Americans might have hoped, as we enter the 21st Century, that after more than two hundred years of debate about the meaning of First Amendment to our Constitution, we would have achieved some consensus about the proper relationship between government and religion. “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” the Amendment says. Does this mean that ‘faith-based’ organizations must be eligible to compete for federal funds to support their social-service programs? Are we, in fact, violating their right to the free exercise of their religion if we do not permit religious organizations to apply for tax money for those purposes? So the present administration urges.  

I am skeptical about this. The administration concedes that it would be a violation of the establishment clause if the government used tax money to support worship services, religious instruction, or proselytization, because these activities are ‘inherently religious.’ If faith-based social-service programs are nonetheless permissible, that suggests that they must not be inherently religious. But if they aren’t, how can it be a violation of the free exercise clause not to fund them? And in any case, how does the failure to fund faith-based programs constitute a prohibition on the free exercise of religion?

All this is very puzzling, and may suggest that the administration’s position is not very clearly thought out. I make no attempt to resolve that question in this paper. I mention these contemporary issues of public policy only to indicate that, however deeply we may be attached,
as a people, to the First Amendment, we may not have a clear and agreed understanding of the values it expresses. The state, we say, may not use its coercive powers to favor one religion over another, or to favor adherence to some religion over adherence to no religion at all. But why should our Constitution thus restrain the state when a very substantial majority of our people identify themselves as Christians?  

My project in this paper, and others related to it, is to explore some of the rationales which have historically been offered for permitting people to think what they please in matters of religion, and to act on those beliefs, at least within reasonable limits. By the end of the 18th Century it had come to be accepted in most of Western Europe that every decent society must embrace some principle of religious toleration. But as late as the 16th Century most Europeans, I think, regarded

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3 Reliable statistics are difficult to get in this area, but the American Religious Identification Survey conducted by the Graduate Center of the City University of New York in 2001 found over 75% identifying themselves as Christians. For details, see their website: http://www.gc.cuny.edu/studies/aris_index.htm.

4 In print at this stage are: "Castellio vs. Spinoza on Religious Toleration," in The Proceedings of the Twentieth World Congress of Philosophy, ed. Klaus Brinkman, Bowling Green, Ohio: Philosophy Documentation Center, 1999, vol. 7 and “From Locke's Letter to Montesquieu's Lettres,” in Midwest Studies in Philosophy 26(2002): 280-306. In progress are: “Skepticism and Toleration: the case of Montaigne” and “Rara temporum felicitas: Spinoza on Toleration.” I foresee these essays as coming together eventually into a book, in which Spinoza would play a central role in the rise of toleration which occurred between the 16th and 18th Centuries, much as he does in Jonathan Israel’s Radical Enlightenment (OUP, 2001). Israel’s scope is broader than mine, and his style is more that of an historian than of a philosopher. But I am broadly in agreement with his picture of the emerging Enlightenment and the importance to it of radical thinkers like Spinoza.

5 There is continuing disagreement about what limits are reasonable. The Sherbert decision (374 U.S. 398 (1963)) had held that the government could substantially burden a religious practice only if it was protecting a compelling government interest by the least intrusive means possible. The Smith decision (494 U.S. 872 (1990)) effectively reversed that decision, holding that the free exercise clause does not relieve individuals of their obligation to obey generally applicable laws, not specifically directed at religious practices as such (in this case, against the use of peyote); it is not necessary for the government to show a compelling interest or that it used the least intrusive means possible. Smith has been highly controversial. In 1993 Congress passed the Religious Freedom Restoration Act, which attempted to reinstate the Sherbert doctrine. In Boerne (521 U.S. 507 (1997)), however, the Court held that in this act Congress had exceeded its authority by attempting to substitute its interpretation of the Constitution for that of the Supreme Court.

6 So in 1791 the French Assembly’s Declaration of the Rights of Man and Citizen included the provision that “no man ought to be molested on account of his opinions, not even his religious opinions, provided his avowal of them does not disturb the public order established by the law.” (tr. by Thomas Paine, in his Castellio's Erasmian Liberalism - 05/22/15)
it as self-evidently false that it was desirable to tolerate significant differences of religious opinion. I want to know how this change came about and I want to know if the arguments people used to support toleration were good ones.

For most philosophers serious discussion of this topic begins with Locke's first *Letter Concerning Toleration* (1689). But the first substantial defense of religious toleration by a major philosopher in the Western tradition came in 1670, when Spinoza published his *Tractatus theologico-politicus*, as part of his broader defense of freedom of thought and expression. And the first book defending religious toleration in Western Europe⁷ was Sebastian Castellio's *De haereticis*, published in 1554. Readers familiar with Locke's work on toleration will find that many of his arguments, both good and bad, were already present in Castellio.

In this paper, I shall attempt to consider only Castellio's work, leaving other parts of the story for other venues. But Castellio's name, while well-known to students of Reformation history, is not well-known to philosophers.⁸ So we need a bit of background before we come to the arguments. And the place to begin is with Michael Servetus, whose execution for heresy prompted Castellio to write his work.

*Michael Servetus.*⁹ Servetus was a Spaniard, born in 1511, who entered the service of the king's confessor, Juan de Quintana, at some time in his mid-teens. The King of Spain at this point was Charles V, who had been educated in the Netherlands, had there come under the influence of Erasmus, and had in his court many Erasmian liberals, of whom Quintana was one. The spirit of Erasmian liberalism was to emphasize the ethical aspects of Christianity at the expense of the doctrinal, to suspend judgment on many theological issues, and to insist that the faith actually

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*The Rights of Man*, my emphasis)


⁸ There is no article on him either in Paul Edwards' *Encyclopedia of Philosophy* or in the Routledge *Encyclopedia of Philosophy*. An honorable exception to the neglect of the philosophers is Richard Popkin, whose *History of Skepticism from Savonarola to Bayle* (OUP, 2003) devotes several pages to Castellio, focusing mainly, not on *De haereticis*, but on Castellio's *De arte dubitandi*, which he left unfinished at his death in 1563, and which was not published until the 20th Century. On this work, see Guggisberg, ch. 10.

⁹ In this account I rely mainly on two books by Roland Bainton: *Hunted Heretic* (Beacon Press, 1953) and *The Travail of Religious Liberty* (Harper, 1951).
required for salvation was a simple and uncontroversial one:

You will not be damned if you do not know whether the Spirit proceeding from the Father and the Son has one or two beginnings, but you will not escape damnation if you do not cultivate the fruits of the Spirit, which are love, joy, peace, patience, kindness, goodness, long-suffering, mercy, faith, modesty, continence, and chastity... The sum of our religion is peace and unanimity, but these can scarcely stand unless we define as little as possible, and in many things leave each one free to follow his own judgment, because there is great obscurity in many matters...10

Servetus' duties permitted him to leave Spain to study jurisprudence at the University of Toulouse, where one question which exercised him was why Jews and Muslims should obstinately refuse to accept Christianity.

His studies led him to conclude that the great obstacle to converting these nonbelievers was the doctrine of the Trinity, an unnecessary obstacle, he came to think. Scriptural evidence for the doctrine was weak and rational theology could make no sense of it. A doctrine neither scripturally nor philosophically defensible should not be made a sine qua non of Christianity; Christians should not alienate Muslims and Jews from Christianity by requiring subscription to such a formula. Modern Unitarians sometimes claim Servetus as one of their founding fathers,11 and insofar as we attend only to the aspects of his doctrine so far described, this is fair enough.12

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10 From Erasmus' preface to the edition of Hilary, as quoted in Bainton's edition of Castellio, p. 33. This is perhaps the place to note that although Bainton writes that "no one did more than Erasmus to break down the theory and practice of the medieval variety of intolerance" (p. 30), he also acknowledges that Erasmus did not consistently support toleration. He accepted the right of the Church to punish heretics, even with death. Cf. Bainton, pp. 38-42. Erasmus’s position is too complex to deal with adequately here. I hope to return to it in later writings on this topic.


12 We should note, though, that Servetus was prepared to subscribe to trinitarian formulas which might well sound orthodox. For example, he writes: “I admit one Person of the Father, another Person of the Son, another Person of the Holy Spirit; and I admit Father, Son, and Holy Spirit, three Persons in one Godhead; and this is the true Trinity.” (Parke, p. 6) But Servetus did deny that the relation between God the Father and God the Son can be happily expressed in terms of the notion of substance: “I should prefer not to use a word foreign to the Scriptures, lest perchance in future the philosophers have occasion to go astray.” (ibid.) So he will not admit the formula of the Nicene Creed, that God the Son is of one substance with God the Father, and he rejects this formula on the rather Protestant-sounding principle that we should not be required to subscribe to doctrines which require for their expression ideas derived from Greek philosophy rather than Scripture. Luther himself had expressed qualms about using the word
Servetus recognized that it would be dangerous to publish views of the kind he was developing in a Catholic country, but he hoped he might have better luck among the Reformers. By the time he completed his first book on the Trinity he had gone to Basel, where he had extensive discussions with Oecolampadius. Oecolampadius was not persuaded; he urged Servetus to admit that Jesus was both consubstantial and co-eternal with God the Father. Sensing that he might have worn out his welcome in Basel, Servetus moved on to Strasbourg, where the civil authorities were comparatively lenient and he hoped for a more favorable reception from Bucer. In the end Bucer was not persuaded either. But while Servetus was in Strassburg he was able, in 1531, to publish his book, *On the Errors of the Trinity.*

Protestants and Catholics alike condemned this book as heretical, and Servetus went into hiding in Lyons, where he worked, under a pseudonym, as proofreader, editor, and publisher, and then, after a period studying medicine in Paris, practiced medicine. By then he had acquired other heretical views, notably the Anabaptist rejection of infant baptism. During the Lyons period he entered into correspondence with Calvin, hoping again to bring one of the leading Reformers round to his views. Unwisely, he sent Calvin a ms. copy of his as yet unpublished *Restitution of Christianity.* Calvin broke off the correspondence, telling a friend that if Servetus came to Geneva, he would not leave alive so long as Calvin's authority prevailed. When Servetus published the *Restitution* in Lyons in 1553, under a version of his initials, Calvin sent the Inquisition information which enabled them to establish the real identity of the author and his whereabouts. Servetus was imprisoned in Lyons, but managed to escape. Some months later, he turned up in Geneva, where he was recognized, arrested on charges of immorality and heresy, tried, convicted on the heresy charges and burned at the stake in October 1553. Before his death he asked to die by the sword, rather than by fire, because he was afraid that in his anguish he might recant and lose his soul. Though Calvin supported this request, the civil authorities denied it.

*Sebastian Castellio.* No doubt we should not romanticize Servetus. In the 16th Century thousands of people died because they were caught having the wrong faith in the wrong time and place. In the most notorious incident, the St. Bartholomew’s Day massacre of 1572, a conservative estimate is

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*homoousios* (WA VIII, 117-18). On this, see Bainton, *Hunted Heretic,* p. 60.

13 In the most notorious incident, the St. Bartholomew’s Day massacre of 1572, a conservative estimate is
death with dignity, but he also did a great deal to help bring that end upon himself: he called his work to the attention of the Catholic authorities by sending a copy of the Errors of the Trinity to the Bishop of Saragossa; he published that first book under his own name; he published the Restitution under initials which provided little cover; he sent a ms. of the Restitution to Calvin; and when he fled Lyons, he went, of all places, to Geneva, though he must have known by then that Calvin regarded his views as heretical and had no reservations about the punishment of heretics. Though he intended his stay in Geneva to be brief, he did attend Sunday services at Calvin's church. He ought to have known that if he was recognized, he would be arrested.

But Servetus, in many ways, is a special case. He was killed, not by a mob rampaging through the streets of Paris, but coolly, as the result of a judicial process, which had considerable assistance from one of the giants of the Reformation. He might have saved himself, had he been willing to recant his views. But he refused that way out, even when he knew that the alternative was death at the stake. And he had a champion, Sebastian Castellio.

Castellio (1515-63) was a Savoyard Protestant, living in Switzerland as a refugee from Catholic persecution in France. In his teens he had received a humanist education at Lyons, and had been deeply impressed by Luther's words at the Diet of Worms: "Everyone believes at his own risk... Conscience must not be submitted to anyone." On leaving France in 1540 he had gone first to Strassburg, where he lodged with Calvin, then an exile from Geneva. When Calvin was recalled to Geneva, he took Castellio with him, and arranged for him to become the head of an academy there. In that capacity Castellio wrote a popular collection of Latin retellings of biblical stories, so that his students could learn classical Latin without being corrupted by the pagan content of ancient Roman literature. He wanted to become a minister in Geneva, but was rejected by the Council, because he disagreed with Calvin on two points of doctrine: the interpretation of Jesus' descent into hell, and the status of the Song of Solomon. Disappointed in his ambitions, Castellio left Geneva

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that 3,000 French Protestants were killed in Paris alone, and another 7,000 in the provinces. See Mark Greengrass, France in the Age of Henry IV, 2nd edition, Longman, 1995, p. 7.


15 Castellio regarded the Song as profane love poetry, unworthy of inclusion in the canon. Calvin, Castellio's Erasmian Liberalism - 05/22/15
for Basel, without good job prospects, but with a letter of recommendation from Calvin, who testified that but for these two disagreements he would have been entirely suitable for the ministry. After years working at jobs well below his qualifications, during which time he produced a highly regarded, if controversial, Latin translation of the Bible, Castellio became a teacher of classics at the University of Basel in 1553, the year of Servetus' execution. Within months Castellio published his attack.

*An anthology of learned opinion.* The full title of Castellio's work is * Concerning Heretics, whether they are to be persecuted, and how they are to be treated, a collection of the opinions of learned men, both ancient and modern.* The subtitle gives some hint of the curious nature of this work. Much of it is not Castellio's own words, but excerpts from the works of others who had written in favor of toleration, presented without editorial comment. Most of these excerpts from other authors are fairly short, ranging in length from a single paragraph to two or three pages. A few run as long 14 or 15 pages. Some are from Church fathers; others are from Castellio’s contemporaries. Some are famous even today; others are now forgotten to all except scholars of the period.

In his dedication to Duke Christoph, Castellio, writing under the pseudonym Martin Bellius, explains that he had made this collection of the opinions of learned men in the hope that a consideration of their arguments might “lead to less offense in the future.” (Bainton, p. 126) Castellio acknowledges that some of his authors were not consistent advocates of toleration. But he argues that we should accord more authority to the passages he cites from them, because they were “written in a time of tribulation, when men are more accustomed to write the truth, and because [these passages are] especially consonant with the meekness and mercy of Christ.” (p. 127)

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interpreting it allegorically, defended its inclusion.
16 Although praised by many (including, in the 17th Century, the Catholic scholar, Richard Simon), Castellio’s Latin and French translations of the Bible were placed on the Spanish and Roman *Indices of Prohibited Books* and also fiercely attacked by Beza in the years following the publication of *De haereticis*. See Guggisberg, pp. 176-186, 249-250.
17 See the edition of Castellio's work by Roland Bainton, Octagon Books, 1965. Unless otherwise indicated, subsequent references to ‘Bainton’ will be to this edition.
18 In this category are the excerpts from Lactantius, Caspar Hedio, Johann Agricola, Jacob Schenck, Christoph Hoffmann, John Calvin, Otto Brunfels, Conrad Pellican, Urbanus Rhegius, St. Augustine, Chrysostom, Jerome, and Coelius Secundus Curio.
*Castellio's Erasmian Liberalism* - 05/22/15
Perhaps the most influential author who can be quoted on both sides of the issue of toleration is St. Augustine. In one of his later letters he writes:

I was formerly of the opinion that no one should be forced to the unity of Christ, that we should agitate with the word, fight with disputation, conquer by reason, lest we substitute feigned Catholics for avowed heretics. This opinion of mine was changed, not by the words of critics, but by the logic of events. My own town rose up to convict me. It had been entirely devoted to the Donatist party, but now was brought to Catholic unity by fear of the imperial laws.\textsuperscript{20}

This was not one of the Augustinian texts Castellio quoted.\textsuperscript{21} But even after Augustine changed his mind about the legitimacy of using force to achieve uniformity, he did write words liberals could use, at least in criticism of the execution of Servetus. Augustine seems to have always felt uncomfortable about executing heretics. In several of the passages Castellio cites (cf. Bainton, pp. 206-209) the main point is to forbid excessive punishment, not to forbid all punishment. With only one exception, Castellio's quotations from Augustine come from his later, less tolerant period.

Even in Augustine's later writings, Castellio is able to find a congenial interpretation of the parable of the weeds in the wheat. This text is quite a central one for our discussion, coming up repeatedly in the toleration debate. So it will be well to have it before us:

He [Jesus] put to them another parable: "The kingdom of heaven may be compared to someone who sowed good seed in his field; but while everybody was asleep, an enemy came and sowed weeds among the wheat, and then went away. So when the plants came up and bore grain, then the weeds appeared as well. And the slaves of the householder came and said to him, 'Master, did you not sow good seed in your field? Where, then, did these weeds come from?' He answered, 'An enemy has done this.' The slaves said to him, 'Then do you want us to go and gather them?' But he replied, 'No; for in gathering the weeds you would uproot the wheat along with them. Let both of them grow together until the harvest; and at harvest time I will tell the reapers, Collect the weeds first and bind them in bundles to be burned, but gather the wheat into my barn.'" (Matthew 13:24-30, NRSV)

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\textsuperscript{19} In this category are excerpts from Luther, John Brenz, Erasmus and Sebastian Franck.

Later in that chapter the disciples ask Jesus to explain this parable and he identifies the good seed with the children of the kingdom, the weeds with the children of 'the evil one,' and the reapers with the angels who will come 'at the end of the age.' (vss. 37-43)

Castellio quotes a passage from Augustine which concludes from this parable that "the office of collecting the tares [i.e., weeds] to be burned belongs to another [i.e., the angels], and no son of the Church should think it his business." But Augustine himself sometimes read the parable in a less liberal way, arguing that the reason Jesus gives for not pulling up the weeds – the danger of mistaking wheat for weed – implies that when there is no doubt about whether a plant is weed or wheat, there is no reason not to pull it up.

Castellio also treats Luther rather selectively. He quotes a passage from the earlier, more tolerant Luther, which interprets the parable of the weeds as excluding the use of force (Bainton, pp. 153-4), and passes over in discreet silence later passages in which Luther found a way to render that parable consistent with the repression of sectaries who denied the Apostles' Creed. (Bainton, p. 48)

Castellio quotes extensively from Luther's On Secular Authority, which was prompted by the Duke of Saxony's attempt to prohibit distribution of Luther's translation of the New Testament. There Luther takes a very strict line about the limits of secular powers, holding that they extend only to bodies and goods on earth. Only God has jurisdiction over men's souls, since only he has the knowledge of men's souls which would permit him to judge whether or not they are complying with his command: "Every man should be allowed to believe as he will and can, and no one should be constrained." Understandably Castellio does not quote from texts in which Luther takes a more expansive view of secular power, as, for example, when he urges the German nobility to reform the... 

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21 Though he knows the text, of course, and refers to it on pp. 243 and 246.
22 Migne, PL XXXV, 1369-70; Bainton, p. 208.
23 Contra epistulam Parmeniani, III, ii, 13, PL XLIII, 92, as cited and translated in Lecler, I, 55.
24 Cf. Harro Höpfl (ed.), Luther and Calvin on Secular Authority, Cambridge UP, 1991, p. ix. Höpfl notes the difficulty in Luther's attempt to draw a distinction between the secular and the religious: as a form of personal property, books are, on the face of it, subject to the rulers' jurisdiction.
25 Bainton, p. 145. In this connection Luther quotes Augustine: "No one can or ought to be constrained to believe." Rawls seems to me unfair to Luther when he writes that "Luther and Calvin were as dogmatic and intolerant as the Roman Church had been." (Political Liberalism, Columbia UP, 1993, p. xxiii) Ironically, one of the Lutheran errors Leo X condemned in his Bull of 1520 was the view that "the burning of heretics is contrary to the will of the Holy Spirit." (See Heinrich Denzinger, The sources of Catholic dogma, St. Louis : Herder, 1957, p. 1483)
Church, or agrees with Melanchthon that the Anabaptist rejection of the ministerial office is a blasphemy punishable by death.\textsuperscript{26}

Castellio even tries to enlist Calvin himself in support of toleration, though this is a stretch. He is able to find a passage in the 1536 edition of the \textit{Institutes}, where, after saying that we should use "exhortation and teaching, clemency and mildness, [and] prayers to God" to bring the excommunicated back to the Church, we should treat in the same way even the Turks and the Saracens and other enemies of the true religion. Far be it that we should approve of the means which many have employed hitherto to force them to our faith by denying them fire and the common elements and all the offices of humanity, and [by] persecuting them with the sword and arms.\textsuperscript{27}

But this is only a passing remark, which Calvin deleted from later editions of the \textit{Institutes}.

Castellio’s book does not consist entirely of quotations of that kind. Sometimes he speaks for himself, after his fashion. There is, first of all, a dedicatory letter to Duke Christoph of Württemberg, which serves as a preface to all the contemporary editions of Castellio’s work.\textsuperscript{28} Castellio does not present this letter as being his own work, since he publishes his book under the pseudonym "Martin Bellius," and Bellius is supposed to be the author of this letter. But his contemporaries quickly identified this Martin Bellius as Sebastian Castellio and modern scholarship generally agrees.

The French translation which appeared concurrently with the Latin original contains a second dedicatory letter, to Count William of Hesse. The anonymous author of this letter is identified only as the translator of the work. Some scholars have thought that Castellio was the translator of his work into French, and hence, the author of the second letter, though this is not at all clear. So I shall refer to the author of the second dedication simply as “the French translator.” More on this later.

\textsuperscript{28} Castellio's work appeared in 1554 in two simultaneous Latin editions, as well as in French and German translations. For the most part the differences between these editions are minor. The most important difference concerns the second dedicatory letter in the French translation, which does not appear in either of the Latin editions or in the German translation.
Castellio does appear under his own name in his book, by way of quotation from the preface he had written for his Latin translation of the Bible (1551). The similarity of the views expressed in that preface to those expressed by Martin Bellius was presumably one of the clues which enabled his contemporaries to penetrate his pseudonym. And he also appears under two additional pseudonyms: George Kleinberg and Basil Montfort. The ‘Kleinberg’ passage is among the longer items in the anthology. The ‘Montfort’ passage is the longest (28pp.) and concludes the work.

Of a book whose total length (in Bainton's edition) is about 135pp., less than half (about 57pp.) is written by Castellio himself, though only five pages are presented as being his words. This article will concentrate on the portions of the work which Castellio himself seems to have written.

Bellius in the dedication to Duke Christoph. The Erasmian influence appears very strongly in the dedication to Duke Christoph. The Duke was a Lutheran, who had persecuted Catholics, Zwinglians, and Anabaptists (Bainton, pp. 57-8), but who, Castellio thought, could be reached by argument. The dedication opens with a parable of Castellio's own devising:

Most Illustrious Prince, suppose you had told your subjects that you would come to them at some uncertain time and had commanded them to make ready to go forth clad in white garments, to meet you whenever you might appear. What would you do if, on your return, you discovered that they had taken no thought for the white robes, but instead were disputing among themselves concerning your person? Some were saying that you were in France, others that you were in Spain; some that you would come on a horse, others in a chariot; [etc....] (Bainton, p. 121)

Castellio proceeds to describe the violent quarrels the Duke's subjects would be engaged in, in this imagined situation, and asks rhetorically whether the Duke would commend subjects who responded in this way to his command. Then he changes the supposition:

Suppose, however, that some did their duty and followed your command to prepare the

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29 So Bainton holds, and I have no reason to question his judgment on this. The classic biography of Castellio by Ferdinand Buisson (Sebastien Castellion, Paris: Hachette, 1892, 2 vols.) identifies Basil Montfort with Castellio (vol. I, p. 404), but conjectures that George Kleinberg is a pseudonym for David Joris (vol. II, p. 164). Guggisberg (pp. 93-94) judges it to be demonstrable that Basil Montfort is Castellio, highly probable that Martin Bellius is, and likely that George Kleinberg is.
white robes, but the others oppressed them on that account and put them to death. Would you not rigorously destroy such scoundrels? (ibid.)

And again,

Suppose that accusation were brought in your city of Tübingen against a man who spoke of you in this fashion: "I believe that Christoph is my prince, and I wish to obey him in all things, but I do not believe what you say, that he will come in a chariot. I think he will come on horseback... As for his command that we bathe in this river, I think we should do so in the afternoon, you think it should be done in the morning. If I thought that he wished me to bathe in the morning, I would do it, but I am afraid of offending him, and I wish to follow my conscience." ... Would you condemn such a citizen? I do not think so. If you were present you would rather commend the simplicity and obedience of such a man than condemn his ignorance, and if others put him to death, you would certainly punish them. (ibid., pp. 123-24)

How effective this rhetoric actually was, I do not know, but it seems to me that the parable does reveal some of the limitations of erasmian liberalism.30 In the parable wearing the white robe stands for living justly and innocently, whereas the disputes about the person of the prince and bathing stand for theological debates, like those over the doctrine of the Trinity, or the Eucharist, or infant baptism, or predestination. In support of his practical emphasis Castellio refers us to St. Paul: "Though I understand all mysteries, and have not love, it profiteth me nothing."31

The parable seems to imply that obedience to the law is sufficient for salvation, and that it is not necessary to have correct beliefs on any disputed theological issue. Whatever the actual effect of this argument on Duke Christoph, it ought not to convince any Lutheran (or Calvinist) who knows his position: it puts too much emphasis on works, and no emphasis at all on faith; and it presupposes an affirmative answer to the theological question of free will, assuming that even after the fall man does have the power to make his conduct conform to God's will. Perhaps it is unnecessary to add that Castellio also quotes rather selectively from St. Paul, whose letters contain

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30 And of Locke’s approach to toleration, to the extent that it, too, exemplifies what I am calling ‘Erasmian liberalism.’ I’ve discussed Locke in more detail in “From Locke’s Letter to Montesquieu’s Lettres,” cited above in n. 4.

many passages which support the other side of the debate over free will.32

One reason Castellio puts the emphasis he does on works, as opposed to faith, is that he
thinks it possible to reach agreement about what conduct deserves punishment, but not to reach
agreement about what theological positions might be erroneous enough to deserve punishment:

To judge of doctrine is not so simple as to judge of conduct. In the matter of conduct, if you
ask a Jew, Turk, Christian, or anyone else, what he thinks of a brigand or traitor, all will
reply with one accord that brigands and traitors are evil, and should be put to death. Why do
all agree in this? Because the matter is obvious... This is what St. Paul meant [when he said]
that the Gentiles have the law written in their hearts [Rom. 2:15]... Now let us take up
religion and we shall find that it is not so evident and manifest...33

Castellio suggests that there is one theological truth evident enough to produce universal
agreement: that there is one God, and one God only. All the other theological doctrines which
divide the various Christian sects from one another – and even those which divide Turks, Jews and
Christians from one another! – all these matters, it seems, are obscure, otherwise disagreement
would not persist. Turks, Jews and Christians agree in worshipping the same God; the doctrines
which divide them have mainly to do with the person of Christ, for whom the Turks have a higher
regard than the Jews do, though they do not esteem him as highly as Christians do.34 These
theological disputes are those about which it is not necessary for us to have correct opinions.

So Castellio's emphasis on practice over theology is based on what may seem a fairly
radical skepticism about the possibility of knowing theological truth. A Christian might well ask

32 Cf. Luther in his debate with Erasmus, Luther and Erasmus: Free Will and Salvation, ed. by E. Gordon
33 Pp. 131-32. That ethical truths are obvious seems to be central to Castellio's argument.
34 Castellio seems to be aware of the special status Jesus has in Islamic teaching. The Qur'an accepts Jesus
as one of the greatest of the prophets, and even accepts the doctrine of the virgin birth, while rejecting his
divinity and crucifixion. Historically Jewish views of Jesus have been less favorable. E.g., in the Letter to
Yemen, Maimonides not only denies that Jesus was a prophet, but also regards him as "a wicked and heretic
man... who [sought] to destroy the Law... [and pretended] to work miracles." See F. E. Peters, Judaism,
contrasts Islam with Judaism in a less ecumenical spirit, saying that the Turks "scarcely love Christ," while
the Jews "dearly hate him." (p. 215, from the preface to his Latin translation of the Bible) Cf. the passage
Castellio quotes from Sebastian Franck, p. 187.
what is left of Christianity, when all its distinctive doctrines are declared unnecessary for salvation. Theodore Beza's reaction to the preface to Duke Christoph seems to me perfectly reasonable from his point of view, even if somewhat intemperately expressed:

If it is necessary to endure the vomit this impious man has spewed in his preface, what remains intact to us in the Christian religion? In his eyes, the teaching concerning Christ's mission, on the Trinity, on the Eucharist, on baptism, on justification, on free will, and on the state of souls after death, is useless - or at least, it is not indispensable for salvation. Even the Jews and the Turks believe in God... You see where this is leading: once Scripture is deprived of all authority, we should have nothing more to do but to pass into pharisaism; we would become the plaything of the papists and the Turks.35

In our own time, when many Christians interpret their faith more in the manner of Castellio than of Beza, these concerns may seem excessive. But as I write these words, on Ash Wednesday of 2004, Mel Gibson’s film “The Passion of the Christ” has just opened around the country, provoking the following reaction from Kenneth L. Woodward, on the op-ed page of the New York Times:

More than 60 years ago, H. Richard Neibuhr summarized the creed of an easygoing American Christianity that has in our time triumphantly come to pass: "A God without wrath brought men without sin into a kingdom without judgment though the ministrations of a Christ without a cross." Despite its muscular excess, Mr. Gibson's symbol-laden film is a welcome repudiation of all that.36

If an Erasmian liberal interpretation of Christianity appears to be triumphant in 21st Century America, the more conservative understanding of Christianity is not dead. In Castellio's day many Christians feared, with some reason, that the expansion of the Ottoman Empire might lead to an Islamic Europe. It is not clear that Castellio's position would permit him to have any theological objection to conversions to Islam. After all, don’t Jews, Christians and Muslims all worship the same God?

One question which inevitably arises in this discussion is how we are to define "heresy." Castellio first suggests that if we followed the ordinary usage of the term, we would have to regard

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we regard those as heretics with whom we disagree. This is evident from the fact that today there is scarcely one of our innumerable sects which does not look upon the rest as heretics, so that if you are orthodox in one city or region, you are held for a heretic in the next.

(Bainton, p. 129)

This account foreshadows Hobbes’ explanation of the distinction between religion and superstition37; if accepted, it would clearly make persecution for heresy a dubious enterprise.

But Castellio recognizes that his opponents might think they should follow, not ordinary usage, which merely reflects the opinions of the common man, but the Word of God. So the question becomes: how is the term ”heretic” (i.e., the Greek *hairetikos*) used in Scripture? Castellio points out, correctly, if somewhat misleadingly, that ”heretic” occurs only once in Scripture, and there in a context which suggests, happily enough, that heretics should be treated fairly mildly. In Titus 3:10-11 the penalty envisaged for heresy is nothing worse than excommunication, exclusion from the community of believers.38

Why is Castellio's observation about scriptural use of the term *hairetikos* misleading? Although that term does occur only once in Scripture, the closely related term *hairesis* occurs in 2 Peter:

But false prophets also arose among the people, just as there will be false teachers among you, who will secretly bring in destructive opinions. They will even deny the Master who bought them - bringing swift destruction on themselves. (2:2)

I cite the NRSV here, though I have some doubt whether ”destructive opinions” quite captures the force of *haireseis apoleias*. The King James Version reads ”damnable heresies." This passage is not specific as to who should punish heretics; its continuation might be read as encouraging the faithful to leave their punishment to God. But it does make it clear that ultimately heretics are to receive eternal damnation. Those who would punish heretics in this life might easily think that anything they could do would pale by comparison with that.

37 “This fear of things invisible is the natural seed of that which everyone in himself calleth religion, and in them that worship or fear that power otherwise than they do, superstion.” *Leviathan*, c. xi, ¶26.
38 The NRSV renders *hairetikos* by ”anyone who causes divisions.”
This bears on a fundamental theme of Castellio's defense of the right to heresy, eloquently stated in the final paragraph of the Dedication to Duke Christoph:

O Creator and King of the World... art Thou become so changed, so cruel, so contrary to Thyself? When Thou wast on earth none was more mild, more clement, more patient of injury. As a sheep before the shearer Thou wast dumb. When scourged, spat upon, mocked, crowned with thorns, and crucified shamefully among thieves, Thou didst pray for them who did Thee this wrong. Art Thou now so changed? ... dost Thou now command that those who do not understand Thy precepts as the mighty demand, be drowned in water, cut with lashes to the entrails, sprinkled with salt, dismembered by the sword, burned at a slow fire, and otherwise tortured in every manner and as long as possible? Dost Thou, O Christ, command and approve of these things? (p. 134)

Castellio's idea – plausibly enough – is that torturing heretics, and inflicting painful deaths on them, is incompatible with the love and forgiveness which Christ preached and practiced, and which God must be presumed to favor.

One problem with that idea is that it is very difficult to reconcile this emphasis on love and forgiveness with what we may call the darker side of Scripture, e.g., with the doctrine of eternal punishment for sinners implicit in such scriptural passages as Mark 9:42-43:

If any of you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were hung around your neck and you were thrown into the sea. If your hand causes you to stumble, cut it off; it is better for you to enter life maimed than to have two hands and to go to hell, to the unquenchable fire.

Heretics might well be thought to have put a stumbling block before the little ones who believe in Jesus. Critics of persecution often write as if the persecutor’s primary concern were to save the soul of the heretic. Locke will do this when he argues that a saving faith cannot be coerced. But those who favor the burning of heretics may not be primarily concerned about the heretic's soul. They may be much more concerned about stopping him from spreading unbelief to those who are not yet heretics.

This seems, in fact, to be Aquinas' main concern. Bainton aptly cites the following passage from the *Summa theologiae*:

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On the part of the Church, however, there is mercy which looks to the conversion of the one who strays. Wherefore she condemns not at once, but “after the first and second admonition,” as the apostle directs.\textsuperscript{39} After that, if he is yet stubborn, the Church, no longer hoping for his conversion, looks to the salvation of others by excommunicating him and separating him from the Church, and furthermore delivers him to the secular tribunal to be exterminated thereby from the world by death.\textsuperscript{40}

Aquinas goes on to point out that although Arius was “but one spark in Alexandria, … as that spark was not at once put out, the whole earth was laid waste by its flame.” No doubt Aquinas exaggerates the extent of the harm caused by the Arian heresy, but Arianism did spread widely at the time, and has been a recurrent phenomenon in Christian thought.

Calvin, too, seems to have been primarily concerned not with the heretics’ souls, but with the souls of those whom the heretics might corrupt:

That humanity, advocated by those who are in favor of a pardon for heretics, is greater cruelty, because in order to save the wolves, they expose the poor sheep. I ask you, is it reasonable that heretics should be allowed to murder souls and to poison them with their false doctrine.\textsuperscript{41}

Whatever we might think about Servetus, Castellio seems to have planted his feet firmly on the road, not only to unitarianism, but also to universalism, i.e. to the doctrine that ultimately everyone will be saved, that there is no eternal punishment for any sinner.

\textit{The dedication to William of Hesse.} So far my account of Castellio’s own contribution to this debate has focussed entirely on the dedication to Duke Christoph, about 15pp. out of the 57 some he wrote. I cannot follow rest of his argument at the same level of detail, but I must give some

\textsuperscript{39} Alluding to Titus 3:10-11. As noted above, this passage only supports excommunication of the heretic.

\textsuperscript{40} \textit{Summa theologiae} II-II, qu. 11, art. 3, quoted by Bainton, p. 30 (who however omits the words which follow “the salvation of others”). I follow the translation in St. Thomas Aquinas, \textit{On Law, Morality and Politics}, ed. by William P. Baumgarth and Richard J. Regan, Hackett, p. 256. In \textit{Summa theologiae} II-II, qu. 10, art. 8, Aquinas offers a somewhat different reason for compelling heretics and apostates. Because they have at one time accepted the faith, they may be compelled to fulfill what they have promised. Heathens and Jews, on the other hand, who have never accepted the faith, may be compelled “to prevent them from hindering the faith of Christ,” i.e., exercising a bad influence on believers.

\textsuperscript{41} Calvin, \textit{The Defense of the Orthodox Faith} (1554), as quoted in Lecler, Vol. I, p. 334. I'm indebted to Craig Duncan for calling my attention to this passage in Calvin.
account of the general nature of the argument. The French translation of *De haereticis* contains a dedication to Count William of Hesse, which Bainton attributes to Castellio. As I indicated above, I have doubts about that attribution and will refer to the author of the dedication simply as “the French translator.” This translator admits that the magistrate may punish those who trouble the Church with... heresies and blasphemies which are plainly contrary to the Word of God. Of such character is the teaching of those who deny the creation of the world, the immortality of souls and the resurrection, as well as of those who repudiate the office of the magistrate in order that they may the better disturb the state to their hearts' content without reproof. (p. 137)

It looks from this as though there is more in scripture which is not obscure than we might have thought from the dedication to Duke Christoph. From the point of view of a modern advocate of toleration, this looks like dangerous backsliding. But the French translator does insist that the proper penalty for these heresies should stop well short of burning. The appropriate penalty, in the first instance, is merely a fine or something comparable (loss of civil rights?). If the heretic persists, he may be banished, the worst penalty the translator will countenance. If he returns from banishment, he may be imprisoned. If we stipulate that the term "persecutor" shall refer here to one who believes that it is sometimes legitimate for the state to inflict some punishment on those who hold incorrect theological views, then the French translator is a moderate persecutor.

The translator also insists that "we must be careful not to brand as seditious those who reprove the false doctors and teachers for their evil life and teaching" (p. 138), reminding us that sedition was a charge brought against the prophets, and apostles, and even against Jesus, when they criticized the religious leaders of their day. "It were better to let a hundred, or even a thousand, heretics live than to kill one upright man under the color of heresy." (p. 139)

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42 “Castellio, I think, edited the entire work and himself composed all of the sections which cannot be assigned to known authors.” (Bainton, p. 10) Buisson also assumed that Castellio was the author of the dedicatory letter to William of Hesse (vol. I, p. 373). But recent scholarship, relying on stylistic and linguistic considerations, has cast doubt on it. See Guggisberg, p. 95.

43 In modern usage someone who calls an act of suppression "persecution" suggests disapproval of the use of force to impose the view in question. I mean to use “persecutor” and related terms without prejudice to the question whether persecution so defined is wrong. I hope that it can be shown by argument that persecution so defined is wrong; but this is something which cannot be shown merely by attaching a negative label to the practice.
Erasmus had taught that we ought to confine the faith needed for salvation to a few simple doctrines, and not require more. But he was reluctant to define the fundamentals he thought essential to Christianity. (Bainton, p. 32) In the dedication to William of Hesse the French translator is more explicit:

Religion does not consist in some point which transcends human understanding, and concerning which we have no indisputable passages of Scripture, as, for example, in the understanding of the three persons, the Father, Son, and Holy Spirit. It is enough for us to believe that there is one substance in three persons without bothering ourselves unduly as to how one is related to the other. We need not worry whether the body of Christ is in heaven, whether God has created some to be damned and other to be saved, how Christ descended into hell, and the like. On these points each may be left to his own opinion and to the revelation of the Savior. It is sufficient to accept the fundamental points of true religion, which consists in believing that God is the source of all good, that man is condemned because of the disobedience of the first man and saved by the obedience of the second, who is Jesus Christ our Savior, provided a man, moved by the true fear of God, repent of his former evil life and resolve firmly not to turn to it again, and that he apply especially to himself with a firm faith the death and resurrection of Jesus Christ, who was born, suffered, died and rose for us... (Bainton, pp. 139-40)

This seems to me a good deal more meaty than the rather thin faith of the dedication to Duke Christoph. Some of what we find in the dedication to Count William – e.g., the reminder that the founders of Christianity were themselves persecuted for heresy – seems thoroughly in keeping with what we find in passages generally ascribed to Castellio. But the differences between the dedication to William and the dedication to Christoph are sufficient to make me doubt that the two are really by the same hand.

*Castellio as himself.* The principal thing to be noted about Castellio's preface from his translation of the Bible (which was a dedication of that work to Edward VI of England) is that he returns to the theme that the persecution of heretics is inconsistent with Christian values, alluding to the requirement of the Gospels that we should return good for evil:

We envy and revile and return, not merely evil for evil, but often evil for good, and if
anyone disagrees with us on a single point of religion we condemn him and pursue him to the corners of the earth with the dart of tongue and pen. (p. 212)

This last may not be quite fair to Calvin, who did, in fact, make a distinction between essentials and non-essentials, and was prepared to tolerate differences of opinion about non-essentials (though he had, of course, a much more expansive conception of what was essential than did Erasmus or Castellio). But the more fundamental issue here is that of the ethical requirements of Christianity.

Historically the Sermon on the Mount has sometimes encouraged Christians to think that the use of force is never permissible, and hence to adopt some form of pacifism. Taken strictly and universally, the injunctions to turn the other cheek, and not to resist evil, make the whole idea of political authority problematic. When some of the Anabaptists did take these injunctions strictly and universally, they raised the question whether a Christian state can legitimately use violence for any purpose. Since the point of the state, arguably, is to organize the use of force for the common good, they raised the question whether a Christian state is not a contradiction in terms.

Castellio is anxious to show that he would not go so far as that, that he accepts the legitimacy of the state, and its use of force, so long as it does not venture into questions of religious belief. So after saying that "the true arms... of the Christian religion" are learning, patience, modesty, diligence and clemency, he adds:

This I say only with regard to religion; for when it comes to crimes, murder, adultery, theft, false witness, and the like, which God has commanded to be punished, and for which he has prescribed the penalty, these are not called into controversy. God has spoken on these matters without obscurity and they pertain to the defense of the good, unless we wish to have our throats cut in our beds, so depraved are the times. Nor is there any danger that the magistrate, who is ordained of God for the defense of the good, should, in hanging a murderer, put to death a good man. No one ever yet defended murder, not even the murderer. But the case of religion and of the knowledge of Sacred Scripture is altogether different, for the things contained in it are given obscurely and often in enigmas and inscrutable questions, which have been in dispute for more than a thousand years without

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44 See the discussion in Bainton, pp. 75-76.
any agreement... (p. 215)

This seems much too easy a rationale for limiting political authority to the punishment of secular crimes. Surely there is often a real danger that the state, in attempting to punish murder, may put to death a good man. It may punish a man for what everyone agrees is a crime, but he may not be the one who committed the crime. Moreover, the question whether a particular homicide is murder (defined as unjustifiable homicide) can lead to disputes just as interminable as any question of theology. So the state may punish a man who unequivocally did the deed for which he is being punished, but that act may not be unequivocally a crime. The two ways in which the state, in attempting to punish murder, can kill a good man parallel the two ways in which the state, in attempting to punish heresy, can kill a good man.

We run the risk that the state will occasionally punish a good man for homicide, because it seems to us necessary for the common good, so that citizens may rest safe in their beds. The defender of religious persecution might well ask whether the eternal salvation of its citizens is not a good at least as important as their security in this life, and whether it is not worth taking the risk of punishing an occasional good man to attain that good.

The persecutors whom Castellio was principally addressing may in fact have had an unwarranted confidence in their ability to know the essential doctrines of the Christian faith. But though that confidence no doubt helps make it psychologically easier to persecute, it does not seem that a persecutor must be certain of his ability to distinguish essential theological truth from theological error (or non-essential truth) for his persecution to be rational. Suppose the persecutor thinks it, not certain, but just highly probable that he is right. And suppose he also attaches enormous disutility to the prospect that the person he takes to be a heretic will lead others astray. He might reason, in the manner of Pascal wagering on God's existence, that it is not worth taking that chance.

Recall, for a moment, Pascal's argument. He considers two options: either we believe in

45 Cf. Calvin, who held that genuine faith must involve a certain knowledge of God’s benevolence to us. (Institutes, Battles ed., III, ii, 7) “So long as your mind is at war with itself, the Word will be of doubtful and weak authority, or rather, of none.” (III, ii, 6) Similarly Luther, Enchiridion piarum precationum (Werke, WA X, ii, 389).

46 Pascal makes the wager argument in Pensées 418 (in the Lafuma numbering, used by Krailsheimer in Castellio's Erasmian Liberalism - 05/22/15
God or we do not. If we do not believe, and devote ourselves to a life of worldly pursuits, we may have a finite gain if we have bet on the winning option, but we will have an infinite loss if we have wagered incorrectly. If we believe, and abstain from worldly pursuits, we will have a finite loss if we have backed a loser, but our reward will be infinite if we have wagered correctly. If we think it unequivocally rational to maximize expected utility, the disparity between infinite and finite utilities makes belief rational even if God's existence is highly improbable. Assuming that these are our only options, that we are forced to choose between them, and that the payoffs are what Pascal thinks they are, his advice does not seem unreasonable. I grant that these are all large assumptions. But they are also all assumptions which it is very natural for a Christian to make.

In the case of persecution, let us suppose, there are again two options: either the persecutor is right or the tolerationist is right. The persecutor holds that if we do not have a certain set of theological beliefs, we will go to hell. If we hold the right beliefs, we will go to heaven. The (Castellian) tolerationist holds that no controversial member of this set of theological beliefs is essential to salvation, that our salvation depends essentially on right conduct (plus, perhaps, whatever theological beliefs are evident enough to escape controversy). Our persecutor is not certain of his position, but thinks it substantially more probable than the tolerationist's view.

Suppose further that he is right, that those beliefs are essential to (and sufficient for) salvation. If he were to permit the tolerationist to encourage doubts about the essential beliefs, and if, in consequence, the tolerationist did lead people to question or reject some beliefs essential to (.continued)
salvation, then the persecutor would have been indirectly responsible for the eternal torment of all those whom the tolerationist has led into doubt. That is an awesome responsibility.48

On the other hand, if the tolerationist is right, permitting him to spread doubt to others is not likely to improve their chances for salvation. That will now depend mainly on their conduct. Let us not introduce here the doctrine of original sin. Let us simply look around us, and ask how many of the people whose conduct we can observe would get to heaven if salvation required substantial conformity with the prescriptions of the Sermon on the Mount.

Still, if these people had sufficient respect for Christ, i.e., if they held those controversial beliefs about his person, they might behave better than they otherwise would. After all, it may be thought: religion is the foundation of morality, in the sense that people will not normally have adequate motivation to behave as they ought to unless they believe in the promises and threats of the gospels. Permitting the tolerationist to spread doubt looks like a bad bet, if we care deeply about the salvation of our fellow men, even if the tolerationist is right. And of course all we are conceding is that there is some chance that the tolerationist is right, not that there is anything like an equal chance of his being right. What does Christian love require if we follow this line of reasoning?

Castellio as George Kleinberg. The most interesting points Castellio makes here seem to me to involve an attack on the character of the persecutors. They are hypocrites, who adopt one position when in revolt, and another when in power. They are self-deceived, claiming a confidence in their opinions which they do not really have. They are cruel and unfair. "The very persons who at first reproached their adversaries for resorting to the sword because of inability to debate with the truth," he writes, referring to those reformers who made that reproach against Catholic persecutors, now, grown powerful, adopt the methods of their opponents. Having first burned the persons and the books of their critics at a slow fire, they then tilt against the ashes and vanquish in death those whom they could not overcome in life. Against even the ashes of books they argue to their sweet will now that no one is left to contradict. A just judgment indeed this is, to kill a man before we know whether he ought to be killed, and not to permit

48 It might be objected here that it would be inconsistent with the doctrine of predestination for anyone to consider himself responsible for anyone else's salvation. So far as I can see, that is right. But taking that line of thought to its logical conclusion would also seem to exclude any form of evangelism. So I assume that for these purposes we can ignore the implications of predestination.
even his books to plead his cause at least, not after his death. We reproach those who cut out
the tongues of their victims, while we cut off life and books in order that we may not prove
all things and hold fast to that which is good. (p. 219)

Addressing himself to the princes, he writes:

Do not heed those who counsel you to shed blood for religion. Do not serve as their
hangmen. Believe me, if they were oppressed, they would advise otherwise, as indeed many
of them did advise when they were suffering persecution. (p. 220)

In this context Kleinberg introduces a common theme in the tolerationist literature: that the mark of
the true church is that it is the one suffering persecution, not the one inflicting it. To support this he
cites the words of Paul: "All that will live godly in Christ Jesus shall suffer persecution." (2 Tim.
3:12)

Rhetorically, at least, this is pretty effective stuff, and I've quoted Kleinberg's words at some
length to let you feel their power. But there does seem to be a fallacy in the use he makes of the
quote from Paul, from which it does not follow that all who suffer persecution are godly. And as
argumentum ad hominem, it may not be so effective against an opponent like Calvin, who was
prepared to disown his early condemnation of persecution.

Castellio as Basil Montfort. Castellio assigns to Basil Montfort the task of replying to the
arguments commonly alleged in favor of persecution. Mostly the arguments he replies to are
scriptural, though some involve appeals to church history. I shall say nothing about the latter.

As regards the appeals to scripture, Castellio makes at least two points which seem to me
fairly important: 1) that the persecutors are selective in what they quote from Scripture; and 2) that
in their selections they show a surprising preference for the Old Testament over the New. It does
seem that the persecutors' best texts come from the Hebrew Bible, e.g.:

He that sacrificeth unto any God save unto the Lord only, he shall be utterly destroyed.
(Exodus 22:20)

If anyone secretly entices you – even if it is your brother... or your own son or daughter, or
the wife you embrace, or your most intimate friend – saying 'let us go worship other gods,'
whom neither you nor your ancestors have known... you must not yield to or heed any such
persons. Show them no pity or compassion and do not shield them. But you shall surely kill
them... Stone them to death for trying to turn you away from the Lord your God... (Deut. 13:6-10)

These are better texts, from the persecutors' point of view, than the passage cited earlier from Paul's letter to Titus, insofar as they clearly command the death penalty for a sin involving some violation of religious duty. But as Castellio points out, holding incorrect beliefs about baptism or the Trinity does not seem to be quite the same thing as worshipping a strange God, or as blasphemy against the God Servetus claimed to have in common with Calvin. And even in the Hebrew Bible there are texts which might have encouraged a more lenient view towards heretics. 49 Moreover, there is a great deal of the Mosaic law which Christians, even in the 16th Century, might hesitate to apply, such as the commandments to kill adulterers (Leviticus 20:10), or to stone to death children who disobey their parents (Deuteronomy 21:18-21), or to kill anyone who disobeys a priest (Deuteronomy 17:12). The persecutors are equally if not more selective in their treatment of the New Testament.

Finally, Castellio concludes with a number of pragmatic arguments: that it is not in fact possible to produce the right conviction by using only force on someone who does not have that conviction, that the most likely result of such persecution is that the person, while remaining unconvinced, will feign conviction, adding the sin of lying to the sin of heresy, and that often those who have practiced persecution at one time, when the political circumstances were favorable to them, have found themselves the victims of retaliatory persecution later, when the circumstances changed. (pp. 243-46) Castellio has a number of examples of this: Arian retaliation against orthodox Catholics in the 4th Century, Muslim retaliation against Christians, Catholic retaliation against Protestants in the England of his own day.

The aftermath of *De haereticis*. Castellio did not suffer the fate of Servetus. Nine years after the publication of his *De haereticis* he died in Basel without having been formally condemned by the local authorities. But those nine years did not pass peacefully, and the stresses generated by the need to defend himself against his critics appear to have brought him an earlier death than might have been expected. In 1554, in the forward to his commentary on Genesis, Calvin attacked him as

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49 Cf. p. 230, where Castellio cites Exodus 32:31-32 (Moses intercedes on behalf of the worshippers of the golden calf).
follower of Socrates, who sought “in the unholy freedom of doubt to destroy the whole religion.”

Later that year, in the second edition of his Latin translation of the Bible, Castellio broadened the area of conflict between himself and Calvin by including a criticism of Calvin’s interpretation of Romans 9, the most explicit scriptural basis for the doctrine of predestination. This led to his first difficulties with the censors in Basel, who sought (unsuccessfully) to have that edition withdrawn and the offending passages removed.

Shortly thereafter Castellio produced his Contra libellum Calvini, in quo ostendere conatur haereticos jure gladii coercendos esse, a title we might translate as: Against Calvin's tract, in which he tries to show that heretics are to be restrained by the civil authorities. The tract in question was Calvin’s Defenso orthodoxae fidei (Defense of the orthodox faith) which he had published in 1554, to defend his position in the Servetus affair. Calvin’s tract was not a response to De haereticis, but an anticipation of the criticism he knew he would receive. Castellio’s reply reads like a dialogue between himself and Calvin, with Calvin’s lines being supplied by quotations from the Defensio. This work is much sharper in tone than the De haereticis and attacks not only Calvin’s views on the suppression of heresy, but also his doctrine of predestination. Guggisberg speculates that fear of censorship led Castellio not to try to publish it in Basel, but he did circulate it in manuscript form, and in 1612, nearly 40 years after his death, it was published in the Netherlands.

Later in 1554 Calvin’s colleague in Geneva, Theodore Beza, published an explicit response to De haereticis in his Anti-Bellius, which argued that heretics represented a criminal threat to the unity of the Church and that ‘new Academics’ like Castellio, who regarded the doctrine of the

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50 The quotation is taken from Guggisberg, p. 97. Here and in what follows I summarize very briefly his detailed account of the controversies which followed the publication of De haereticis, in chapters 6, 7 & 9 of his Sebastian Castellio.
51 Nor was De haereticis a response to Calvin’s Defensio, though this has often been assumed. Guggisberg points out (p. 93) that recently discovered evidence shows that the work was in preparation late in 1553, before Calvin’s Defense had appeared. Some portions of Kleinberg’s contribution may be aimed at Calvin’s Defense (Guggisberg, p. 89). But De haereticis never explicitly mentions Calvin except when it quotes him as a defender of toleration.
52 Bainton’s edition of De haereticis contains substantial excerpts from the Contra libellum Calvini, pp. 265-287.
53 The full title is De haereticis a civili magistratu puniendis libellus, adversus Martinit Bellii farraginem et novorum Academicorum sectam (A Tract concerning heretics, who are to be punished by the civil magistrate, against the mishmash of Martin Bellius and the sect of the new Academics).
Trinity as too obscure a belief to be required for salvation, were dangerously weakening the faith. “The spiritual welfare of the whole community must take priority over the doubts and concerns of individuals.”54 Within a year Castellio replied in a work called *De haereticis a civili magistratu non puniendis* (Concerning heretics, who are not to be punished by the civil magistrate). Like his *Contra libellum Calvini*, this work was not published, but circulated privately in manuscript form to sympathetic colleagues. As often happens, these later parts of the controversy became repetitious and unpleasant. In 1556 Beza published a Latin translation of the New Testament in which he took the opportunity to criticize Castellio’s competing translation as sacrilegious and blasphemous. When Castellio attempted to reply to this criticism in 1557, the censors in Basel prevented the publication of his defense.

Later that year Castellio was required to defend himself before the rector and Council of the university against the accusation that he had denied both the divine inspiration of the Pauline epistles and the doctrine of predestination. Castellio reassured these authorities that he unequivocally regarded all the Pauline letters as divinely inspired, and that he accepted at least the election of all believers to salvation, regardless of merit. He did admit to having difficulty with the doctrine that the damned are predestined, but asked that this dissent be tolerated. All the professors present accepted this defense.

The next year brought a highly abusive attack from Calvin regarding predestination. Believing Castellio to be the author of a tract criticizing him on that doctrine, Calvin castigated Castellio as a thief, liar, traitor and agent of Satan. Castellio replied by denying authorship of the tract in question, though once again, this apologetic work was not published during his lifetime, only circulated among his friends and supporters.

It would be tedious to go through all the controversies of this kind which occupied the rest of Castellio’s life. Suffice it to say that in 1563 Adam von Bodenstein brought charges before the Basel Council accusing Castellio of heresy and abuse of office. Von Bodenstein was resident in Basel at the time, but his action seems to have been part of the Genevan campaign to make life in Basel uncomfortable for Castellio. These charges were based partly on Beza’s criticisms of *De haereticis* and partly on new allegations arising from Castellio’s association with Bernardino

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54 Guggisberg, p. 112, summarizing Beza.
Ochino’s *Dialogi triginta*, a provocative work which Castellio had edited and translated. Castellio defended himself vigorously against these charges, but died before the Council could reach a decision.

Guggisberg reports that none of Castellio’s contemporaries knew the exact nature of his final illness, but that they spoke variously of “extreme physical stress and exhaustion… an illness of the heart or soul…[and] terrible fevers and stomach complaints” (p. 201) We can only speculate about whether the Council would have found him guilty of the charges levelled against him. We know that shortly before his death Castellio was contemplating emigration to Poland, which has a haven for religious dissenters. But he was buried with the honors normally given to professors at the university of Basel, and his friends were able to persuade the university to continue paying his salary to his widow (Guggisberg, p. 169). These facts suggest that at the least he did not die in disgrace and that the Council might have found in his favor.

What should we think of Castellio? Castellio was not without honor in his own time, or without influence both then and later in the 17th Century. In his *Essais* Montaigne was to write:

I hear, with great shame for our century, that under our very eyes two personages most outstanding in learning have died so poor that they had not enough to eat: Lilius Gregorius Giraldus in Italy and Sebastian Castellio in Germany. And I believe there are a thousand men who would have sent for them on very advantageous terms, or helped them where they were, if they had known. \(^55\)

None of my other sources confirm Montaigne’s report of Castellio’s having died so poor that he did not have enough to eat, so Montaigne may have been misinformed about that, as he evidently was about Castellio’s country of residence. But the tribute to Castellio’s learning was almost certainly based on some first-hand acquaintance with his work. Given Montaigne’s interest in religious toleration, it seems likely that he would have known *De haereticis* at least, and probably also Castellio’s *Conseil à la France désolée* (1562), which argued that the civil wars in France arose from the attempt to constrain religion, and appealed to both the Catholic majority and the Huguenot minority to abjure violence and permit their enemies to practice their religion freely. \(^56\)

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\(^56\) Bainton translates excerpts from this work, under the title *Counsel to France in her Distress*, in his *Castellio's Erasmian Liberalism* - 05/22/15
We know that Castellio exercised an important influence on various dissident groups:

Fausto Sozzini edited several of Castellio’s previously unpublished works in 1578, declaring himself to be Castellio’s spiritual successor, before going on to establish the Socinian movement in Poland. In the Netherlands, Castellio’s works – particularly his *Conseil à la France désolée* and *Contra libellum calvini* – were used by the Remonstrants in the early 17th Century in their controversy with the Counterremonstrants. In Germany the Pietist movement, in Transylvania the Unitarians, in England the Latitudinarians, all came under Castellio’s influence. John Locke owned a number of Dutch editions of Castellio’s works, acquired during his self-imposed exile in the Netherlands in the 1680s, and planned, with his friend Philip van Limborch, to publish a new edition of Castellio’s Latin translation of the Bible, apparently abandoning the project only when someone else got a competing edition into print first.

In spite of this influence in theological circles, Castellio did not achieve a place in the philosophical canon. I think this is understandable. To the extent that he relies on pragmatic arguments, he offers prudential reasons for adopting a moral principle which philosophers are apt to think needs a fundamentally different kind of defence. Moreover, even as a purely practical matter, these pragmatic arguments have their limitations. I suspect that the persecutors were generally aware that they could not reliably produce genuine belief by issuing threats of punishment, and that those who were the persecutors in one generation might be the persecuted in the next. But they also believed, with some justification, that the threat of persecution might at least stop the public defense of heretical views, and from their point of view, that would have great value for uncorrupted believers. As for the fear of retaliatory persecution, I presume that this would motivate only those who felt their political position to be insecure. So the appeal to that fear will not be persuasive to a majority which feels itself to be well-entrenched.

To the extent that Castellio’s arguments are not pragmatic, they are heavily theological, in the sense that they rely very largely on the Christian scriptures as an authoritative text, both with

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edition of *De haereticis*, pp. 258-264.

57 For a detailed account of the influences summarized in this paragraph (and others) see Guggisberg, Ch. 11.

58 In “*Rara temporum felicitas*” I argue that the Spanish and Portuguese Inquisitions seem, in fact, to have been quite effective in preventing the spread of the Reformation to the Iberian peninsula.

*Castellio's Erasmian Liberalism - 05/22/15*
respect to the specific issue of the toleration of heretics, and with respect to the more general question of how we ought to treat our neighbors. Since Descartes philosophers have generally tried to rely only on arguments which do not require acceptance of any particular text as sacred. In view of the critique to which the Jewish and Christian scriptures are liable – and which the Hebrew Bible, at least, received from Spinoza in the *Theological-Political Treatise* – this seems a good policy, even if it is not, as some would argue, a necessary condition for civic virtue in a pluralistic society. The problem is not just that not everyone accepts these scriptures as sacred – though that may be problem enough – but that the scriptures Christians accept as sacred are open to selective quotation in support of a variety of positions on many issues, and that the selection seems to be guided by ethical views which the parties bring to their use of scripture, and cannot simply derive from those scriptures. Castellio correctly accuses his opponents of selective quotation. But he is equally guilty of it. The appeals to scripture occupy a great deal of space on both sides, but they do not seem to be doing that much actual work.

If we look in Castellio for something which transcends the appeal to scripture, what we find often involves an appeal to skepticism. Earlier I said that Castellio's skepticism might seem fairly radical. But by comparison with Montaigne's skepticism, it is crude and modest. It is crude in that it argues for skepticism simply on the principle that persistent disagreements indicate objective uncertainty, without deploying the full range of skeptical arguments which Montaigne learned from the classical skeptics. And it is modest in two important respects: it extends only to certain theological propositions, not to all theological propositions, and not to ethical beliefs (though the principle on which it is based would seem to justify those extensions); and it claims only some degree of uncertainty, not the radical uncertainty of Montaigne's pyrrhonism, which holds that no


60 E.g., he devotes considerable attention to the parable of the weeds in the wheat, which tends to favor his side, but little attention (p. 246) to the parable of the great banquet (Luke 14:15-24), whose injunction to "compel people to come in" was standardly cited by supporters of forced conversion. Cf. Augustine, *On the Correction of the Donatists*, 24, and Aquinas, *Summa theologiae*, II-II, 10, 8.

61 I discuss Montaigne's skepticism in relation to toleration in a paper-in-progress titled "Skepticism and Toleration: the case of Montaigne."
disputed proposition is more probable than its opposite.

This seems to pose a dilemma. The moderate skepticism of Castellio may be insufficient to justify toleration. The more radical skepticism of Montaigne may make toleration seem more reasonable, but at the price of what looks more like a substantive attack on Christianity. It seems that it would be highly desirable to have available an argument for toleration which did not require Christians to accept a skepticism as radical as Montaigne’s. They might very reasonably regard accepting pyrrhonian skepticism – saying that the truth of Christianity is no more likely than its falsehood – as tantamount to abandoning their religion. But whatever form of that nonpyrrhonian argument may take, I do not think it can be found in Castellio.