

Constantine and the Pagans

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THE ACTIONS of the emperor Constantine in the period immediately following his defeat of Licinius in A.D. 324 have a particular importance for the interpretation of his policy towards the pagans. The evidence has been variously interpreted. Barnes has drawn a picture of Constantine at this time as an ideological Christian: "Christianity is the emperor's religion, and Christians can expect him to give them preferential treatment." But not just this: he launched, it seems, a vigorous attack on the religious practices of paganism, the high point of which was to ban sacrifices to the gods "under any circumstances," and which was so effective in practice that it caused protests and shocked reaction from the affected pagans. "On the other hand, this policy was only effective in the East, and even there enforcement was erratic."¹

This radical view of Constantine as the dogmatic Christian, who refrained from persecuting pagans not on principle but merely because he feared the risks of provoking them, has already been challenged, for it depends on a particular and unusual weighting and interpretation of the very few sources. H. A. Drake, in a spirited review, drew attention to some of the chief weaknesses of Barnes' interpretation: to the partly subjective interpretation of these few passages, and to the weakness of the sources for a practice that Eusebius alone mentions.² Barnes replied to the review two years later in the same journal and concluded: "The point at issue is no trivial one. It concerns more than the validity of a modern interpretation of Constantine. It concerns the accuracy and probity of Eusebius of Caesarea, the most voluminous and most important surviving witness to

¹ T. D. BARNES, *Constantine and Eusebius* (Cambridge [Mass.] 1981 [hereafter 'Barnes']) 210f and n.15.

² H. A. Drake, *AJP* 103 (1982) 462–66. See also A. Cameron, *JRS* 73 (1983) 189. Differences of opinion about the authenticity of Eusebius' law banning sacrifice are of course much older than the recent discussion: see e.g. J. Burckhardt, *Die Zeit Constantin's des Grossen*³ (Leipzig 1898) 384, who rejected it, or T. Zahn, "Konstantin der Grosse und die Kirche," *Skizzen aus dem Leben der alten Kirche* (Erlangen/Leipzig 1894) 241–66 (=H. Kraft, ed., *Konstantin der Grosse* [Darmstadt 1974] 85f), who found it "nicht zu bezweifeln, dass er zuletzt ein allgemeines Verbot des Götzendienstes erlassen hat." It is not the purpose of this paper to collect all recorded opinions, but to discuss and develop what seems to be new in the recent discussion.

the ‘Constantinian revolution.’”³ Precisely for this reason it seems reasonable to reconsider the sources and the arguments, in the hope that this important issue does not remain on the plane of a mere brief exchange of arguments and statements between reviewer and reviewed.

We must begin with Eusebius. In Book 2 of the *De vita Constantini*, after recounting the defeat of Licinius (1–19), Eusebius expends much space on Constantine’s attitude and activities at that time. He quotes in full, it seems, extensive documents: 24–42 is the *Letter of Constantine to the Provincials* (=the provincial assembly?) of Palestine, in which he announces measures in favour of the Christians (no doubt it is the Palestinian copy of a general enactment which he cites). This is followed by the explicit statement by Eusebius himself that these measures (they concerned above all the restitution of property and status) were actually carried out (43). Chapter 44 mentions Constantine’s practice of appointing mainly Christian governors and also a law forbidding any remaining pagan officials from sacrificing in their official capacity. Critical then is 45.1, which deserves to be quoted in full:

εἴθ’ ἐξῆς δύο κατὰ τὸ αὐτὸ ἐπέμποντο νόμοι, ὁ μὲν εἴργων τὰ μυσάρὰ τῆς κατὰ πόλεις καὶ χώρας τὸ παλαιὸν συντελουμένης εἰδωλατρίας, ὡς μήτ’ ἐγέρσεις ξοάνων ποιεῖσθαι τολμᾶν, μήτε μαντείας καὶ ταῖς ἄλλαις περιεργαῖς ἐπιχειρεῖν, μήτε μὴν θύειν καθόλου μηδένα. . . .

The second law, which Eusebius puts in the subsequent parallel *δέ* clause, recommends the erection or extension of church buildings, and does not concern us here. Constantine therefore, if we are to believe Eusebius, sometime after the law or laws restoring rights to the Christians and sometime after the ban on official sacrifice by the provincial officials, issued a law that gave Eusebius the impression that sacrifice was wholly banned. Eusebius does not quote the law in detail, but this need not be significant, for, as Barnes points out (*supra* n.3), he might have had no access to the full text, which in any case, in the form in which it reached Palestine, may not have been a direct communication from the emperor; and only such documents as seemed to show his personal intention were relevant to the *De vita Constantini*.

The only indication of the date is that it was at the same time (*κατὰ τὸ αὐτό*) as the law about the erection or improvement of church buildings, for which Eusebius can quote a letter to himself (as the

³ T. D. Barnes, “Constantine’s Prohibition of Pagan Sacrifice,” *AJP* 105 (1984) 69–72 (here: 72).

Metropolitan of Palestine: *VC* 2.46). This is also not precisely dated, but the content allows the conclusion that it must stand in a reasonably close relationship to the letter restoring rights to the Christians. Whether it belongs to autumn 324 or a little later is for this purpose unimportant. There can be little doubt that Eusebius believed that a law concerning a general ban on sacrifice was issued at this time.

The reason why there is basis for doubting this law is that other significant evidence not only fails to support Eusebius' view but indeed seems to contradict it directly. Most important is a statement of Constantine himself in his *Letter to the Eastern Provincials*, a document that Eusebius quotes at full length (*VC* 2.48–60). The critical passage occurs in 56.2. Constantine's concern in 56 is with the necessity of maintaining peace in the empire; this should be granted to non-Christians in the same way as to Christians (*ὁμοίαν τοῖς πιστεύουσιν οἱ πλανώμενοι χαίροντες λαμβανέτωσαν εἰρήνης τε καὶ ἡσυχίας ἀπόλαυσιν*). This common experience might serve to convince the pagans to tread the true path; no one from either group should molest members of the other; each person should have what his soul needs and the right to devote himself to this; those susceptible to reason should be persuaded that only Christians live properly. Then comes the critical passage: *οἱ δὲ ἑαυτοὺς ἀφέλκοντες ἐχόντων βουλόμενοι τὰ τῆς ψευδολογίας τεμένη· ἡμεῖς ἔχομεν τὸν παιδρότατον τῆς σῆς ἀληθείας οἶκον, ὄνπερ κατὰ φύσιν δέδωκας*.

Barnes' treatment of this passage, critical for his view of a doctrinaire Constantine, is the weakest point of his interpretation and is rightly criticised by Drake. Barnes writes (210) that Constantine here "pointedly refrains from mentioning sacrifices. Against the background of the earlier law Constantine's silence ineluctably implies that sacrifice remains totally prohibited." Drake laid the main weight of his criticism on a challenge to the authenticity of the Eusebian law, which allowed Barnes in his reply to deal summarily with this passage of the *Letter*, in effect simply reasserting his position: "Eusebius expressly sets it [the Letter] later than the prohibition of sacrifice: hence its guarantee to the eastern provincials that they may retain possession of their 'shrines of falsehood' should be less important than its total silence about their right or ability to perform ritual acts of sacrifice in pagan temples."⁴

Is this silence 'pointed'—indeed, is there in any real sense a 'silence' at all? Drake rightly thought this questionable, but himself went no further. In fact the immediate context and structure of the passage

⁴ *Supra* n.3: 70; cf. Drake (*supra* n.2) 464f.

rule out the possibility that it can bear the “ineluctable implication” that Barnes sees. The general trend of the *Letter*, which has often enough been correctly seen,⁵ is to flatter and praise the Christians, to show the personal commitment of the emperor to their cause, while at the same time preventing a crusade against the unbelieving: precisely this point is repeated in the last sentences of the *Letter* where Constantine denies a rumor that τῶν ναῶν . . . τὰ ἐθή had been suppressed (60.2). As Drake rightly says:⁶ “Harsh words are used, indeed, but one charged with enforcing this edict would find the operative clauses not in the rhetoric but in what sounds very like orders to zealous Christians to leave their pagan neighbors alone.” In this situation it would clearly have been counterproductive, indeed inconceivable, for Constantine to list in provocative detail all the traditional practices associated with pagan temples and to rule that they were to be allowed to continue undisturbed. But the passage is in fact far weaker than either Barnes or Drake appear to have seen. It is not surprising that no scholar in the past has noticed the implication that Barnes draws, for it is clear from the structure of the sentence that not even the τεμένη are to be understood as concrete objects. The rhetorical balance proves this: οἱ δὲ . . . ἡμεῖς τὰ τῆς ψευδολογίας τεμένη . . . τὸν φαιδρότατον τῆς σῆς ἀληθείας οἶκον. The relative clause added to οἶκον, ὄνπερ κατὰ φύσιν δέδωκας addressed to God, is the proof of the metaphorical use of the concrete nouns. Thus, where τὸν φαιδρότατον . . . οἶκον clearly means not church buildings, but stands for the whole complex of Christian belief and doctrinal practice, so the directly parallel τὰ τῆς ψευδολογίας τεμένη must mean the total complex of paganism.

There is therefore no pointed omission of sacrifice, procession, *etc.*, for even the apparently concrete τεμένη are mentioned only to provide a metaphor that indicates the whole complex. Thus, just as no limitation on Christian activity is implied by the phrase τὸν φαιδρότατον . . . οἶκον, so no limitation of pagan activity can be implied by the directly parallel clause τὰ τῆς ψευδολογίας τεμένη.

Once we have seen that the ‘pointedness’ of the ‘omission’ in Con-

⁵ E.g. H. Dörries, *Das Selbstzeugnis Kaiser Konstantins (AbhGött 3.34 [1954])* 51ff. It might be added that the *Oratio ad sanctorum coetum* 11.4, 7—the date of which remains elusive (for a balanced discussion see Drake, “Suggestions of Date in Constantine’s *Oration to the Saints*,” *AJP* 106 [1985] 335–49)—also gives the strong impression that persecution of pagans was no part of Constantinian policy; and Eusebius himself (*VC* 4.32) cites this text (assuming for this purpose that the transmitted speech is the one Eusebius refers to) as a typical example of a Constantinian speech.

⁶ *Supra* n.2: 465.

stantine's *Letter* is non-existent and have established the basic correctness of the earlier view of the *Letter to the Eastern Provincials* as an edict of toleration—which Barnes (210) explicitly denies—dressed up in sufficient Christian verbiage and commitment to impress Christians into compliance, we must return to the problem of the interpretation of Eusebius' law against sacrifice, which, as Barnes rightly saw, cannot be so easily ignored. It is perhaps significant that Eusebius himself, in his further account of Constantine's pro-Christian activities in the *De vita Constantini*, never refers to this law as having been put into practice. Indeed, from his proud relation of specific cults specifically suppressed by Constantine in favour of Christian buildings or Christian sensitivities, no reader would dream that these activities were all covered by the briefly mentioned general law of 324. Eusebius relates the specific suppressions singly as individual Constantinian achievements: the clearing of the site of the future Church of the Anastasis in Jerusalem of traces of the cult of Aphrodite (*VC* 3.26f); the prevention of pagan cult-practices at Mambre (3.53); the closing of certain provocatively successful pagan sites, of ritual prostitution at Aphaka and Heliopolis in Phoenicia, and of ritual healing by Asclepius at Aegeae in Cilicia (3.55f, 58); the restriction of certain rites felt to be indecent in connection with the Nile feasts at Alexandria (4.25.2f).⁷ Indeed, for the closing of the pagan cult at Mambre he can quote in full Constantine's specific instruction, which also makes no reference to any general imperial law or order he wishes to enforce in the present particular case. If there had at the time been a general law dating from late 324 and still valid that banned sacrifice and other cult practices, Eusebius' failure to mention it—when he explicitly draws attention to the application of the law of restitution—is thus distinctly odd and suggests that the general law of 324 played no part in the actions against pagan worship. It is true that in the loosely structured fourth Book of *De vita Constantini* Eusebius again refers to this law, but as with so much in the first part of that Book, he does so in an unspecific summarising way and in a 'timeless' context. Drake's recent attractive suggestion that Book 4 represents an initial collection of material in the form of an early draft of the *VC*, which then remained even less revised than the other Books, would explain this and other apparent repetitions from the essentially chronologically structured Books 1–3. Mention in Book 4 would thus provide no good reason for rejecting the specific dated context of 2.45,

⁷ Liban. *Or.* 30.35 shows that the essentials of the rites themselves (contrary to the impression that Eusebius wished to give) continued until at least *ca* 386.

though it tends to emphasise Eusebius' belief that the law did indeed exist.⁸

The same conclusions must be drawn from statements in Libanius' *De templis* (ca 386). Born in Antioch in 314,⁹ Libanius was an alert ten- or eleven-year-old when Constantine defeated Licinius, and was certainly in a position to know from his own experience and that of his family circle whether major changes in religious practice had occurred after that event: for this purpose he is just as much a contemporary of the events as Eusebius. In the *De templis* he twice refers favourably to the time of Constantine and contrasts it with the threat from Theodosius, which is imminent. The first passage occurs in a general introductory survey of the history of the persecution of the pagan temples: Constantine used the confiscated temple treasure (after 324) to build up Constantinople: τῆς κατὰ νόμους δὲ θεραπείας ἐκίνησεν οὐδὲ ἐν, ἀλλ' ἦν μὲν ἐν τοῖς ἱεροῖς πενία, παρῆν δὲ δρᾶν ἅπαντα τ' ἄλλα πληρούμενα (*Or.* 30.6). So: the temples became poor, but not so poor that they could not carry out their normal ritual programme. Libanius makes the identical point once more quite explicitly later in the same speech: Constantine took no action against sacrifice, though he suffered dearly for his policy of expropriating temple property (Libanius has in mind here Constantine's private tragedy: 30.37, 62.8).

Barnes sees the issue as Eusebius against Libanius, whose statement he apodeictically disqualifies as "misleading" (though he does not seem to notice that Libanius makes the same statement twice).¹⁰ But he can do this in any case only because he has misinterpreted the critical passage of the *Letter to the Eastern Provincials* and what may be legitimately inferred from it. And we have seen that even Eusebius and Constantine himself make no reference to the law, where we would certainly expect one. The conflict between Eusebius and Libanius is thus more apparent than real. We may believe, with Barnes, that a law such as Eusebius mentions was indeed issued in 324.¹¹

⁸ VC 4.23, 25. A. H. M. Jones, *The Later Roman Empire, 284–602* (Oxford 1964) 92, reverses the order of law and letter, which is an easy way out of the difficulty (and is perhaps what Zahn [*supra* n.2] meant by "zuletzt"); but it does not do justice to Eusebius' date, which Barnes seems right to insist on. See now H. A. Drake, "What Eusebius Knew: the Genesis of the *Vita Constantini*," *CP* 83 (1988) 20–38.

⁹ See *PLRE* I s.v. "Libanius (1)."

¹⁰ Barnes 377 n.11. Others have been less willing to accept Eusebius at face value against Libanius: e.g. J. R. Palanque in A. Fliche and V. Martin, ed., *Histoire de l'église* III (Paris 1947) 63 n.8.

¹¹ An intermediate position between total acceptance and total rejection of the law was taken by J. Geffcken, *Der Ausgang des griechisch-römischen Heidentums* (Heidelberg 1929) 94 and 279 n.24, who thinks that Eusebius has misleadingly generalised on the basis of individual Constantinian actions (*cf.* also Palanque [*supra* n.10] 63

When Constantine's sons wished to sharpen up their anti-pagan activities in 341 they were able to summon Constantine's authority to their aid and to recall that Constantine had also issued such a law.¹² What they did not say was that, as is now clear to us, the law to which they referred as a precedent, precisely the law which Eusebius also mentions, can only have had a validity of at most 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.¹³ Nor would it be in the least surprising if Eusebius failed to mention this critical fact in the *VC*: what mattered for his panegyric purpose was that it had been issued at all, for his main interest is in Constantine's subjective intention. The *VC* is after all not a history and does not aspire to historical canons of accuracy. Omission of significant detail is one of the tools of the panegyrist.

This solution to the problem of apparently conflicting sources over a concrete detail has, of course, wide-ranging general implications for the way in which Eusebius interpreted the authentic documents that he included or made reference to in his panegyric, as well as for its reliability as a historical source in general, which go far beyond the limited aims of this short article. But it might be worth pointing out that this late product of Eusebius' literary activity shows us the good bishop actively and apparently deliberately contributing to the creation of the myth of Constantine by knowingly creating a false impression of his actual practice and long-term policy in the central field of suppression of paganism.

n.8). If we had only the statements in *VC* 4.23, 25, which are in a chronologically imprecise summarising passage, this might indeed be an acceptable explanation. But *VC* 2.45 is firmly anchored in the events of 324/5, and Barnes seems right to have stayed firm on this.

¹² *Cod.Theod.* 16.10.2. There is something wrong with the MS. tradition of this law. It was issued to the *Vicarius Italiae* L. Crepereius Madalianus, but only Constantius is named as Augustus, whereas Constans had responsibility for Italy. The law must therefore be his, although precisely his name has dropped out. The next law in *Cod.Theod.*, however, begins *Idem AA*, which allows the safe restoration of Constans' name in 16.10.2. Lengthy discussion of this law may be found in L. de Giovanni, *Costantino e il mondo pagano* (Naples 1977) 137ff.

¹³ H. A. Drake, *In Praise of Constantine* (= *CalPubClSt* 15 [Berkeley/Los Angeles 1976]) 150 n.17, suggests that *Cod.Theod.* 16.10.2 might be a further example of "the method of tardy attribution that Constantine's sons engaged in rather freely." Even if one does not follow Drake in totally rejecting the Constantinian law, it is clear that this reference to Constantine is substantively misleading and that his name was indeed being used to give authority to a basically new and potentially unpopular policy. For a later example of similarly quiet and rapid suppression of a recent religious law that was certainly real see *Cod.Theod.* 16.1.2, 2.25, with A. Ehrhardt, "The First Two Years of the Emperor Theodosius I," *JEclHist* 15 (1964) 1-17.

Nevertheless we do not leave the scene quite empty-handed. Barnes' probably correct insistence on the chronological accuracy of Eusebius' date for the law allows us, it seems, an unexpected insight into the making of policy towards the eastern provinces in the immediate aftermath of the defeat of Licinius at Chrysopolis. It is legitimate to ask what sort of discussions and struggles were going on in the entourage of Constantine in those months that produced two such important but diametrically opposed statements of policy towards the pagans a few months apart; and it may be asked how all this fits together with the preparations for the Council of Nicaea and with Ossius' visit to Alexandria (*VC* 2.63) and probably to Antioch¹⁴ during these same few months. The sources offer no help here. But it seems clear that the 'hawks' among the religious advisors at the court were immediately very strong: the aggressive law against pagan sacrifice must be closely contemporary with Constantine's letter to Alexander and Arius, which betrays a similar (western?) 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).

If this scenario seems reasonable, it is very likely that one result of the law against sacrifice was significant protest from influential pagans, as Barnes asserts. Evidence is however wholly lacking, and Barnes' attempt to conjure support from Iamblichus' *De mysteriis* cannot convince, for he has himself shown that Iamblichus was probably dead before 324.¹⁵ It is also quite probable that in the eastern provinces local persecution of pagans followed more or less spontaneously on the news of Constantine's victory and the hopes it raised, as seems to have happened with Licinius' help after the defeat of Maximinus in 313.¹⁶ Even if this activity in 324/5 were fairly low-key (*VC* 4.39.1f), reports of local disturbances will inevitably have reached Constantine's court by early 325, particularly if Barnes is right in arguing that Constantine travelled across Asia Minor, perhaps even as

¹⁴ H.-G. Opitz, *Athanasius, Werke* III.1 (Berlin 1935) Urkunde 18; cf. H. Chadwick, "Ossius of Cordova and the Presidency of the Council of Antioch 325," *JThS* N.S. 9 (1958) 292-304; J. R. Nyman, "The Synod at Antioch (324-325) and the Council of Nicaea," *Studia Patristica* 4 (1961) 483-89.

¹⁵ Barnes 210, 377 n.11; cf. "A Correspondent of Iamblichus," *GRBS* 19 (1978) 99-106.

¹⁶ Palanque (*supra* n.10) 59; on 313 see Eusebius *HE* 9.11.

far as Antioch, during these months.¹⁷ Ossius, moreover, had also been travelling in the East—to Antioch and Alexandria, as we have seen—before the Council of Nicaea and would doubtless have learned during those travels that the apparently simple decisions that had been made in the first flush of victory were not going to bring the desired long-term results.

Recognition of this fact in the case of the Arian dispute might lead to an attempt to resolve the problem at a council of bishops. But no such mechanism existed to deal with the perceived pagan problem. Yet the edict of persecution, which Eusebius' law banning sacrifice was in effect, could not be maintained in practice without causing serious trouble. Despite the strength of Christianity in the East, it is doubtful that Christians were already in 324 a majority of the population, certainly not of the influential property-owning tax-payers. Hence the new policy that was contained in the *Letter to the Eastern Provincials*, which quietly suppressed the law banning sacrifice of the previous autumn and in practice meant a return to the state of general toleration represented by the joint communication of Constantine and Licinius of 13 June 313 (the so-called edict of Milan).¹⁸ Under the circumstances the Christian emperor and his close advisers had to dress up the appeal for peacefulness and toleration with the complex Christian rhetoric in which it is clothed (and which so impressed Eusebius: see *VC* 2.47, 61.1) in order to disguise, it seems, the suddenness of the change of imperial policy, which must have occurred at about the same time as Constantine was entertaining the bishops at the Council of Nicaea. In future *ad hoc* action, where particular local conditions suggested it, was to characterise imperial policy against the pagans—action that could be and indeed was accompanied by sufficient verbal thunder to disguise the fact that the general law banning sacrifice was no longer valid. Moreover the instances chosen for action, except for Asclepius at Aegae, where particular local political conditions may have played a part,¹⁹ were all extreme cases of non-Greek bad taste, which were unlikely to have seriously aroused the opposition of the Greek provincial pagan élite who—as the text of Libanius quoted above shows clearly—were concerned above all with the traditional decent community cults of the Greek cities. The in-

¹⁷ Barnes, *The New Empire of Diocletian and Constantine* (Cambridge [Mass.] 1982) 76; "Emperors and Bishops, A.D. 324–344: Some Problems," *AJAH* 3 (1978) 53–75.

¹⁸ *Lact. Mort. pers.* 48; *Eus. HE* 10.5.1–14.

¹⁹ So Burckhardt (*supra* n.2: 385).

dividual actions are duly listed by Eusebius, true to his panegyric purpose, as repeated individual decisions in favour of Christian susceptibilities, thus emphasising Constantine's Christian purpose and making advantage out of necessity.²⁰

This whole issue, it seems, demonstrates the tightrope that Constantine was trying to walk in those first months in the East, between his traditionalist position as Augustus for all the people (and, of course, as Pontifex Maximus) on the one hand and, on the other, the attitude of some of his Christian advisers and of some Christians in the provinces, who clearly expected, after the defeat of Licinius, that their time had again come for a counter-attack on their ex-persecutors. The law banning sacrifice recorded by Eusebius shows how influential such thoughts were in the immediate, mostly western, entourage of Constantine in the early months after the battle at Chrysopolis. This attitude at the court, the aggressive law that it caused to be issued, and the activity of local Christian groups in the provinces, which Eusebius certainly indicates took place in Palestine, provide at least part of the real background for the unique Edict of Toleration. Its Christian rhetoric can easily draw attention away from the—ineluctable?—implication (as it was doubtless intended to): an appeal for peace and for toleration for pagans, issued by the emperor in spring or summer 325, can in practice only have been directed against those aggressive Christians, at court and in the provinces, who were not content with merely being tolerated themselves and with reaping advantages from the imperial treasury, but who even fomented widespread hostile actions against the pagans. When Constantine appealed for peace and re-imposed toleration, we have no reason to believe that he did not mean what he said.²¹

PHILLIPPS-UNIVERSITÄT, MARBURG
November, 1988

²⁰ VC 3.53, 55, 56, 58.

²¹ I wish to thank the anonymous referees for their helpful suggestions.