

“Law and Conversion in St. Augustine: Improving the Current Model”

Conference on Religious and Philosophical Conversion - Universität Bonn

I. Conversion and Coercion in Augustine: Basic Terms

1. Conversion

- a. love: *amor, dilectio, caritas*, cf. *Confessions* esp. Bk. VIII
- b. goods: use (*usus*) and enjoyment (*fruitio*) cf. Bk. 1 *De Doctrina Christiana*

2. Coercion

- a. Pedagogy – *disciplina, occasio* cf. Peter Brown “St. Augustine’s Attitude...”

II. The von Heyking Synthesis

1. *Augustine and Politics as Longing in the World* (Columbia, MO: University of Missouri Press, 2001)

- a. “Augustine’s view is that coercion takes the form of demonstrating to the heretic the insufficiency of [a] proximate good, while acknowledging that the proximate good intimates or shares in the highest good...” (p. 223)
- b. “The main principle animating Augustine’s understanding of coercion is...that the heretic should be threatened with deprivation of the proximate or inferior good that masquerades as the greatest good.” (p. 249)
 - i. “[O]ffenders must be deprived of that which they most fear to lose’ (Augustine, Ep. 104.1.2 quoted by von Heyking p. 249)
 - ii. “[T]he thing to be considered when any one is coerced...is not the mere fact of the coercion, but the nature of that to which he is coerced, whether it be good or bad: not that anyone can be good in spite of his own will, but that, *through fear of suffering what he does not desire*...he either renounces his hostile prejudices ...or is compelled to examine the truth of which he had been contentedly ignorant; ...” (Augustine, Ep. 93.5.16 quoted in von Heyking p. 249 emphases mine)
- c. “[T]he heretic is coerced by losing what he most fears losing.” (p. 252)

2. Analysis

- a. Von Heyking is correct to connect the concepts of goods and fear.
- b. Von Heyking is wrong to connect fear exclusively with *actual* and *ultimate* loss of goods.
 - i. *Actual* loss: the quote from ep. 93.5.16 (see II.1.b.ii above) is misread
 - ii. *Ultimate* loss, the quote from ep. 104.1.2 (see II.1.b.i above) is a misquote

3. The Context of ep. 104

i. 408/409 AD **Nectarius to Augustine** - N. pleads for clemency on behalf of his city to A.

ii. 408/409 AD **Augustine to Nectarius**

"[The pagans] have been given three benefits: a life of bodily health; the means of staying alive; *and the means with which to live badly* (unde male uiuunt). Let them keep the first two safe; in that way there will still be some potential penitents. We pray for this, and we spare no possible effort in working for it...." ep. 91.9 (PW, 7 emphasis mine)

iii. **[8-9 months pass]** cf. ep. 104.1

iv. 409 **Nectarius to Augustine**

"...The final point in the letter from your excellent self was that the church does not demand in retribution either life or bloodshed. *Rather, the guilty should be stripped of the possessions they are most afraid of losing.* In my judgement (if my view is not mistaken) it is a more serious thing to be stripped of resources than to be killed..." ep. 103.3 (PW, 9 emphasis mine)

v. 409 **Augustine to Nectarius**

"*I should prefer you to study my letter* – the one to which you were reluctant to reply. I expressed my mind clearly enough there. I think, however, *that you have forgotten what I wrote back to you, and you have ascribed to me utterly different views, ones quite unlike my own.* In fact, you slipped into your letter something that I never said, as if you were remembering something that I had in fact put in my letter. *You said* that the final point in my letter was this: 'the church does not demand in retribution either life or bloodshed. *Rather, the guilty should be stripped of the possessions they are most afraid of losing...*' ep. 104.1(PW, 11 emphasis mine)

III. Improvements to von Heyking

1. Fear is proper to coercive law in its *deterrent* function more than its *punitive* one.
2. Fear gives occasion to moral reflection on a *relative* rather than an *ultimate* gradient. e.g. Fines: the goods of money/autonomous religious practice

IV. Bibliography

Augustine, Robert Dodaro, and E. M. Atkins. 2001. *Political Writings*. Cambridge: Cambridge University Press.

Bowlin, Jr. 1997. "Augustine on Justifying Coercion (the Christianization of the Roman Empire and the Limits of Political Authority and Pluralism in the 'City of God')." *Annual of the Society of Christian Ethics* 17: 49-70.

Brown, P. R. L. "St. Augustine's Attitude to Religious Coercion." *The Journal of Roman Studies* 54 (1964): 107-16. doi:10.2307/298656.

Heyking, John von. 2001. *Augustine and Politics as Longing in the World*. Columbia, Mo.; London: University of Missouri Press.

Lamb, Michael. 2017. "Augustine and Republican Liberty." *Augustinian Studies* 48 (1-2): 19-159.