

Religio illicita? Roman legal interactions with early Christianity in context

Janssen, K.P.S.

Citation

Janssen, K. P. S. (2020, September 23). *Religio illicita? Roman legal interactions with early Christianity in context*. Retrieved from https://hdl.handle.net/1887/136852

Version: Publisher's Version

License: License agreement concerning inclusion of doctoral thesis in the

Institutional Repository of the University of Leiden

Downloaded from: https://hdl.handle.net/1887/136852

Note: To cite this publication please use the final published version (if applicable).

Cover Page



Universiteit Leiden



The handle http://hdl.handle.net/1887/136852 holds various files of this Leiden University dissertation.

Author: Janssen, K.P.S.

Title: Religio illicita? Roman legal interactions with early Christianity in context

Issue date: 2020-09-23

Religio Illicita?

Religio Illicita?

Roman Legal Interactions with Early Christianity in Context

proefschrift

ter verkrijging van de graad van doctor aan de Universiteit Leiden, op gezag van rector magnificus prof. mr. C. J. J. M. Stolker, volgens besluit van het college voor promoties te verdedigen op woensdag 23 september 2020 klokke 16.15 uur

door

Karen Petra Servatius Janssen

geboren te Maastricht in 1992

Promotores

prof. dr. J. K. Zangenberg

prof. dr. L. de Ligt

Promotiecommissie

dr. R. Flemming University of Cambridge

prof. dr. A. F. de Jong

prof. mr. H. L. E. Verhagen Radboud University

Citation: Janssen, K. P. S. Religio Illicita? Roman Legal Interactions with Early Christianity in Context. (PhD dissertation, Leiden University, 2020).

Cover Illustration: Jacques-Louis David, *The Lictors bring Brutus the Bodies of his Sons* (detail); 1789, Musée du Louvre. © R M N-Grand Palais (musée du Louvre) / Gérard Blot / Christian Jean.

Typeset by Redmer Kronemeijer.
Printed by Ridderprint in The Netherlands.

© 2020 - K. P. S. Janssen. All rights reserved.

Οὐ γάρ τί μοι Ζεὺς ἦν ὁ κηρύξας τάδε, οὐδ' ἡ ξύνοικος τῶν κάτω θεῶν Δίκη τοιούσδ' ἐν ἀνθρώποισιν ὥρισεν νόμους, οὐδὲ σθένειν τοσοῦτον ᢤόμην τὰ σὰ κηρύγμαθ' ὥστ' ἄγραπτα κἀσφαλῆ θεῶν νόμιμα δύνασθαι θνητά γ' ὄνθ' ὑπερδραμεῖν.

For it was not Zeus that had published me that edict; not such are the laws set among men by the Justice who dwells with the gods below; nor deemed I that thy decrees were of such force, that a mortal could override the unwritten and unfailing statutes of heaven.

SOPHOCLES, Antigone 450-455 Translation by Richard Jebb (1962₃)



Contents

			gements XI		
	List	of Ima	ges XII		
	Intr	Introduction 1			
	I	Rome,	Christianity, and the Law 1		
	II		ch Objectives and Contributions 3		
	III		ng Scholarship and Central Debates 4		
	IV		odology and Terminology 9		
	V		and Structure 12		
l	Ron	nan Adı	ministration in Provinces and Empire 17		
	1.1	Introd			
	1.2	Source	es of Law 19		
	1.3	Uphol	ding Public Order: Trials and Police Actions 25		
	1.4		n Administration in the Provinces 30		
		1.4.1	Governors and Locals in the Provinces 31		
		1.4.2	Emperor, Governor, and the Inhabitants of the Province	37	
	1.5	Conclu	•		
2	Div	ination	in Roman Legal Measures 45		
	2.1	Introd			
	2.2		nology and Definitions 48		
	2.3		ne and Central Questions 55		
	2.4		ation in the Republic: Early Interactions 57		
		2.4.1	Diviners and Foreign Priests during the Second		
		·	Punic War 57		
		2.4.2	The Expulsion Edict of Cn. Cornelius Hispalus 59		
		2.4.3	The Expulsion Measure of Marcus Agrippa 61		
	2.5	Augus	tan Measures: A Precedent? 62		
	-	2.5.1	The Sibylline Books and Destruction of Oracular Texts	63	
		2.5.2	Limiting Divinatory Inquiries? 64		
	2.6		ation and Conspiracy under Tiberius 70		
		2.6.1	The Trial of M. Scribonius Libo Drusus 70		
		2.6.2	Expulsion(s) from Rome 73		
		2.6.3	Banning Divination without Witnesses 77		
	2.7	-	and Expulsions under the Later Julio-Claudians 81		
	•	2.7.1	Divination in Egypt under Caligula 81		
		2.7.2	Trials and Expulsion under Claudius 82		

VIII CONTENTS

3

	2.7.3	Trials and Expulsion under Nero? 86	
2.8		ear of the Four Emperors and the Flavians 89	
	2.8.1	Otho, Vitellius, and Diviners 90	
	2.8.2	Expulsion under Vespasian 93	
	2.8.3	Divination under Domitian 94	
2.9	Later I	ncidents: Completing the Picture 99	
		iter Jurists: Creating Coherence 105	
	Conclu	<u> </u>	
		Roman Legal Measures 117	
3.1	Introd	•	
3.2	Terminology and Definitions 121		
3.3		e and Central Questions 125	
3.4	•	Points of Contact: Judea and Rome 128	
3.5		m under Rome: Early Legal Measures 131	
	3.5.1	Lucius Valerius Flaccus and the Jewish Communities	
		of Asia 132	
		Flavius Josephus: Collecting Legal Interactions 133	
		Dispensation from Military Duties: A Collection 134	
3.6	,	Communities in the Time of Julius Caesar 139	
3.7	_	Measures between Caesar and Augustus 144	
3.8	•	tan Legislation: Precedented Benevolence 148	
	3.8.1	9 9	
	3.8.2	Passing on the Message: Temple Tax in Asia Minor 151	
	3.8.3	Augustan Measures in Alexandria and Rome 153	
3.9	-	ion under Tiberius 154	
3.10		n Alexandria: Religion and Citizenship 156	
		Alexandria's Jewish Community: Position and Privileges 158	
		The Origins and Progression of the Riots 160	
		Religion, Politics, and Citizenship 163	
		A Delegation to Caligula 166	
3.11	The Re	eign of Claudius 168	
	3.11.1	Claudius' Letter to the Alexandrians 169	
	3.11.2	To the Entire World? 173	
	3.11.3	Expulsion under Claudius 175	
3.12		oad to War: The Time of Nero 178	
3.13	The Ea	arly Flavians: Taxation and Leniency 181	
	3.13.1	Intervention in Antioch 182	
	3.13.2	The Jewish Tax 184	
	3.13.3	The Aftermath of the Revolt in Alexandria and Cyrene 186	
	3.13.4	After the Revolt 188	

CONTENTS

3.14	Domiti	an and Nerva: Changes in the Jewish Tax 190	
	3.14.1	Harsh Enforcement under Domitian 190	
	3.14.2	Innovations under Nerva 194	
3.15	Trajan	and Hadrian: The Causes and Consequences of Revolt 195	
		The Diaspora Revolt 196	
	3.15.2	Causes and Consequences of the Bar Kokhba Revolt 197	
3.16	The Lat	te Second and Early Third Century:	
	Comple	eting the Picture 200	
3.17	Conclu	sion 202	
Earl	v Christ	ianity in Roman Legal Measures 209	
4.1	Introdu	•	
-		ology and Definitions 211	
4.3		e and Central Questions 215	
		the Great Fire: Early Interactions 221	
		Paul in the eastern Mediterranean: Legal Interaction	
		in Acts 222	
	4.4.2	Roman Officials in Acts 227	
		Claudius' Expulsion and the Involvement of Christians 229	
	4.4.4	Peter and Paul in Rome? 231	
4.5		ans under Nero: Smoke and Fire? 233	
		The Course of Justice? 235	
		Christians under Nero according to Suetonius 238	
4.6	Pliny a	nd Trajan: The First Trial? 241	
	4.6.1	Letters from the Province 242	
	4.6.2	Christians in Bithynia-Pontus 244	
	4.6.3	Seeking and Shaping Imperial Guidance 248	
	4.6.4	Imperial Response 251	
4.7	Hadria	n and Minucius Fundanus: An Obscured View 253	
4.8			
	4.8.1	The Trial of Polycarp 258	
	4.8.2	A Rescript to Asia? 262	
		The Trial of Ptolemaeus and Lucius 264	
4.9	Marcus	Aurelius: Christians and the Philosopher-Emperor 267	
	4.9.1	Anti-Christian Actions in Asia 267	
	4.9.2	The Trial of Justin Martyr 269	
	4.9.3	Marcus Aurelius protecting Christians? 272	
	4.9.4	Anti-Christian Riots in Lyon: Local Origins 273	
	4.9.5	Anti-Christian Riots in Lyon: Imperial Involvement 284	
4.10	Commo	odus and the Severans: Diverse Approaches 287	
	4.10.1	The Trial of the Scillitan Martyrs 287	

4

X CONTENTS

•	4.10.2 Diverse Proceedings in Northern Africa 289 4.10.3 The Trial of Perpetua 292 The Road to a General Law? 295 Conclusion 300
Con	clusion 309
I	Religious Groups in the Roman Empire 309
II	Measures on Religious Groups: Temporary and Local 310
III	Measures on Religious Groups: Legal Actors and Negotiation 311
IV	Measures on Religious Groups: Contributing Factors
	and Argumentation 312
v	Measures on Religious Groups: Slow Emergence of Procedures 312
VI	Measures on Religious Groups: Tests and Recantations 315
VII	Early Christianity in Context 317
Bibl	iography 323

Appendices

Divinatory Practices 355

11 Judaism 367

III Christianity 385

Summary (in Dutch) 395 Curriculum Vitae 403

Acknowledgements

Just as Rome wasn't built in a day, no dissertation is ever truly written alone.

My deep gratitude goes out first and foremost to my supervisors. To Jürgen Zangenberg, whose tireless support, trust and guidance not only allowed me to begin this project, but to finish it, and who could always be counted upon for his expertise, feedback, kind advice – and a cup of tea. I would also like to thank Luuk de Ligt for the great care and erudition with which he commented on my writings. His involvement, while perhaps slightly unexpected to the both of us, has been profoundly welcome.

The process of researching and writing this dissertation was made significantly easier by the support, feedback and inspiration provided by my colleagues in Leiden and elsewhere. I am grateful to both the Leiden University Centre for the Arts in Society (Lucas) and the Leiden University Institute for History (Luih) for being my academic homes during the past few years, and to the members of the departments of Classics and Ancient History for always being happy to share their dedication to and enthusiasm for their respective fields. The Dutch National Research School in Classical Studies OIKOS has provided me with numerous chances for academic exchange. A special word of thanks goes out to my office-mates and fellow PhDs – especially those with whom I was lucky enough to cooperate in the Lucas PhD Council. It has been a privilege to be surrounded by so many sharp minds and supportive souls.

Then, of course, there are those on the home-front. Simon and Jenny Peters, whose generous kindness has encouraged me in my studies from the beginning. My paranymphs Anne and Bas, whose friendship means more than can be adequately expressed in words. The other wonderful people who have been with me since I first came to Leiden – including but certainly not limited to Alisha, Caspar and Maaike, who have all contributed to this project in their own ways. My dear family, including those who are no longer with us, but whose love is no less keenly felt. Finally, this list of acknowledgements would be woefully incomplete without a mention of my father and mother, the undisputed *primus primaque inter parentes*, without whose firm encouragement little of this dissertation would have made its way onto the page. In a sense, this is as much a product of your love as it is of mine.

List of Images

- I The Owl of Thoms (first century CE) 46
- II Aureus displaying the Augustan Capricorn (19 BCE) 63
- III Detail of the Menorah on the Arch of Titus, Rome (ca. 82 CE) 181
- IV Sestersius referencing the Jewish Tax (97 CE) 194