

**Religious Intolerance in the Later Roman Empire: The evidence of
the Theodosian Code.**

Submitted by Philip Tilden to the University of Exeter as a thesis for the degree of
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Philip Tilden

September 2006

For my parents.

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Abstract

This thesis deals with one aspect of religious intolerance in the later Roman empire, that which was expressed by the Imperial government during the fourth century from the reign of Constantine to the death of Theodosius I. As such, all the sources used are Imperial letters and laws which have survived in the Theodosian and Justinianic Codes as well as other Imperial statements that have survived in other collections, such as that of Eusebius' *Vita Constantini*.

The thesis attempts to gauge the amount of religious intolerance exhibited by each emperor in this period through an analysis of their laws and letters that were concerned with religious affairs. As such it is divided into four chapters: the first covers statements issued by Constantine and his immediate successors; the second focuses on Constantine's involvement with the Donatist dispute of north Africa; the third examines the meagre record from Jovian's short reign, before concentrating on the Valentiniani and the fourth and final chapter analyses Theodosius' religious legislation. The analysis of laws and letters in each chapter is divided into sections that essentially follow the structure of the Theodosian Code itself; i.e. the first section will cover an individual emperor's laws on the Church and Christianity, followed by his laws on heretics, followed by those on Judaism and finally those on paganism.

Whenever possible, the thesis attempts to seek some explanation for the laws issued, especially those that appear to be most intolerant. This is achieved through examination of political or other factors that may have been motivating factors behind the issuance of each law. Sometimes the individual *suggerens* and addressee are demonstrated to have influenced the nature and character of each law. As such, the style of the thesis takes the form of a historical and social commentary of the laws issued.

Throughout the thesis the argument is advanced that the Christian emperors and their administration were not necessarily as intolerant as ostensibly appears to have been the case and that as such, there is little evidence that the Christian state was, thereby, intolerant.

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Table of contents:

Introduction.	1
Chapter 1. Constantine, Constans and Constantius.	7
Constantine.	7
Constantine and the Church.	8
Constantine and Paganism.	12
Constantine and Heretics.	17
Constantine and Judaism.	18
Conclusion.	22
Constans and Constantius.	24
Constantius and Judaism.	25
Constantius and Paganism.	29
Constantius and the Church.	42
Conclusion.	50
Chapter 2: Constantine and the Donatists.	52
Conclusion.	78
The First Persecution of the Donatist Church: 317-321	80
The end of the First Persecution.	83
Conclusion	87
Chapter 3: The Valentiniani	89
Jovian	89

The Valentiniani: Valentinian I 364-375	95
Valentinian and the Church	97
Valentinian and the Ursinians.	107
Valentinian and Paganism.	118
Valentinian and Judaism.	121
Valentinian and Heretics.	122
Valentinian and the Magic Trials.	128
Conclusion.	129
Valens 364-378	131
Valens and the Church.	132
Valens and Paganism.	135
Conclusion.	143
Gratian 367-383 (effective Augustus 375-383)	144
Gratian and the Church.	144
Gratian and Heretics.	149
Gratian and Judaism.	158
Gratian and Apostates.	159
Conclusion.	161
Chapter 4: Theodosius (379-395)	163
Theodosius and the Church.	165
Conclusion: Theodosius and the Church.	202
Theodosius and Heretics.	205
Conclusion: Theodosius and Heretics.	235
Theodosius and Judaism.	238

Conclusion: Theodosius and Judaism.	244
Theodosius and Apostates.	246
Theodosius and Paganism.	251
Conclusion – Theodosius	263
Final Conclusion.	267
Bibliography.	271