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Gendered Violence, Victim Credibility and Adjudicating Justice in Augustine's Letters

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Abstract

In their focus on queer sexuality, letters 77 and 78 in Augustine's letter collection are unusual. Same-sex acts and sexual violence are mostly tightly controlled and deliberately erased in antiquity. This article looks again at the case of sexual abuse preserved in letters 77 and 78 between the monk Spes and the presbyter Bonifatius, applying modern critical understandings of gendered violence, victimisation and harm to reach beyond previous critical approaches that have seen the exceptionalism of the case as a reason not to engage with it. This research takes a new critical approach, re-situating the incident within the wider context of gendered violence in Augustine's letters. It engages with the case of sexual abuse solely between men intrinsically, and as a uniquely available point of comparison with sexual violence perpetrated by men against women. It examines how sexual violence is gendered, in Augustine's response, in the adjudication of the case and in the behaviours and expectations of both victim and perpetrator. Whilst working outwards from absence and silence is a central historiographical approach to gender and violence in the past, this article reaches new understandings by turning towards evidence that is usually siloed and working it back into a framework of sexual violence in Augustine's letters.

Keywords: Gendered violence; ancient history; early Christianity; letters

Around 402 CE, Augustine wrote *epistulae* 77 and 78, responding to the sounded alarm of Satan's disturbance of the Christian community at Hippo. Allegations of sexual harassment had surfaced, that a monk, Spes, had made 'unchaste and

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impure advances' to the priest Bonifatius.¹ Bonifatius had refused to consent or to suffer Spes's transgressive sexual behaviour in silence. But Spes made counter-allegations against Bonifatius, that he was the perpetrator of abuse not the victim, and the dispute had rumbled unhappily on.² *Epistulae* 77 and 78 bring the dispute into sharp focus, illuminating Augustine's awkward position as he tries to assert his episcopal authority whilst resolving tensions and maintaining the cohesion of his congregation. In their focus on queer sexuality, these letters are unusual. Same-sex acts and sexual violence are mostly tightly controlled and deliberately erased in antiquity. Until a problem becomes impossible to ignore, narratives, critiques and conversations addressing sexual violence and harassment are largely absent. The repression of sexual violence by ancient writers like Augustine means that this article is necessarily concerned with missing critiques, missing conversations, about what and who is missing, as well as what is more plainly evident. This article applies critical understandings of gendered violence, victimisation and harm to reach beyond previous approaches. It engages with the case of sexual abuse solely between men intrinsically, and as a uniquely available point of comparison with sexual violence perpetrated by men against women. The central objective of this research is to examine how sexual violence is gendered, in Augustine's response, in the adjudication of the case, and in the behaviours and expectations of both victim and perpetrator. Whilst working outwards from absence and silence is a central historiographical approach to sexual abuse, gender and violence in the past, this article reaches new understandings by turning towards evidence that is usually siloed and working it back into a framework of sexual violence in Augustine's letters.³

¹ 'motum in pudicum et immundum', ep. 78.2, in *Corpus Scriptorum Ecclesiasticorum Latinorum* [CSEL], S. *Augustini epistulae, epistulae 31-123*, vol. 34.2, ed. Al. Goldbacher (Vindobonae, 1898), 333; all references to the main collection of Augustine's letters are to this edition. *Saint Augustine Letters*, vol. 1 (1-82), trans. Wilfred Parsons (Washington, DC, 1951), 376; all translations of the main collection of Augustine's letters are based on this translation, with my modifications. See 'Bonifatius 5', *Prosopographie de l'Afrique chrétienne (303-533)*, ed. André Mandouze (Paris, 1982), 148, and 'Spes', *ibid.*, 1091.

² In ep. 78.3, Augustine commented that the case had tortured him for a long time ('Cum enim me causa ista diu cruciasset'), CSEL 34.2, 334.

³ Silence as a historiographical approach is a long-held aspect of feminist gender and women's history. For example, see Amy Richlin, *Arguments with Silence: Writing the History of Roman Women* (Ann Arbor, 2014). Rosemary Radford Ruether's foregrounding of male experiences as normative is resonant beyond the theological context of her discussion:

It is precisely women's experience that has been shut out of hermeneutics and theological reflection in the past. This has been done by forbidding women to study and then to teach and preach the theological tradition. Women have not been able to bring their own experience into the public formulation of the tradition. Not only have women been excluded from shaping and interpreting the tradition from their own experience, but the tradition has been shaped and interpreted against them. The tradition has been shaped to justify their exclusion. The traces of the presence have been suppressed and lost from the public memory of the community. The androcentric bias of the male interpreters of the tradition, who regard maleness as normative humanity, not only erase women's presence in the past history

As opposed to other textual forms, Augustine's letters in particular can provide unique insight into sexual abuse. The reciprocity of textual exchanges with actors in communicative networks means that Augustine's letters often foreground his pragmatic response to queries and demands, whilst also preserving at least crystallised moments in the progression of cases. Most recent research has trended towards a methodology that centralises silence and absence. Ulriika Vihervalli reveals the biases in Augustine's responses to sexual violence towards sanctified women, and foregrounds the absence of complaints by non-sanctified persons.⁴ Jennifer Barry highlights the persistence of victim-blaming, doubting of female voices, and undermining of accounts of sexual violence in Augustine's writings, approaches that extend far beyond an ancient context.⁵ Midori Hartman demonstrates the inconsistencies in Augustine's approach to sexual violence depending on his rhetorical objective: his willingness to frame Christian women raped during the sack of Rome as martyrs in *epistula* 111 does not extend to his discussions in *De civitate Dei*.⁶ The messiness and multidimensionality of sexual violence against women by men and same-sex sexual violence outside the sphere of the Church is largely unrepresented in Augustine's letters. If we can identify Augustine's generalised approach to sexual violence, it is responsive rather than preventative, and preoccupied with the aftermath of violence, particularly in the punishment of the perpetrator. Whilst the overwhelming majority of victims of sexual violence are women and girls, their experiences and needs are often overlooked, and their outcomes are not centralised: in most cases, what happens to the victim remains an unanswered question.⁷

Sexual abuse and violence have always been a fundamental aspect of ancient societies, but critical approaches to these overlooked topics are a relatively recent development. Whilst considerable attention has been given

of the community but silence even the questions about their absence. One is not even able to remark upon or notice women's absence, since women's silence and absence is the norm.

Rosemary Radford Ruether, 'Feminist Interpretation: A Method of Correlation', in *Feminist Interpretation of the Bible*, ed. Letty M. Russell (Oxford, 1985), 112–13. In her path-breaking article, Blossom Stefaniw steps on from Ruether's normative inequality, moving the discourse towards social justice and Critical Race Theory: Blossom Stefaniw, 'Feminist Historiography and Uses of the Past', *Studies in Late Antiquity*, 4 (2020), 260–83.

⁴ Ulriika Vihervalli, 'Wartime Rape in Late Antiquity: Consecrated Virgins and Victim Bias in the Fifth-Century West', *Early Medieval Europe*, 30 (2022), 3–19.

⁵ Jennifer Barry, 'So Easy to Forget: Augustine's Treatment of the Sexually Violated in the City of God', *Journal of the American Academy of Religion*, 88 (2020), 235–53, at 250.

⁶ Midori Hartman, 'Sexual Violence, Martyrdom, and Enslavement in Augustine's Letter 111', in *Sex, Violence, and Early Christian Texts*, ed. Christy Cobb and Eric Vanden Eykel (Lanham, MD, 2022), 85–106, at 95.

⁷ As Catharine MacKinnon argues, in most histories of sexuality 'the silence of the silenced is filled by the speech of those who have it and the fact of the silence is forgotten'. Catharine MacKinnon, 'Does Sexuality Have a History?', in *Discourses of Sexuality: From Aristotle to AIDS*, ed. Domna C. Stanton (Ann Arbor, 1992), 121. Linda K. Kerber acknowledges that interrogating silence allows us to 'indulge in unguarded hypotheticals, a stance that historians necessarily distrust': Linda K. Kerber, Review of Joan Wallach Scott, *Gender and the Politics of History*, *International Labor and Working-Class History*, 39 (1991), 94.

to rape in antiquity, research into other forms of sexual and gendered violence such as sexual abuse in warfare or domestic violence is atomised across an unconnected field that lacks a structural centre.⁸ More specifically, Augustine's representations and responses concerning sexual violence have received increasing consideration in the last two decades, correlating with a greater scholarly focus on women and gender in his writings. But gendered and sexual violence more broadly in his letter collection have received less critical notice.⁹ Scholarship has not entirely neglected the dispute between Spes and Bonifatius, but the exceptionalism of the case has been seen as a reason not to engage with it. Most notably, Danuta Shanzer's articles have treated it specifically and within a wider context of sexual scandals, but without any particular consideration of gender.¹⁰ The perceived delicacy of events and Augustine's deliberate ambiguity about the sexual abuse deters scholarly attention, and the compulsion to turn away from the case in fifth-century Hippo informs modern critical responses.¹¹

⁸ On rape in antiquity, see Susan Deacy and Karen F. Pierce (eds.), *Rape in Antiquity* (1997); Susan Deacy, José Malheiro Magalhães and Jean Zacharski Menzies, *Revisiting Rape in Antiquity: Sexualised Violence in Greek and Roman Worlds* (2023); Rosanna Omitowaju, *Rape and the Politics of Consent in Classical Athens* (Cambridge, 2002); and Nancy Sorkin Rabinowitz, 'Greek Tragedy: A Rape Culture?', *EuGeStA*, 1 (2011), 1–21. For sexual violence in warfare, see Kathy L. Gaca, 'Continuities in Rape and Tyranny in Martial Societies from Antiquity Onward', in *Women in Antiquity: Real Women across the Ancient World*, ed. Stephanie Lynn Budin and Jean MacIntosh Turfa (2016), 1041–56; and Caryn A. Reeder, 'Wartime Rape, the Romans, and the First Jewish Revolt', *Journal for the Study of Judaism in the Persian, Hellenistic, and Roman Period*, 48 (2017), 363–85. For domestic violence, see Julia Hillner, 'Family Violence: Punishment and Abuse in the Late Roman Household', in *Approaches to the Byzantine Family*, ed. Leslie Brubaker and Shaun Tougher (Aldershot, 2013), 21–46; Leslie Dossey, 'Wife Beating and Manliness in Late Antiquity', *Past & Present*, 199 (2008), 3–40; and Margherita Carucci, 'Domestic Violence in Roman Imperial Society: Giving Abused Women a Voice', in *Violence in the Ancient and Medieval Worlds*, ed. Maria Cristina Pimentel and Nuno Simões Rodrigues (Leuven, 2018), 57–73.

⁹ For recent discussion of Augustine and sexual violence, see Melanie Webb, "'Before the Eyes of Their Own God": Susanna, Rape Law, and Testimony in City of God 1.19', in *Reading Scripture as a Political Act: Essays on Theopolitical Interpretation of the Bible*, ed. Matthew A. Tapie and Daniel Wade McClain (Minneapolis, 2015), 57–82; Melanie Webb, "'On Lucretia Who Slew Herself": Rape and Consolation in Augustine's *De ciuitate dei*', *Augustinian Studies*, 44 (2013), 37–58; Margaret R. Miles, 'From Rape to Resurrection: Sin, Sexual Difference, and Politics', in *Augustine's City of God: A Critical Guide*, ed. James Wetzel (Cambridge, 2012), 75–92; Tianyue Wu, 'Shame in the Context of Sin: Augustine on the Feeling of Shame in "De Civitate Dei"', *Recherches de Théologie et Philosophie Médiévales*, 74 (2007), 1–31.

¹⁰ Danuta R. Shanzer, 'Augustine's Epp. 77–78 (A Scandal in Hippo): Microhistory and Ordeal-by-Oath', *Reading Medieval Studies*, 40 (2014), 11–33, and Danuta Shanzer, 'Some Treatments of Sexual Scandal in (Primarily) Later Latin Epistolography', in *In Pursuit of Wissenschaft: Festschrift für William M. Calder III zum 75 Geburtstag* (Spudasmata, vol. 119), ed. Stephan Heilen et al. (Hildesheim, 2008), 393–414. See also Dennis E. Trout, *Paulinus of Nola: Life, Letters, and Poems* (Berkeley, 1999), 235–7.

¹¹ Daniel Edward Doyle's treatment is typical, avoiding the sexual violence at the centre of the case and approaching it instead through canon law: Daniel Edward Doyle, *The Bishop as Disciplinarian in the Letters of St. Augustine* (New York, 2002), 311–13. Jennifer Ebbeler's excellent work on Augustine's letter collection includes no mention of the case: Jennifer Ebbeler, *Disciplining*

Augustine's first resolve not to manage the dispute actively and to leave Spes and Bonifatius to God failed.¹² Members of Hippo's congregation refused to attend services whilst Bonifatius's name remained on the lists of presbyters, and Spes's attempts to lever to his advantage and attain promotion to the priesthood, either by Augustine directly or by letters of recommendation from Augustine to another bishop, were denied, intensifying Spes's complaints.¹³ Spes argued that if he could not be ordained to the priesthood, then Bonifatius should be stripped of his clerical status. At this point, Bonifatius's desire to avoid further disturbance in the Church and his willingness to acquiesce in Spes's objections forced Augustine to act. He instructed Spes and Bonifatius to bind themselves, seemingly by an oath, to visit St Felix's shrine at Cimitile, Italy. Augustine intended that increased proximity to the divine in this holy place would disturb the perpetrator's guilty conscience, provoking him into miraculous confession. Augustine's role as bishop burdened him not only with the spiritual well-being of his community, but with arbitrating civil and ecclesiastical disputes in his own court, the *audientia episcopalis*.¹⁴ Augustine's familiarity with Roman law is evident in his letters; he kept copies of laws and distributed them alongside letters where he needed to invoke legislative protocol.¹⁵ His involvement in various types of legal arbitration runs like a thread throughout his letters. This was an addition to his workload that he did not always welcome – he complains to Alypius in *epistula* 9* how the civil punishment of crimes is neglected, wearing out the Church leadership as a result.¹⁶ Augustine's letters show that his judicial activities were mainly (but not always) reserved for ecclesiastical rather than civil matters, and he arbitrated various disputes over landownership, inheritance and sexual violence within the Church.¹⁷

Christians: Correction and Community in Augustine's Letters (Oxford, 2012). See also Othmar Perler, *Les voyages de saint Augustin* (Paris, 1969), 244–5.

¹² Ep. 78.3, CSEL 34.2, 334: 'cogitaueram primo sic ambos deo relinquere'.

¹³ Ep. 78.4. Doyle understands that the removal of Bonifatius's name from the list of presbyters equates to excommunication: Doyle, *Bishop as Disciplinarian*, 312. Augustine's ep. 60 to Aurelius (c. 401), written soon before epp. 77 and 78, reveals Augustine's resistance to monks who lever towards ordination.

¹⁴ On the *audientia episcopalis*, see Noel E. Lenski, 'Evidence for the *Audientia episcopalis* in the New Letters of Augustine', in *Law, Society, and Authority in Late Antiquity*, ed. Ralph W. Mathisen (Oxford, 2001), 83–97; Henry Chadwick, *The Role of the Christian Bishop in Ancient Society: Protocol of the Thirty-Fifth Colloquy, 25 February 1979*, Center for Hermeneutical Studies in Hellenistic and Modern Culture, ed. Edward C. Hobbs and Wilhelm H. Wuellner (Berkeley, 1980); Maria Rosa Cimma, *L'episcopalis audientia nelle costituzioni imperiali da Costantino a Giustiniano* (Turin, 1989); Caroline Humfress, 'Bishops and Law Courts in Late Antiquity: How (Not) to Make Sense of the Legal Evidence', *Journal of Early Christian Studies*, 19 (2011), 375–400; John C. Lamoreaux, 'Episcopal Courts in Late Antiquity', *Journal of Early Christian Studies*, 3 (1995), 143–67; Kauko K. Raikas, 'St. Augustine on Juridical Duties: Some Aspects of the Episcopal Office in Late Antiquity', in *Collectanea Augustiniana: Augustine, Second Founder of the Faith*, ed. Joseph Schnaubelt and Frederick Van Fleteren (New York, 1990), 467–83.

¹⁵ In ep. 114, Augustine wrote to the imperial official Florentius, appealing to the law in a case involving Faventius, and sending a copy of the law with the letter. With ep. 10* to Alypius, Augustine sent a copy of a law to prevent free people being kidnapped into slavery.

¹⁶ Ep. 9*.2.

¹⁷ See respectively ep. 8*, ep. 83 and ep. 9*.

Augustine's surviving letters that address the dispute between Spes and Bonifatius (*epistulae* 77 and 78) are representative of pressure points in the controversy where Augustine was forced to escalate his response, and his epistolary network heated up with increased communication. Although it is unattested, *epistula* 77 seems to be a reply to a ghost-letter, a letter from Felix and Hilarinus that does not survive.¹⁸ Augustine is responding to specific points, such as the request for Bonifatius's name to be removed from the clergy register. *Epistula* 77 mentions a decree (*placitum*) about Spes and Bonifatius that could be read to Hilarinus and Felix, if they wish it.¹⁹ This decree could record Spes and Bonifatius's commitment to travelling together to St Felix's shrine, demonstrating Augustine's active management of the case in the face of complaints from his congregation. Augustine's reference seems to suggest that the decree was sent with *epistula* 77, although, like the ghost-letter from Hilarinus and Felix, this is not confirmed by the extant letter.

In *epistula* 77, Augustine makes reference to Spes's request for letters from Augustine to another bishop, advising his promotion. Augustine rather obliquely explains his reasoning in sending Spes and Bonifatius to the shrine of Felix at Nola, because if any divine revelation should identify the perpetrator, a trustworthy account could more easily be written to Augustine from there.²⁰ Dennis Trout has plausibly understood this as a tacit reference to Augustine's reliance on Paulinus of Nola to provide such documentation.²¹ Trout also speculates about a ghost-letter that Augustine would have written to Paulinus in Nola, delivered by Spes and Bonifatius on their strained pilgrimage.²² It seems probable that Augustine supplied a letter of recommendation to Bonifatius, counted here as another ghost-letter. At Bonifatius's request, the letter did not authenticate his clerical rank, enabling Bonifatius and Spes to be treated equally in an unknown place.²³ But unless Augustine's letter positively recommended Spes, which seems unlikely, Bonifatius's reception in Italy would already have been made partial by Augustine's letter.

Most critical approaches overlook the existence of an implied, unattested matrix of communications surrounding *epistulae* 77 and 78. Two observations can be made: first, in a case marked by obscurity, if we take into account these implied, ghostly texts, we already know more than we think we know. Secondly, the sexual violence on which the case centres is firmly marginalised, at least within the epistolary response. Augustine directs his rhetoric away from the shadowy acts that have caused the disturbance, concentrating instead on damage limitation. His

¹⁸ For more on the important role of ghostly correspondence and resource exchange that is attested but not directly evident in Augustine's letter collection, see the database of late antique and medieval letter collections created by the European Research Council-funded 'Connected Clerics' Project (forthcoming, <https://connectedclerics.com/index.html>).

¹⁹ Ep. 77.2, CSEL 34.2, 330.

²⁰ Ep. 78.3.

²¹ 'It may well have been the presence of Paulinus at Nola, as much as the reputation of Felix, that led Augustine to single out this particular *locus sanctus* in 402.' Trout, *Paulinus of Nola*, 237.

²² *Ibid.*

²³ We can read this concession to the perpetrator that further harms the victim as a form of safeguarding behaviour typically evident in the aftermath of violence.

management strategies are designed not to resolve the conflict, but to contain it, and to address its consequences, principally in his attempts to direct the collective response of Hippo's Christian community to Bonifatius and Spes.

Augustine's first line of defence is to redirect appeals and complaints from his resentful congregation, reframing their outrage and distress through Scripture (Matt. 24:12–13). Scandals such as these test and prove the faithful, and have been divinely foretold, Augustine writes.²⁴ This way lies salvation.²⁵ After reassurance that this is all part of God's mysterious plan, Augustine shifts towards defensively appealing to his position. He creates distance between his responsibility as bishop and how the case should be decided, asking how he as a man can judge clearly 'the secret acts of men'.²⁶ In emphasising the difference between sacred and profane justice, and the privacy of male sexual behaviour, Augustine represents himself as defeated in the case, justifying the deferral of judgement quite literally to God: 'While the case which has arisen between him and Spes is still subject to divine decision according to their degree ... who am I to dare to forestall the verdict of God?'²⁷ He appeals to legal precedents established in civil contexts whereby a case that is referred to a higher power cannot be altered to avoid prejudicing the higher judge. Thus, Augustine does not dare even to remove Bonifatius's name from the register of priests to avoid injuring the power of God with whom the case now rests.²⁸

In this context of escalating tensions, increasing pressure to resolve the case, and Augustine's recusal, what type of justice can Spes and Bonifatius hope to receive? Although Augustine argues that the truth of the matter can only be revealed by divine judgement, he nevertheless advocates persuasively on behalf of Bonifatius, the accuser of Spes, as truth-teller. In *epistula* 77, Augustine writes that he has not found evidence of Bonifatius's wrongdoing, and he emphatically does not believe any such thing of him.²⁹ For Augustine, Spes is undoubtedly lost, whereas Bonifatius's reputation is only damaged. In *epistula* 78, Augustine explicitly defends Bonifatius's innocence, based on his refusal to consent to Spes's sexual harassment or to keep silent about it.³⁰ Augustine has unambiguously arrived at his verdict, finding that Bonifatius's conscience is clear. But Augustine's awareness that implementing his decision will not resolve the matter reveals how the conflict has widened beyond the individual to the group.³¹ Mutual consensus has broken down, factionalism has intervened and deadlock has immobilised the dispute.

²⁴ Ep. 77.1, CSEL 34.2, 329.

²⁵ 78.1, CSEL 34.2, 331–3.

²⁶ Ep. 77.2, CSEL 34.2, 330: 'quis ego sum, ut audeam dei praeuenire sententiam in delendo uel supprimendo eius nomine, de quo nec suspicari temere mali aliquid episcopus debui nec dilucide iudicare homo de occultis hominum potui'. Parsons, *Letters*, vol. 1, 374.

²⁷ Augustine seems to employ a similar tactic of mobilising God in the adjudication of cases in ep. 65.1.

²⁸ Ep. 78.4.

²⁹ Ep. 77.2.

³⁰ Ep. 78.2.

³¹ Shanzer understands that the conflict caused 'severe division and distress'. Shanzer, 'Microhistory', 17.

In his search for a resolution, Augustine represents himself as forced to supersede his own ecclesiastical arbitration with a divine justice that is intrinsically ambiguous. Parallels have been drawn between Augustine's resolution and the miracle of the ordeal in later medieval contexts, where innocence or guilt was determined through God's intervention (or lack of it) to protect the accused person.³² Peter Brown describes the ordeal as 'a controlled miracle', and observes that it functioned as God revealing truth rather than any specific fact: 'He was judging the status of a person or of a group, whether they and their claims were "pure" and "just". He was not deciding whether a piece of land really belonged to a certain claimant.'³³ Brown sees that the individual issues were less at stake than the status in the community of the groups that had been brought into conflict, and Augustine's search for the miracle of God's revelation was intended to generate consensus through a resolution that could not be disputed.³⁴ Augustine's design to displace the dispute physically was intended to mitigate the unbearable antagonism that divided the community along partisan lines. St Felix's shrine offered a spectacular salve to the marginalisation of Spes and Bonifatius from the community by sin and the association of sin. Augustine envisions performative justice at the holy sanctuary that functions to ostracise Spes and Bonifatius, which will then enable their reintegration into the community at Hippo. Ultimately, it protects Augustine from being disenfranchised from his own congregation.

We can see, then, that Augustine's judicial solution was already slanted, and was not victim-centred.³⁵ Forcing a victim to undertake a long journey to a foreign place with their alleged perpetrator would compound their suffering and trauma, and would risk exposing them to further harm. A process that treats victim and alleged perpetrator as equivalents elides the power imbalance that is at the root of the perpetration of harm. Augustine's solution was convenient for the community at Hippo, alienated along fault lines of blame and uncomfortable with the association of sin and disreputability.³⁶ But it was not convenient for the victim. Theorist Sara Ahmed has highlighted how sexual harassment works by increasing the costs of fighting against something, making it easier to accept something than to struggle against it,

³² Sister Wilfrid Parsons, *Letters*, vol. 1 (1-82) (Washington, DC, 2008), 374 n. 6; Peter Brown, *Augustine of Hippo: A Biography* (1967), 196.

³³ Peter Brown, 'Society and the Supernatural: A Medieval Change', *Daedalus*, 104 (1975), 135 and 137.

³⁴ 'The need for consensus and the pressure brought by consensus in relatively small groups are the leitmotifs of much early medieval religion. We see this in the cult of the relics. For to vest what was intrinsically ambiguous with final authority was part of a whole style of decision-making in the early centuries of the Middle Ages.' *Ibid.*, 140.

³⁵ Brown similarly perceives this slanting, describing Augustine's proposed resolution as 'a strangely subjective objectivity', as 'skin deep' and 'not impersonal. It was the projection of the needs of a group, and was thus sucked into the subjective values of the group.' *Ibid.*, 142.

³⁶ Augustine recognises that many in the community are troubled and grieved by the scandal. Ep. 78.2.

even if that acceptance is itself how the victim is diminished.³⁷ Bonifatius's desire to de-escalate his complaint in acquiescing in Spes's demand that he should be stripped of his clerical status is a concession that attempts to appease the perpetrator and safeguard against further harm. It indicates the high cost of holding Spes to account; the harassment as well as the process to resolve it was harmful. Ahmed reminds us that the term harass derives from the French *harasser*, to tire out, to vex.³⁸ To speak about harassment provokes further harassment, until the victim is worn down and stops pushing forward the allegation.

The sexual violence perpetrated against Bonifatius, and his attempt to bring Spes to account should be seen not as an anomalous or isolated incident, but as part of a process of victimisation and harm. Spes's response to Bonifatius's attempts to hold him accountable echoes a standardised pattern of perpetrator defence, commonly known as DARVO, an acronym that stands for Deny, Attack, and Reverse Victim and Offender.³⁹ This offensive reaction from perpetrators of wrongdoing, particularly sexual offences, includes denying the abuse, attacking the victim's credibility and reversing the roles of victim and offender, all of which Spes does effectively. Spes's manipulative denial gaslights his community into believing his victim status, and his attempts to reduce Bonifatius's clerical status seek to degrade his credibility. The disappearance of Bonifatius and Spes, both from Hippo and from our historical view, because of what Bonifatius tried to bring into view, was a necessary intervention from Augustine. His solution gives the appearance that the problem has been dealt with, enabling the community at Hippo to move forward. But the problem has not been dealt with, it has only been shifted onto another sphere, prolonging the dispute through stalling tactics that place a judicial resolution far beyond human control.

Epistulae 77 and 78 demonstrate that, for Augustine, justice is an after-thought. The letters crystallise not around specific allegations or criminal acts as we might expect, but around clerical status, ecclesiastical authority and individual and institutional reputation. The formal positioning of Spes and Bonifatius within the Church, namely Bonifatius's continuing position as a presbyter and Spes's attempts to force his own promotion to presbyterial level, is the principal issue of contention in both letters. Augustine's letters do not well represent the manoeuvrings that occurred before he put *stylus* to *chartus*, and there is a considerable logical gap between allegations of sexual harassment coming to light and Spes's opportunism in using the case to advance his status: it is an unusual position from which to negotiate. Really what *epistulae* 77 and 78 offer us is the opportunity to read a micro-incident

³⁷ Sara Ahmed, *Living a Feminist Life* (Durham, NC, 2017), 141. My own analysis of sexual harassment owes much to the valuable insights of Ahmed.

³⁸ *Ibid.*, 140.

³⁹ This theory was first developed by Jennifer J. Freyd, 'Violations of Power, Adaptive Blindness, and Betrayal Trauma Theory', *Feminism & Psychology*, 7 (1997), 22–32. For a more recent application, see Sarah J. Harsey and Jennifer J. Freyd, 'Defamation and DARVO', *Journal of Trauma & Dissociation*, 23 (2022), 481–9.

of victimisation and harm between individuals translated into professional opportunism that implicates a much wider communal group.

Augustine's arguably ineffective policy of containment includes attempts to conceal the controversy. He twice defends his actions for not bringing the case to the attention of the wider community, explaining that he did not want to trouble his congregation with 'sharp and useless sorrow'.⁴⁰ The case provoked a litigious and conservative response that reveals how pressing the threat of allegations of sexual harassment was to institutional and individual reputations. The Catholic Christian community at Hippo had been made vulnerable to attack by the dispute. As Augustine observes, those whose evil tongues are sweetened by these sorrows, especially Donatists, seize upon the example of a fallen monk to demonstrate the moral failure of all those sanctified within the Catholic Church. Augustine brackets male-male sexual harassment with adulterous women, making his point with an ill-fitting analogy that not all wives are cast off and not all mothers accused when one married woman commits adultery.⁴¹ Augustine's epistolographic response shows that the case is first and foremost perceived as a threat: to his reputation as bishop, to Bonifatius's integrity as a presbyter, to the standing of Hippo's Christian community and to the wider Catholic Church. *Epistula* 78 especially, as a longer letter following on from *epistula* 77 and addressed to a much wider audience, is part of a top-down policy of damage control that seeks to retain institutional legitimacy by curtailing complaints from Hippo's Christian community, limiting the opportunity for the case to be mobilised by the opposition, and silencing the complainants Spes and Bonifatius through their physical removal.

Adjudicating abuse across Augustine's letters

Sexual violence in Augustine's letters features through male-specific narratives, where the values and experiences of men are foregrounded, and female victims are incidental at best. But where does this bias originate? Is it situated against victims and those who bring forward these discomfiting and difficult cases? Or does the bias run along gendered lines? Are male victims alongside male perpetrators treated differently from female victims and their male perpetrators? Do their expectations and outcomes differ, and is the justice accessible to victims consistent? The restricted scope of the evidence for sexual violence, especially where the perpetrator and victim are both male, means that it is not possible to reach absolute answers. But there are instructive comparisons to be made with other examples of sexual abuse against women and girls that Augustine adjudicated in the letter collection.

Pauline Allen has highlighted the disparity between classical letter-writing, where female addressees were almost exclusively close family members, and the fourth-sixth centuries CE, where letters were written to Christian

⁴⁰ Augustine defends himself against his decision not to inform the wider community: at ep. 78.4, *CSEL* 34.2, 378 ('ne uos atrociter et inaniter contristando turbarem'), and ep. 78.7.

⁴¹ Ep. 78.6.

women more widely, without the need for close familial ties.⁴² And this epistolographic shift in communication with women is certainly seen in Augustine, where no letters to female relatives including his mother, Monica, sister or ‘concubine’ survive, whereas letters to Christian women seeking advice or transporting relics on Augustine’s behalf are evident in his collection.⁴³ Jennifer Ebbeler has noted how much of Augustine’s correspondence with women is confined to the ‘amorphous mass’ at the end of the collection, and it is similarly notable how much more prominent sexual violence and slavery are in the Divjak collection.⁴⁴

Unlike most other cases which involve female victims, the dispute between Spes and Bonifatius lingers on the determination of truth rather than the appropriate punishment for the perpetrator. Augustine writes *epistulae* 77 and 78 in the midst of the controversy, but his epistolographic interventions are typically staged late. *Epistula* 9* in the Divjak series shows Augustine responding not to the kidnap and rape of a consecrated virgin in a church, not to the punishment of her perpetrator by local clergy, not to the perpetrator’s complaints at his punishment, not even to Pope Celestine’s demand to have the clergy punished for beating the perpetrator, but to his colleague Alypius, who is now adjudicating the case.⁴⁵ As in *epistula* 77, Augustine throws up his hands at the case, asking what a bishop or the clergy is to do about these crimes committed by men. Whilst it is not clear if Augustine is referring to sexual crimes or crimes in general, he does not replicate his argument from *epistula* 77 that the inscrutability of the ‘private acts of men’ means that the

⁴² Pauline Allen, ‘Bishops and Ladies: How, If at All, to Write to a Woman in Late Antiquity’, *Men and Women in the Early Christian Centuries*, ed. Wendy Mayer and Ian J. Elmer (Strathfield, 2014), 181.

⁴³ For critical discussion of Augustine’s correspondence with women, see Maureen Tilley, ‘No Friendly Letters: Augustine’s Correspondence with Women’, in *The Cultural Turn in Late Ancient Studies: Gender, Asceticism, and Historiography*, ed. Dale B. Martin and Patricia Cox Miller (Durham, NC, 2005), 40–62; Catherine Conybeare, ‘Spaces between Letters: Augustine’s Correspondence with Women’, in *Voices in Dialogue: Reading Women in the Middle Ages*, ed. Linda Olson and Kathryn Kerby-Fulton (Notre Dame, 2005), 55–72; Joanne McWilliam, ‘Augustine’s Letters to Women’, in *Feminist Interpretations of Augustine*, ed. Judith Chelius Stark (Pennsylvania, 2007), 189–202. For letters to and from women in late antiquity, see the important article by Julia Hillner, ‘Empresses, Queens, and Letters: Finding a “Female Voice” in Late Antiquity?’, *Gender & History*, 31 (2019), 353–82.

⁴⁴ Ebbeler, *Disciplining Christians*, 19 n. 57. The Divjak letter series collates previously unknown Augustinian letters discovered by Johannes Divjak and published in 1981 in a series 1*–29*. Augustine, *Epistolae ex duobus codicibus nuper in lucem prolatae. Sancti Aureli Augustini Opera, Corpus Scriptorum Ecclesiasticorum Latinorum* (CSEL) 88, ed. Johannes Divjak (Vienna, 1981); all references to the Divjak collection of Augustine’s letters are to this edition. *Saint Augustine. Letters. Vol. VI (1*–29*)*, vol. 81, trans. Robert B. Eno (Washington, DC, 1989); all translations of the Divjak collection of Augustine’s letters are based on this translation, with my modifications. For further discussion of the Divjak collection, see Claude Lepelle, ‘La Crise de l’Afrique romaine au début du Ve siècle, d’après les lettres nouvellement découvertes de Saint Augustin’, *Comptes rendus des séances de l’Académie des Inscriptions et Belles-Lettres*, no. 3 (1981), 445–63; *Les Lettres de saint Augustin découvertes par Johannes Divjak: communications présentées au colloque des 20 et 21 septembre 1982* (Paris, 1983); Henry Chadwick, ‘New Letters of St. Augustine’, *Journal of Theological Studies*, 34 (1983), 425–52.

⁴⁵ Ep. 9*1.

case cannot be decided; the case has already been decided and there is no question of guilt. Instead *epistula* 9* is preoccupied with how to deal effectively and appropriately with perpetrators, weighing the options of corporeal punishment and excommunication.

As in *epistula* 9*, female victims of sexual violence are often overlooked or purposefully ignored in the letter collection, obscuring the fraught exercise of claiming victimhood that places women at the centre of the narrative.⁴⁶ The victim of the case in *epistula* 9*, the nun who was taken from her father's house to a church and raped, is given the briefest mention and remains anonymous.⁴⁷ Similarly, the nun at the centre of the case in *epistulae* 14* and 15* who was violently raped by Cresconius is hardly mentioned in Augustine's scramble to ensure that Cresconius is not punished excessively: 'I received a complaint against one of your men but I did not dare mention his name or his sacrilegious disgrace in this letter in case perhaps you become enraged to excess and punish him more violently than is fitting.'⁴⁸ Where the evidence against perpetrators does not rely on female victim testimony, as in *epistulae* 14* and 15*, Augustine can represent these cases as simple and reductive morality tales, and the focus can rest on punishing the perpetrator.

Female victims move towards the centre only where their testimony is questioned, as in *epistula* 18* where Augustine positions allegations against the deacon or priest Gitta made by an unnamed woman as potentially false. Augustine is writing to the Christian community at Membliba to explain why their request for Gitta to be their priest cannot be fulfilled; even if only some of what the woman alleged was true, it would be enough to discount Gitta from assuming the role. If she had lied and only what he confessed to was true, he still cannot be a cleric, since all Christians, and clerics especially, have to be innocent of illicit sexual intercourse.⁴⁹ It seems that the unnamed woman made allegations against Gitta not of consensual sexual relations but of

⁴⁶ For further discussion of victimhood, see Kate Manne, *Down Girl: The Logic of Misogyny* (2019), 220–48, specifically here 225.

⁴⁷ Ep. 9*.1, *Saint Augustine*, trans. Eno, 71: 'So the only source of concern in this affair which still bothers me is that I find it difficult to conceive how they who found him with that woman, a professed nun, whom he had taken from her father's house for the purpose of rape, refrained from doing him bodily harm.' CSEL 88, ed. Divjak: 'Unde solus mihi remansit de hac re scrupulus, quia difficile mihi videntur qui eum reppererunt cum illa femina, quam professam sanctimoniam ad ludibrium stupri de patria duxerat, ab eius corporali iniuria temperasse.' Shanzer ('Sexual Scandal', 397) argues that the case in ep. 9* did not involve rape, and that the letter is 'seriously misinterpreted' by Leslie Dossey. Leslie Dossey, 'Judicial Violence and the Ecclesiastical Courts', in *Law, Society, and Authority in Late Antiquity*, ed. Ralph W. Mathisen (Oxford, 2001), 111.

⁴⁸ Ep. 14*.2, CSEL 88, ed. Divjak: 'Habebam quod quererem de homine tuo, cuius nec nomen nec sacrilegum flagitium ausus sum his litteris intimare, ne forte gravius succenseret et atrocius vindicares quam decet.'

⁴⁹ Ep. 18*.1, *Saint Augustine*, trans. Eno, 124: 'For even if only some of the things which the woman said about him were true, that's the end of the matter; if she perjured herself and only what he himself confessed was true, he cannot be a cleric, since all Christians and, above all, all clerics, must be innocent of all illicit sexual intercourse, even all illicit kissing and embracing, and all impurity.' CSEL 88, ed. Divjak: 'Si enim aliqua [vera] sunt quae de illo mulier dixit, factum est; si autem illa etiam peierat et hoc solum de isto verum est quod ipse confessus est, nec is esse

sexual abuse, and that Augustine is actively partitioning out the allegations he is prepared to respond to.⁵⁰ As in the case of Spes and Bonifatius, sexual violence is only relevant where it intersects with clerical status, not at the point of perpetration, and not in response to the victim's complaints.

Victim credibility, clerical status and community division are issues that are again evident in *epistula* 13*, written by Augustine to the priest Restitutus about a cleric whom a nun has accused of rape.⁵¹ The perpetrator strategy of DARVO is again evident here, and the letter foregrounds the counter-accusation from the cleric, that the nun who made allegations against him was in fact the perpetrator of sexual harassment. There are not two competing narratives here: the female's testimony is left entirely unrepresented, and we have to read the accusation of rape into the letter and ghost-letter that preceded it. Augustine has arrived at his judgement that the cleric is innocent after repeatedly interrogating him, but no mention is made of an interview with the female. Instead Augustine concludes that the nun should not be believed – this lost woman is looking for 'someone to get her hooks into', in Eno's memorable translation, as a way of shifting the blame for her dishonour.⁵² Augustine's misogynistic stereotyping relies on a collective conception of women as victim as lascivious and vengeful, and the woman's own sexual immorality is represented as another man's crime. By shifting blame onto the victim, Augustine advocates that the cleric should not be condemned and that he should keep his position unless more evidence is uncovered to prove that he is lying – the woman's words alone are insufficient.

Besides victim-blaming, another effective rhetorical strategy Augustine mobilises is to spectacularly and deliberately miss the point, identifying the problem in *epistula* 13* as priests who travel alone, leaving themselves vulnerable to accusations of impropriety.⁵³ Augustine's response, to advocate against clergy moving around autonomously as a tool of prevention, echoes more recent institutional responses to sexual violence: knowledge avoidance, where the root causes of violence are sidestepped, and inadequate or irrelevant actions, represented as viable solutions, come before more difficult strategies of prevention.⁵⁴

clericus potest, quoniam omnes Christiani, quanto magis clerici non solum ab illicito concubitu puri esse debent, verum etiam ab illicito osculo et ab illicito amplexu et ab omni immunditia.'

⁵⁰ Shanzer describes Augustine's response to the case as 'sympathetic and humane'. Shanzer, 'Sexual Scandal', 407.

⁵¹ There must have been a time lag between the crime and accusation as the cleric was a deacon when it took place.

⁵² Ep. 13*.3, *Saint Augustine*, trans. Eno, 111: 'This is the man's story. I conclude that he ought not to be condemned unless by chance it can be proved that he is lying. Don't let this woman's words be listened to and accepted against him because doubtless this lost woman is looking for someone to get her hooks into.' CSEL 88, ed. Divjak: 'Hactenus mihi confessus est homo, unde non eum iudico esse damnandum, nisi forte de mendacio convincatur et non verba illius feminae audiantur et accipiuntur adversus eum, quia sine dubio perditam quaerit cui haereat.'

⁵³ Echoed in another of Augustine's letters, ep. 65. For further discussion, see below.

⁵⁴ For discussion of inadequate institutional responses to sexual violence in more modern contexts, see Allegra M. McLeod, 'Regulating Sexual Harm: Strangers, Intimates, and Social Institutional Reform', *California Law Review*, 102 (2014), 1553–1621.

In cases of sexual violence where victim testimony constitutes the central evidence against a male perpetrator, Augustine reveals his propensity to disbelieve female victims, compounding harm on an individual level with institutional betrayal. This is starkly distinct from his approach to the complainant when both perpetrator and victim are male; the female victim in *epistula* 13* is disbelieved because of the allegations she raised, whereas Bonifatius is believed principally *because* of the allegations he brings to light against Spes. This gendered disparity means that, for women, stating their victimisation publicly is an insecure method of gaining the sympathetic attention of invested third parties.⁵⁵ The perceived unreliability of female complainants in Augustine's letters is part of a wider nexus of bias where female victims are discredited, dismissed and subject to counter-accusations that deny their victim status.⁵⁶ The reflexive disbelief of women, otherwise known as testimonial injustice, occurs when a speaker receives an unfair deficit of credibility from a hearer as a consequence of the hearer's prejudice.⁵⁷ In *epistulae* 13* and 18*, Augustine endorses the counter-accusations made by male clergy against female victims, but where both victim and perpetrator are male, as in the case of Spes and Bonifatius, the original accuser is believed. The propensity to disbelieve the female victim, even to suspect them of perjury, is strong enough to dismiss their testimony even where the male cleric has admitted wrongdoing, as in *epistula* 18*. Augustine's letters reveal that allegations made by women from a subordinate ecclesiastical position are given substantially less credibility and are much less impactful than those made by male clerics.

The gendered disparity of victim credibility has wider consequences beyond the victim and perpetrator. In *epistula* 13*, Augustine advocates that the priest accused of sexual abuse should keep his position, ordering that the community should not let their love for the priest grow cold.⁵⁸ Augustine mobilises his own correspondence in defence of the priest, instructing the recipient to read his letter (*epistula* 13*) to the community and explain the incident so that they do not reject the priest; he is, after all, a good man who was confronted with temptation, which could happen to anyone. Augustine's approach, however, to a hostile congregation in *epistulae* 77 and 78 is very different. The community in Hippo is much less malleable and staunchly opposes Bonifatius's continuing presbyterial role. Accusations of sexual violence brought by a woman are easier for the alleged perpetrator to discount, and for individuals and groups responsible for adjudicating justice to ignore.

If we can identify a gendered disparity in victim credibility in Augustine's letters, how then is truth determined within the judicial process? In *epistula* 9* to Alypius, Augustine writes that when a case comes to judgement, those who deliver justice must first make enquiries and establish the facts of the

⁵⁵ Manne, *Down Girl*, 236.

⁵⁶ *Ibid.*, 222.

⁵⁷ Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (Oxford, 2007), 17.

⁵⁸ Ep. 13*.3.

case.⁵⁹ In *epistula* 13*, Augustine reveals how his investigative process relies on interrogation: he repeatedly probed the mind of the man accused of sexual abuse, attempting to intimidate him into confession through fear of divine judgement.⁶⁰ The deliberation of guilt is absent where the perpetrator of sexual violence was caught in the act and his crimes were publicly witnessed, such as in *epistula* 13*. It is difficult to know how guilt was assigned in the violent rape of a nun in *epistulae* 14* and 15*, but without mention of the possibility of the perpetrator's innocence or the reliance on victim testimony, it is likely that his crime was more widely witnessed. Augustine's determination of truth is constrained in *epistula* 18* by the moral standards required for ordination: Gitta's confession of illicit sexual relations is enough to discount him for the priesthood, and that is as far as Augustine needs to push to establish truth.

Augustine's letters often approach sexual violence through the lens of clerical disreputability, and whilst *epistula* 65 from Augustine to Sanctippus is concerned with embezzlement and immorality rather than sexual violence, it does illuminate Augustine's judicial processes when managing the case of a wayward cleric. The priest Abundantius has been suspended from his office for diverting money intended for the church, and for dining at the house of a woman 'of evil fame' (*malae famae mulierem*) on Christmas Eve rather than fasting.⁶¹ Prompted by rumours of his reputation for moral deviance, Augustine explains that his first recourse is to gather evidence of Abundantius's wrongdoing, discovering his fraudulent use of church funds, which the priest admitted to. A colleague witnessed Abundantius's illicit activities on Christmas Eve and Abundantius could not deny his presence at the house of ill-repute, although how much he admitted to is unclear.⁶²

In writing to Sanctippus as primate of Numidia, informing him of the case and explaining his actions, Augustine is following formal procedure and aiming for maximal transparency, perhaps in anticipation of a complaint from Abundantius which Augustine pre-emptively frames as a 'false report' (*fallacia*).⁶³ Augustine writes that he heard the case and gave a full account of his decision to suspend Abundantius from the priesthood, who has a year to plead his case, if he feels there is a case to answer. Augustine advocates for the punishment of clerics according to canon law established at the Council of Carthage (401), but complains that he is forced to adjudicate cases where evidence of wrongdoing is insecure or unknown. Augustine then refers to an earlier canonical law that instructs the case of a priest to be submitted to six bishops, and advocates that if his decision to suspend Abundantius from his priestly office is considered erroneous, any bishop is welcome to restore Abundantius to his clerical status by giving him a church within his own diocese.

⁵⁹ Ep. 9*.3.

⁶⁰ Ep. 13*.1.

⁶¹ Ep. 65.1, *Saint Augustine*, trans. Parsons, 312. CSEL 34.2, ed. Goldbacher, 233.

⁶² Ep. 65.1, CSEL 34.2, ed. Goldbacher, 233: 'negare non potuit, nam quae negavit, deo dimisi iudicans, quae occultare permissus non est'. *Saint Augustine*, trans. Parsons, 313: 'he could not deny being there, for what he denied I left to the judgement of God, and he was not permitted to conceal it'.

⁶³ Ep. 65.1. *Saint Augustine*, trans. Parsons, 313. CSEL 34.2, ed. Goldbacher, 233.

In *epistula* 65, Augustine's judicial processes are on display in the careful framing of his actions to his ecclesiastical senior. A report or rumour of clerical wrongdoing prompts evidence-gathering, followed by an interview with the alleged perpetrator with the aim of eliciting a confession, and eyewitness testimony is gathered. The case is then heard formally following the prescriptions of canon law, and an outcome is decreed, with an appeal permissible within one year.

In broad terms, we can see Augustine's judicial process working similarly in the case between Spes and Bonifatius, although the delay between evidence-gathering and the formal hearing means that the determination of guilt has not yet been concluded. Abundantius's admission of wrongdoing and eyewitness testimony are sufficient for Augustine to suspend his clerical status, and there appears to be no question over his guilt. Despite Augustine's clear conviction that Abundantius deserves punishment, he has Augustine's sympathy. Augustine writes to an anonymous priest who advocates for Abundantius to be allowed to return to his home church and live without clerical duties. Although Augustine advises against it, his treatment of Abundantius, who he suggests could be given a parish in another diocese, falls far short of uncompromising condemnation and represents a continued investment of resources in a disreputable former cleric. Augustine's disbelief of the female victim in *epistula* 13* and his defence of the rapist Cresconius in *epistulae* 14* and 15* indicate his predisposition to centre perpetrators, particularly of sexual violence, across the letter collection.

Just how significantly Augustine's treatment of victim and perpetrator is gendered and how this effects a particularly uneven distribution of justice is starkly illuminated if we turn to *epistula* 262 written to Ecdicia, a victim of domestic abuse who fled with her dependent child. Ecdicia wrote to Augustine for advice, and *epistula* 262 was Augustine's reply. Ecdicia and her husband had previously taken a vow of continence, although Augustine perceived that Ecdicia had defrauded her husband of the debt she owed him with her body by vowing continence without her husband's permission.⁶⁴ After they had lived chastely together for a long time, Ecdicia's husband broke his vow and committed adultery, for which Augustine vehemently blames Ecdicia, her lack of submissiveness and her immoderate almsgiving.⁶⁵ The bearer of *epistula* 262 told Augustine that when Ecdicia's husband learned that she had given away almost everything she possessed to two unknown monks, he cursed them and Ecdicia, alleging that they were not servants of God but of men who creep into other people's houses, leading Ecdicia captive and plundering her.⁶⁶ The strong overtones of sexual violence in the language of capturing and plundering complicate and tarnish Ecdicia's donation, degrading the ethical basis of her actions. Augustine strongly criticises Ecdicia for adopting widow's clothes, again without her husband's permission, and argues

⁶⁴ Ep. 262.2.

⁶⁵ Doyle is able to detect 'a touch of chauvinism' in Augustine's loading of blame on Ecdicia. Doyle, *Bishop as Disciplinarian*, 334.

⁶⁶ Ep. 262.5.

that Ecdicia's husband should have made her wear the clothing of a wife rather than a widow.⁶⁷ Augustine's rhetorical approach strongly resists the understanding of Ecdicia's behaviour as fulfilling core Christian values of chastity, poverty and almsgiving; her self-denial was only disobedient and reckless, and directly resulted in her husband's spiritual ruin.

Roman law interfered only in a minimal sense with violence within the home, as Julia Hillner has observed.⁶⁸ Domestic abuse and violence were not outlawed; at least within elite contexts, it was not the elimination of violence but the regulation of excessive violence that was emphasised.⁶⁹ Roman law distinguished between adultery, elopement and rape, but these categories were not defined by female consent. As Melanie Webb has highlighted, rape was not clearly or consistently distinguished from other forms of illegitimate sexual activity.⁷⁰ The issue of female marital consent was addressed in Roman law: a woman had to agree to a marriage in order for it to be valid.⁷¹ Although such legislation has been described as 'superfluous and irrelevant', given that women were expected to obey the paterfamilias with regard to marriage, the consent of women appears to have been increasingly considered from the imperial period onwards.⁷² Augustine's conservative response to Ecdicia does not give precedence to her agency or desire; he understands that marital continuity is the only solution to the situation. If Ecdicia truly wants to belong to Christ, she must not scorn her husband but reclaim him, clothing herself in lowliness of mind and offering a sacrifice of tears as if they were blood from a pierced heart.⁷³ Ecdicia must pour out devout and continuous prayers for him, and write an apology that begs forgiveness for disposing of her property without permission. Augustine rather disingenuously advocates that Ecdicia should not repent of giving to the poor, but that she excluded her husband from the good deed. Ecdicia should promise her husband that she will be

⁶⁷ Ep. 262.9. On Ecdicia's change of dress, see Kate Wilkinson, *Women and Modesty in Late Antiquity* (Cambridge, 2015), 46.

⁶⁸ Julia Hillner, 'Family Violence: Punishment and Abuse in the Late Roman Household', in *Approaches to the Byzantine Family*, ed. Leslie Brubaker and Shaun Tougher (Aldershot, 2013), 21. For more on domestic violence in antiquity, see Patricia Clark, 'Women, Slaves and the Hierarchies of Domestic Violence: The Family of St Augustine', in *Women and Slaves in Greco-Roman Culture*, ed. Sandra Joshel and Sheila Murnaghan (1998), 109–29; Carucci, 'Domestic Violence in Roman Imperial Society'; Dossey, 'Wife Beating and Manliness'.

⁶⁹ Hillner, 'Family Violence', 23.

⁷⁰ Melanie Webb, "'Before the Eyes of Their Own God": Susanna, Rape Law, and Testimony in City of God 1.19', ed. M. A. Tapie and D. W. McClain, *Reading Scripture as a Political Act: Essays on Theopolitical Interpretation of the Bible* (Minneapolis, 2015), 58.

⁷¹ *Cod. Theod.* 3.10.1, 3.6.1 and 3.11.1. On women in Roman law, see Judith Evans-Grubbs, *Law and Family in Late Antiquity: The Emperor Constantine's Marriage Legislation* (Oxford, 1995); Antti Arjava, *Women and Law in Late Antiquity* (New York, 1996); Angeliki E. Laiou (ed.), *Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies* (Washington, DC, 1993); and Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford, 1991).

⁷² Arjava, *Women and Law*, 35; and for the growing attention paid to consent in Roman law, see Mathew Kuefler, 'The Marriage Revolution in Late Antiquity: The Theodosian Code and Later Roman Marriage Law', *Journal of Family History*, 32 (2007), especially 347–52.

⁷³ Ep. 262.11.

subject to him in all things if he repents and resumes their continence together. Augustine's approach is intended to shame Ecdicia into compliance with a solution that would entirely remove her fragile agency and autonomy, and force her and her child back into an abusive situation.

Augustine's complex rhetorical position seeks to deny Ecdidia's victim-centred narrative, at first attacking her actions, and then reaffirming the theological basis for her good deeds with recourse to Scripture but condemning the way in which she fulfilled these good deeds. Augustine focuses his scrutiny only on her actions and not her husband's, holding her to impossible standards, and revealing his assumption that victims are answerable but perpetrators are not. Through an excessive display of himpathy, Augustine loads Ecdicia with responsibility to ameliorate the situation, which is contingent on her repentance and not her husband's, even though his behaviour is the more sinful.⁷⁴ Hillner has outlined how the rise of Christianity added a new dimension to the authority of the *paterfamilias*, making him responsible for the spiritual health of the household and the preparation of each member for the Final Judgement.⁷⁵ But Augustine pushes the responsibility for her husband's eternal salvation onto Ecdicia: through his adultery he has plunged headlong into deep destruction, which is something she has done to him. Augustine centres the perpetrator to such an extent that he effectively reverses the roles of victim and perpetrator: the woman who has fled harm with her dependent child is the perpetrator, and the husband with agency, resources and legal, spiritual and moral authority is the victim. Augustine's letter gaslights Ecdicia, obscuring the harms that have been perpetrated against her, which are in turn difficult for us to discern, but could include sexual harassment, verbal abuse, coercion and control, sexual violence or assault, and the threat of further harm. We know that in committing adultery and breaking his vow of continence in anger and indignation, Ecdicia's husband used his emotional response to control her. It was a hostile and aggressive act that was intended to degrade her, and Augustine's letter that layered blame on Ecdicia was further degrading.

Fleeing an abusive situation is difficult and frequently the result of a careful and sustained period of risk assessment. Often a last resort for victims of domestic violence is to reach out for help, as Ecdicia did in writing to Augustine. The period immediately before and after escape is the most dangerous for victims, including children, when they are most likely to be seriously harmed or murdered. Augustine's response is to emphasise that, as a married woman, Ecdicia had no right to dispose of her own property, to control access to her body, to resist the authority of her husband or to remove his son to an unknown place. He reminds Ecdicia chillingly that legal authority over her child rests with her husband, and that he cannot be denied custody of the child when he learns where Ecdicia has taken him:

⁷⁴ The term 'himpathy' derives from Manne, *Down Girl*.

⁷⁵ Hillner, 'Family Violence', 23.

As for your son, since you received him in lawful and honourable marriage, who does not know that he is more subject to his father's authority than to yours? Therefore, his father cannot be denied custody of him whenever he learns where he is and legally demands him.⁷⁶

Augustine's coercion of Ecdicia is absolute; he makes her accountable not only for her husband's spiritual welfare but also represents that Ecdicia must reconcile with her husband for the spiritual sake of her son: 'Consequently, your union of hearts is necessary for him, so that as according to your will, he may be brought up and educated in the wisdom of God.'⁷⁷ Augustine sees that Ecdicia's choices to give away her possessions and flee her husband compromise her child's spiritual and economic future. Dependants like children are often mobilised against victims of domestic violence as weapons of abuse, and Augustine exploits this structure of oppression to force her and her child back into an abusive environment.

What capacity would Ecdicia have to resist Augustine's overbearing advice? Assessing the reach of Augustine's authority in a local and generalised sense in North Africa in the fifth century is fraught with difficulties, but it is unlikely that Ecdicia would have been able to brush off his instructions easily, especially when she and her child were isolated and vulnerable. Ecdicia lacks support from every single known adult actor within her immediate network. The bearer of her letter to Augustine discloses information about her donation that she had not included in the letter. The bearer could also disclose her family's location, further compromising her precarious position.⁷⁸ With the

⁷⁶ Ep. 262.11, *Saint Augustine*, trans. Parsons, 269. CSEL 57, ed. Goldbacher, 631: 'filium autem uestrum, quoniam de legitimis eum et honestis nuptiis suscepisti, magis in patris quam in tua esse potestate quis nesciat? et ideo ei negari non potest, ubicumque illum esse cognouerit et iure poposcerit'.

⁷⁷ *Ibid.*, 631: 'ac per hoc, ut secundum tuam uoluntatem in dei possit nutriri et erudiri sapientia, necessaria illi est etiam uestra concordia'.

⁷⁸ The bearer of Ecdicia's letter to Augustine, which does not survive, must have been an actor within Ecdicia's network and not Augustine's. The information about who delivered Augustine's reply to Ecdicia, ep. 262, has not survived. It does not always appear to be the case that a letter was delivered and a reply returned by the same bearer, although that would be logical here. More generally, the identity of the bearers of Augustine's letters has not been preserved. Bearers of letters were sometimes petitioners requesting Augustine to write specific letters on their behalf, which they would then deliver, and sometimes take other letters that were awaiting delivery from Augustine. For example, Augustine wrote ep. 178 to Hilarius at the request of Palladius, who had asked Augustine to recommend him to Hilarius. Palladius delivered the letter to Hilarius, as well as an oral message of news of Augustine. For more on letter bearers in late antiquity, see Pauline Allen, 'Prolegomena to a Study of the Letter-Bearer in Christian Antiquity', *Studia Patristica*, 62 (2013), 481–91; Sigrid Mratschek, 'Die ungeschriebenen Briefe des Augustinus von Hippo', in *In Search of Truth: Augustine, Manichaeism and Other Gnosticism. Studies for Johannes van Oort at Sixty*, ed. Jacob Albert van den Berg, Annemaré Kotzé, Tobias Nicklas and Madeleine Scopello (Leiden, 2011), 109–22; Élisabeth Paoli-Lafaye, 'Messagers et messages. La diffusion des nouvelles de l'Afrique d'Augustin vers les régions d'au-delà des mers', in *L'information et la mer dans le monde antique*, ed. Jean Andraeu and Catherine Virlouvet (Rome, 2002), 233–59; Pauline Allen, 'Christian Correspondences: The Secrets of Letter-Writers and Letter-Bearers', in *The Art of Veiled Speech: Self-Censorship from Aristophanes to Hobbes*, ed. Han Baltussen and Peter

weight of the institutional Church behind him, Augustine's reaction to Ecdicia's disclosure sidesteps responsibility for her well-being and safety, denying her justice and failing to hold her husband to account.⁷⁹

Although it was legal for Roman men like Ecdicia's husband to have sexual relationships outside marriage, in *sermo* 392 Augustine preached that wives who know of their husbands' infidelity or broken vows of chastity should inform him directly.⁸⁰ Through Augustine, Christ orders shamelessly unchaste husbands to perform the humility of penance to absolve them of their sins. They should refrain from communion, and they are summoned before God's judgement. Augustine instructs wronged wives not to tolerate calmly their husbands' infidelities. Instead he demands they be jealous of their husbands, not for the sake of their bodies, but for the sake of their souls.⁸¹ How can we reconcile what Augustine preaches here with his response to Ecdicia in *epistula* 262? In his sermon, Augustine is uncompromising in his condemnation of adulterous husbands, painstakingly setting out each circumstance in which infidelity is not allowed. Men who break the bonds of marriage are centred, but in *epistula* 262, Augustine reserves his criticism for Ecdicia only, blaming her for her husband's infidelity. In his sermon, Augustine argues that men compromise their eternal souls through infidelity, and that wives must not be indifferent but fight obstinately with them over their chastity. By comparison, Ecdicia's response of fleeing her husband appears self-interested and transgressive. Augustine's encouragement to women to inform him of their husbands' infidelities reveals the double standard in *epistula* 262, for when Ecdicia follows his request, Augustine blames her for it and makes her responsible for fixing the situation.

J. Davis (Philadelphia, 2015), 209–32; Pauline Allen and Bronwen Neil, *Greek and Latin Letters in Late Antiquity: The Christianisation of a Literary Form* (Cambridge, 2020), 96–115.

⁷⁹ 'Expectations for justice that go unmet ... create another enormous category of aftermath nonevents ... The dire circumstances of those for whom justice is passionately desired but is instead deferred or delayed because nothing happened to the perpetrators, makes it seem that the surviving victims are still powerless in the face of their persecutors. For them, Nothing has changed.' Susan A. Crane identifies nothing, a void in history that, whilst it has been present all along, has been overlooked and ignored. Her *History of Nothing* aims to map that void. Susan A. Crane, *Nothing Happened: A History* (Stanford, 2020), 18.

⁸⁰ *Serm.* 392.4: 'I myself, I repeat, am giving you orders: don't allow your husbands to go on fornicating. Bring your complaints against them to the Church. I don't say to the civil judges, to the governor, to the deputy, to the commissioner, to the emperor; but to Christ.' *Sermons*, trans. Edmund Hill, pt III, vol. 10 (New York, 1995), 423. 'ego, inquam, iubeo. Nolite uiros uestros permittere fornicari. Interpellate contra illos ecclesiam. Non dico, iudices publicos, non proconsulem, non uicarium, non comitem, non imperatorem; sed christum.' *Patrologia Latina* 39, col. 1711. Augustine notes in *sermo* 82 that women do come to him to tell him about their husbands' affairs: 'There are people who commit adultery in their own homes; they sin privately. Sometimes they are reported to me by their wives out of extreme jealousy, sometimes out of a real concern for their husbands' salvation.' *Sermons*, trans. Hill, pt III, vol. 3, 375. *Serm.* 82.11. 'Sunt homines adulteri in domibus suis, in secreto peccant; aliquando nobis produntur ab uxoribus suis plerumque zelantibus, aliquando maritorum salutem quaerentibus: nos non prodimus palam, sed in secreto arguimus.' *Patrologia Latina* 38, col. 511.

⁸¹ *Serm.* 392.4.

Conclusion

No further evidence concerning Ecdicia and her child survives, and it is impossible to know if she was forced to follow Augustine's advice and return to her husband, or if she managed to maintain her autonomy. In writing to Augustine and making him aware of the harms perpetrated against her as she must have done, Ecdicia advocated for herself, claiming entitlement to redress and sympathy, perhaps as the earliest attested victim of domestic abuse to flee with a child. *Epistula* 262 stands out within the letter collection because the female assertion of agency and entitlement to acknowledgement of harm is unusual, and Augustine pushes back against it. Instead, women are explicitly and implicitly expected to provide a caring and sympathetic audience for men's victim narratives. In other words, one of the goods women are characteristically held to owe dominant men is their moral focus and emotional energy, something which abusive men often feel excessively entitled to.⁸² Augustine's blaming of female victims for the sexual violence and domestic abuse perpetrated against them is an end-point conclusion within a thought-system of patriarchal entitlement and hostile misogyny where women are not entitled to acknowledgement and redress. Even raising an accusation of harm against a man is a dangerous transgression of the boundaries of gendered societal expectations.⁸³ This system is so complete in Augustine's fifth-century North Africa that only through comparison of his reaction to a male victim of sexual harassment can we see how polarised his conception of female and male victimhood is. Although this article seeks to highlight the framework of misogyny that was embedded in Augustine's epistemology, it does not argue that his response to Ecdicia was exceptional, or exceptionally heinous. Instead, Augustine's letters illuminate normative levels of violence in domestic and familial environments that are simultaneously interpersonal and structural, and that reflect the rigid hierarchisation of Roman society dominated by patriarchal thought systems and constructions of power.

⁸² Manne, *Down Girl*, 231.

⁸³ *Ibid.*, 230–1.