

*Anti-Semitism—The Unintended Consequence of the Development of Augustine’s Thinking About Human Free Will**

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ABSTRACT

The first section of the paper provides an overview of the leading scholarship on the subject of Augustine and the Jews, focusing on the work of Jeremy Cohen and Paula Fredriksen. The second section of the paper discusses the evolution of Augustine’s thinking about the existence of human free will. Over the ten years from 386 to 396, Augustine changed from believing that God must have granted human beings free will because he cannot justly reward or punish individuals who lack free will to believing that the justice of God is “inscrutable” and that human beings lack free will. The third section of the paper discusses the development of an Augustine “doctrine of Jewish witness” as it is referred to by scholars. It held that Jews who observe the Law do so because they are predestined to wander in the Diaspora, protected by a divine injunction, but nonetheless suffering and in error. The paper argues that the doctrine of Jewish witness is pernicious because it relies on Augustine’s thinking about human free will. Anti-Semitism would become comfortable precisely because it can be seen as the will of God. The final section of the article shows how the doctrine of Jewish witness was adapted by early Medieval theologians, including Pope Gregory the Great, Isidore of Seville, and Agobard of Lyon in increasingly crude ways focusing on the idea that the fate of Jews was the will of God.

INTRODUCTION

This article will show that Augustine of Hippo’s conclusion that human beings lack free will¹ was integral to the development of what would eventually be referred to by scholars as his “doctrine of Jewish witness.” It will also argue that the doctrine of Jewish witness played a meaningful contributing role in the enculturation of “Anti-Judaism” as “Anti-Semitism” in Late Antiquity at least in part because it relied on the conclusion that human beings lack free will. It is important to emphasize that it is not my contention that any one development is the exclusive cause of the enculturation of anti-Semitism. I contend that the process by which theological anti-Judaism

*This article is dedicated to the memory of Cecil Rosenthal, David Rosenthal, Jerry Rabinowitz, Melvin Wax, Irving Younger, Rose Mallinger, Bernice Simon, Sylvan Simon, Joyce Fienberg, Richard Gottfried, Daniel Stein and all of the members of Tree of Life/ Or L' Simcha synagogue. It is also dedicated to the overwhelming majority of the people of the United States of America who are good and generous and who through their nearly universal expressions of grief and horror and by their striving to understand the events of October 27, 2018 have shown that this place is different and that the future is not foreordained. We will not let the actions of a few define us.

¹ Paula Fredriksen claims that throughout his life, “Augustine would hold that human will was ‘free.’” *Augustine and the Jews: A Christian Defense of Jews and Judaism with a New Postscript* (New Haven: Yale University Press, 2010), 278-79. Yet for Augustine that freedom was limited and the only choice it could make was to sin. For purposes of this article, the question of whether there is any meaning to the idea that freedom remains after Augustine wrote *Miscellany of Questions in Response to Simplician* in 396 is not relevant.

became enculturated as ethnic anti-Semitism began in the late fourth and early fifth centuries as the result of numerous mutually reinforcing factors and that the development of Augustine's doctrine of Jewish witness was one of those factors. This article begins with a discussion of the most relevant Augustinian texts and moves to a discussion of how these texts were remembered during the early Middle Ages. From the perspective of someone studying the history of anti-Semitism, the importance of Augustine is how his thought was understood (directly, indirectly and subliminally) by society. In this sense, the article is an exercise in reader-response criticism because it examines the meanings of Augustinian ideas in texts exterior to the Augustinian corpus itself.²

As a matter of nomenclature, I use the term "anti-Judaism" to refer to hostile statements about or actions against Jews by Christians. Anti-Judaic statements address religious and theological concerns. Anti-Judaic statements are often made by individuals, like Augustine, with little actual experience with Jews. The term "anti-Semitism" refers to similar types of statements or actions that are not theologically based. According to John Gager, such comments show little knowledge of Judaism and contain broad generalizations.³ They tend to be exceedingly derogatory and, although the term "ethnic" may be somewhat anachronistic when applied to Late Antiquity, anti-Semitic statements tend to explain the world through an ethnic lens. Anti-Semitic statements frequently reflect reactions to real-world encounters with Jews, such as the manifest jealousy contained in the writings of Agobard of Lyon discussed below. Some statements may contain both anti-Judaic and anti-Semitic characteristics. The distinction between anti-Judaism and anti-Semitism is important because it is only the latter, which is inherently inconsistent with post-enlightenment notions of universal human rights. Of course, the distinction between the two can be blurry.

Augustine's view on the existence of free will evolved during the decade from 386 until 396 to the point where the idea of free will was squeezed out. His doctrine of Jewish witness post-dates this development. The doctrine of Jewish witness had a pernicious impact on Christian attitudes towards Jews precisely because Augustine portrays God as having determined the fate of

² Jane P. Tompkins, "The Reader in History: The Changing Shape of Literary Response," in *Reader-Response Criticism*, edited by Jane P. Tompkins (Baltimore: The Johns Hopkins University Press, 1980), 201.

³ John G. Gager, *The Origins of Anti-Semitism: Attitudes Toward Judaism in Pagan and Christian Antiquity* (New York: Oxford University Press, 1985), 8.

Jews. Although it was not Augustine's intent, Augustinian theology was susceptible to being perceived as giving license to anti-Semitism. Anti-Semitism was not uncomfortable because its basic tenets could be thought of as the will of God. Later generations believed in an unquestioning way that God had predetermined that Jews would be blind to the nature of Christ and deaf to the true meanings of Hebrew scripture. The relationship between Augustine's ideas about free will and his "doctrine of Jewish witness" is part of the story by which theological anti-Judaism became embedded in western culture during Late Antiquity and the early Middle Ages as ethnic anti-Semitism.

Although a full discussion of Augustine's use of rhetoric is beyond the scope of this essay, it is also important to note that the capacity of Augustine's anti-Judaic ideas to contribute to the development of anti-Semitism was enhanced by his skillful use of understated (for the time) *psogos*. *Psogos* is a form of epideictic rhetoric, or speech intended for show.⁴ In Late Antiquity, epideictic rhetorical technique was frequently employed by theologians. Hyperbole, exaggeration, and grandiloquence were important tools of the epideictic rhetor. *Psogos* (blame) and its opposite encomium (praise) were forms of epideictic rhetoric which involved an exaggerated account of someone's birth, environment, personal life, bodily characteristics, virtues or vices, and actions. In order to be effective, epideictic rhetoric needs to employ a vocabulary that has meaning to the reader/listener. Augustine's way of speaking about Jews was necessarily influenced by contemporary rhetoric concerning Jews. In a future article, I plan on comparing Augustine's use of rhetoric with that of some of his contemporaries, including John Chrysostom, Jerome, Cyril of Jerusalem, and the Cappadocian Fathers Basil the Great, Gregory of Nazianus, and Gregory of Nyssa. In that article, I will argue that certain rhetorical tropes concerning Jews were becoming more common and that we can infer that they were becoming part of the common culture of the Mediterranean world. While Augustine's language was not nearly so vituperative as that of his contemporary John Chrysostom⁵ and while Augustine should not be understood as possessing

4 Raffaella Cribiore, *The School of Libanius in Late Antique Antioch* (Princeton: Princeton University Press, 2007), 2.

5 John Chrysostom's *Discourses Against Judaizing Christians* given between 386 and 388 are filled with powerful anti-Semitic rhetoric. John Chrysostom, *Discourses Against Judaizing Christians*, trans. Paul W. Harkins (Washington D.C.: The Catholic University of America Press, 1979). Rosemary Ruether compared Augustine and John Chrysostom noting, "The difference between the treatise of Augustine and the sermons of John Chrysostom does not lie in any difference of basic doctrines about the status of Jews, but in the fact that Augustine writes in the detachment of his study with no Jewish threat in sight, while Chrysostom speaks in the

personal animus towards Jews,⁶ his writings nonetheless reflect common late fourth century attitudes.

Augustine's work needs to be read in historical context. His working life followed almost immediately after the moment when "orthodox" Christians had assumed control of the Roman Empire.⁷ He converted to Christianity in 387, was ordained a priest in 391, and appointed bishop (co-adjudicator) of Hippo in 395. The earliest Augustinian writings which we possess date from 386. Augustine continued to write prolifically up until his death in 430. The issuance of the Edict of Milan by the Emperors Constantine and Licinius in 313 made Christianity licit, beginning the transition from pagan to Christian dominance of the Roman Empire. It was not until 379 that control of the Empire passed irrevocably to orthodox Christian Emperors. The last pagan Emperor, Julian, passed away in 363. In 379, Theodosius I, a firm adherent of Nicene orthodoxy, succeeded the Arian leaning Emperor Valens.⁸ Before that time, Emperors had been Christian, but not necessarily orthodox. In 380, the Emperors Gratian, Valentinian and Theodosius I issued the *Edict of Thessalonica* which effectively made orthodox Christianity the official religion of the Roman Empire.⁹ By the end of the fourth century, there was a legally orthodox brand of Christianity and defense of orthodox Christianity had become a principal concern of the Empire. Much of Augustine's work is a defense of orthodoxy against heterodox forms of Christianity (and non-Christian religions) and his ideas concerning grace and free will as well as his ideas about Jews evolved in this context.¹⁰ This is not meant to suggest that Augustine's arguments were mere

heat of battle. Faith and Fratricide: The Theological Roots of Anti-Semitism (Eugene: Wipf & Stock Publishers, 1997), 174.

⁶ Paula Fredriksen contends that due to his rhetorical skill at theological dispute, it would be a mistake to argue that Augustine's real feelings and thoughts about Jews can be discerned. Augustine and the Jews, 261.

⁷ The term "orthodox" should not be understood as having a precise meaning. Christian orthodoxy was then a developing concept. Christopher A. Beeley, *The Unity of Christ: Continuity and Conflict in Patristic Tradition* (New Haven: Yale University Press, 2012). Generally speaking, I use the term "orthodox" to mean Nicene Christianity as that idea was refined by subsequent Church councils. By 380, there was a form of Christianity which was sufficiently defined and which constituted the official religion of the Roman Empire such that it is properly thought of as orthodox.

⁸ Claudio Moreschini and Enrico Morelli, "The Cappadocian Fathers" in *Early Christian Greek and Latin Literature: A Literary History*, trans. Matthew J. O'Connell (Peabody: Hendrikson Publishers, 2005), p. 110. Before the late fourth century, heterodox religious observance had generally been tolerated so long as it was not a threat to order. Marcel Simon, *Versus Israel: A Study of Relations between Christians and Jews in the Roman Empire AD 135-425* (London: The Littman Library of Jewish Civilization, 1990), 227-8.

⁹ *The Theodosian Code*, Book XVI, 2, trans. Clyde Pharr (New York: Glenwood Press, 1969), 440.

¹⁰ Robert Chazan, *From Anti-Judaism to Anti-Semitism: Ancient and Medieval Christian Construction of Jewish History* (New York: Cambridge University Press, 2016), 77; David Nirenberg, "The Birth of the Pariah:

rhetorical devices. Augustine's beliefs were intensely sincere and supported by well-reasoned arguments. Lena Karfikova notes that Augustine thought seriously and systematically about grace and the will.¹¹ Yet it cannot be gainsaid that his thinking evolved over the decade from 386 to 396 and he was never completely comfortable with his own views about free will. He was aware that without the existence of free will, the idea that God is just becomes difficult to deduce by reason because punishment is disconnected from individual choices. By his own admission in *Retractions* written at the end of his career, Augustine struggled to preserve the idea of free will, but he was nonetheless forced to abandon it.¹²

Part I of this article provides an overview of the critical recent scholarship concerning Augustine and the Jews. Part II discusses the evolution of Augustine's thinking about free will. Part III discusses the "doctrine of Jewish witness" and shows how Augustine's ideas about free will were integral to its development. Augustine's use of *psogos* will be noted where it occurs, although this article is not intended as a vehicle to discuss Augustine's rhetorical methods. Part IV examines examples of anti-Judaic/anti-Semitic writings from the early Middle Ages which can in part trace their origin to things which Augustine says about Jews. These writings support the conclusion that the doctrine of Jewish witness contributed in a meaningful way towards the enculturation of anti-Judaism as anti-Semitism. It also includes a summary of parallel developments concerning Roman law in the early fifth century illustrating the fact that ideas about Jews which are reflected in Augustine's writings were, in fact, passing into the larger culture. Last, it leaps forward to at least note that Augustine's ideas about the relationship between free will (or the lack thereof) and Jews endured and found clear expression in the writings of Martin Luther.

Jews Christian Dualism, and Social Science," *Social Research: An International Quarterly* 70, no. 1 (Spring 2003), 226. Late in life, Augustine would write directly about Jews. Roger Pearse—Thoughts on Antiquity, Patristics, Information Access and More (blog); "Augustine's Treatise Against the Jews (containing Augustine's *Tractatus adversus Judaeos*), posted June 11, 2015, <https://www.roger-pearse.com/weblog/page/62/?p1004>. The *Tractatus adversus Judaeos*, consistent with his earlier work, accuses Jews of blindness and deafness in pointing out the futility of the law. Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), 68.

11 Lenka Karfikova, *Grace and the Will according to Augustine*, trans. Marketa Janebova (Boston: Brill, 2012), 1.

12 Augustine, *Retractions* (Ch. 27), trans. Mary Inez Bogan R.S.M. (Washington: The Catholic University of American Press, 1968), 120.

I.

Paula Fredriksen and Jeremy Cohen are the scholars who, in recent years, have done the most significant work with respect to the topic of Augustine and the Jews. Their work frames any discussion about the impact of Augustine on the development of anti-Semitism. Both have given thought not only to the question of what Augustine was trying to say about Jews and how he arrived at the doctrine of Jewish witness, but also to the question of how he was understood by succeeding generations and how these understandings have impacted Christian-Jewish relations. They agree that there was a range of ways in which Augustine was employed. Indeed, there seems to be scholarly agreement that Augustine's doctrine of Jewish witness was later used both for and against Jews.¹³ Fredriksen and Cohen differ, however, with respect to their conclusions about the nature of the most significant impacts that Augustinian ideas actually had on Christian-Jewish relations.

As the title of Fredriksen's book—*Augustine and the Jews: A Christian Defense of Jews and Judaism*—suggests, she maintains that Augustine conferred a significant benefit on Jews by virtue of his assertion that there is a “divine injunction” against killing Jews. She argues that the perception that there was such an injunction effectively stood as a defense of Jewish lives and the right of Jews to observe Jewish practice in the Diaspora.¹⁴ She opens the prologue to *Augustine and the Jews* by discussing an incident from 1146 in which Bernard of Clairvaux saved the lives of a number of Jews by imploring a group of would-be assailants to heed the language of Psalm 59 which Fredriksen translates as “Slay them [Jews] not.”¹⁵ Augustine had employed Psalm 59 over 700 years earlier in *The City of God* as a proof text to explain why Jews had survived over the centuries. Fredriksen argues that this idea passed into the “traditions of medieval Christian Europe,” where it was employed by educated clerics to diffuse anti-Semitic violence.¹⁶ The story of Bernard of Clairvaux is the only specific instance cited by Fredriksen in support of the notion that the doctrine of Jewish witness was beneficial to Jews. Yet, as discussed in Part IV of this article, she could have offered other even more significant examples of Augustinian ideas being used to defend Jews and Jewish religious observance.

13 David Nirenberg, *Anti-Judaism: The History of a Way of Thinking*, (New York: W.W. Norton & Company, 2013), 202.

14 Paula Fredriksen, *Augustine and the Jews*, 363.

15 *Ibid*, xi.

16 *Ibid*, xii.

Augustine and the Jews is, among other things, an insightful intellectual biography of Augustine, which pays close attention to the period from 386 to 396 when Augustine's ideas concerning free will evolved.¹⁷ Fredriksen ties these ideas to the doctrine of Jewish witness noting that in *Against Faustus* Augustine comments that "neither [Jews nor Manicheans] embraced true Christianity because neither had been enabled by God to do so."¹⁸ Fredriksen does not argue, as this article will, that the relationship between Augustine's ideas about free will and his doctrine of Jewish witness contributed in a meaningful way to the pernicious impact of the doctrine of Jewish witness.

In a review of *Augustine and the Jews*, Jeremy Cohen expressly disagreed with Fredriksen, observing that Augustine "enshrined the place of the Jews as quintessential 'other' in the process of Christian self-definition and mandated that Jews be "convicted" of their error as a means of validating the tenets of Christian doctrine."¹⁹ Indeed, in his book *Living Letters of the Law: Ideas of the Jew in Medieval Christianity*, Cohen shows how the doctrine of Jewish witness was employed and adapted in the early Middle Ages by Pope Gregory the Great (ca. 540-604), the Spanish Archbishop Isidore of Seville (570-636), and the Frankish Archbishop Agobard of Lyon (769-840) in varying and increasingly harsh ways.²⁰ This article follows Cohen's line of thinking and focuses on the same theologians in order to argue that what Augustine accomplished, *albeit* unintentionally, was to create a theology of anti-Semitism. I chose to discuss these three theologians (presumably for the same reason as Cohen) in this article because each wrote extensively about Jewish-Christian relations, each reflects Augustinian modes of thinking about Jews, and each advocated for policies which impacted Jewish-Christian relations.²¹ Cohen notes that "each of these ecclesiastical leaders preserved the metaphorical significance ... [of the Jews] as embodiments of that which is incomplete and imperfect in the present, Christian world ..."²² In

17 Ibid, 89.

18 Ibid, 279.

19 Jeremy Cohen, review of *Augustine and the Jews: A Christian Defense of Jews and Judaism*, by Paula Fredriksen, *The Journal of Religion* 89, No. 4 (Oct. 2009), <http://www.journals.uchicago.edu/doi/full/10.1086/600873>.

20 Cohen, *Living Letters of the Law*, 67-145.

21 At least one author has argued that Gregory and Agobard are outliers and that as a general matter, Frankish Bishops (as opposed to the Bishops in Visigothic Spain) treated Jews in a relatively benign manner. Norman Roth, "Bishops and Jews in the Middle Ages," *The Catholic Historical Review* 80, No. 1 (Jan. 1994): 1-14, <https://jstor.org/stable/25024201>.

22 Cohen, *Living Letters of the Law*, 68.

this sense, these clerics reflect anti-Judaic sensibilities. Cohen goes on to argue that the notion that Jews should be protected was, in large measure, abandoned beginning in the twelfth and thirteenth centuries.²³ The circumstantial evidence of history confirms that, while Fredriksen is correct that Augustinian theology at times served to protect Jews, any meaningful benefit was quite trivial in the overall scheme of subsequent Jewish life in the Christian West. By contrast, the idea that Jews were “other,” an idea to which Augustine contributed and which is reflected in the work of Gregory, Isidore, and Agobard, grew. This idea did not begin with Augustine and Augustine could not have foreseen, nor did he not intend, the hatred and violence that Jews would experience through the ages. Indeed, as Fredriksen and others note, Augustine had little actual experience with Jews.²⁴

II.

Augustine’s earliest extant writings date from the period between his conversion in the summer of 386 and his baptism in the spring of 387. During that period, Augustine, Monica, and a group of friends lived in a country house in Cassiciacum outside of Milan. Augustine’s writings from this period, often referred to as the *Cassiciacum Dialogues*, are autobiographical in nature and reflect tension between the implications of the God of scripture and neo-Platonic ideas about justice. Augustine’s conclusions about free will changed radically over this decade and thereafter, remained fixed for the remainder of his life. For purposes of this discussion, the most relevant and the last of the *Cassiciacum Dialogues* is the *Soliloquies*. It is an internal dialogue between Augustine and Reason, which has as its goal to “know God and the soul.”²⁵ It demonstrates that in the winter of 387, Augustine accepted the idea that human beings possessed free will. In the opening prayer, Augustine prays:

O God, by whose laws the choice of the soul is free, and rewards to the good and chastisements to the wicked are meted out in accord with inexorable and universal destiny.²⁶

23 Ibid, 147-218.

24 Fredriksen, *Augustine and the Jews*, 309-14; Nirenberg, *Anti-Judaism*, 128; Ruether, *Faith and Fratricide*, 174.

25 Augustine, “Soliloquies” trans. Thomas F. Gilligan, in *Fathers of the Church: Augustine, the Happy Life, Answer to Skeptics, Divine Providence and the Problem of Evil, Soliloquies* (New York: Cima Publishing Co., Inc. 2008), 350.

26 Ibid, 348.

For the Augustine of 387, free will is a gift from God. God's ability to mete out just rewards and just punishments follows from the existence of free will, the implication being that punishment without free will is arbitrary and unjust. This is consistent with Augustine's neo-Platonic training. The idea that justice does not permit punishment of those suffering from "insanity" is found clearly stated in Plato's *Laws*.²⁷

The most significant reflection of Augustine's early thoughts on free will is contained in *On Free Choice of the Will (De Libero Arbitrio)*. *On Free Choice of the Will* consists of three books, the first of which was begun in 387 after Augustine's return from Italy to North Africa. The immediate context of *On Free Choice of the Will* is Manicheanism. Manicheanism held that there is a dualistic universe consisting of a world of light which struggles against a world of darkness. *On Free Choice of the Will* is a dialogue between Augustine and "Evodius" and is intended to answer Evodius' question regarding whether "God is the cause of evil."²⁸ At the beginning of Book 1, Augustine makes clear that God is not the cause of evil, explaining:

Everyone who does evil is the cause of his own evil-doing. If you doubt this, recall what I said earlier; Evil deeds are punished by the justice of God. **They would not be punished justly if they had not been performed voluntarily.**²⁹

He goes on to explain:

The conclusions that we have reached thus far indicate that a mind that is in control, one that possesses virtue, cannot be made a slave to inordinate desire by anything equal or superior to it, because such a thing would be just, or by anything inferior to it because such a thing would be too weak. Just one possibility remains: **only its own will and free choice** can make the mind a companion of cupidity ... Then you must also think that the mind **justly** suffers punishment for so great a sin.³⁰

The idea of justice remains at the center of Augustine's discussion of free will. For the Augustine of *On Free Choice of the Will*, it is axiomatic that God is just. The existence of free will is inferred from Augustine's conclusion that God's punishment would be unjust if it were not the consequence of a voluntary choice.

27 Plato, "Laws," 864 in Plato Complete Works ed. John M. Cooper, trans. Trevor J. Saunders (Indianapolis: Hackett Publishing Company, Inc. 1997), 1521-3. This idea has become embedded in modern Anglo-American jurisprudence which has almost universally accepted the idea that people who lack the capacity to understand right from wrong should not be punished. *Ford v. Wainwright*, 477 US 399 (1986).

28 Augustine, *On Free Choice of the Will*, trans. Thomas Williams (Indianapolis: Hackett Publishing Company, 1993), 1.

29 Ibid (bold supplied).

30 Ibid, 17 (bold supplied).

Augustine's notion of what constituted free will had become more narrow by the time he wrote *Propositions on the Epistle to the Romans (Propositions)* in 394.³¹ In *Propositions*, Augustine focuses on the discussion in Paul's *Epistle to the Romans* of God's choice of Jacob over Esau and the hardening of Pharaoh's heart.³² Augustine posits that people are elect (or not), not because God ordained all things, but because God foresaw who would be faithful. For purposes of *Propositions*, foreseeing is qualitatively different than foreordaining. In *Propositions*, Augustine declares that "Paul does not take away the freedom of the will ..."³³ Augustine explains that God's mercy follows "the preceding merit of faith."³⁴ The Augustine of *Propositions* is still able to explain by reason why God is just even though his distinction between foreseeing and foreordaining may seem somewhat tendentious.³⁵

Propositions reflects a profound desire on the part of Augustine to hold on to Neo-Platonic ideas.³⁶ During his years in Italy, Augustine had focused on the works of Plotinus, considered the founder of the Neo-Platonist school, although Plotinus would have merely considered himself a Platonist.³⁷ Plotinus argued that there are three basic principles, the self-caused One, the created Intellect, and the Soul, each of which has the capacity to act independently.³⁸ *Propositions*, likewise, endows humanity with agency. Plato's *Republic*, subtitled *On Justice*, argues that "justice is a preeminent good for the just person."³⁹ In *Propositions*, Augustine stresses the idea that God is palpably just. Biographical scholarship concerning Augustine does not mention that Augustine studied Plato either in his youth in North Africa or at the time of his conversion.⁴⁰ In Book 7 of his autobiographical *Confessions*, Augustine discusses his introduction to the "books of the Platonists"

31 Fredriksen, *Augustine and the Jews*, 156.

32 Rom 9:11-13,17 (NRSV).

33 Augustine, *Propositions from the Epistle to the Romans*, trans. Paula Fredriksen Landes (Chico: Scholar Press, 1982), 35 (¶62).

34 Ibid.

35 Augustine obtained these ideas from the *Book of Rules* by Tyconius, a fourth century Donatist theologian. Tyconius, *Book of Rules*, trans. William S. Babcock (Atlanta: Scholars Press, 1989), 27-29; Fredriksen, *Augustine and the Jews*, 158-63.

36 Serge Lancel, *St. Augustine*, trans. Antonia Nevill (London: SCM Press, 1999), 82-84; Peter Brown, *Augustine of Hippo* (Berkeley: University of California Press: 1967), 241-2, 496-97.

37 Stanford Encyclopedia of Philosophy, s.v. "Plotinus," accessed April 15, 2017, <https://plato.stanford.edu/entries/plotinus/#5>.

38 Ibid.

39 John M. Cooper, *Introduction to the Republic*, *Plato's Complete Works*, edited John M. Cooper (Indianapolis: Hackett Publishing Company, Inc., 1997), 971-72.

40 Fredriksen, *Augustine and the Jews*, 105-213; Lancel, *St. Augustine*, 14-19; 78-94; Brown, *Augustine of Hippo*, 79-107.

in 386. Henry Chadwick asserts that this is a reference to “Plotinus and his disciple Porphyry.”⁴¹ Book 8 of *City of God*, however, written between 413 and 426, contains an extensive discussion of Plato himself. On balance, it is reasonable to assume that Augustine was familiar with the *Republic* and that Platonic notions of justice explain, at least in part, the emphasis that Augustine places on justice in *Propositions* and the works which precede it.⁴²

In 396,⁴³ Augustine wrote *Miscellany of Questions in Response to Simplician (Ad Simplician)*, a reply to questions submitted to him by Simplician who had been one of Augustine’s mentors in Milan at the time of his conversion. In *Ad Simplician*, as in *Propositions*, Augustine discusses Paul’s understanding of the story of Jacob and Esau as related in chapter 9 of Romans. Yet he reads the same texts completely differently in *Ad Simplician*:

For since it is not a good will that precedes a call but a call that precedes a good will, it is rightly ascribed to God who calls that we will as good, but it cannot be ascribed to us that we are called.⁴⁴

For the Augustine of *Ad Simplician*, there is no such thing as free will and people must simply accept that God is just. The approach to reading scripture taken by Augustine in *Ad Simplician* bears a resemblance to the twentieth century New Criticism articulated by Cleanth Brooks and his endeavor “to make the closest possible examination of what the poem says as a poem.”⁴⁵ *Ad Simplician* examines what *Romans* says as part of a unitary text consisting of all scripture. Neo-Platonic ideas are absent.

Why did Augustine abandon Neo-Platonism and free will? Paula Fredriksen argues that Augustine’s rethinking was triggered by his intense efforts to refute the docetic view of Paul

41 Augustine, *Confessions* trans. Henry Chadwick (New York: Oxford University Inc., 1992), 121, 121n. 14.

42 Augustine, *City of God with a new introduction, note and chronology*, trans. Henry Bettenson (New York: Penguin Books, 2003), 303-24. It is important to note that Origen’s Commentary on the Epistle to the Romans, which argued that faith and good works were both conditions of salvation, is not considered a source for *Propositions* as it was not translated into Latin until 406 C.E. Karfikova, *Grace and the Will*, 50; Thomas P. Scheck, *Origen and the History of Justification* (Notre Dame: University of Notre Dame Press, 2008), 12, 86. Serge Lancel states that question of how much Greek Augustine knew is unanswered. Lancel, 116.

43 Ibid, 173. Boniface Ramsey dates *Ad Simplician* to the period between 396 and 398. Boniface Ramsey, *Introduction to Responses to Miscellaneous Questions*, trans. Boniface Ramsey (Hyde Park: New City Press, 2008), 161.

44 Augustine, *Responses to Miscellaneous Questions*, trans Boniface Ramsay (Hyde Park: New City Press, 2008), 194 [Ad Simplician 1.2.12].

45 Cleanth Brooks, *The Well-Wrought Urn: Studies in the Structure of Poetry* (New York: Houghton Mifflin Harcourt Publishing Company, 1947), xi.

adopted by the Manicheans.⁴⁶ His efforts in this regard required him to focus intensely on the text and, ultimately, his understanding of the text read *ad litteram* overcame his Neo-Platonic inclinations. He concluded that Paul ascribes all to God. Fredriksen argues that this radical change was the result of Augustine's intensive reading of Paul and his understanding of Paul's biography. Augustine tells Paul's story in *Ad Simplician*:

But the will itself, unless it comes into contact with something that attracts and beckons the soul, can by no means be moved. But that it may come into contact with this is not in a person's power. What did Saul want to do but attack, seize, enchain and kill Christians? What a rabid blind will! Yet at a single voice he fell prostrate...⁴⁷

Fredriksen's observation about the significance of Paul's biography to Augustine is valid. Yet even this seems insufficient to explain such a radical shift on the part of Augustine. For purposes of this article, it will have to suffice to say that Augustine did, in fact, make this radical shift and that this profoundly impacted the way in which he and subsequent generations thought about Jews.

III.

Against Faustus

The first iteration of what would later be referred to as Augustine's doctrine of Jewish witness is contained in *Against Faustus*, which dates from approximately 398.⁴⁸ In the North Africa of the late fourth and early fifth centuries, Manicheanism competed directly with orthodox Christianity for adherents. Manicheans rejected Jewish scripture in its entirety and all aspects of the New Testament that relate to the incarnation as the Manichean's believed that Christ was entirely docetic. Faustus was a North African Manichean Bishop. While in exile around 386, Faustus wrote the now lost *Capitula*. Most of our knowledge of the *Capitula* comes from *Against Faustus*. The *Capitula* was essentially a list of talking points for Manichean missionaries. Augustine had been a Manichean before his conversion in 386 and was well-acquainted with both Manichean doctrine

46 Fredriksen, Augustine and the Jews, 111-12.

47 Augustine, Miscellany, [Ad Simplician 1.2.5]; Fredriksen, Augustine and the Jews, 185-87.

48 Scholars have expressed different views as to precisely when Augustine wrote *Against Faustus*. Fredriksen indicates that Augustine began work on *Against Faustus* in 398 or 399 and completed it in 401. Augustine and the Jews, 383. Serge Lancel dates it to 397 or 398. St. Augustine, 534. In contrast, Roland Teske suggests that it was written between 408 and 410, although he concedes the uncertainty of any dating. Roland Teske, S.J., introduction to *Answer to Faustus, A Manichean, by Augustine*, trans. Roland Teske, S.J. (Hyde Park, NY: New City Press, 2007), 9. Under any of these scenarios, however, *Against Faustus* was written after Augustine had abandoned the notion of free will in *Ad Simplician*.

and with Faustus. *Against Faustus* is a reply to the *Capitula*. While discrediting a distinctly non-orthodox form of Christianity may have been the purpose of *Against Faustus*, Jews and Judaism are prominent in the text. Augustine equates Manicheans with “unbelieving Jews.”⁴⁹ He employs the story of Cain and Abel as a proof text in order to explain that the fate of Jews is determined by God for “inscrutable,” yet just reasons.⁵⁰ *Against Faustus* consists of 33 chapters and is in the form of a dialogue between Faustus and Augustine.⁵¹ The doctrine of Jewish witness (not Augustine’s term) is set out over several non-contiguous segments of *Against Faustus* and needs to be pieced together. It lies at the beginning of chapter 12, one paragraph of chapter 13, and in several paragraphs of chapter 22.

Chapter 12 begins with Faustus asking for reasons “why we ought to accept the prophets,” indicating that after careful study, he had “found none.”⁵² He asks why Augustine destroys his faith by relying on Jewish “witnesses.”⁵³ Paraphrasing Matt 7:16 Faustus adds, “You certainly forgot that scripture said that grapes are never harvested from thorns or figs from thistles.”⁵⁴ In Paragraphs 2 and 3, Augustine shows how Paul, John, and Luke indicate that Jewish scripture foretells Christ.⁵⁵ In paragraph 4, Augustine alludes to Ex 34:34 and 2 Cor 3:15-16. He compares the Manicheans to “unbelieving Jews” who do not understand because they wear a veil.⁵⁶ The veil is presented as God’s way of preventing Jews from seeing, which for Augustine means understanding. The idea of the Jews as blind, while hardly originating with Augustine, would be used repeatedly by both Augustine and later theologians employing Augustinian modes of thought. For Augustine, metaphorical blindness was one of the fundamental attributes with which God endowed Jews.⁵⁷ The discussion of Cain and Abel begins in paragraph 9. Augustine equates Christ with Abel and Cain with the Jews who killed Christ:

49 Augustine, *Against Faustus*, 127 (12.4).

50 Ibid, 355 (22.78).

51 Chapters 4, 6, 8, 9, 10, and 15 “focus on why the Manicheans do not accept the Old Testament. Chapters 12, 13, 17, 18, 19, and 22 address the law and/or the prophets, while chapters 14 and 16 address Moses.” Teske, introduction to *Answer to Faustus*, 9.

52 Augustine, *Against Faustus*, 125 (12.1).

53 Ibid.

54 Ibid.

55 Ibid, 126-27 (12.2-3).

56 Ibid, 127 (12.4).

57 Cohen, *Living Letters of the Law*, 36.

And so Abel, the younger, is killed by his older brother. Christ the head of the younger people, is killed by the older people of the Jews. Abel is killed in a field; Christ is killed on Calvary.⁵⁸

In paragraph 10, Augustine recounts the dialogue of Gen 4:9-10 in which Cain asks rhetorically whether he is his brother's keeper. Augustine asserts that the accusation of Cain by God in Gen 4:10 should be understood as an accusation against the Jews. "In that way, the divine voice accuses the Jews in holy scriptures."⁵⁹ Regardless of Augustine's intent, many readers would have understood Augustine as asserting that this is an accusation against all observant Jews or perhaps even against all Jews regardless of where in space and time they exist. Paragraph 10 is *psogos*. It blames Jews collectively for killing Jesus. The charge that the Jews killed Jesus is rooted in Matt 27:25, which since the second century, had been misunderstood as meaning that all Jews are responsible for deicide.⁶⁰ Augustine endowed the trope with freshness employing the figures of Cain and Abel in this context.⁶¹

The doctrine of Jewish witness begins to take shape in Paragraph 11, in which Augustine declares that the Jewish people are cursed. "For the unbelieving Jewish people is cursed by the earth."⁶² This, too, is *psogos*. The theme of Jews being cursed is one that John Chrysostom employed multiple times in the *Discourses Against Judaizing Christians*.⁶³ Augustine continues:

that people, like Cain, still works the earth and still practice in a fleshly manner the works of the law, which does not give them its strength because they do not understand it in the grace of Christ.⁶⁴

58 Augustine, *Against Faustus*, 131 (12.10).

59 *Ibid*, 132-33 (12.10).

60 Matt 27:25 was likely intended as a theological statement about the eschatological consequences of choosing not to follow Jesus. Matthew's Gospel was written for an audience that was still largely Jewish and was intended to answer the question of what it meant to be a Jew following the destruction of the Temple. Daniel J. Harrington, *The Gospel of Matthew*, (Collegeville: Liturgical Press, 1991), 392-3; Scot McKnight, "A Loyal Critic: Matthew's Polemic with Judaism in Theological Perspective," in Craig A. Evans and D. A. Hagner, Eds., *Anti-Semitism and Early Christianity: Issues of Polemic and Faith* (Minneapolis: Fortress, 1993) 55-79; Anders Runesson, "Rethinking Early Jewish-Christian Relations: Matthean Community History and Pharisaic Intragroup Conflict," *Journal of Biblical Literature* 127, No. 1 (2008), 95, 98, 126; Kangtaek Peter Lee, "Matthew's Vision of the Old and New in Jesus: Social World of the Matthean Community Vis-à-Vis Matthew's Understanding of Torah" (Doctoral Dissertation Westminster Theological Seminary, 2011), 277.

61 Emmanouela Grypeou and Helen Spurling, "Cain and Abel" in *The Book of Genesis in Late Antiquity*, (Boston: Brill, 2013) 99-145.

62 Augustine, *Against Faustus*, 132 (12.11).

63 John Chrysostom, *Discourses*, 45 (II.III.8), 167 (VI.V.9).

64 Augustine, *Against Faustus*, 133 (12.11).

In paragraph 12, Augustine spells out why the Jews suffer, yet survive, in the Diaspora. Having equated the Jews with Cain, Augustine argues that they will receive the punishment that Cain received in Gen 4:15. They will suffer, but they are not to be killed. “The impious people of the fleshly Jews shall not perish by bodily death. For whoever destroys them in that way shall suffer seven punishments.”⁶⁵ In paragraph 13, Augustine explains that Jewish law is the mark of Cain by which Jews are known and permitted to survive:

It is truly remarkable how all the nations that the Romans subjugated crossed over to the religious practices of the Romans and take up the observance and celebration of these sacrilegious rites but the Jewish people, whether under pagan kings or Christian ones, did not lose the sign of the law, by which it is distinguished from other nations and peoples. And every emperor or king who finds Jews in his realm finds them with this sign and does not kill them ...⁶⁶

He asserts that Jews are set apart, “unless any of them crosses over to Christ so that Cain may no longer be found,” i.e., have ceased to observe Jewish law.⁶⁷ Augustine does not, at this point, explain why some Jews “cross over,” and others do not. Most of the remainder of chapter 12 is a series of examples of how Jewish scripture prophesizes Christ. It is not until paragraph 44 that Augustine explains why certain Jews do not “cross over” to Christ:

For the Jews knew those christs of theirs, while they still hoped that the one would come by whom they would be set free. But **blinded by the hidden justice of God**, they did not understand his weakness, in which he died for us, because they considered only his power.⁶⁸

Just as Augustine had set out in *Ad Simplician* that it was God who chose Jacob over Esau and God who hardened Pharaoh’s heart, in *Against Faustus*, Augustine asserts that God made the Jews blind. Further, God was just in doing so even though we are incapable of understanding why. Augustine elaborates in paragraph 13 of chapter 11. He has a hypothetical pagan, i.e., a philosopher, pose the question, “How, then, did the Jews sin if God blinded them so that they would not recognize Christ?”⁶⁹ Augustine explains that “the just punishment of this blindness comes from other hidden sins known to God.” He reiterates at paragraph 78 of chapter 22:

But how God distributes his judgement and his mercy, why one person receives this grace and another that, is done by the judgment and mercy of God, though there remain hidden

65 Ibid, 133 (12.12).

66 Ibid, 134 (12.13).

67 Ibid.

68 Ibid, 144 (12.44) (bold supplied).

69 Ibid, 167 (13.11).

the measures, numbers and weights by which God, the creator of all things that exist as natures, arranges all things.⁷⁰

Augustine's doctrine of Jewish witness holds that Jews who observe the Law do so because they are predestined to live in Diaspora, protected, but nonetheless suffering and in error. Jews who observed Jewish law were predestined to do so and were not capable of making choices that could lead to salvation. Augustine took the ideas developed in *Ad Simplician* and applied them to Jews. He articulated a theology that could be used to justify anti-Semitism. In *Against Faustus*, Augustine would acknowledge that some Jews had chosen and that in the future, some Jews would choose Christianity. The identity of these individuals, however, was foreordained by God. From the perspective of Augustine's audience, this may have been a nuance—a distinction without a difference. Future generations would hear Augustine as saying that God had made Jews morally inferior and that they should live separately in the Diaspora.

The City of God

The City of God is perhaps the work for which Augustine is best known. It was begun in 412 or 413 and completed around 426 or 427.⁷¹ Over time it has been immensely influential, although the doctrine of Jewish witness is hardly the idea for which it is best known. The *City of God* is immense—over a thousand pages in translation.⁷² Chapter 46 of Book XVIII, however, is all that is relevant with respect to the doctrine of Jewish witness. The doctrine of Jewish witness is set out more succinctly and more directly in *The City of God* than in *Against Faustus*. *The City of God*, like *Against Faustus*, was an effort to refute a non-orthodox form of religion. In *The City of God*, Augustine defends Christianity against pagan charges that the sack of Rome in 410 was the consequence of the Christian takeover of the Empire. Pagans charged that the removal of the Altar of Victory from the Senate floor in 382 following the accession of Theodosius I and the issuance of the Edict of Thessalonica were the immediate causes of the sack of Rome.⁷³

Book XVIII of *The City of God* is a highly abridged history of the world from Abraham to the eschaton. Augustine employs Ps 59:10-11 as a proof text. The title of Chapter 46 is “The Birth

70 Ibid, 355 (22.78).

71 TeSelle, *Augustine the Theologian*, 269; *Chronology preceding The City of God by Augustine*, vii. These two sources give slightly different dates. TeSelle indicates one year earlier for both commencement and completion. For purposes of this thesis, the difference seems immaterial.

72 Augustine, *City of God*, trans. Henry Bettenson (London: Penguin Books, 1972).

73 TeSelle, *Augustine the Theologian*, 268.

of our Saviour, the Word made flesh; and the dispersion of the Jews, in fulfilment of prophecy.”⁷⁴ At the beginning of chapter 46, Augustine explains that the Jews killed Jesus and refused to believe in him. As a consequence of their actions and refusal:

they suffered a most wretched retribution at the hands of the Romans and were utterly uprooted from their kingdom, where they had already been under the dominion of foreigners. They were disbursed all over the world—for indeed there is no part of the earth where they are not to be found—and thus evidence of their own Scriptures they bear witness for us that we have not fabricated the prophecies about Christ.⁷⁵

Augustine then turns to the subject of the blindness of the Jews, “It follows that when the Jews do not believe in our Scriptures, their own Scriptures are fulfilled in them, while they read with blind eyes.”⁷⁶ Augustine invokes his proof text, Ps 59:10-11, which Henry Bettenson translates:

‘As for my God, his mercy will go before me;
my God has shown me this in the case of my enemies;

Do not slay **them**, lest at some point they forget your Law;
Scatter **them** by your might.⁷⁷

Augustine explains with great clarity that the Jews need to be dispersed so that all nations will have them “as witnesses to the prophecies which were given beforehand concerning Christ.”⁷⁸ More so than the story of Cain and Able, Psalm 59 was used in the Middle Ages to discuss Jews. Augustine’s explanation is not antiseptic theology. It is *psogos*. According to Augustine, God made the Jews blind, and their blindness is the cause of their condition. Although it is stated more succinctly and more clearly in *The City of God* than in *Against Faustus*, the arguments based on Gen 4 and Ps 59 both get Augustine to the same place. God, for just reasons, caused the Jews to be as they are: blind to the true meaning of Hebrew scripture.

IV.

It is impossible to overstate the influence of Augustine, particularly on the Latin West. Adolf von Harnack commented, “Where, in the history of the West, is there to be found a man who, in point

74 Augustine, *City of God*, 827.

75 Ibid.

76 Ibid, 828.

77 Ibid (bold supplied).

78 Ibid.

of influence, can be compared with him?”⁷⁹ Echoes of Augustinian thought are ubiquitous in the literature of the Christian West, and this is certainly true with respect to the way that subsequent generations wrote about Jews. Understanding the nature of Augustine’s influence, however, is more difficult than understanding that he was influential.

As explained in Part I of this article, there is scholarly disagreement over whether Augustine’s doctrine of Jewish witness was positive or negative from the perspective of Jews. There are at least four reasons why this question is difficult. First, Augustinian ideas are most frequently presented without attribution. This is certainly the case with respect to his ideas about Jews. Indeed, theologians sometimes used Augustinian ideas without being aware that an idea originated with (or was adapted by) Augustine. There can be no question, however, that each of the theologians discussed below would have been familiar with Augustine, but the nature and the extent of that knowledge are speculative. Second, Augustine’s ideas were often unintentionally modified over time. This, too, is true of his ideas about Jews. Third, the idea of a “doctrine of Jewish witness” is a modern construct. Thus, there are no references to a specified doctrine, however, denominated, which can be traced. Fourth, Augustine was not writing on a blank slate. Augustine’s philosophical thinking about free will and justice sits side by side with ideas about a typological or prefigurative understanding of history. For instance, Romans 5:14 provides:

Yet death exercised dominion from Adam to Moses, even over those whose sins were not like the transgression of Adam, who is a type of the one who was to come.⁸⁰

If Augustine’s thinking about free will was influential, so was typology. Indeed, Augustine himself frequently employed typology, including in *Against Faustus*.⁸¹ The two ideas have similarities and are not easily distinguished. Despite these and other difficulties, echoes, some loud some soft, of both Augustine’s divine injunction not to harm Jews and his conclusion that God condemned Jews to wander blindly can be found in the law and literature of the Middle Ages.

Gregory the Great

Jeremy Cohen observes that “[i]f Augustine stood on the precipice overlooking the end of late antiquity, Pope Gregory the Great, more than any other single individual, led the Latin West into

79 Catholic Encyclopedia, s.v. ‘Teaching of Augustine,’ accessed August 29, 2018, <https://www.ewtn.com/library/homelibr/ceaugtch.htm>.

80 Romans 5:14 (NRSV).

81 Fredriksen, *Augustine and the Jews*, 240.

the Middle Ages.”⁸² The works of Gregory the Great (590-604) reflect several Augustinian ideas including the idea that there is a divine injunction protecting Jews, the idea that Jews have a predetermined role in history, and the idea that God endowed Jews with blindness. As Pope, his policy was to restrict yet protect the rights of Jews.⁸³ As a theologian, Gregory paints a picture of Jews as blind and demonic.⁸⁴

Gregory’s papal approach towards Jewish-Christian relations is revealed in his correspondence. In March of 591, Gregory, following receipt of a complaint that Jews had been expelled from a place where they had traditionally observed festivals, wrote to Peter, the Bishop of Terracina, explaining that Jews must “be allowed to gather together as their custom was, at the place which they obtained for their meetings with your consent.”⁸⁵ Later that year, Gregory clarified this directive in a second letter in which he indicated that the Jews could be relocated so that their chanting might not be heard in a Church, but he reiterated that “we forbid the above-mentioned Jews from being oppressed or persecuted contrary to the dictates of reason.”⁸⁶ While seeking to protect Jews, he also sought to segregate them from Christians almost as if they were some sort of infection. In June of 591, Gregory directed the bishops of Arles and Marseilles to convert Jews by preaching and not by force.⁸⁷ In July, 599 Gregory addressed a situation in which a Jewish convert to Christianity named Peter led a group of men to occupy a synagogue and placed an icon of the Virgin Mary and a cross in the building. Gregory wrote:

Therefore, the Peter mentioned above, and the others who provided him with support or agreement in this wicked lack of self-control, should be warned not to reply that they did this with Christian zeal, thus forcing the Jews to be converted. They should also know that such temperance should rather be used in dealing with them, that willingness may be drawn from them, and they are not dragged in against their will.⁸⁸

82 Cohen, *Living Letters of the Law*, 73.

83 *Ibid*, 75.

84 Gregory, *Moralia in Job* vol. I, trans. [n.t] (n.p. Ex Fontibus Company, 2012), 292 [6.4.5].

85 Gregory to Peter, Bishop of Terracina, *Epistulae* 1.34, March, 591 in *The Letters of Gregory the Great* Vol. 1, trans. and ed. John R.C. Martyn (Toronto: Pontifical Institute of Medieval Studies, 2004), 155.

86 Gregory to Bacuda and Agnellus Bishop, *Epistulae* 2.45, September 591 in *The Letters of Gregory the Great* Vol. 1, 227.

87 Gregory to Virgil of Arles and Theodore Bishop of Marseilles, *Epistulae* 1.45, June, 591 in *The Letters of Gregory the Great* Vol. 1, 171.

88 Gregory to Januarius, Bishop of Cagliari, *Epistulae* 9.196, July, 599 in *The Letters of Gregory the Great* Vol. 2, 663.

In 598 in what is perhaps Gregory's best-remembered statement concerning Jewish praxis, Gregory wrote to the Bishop of Palermo:

Just as there should not [*sicut iudaeis non*] be a freedom for Jews to presume anything in their synagogues, beyond what has been permitted by law, even so, in what has been allowed to them, they should not sustain any prejudice.⁸⁹

Gregory's policy contemplated a limited level of tolerance, but one which nonetheless saw Jewish customs as threatening. Unlike Augustine, who was battling heterodox forms of Christianity, Gregory was attempting to implement an actual Church policy concerning Christian-Jewish relations. That policy offered limited protection to Jews and encouraged their peaceful conversion, but it nonetheless categorized them as a form of evil. A letter written four years later referred to people who advocated for a prohibition of work on the Sabbath to "preachers of [the] Antichrist."⁹⁰ In language reminiscent of Augustine's assertion that Jews are a negative example for Christians, but now fully now reflecting a more mystical medieval cosmos inhabited by demonic spirits, Gregory explained that:

For when he [the Antichrist] comes, he will have the Sabbath and the Lord's day kept free of any work. For because he pretends that he dies and rises again, he wants the Lord's day to be treated reverently, and because he compels the people to live like Jews, he wants the Sabbath to be observed, so that he may recall the external rite of the law and subject the perfidy of the Jew to himself.⁹¹

The concept of *sicut iudaeis* would eventually be incorporated into a papal bull entitled *Sicut Iudaeis* issued in 1120 by Pope Calixtus II and which sought to prohibit conversion of Jews by means of violence. It provides:

We make the law that no Christian compel them, unwilling or refusing, by violence to come to baptism. But, if any one of them should spontaneously, and for the sake of the faith, fly to the Christians, once his choice has become evident, let him be made a Christian without any calumny. Indeed, he is not considered to possess the true faith of Christianity who is not recognized to have come to Christian baptism, not spontaneously, but unwillingly...

Besides, in the celebration of their own festivities, no one ought disturb them in any way, with clubs or stones, nor ought any one try to require from them or to extort from them

89 Gregory to Victor Bishop of Palermo, Epistulae 8.25, June 598 in *The Letters of Gregory the Great* Vol. 2, 521.

90 Gregory to the citizens of Rome, Epistulae 13.1, September 602 in *The Letters of Gregory the Great* Vol. 3, 822.

91 Ibid.

services they do not owe, except for those they have been accustomed from times past to perform.⁹²

Even though Gregory's policy may well have been to protect Jews, the frequency with which he had to address the issue of violence against Jews by Christians suggests that true anti-Semitism had to a degree found its way into Christian culture and that the Augustinian idea of a divine injunction protecting Jews had not penetrated the broader culture. By contrast, the idea that Jews were culturally unacceptable seems to have gained traction.

Gregory's *Moralia in Job* is a massive exegetical work on the Book of Job. Like the Augustinian corpus, it frequently refers to Jews and Judaism in order to make other points but does not discuss Judaism *per se*. Like Augustine, Gregory portrays Jews as blind and hard of heart.

Who then are those, that by unbounded hardness and dimsightedness of heart, like a kind of stone of darkness and the shadow of death, are divided from the People of the Saints ...⁹³

For Judea 'looked for the light but had none;' since by prophecy she waited indeed for the Redeemer of Man that should come, but never knew Him when He Came; and the eyes of the mind, which she opened wide to the expectation, she closed to the presence of the Light.⁹⁴

Unlike Augustine who inhabited Late Antiquity, Gregory was not grappling with the philosophical question of free will. He merely accepts without question that "dimsightedness of heart" and closed "eyes of the mind" is the condition in which Jews exist. The idea of the Jew as a creature whose form of existence has been determined by God was inherited by Gregory. Gregory who lived in the early Middle Ages took this starting point and focused on Jews as something akin to evil spirits:

But forasmuch as our old enemy speaks of the head of the wicked, i.e., the devil, that it suddenly goes off to his body, i.e., to his followers. Therefore it may be that by the name of "the wicked one," the faithless and the persecuting People is denoted ...⁹⁵

Gregory's presentation of Jews bears a resemblance to that of Augustine, but it is changed. It melds the vicious anti-Semitic vocabulary of Augustine's contemporary John Chrysostom, who himself had one foot in the Middle Ages, with the echo of Augustine.⁹⁶ Gregory, like Augustine,

92 Sicut Iudeis Non in Edward Synan, (The Popes and the Jews in the Middle Ages (New York: Lightning Source Inc., 1965), Appendix VI 231.

93 Gregory, *Moralia in Job* vol. II, 335-38 [18.31.50-52].

94 Gregory, *Moralia in Job* vol. I, 184 [4.11.21].

95 Gregory, *Moralia in Job* vol. I, 486 [9.18.44].

96 John Chrysostom, *Discourses Against Judaizing Christians*, trans. Paul W. Harkins (Washington D.C.: The Catholic University of America Press, 1979), 221 (VIII.V.4). John frequently accuses Jews of being demons. In

saw Jews as having a predetermined role in history, a role which includes both present blindness to Christ and a coming to Christ in the eschaton:

They, therefore, knew him before, Whom they knew not, when they despised him at the time of his Passion. And both their former knowledge and their subsequent ignorance is well and briefly signified by the dimness of Isaac ...

But these words which are subjoined attest that they rather announce the conversion of the Jewish people at the end of the world. *For it is added; there came to him all his brethren, and all his sisters, and all that knew him before, and did eat with him in his house.*⁹⁷

Where Augustine focused on Jews as testifying to the truth of scripture, Gregory saw Jews as actively impeding Christ.

The ostrich raiseth her wings on high, when the synagogue opposes its Creator, not as before by dreading, but by now openly withstanding, Him. For being changed into the limbs of the devil, and believing the man of lies to be God, it exalts itself the higher against the faithful, the more it boasts also that it itself is the body of God.⁹⁸

Augustine's influence on Gregory is evident.⁹⁹ Yet Gregory the theologian's version of Jews, is harsher than that of Augustine and tends to invite the violence and persecution against which Pope Gregory inveighs. In the work of Gregory, unlike that of Augustine, a hint of genuine personal animus towards Jews can be sensed.

Isidore of Seville

Isidore of Seville (ca 560-636) was a younger contemporary of Gregory. Like Augustine and Gregory, Isidore wrote about Jews for a purpose other than speaking of Jews *per se*. He did so first and foremost to confirm the recent "conversion of the Visigoths [in Spain] from Arianism to Catholicism."¹⁰⁰ Sisebut (612-621), the Visigothic monarch in early 7th century Spain, working

paragraph 3 of chapter III of Discourse I, John declares that the synagogue is a "dwelling of demons" and that "God is not worshipped there." John Chrysostom, Discourses, 11 (I.III.3). In the same paragraph, he declares the synagogue to be "a place of idolatry." Ibid. In Late Antiquity, Christians often equated pagan gods with demons.⁹⁶ Frederick Van Fleteren, Augustine through the Ages; An Encyclopedia, ed. Allan D. Fitzgerald (Grand Rapids: William B. Eerdmans Publishing Co, 2009), s.v. "Demons," 266-68. Demons were viewed as immortal, bodiless spirits who had fallen from heaven. The idea that synagogues are inhabited by demons is a recurring theme in the Discourses. John explains, "They are not merely a lodging place for robbers and cheats but also for demons." John Chrysostom, Discourses, 15 (I.IV.2). John does not stop with synagogues. He asserts that demons also inhabit "the souls of Jews." Ibid. He equates Jews with devils. He entreats Christians to save their "brother ... from the devil's snare."⁹⁶ Ibid, 15 (I.IV.5).

⁹⁷ Gregory, *Moralia in Job* vol. III, 625 [35.12.26].

⁹⁸ Ibid, 621-22 [33.23.42].

⁹⁹ Cohen, *Living Letters of the Law*, 91-92.

¹⁰⁰ Vernon Philip Ziolkowski, "The De Fide Catholica of Saint Isidorus, Bishop Book I," (PhD Diss., Saint Louis University, 1982), viii.

with Isidore “sought to integrate the society and culture of Spain under Catholic Visigothic rule.”¹⁰¹ Isidore’s *De Fide Catholica ex Veteri et Novo Testamentum contra Judaeos* was composed in this context. Its purpose is to instruct an ecclesiastical audience in Christian theology.¹⁰² Isidore’s debt to Augustine is widely acknowledged.¹⁰³ *De Fide Catholica*, however, is considered rather unoriginal.¹⁰⁴ His conception of Jews resembles that of Gregory. Isidore’s Jews, like those of both Augustine and Gregory, fail to recognize Jesus as Messiah. As with both Augustine and Gregory, their inability to see or understand is part of the way in which they have been created. Isidore’s tone, however, is harsher than that of Gregory, let alone that of Augustine. Bat-Sheva Albert summarized Isidore’s anti-Judaism/Anti-Semitism:

Isidore’s hostile attitude towards Jews finds expression in the derogatory, even insulting description of Judaism and the Jewish people. Their heart is hard; their religion is ‘perniciosa Judaeorum perfidia.’ Furthermore, they are impious and unfaithful and given over to carnal desires. They are as sterile as they are numerous, and their utter stupidity is best represented by Abraham’s ass.

This is no arbitrary selection of Isidore’s anti-Jewish utterances, nor is it a superficial impression left by a cursory examination of his writings. Examples of the denigration of the Jews in Isidore’s writings can easily be multiplied. The main reason for Isidore’s anti-Jewish attitude is the responsibility imputed to the Jews for the Passion of Christ. This accusation of deicide constitutes the central theme of his anti-Judaism. Not only did the Jews assemble in order to perpetrate this crime—they were unanimous in approving of it.¹⁰⁵

Isidore also frequently compares Jews with the anti-Christ and Satan.¹⁰⁶ In *Sententiae*, Isidore wrote, “for the Jews are called children of Abraham according to the flesh and children of the devil according to their conduct.”¹⁰⁷ As with Gregory, Isidore sees Jews as having a predetermined role in history; all Jews will be converted to Christianity, while their current state

101 Cohen, *Living Letters of the Law*, 107. It is, however, also the case that Isidore opposed Sisebut’s efforts to coerce conversion of the Jews. Bernard S. Bacharach, *Early Medieval Jewish Policy in Western Europe* (Minneapolis: University of Minnesota Press, 1977), 10.

102 Bat-Sheva Albert, “Isidore of Seville: His Attitude Towards Judaism and His Impact on Early Medieval Canon Law,” *The Jewish Quarterly Review*, LXXX, Nos. 3-4: 208 <http://www.jstor.org/stable/1454969>. (January-April, 1990): 208, <http://www.jstor.org/stable/1454969>.

103 Cohen, *Living Letters of the Law*, 95-97; Albert, *Isidore of Seville: His Attitude Towards Judaism and His Impact on Early Medieval Canon Law*, 208; Bat-Sheva Albert, “Etudes sur le *De fide catholica contra Judaeos* d’Isidore de Seville: La Polemique anti-judaique dans l’Espagne du viie siècle,” (PhD Diss., Bar-Ilan University, 1977).

104 Albert, *Isidore of Seville: His Attitude Towards Judaism and His Impact on Early Medieval Canon Law*, 209.

105 *Ibid*, 210.

106 *Ibid*, 212.

107 Isidore of Seville, *Sententiae*, trans. Thomas L. Knoebel (New York: The Newman Press, 2018), 66.

illustrates the incompleteness of the process of salvation.¹⁰⁸ Isidore's view of the role of Jews in history provided a theological justification for King Sisebut's contemporaneous decree that all Jews should convert to Christianity.¹⁰⁹

As Bishop, Isidore implemented policies designed to place Jews in a *cordon sanitaire* in order to isolate them from Catholic society. Isidore presided over the Fourth Council of Toledo in 633. Ten of seventy-five canons of the Council relate to Jews. On the one hand, the Council objected to King Sisebut's forcible conversion of Jews.¹¹⁰ Canon 57 preserved the Augustinian idea that Jews should not be forcibly converted.

On the other hand, the remainder of the canons relating to Jews were not so benign. Two canons, in particular, were novel and pernicious. Canon 60 called for the removal of Jewish children from their families of origin so that they could be educated in monasteries or by faithful Christians.¹¹¹ Canon 65 forbade both Jews and Christians of Jewish origin from holding public office, something which would later form the basis for the exclusion of "conversos" from public office in sixteenth-century Spain.¹¹² By any measure, Canon 65 is ethnic anti-Semitism, not theological anti-Judaism.

Canons 60, 62, and 65 were all later cited by each of Burchard, the eleventh-century bishop of Worms, Yvo, the late eleventh and early twelfth-century bishop of Chartres, and Gratian of Bologna, a twelfth-century canon lawyer. Burchard, Yvo, and Gratian were prominent medieval compilers of canon law. As discussed above, Canon 60 providing for the forced education of Jewish children in monasteries. Canon 62 prohibited relations between Christians and Jews. Canon 65 compelled lapsed Jewish converts to return to Christianity, directed the removal of any of their children who may have been circumcised, and ordered the freeing of any circumcised slaves.¹¹³ Gratian also adopted Canon 61, which permitted Christian children of relapsed Jews to retain their property and Canon 63, which ordered the conversion of Jews married to Christians. Notably, Gratian's *Decretum* was a primary source of canon law until the early twentieth century. Isidore's

108 Cohen, *Living Letters of the Law*, 119, 121.

109 *Ibid.*, 106-07.

110 E.A. Thompson, *The Goths in Spain* (Oxford: Oxford University Press, 1969), 316.

111 Albert, *Isidore of Seville: His Attitude Towards Judaism and His Impact on Early Medieval Canon Law*, 215.

112 *Ibid.*

113 *Ibid.*, 216-17.

leadership at the Fourth Council of Toledo contributed directly to the marginalization of Jews. Nonetheless, he still preserved the Augustinian idea that Jews should be permitted to observe their religion.

Agobard of Lyon

Agobard of Lyon (779-840) became the Archbishop of Lyon in 816. Agobard was not a scholar, even an unoriginal one like Isidore.¹¹⁴ Agobard is best known for protesting the relatively lenient policies of Louis the Pious, Charlemagne's successor as Holy Roman Emperor, concerning Jews. Among other things, he objected in *De Baptismo Judaicorum Mancipiorum* to Louis' policy of prohibiting the baptism of slaves owned by Jews without the master's permission. Jewish slave owners would logically have denied such permission because the right of ownership would lapse upon baptism.¹¹⁵ Agobard explained:

[I]t is wrong to make such laws if one is a Christian and in addition to this it appoints the wicked as a court of appeal over those who would be righteous. This then would put the wicked Jews in a position where their stubborn disbelief in the faith of Christ allowed them the ability to blaspheme in public and private without legal recourse, which would, therefore, only strengthen their disbelief.¹¹⁶

Agobard even proposed compensation to Jewish slave owners for slaves so lost.¹¹⁷ From a modern perspective, Agobard's protest may seem reasonable as it protects both the rights of slaves to make a free choice and the investment of the slave owner. Yet viewed from the perspective of a ninth-century Jew, this is an illustration of a way in which society did not believe that Jews ought to have the same rights as Christians.

More fundamentally, Agobard objected to the existence of an official, the *magister Iudeorum*, whose job was to protect the rights of Jews. Agobard wrote a heartfelt letter to Emperor Louis commonly known as *On the Insolence of the Jews* in which he explained:

it is absolutely necessary that your pious solicitude know how the Christian faith is being harmed by the Jews in certain ways. For when they lie to simple Christians and boast that they are dear to you because of the patriarchs; that they enter and leave your sight with honor; that most excellent people desire their prayers and blessings and confess that they

114 Cohen, *Living Letters of the Law*, 123.

115 Cohen, *Living Letters of the Law*, 126; Simon Dubnov, *The History of the Jews From the Roman Empire to the Early Medieval Period Vol. 2*, trans. Moshe Spiegel (New York: A.S. Barnes and Co., Inc. 1968), 548.

116 Agobard of Lyon, *De Baptismo Judaicorum Mancipiorum*, trans. Karl Radl, posted March 24, 2013, <http://semiticcontroversies.blogspot.com/2013/03/an-english-translation-of-agobard-of.html>.

117 Cohen, *Living Letters of the Law*, 126.

wished they had the same author of the law as the Jews; when they say that your counselors are aroused against us for their sake, because we forbid Christians from drinking their wine; when, in trying to claim this, they boast that they have received from Christians many, many pounds of silver from the sale of wine and cannot find out, after running through the canons, why Christians should abstain from their food and drink; when they produce commands signed with golden seals in your name and containing words which, in our opinion, are not true; when they show people women's clothes as if they were sent to their wives by your kinsmen or matrons of the palaces; when they expound upon the glory of their forefathers; when they are permitted, contrary to the law, to build new synagogues – [when all this occurs] it even reaches the point when naive Christians say that the Jews preach to them better than our priests. And this was particularly true when the aforementioned agents ordered that the markets that usually occur on Saturdays should be moved lest [the Jews'] Sabbatism be impeded, and they let [the Jews] choose on which days they had to go to market from then on, claiming that this suited the utility of the Christians because of the Sunday vacation. In the end, it proved to be more useless to the Jews since those who are near, because they buy the necessary food on Saturday, spend Sunday more freely at the celebration of the Mass and at preaching, and those who come from a distance on the occasion of the market, attend the evening and morning offices after the celebration of the Mass has been performed and return home with edification.¹¹⁸

In addition to the foregoing, Agobard complained extensively about Jews selling meat to Christians, which could not satisfy Kosher standards.¹¹⁹ Agobard concludes *On the Insolence of the Jews* by explaining:

Now then, if it should please your most benign kindness to listen, let us say what the Churches of the Gauls and their rectors, kings as well as bishops, should hold to regarding the separation of the two religions, namely that of the Church and that of the Jews, and what they should pass down in writing and leave to posterity to be maintained, and how it is consonant with authority, that is the Acts of the Apostles and takes its origins from the Old Testament. From these it is shown how detestable enemies of the truth should be considered and how they are worse than all unbelievers...¹²⁰

In tone, Agobard, like Isidore, shows animus towards Jews. As Cohen observes, however, Agobard went beyond Gregory and Isidore, who focused only on Christian-Jewish relations. In *De Iudaicis Superstitionibus et Erroribus*, Agobard attacks ninth century Jewish praxis itself. He accuses Jews of worshipping an anthropomorphic God and of idolatry. He accuses Jews of lying about the Old Testament. He focused on the *Sefer Toledot Yeshu*, a medieval collection of

118 Agobard of Lyon, *On the Insolence of Jews to Louis the Pious*, trans. W.L. North, accessed October 4, 2018, https://apps.carleton.edu/curricular/mars/assets/Agobard_on_the_Insolence_of_the_Jews_for_MARS_Website.pdf.

119 Ibid.

120 Ibid.

“derisive” stories about Jesus, and he accused Jews of blasphemy.¹²¹ Agobard’s Jews are portrayed as agents of the devil and the anti-Christ. In *On the Insolence of the Jews*, he declares Jews to be the worst of all unbelievers.¹²² His discussion of Jews is crude, but it retains an Augustinian essence. He merely complains that the proper relationship between Christians and Jews had become inverted with Jews taking precedence over Christians at court.

Yet Agobard acknowledged the Augustinian principle of “slay them not” and that no Jew should be converted against his will.¹²³ Cohen argues that Agobard’s writings reflect a desire to segregate Jews from Christians rather than simple hatred of Jews.¹²⁴ Cohen is correct that Agobard wanted to limit Jewish Christian interaction, but Agobard’s focus on Jews and the intensity of his writings suggest an intense dislike as well. By contrast to Augustine, Agobard is not merely using rhetoric to make theological argument. The existence of the policies of Louis the Pious suggests that deep hatred of Jews had by no means penetrated all levels of ninth century society. Agobard was of Visigothic origins, which may account for his relatively harsh attitudes regarding Jews. As noted in footnote 21 above, Norman Roth has argued that Visigothic Spain was more anti-Semitic than Gaul of the same era.¹²⁵ Cohen also argues that protection of ecclesiastical prerogatives and Christian unity were important concerns for Agobard.¹²⁶ These arguments, too, are valid, but they do not undermine the notion that Agobard presented a truly anti-Semitic version of the Augustinian doctrine of Jewish witness and that his voice helped push that message north of the Pyrenees, even though Agobard did not succeed “in altering Carolingian Jewish policy.”¹²⁷ Agobard’s presentation of Augustinian ideas reflects his personal experience of Jews as receiving unjust preferential treatment. It is unjust because God had foreordained a lesser status for Jews. Agobard was jealous.

121 Cohen, *Living Letters of the Law*, 131.

122 Agobard of Lyon, *On the Insolence of Jews to Louis the Pious*, trans. W.L. North, accessed October 4, 2018,

https://apps.carleton.edu/curricular/mars/assets/Agobard_on_the_Insolence_of_the_Jews_for_MARS_Website.pdf.

123 Agobard of Lyon, *De Baptismo Judaicorum Mancipiorum*, trans. Karl Radl, posted March 24, 2013, <http://semiticcontroversies.blogspot.com/2013/03/an-english-translation-of-agobard-of.html>.

124 Cohen, *Living Letters of the Law*, 134-35.

125 Norman Roth, *Bishops and Jews in the Middle Ages*, 1-14; Bernard Bachrach, however, argues that “[a]mong the Visigoths who ruled part of Gaul and Spain, the twenty-eight monarchs from Euric (d. 484) to Roderic and Achila (ca. 711) were not, by and large, anti-Jewish. In fact, only six Visigothic kings can be shown to have formulated or pursued anti-Jewish policies.” *Early Medieval Jewish Policy in Western Europe*, 133.

126 Cohen, *Living Letters of the Law*, 137.

127 *Ibid*, 145.

This feeling was the unhealthy product of an Augustinian idea about the place of Jews which God had theoretically ordained being compared to Agobard's perception of the actual place of Jews. This is what makes Agobard more anti-Semitic than anti-Judaic. Although violence against Jews did not become endemic in the Latin West until the time of the First Crusade at the end of the eleventh century, Agobard shows that a crude version of the Augustinian conception of Jews had entered the Medieval consciousness.¹²⁸

Other Echoes

In this type of essay, which attempts to show how separate ideas and phenomenon relate to one another, there is a danger of attempting to cover too much ground. In this particular case, there is a temptation to show an endless list of places where Augustinian ideas have taken root. I will succumb to that temptation only in part by limiting myself to two further examples, each of which I cover only briefly even though much more could be said about them, as is the case with respect to Gregory, Isidore, and Agobard.

Roman Law with Respect to the Jews

Roman law with respect to Jews and Judaism began to change radically in the early fifth century. During the two hundred and fifty-year period following the "Jewish War," which culminated in the destruction of Jerusalem in 135, Roman law was relatively benign from the perspective of Jews. The reigns of Antoninus Pius (138-161) and Marcus Aurelius (161-180) were a time of increasing tolerance. Writing following the Jewish War, Dio (c. 155 – c. 235) described Jews:

This nation exists among the Romans also, and though often diminished has increased to a very great extent and has won in its way the right of freedom in observances. They are distinguished from the rest of mankind in every detail of life, so to speak, and especially by the fact that they do not honor the usual gods, but reverence mightily one particular divinity. They never had any statue in Jerusalem itself, but believing him to be inexpressible, invisible, they worship him in the most extravagant fashion on earth. They built to him a temple that is extremely large and beautiful, except in so far as it was void and roofless, and dedicated the day called the day of Saturn, on which, among many other peculiar actions, they undertook no serious occupation.¹²⁹

128 Ibid; Robert Chazan, "Medieval Christian-Jewish Relations in the Writings of Bernhard Blumenkranz," *Jews and Christians in Medieval Europe: The Historiographical Legacy of Bernhard Blumenkranz*, eds. Phillipe Buc, Martha Kitt, and John Tolan (Turnhout: Brepols, 2016), 15.

129 Cassius Dio, *Dio's Rome Vol. 1 to 6*, trans. Henry Baldwin Foster, eBooks.

<https://itunes.apple.com/us/book/dios-rome-volumes-1-to-6/id445896877?mt=11>, Book 39.

Dio's description of the Jews is notable not so much for its accuracy, his description of the Temple is inaccurate, but for his tone of "neutrality" and even "admiration."¹³⁰ It portrays Jews as different, but it does not evidence animosity. In the third century, Rome recognized the Patriarch (the Nasi) as the political leader of the Jews in Palestine.¹³¹ The Patriarchate reached its zenith under Judah ha-Nasi (135-217) whom his contemporary Origen described as an ethnarch and a king in all but name.¹³² The reign of Judah is most noted for the fact that the Mishnah was redacted during this period.¹³³ The existence of the Mishnah and its contents reflect the nature of Jewish-Roman relations in the early third century. The Mishnah demonstrates that Jews were permitted to function, and in fact functioned, autonomously. It shows a great deal of cultural exchange. The Mishnah contains hundreds of Greek and Latin loan words.¹³⁴ It contained "Noahide laws" which attempted to define what non-Jews need to do in order to enjoy the next life.¹³⁵ Shaye Cohen argues that these laws recognize the validity of other cultures. It is difficult to imagine that this was a one-way street. Most Jews became Roman citizens when Caracalla (212-217) granted citizenship to all free inhabitants of the Roman empire.¹³⁶ According to the jurist Ulpian, at some point between 196 and 211, Jews were permitted to hold public offices. They had a duty to participate in liturgy to the extent, not inconsistent with their own religion.¹³⁷ Indeed, it was Christians, not Jews, who suffered under Decius (249-251) and Diocletian (284-305).¹³⁸ Roman-Jewish relations were relatively uneventful during most of the third century. This status quo continued until the later part of Constantine's reign, at which point incremental changes in Roman law concerning Jews began. These laws evidence a less accommodating, *albeit* not intolerant, society.

This all changed beginning in the early fifth century. Increasingly restrictive laws governing Christian-Jewish relations were enacted. Cataloging such laws is beyond the scope of

130 Gager, *The Origins of Anti-Semitism*, 91.

131 Robert Wilken, *John Chrysostom and the Jews* (Eugene: Wipf & Stock Publishers, 1983), 46; Smallwood, *The Jews Under Roman Rule*, 476.

132 Origen, "Letter to Africanus" in *The Complete Works of Origen*, trans. Philip Schaff (Toronto, 2016), Kindle Edition, ¶ 14.

133 *Encyclopedia Judaica*, s.v. "Mishnah," accessed October 21, 2017, <http://www.jewishencyclopedia.com/articles/10879-mishnah>.

134 Shaye J.D. Cohen, *From the Maccabees to the Mishnah*, 3rd. ed. (Louisville: Westminster John Knox Press, 2014), 214.

135 *Ibid.*, 215.

136 *Encyclopedia Britannica* s.v. "Caracalla," accessed October 19, 2017, <https://www.britannica.com/biography/Caracalla>.

137 *Ibid.*, 103.

138 Sandren, *Vines Intertwined*, 388, 392-97.

this essay.¹³⁹ It is enough to say that these laws touched all aspects of Jewish life. While violence was still a half millennium away from being the norm, Jews were no longer part of the mainstream of life in what had once been the Roman Empire. As a practical matter, the Roman legal system and that of its successors implemented the ideal of the doctrine of Jewish witness. Jews were kept separate, they had lesser legal status, and they were seen as other and as dangerous, but for the most part, they were not the subject of violence nor were they compelled to depart their faith.

Martin Luther

We now skip over a thousand years of history and come to Martin Luther, whose influence over the Latin West is perhaps second only to that of Augustine. Luther's work was, in an important sense, a restatement of Augustine's ideas about free will and Jews.¹⁴⁰ In his *Preface to the Epistle of St. Paul to the Romans*, Luther purports to paraphrase Paul addressing Jews:

Granted that in appearance and conduct, you observe the law, owing to your fear of punishment or hope of reward, yet you do nothing from free choice and out of love for the law, but unwillingly and under compulsion; were there no law, you would rather do something else.¹⁴¹

Similarly, Luther concludes his treatise *Bondage of the Will* explaining:

Again, if the Jews, who followed after righteousness with all their powers, fell into unrighteousness instead, while the Gentiles, who followed after unrighteousness, attained to unhopd for righteousness, by God's free gift, it is equally apparent from their very works and experience that man can will nothing but evil.¹⁴²

Simply put, there is nowhere where Augustine's doctrine of Jewish witness with its dependence on the lack of free will echo louder than in Luther. For Luther, the place in history of both Jews and Gentiles had been foreordained by God. Yet in Luther's work, the testimonial function and the idea of protection is absent. What remains is a version of the idea which holds that has God predestined Jews to be evil.

139 Roman laws concerning Jew were abundant and can be viewed in a single volume. Amon Linder, *The Jews in Roman Imperial Legislation* (Detroit: Wayne State University Press, 1987).

140 Diarmaid MacCulloch, *The Reformation: A History* (New York: Penguin Books, 2003), 110.

141 Martin Luther, "Preface to the Epistle of St. Paul to the Romans," *Martin Luther Selections from His Writings*, trans. Bertram Lee Woolf (New York: Anchor Books, 1962), 20.

142 Martin Luther, "Bondage of the Will," *Martin Luther Selections from His Writings*, trans. Bertram Lee Woolf (New York: Anchor Books, 1962), 20.

FINAL THOUGHTS

Augustine's conclusion about free will was a necessary precursor to the doctrine of Jewish witness. Augustine, without meaning to do so, did, in fact, contribute to the enculturation of theological anti-Judaism as ethnic anti-Semitism. Augustine's conclusion that there is divine injunction protecting Jews was far less influential than his conclusion that God had justly determined that Jews were condemned to wander as an example of the truth of Christianity. The fact that we can determine that one object is bigger than another without being able to measure either with precision does not make the conclusion subjective or invalid. I do not need a scale to determine that an elephant weighs than a mouse. The idea that Jews should be protected from persecution found its way into the laws of the early Medieval Latin West, while a changed and degraded form of the idea that Jews have a preordained and lesser status than do Christians found its way into the hearts of men and women in the Christian West.
