
Paganism and the State in the Age of Justinian

Author(s): Demetrios J. Constantelos

Source: *The Catholic Historical Review*, Vol. 50, No. 3 (Oct., 1964), pp. 372-380

Published by: Catholic University of America Press

Stable URL: <http://www.jstor.org/stable/25017472>

Accessed: 21/03/2010 18:52

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at <http://www.jstor.org/action/showPublisher?publisherCode=cuap>.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.



Catholic University of America Press is collaborating with JSTOR to digitize, preserve and extend access to *The Catholic Historical Review*.

PAGANISM AND THE STATE IN THE AGE OF JUSTINIAN

By

DEMETRIOS J. CONSTANTELOS*

The sixth century after Christ was marked by intensive religious controversy in the Byzantine Empire. Although the question was not as acute as it was during the fifth century, it still constituted a decided threat to the internal peace of the Empire. This condition was due in part to the existence of a number of conflicting religious beliefs stemming from the interests and the mentality of the peoples composing the mosaic of Byzantine society.

There were more than thirty creeds¹ and paganism still occupied a prominent position among them. It is true that after the death of the last pagan Emperor, Julian the Apostate, and the rise of Christianity as the state religion circa 381,² paganism never regained its previous position as a state religion. Nevertheless, despite its inferior status in the Christian Empire, paganism whether of Graeco-Roman origin or any other form did exist and was practiced in many of its provinces and cities.³ Especially following Julian, and up to the time of Justin I and Justinian, the Byzantine emperor practiced a policy of toleration for all religions⁴ and, although there were anti-pagan and anti-heretical laws, they were not always enforced. Thus, up to the sixth century, we still find centers of paganism in Athens, Gaza, Alexandria, and elsewhere.⁵

In the age of Justinian paganism was classified under two categories, namely, Hellenic faith,⁵ that is, the Graeco-Roman Olympian deities, and the paganism of the barbaric tribes inhabiting the Empire, such as the worshippers of the heavens⁶ and worshippers of the sun.

* Father Constantelos is a Junior Fellow at Dumbarton Oaks Research Library and Collection, Harvard University.

¹ S. P. Scott, *The Civil Law*, Vol. XII (Cincinnati, 1932), p. 65.

² Cf. T. M. Lindsay, "The Triumph of Christianity," *Cambridge Medieval History*, Vol. I (Cambridge, 1951), p. 114.

³ Procopius, *Pers.*, I. XIX. 35-37, I. XXV. 10; *Hist. Arc.*, XIX. 11.

⁴ Lindsay, *op. cit.*, p. 112.

⁵ Procopius, *Arc.*, I. XX. 1, I. XXV. 10, etc.

⁶ Scott, *op. cit.*, p. 75.

At the beginning of the sixth century *Hellenic paganism* was not disturbed nor was it persecuted. This may be attributed to the humane character⁷ and the religious tolerance of Emperor Anastasius. His religious policy was one of peaceful co-existence. Whether this was due to his own religious ambiguity and skepticism or his political aims is not easy to determine. Another reason might be that his family adhered to diverse religious confessions, his mother being a zealous Manichaean,⁸ his uncle (his mother's brother) an Arian, and his brother's wife an orthodox Christian, while Anastasius himself was sympathetic to Monophysitism. However, this was true for a limited time only, for later in his life he officially sided with the Monophysites.⁹

It is with the successors of Anastasius that there is a definite shift in the religious policy. Because of the open and friendly policy of Anastasius towards the Monophysites, the orthodox element expressed their discontent openly. A rebellion under Vitalian broke out in Thrace, and some churches accused the emperor as an enemy of the Council of Chalcedon and thereupon erased his name from the sacred diptychs. The church in Jerusalem even anathematized him.¹⁰ After the death of Anastasius, the Church insisted that his successor had to be orthodox, and this condition was satisfied in the person of Justin I, who made it his task to restore the authority and prestige of the orthodox Church. His work was facilitated by his nephew Justinian, who was also a student of theology. From Justin down to the last emperor of the sixth century, the religious policy of the Empire was based upon orthodoxy.¹¹ It was the endeavor of the emperors not only to promote orthodoxy as the official faith of the state, but also to make it the official creed of all schismatics, heretics, pagans, and non-Christians. Paganism suffered its last persecution under the reign of Justinian.¹²

⁷ Cf., Evagrius, *Ecclesiastical History*, ed. J. Bidez and L. Parmentier (London, 1898), p. 134.

⁸ Peter Charanis, *Church and State in the Later Roman Empire* (Madison, 1939), p. 11. Cf. the review by A. K. Ziegler, *Catholic Historical Review*, XXVII (October, 1941), 384.

⁹ J. B. Bury, *History of the Later Roman Empire* (New York, 1958), II, 369.

¹⁰ Evagrius, *op. cit.*, 3, 34, p. 134.

¹¹ A. Vasiliev, *History of the Byzantine Empire* (Madison, 1952), p. 130.

¹² For Justinian's religious policy in general see Halmicar S. Alivisatos, *Die kirchliche Gesetzgebung des Kaisers Justinian* (Berlin, 1913), pp. 21-49;

The repression of the lingering heathenism was prompted by the desire of the emperor for religious unity. Procopius asserts that Justinian, "finding that the belief in God was, before his time, straying into errors and being forced to go in many directions, completely destroyed all the paths leading to such errors and brought it about that it stood on the firm foundation of a single faith."¹³ Orthodoxy thereby was made a prerequisite for citizenship. On another occasion the Byzantines were urged to gather "into one and the same church, being unanimous concerning the true belief of Christians and withdrawing from such as affirm or entertain contrary opinions. The first means of salvation for all men is the confession of the true faith."¹⁴

Hellenic paganism was still exerting a considerable influence in the Byzantine society of the sixth century. Hence, Justinian's severity against "all the impieties of the Hellenic religion"¹⁵ is understandable. Since paganism was outside of the "true faith" and still practiced idolatry, it suffered at the hands of the Justinian dynasty. Through various edicts "the instruction of every subject taught by teachers who suffered with the mania of the impious Hellenes" was prohibited.¹⁶

Paganism was kept alive in institutions of learning and by groups of learned men who were admirers of classical Greece and apparently followers of Hellenic paganism. It was because of their influence that pagan academies, schools, and teachers were attacked by legislative measures which resulted in the closing of the famous schools at Athens in the year 529. It was not the teaching of classical studies that Justinian abolished but the means by which paganism was kept alive, as

Louis Bréhier, "La politique religieuse de Justinien," Chapter II of Part III of *De la mort de Théodose à l'élection de Grégoire le Grand*, by P. de Labriolle, et al. [Histoire de l'Eglise, ed. Augustin Fliche and Victor Martin, Vol. IV] (Paris, 1948), pp. 437 ff.; Charles Diehl, *Justinien et la civilisation Byzantine au VI^e siècle* (Paris, 1901), pp. 324-329, 552 ff.; E. Stein and J.-R. Palanque, *Histoire du Bas-Empire . . . (476-565)* (Paris and Brussels, 1944), pp. 369-375; J. Geffcken, *Der Ausgang des griechisch-römischen Heidentums* (2nd ed., Heidelberg, 1929), pp. 189 ff.

¹³ Procopius, *Aed.*, I, 1, 9. Cf. Bury, *op. cit.*, II, 361, and Diehl, *op. cit.*, pp. 552 ff.

¹⁴ Evagrius, *op. cit.*, p. 198. Cf. Constantine Amantos, *Ἱστορία τοῦ Βυζαντινοῦ Κράτους* (2nd ed., Athens, 1935), I, 224, n. 4.

¹⁵ Codex Justinianus, *Corpus Juris Civilis*, ed. P. Krueger, 8th ed. (Berlin, 1906), II, 63-64.

¹⁶ *Ibid.*, p. 64.

Professor Downey rightly observes.¹⁷ In Constantinople certain pagan dignitaries such as Thomas the Quaestor, Phocas the Patrician, the latter of whom was "rich in himself and generous to those in need,"¹⁸ were imprisoned.¹⁹ Because of this anti-pagan policy, a dignitary named Asclepiodotus committed suicide. Other grammarians, sophists, lawyers, and physicians suffered at the hands of the law. The books of pagan authors were burned. According to Malalas the persecution against Hellenic paganism was "great." He points out that "many were imprisoned and because of this there was a great fear."²⁰ Pagans were forbidden to participate in politics and their properties were confiscated. But they were given the opportunity to be reinstated in Byzantine society provided that within three months they would adopt the orthodox faith.²¹

In Constantinople there was another persecution of Hellenic paganism during which their books were burned publicly and the images and the statues of their gods destroyed.²² But in addition to the persecutions in Constantinople and the suburb Sycae, paganism at Athens, which was uncompromising, was completely suppressed. Pagan teachers were forbidden to teach, and when they refused to obey, their property was confiscated. The University of Athens was condemned. Some of the teachers of the Academy "because . . . they were not satisfied with the conditions prevailing among the Romans"²³ emigrated to Persia, although later on "all returned to their country."²⁴

Hellenic paganism, which was rather widely practiced in Asia Minor, was suppressed there not only in the towns but in the country regions as well. In the Provinces of Phrygia, Lydia, and Caria many thousands of heathens were forced to accept Christianity; temples were destroyed; and Christian churches and monasteries built in their places.²⁵ This work was accomplished by John of Ephesus.

¹⁷ Glanville Downey, "Justinian's View of Christianity and the Greek Classics," *Anglican Theological Review*, XL (January, 1958), 13-22.

¹⁸ Joannes Lydus, *De Magistratibus*, CSHB (Bonn, 1837), p. 267.

¹⁹ Joannes Malalas, *Chronographia*, CSHB (Bonn, 1831), p. 449.

²⁰ *Ibid.*, p. 449. Cf. L. Duchesne, *L'Eglise au VI^e Siècle* (Paris, 1925), p. 275.

²¹ Theophanis, *Chronographia*, CSHB (Bonn, 1839), I, 276.

²² Malalas, *op. cit.*, p. 491.

²³ Agathias, *Epigrammata*, CSHB (Bonn, 1828), p. 131.

²⁴ Agathias, *op. cit.*, p. 133.

²⁵ Bury, *op. cit.*, II, 371. Cf. Diehl, *op. cit.*, p. 552.

The persecution of the Hellenic faith was carried to Egypt. Procopius observes that the temple dedicated to Zeus Ammon in the oasis of Augila and built by Alexander the Great was destroyed. This temple together with other pagan sanctuaries was torn down by General Narses the Persarmenian, but it was done at Justinian's orders. He commanded Narses "to tear down the sanctuaries . . . and put the priests under guard and send the statues to Byzantium. . ." ²⁶

During the same period, Justinian sent missionaries who went "from place to place and tried to compel such persons as they met to change from their ancestral faith," ²⁷ that is, the ancient Greek religion, "maltreating their bodies and plundering their properties." ²⁸ Persecution against Greek paganism was continued down to the close of the sixth century. This may be accepted as the period during which Hellenic paganism died throughout the Byzantine world as the emperors of the second half of the sixth century likewise favored orthodoxy and followed Justinian's policy for religious unity.

A significant suppression of paganism took place during the reign of Tiberius in the city of Heliopolis and the region of Antioch. According to John of Ephesus the overwhelming majority of the inhabitants of Heliopolis were heathens "who were professed worshippers of Satan." ²⁹ The same historian contends that these heathens "indulged . . . in scoffs at Christ and all who believed in Him, and had already ventured upon many acts of open violence." ³⁰ An officer named Theophilus was instructed to go to Heliopolis and wipe out paganism. "There he arrested numerous heathens and recompensed them as their audacity deserved, humbling them and crucifying them, and slaying them with the sword." ³¹ This persecution was carried on "in almost every town in the East, but especially at Antioch

²⁶ Procopius, *Pers.*, I. XIX. 37. Cf. Duchesne, *op. cit.*, p. 275.

²⁷ Procopius, *Anecdota*, trans. H. B. Dewing (London, 1935), XI. 21.

²⁸ Procopius, *Anecdota*, *op. cit.*, XI. 31.

²⁹ John of Ephesus, *Ecclesiastical History*, Part III, trans. R. P. Smith (Oxford, 1860), p. 209. The best edition of John of Ephesus with a Latin translation by E. W. Brooks is in *Corpus Scriptorum Christianorum Orientalium*, *Scriptores Syri*, Vol. LV (Louvain, 1952). The Latin translation of this passage reads as follows: "Anno 20 regis Tiberii postquam imperator factus est pagani impii urbis Be'elbakh quae et Heliopolis qui ab initio aperte Satanae cultores sunt . . .," *ibid.*, Lib. III, Cap. XXVII.

³⁰ *Ibid.*

³¹ *Ibid.*, p. 210.

the Great"³² and can be cited as the last major persecution of paganism.

In addition to Hellenic paganism there were pagan practices and beliefs among various native peoples in Africa, in Asia Minor, and elsewhere. There is evidence that there were polytheists and worshippers of the heavens whom we may designate as *non-Hellenic pagans*.

Procopius affirms that in the region of Pentapolis in North Africa there were natives who "were suffering from the disease of polytheism. . . There from ancient times there have been shrines dedicated to Ammon and to Alexander the Macedonian. The natives actually used to make sacrifices to them even up to the reign of Justinian."³³ Procopius does not allege that these natives were persecuted because of their heathenism. But he does indicate that the state made provisions that these people be taught "the doctrine of the true faith, making the whole population Christians and bringing about a transformation of their polluted ancestral customs."³⁴

However, according to the same author, pagans known by the same name of "polytheists" were severely suppressed in Palestine and were forced to become Christians. All those "who were persons of any prudence and reasonableness showed no reluctance about adhering loyally to this faith, but the majority, feeling resentment that, not by their own free choice, but under compulsion of the law, they had changed from the beliefs of their fathers. . ."³⁵ revolted. These heathens are not to be identified with followers of the Hellenic faith because Procopius, following the description of the aforementioned persecution, proceeds to say that this persecution was then "carried . . . to the 'Greeks' [Hellenes] as they are called."³⁶

In addition to the adherents of the Hellenic faith and the polytheists, there were others following various brands of heathenism. In the code of Justinian, a law is preserved which speaks about a group of people known as "worshippers of the heavens."³⁷ In Egypt there were the Blemmyes who were "accustomed to sacrifice human beings to

³² *Ibid.*

³³ Procopius, *Aed.*, VI. II. 15. Cf. *Anecdota*, XI. 26.

³⁴ Procopius, *Aed.*, VI. II. 19.

³⁵ Procopius, *Anecdota*, XI. 26.

³⁶ *Ibid.*, XI. 31.

³⁷ Scott, *op. cit.*, XII, 77.

the sun."³⁸ Though these pagans were not persecuted, their sanctuaries were torn down at the emperor's order and their priests were put under guard while their statues were sent to Byzantium. John of Ephesus narrates that by the end of the sixth century in the reign of Maurice, although heathens had been detected and discovered and convicted, and legal depositions had taken place of those in public office not only in the capital but in every region and city, many pagans "continued as they were, and still held their rank and office."³⁹ In fact, according to the same author the emperor did not launch any persecution against them. The Patriarch of Constantinople complained during the same period that the emperor did not persecute the pagans, that they went at large, unpunished, and that not one of them was deposed from his office.⁴⁰

As we study the attitude of the state towards these pagans it becomes evident that there was no uniform regulation of the Empire towards them. Some were persecuted while others were converted to Christianity through civilized and proper means. The former were not persecuted as long as they did not propagandize for paganism. Legislation was directed to the Christians, giving order "not to presume to employ any violence against . . . pagans who live quietly, and do not attempt to cause trouble or perform any illegal acts."⁴¹ Thus paganism in any form was suppressed only when there were disturbances and the internal peace of the Empire was at stake.

There remains no doubt that religion played a major role in the Byzantine society of the sixth century. The religious issue was always prominent. From the time of Theodosius the Great a continuous effort was made for the establishment of religious unity. This endeavor reached its apogee in the reign of Justinian I. One empire, one faith, one church was his motto. And while we observe tolerance in the religious question by emperors such as Anastasius, Tiberius, and Maurice, Justinian is the embodiment of unification in the religious domain. Thus his policy was to bring all pagans, heretics, and schismatics into the fold of the established Church.

We do find legislation and acts of violence against paganism and minor sects during the reign of each one of the emperors of the sixth

³⁸ Procopius, *Pers.*, I. XIX. 36.

³⁹ John of Ephesus, *op. cit.*, p. 353.

⁴⁰ *Ibid.*, p. 354.

⁴¹ Scott, *op. cit.*, Vol. 12-14, pp. 80-81.

century. But the laws often were not enforced and persecution was sporadic and local. It was not the systematic activity of the government to suppress them on the basis of their religious difference alone. Many times persecution was the result of political expediency, or it was brought upon the individual heresy or sect by its own anti-state policy. The Byzantine state was not a country of complete religious tolerance and freedom; it was not, however, an organized inquisition against all non-orthodox. The spiritual fervor and mentality of the Byzantines, the heterogeneousness of the peoples composing the Byzantine state⁴²—its people composed of civilized and barbarians alike—the external enemies that required internal peace and unity, led certain emperors, for example, Justinian, to use austere measures against religious non-conformists. But as a rule, Justinian's policy was not consistently suppressive, and it was not continued by his successors. Tolerance was displayed by all his successors with a few local outbreaks of religious persecution.

In the study of topics such as this, we must also take into consideration the quality of sources at our disposal. Most of the recorded persecutions against pagans, heretics, and sects have come from Procopius and John of Ephesus, who had personal reasons to emphasize the evils of the religious policies of the emperors under whom they lived. Procopius' *Anecdota* is of ambiguous historical value, and John of Ephesus, being a Monophysite himself, did not lose any opportunity to emphasize the heroism of all those who differed religiously from the imperial house. Indeed we cannot accept the reports of these historians without taking into serious account their motives and intentions.

On the other hand, the laws and rules say much in theory, but how are we to ascertain whether they were enforced except from the writings of Procopius and John of Ephesus, whose works cannot be accepted without reservations? There is no doubt that there was persecution, especially during Justinian's reign. Policies were inaugurated with political and religious unity as their ultimate goal. Why these endeavors failed and many heresies, schisms, and re-

⁴² On the ethnic composition of the Byzantine Empire see Peter Charanis, "Ethnic Changes in the Byzantine Empire in the Seventh Century," *Dumbarton Oaks Papers*, No. 13 (Washington, 1959), pp. 25-44; "The Transfer of Population as a Policy in the Byzantine Empire," *Comparative Studies in Society and History*, III (1961), 140-141, and Amantos, *op. cit.*, pp. 13-16.

ligious creeds⁴³ survived for many more centuries and even to our own time is difficult to determine.

⁴³ Cf. the 95th canon of the Council in Trullo, Hamilcar S. Alivisatos, *Οἱ Ἱεροὶ Κανόνες* (2d. ed.; Athens, 1949), pp. 113-114; and Basil Laourdas, *Φωτίου Ὁμολίαι* (2d. ed.; Thessalonike, 1959), pp. 165, 255, et al.