 89.

warehouses with grain.”²⁵⁹ This picture of sacrifice under Emperor Constantius reinforces what has been said above: that moral legislation against sacrifice may have been enacted but the enforcement, left to pagan administrators, changed nothing.

Salzman points out that “legislation in the Codex Theodosianus from the years 376-435 continues to outlaw *superstitio*, and uniformly defines it as the wrong rites and beliefs of pagans, namely sacrifice and temple attendance.”²⁶⁰ The earlier ambiguity of *superstitio* had now become defined in the Christian sense. By the 390s, “Christians were firmly in control in the Latin West.”²⁶¹ This fact seems to be echoed in the change in definition of *superstitio*.

The Policy of Accommodation

A suggestion of a policy of accommodation comes from Salzman’s look at the Codex Calendar of 354 AD. “Roman calendars recorded only public, officially recognized events and festivals.”²⁶² Christians and pagans had a common heritage, especially the aristocrats. Pagan holidays dominated Roman life.²⁶³ There is evidence of the survival of paganism in late fourth-century Rome. The pagan religion was still being funded by the State.²⁶⁴ In the Calendar of 354, there were 177 holidays or festival days devoted to the *ludi* and *circenses*, including 10 gladiatorial shows.²⁶⁵ A blurring of distinctions between the pagan past and Christian present can be observed in the

²⁵⁹ Ammianus Marcellinus, *The Later Roman Empire*, trans. Walter Hamilton (London: Penguin, 1986, 2004), 177-8.

²⁶⁰ Salzman, “‘Superstitio,’” 180.

²⁶¹ *Ibid.*, 181.

²⁶² Michele Renee Salzman, *On Roman Time: The Codex-Calendar of 354 and the Rhythms of Urban Life in Late Antiquity* (Berkeley: University of California Press, 1990), 17.

²⁶³ *Ibid.*, 59.

²⁶⁴ *Ibid.*, 118.

²⁶⁵ *Ibid.*, 120.

Calendar.²⁶⁶ The conversion to Christianity of the governing class gained momentum in Rome in the 350s.²⁶⁷ The pagan cult was unchallenged in the mid fourth century, except for the offensive rite of animal sacrifice. In the second half of the century, “Christian emperors legislated against new aspects of pagan cult in an attempt to disassociate paganism from the culture and civic life of the empire.”²⁶⁸ The relationship between the state and paganism was altered. It was not until 395, following the succession of Theodosius’ sons, Arcadius and Honorius, that the pagan holidays were removed from the calendar and abolished.²⁶⁹ *Ludi* and circus spectacles continued to be celebrated with imperial support into the fifth century. “Gladiatorial combat (ineffectively forbidden by Constantine as early as 325) continued at Rome, probably until 438.”²⁷⁰

“Imperial festivals entered the Roman calendar in the early years of the empire, gradually replacing the days devoted to other gods and goddesses.”²⁷¹ It is indisputable that Constantine continued support for the imperial cult, along with *ludi* and *circenses*.²⁷² His coins showed support for the cult by carrying the legend *Genio Augusti*. But Constantine prohibited those aspects offensive to Christians, and specifically, public sacrifice.²⁷³

By the number of *ludi* and *circenses* for a holiday, it can be determined which cults were more important in the fourth century. The process, as Salzman says, required public monies to achieve the status of a public holiday or festival. In the late empire,

²⁶⁶ Ibid., 235.

²⁶⁷ Ibid.

²⁶⁸ Ibid.

²⁶⁹ Ibid., 236.

²⁷⁰ Ibid., 237.

²⁷¹ Ibid., 132.

²⁷² Ibid., 142.

²⁷³ Ibid.

such disbursements required the approval of the emperor or his administrator, and so only those cults with imperial sanction could be publicly celebrated and thus appear in the official calendar.²⁷⁴ This process, then, implies imperial approval for “the presence of a cult in the public civic calendar of Rome.”²⁷⁵

Salzman feels “that Rome under Constantius II was a place where pagans and Christians had reached a *modus vivendi* by means of accommodation.”²⁷⁶ Others, including Salzman, have said that it is “this shared aristocratic culture that cut across religious differences and supported a climate of accommodation and assimilation in the Rome of Constantius II.”²⁷⁷ The “aristocracy . . . was in a position not only to prevent the enforcement of laws unfavorable to paganism but also to protect their own pagan traditions.”²⁷⁸ We have seen this before in the discussion about the word *superstitio* in the Theodosian Code and in the discussion of a ban on pagan sacrifice. It seemed to be the officials’ prerogative whether to enforce the ban or not. And in strongly pagan areas, the officials did what they wanted. “In addition to aristocratic attention, imperial backing for the public state cults recorded by the Calendar contributed greatly to the endurance of late Roman paganism.”²⁷⁹ It allowed pagans and Christians to share a common cultural heritage.²⁸⁰ The Christian calendar, in 354, is still separate from the civic calendar.²⁸¹

Rome remains inviolate of its pagan customs in 386. The pagan Libanius, at that time, says: “They [the officials] have not yet dared rob Rome of its sacrifices.” (*Oration*

²⁷⁴ Ibid., 147.

²⁷⁵ Ibid., 148.

²⁷⁶ Ibid., 196.

²⁷⁷ Ibid.

²⁷⁸ Ibid., 197.

²⁷⁹ Ibid.

²⁸⁰ Ibid.

²⁸¹ Ibid., 198.

30.33-34)²⁸² Constantius' appointments to the urban prefecture in Rome alternated between pagan and Christian. As Salzman says, "This practice . . . also undoubtedly facilitated the ambience of toleration in the mid-fourth-century city."²⁸³ The pagan-Christian accommodation is also suggested by mid-fourth-century Roman artifacts with pagan iconography. But there are no scenes of animal sacrifice; only that of incense burning. Libanius has the argument that in banning one specific action- animal sacrifice- the emperor is permitting everything else.²⁸⁴ There seems to be accommodation on both sides. This can be seen in Libanius' description of a celebration: "Summoned on the usual day, they [the pagans] dutifully honoured it [the feast day] and the shrine in a way that involved no risk." (*Oration* 30.19)²⁸⁵ Salzman says that "symbolic substitution could and did satisfy traditional Roman religious scruples, as is attested elsewhere in Roman literature."²⁸⁶ Other Roman pagans continued as they used to, not perceiving their actions as controversial. Active adaptation to the "Christian times" under Constantius was not the universal rule.

Robin Lane Fox in *Pagans and Christians* has examined the vitality of paganism practiced in this period. He feels that paganism was still a moving force and not dying out as Christianity approached. Some have said that Christianity filled a gap that existed upon the dying embers of paganism. Lane Fox shows that this was not the case.²⁸⁷ Alan Wardman says, ". . . the basic structure and the historical practice of civic polytheism will indicate that in late antiquity the pagan deities were not just ghostly survivors from an

²⁸² Ibid., 208-9.

²⁸³ Ibid., 223.

²⁸⁴ Ibid., 226.

²⁸⁵ Ibid.

²⁸⁶ Ibid., 227.

²⁸⁷ Robin Lane Fox, *Pagans and Christians* (New York: Penguin, 1986).

age of faith. The loose expansionism of the system was still dynamic under the Empire even if the tempo of acquisition was slower than in the Republic . . . ”²⁸⁸ J. H. W. G.

Liebeschuetz has said that “a Christian was a member of two societies, each with its own rules, and while in practice a great deal of harmonization was possible, the possibility of conflict was always there.”²⁸⁹

In this period of the 350s, “pagan classical literature begins to be assimilated into a Christian framework,” and to “evidence the beginnings of Christianity as a respectable aristocratic religion.”²⁹⁰ “Many Christians probably felt that conversion did not mean they had to give up their heritage . . . entirely.”²⁹¹ In looking at the policy of accommodation during Constantius’ reign, we can assume it was a continuation of the general policy of Constantine. It does not appear to be a recovery after a definite suppression of paganism. There was no outcry on the pagans’ part about persecution under Constantine. His tenets “Let no man injure another [because of religion]” and “religion cannot be coerced” express the core of Constantine’s beliefs. These thoughts, from the teachings of Lactantius, we will pursue further.

Lactantian Views

Elizabeth Digeser feels that a close reading of Constantine’s edicts and correspondence shows that “he espoused Lactantius’ doctrine of toleration”²⁹² and that “there is little evidence within any material that Constantine himself authored that he

²⁸⁸ Alan Wardman, *Religion and Statecraft among the Romans* (London: Granada Publishing, 1982), 135.

²⁸⁹ J. H. W. G. Liebeschuetz, *Continuity and Change in Roman Religion* (Oxford: Clarendon Press, 1979), 271.

²⁹⁰ Salzman, *On Roman Time*, 229.

²⁹¹ *Ibid.*, 230.

²⁹² Elizabeth DePalma Digeser, “Lactantius, Constantine and the Roman *Res Publica*” (PhD diss., University of California, 1996), 314.

abandoned his understanding of toleration,”²⁹³ or that he attempted to suppress other religions.²⁹⁴ Digeser also feels that “Lactantius’ theory of mutual *patientia* was concordant with Constantine’s own thinking, and that the effect of their ideas was an evolution within the Roman state leading to a type of official religious toleration under the auspices of a Christian emperor.”²⁹⁵ Digeser has given a lot of study to Lactantius and his ideas and his relationship to Constantine. We will look further at some of her thoughts. As I indicated before, Digeser maintains that Constantine and Lactantius had similar thoughts about religious tolerance and the freedom of the spirit to choose. Lane Fox, however, claims that “in Eusebius’ *Life*, Constantine is praised as a natural thinker and theologian who was greatly engaged by questions of doctrine.”²⁹⁶ Digeser says that Constantine seemed to have had his own ideas about Christianity until he became sole emperor; then, after 324 AD, “Lactantian motifs come thick and fast.”²⁹⁷ What are these ideas that Lactantius promotes? I will look at some of the high points of what she says for these ideas become the foundation of Constantine’s policy about religious tolerance throughout his rule.

According to Digeser, Lactantius felt that education could bring a change in policy. Lactantius strove in his *Divine Institutes* to relate to the people he was addressing. He avoided Scripture for those who felt it was “void of truth, fictitious, and newly invented.”²⁹⁸ His frame of reference was classical literature and religious tradition.

²⁹³ Ibid., 330.

²⁹⁴ Ibid., 331.

²⁹⁵ Ibid., 316.

²⁹⁶ Lane Fox, *Pagans and Christians*, 661-2.

²⁹⁷ Digeser, *The Making of a Christian Empire*, 136.

²⁹⁸ Ibid., 9.

Digeser outlines Lactantius' arguments: only one god exists; other divine beings were angels or demons, not gods. Humanity was originally monotheistic before falling into polytheistic error. Lactantius claims that Greco-Roman philosophers sought wisdom but never found it- that true wisdom is found only through Christ. He felt that "contemporary emperors, lawgivers, and philosophers were the real innovators; Christian conceptions of rule, law and theology were actually closer to those of the early Roman Empire, so returning to the old constitution would allow all people to exercise their citizenship without impediment."²⁹⁹ A return to the principate of Augustus, where there was no emperor worship, is what Lactantius felt was needed. Augustus did not allow himself to be deified while still alive.

Lactantius looked to Cicero's *On the Laws* to argue "that both Christians and followers of the traditional cults were bound by reason to tolerate religious differences."³⁰⁰ Lactantius put forth the argument that the Tetrarchy was a new innovation and did not reflect the structure of the heavens. It was ancient belief that the strongest government echoed the framework of the cosmos. Lactantius attacks the Roman pantheon as newly invented and a "cluster of religious beliefs and practices that began when people tried to memorialize famous kings and other important people then, over the generations, forgot they had been human beings."³⁰¹ Digeser mentions that Lactantius responds to Porphyry's charge that Christians were carving out a new path, by showing how different Diocletian's government is from the original imperial regime.³⁰² Christians were not innovators; they endorsed a form of government embodied in the

²⁹⁹ Ibid., 12.

³⁰⁰ Ibid.

³⁰¹ Ibid., 33.

³⁰² Ibid., 43.

original constitution of the Roman Empire and their theology was consonant with Hermes, the most ancient religious sage.³⁰³

The threat of Christianity to Diocletian was in the history of the Senate and the army. As the Senate declined in power a counterbalance to the army was needed and so legitimacy was established through blessings by the gods. Diocletian claimed Jupiter as his source of power. Legitimacy for his rule depended on “his subjects’ continued devotion to the traditional Greco-Roman pantheon.”³⁰⁴ Christianity undermined this authority when it refused to recognize these gods.

Lactantius tries to bring the two parties together and stay the attack against Christianity in his discussion of natural law. Digeser says that both Cicero and the second-century jurist Gaius “had developed the connections between natural law, divine law, and justice” but Ulpian, a Severan jurist, integrated “these links into the structure of Roman law.”³⁰⁵ “For Cicero, as human beings act in conformity with natural law, they act in a just manner (*Leg.* 1.12) and also according to the law of God, or divine law.”³⁰⁶ Origen “claimed that two sorts of law existed - natural law, established by God, and human law, enacted by the government - and that human law was just, insofar as it accorded with divine law.” (*Against Celsus* V. 37)³⁰⁷ At this time, according to Digeser, “Christians were beginning to equate natural law with the law of their god.”³⁰⁸ Digeser presents Ulpian’s thoughts: “a law existed which all human beings had been taught by nature herself (*Dig.* 1.i.1.3). This law was the foundation of civil association, and its

³⁰³ Ibid., 12.

³⁰⁴ Ibid., 30.

³⁰⁵ Ibid., 47.

³⁰⁶ Ibid.

³⁰⁷ Ibid.

³⁰⁸ Ibid.

principles were to live honestly, hurt no one, and give each one his due (1.i.10.1). These principles were the foundation of justice itself (1.i.1.pr) . . . that jurists who sought justice, the determination of what was good and fair, did indeed engage in true philosophy: that is, in a system capable of arriving at truth - even divine truth.”³⁰⁹

Digester mentions that Hellenistic political theory had the idea that “the just state was a reflection of the cosmos and that the monarch could somehow be the source of living law,” but Lactantius developed this thought “within a Christian cosmology.”³¹⁰ Lactantius says that piety and equity were the first two principles of divine law and, as Digester says, express “in Roman terms the two commandments on which the whole Christian law is based.”³¹¹ Digester maintains that Lactantius’ “proposal to return to the Augustan principate dovetails with his belief that Christian law was natural law, for with both ideas [he] was framing the constitution of an ideal state.”³¹² Digester goes on to say that Lactantius “created a constitution for a provisional golden age, a system under which Christians - and other monotheists - could live as full citizens and under which polytheists would have nothing to fear.”³¹³ Lactantius believes that true religious beliefs cannot be forced. As Digester says, “This opinion, together with his inclination to view all his fellow Romans as being somewhere along the path to becoming Christian, convinces him that punishment should be left to God”³¹⁴ and that persecution harmed whatever religion it endeavored to protect. Lactantius follows Cicero’s ideal constitution in *On the Laws* in saying that “a true deity would reject human coercion to obtain

³⁰⁹ Ibid., 48.

³¹⁰ Ibid., 57.

³¹¹ Ibid., 58.

³¹² Ibid., 59.

³¹³ Ibid.

³¹⁴ Ibid., 62.

worship.”³¹⁵ Lactantius reiterates that “the use of force against Christians merely exhibits the bankruptcy of the traditional religions and the philosophers’ arguments; the use of force by Christians opposes their deepest religious convictions...”³¹⁶ “Nothing requires free will as much as religion,’ . . . because religion is absent where an observance is forced.”³¹⁷ Lactantius feels, as Digeser says, that “it is appropriate to defend one’s chosen religion by ‘speech or argument’; that “it is something that must be accomplished by words rather than wounds, so that it may involve free will.”³¹⁸ Digeser maintains that Lactantius is suggesting that the state should adopt a policy of religious tolerance.³¹⁹

After Constantine became the first Christian emperor, the need was no longer there to “appeal for tolerance,”³²⁰ and Digeser feels the *Divine Institutes* then became “a manifesto for political and religious reform” and “inspired Constantine’s religious policy once he achieved sole rule.”³²¹ She maintains that “to judge from the emperor’s forbearance toward the temple cults and his political and religious reforms after 324, . . . he used the *Divine Institutes* as a sort of touchstone in order to establish a government under which all his subjects could fully exercise their obligations as citizens.”³²² Constantine used Lactantius and the *Divine Institutes* to guide him in the process of establishing a Christian nation; as Digeser says, “Lactantius’ work was a significant step in the Christianization of Rome.”³²³

³¹⁵ Ibid., 109.

³¹⁶ Ibid.

³¹⁷ Ibid.

³¹⁸ Ibid.

³¹⁹ Ibid., 110.

³²⁰ Ibid., 13.

³²¹ Ibid.

³²² Ibid.

³²³ Ibid., 15.

The Question of Concord as Policy

Digeser also says that Constantine adopted a policy throughout his rule of concord; that is, one that “works toward ultimate conversion and unity,”³²⁴ which explains some of his policies in the early part of his reign involving monotheistic symbols and later statements in speeches against polytheism but with little to no action. Drake also talks about Constantine adopting an attitude of concord. Digeser defines the attitudes in the following way: “Both toleration and concord involve forbearance, or an attitude of patience toward practices that one finds disagreeable, but they differ in the expected outcome. Toleration anticipates no change in the status quo; concord works toward ultimate conversion and unity.”³²⁵ Digeser feels that a Christian Rome modeled on the theories of the *Divine Institutes* would practice concord. As she notes, according to Peter Garnsey, Tertullian (ca. 160 – ca. 220) was “the first to articulate a reason for toleration as a ‘general principle’” and “coined the phrase ‘freedom of religion.’”³²⁶

More than worship of the gods, the Romans felt that morality was important. As Barnes says in *Constantine and Eusebius*: “The harshness follows from the premises of the edict: the pious and religious emperors have a strict duty to venerate and uphold the chaste and sacred precepts of Roman law. For the immortal gods will favor the Roman name, as they have in the past, if the emperors ensure that all their subjects lead a pious, religious, peaceable, and chaste life.”³²⁷ Armstrong in “The Way and the Ways: Religious Tolerance and Intolerance in the Fourth Century AD” echoes the same thought: “The place of religion in society in the later Roman Empire was what it had always been

³²⁴ Ibid., 110.

³²⁵ Ibid.

³²⁶ Ibid., 112.

³²⁷ Barnes, *Constantine and Eusebius*, 20.

in the Greek and Roman world, as in other traditional societies. Religious cults were all-pervasive and central to the life of society and it was therefore generally agreed, as it had always been, that the maintenance and proper regulation of religious practice was the proper concern of the authorities of the state.”³²⁸ Armstrong looks at the Christian emperors as continuing in the same frame of thought: “The rise in late antiquity of a new form of sacred absolute monarchy of course intensified the sense of religious consecration and religious responsibility of the ruler, and concentrated it on his single sacred person as representative of the divine on earth, and this is important.”³²⁹ He says that the “sacred Emperors were exercising essentially the same sort of religious authority, for essentially the same reasons, that the magistrates and assemblies of the city-states, and the archaic kings before them, had exercised from the beginning.”³³⁰ The concern of rulers to keep on the right side of God or the gods to protect the state was an idea which continued for the Christian emperors. Armstrong says that the more skeptical of this view would inherit “a conviction that proper religious observance . . . was central and essential to the maintenance of the whole fabric of culture and society.”³³¹ For all ancient rulers, an important part of their duties was “to maintain in their dominions a proper relationship with the divine.”³³² Quoting Henry Chadwick on the common position of two tolerant pluralist pagans, Socrates and Sozomen, Armstrong notes that “the differences of opinion between the Christians are unimportant compared with the three hundred different opinions among the pagans. God’s glory is increased by the knowledge

³²⁸ A. H. Armstrong, “The Way and the Ways: Religious Tolerance and Intolerance in the Fourth Century A.D.,” *Vigiliae Christianae* 38 (1984): 2.

³²⁹ *Ibid.*, 3.

³³⁰ *Ibid.*

³³¹ *Ibid.*

³³² *Ibid.*, 4.

that religious differences are only a consequence of his unattainable majesty and of human limitation.”³³³

As Armstrong states, for the Christians orthodoxy mattered, especially for the bishops, for transmission of the true faith and preservation of unity of faith among their flocks: the conclusion drawn by the Emperors was to enforce whatever the bishops at that time considered orthodox, “if they wished to avoid the serious temporal and spiritual consequences for Emperor and Empire of the displeasure of an offended God.”³³⁴ Fights were bitter and long to establish orthodoxy in the Christian faith. Constantine believed in the importance of unity of faith and concurred in the convening of assemblies to settle the issues. He left decisions to the bishops and did not interject or force an outcome. He accepted what was decided by the assemblies. His main concern was unity. Constantine called himself “bishop of those outside” but did not begin to say he should tell the bishops or the church what to do. Although he did at times give input, he never controlled. Disagreements within the Christian faith were to be settled by talking and not by violence or force, although there were a few exceptions.

The policy of Constantine toward those outside the faith was one of tolerance with a bent toward concord, as Drake and Digeser have suggested. According to Digeser, “Despite the universalizing zeal of some Christians such as Eusebius, others, such as Lactantius, his exact contemporary, argued that refraining from the use of force by exercising forbearance (*patientia*) was a cornerstone of the Christian faith.”³³⁵ Digeser claims that “Lactantius’ position may have been exceptional among contemporary

³³³ Ibid., 9.

³³⁴ Ibid., 11.

³³⁵ Digeser, *The Making of a Christian Nation*, 118.

Christian theologians, but it was concordant with the thinking of the emperor Constantine, whose court he joined in 310.”³³⁶ “The effect of the scholar’s theories and the emperor’s power was an evolution within the Roman state leading to an official policy of concord toward the temple cults under the auspices of a Christian emperor.”³³⁷

Rome in earlier times may have appeared tolerant because it absorbed other gods within the Roman pantheon. But, as Digeser says, “religious elasticity is not the same as toleration.”³³⁸ When a particular religion did not fit in with the traditional religion forceful repression was sometimes used, as with the Bacchic rites in 186 BCE.

Digeser suggests that after 324 AD, when Constantine became sole ruler after defeating Licinius, he moved from “a policy of religious liberty - in which traditional cult was not criticized - toward a policy of concord, in which forbearance toward the temple cults was intended as a means of achieving ultimate religious unity.”³³⁹ Constantine’s “newly disparaging attitude toward some elements of traditional cult” and his more public regard for Christianity after 324 AD would indicate this move.³⁴⁰

Constantine’s policy of concord can be found in his letter to the eastern provinces in 324: “... ‘those who still rejoice in erring’ should receive ‘the same kind of peace and quiet’ as those who believe, ‘for it may be that restoring the sweetness of fellowship ... will prevail to direct them to the straight road.’ No one should ‘greatly trouble’ another; rather, everyone should ‘follow what his soul prefers.’”³⁴¹ This policy of concord was

³³⁶ Ibid.

³³⁷ Ibid.

³³⁸ Ibid., 119.

³³⁹ Ibid., 125.

³⁴⁰ Ibid.

³⁴¹ Ibid., 126.

followed throughout his reign.³⁴² Digeser says that contemporary accounts by authors not Christian indicate this is true, although a different attitude emerges from Christian historians.³⁴³ These later Christian historians relied on Eusebius' *Life of Constantine*. Libanius, a pagan author, indicates that a large majority of temples remained open. The three instances when temples were closed had moral or other reasons for this happening. Robin Lane Fox describes each. Mamre was "a site of great holiness in the Old Testament". In Jerusalem on the site of the Crucifixion and Holy Sepulchre stood a shrine of Aphrodite. The third place at Aphaca, "was an offensive Phoenician centre of sacred prostitution."³⁴⁴

Digeser says that "between the writing of the *Divine Institutes* and Constantine's letters of 324, there had been a sea change in the Roman Empire."³⁴⁵ She says that "instead of following the old path that equated public religious observance with civic loyalty - the path that aggressive Christians were urging- [Constantine] chose another strategy, drawing upon the form of religious concord proposed by Lactantius."³⁴⁶

Digeser thinks that there is more than simple toleration involved in Constantine's policies. She says, "A close comparison of Lactantius's and Constantine's writings thus suggests that a Christian doctrine of concord, one that grew out of a theory of toleration invented to stem violence against Christians, became imperial policy in an effort to control Christian aggression."³⁴⁷

³⁴² Ibid., 127.

³⁴³ Ibid., 130.

³⁴⁴ Lane Fox, *Pagans and Christians*, 671.

³⁴⁵ Digeser, *The Making of a Christian Nation*, 137.

³⁴⁶ Ibid., 138.

³⁴⁷ Ibid.

According to Digeser, two important transformations occurred: “the substitution of prayer for sacrifice reflected an altered understanding of what sort of worship would bring divine protection for Rome” and “the understanding of what grounded Roman law changed.”³⁴⁸ Constantine saw an overlap of the catholic (universal) law of God, Christian law, natural law, and so the proper sort of Roman law.³⁴⁹ However much Constantine’s legislation legalized Christian practice, it still remained within “mainstream Roman tradition.”³⁵⁰

What kind of Christianity did Constantine desire? Several scholars have said that Constantine was consistent in promoting a type of umbrella faith that was inclusive. Those who tended toward the road of separatism angered Constantine. An example of this attitude is displayed in Constantine’s approach to the Donatist movement. Constantine, in trying to unify the faith, tried force against the Donatists at first, which did not work. The Donatists eventually gained a strong foothold in Africa and Constantine had to live with this schism. But Constantine also says about them, “God indeed promises to be the avenger of all; and thus when vengeance is left to God a harsher penalty is exacted from one’s enemies.”³⁵¹ Drake says that there was no reason for Constantine to follow such a policy of restraint “for any other reason than conviction.”³⁵² Constantine’s attitude is very telling. As Drake says, Constantine favored those who chose inclusiveness over those who did not. Constantine’s decisions

³⁴⁸ Ibid., 139.

³⁴⁹ Ibid.

³⁵⁰ Ibid., 140.

³⁵¹ Noel Lenski, ed., *The Cambridge Companion to the Age of Constantine* (New York: Cambridge University Press, 2006), 121.

³⁵² Ibid.

consistently favor those who come down on the side of unity; also, he could have launched out on a coercive policy after he became sole ruler but he did not.³⁵³

Another example of Constantine's thinking can be drawn from an incident mentioned by Drake in "Constantine and Consensus". A story is told by the church historian Socrates Scholasticus about an old man who attended the Council of Nicaea as a youth. Constantine asked the schismatic bishop Acesius, "'For what reason then do you separate yourself from communion with the rest of the Church?' Acesius replied that his sect objected to the relative leniency with which other Christians had treated those who had cracked under the empire-wide persecutions of the third century. He then 'referred to the rigidity of that austere canon which declares, that it is not right that persons who after baptism have committed a sin, which the Sacred Scriptures denominate "a sin unto death" be considered worthy of participation in the sacraments.' Whereupon, Socrates continues, the emperor said to him, 'Place a ladder, Acesius, and climb alone into heaven.'"³⁵⁴ With this picture of Constantine, we can see that Constantine took the scriptural verse, "All have sinned and fall short of the glory of God" and steered the church from a road of self-righteousness to one of forgiveness and second chances. Constantine takes Christ's forgiving love to encourage development of an accepting, unifying church. Constantine develops tolerance within the church to spread to those outside the church; that is, tolerance but not condoning of wrong belief.

Constantine came at a pivotal moment for the church in turning it to a forgiving attitude and for those outside the church in showing how to form a consensus that could unify the empire. Religious tolerance is the key to that consensus. With deeply ingrained

³⁵³ Ibid., 120.

³⁵⁴ H. A. Drake, "Constantine and Consensus," *Church History* 64 (1995): 1.

habits of *religio* that go back to before the Republic, Constantine respects and encourages those inside and outside the Church. As he says, “It is one thing to undertake the contest for immortality voluntarily, another to compel others to do likewise through fear or punishment.”³⁵⁵

Drake says that what some consider ambivalence in Constantine’s actions is actually consistent with a policy aimed at unity. Especially in the Arian controversy, Constantine seems to have favored Arius and then Athanasius. This very complicated theological dispute caused a lot of problems. Then, when the controversy did not go away but grew larger, Constantine called the Council of Nicaea to settle it. The decision was for the viewpoint Athanasius ever after fought to make orthodox. The controversy continued until Theodosius established in 381 AD that Nicene Christianity was the orthodox religion for the Empire.

Returning to Constantine’s actions, according to Drake, Constantine seems to have favored the party that appeared to be inclusive- whether it was Arius at the time or Athanasius. He said that “Constantine’s contemporary biographer, Eusebius of Caesarea, tells us that whenever given a choice among the various types of Christians, the emperor always sided with those who favored consensus. He preferred, in other words, pragmatists over ideologues.”³⁵⁶ In all the situations of controversy within the Church, Drake says, “Constantine favored not only peace and harmony, but also inclusiveness and flexibility.”³⁵⁷ Constantine had a commitment to unity which went back to the ancient belief of not angering the gods with disagreements. As Drake says, there can be no

³⁵⁵ Lane Fox, *Pagans and Christians*, 637.

³⁵⁶ Drake, “Constantine and Consensus,” 5.

³⁵⁷ Ibid.

argument about Constantine's commitment to unity but the question arises as to Constantine's policy toward those outside the church.³⁵⁸ Most scholars now say that Constantine only targeted for closing temples that violated laws of decency. As to the suppression of animal sacrifice, Drake seems to think that "indications of a more sweeping ban can only be teased out of tenuous readings and marginal comments, which then must be reconciled with abundant evidence for the continued performance of sacrifice on a fairly wide scale."³⁵⁹ A law of Constantine's sons in 341 abolishing sacrifice refers to their father's previous ban, although that law has been lost. After seizing control of the eastern half of the empire from Licinius, Constantine restates the principle, "to allow freedom of worship to all inhabitants of the empire," of the "Edict of Milan" in the "Edict to the Provincials" where he speaks of "the advantages of peace and quiet" for "those who delight in error alike with those who believe", and urges, "Let no one disturb another, let each man hold fast to that which his soul wishes, and make full use of this." (*Vita Constantini* 2.56.1)³⁶⁰ The language is all very well and good, but what did Constantine really mean? As Drake mentions, one scholar suggests that the general ban on sacrifice "placated certain pressure groups" but "had no practical effect on society."³⁶¹ Drake argues that, because late Roman emperors could not carry out their wishes without concern for their constituencies, "this concern proves that Constantine's goal was to create a neutral public space in which Christians and pagans could both function, and that he was far more successful in creating a stable coalition of both Christians and non-Christians in support of this program of 'peaceful co-existence' than

³⁵⁸ Ibid.

³⁵⁹ Ibid., 6.

³⁶⁰ Ibid.

³⁶¹ Ibid., 7.

has generally been recognized.”³⁶² Drake goes on to say, “If correct, this argument would mean that Constantine’s preference for Christians who chose peace and unity over doctrinal rigor and theological clarity extended beyond the confines of the church itself, and that he would not have favored coercion as a means of promoting Christian belief.”³⁶³ Drake examines Constantine’s letter to Arius and Alexander to understand Constantine’s thoughts about those outside the church. When Constantine says, about his duties, “The first was to unite the inclination of all peoples regarding divine matters into a single sustaining habit,” Drake feels that “the search for a common denominator was still in progress.”³⁶⁴ Perhaps, it was a neutral public space where all could express their beliefs without answering to each other or worrying that one was being favored so all must irreverently join in the act. As Drake suggests, “Constantine’s intention to use ‘the hidden eye of the mind’ to accomplish this goal”, was not the use of military force.³⁶⁵ I believe his goals can be summed up with this line of Constantine’s: “. . . knowing that if I were to establish through my prayers a common agreement among all the servants of god, the conduct of public affairs would enjoy a change concurrent with the pious sentiments of all.” (*Vita Constantini* 2.65)³⁶⁶ In other words, unity of agreement can be established with all praying each to their own god. Those without a god can join in the commonality of purpose.

Thus is Constantine’s program of religious tolerance – to provide unity of purpose through acceptance of religious differences but asking each to provide support in their

³⁶² Ibid.

³⁶³ Ibid.

³⁶⁴ Ibid., 8.

³⁶⁵ Ibid.

³⁶⁶ Ibid., 7.

individual way. It is known where Constantine stands: “he chides those who resent that ‘the human race’ has ‘a share in the divine goodness’” but he also “mocks ‘those who stir hatred against the differences in our natures, who want all mankind to be one and the same worth.’”³⁶⁷ In the examination of Lactantius’ thoughts concerning coercion of belief, which Constantine adopted, and Constantine’s belief in unity, we can see a policy developing where religious tolerance provides the key to consensus and as Drake suggests, “His aim was to restore the coexistence that prevailed for half a century prior to the Great Persecution.”³⁶⁸

Digester feels that “instead of following the old path that equated public religious observance with civic loyalty - the path that aggressive Christians were urging – [Constantine] chose another strategy, drawing upon the form of religious concord proposed by Lactantius.”³⁶⁹ This approach allowed Constantine to profess his Christian beliefs and to give liberty to the followers of the temple cults so they might freely choose to become Christians; it also spared the empire religious tensions.

Conclusion

Constantine wisely carried forth Lactantian ideas of tolerance to all religions. Whether there was a ban on sacrifice or not by Constantine, the general policy seems to have been accommodation or tolerance. There is some outside evidence for a ban, such as the statement in the Theodosian Code referring to a ban by Constantine. But I tend to agree with what some have said earlier, that since the ban was issued in 324 after Constantine conquered Licinius in the East and became sole ruler, it probably was a small

³⁶⁷ Ibid., 9.

³⁶⁸ Ibid., 15.

³⁶⁹ Elizabeth DePalma Digeser, *The Making of a Christian Empire: Lactantius and Rome* (Ithaca: Cornell University Press, 2000), 138.

directive centered in the East. Ossius very well could have learned of the mistake of this directive and encouraged Constantine to cover it with a letter. The “Letter to the Eastern Provincials” is that letter. As has been pointed out, the pagan population in the West was too strong to launch a counter against. Constantine cared much for unity and peace and drew a larger circle for religious belief, asking all to approach their own God in their own way for the sake of the empire. Tolerance, then, learned at the knee of Lactantius, carried Constantine through his rule to the benefit of all. His reign of about thirty years was one of success. Religious toleration was a key to that success. The first Christian emperor blazed the trail and established a model that we can learn from even today.

Conclusion

In conclusion, Constantine maintained a policy of religious tolerance throughout his rule. In examining the influences upon him, especially Lactantius and Ossius, it can be seen that they provided support in this direction. Ossius kept Constantine on track in his advice, which cannot definitely be determined, to rescind the ban on sacrifice.

Whether it was issued or not, it seems only to have been a minor directive centered in the East after Constantine obtained sole rule in 324. The question of the ban and vitriolic language concerning the pagans in statements Constantine made have launched debate over his true policy of tolerance.

Addressing these issues and others has led us toward the conclusion that his basic policy was one of tolerance. Looking at the “atmosphere” of the fourth century has helped us determine that assimilation and accommodation seem to be the key. Sharing a heritage and similar classical education brought Christians and pagans together.

Determining that most of the pagan culture was part of their past gave a continuation to society as it moved forward into a new Christian world. Constantine’s education and upbringing kept his feet in the past as he moved forward into the future.

Constantine’s strong sense of his responsibility to maintain right relations with God to protect his people and empire determined some of the decisions that he made. One of these concerns was in addressing the schismatic Donatists and heretical Arian issues. He called councils and gave advice but left it to the bishops to decide the orthodox view. Relying on advice, he determined the orthodox view for himself and lent support in that direction. Drake and Digeser have determined that, as the fight continued between Athanasius’ orthodoxy and Arius’ heresy, Constantine supported whichever one

gave in to unity. First, exiling one and then the other seemed to be for grounds of causing more anguish. For this reason, Constantine determined to favor unity over doctrinal clarity; although he always supported the orthodox view. Constantine's policy toward the Church was one of drawing it into the mainstream. Any rights he gave to the Church had generally been those the pagan cults already had. When Constantine asked the bishops to be judges, in certain instances, it was to give aid to the poor and not, as some scholars have said, to bring about the triumph of the Church.

Lactantius' viewpoint of tolerance and a Christian nation seems to have been fundamental to Constantine's rule. Turning to Cicero, Lactantius viewed the orator's equation of the laws of nature with the laws of God as a form of true justice. He used this line of thought as the foundation of civil association and of justice itself. Lactantius and Constantine held to the wisdom that true religious beliefs cannot be forced, and that persecution harms whatever religion it endeavors to protect.

The Edict of Milan, although the exact form in which it was issued is debatable, gives the pledge of tolerance adhered to throughout Constantine's reign. As Constantine said: "For the general good of the world and of all mankind I desire that your people be at peace and stay free from strife. Let those in error, as well as the believers, gladly receive the benefit of peace and quiet. . . . May none molest another; may each retain what his soul desires, and practice it." (*Vita Constantini* II. 56) Constantine felt the act of religion was important for the good of his people and encouraged all in whatever faith they chose to exercise this form of support for the empire.

Constantine's vitriolic language toward the pagans in some addresses has been surmised as using a policy of concord, that is, exhorting those in error to follow the true

course but refraining from actual coercion, allowing tolerance to reign but persuading with words. This point has been confusing to some scholars. This type of language can be seen in the following: “I have said these things and explained them at greater length than the purpose of my clemency requires, because I did not wish to conceal my belief in the truth; especially since (so I hear) some persons are saying that the customs of the temples and the agency of darkness have been removed altogether. I would indeed have recommended that to all mankind, were it not that the violent rebelliousness of injurious error is so obstinately fixed in the minds of some, to the detriment of the common weal.”(*Vita Constantini* II.60.2)³⁷⁰ Drake and Digeser have concluded that it is a true policy of concord: forbearance with a movement toward conversion. Whether it is actually a policy of concord can be an open question. Whatever the ultimate attitude is, there seems to be no doubt that Constantine did carry on a policy of religious tolerance and that policy helped him achieve peace and stability within his empire.

Implications of Tolerance Today

Constantine gave us a concept of religious tolerance that can stand for all time: Let none prevail over the other but let there be equality for all. Why is religious tolerance important? Why is religion important? This study of Constantine and religious tolerance has reminded us of the importance of religion in the public space. As A. H. Armstrong has said, “[The] long persistence of Theodosian intolerance in practice and its still longer persistence in theory has certainly been a cause, though not the only cause, of that unique phenomenon of our time, the decline not only of Christianity but of all forms of religious

³⁷⁰ Eusebius, *Vita Constantini*, 114.

belief and the growth of a totally irreligious and unspiritual materialism.”³⁷¹

Totalitarianism concerning religion in the public space allows atheism to prevail, but complete elimination of religion is not the answer either.

Diocletian sought to eliminate atheism from the traditional religion. The religious space evolved to include Christianity, then tolerance for all religions in a common-sense way that was non-intrusive. Each religion could be celebrated in its own way; none was prevented, except those harmful to the state. We can look to this example. There is much truth in each religion. We should not prevent that truth from being shared.

Diocletian knew the strength of religion and sought to have it prevail. He lacked the insight to include Christianity in this return to traditional religion. His reign endured for over twenty years until he voluntarily retired and the mistaken Christian persecution took its toll of the other emperors.

We can learn from being inclusive. If Constantine’s policy of concord prevailed, we can also succeed with a policy of tolerance: not only of other religions but of religion itself. As many in his time knew, religion cannot be forced. Each can come to it on his or her own, but we should not fail in the ancient concept of each offering prayers and recognition to each one’s own God on behalf of the state. We should not go the route of non-recognition of religion in the public space. This is the wrong path to go. We must be careful that we do not disband the ancient concept of protection of the state by the gods or God as “modern progression.” Cicero knew that nature echoes the laws of God and we in our “own wisdom” must not forget that. We should not stress the human spirit by saying we must forget our very own nature- that part of us that reaches out to a God.

³⁷¹ A. H. Armstrong, “The Way and the Ways: Religious Tolerance and Intolerance in the Fourth Century,” *Vigiliae Christianae* 38 (1984): 1.

The public mind cries out for that also. We should allow that spirit to prevail and in so doing protect that principle in the public space so that it is never eliminated. As we have noted, the more skeptical of this view would inherit “a conviction that proper religious observance, whatever that was thought to be, was central and essential to the maintenance of the whole fabric of culture and society.”³⁷² We may find that the ancients were right, that there is truth in recognizing religion in the public space, with a tolerance that protects all.

³⁷² Ibid., 3.

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