

ROME AND EARLY CHRISTIANITY:
PERCEPTION AND PREJUDICE

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The study of the Christian persecutions continues to be of great interest to scholars in a variety of fields. Reconciling the seemingly innocuous teachings of this religion with the intolerance with which it was met in certain regions and eras of the Roman Empire has proven to be a difficult task for historians, theologians and classicists alike. Such a study naturally enhances our understanding of the religious atmosphere of the Roman Empire, the writings of the early Church Fathers, the attitudes and policies of the later Roman emperors towards Christianity, and its final accession to the status of the state religion of Rome during the reign of Constantine. But the implications of this study extend further than the history of the early church and the Roman Empire. Much of the history of the western world, from art and science to politics, in peace and in times of war, has been impacted in some way by Christianity, which countless theologians and philosophers, revolutionists and martyrs, kings and commoners have claimed as

their own through the ages. How differently would the records have been written had Christianity been eliminated in its infancy?

In this study, Roman authors will serve as primary witnesses to pertinent events. The early chapters will deal with other instances of suppressions of the Bacchants of 186 B.C.E. and the Jews under Tiberius as a means to understand the policy and procedure taken by Rome when managing foreign religious groups. The fourth chapter is devoted to the general attitudes prevalent among classes throughout the Empire towards Christianity. The final two chapters examine Tacitus' account of the great fires of Rome and Pliny's letter to Trajan, the former to identify the precedent of Roman persecution of Christians, the latter to investigate more fully the legal procedure by which they were prosecuted.

CHAPTER 1 INTRODUCTION

In the thirty years following the death of Jesus Christ, very little substantial evidence remains about the interaction between the foremost leaders and citizens of the Roman Empire and Christianity. Relatively little was known about the emerging sect at Rome and at other parts of the Empire outside of Palestine and Asia Minor. Even though major Christian figures such as the Apostles Paul and most likely Peter¹ made their way to the capital city, their effect upon the ruling élite or even the vast majority of the Roman world's population was minimal within these years.² The main stream of resistance to Christianity during these three decades, which Ste Croix (1963.6-7) identifies as the first phase, came from the Jewish communities in Palestine and those places visited by Paul on his missionary journeys. While Roman officials were at times called upon to mediate between the two groups, the role of these magistrates was simply to decide the case of a single man.³ The recorded history of the years 33-64 C.E. leaves evidence of specific trials and rulings by lesser officials. But they were not attempting to decide the action to be taken by the entire Roman Empire concerning the whole of Christendom at that time. The persecutions primarily conducted under the emperors Decius, Valerian, and Diocletian

¹ That Peter was at Rome is supported by *I Peter* 5:13. *I Clement* 5 remarks about the martyrdom of both Apostles. Eusebius *E.H.* 2.25 states that Paul was beheaded, and Peter crucified, under the Neronian persecutions.

² However, at Rome there is evidence of an early arrival of Christianity. The religion may have come to the attention of the Roman authorities as early as 47 C.E., depending on the interpretation of Suetonius *Claud.* 25.4. See n. 9.

³ For two of the more notable instances of Roman intervention during the early years of Christianity, see Paul's trial before Gallio in *Acts* 18.12 and his hearings before Festus, Felix and Agrippa in *Acts* 23-25.

certainly present a great deal of information about the effect of the Roman policy towards the Christians. During the reigns of these emperors (scattered throughout the years 249-305 C.E.), systematic and empire-wide persecutions of Christians occurred (de Ste. Croix 1963.7). By the third century the precedent for this policy had been well established.

How did matters reach such an extreme point?

The great fires in 64 C.E. offer the first significant and well-documented incident of Roman-Christian interaction. Nero's accusation of arson against the Christians sparked the generally antipathetic view that led to action against them. The events of this year have been identified as the catalyst that began the outright persecution of Christians by Roman magistrates throughout the Empire (Ramsay 1904.241-243). This reaction was by no means the only response that Rome made towards foreign religions or cults.⁴ In accordance with their polytheistic system of religion, the Roman people, with or without the sanction of their government, embraced and assimilated the gods and goddesses of many conquered people.⁵ Although this phase of persecution was characterized by sporadic and local persecutions (de Ste. Croix 1963.7), one questions why such a policy was adopted in certain areas of the Empire at all. Starting with this most basic question, this investigation seeks to shed light upon the somewhat obscure Christian persecution during this phase by examining the motives and origins of Roman sentiment, policy and legal action towards Christianity, during the years 64 C.E.–112 C.E. as evidenced in Roman literature.

⁴ The term "cult," as a translation of *superstitio*, would most likely have fit the Roman perception of Christianity just as it would the Bacchic "Cult" of 186 B.C.E. To most modern readers, the former would be classified as an established religion. *Superstitio* as applied to both will be discussed in later chapters. See Jansen (1979) for a detailed study of the term.

⁵ The Greek pantheon; the cults of Bacchus, Magna Mater, and Isis; Judaism, and Christianity could all be listed to a greater or lesser extent among these foreign cults or religions adopted by certain groups within the society at Rome.

The causes of the Christian persecutions have been explored from nearly every angle. Investigation into the religious aspect has produced specific studies on Christianity's classification as a *superstitio* and the charge of atheism levied against it.⁶ These studies were naturally forced to encounter the legal process by which Christians were condemned, an angle that has received its own treatment in a variety of articles.⁷ Furthermore, examinations of pertinent social and political matters have been thoroughly conducted.⁸ Inevitably, overlap occurs since the Roman system of governance during the early Empire did not separate between religious and secular matters. While these studies that have been conducted from particular vantage points certainly advance our understanding of certain aspects of the causes for persecution, we must also realize that to understand this phenomenon, we must acknowledge that the political, social, religious and legal factors involved are inextricably interwoven.

The evidence of Roman interaction with early Christian is scanty. Suetonius (*Claudius* 25.4) refers to a certain *Chrestus* as he relates the Jewish expulsion from Rome in the middle of the first century C.E. To understand *Chrestus* as Jesus Christ is tempting; but the interpretation of this passage remains under a great deal of scrutiny.⁹ Even if one accepts this interpretation, the brevity of Suetonius' remark provides little information.

⁶ On *superstitio* see Janssen (1979). For discussions of atheism see Schoedel (1942); Walsh (1991).

⁷ See Barnes (1968); Crake (1965); Keresztes (1964).

⁸ On social issues of early Christianity see Rayner (1942). For general articles on the Christian persecutions see Frend (1959); Last (1937); de Ste. Croix (1963); Sherwin-White (1964).

⁹ See Slingerland (1989.305-322); Hurley (2001.176-177) for discussion of dating the Jewish expulsion under Claudius. If the date 41 C.E. is accepted to match Dio 60.6.6-7, it is difficult to account for such an early arrival of and commotion caused by Christianity at Rome. Ramsey (1904.231) assumes a date of expulsion c. 52 C.E. and that *Chrestus* should in fact be interpreted as Jesus Christ. Acts 18.2 supports the later dating. St. Paul's letter to the Romans, written c. 57 C.E., bears witness to the establishment of the Christian community at Rome no later than the early fifties.

The extant records are silent about Christianity and Rome during the next two centuries. The famous fires of Rome in 64 C.E. end this silence and are recorded in a pair of accounts. Suetonius (*Nero* 38) relates these events, though he makes no mention of Christianity in connection with the affair. Tacitus (*Annals* 15.44) provides the only account that associates Nero, the Christians, and the fires. By necessity, then, and because of the nature of this study, more time will be devoted to the latter account. Yet Suetonius' remarks earlier in the biography (*Nero* 16.2) about the *Christiani* will be useful in supplementing our understanding of the prejudices against Christianity among the Roman people.

Tacitus was readily prepared to point out the flaws in the Julio-Claudian emperors and the general corruption of absolute power upon men who obtain it. Yet he shows no partiality for the Christians either. As we shall see, the historian peppers his description of this community with abusive and derogatory terms. In that he favors no one, it seems that he should present a fairly impartial account. In that he disfavors both, we must be careful not to place too much confidence in historical accuracy of the excesses and crimes that he associates with either party.

Other difficulties arise when interpreting the text of Tacitus. He was removed from the event by nearly half a century. Whether Tacitus' interpretation of events, and any prejudice that may be found therein, reflects views current during the action of the event, or those at the time of authorship will dictate to a large extent our understanding of historical facts. For those attempting to reconstruct and disentangle what actually occurred, the distance of time between event and authorship presents less trouble than the overall aim of his work. Tacitus did not take up his pen to outline Roman-Christian

relations in 64 C.E. The scanty information about the Roman view of Christianity and the reason for Nero's accusation comes merely as a sidelight amidst his account of the reign of Nero (Wilken 1984.48-49). Yet these asides have value. Although Rutledge (1998) deals only with the first two books of the *Annals*, he shows the intricate relationship between the author and his audience at this stage in Roman historical writing. He establishes the general Roman habit of understanding historical writing as a commentary upon contemporary people and events. Therefore, in all that he writes, Tacitus must be aware that his words can be interpreted by his audience as subversive to the current regime. If he wished to take a critical view of Trajan's reign, he must veil his words in subtlety and ambiguity. Tacitus must be aware of the general sentiment of his audience. To a certain extent, his audience dictated his viewpoint for certain historical events. While there is not a direct correlation between the great fires with an event at the time of his writing, his asides must reflect the general view of Christianity during the early first century, at least among his audience of privileged males of senatorial and equestrian ranks.¹⁰

Although Tacitus certainly could claim membership in the aristocratic and ruling circles of Rome, his account of the fires offers little insight into the legal process by which the Christians suffered persecution. For this we must turn to Pliny's letter (*Epistula* 96) and Trajan's response (*Epistula* 97). Both were written while the former held office as governor of Bithynia during the years 110-112 C.E. In contrast to the retrospective *Annals*, these letters are a contemporary description. Pliny's specific intent in writing to the emperor was to inquire about the legal action to be taken against the Christians; his writing about Roman-Christians relations was not simply an aside. However, a different

¹⁰ Rutledge (1998.141) reasonably assumes this audience.

obstacle must be overcome when interpreting Trajan's replies to Pliny, namely, authenticity. Sherwin-White (1962.115), following up the work done by Henneman, identified in many of Trajan's responses short phrases which were repeated throughout many of his letters to the governor, which he terms "administrative jargon." Both scholars recognize the repetition of words and uniformity of style in a number of Trajan's rescripts as "the trait of a secretary set to draft his principal's replies" (1962.115). The more trivial the matter, the more generic the emperor's responses became. Sherwin-White goes even further in his attempt to reveal other instances in Trajan's replies where his tongue, if not his hand, is evident. In this he is very successful, as he provides ample proof to ensure that the emperor himself dealt with the matter of *Epistula* 96. He cites parallel uses of phrases in other writings of Trajan, terms of praise and blame that hardly could come from the mind of a secretary to consular legate, and the general underlying principles that affected the decisions of the emperor as occurrences where Trajan's own opinions are evident (1962.115-116). *Epistula* 97 meets all these criteria. Furthermore, "when an unusual decision is made, when precedent is not followed, or a new one is set, it is likely that Trajan himself settled the issue with the characteristic independence of mind" (1962.117). Pliny's persecution of the Christians in Bithynia was not setting a precedent. He knew that this was the prescribed method of dealing with those who confessed *Christianus sum*. Instead, he was asking for a decision about the methods by which they were to be tried, the charges to be brought against them, and whether pardon should be given on the basis of age or apostasy. As all of this evidence suggests, Trajan's "reply" to Pliny's inquiry about the Christians was in fact Trajan's reply.

Since the extant Roman authors on this subject are few, a study into other instances of intolerance shown by the Roman government will serve as a profitable supplement to this study.¹¹ One of the difficulties in understanding Rome's dealings with religions that the Roman government considered a threat to the well-being of the state is distinguishing between prejudices prevalent in Roman society about these religious groups and the legal grounds by which they were suppressed. In many cases, that the Romans held derogatory feelings towards a religion or cult did not provide sufficient legal proof that such a group should be oppressed. Furthermore, questioning the grounds for persecution in other cases will establish the general rules by which a religion or cult was deemed unacceptable by Rome. Because tolerance was not granted or withdrawn on strictly theological grounds, it will be beneficial to examine general characteristics that were perceived as threatening to the Roman government or met with resistance by the Roman people. This is in no way an attempt to compare theological qualities, rituals, or beliefs. Instead, a comparison will be made, and similarities will be drawn, in the attitudes and reaction Rome had towards these various religions or cults.

¹¹ de Ste. Croix (1963.27) criticizes such an approach to the study of the Christian's persecutions, as he concludes that the monotheistic quality of Christianity, which he believes to be the primary cause of the persecutions, had never been encountered by Rome in their previous decisions of religious tolerance or intolerance. Yet, Last (1937.84-92) revealed many similarities between the Christian situation and that of other rejected religions. Sherwin-White (1964.24) finds value and supports Last's study: "The evidence of the three officials, Pliny, Tacitus and Suetonius, confirms that in its first dealings with the Christians, the Roman government – and the individual governors – behaved exactly as it did towards other 'superstitions.' How else could they behave when the Christian cult first came to their attention?"

CHAPTER 2

BACCHANLIAN CONSPIRACY: 186 B.C.E

The Bacchanalian conspiracy enlightens the discussion of the Roman governments attitude and reaction towards certain foreign cults in two ways. First, it was one of the first instances of censure and intolerance placed upon a specific religious group by the government, and as such provided a precedent to be followed in later ages. Furthermore, in connection with the purpose of this paper, this episode reveals most clearly the underlying principles upon which foreign religious groups were viewed with favor or disfavor.

A pair of sources conveys the details of the conspiracy. Livy's account in book 39 contains the bulk of the events as they occurred. The inscription of the *senatus consultum de Bacchanalibus* (ILS 18) gives further proof of the government's reaction to the conspiracy.

The roots of the Bacchanalian affair extend some three decades back in history to the final years of the second Punic War. Toynbee (1965.ch.12) first introduced this interpretation of these events and much of the following reconstruction closely follows his proposal. The years surrounding the turn of the second century B.C.E. were filled with political unrest. Hannibal's march through the Pyrenees in 218 B.C.E. into the Italian countryside threatened the security of the Roman people. The effect of such a war in such close proximity to Rome herself could not have failed to produce a feeling of unease upon the population. In such desperate situations, a heightened sense of religion grew among the people. According to their polytheistic system of religion, the Roman

populace looked to some sort of offense that might have been caused against a god in an unknown way. The Roman perception of religion considered devotion to the gods an imperative not simply because the gods looked with favor upon the morally upright, but because an offended god, one that had not received its proper due in sacrifice and honor, might see fit to spread any sort of evil throughout the society to which the offenders belonged. The gods were not very particular in imposing suffering only upon those who had offended them. This devotion, then, attempted to do nothing more than assuage the anger of the gods and avert hardship. The great danger posed by Hannibal and his army was considered to have sprung from the anger of an insulted god. In response to this, the Roman government, which had by this time taken control of many of the religious rites and festivals, consulted the Sibylline Books to find out whom they had neglected. It was divined that the black stone of Magna Mater should be conveyed to Rome (Livy 29.11).

This action in part could have been nothing more than the government's design to pacify those seeking a deeper religious experience in Rome.¹ Indeed, the year 216 B.C.E. saw a pair of vestal virgins buried alive for relinquishing their vow of chastity. Livy (22.55) records unruly women pouring out into the streets in their lamentation over the destruction at Cannae. Pairs of Gallic and Greek men and women were buried alive in the Forum Boarium. This barbaric action was unquestionably fueled by the frenzied political atmosphere and desperation for release from present difficulties among the masses.

The victory over Carthage in 201 B.C.E. may have dissolved some of this religious fanaticism. Yet wars with Philip V of Macedon, Antiochus the Great, and the Aetolians forced the Roman people to continue to endure hardships for the next decade, although

¹ Polybius 6.56.6-14, writing during the same century, though he praises its piety, describes Roman religion as a manipulation of the superstitious lower classes by the governing élite. See Beard, North, Price (1998.v.1.108).

the action of battle was further removed. Through these years, the Roman people, filled with a heightened religious sensitivity, searched for the cause of these distressing times by constantly consulting the Sibylline Books as they yearned to repay an offended god or goddess.

At the tail end of these more than two decades of turmoil, the Bacchanalian conspiracy took place. While the government sanctioned the introduction of Magna Mater into the Roman world, it made sure that the goddess and her rituals were highly regulated. Magna Mater was embraced by the most noble and virtuous of Romans.² The cult of Bacchus, on the other hand, entered Italy inconspicuously and without government sanction. Livy records that a low born Greek entered Etruria and made public the Bacchic ritual, which at first appealed only to a few, but soon took hold of a great number. The ritual soon appeared at Rome and was brought to the attention of the authorities by the slave girl Hispala. The historical accuracy of this portion of Livy's account has been subject to criticism (Nilsson 1975.15). Yet many of the seven charges against the Bacchants, which are inserted into the mouth of the slave girl by Livy and which Toynbee (1965.395-396) lists, show the Roman attitude, at least that of contemporaries of Livy, towards certain foreign cults. The ritual orgies, night time and secretive gatherings, violence with which initiates and those who refused initiation were treated, fanatical prophesying and eccentric ceremony were characteristic of the barbaric tendencies of some foreign religious groups that were despised by the educated classes at Rome.

But if morality or lack thereof had little to do with a human's relation to the gods and the right ceremony was all that mattered, why should this type of ritual performed under the guise of offering that which was suitable and appeasing to Bacchus be

² Livy 29.10 relates that Scipio was among the ardent supporters of conveying Magna Mater to Rome.

offensive? The answer surfaces upon the discovery of what party deemed it offensive. The religious leaders took no part in the legal affairs nor does Livy recount any action of theirs in the prosecution that followed.³ Instead, it was the Senate and the consuls who took up the leading role. It soon becomes clear that this matter had little or no relation to Roman religion at all. This was a matter of state. “We may no doubt see in this evidence of the extent to which by this time the *ius divinum* had become subordinate to the *ius civile*” (Bailey 1932.179). Note how the affair is described not as a religious matter but as a *coniuratio*, the same term that Sallust fixed to Catiline’s treacherous acts against the state. This is not to say that morality was not an issue. Bailey (1932.179-180) is fully aware of this: “it would be nearer the truth to say that the Bacchic movement was regarded primarily as an offense against morals, and what had religion to say about morals? They were the care of the state.”

But on what grounds did this offend the state? The answer is discovered when the mind-set not of the general public of Rome but of the ruling class is exposed. In order to keep a firm grasp upon the reigns of power, the establishment adhered to a strict and conservative agenda. This unsanctioned religion, with its eccentric ritual, was seen as a rebellion against the *mos maiorum* (Fowler 1911.347). It was a religion that appealed primarily to the lower classes (Gruen 1990.58). Livy does relate that a few nobles had succumbed to the Bacchic cult, but he does so in order to highlight the extent to which it had spread into the Roman world. Although Roman *gravitas* was highly prized among the élite, among the lower classes an animal nature lurked (Bailey 1932.180-181). This characteristic was all too eager to find an escape and craved for a situation in which it

³ Contrast this with Livy 26.27 in which a vestal virgin was beaten to death by orders of the *Pontifex Maximus* for letting the fire in the temple of Vesta to go out. See Toynbee (1965.380n11).

could express itself. The years following the Second Punic Wars presented themselves as such an occasion.

The *stuprum* that the male initiates were forced to undergo caused the government even more anxiety. This act was viewed as a violation of the male citizen and his right to carry out his civic duties (Pagán 2004.58-59). This defilement of the integrity of the male body threatened his status as citizen. Livy (39.15.14) brings out this point especially in relation to a man's ability in military service.

After the *coniuratio* was exposed and the Senate had decided upon its course of action, the consul Postumius immediately addressed the assembly. In an attempt to calm them, he did not appeal to the *mos maiorum* or to any *ius civile* in denouncing the Bacchants. Instead, he claimed that the *numen* of the gods had been contaminated (Livy 39.16.6-7). For those who feared that Bacchus might be slighted because of this action by the state he assures them: *hac uos religione innumerabilia decreta pontificum, senatus consulta, haruspicum denique responsa liberant* (39.16.8). Postumius knew that in appealing to the religious aspects, he could more convincingly convey the threat to the population. That he made a specific point to guarantee no deity would be offended offers evidence that such a concern was prevalent among the common masses. While the state gave precedent to the moral standing of its citizens, the people were troubled with gods and offenses. In an ironic twist, morality and the gods of Rome had little to do with each other.

The Senate took radical measures against the cult. In the first place, the consuls were given power, as is evident in the *senatus consultum de Bacchanalibus*, to stamp out all participants. Gruen (1990.40-41) describes this as the first notable instance of Rome's

use of the *quaesitio extra ordinem*, a procedure in which the consuls in accordance with the special authority given them by the Senate were to inquire into the matter and prosecute those whom they deemed were at fault without trial or approval by Senate or Assembly.⁴ By bestowing such unbridled power upon these magistrates, Rome established a precedent in dealing with intolerable religious groups.

Such an inquiry resulted in the appearance of informants. Seven thousand men and women convicted of having participated in the Bacchic ritual were put to death (even more are reported to have evaded execution). That so great a number were convicted shows how deeply this *coniuratio* had taken root in Roman society or at the very least the great amount of vigor with which the consuls took up their order to eliminate those involved. This enthusiasm, alongside the penalty of execution for those who had been convicted of the crimes associated with the ritual, proves that the government considered it a very real and dangerous threat to the well-being of the state.

Yet, as is clear from the inscription concerning the *senatus consultum de Bacchanalibus* and from Livy 39.19, the ritual, though somewhat modified and strictly controlled, was allowed to continue. Those who were bound by their conscience and felt that the *pax deorum* would be threatened should they refuse to honor Bacchus with their ritual were allowed to continue with their ceremony. The Senate's decree read that no more than five persons, a maximum of two men and three women, were allowed to gather at such a meeting; no *magister* nor male *sacerdos* was to preside over the ritual; no common purse was to be held; and finally, and most importantly, all such gatherings were

⁴ Evans (1988.115) and Toynbee (1965.397) also note the use of the *quaesitio extra ordinem* but do not point out the precedent which it set. Gruen (1990.41-42) notes instances of *quaesitio extraordinaria* before the Bacchanalia, but claims that the power bestowed upon the consuls, praetors, or other official in these cases was restricted.

to be ratified by the Senate when at least 100 senators were present. Previously this had been the major difference between the worship of Magna Mater and that of Bacchus. The former, upon its arrival, had immediate government approval while the latter did not. This aspect should not be underestimated. The government certainly felt itself obligated to curb the moral excesses of its subjects, especially when the civic and military duties of its citizens were threatened. By rejecting the Bacchic cult, the Roman government also reasserted its power.

The greater underlying danger threatened the Roman government in that it was loosing a portion of its power over a society that was a source of its wealth and power. A secretive society, which displayed barbaric ritual and disinterest in the affairs and opinions of the state, threatened to undermine the government's authority over those whom it ruled. The trend that effected the subjugation of the *ius divinum* under the *ius civile* had been at work for centuries. As such, the government authorities took full control over this apparently religious affair. Any attempt, therefore, to separate the religious aspects of this affair from the political quickly proves futile. The Bacchanalian conspiracy threatened the Roman state because it threatened to unravel the religious ties that bound the society together. There was no choice but to check such regression in the mind of the governing class. Therefore, among the state officials, the term *coniuratio* was applied, for this term would more fully convey the threat to the officials of the upper class. When this threat was to be conveyed to the common Roman, as in Postumius' address, it was spoken of as a threat to the *numen* of the gods. Among the masses, the threat of offending the gods was a greater concern than political matters.

CHAPTER 3

JEWISH EXPULSION FROM ROME: 19 C.E.

To outline the complete historical relationship, political and otherwise, between the Jews and Romans is beyond the scope of this paper. However, the way in which the Romans viewed the Jews during the early Empire, and especially the way in which the Roman government dealt with them, directly affects the relationship between Christianity and Rome.¹ In connection with the thesis of this paper, it seems most beneficial to investigate the interactions between the two groups under the emperor Tiberius. In 19 C.E., he expelled the Jews from the city of Rome.² The circumstances surrounding the expulsion and general attitude towards the Jewish people find close resemblance later in the affairs of the Christians. The time of these events also corresponds well with the birth of Christianity and will give a good base for understanding Roman-Christian relations.

Before Tiberius' reign, Rome had attracted a large community of Jewish people, a number of whom had been taken by Pompey after his Eastern campaign as slaves. This community developed across the Tiber River. By the time Julius Caesar had obtained sole power, the numbers of this community were already sufficient to warrant special attention. Since Caesar recognized the political threat posed by groups meeting under the pretence (or for the actual purpose of) religious matters, he subsequently outlawed such

¹ This is naturally the case as Christianity sprung from Judaism and was not differentiated from it, especially in the Roman mind, during its early years. See Sulpicius Severus *Chron.* 2.30.6.

² Tacitus *Ann.* 2.85.4-5; Suetonius *Tib.* 36.1; Josephus *Ant.* 18.63; Dio 57.18.5.

gatherings within the city itself.³ Interestingly, he exempted the Jews from this prohibition. It is clear that the Jewish people, at Rome and abroad, were also exempt from military service and were allowed to collect a common treasury and forward their temple tax to Jerusalem. The reason for such favor can only be guessed at (Beard, North, Price 1998:322 n4), but such a precedent was evidently followed throughout the empire at Caesar's time (Josephus *Antiquities* 14.213-216) and in subsequent times.⁴

In 19 C.E., this seemingly cordial relationship experienced was suspended. In the accounts where the punishment is mentioned, it is agreed that Jews were expelled from the city. However, the various historians differ upon the cause. Dio Cassius, Suetonius and possibly Tacitus imply that the Jews, in their fervent proselytizing, had converted a number of pagans. The numbers themselves might have then led to suspicion or fear of political unrest in the emperor's mind and instigated the course of action that he took.

Josephus's account, on the other hand, relates that religious concerns rather than political served as the underlying cause of expulsion. He reports that a certain Jew, an exile from the Law (that of the Jews), through deception swindled Fulvia a prominent Roman lady. This Fulvia, the wife of Saturnius who was friend to Tiberius, had become a Jewish proselyte and was urged to send gifts to Jerusalem. She gathered her "purple and gold" and gave it to the exiled Jew, who then used the wealth for his own purposes. Upon hearing about this from his wife, Saturnius in turn related the story to Tiberius. Especially outraged that this crime had been perpetrated against such an important Roman woman,

³ See Suetonius *Div. Iul.* 42; Josephus *Ant.* 14.213-216.

⁴ Philo *Emb.* 155-158 reveals that Octavian followed this precedent.

Tiberius demanded the expulsion of all the Jews from the city. Four thousand of these were ordered to perform military service in Sardinia.⁵

Can the account of Josephus be reconciled to the others? It is difficult to understand why such a severe punishment upon all the Jews of Rome should be produced by the misdeeds of a few from the Jewish community.⁶ The Isis episode, which Josephus narrates immediately before the Jewish expulsion, depicts Tiberius as an exact and fair judge in these religious matters. Tiberius' purpose was not to destroy all adherents to this cult. Although he exacted extreme punishment upon those specifically involved (Ida and the priests with crucifixion and Mundus with banishment) and ordered the temple of Isis to be razed and her statue cast into the Tiber, the majority of the Isis-worshippers suffered no physical harm. The larger community of Isis-worshippers certainly would have mourned the loss of their place of worship. But their loss of a temple seems trivial compared to Josephus' assertion that 4,000 Jews were expelled for the crimes of a few. When Tiberius' reaction to the two scandals is compared, no evidence suggests that he would have exerted his powers more fervently against the Jews.

This is not to say that Josephus' account lacks credibility. The Fulvia incident may well have occurred and may even have played some role in the expulsion. But it can hardly be seen as the single, driving factor that led to such an extreme punishment. All accounts mention the Jewish work of proselytizing. Though it is only a sidelight to the story, Josephus' Fulvia was in fact one of these converts (Rutgers 1998.102). Dio and Suetonius associate this work of conversion directly with the expulsion. On the one hand, Josephus' exceptionally specific account cannot suitably explain the measures taken

⁵ This military service is also attested to in Suetonius' and Tacitus' accounts.

⁶ See Rutgers (1998.100); Moering (1959.302).

against the Jews. On the other hand, Dio's and Suetonius' accusation of Jewish proselytizing is vague. This gives no specifics at all about the actual cause of expulsion or the legal process by which the Jews were sentenced.

There is little doubt that the actual transmission of this event has been garbled in the various accounts (Radin 1915.309). Short and obscure references in Seneca the Younger and Philo seem to shed light on this matter. Seneca, as he wrote of his childhood, recalls a point at which he refused to eat meat because of his philosophical beliefs. Yet his father urged him to return to his regular regiment: *In primum Tiberii Caesaris principatum iuventae tempus inciderat: alienigenatum sacra movebantur et inter argumenta superstitionis ponebatur quorundam animalium abstinencia* (Seneca *ad Lucilius* 108.22). Certainly the religion of the Jews fell under the category of those that abstained from the meat of certain animals. The Roman government was apparently aware of these practices at the time of Tiberius. Certainly this was the case by the time Juvenal and Tacitus wrote. It is plausible to understand the term *superstitio* as a reference to the Jewish religion in this context, although the term may incorporate others that abstained from certain foods. This term will be explored in further detail in relation to the Christians. But here, by using such a term, Seneca shows a certain uneasy feeling towards the Jews. The people themselves were viewed as a separate, almost anti-social group. They were seen to abstain not only from certain foods, but also from contact with the rest of the world.⁷ In the Roman mind, they practiced absurd rituals (circumcision, Sabbath worship, and food laws chiefly), which offered fodder for Juvenal's *Satires*.⁸ And yet they did not constitute a political or moral threat to the state; nothing could be done

⁷ See Dio 37.16-17; Tacitus *Ann.* 5.5.

⁸ See especially Juvenal *Sat.* 2.6.150-160 and 5.14.96-106.

against them unless a specific instance presented itself for such action. Neither that they were fervent in their goal of converting Romans, nor that their religion was classified as a *superstitio* presented sufficient grounds to persecute them (Rutgers 1998.108).

We then turn to Philo, whose description of Sejanus as an official who desired to eradicate the Jewish people during Tiberius' reign reveals a likely cause for the expulsion of the Jews.⁹ The undercurrent of anti-Jewish sentiment, one that Sejanus evidently held most fervently, was, as noted, powerful among the Roman people. Leon's reconstruction (1960.19) is very plausible: "It is not unlikely that Sejanus, taking advantage of the activity of the Jews in gaining proselytes at a time when the empire was trying to strengthen the traditional religion of Rome, and profiting by the scandalous Fulvia episode, persuaded Tiberius to expel from Rome those Jews who could be so treated under the Roman law."

Philo (*Embassy* 160-1) is quick to assert that after the death of Sejanus, Tiberius made sure that only those who were guilty, a few persons, should be punished. He even ordered the procurators around the empire not to disturb their established customs. It is clear that Tiberius, who elsewhere shows himself to be judicious and fair, was not out to destroy the Jews. He wished only for peace among and control over the masses. For the most part, the Jewish people in the early part of the 1st century C.E. proved no threat to the Roman government and as such were allowed to continue in their way of life. The special privileges gained at the end of the Republic were repeatedly reaffirmed. Philo proves that Tiberius upheld this precedent. Caligula may be an exception to this rule by erecting a statue in the temple of Jerusalem and in his dealing with the envoys from Alexandria. Yet, even though another round of Jewish expulsion occurred under the rule of

⁹ See Philo *ad Flac.* 1; *Emb.* 159-161.

Claudius,¹⁰ his letter issued to the Greeks and Jews concerning their continued squabbling at Alexandria shows equal amount of leniency and upholds the precedent that had been set towards the Jewish people.

Peace and stability in general were the leading factors in determining Roman policy towards the majority of foreign religions. In dealing with the Jews, specific *ad hoc* measures were employed to avert civil unrest. For this reason, there was no definite policy of tolerance or intolerance (Rutgers 1998.111-114). They were allowed to continue with their customs so long as peace could be maintained. The later expulsion of Jews under Claudius, according to Suetonius (*Claudius* 25.4), resulted from their constant rioting. Therefore, measures had to be taken to resolve this. There is no evidence that such events occurred during Tiberius' reign. Perhaps the cause of the expulsion under Tiberius, at least in legal terms, is so difficult to uncover because one did not exist. Some, even many, Romans were suspicious of the Jewish people. These suspicions heightened as the size of the Jewish community increased, especially when Romans were being converted away from the *religio patris*. Though proselytizing may have served as a cause of alarm among the Roman officials, the Fulvia episode, in which a clear accusation could be made, was first needed before legal steps could be taken.

¹⁰ Dio 60.6.6; Suetonius *Claud.* 25.4; *Acts* 18.2. There may have been two expulsions of the Jews that occurred under Claudius. See n.9.

CHAPTER 4

ROMAN SENTIMENT TOWARDS CHRISTIANITY

The value of investigating Roman prejudices held against the Christian community in the first and second century C.E. is twofold. First, though discrimination on the level of the common Roman would not be termed a persecution, it is hard to imagine that such attitudes did not at times grow into small-scale actions against the Christians. Second, the prejudices of the common people bear upon the legal issues, if for no other reason than to more deeply understand the ready acceptance of Christianity's guilt in later legal matters. In what follows, the uneducated Roman would have accepted the more groundless accusations as fact, but particular magistrates, the more adamant supporters of the Roman religion, and Roman historians motivated by popular opinion against the Christians might also have considered or depicted Christianity in the same way.¹

Naturally, instances in which a threat to the safety and peace of the Empire led to feelings of animosity would have played a more prevalent part in the mindset of the governing class towards Christianity. Yet, it is true that the perception of Christianity among the common people also had an impact upon the governing class. In every case where the common people, because of their negative views of Christianity, wished to rid society of them and thereby threatened the peace of a particular region, the governors naturally, in

¹ Especially the *flagitia* associated with the Christian gatherings.

their charge to maintain order,² would have to consider whether or not it would be more beneficial for the peace to submit to these demands.³

During its early years, Christianity would have been confronted with any negative views that had been associated with Judaism.⁴ The Jewish expulsions from Rome under Tiberius and Claudius would naturally have portrayed the Christians as a group of *mali homines*. The Jewish rituals, which were deemed at the very least peculiar, but more probably offensive,⁵ to the Roman people, have already been noted. Just as the Jewish efforts in attempting to convert Roman citizens led to fear among the Roman rulers, so also Roman converts to Christianity may have had the same effect.

Once the separation between the two religions became somewhat clearer, Suetonius, Tacitus, and Pliny applied the term *superstitio* to the Christian “cult.” Suetonius 16.2 remarks that the Christians were a *genus hominum superstitionis novae ac maleficae*. Tacitus 15.44 adds the adjective *exitiabilis* to their *superstitio*. Pliny twice employs the term. In the first instance he adds the adjective *pravem* (96.8). Later (96.9) he writes that the *superstitionis istius contagio*⁶ had made its way through the countryside as well as the urban areas. These authors did not use this term, especially with adjectives that modify it, to represent the silly and harmless meaning that the English “superstition”

² For the main charge of a governor to maintain peace see Ulpian in *Dig.* 47.2.9, 10 and Saturnius in *Dig.* 48.19.16.9.

³ Pontius Pilate’s submission to the growing threat of civic unrest made by the crowd immediately comes to mind. Gallio, on the other hand, refused to hear the charges brought against Paul. Even as Sosthenes was beaten in front of the court, Gallio showed no concern for the matter or the threat of riot.

⁴ See n.16 on the Roman lack of distinction between the two.

⁵ See Tacitus *His.* 5.4-5 and Juvenal *Sat.* 14.96-106. Common among Roman diatribes against Judaism are their abstinence from pork, circumcision, Sabbath worship and temple tax. Both authors confirm the Roman perception of Judaism as purposefully aloof from society.

⁶ Pliny’s description of Christianity as a *contagio* closely resembles the description of the Bacchic cult in Livy 39.9: *Huius mali labes ex Etruria Romam ueluti contagione morbi penetrauit.*

conveys (Jansen 1979.134). Closely associated with this term would be atheism. The Roman world was still a highly religious society, and the term *superstitio* conveyed a very grave meaning. By applying such a term to Christianity, these authors implied that such a religion threatened the *pax deorum*. Such an implication was a very serious offense to the Roman people.

But where Judaism had, as de Ste. Croix (1963.25) put it, a “licensed atheism” because of the antiquity of their religion, the Christians were viewed as an upstart religion, one that had split from the traditions of their forefathers. In the first place, this offended the conservative nature of the ruling class. As already noted, the provincial governors were most interested in keeping peace. The Roman government knew that in tolerating and supporting the established religions in the various provinces they would most expediently achieve their goals. When Roman citizens were persuaded away from the religion of their forefathers by an unsanctioned cult, as in the Bacchanalian conspiracy, the Roman government interfered to reaffirm the religious ties that strengthened Roman society. When Christianity arrived at Rome, the threat of conversion among her citizens was to be extinguished. But even in the provinces, where Christianity, seen as a departure from Judaism, had enflamed civil unrest among the Jewish community, there existed sufficient reason to suppress the upstart religion for the sake of peace.

Furthermore, the appeal of Christianity seemed to the governing class to be primarily among the poor and uneducated classes (Goodenough 1931.37). After all, most of the foremost leaders in the Christian community had originally left their work as fishermen to follow a man who later would be sentenced to crucifixion by a Roman

prefect.⁷ The theological ideas that these common men were spreading were also completely adverse to the majority of the Roman idea of religion. As noted in discussing the Bacchanalian controversy, the Romans did not assume that morality was the mark of a pious and god-fearing person. Whereas the Roman pantheon was willing to assimilate the gods of other peoples, at least in certain instances, monotheistic exclusiveness marked Christianity as a separatist and arrogant religion. The difference in the perception of the purpose of religion between the Romans and Christians may have worked to divide the two groups. Religious differences entail highly emotional feelings, which cut to the core of a person's identity, and may have opened the door at a most basic level to prejudice.

It is certain that the Christians were viewed as an anti-social sect. Their nighttime or early morning gatherings were suspect.⁸ Their desire for martyrdom was incomprehensible to the Roman mind.⁹ Their aversion of interest from the things of this world, as they set their eyes and hopes upon that of the world to come, was interpreted in some circles at least as very strange, and at most subversive to the governing power. The *flagitia* that Tacitus and Pliny associate with Christianity, which may have been identical to those refuted by the Christian Apologists, are vague.¹⁰ "But here it is enough to notice that the people whom Tacitus asserts to have been guilty of *flagitia* in the first century were widely supposed to have been guilty in the second" (Last 1937.9). The educated and

⁷ See Minucius Felix *Oct.* 9.

⁸ For a short study on the Christian nighttime gatherings, see Cabaniss (1957).

⁹ Tertullian *Ad Scapulam* 5 describes the exasperation of Arrius Antonius, governor of Asia in 188 C.E., at the willingness of the Christians to be executed: "Wretched people, if you want to die, you have cliffs or ropes." See de Ste. Croix (1963.21-24) on the impact of voluntary martyrdom upon the Christian persecutions.

¹⁰ See Eusebius *Hist. Eccles.* 4.7.11; 5.1.14, 26; Justin *I Apol.* 26; *II Apol.* 12; Tertullian *Apol.* 6.11-7.2.

rational Roman mind scoffed at their belief as a religion of the irrational rabble. Yet, Christianity was perceived by Rome as a real threat to the safety of the Empire.

CHAPTER 5 TACITUS AND THE FIRES OF ROME: 64 C.E.

Having established that prejudices against the Christians were prevalent among various classes and groups in the Roman Empire during the first and second centuries, we are left with the task of tracing the progress from prejudice to legal action against them. While the general Roman perception of Christianity as a *superstitio* and one that promoted atheism and apostasy from the established Roman religion certainly energized the Roman spirit against this cult, we must question whether such accusations could have stood in a Roman courtroom. At work is a subtle transformation from insubstantial prejudice to active persecution by legal means.

The actual cause of the fire of 64 naturally influences the interpretation of the legal process by which the Christians were accused and convicted by Nero or his magistrates. By describing the devastation caused by the five days of burning (*Ann.* 38-39) followed by a second wave during which *strages hominum minor; delubra deum et porticus amoenitati decatae latius procidere* (*Ann.* 40), Tacitus succeeded in arousing pity among his readers for the ruined lives of the people of Rome. With his extensive and detailed description of suffering, the historian hoped that the reader's pity would turn to outrage if it could be implied that an egotistic emperor had ordered the fires. In writing about the reigns of the Julio-Claudian emperors, Tacitus wished to show corruption of absolute power, even when such a view of the events seems strained. After describing Nero's positive steps in rebuilding the city, Tacitus concludes the chapter: *erant tamen qui crederent veterem illam formam salubritati magis conduxisse, quoniam angustiae*

itinerum et altitudo tectorum non perinde solis vapore perrumperentur: at nunc patulam latitudinem et nulla umbra defensam graviore aestu ardescere. Tacitus' use of innuendo to sway the emotions of the reader has been well established.¹ With the phrase *erant tamen qui* Tacitus seems to have removed his own opinion from the text. Since the responsibility of the words, which are nothing more than rumor, rests with the witnesses from whom Tacitus obtained his information, Tacitus has the freedom to include them, especially when they support a negative interpretation of Nero's action.

Tacitus repeatedly implied that Nero was guilty of ordering the fires. He wished his readers to be so bombarded with the rumor that soon they would take it to be fact.² But Tacitus could not bring himself to the straightforward accusation against Nero. He knew that Nero's association with the fires was nothing more than a rumor (Develin.1883.90). For this reason, nowhere does he state in certain terms that Nero in fact had committed the crimes. Removed by half a century, Tacitus' own recollection of the events, which occurred during his childhood, would not have been sufficient to assert Nero's guilt. Instead, Tacitus situates his words in ambiguity. Phrases scattered throughout prove this: *sequitur clades, forte an dolo principis incertum* (38); *videbatur Nero condendae urbis novae et cognomento suo appellandae gloriam quaerere* (40); and *quin iussum incendium crederetur* (44). Twice he uses the term *rumor* (39 and 44) when relating Nero's supposed guilt. Whatever amount of devotion he had to his craft as historian deterred him from relating what was historically uncertain as the truth. Ryberg (1942.384) is aware of this, and notes, in discussing Tacitus' style and penchant for presenting "sometimes diametrically opposed estimates," that "they are resources

¹ See Develin (1983); Whitehead (1979); Ryberg (1942).

² See Whitehead (1979.492); Ryberg (1942.399-400).

employed by Tacitus the artist to produce an impression for which Tacitus the historian is not willing to take the responsibility.”

Clayton (1947.82) rightly observes that Tacitus’ prejudice against Nero was almost equaled by that against the Christians. That Tacitus also held such prejudices has already been noted. By assigning too much of the blame upon Nero, Tacitus would have depicted the Christians in too positive a light. He certainly believed that the Christians should be punished, if not for incendiarism, then for their general hatred towards mankind (*Annals* 44). With much care and attention, he emphasized the rumor of Nero’s guilt, while leaving the possibility open that the Christians really deserved the punishment they suffered. Therefore, it is impossible to assert that the Christians had any real connection to the fires just as it is impossible to definitely conclude that Nero did in fact order them. That a group of fanatical Christians interpreted the fires as a precursor to the Day of Judgment and actively encouraged them remains an improvable theory.³

What then can be said of the actual cause of the fires? Tacitus wanted the reader to believe that Nero was the cause, but was hindered from explicitly stating this. We must be wary to place trust in this accusation, if only implied, because of Tacitus’ prejudice against the emperor (Wilken 1984.48-49). It should be noted that the account in Suetonius *Nero* 38 in no way links either the Christians or Nero to the fires, though he does mention the unrelated persecution of Christians among the positive actions of the emperor (*Nero* 16.2). In effect, no real conclusion can be drawn about the cause of the fire. It may well have been an accident, or the rumors, in spite of Tacitus’ prejudice, may have been true. More importantly, the rumor had circulated that Nero was in fact guilty.

³ Hulsen (1909.47) concludes that this may have been the case, although, in the end, he believes the fire to have occurred by accident.

Whether it was true or not makes little difference. That the emperor felt a need to redeem his tarnished image among the Roman people is more important to the present study.

Finally, then, we enter the dreaded 44th chapter. This short paragraph has attracted a substantial amount of criticism. The interpretation of two lines in particular largely affects our understanding of the accusation against and the legal means by which the Christians suffered. The first of these reads: *ergo abolendo rumore Nero subdidit reos et quaesitissimis poenis adfecit quos per flagitia invisos vulgus Chrestianos appellabat*. What is exactly meant by *per flagitia*? Here again is proof of the fine line that Tacitus was trying to walk in accusing neither Nero nor the Christians so that both might equally bear the full brunt of outrage of Tacitus' audience. If this line were read with some other verb besides *subdidit*, it would seem that the Christians were responsible for the fires. Arson would be considered among these *flagitia*. The rumor about Nero would not be true. But if this were the case, why then did Nero need to "forge/invent a guilty party?"⁴

Furthermore, the sentence, as constructed by Tacitus, does not lead the reader directly to the interpretation that Nero created a guilty party because of their incendiarism. Instead, the common people were calling them *invisos Christianos* because of their crimes. These *flagitia* had already been attached to the Christians before the fire had occurred, unless we are to understand that the Roman people for the first time recognized the Christian community only after Nero had made the accusation of arson against them. While it is true that the separation of Judaism and Christianity in the Roman mind was taking place in the years surrounding this event, it is impossible to believe that Nero would have picked an unknown group to be his scapegoat. In his

⁴ Develin (1983.91): "The fact that Nero wanted to stop the rumor creates an impression of its possible validity and 'subdidit' has that sly connotation."

attempt to shift the popular opinion held against him onto another party, he obviously needed to pick a group that was already known for their crimes and would readily be accepted as guilty once the accusation had been made against them (Last 1937.89). He did not choose the Christians because they were arsonists, but because he knew that popular opinion would readily accept that this group was capable of committing arson. The Christians must already have obtained a reputation of being troublemakers before the fires occurred.

We have already observed that in times of crisis, the general tenor of the Roman populace turned into a state of religious frenzy. As in the Bacchanalian conspiracy and the years surrounding the second Punic War, the Romans of 64 C.E., after the fires had been extinguished, immediately turned to the Sibylline books for answers. In these difficult times, a mob mentality took hold. Nero used this to his advantage. Fearing the rumor, Nero set out, not to find those who actually started the fire, but ones who could possibly be blamed for the disturbance of the *pax deorum*.⁵ The Roman people did not understand any of the blessings and hardships of human existence as merely accidental. Instead, everything, good or bad, occurred as a response from the gods to Roman people's proper or improper rituals carried out towards them. In this respect, this affair shows similarity to the Bacchanalian Conspiracy, though separated by some two centuries. The Romans of 64 C.E., as they consulted the Sibylline books and offered

⁵ Last (1937.82-83) categorizes this as a "tribal persecution" in which "a group attacks certain of its members because their practice or their profession is thought to be of a kind which has alienated, or may alienate, the favour of those supernatural powers on whose goodwill the group conceives its safety to depend." Though Last believes this may not have driven the Roman government to action, it seems plausible that Nero played upon this belief among the superstitious lower classes to free himself from the rumor that he had started the fire. This argument follows closely de Ste. Croix (1936.24). He identifies the violation of the *pax deorum* by the existence of the Christian community with their exclusive monotheism, which to the Roman mind would be tantamount to atheism. For a contrary opinion, see Barnes (1968.34) and Walsh (1991.260).

supplicatum to Vulcan, Ceres, and Proserpine, proved that their understanding of religious matters had changed little over the past two centuries.

Shortly thereafter in the text, second more challenging line is encountered:

*igitur primum correpti qui fatebantur deinde indicio eorum multitudo ingens; haud proinde in crimine incendii quam odio humani generis convicti sunt.*⁶ Did the first

Christians who were seized confess to Christianity or to arson? Following Gibbon's translation, by adding strong punctuation after *ingens*, the meaning conveyed by this line is that all (both *qui fatebantur* and the later *ingens multitudo*) Christians who were apprehended were convicted not for arson, but for their hatred of mankind. Nero seized upon the religious fervor of the masses, and portrayed the Christians, not as the ones who physically started the fires, but as ones who had brought the wrath of the gods upon the Roman people. Based on this, and on the conclusions previously drawn, both the first and the second group of captured Christians must simply have confessed Christianity.⁷ While the official charge against them at first may have been merely being Christians (de Ste. Croix 1963.8n.11), it is also possible that, in the frenzied state of the Roman population, Nero's prosecutors were able to show that the Christians were responsible for the fires

⁶ Getty (1966.289) supports the reading *coniuncti* instead of *convicti*, which is better attested in the MSS. However *convicti* fits the sense of the phrase and has generally been accepted, especially after Gibbon (Mueller [2005.338]) supported it with the translation: "The confession of those who were seized discovered a great multitude of their accomplices, and they were all convicted, not so much for the crime of setting fire to the city as for their hatred of humankind."

⁷ Getty (1966.286-287) points out that nowhere in Tacitus does the verb *fatari* stand alone to mean: "confess a faith." He also suggests that the indicative shows the validity of the accusation (as opposed to the subjunctive "affingeretur" of the Libo Drusus affair in *Ann.* 2.27.1). de Ste. Croix (1963.n11), disregarding the mood, simply understands the imperfect tense as proof that the Christians were confessing Christianity, not fire-starting. Getty (1966.286) agrees that the "tense makes arson absurd." Seemingly, Getty (1966.292) disregards this statement as he concludes with a difficult and somewhat forced explanation: "The trial of the Christians was for arson, to which they confessed, whether or not as a result of torture, but their punishment was to be explained rather by the general *invidia* with which they were regarded." Ramsay (1904.238) finds it impossible to believe that the Christians admitted to incendiarism. He questions that if this had been the case, why then did the rumor of Nero's guilt not diminish once the Christians had pleaded guilty.

indirectly.⁸ Whether a final verdict of guilt stemmed primarily from this charge, or whether underlying prejudices played a far greater role, is difficult to assert. It is impossible to read so far into the scanty amount of extant evidence so as to understand the inner workings of the Roman magistrates' minds. It seems most likely, however, that the strategy of the prosecutors in the courtroom,⁹ at least in the first batch of Christians who were seized, was first to prove guilt of Christianity because of their offense to the gods, then to put the simple question to the defendant: *Christianus es?*

The charge of the indirect association of the Christians with the fires may seem extremely foreign to the modern reader's perception of law. First, we must remember the Roman mindset in times of distress. Secondly, the Roman religion was under the care of the government. When Roman citizens relinquished the religion of their fathers, this action might have been construed as disloyalty to the state. The Roman religion was in effect an arm of the government to ensure the moral fortitude of its citizens and worked to bind the society together, thereby ensuring that the state itself would abide and the prominent figures in government would continue to prosper. When communities throughout the provinces of the Empire continued to practice the religions of their fathers in their native region, Rome did not interfere. Watson (1998.58) offers three possible responses to foreign religion by the Roman government: acceptance and assimilation, rejection, or "a third approach, to ignore the foreign worship, (which) could be

⁸ That is, because they had offended the gods. The accusation of the Christian's threat to the *pax deorum* here promoted is an amalgamation of the offenses offered by the scholars Mommsen (national apostasy), Ramsay and Hardy (general nuisance of Christianity), and most directly Dieu (indirect cause of public disturbance) as they are summarized by Sherwin-White (1952.203).

⁹ Here it is assumed that there was no imperial edict to the effect that all Christians were to be eliminated. Individual *delatores*, at the encouragement or in the employment of the emperor, would have been responsible for bringing the charges against the Christians before the magistrates who then, by the process of *coercitio* inherent in their *imperium*, sentenced the Christians accordingly. This process will be further discussed in relation to Pliny.

maintained for a period if the times were peaceable, the worship apparently innocuous, and its adherents few.” Since the principle responsibility of the city magistrates and provincial governors was to keep order, interference among otherwise peaceful religious communities, especially outside Rome, would pointlessly lead to unrest. When a charge of this nature was brought against a religious group, the magistrate was forced to weigh not only the validity of the accusation, but also the effect it would have upon the stability of the masses. At Rome a more definitive line would be drawn between acceptable and intolerable religions than in the provinces. The Roman people of 64 C.E. were clamoring for a guilty party, and not wishing to offend the volatile Nero, these city magistrates would have been eager to assert some other party’s guilt. In such a context, it is not difficult to assume that a weak charge might be upheld. Furthermore and closely related, it is very plausible that Nero himself actively participated in making sure that the Christians were convicted. Finally, these judges had no fear of repercussion in finding the Christian minority guilty. The magistrate’s acceptance of this charge may have been a measure taken to quiet the masses (Ramsay 1904.241). At the same time, it may have been an attempt to make sure that Nero was placated.

Once this initial stage had been completed, a greater number of Christians were seized on the information of a few. At this point, the weak charge of indirect incendiarism was dropped, and a still weaker one was established. Once the rumor went out that the Christians were somehow connected with the fires, though evidently met with skepticism, the majority of the Roman people saw in this an opportunity to rid themselves of that pesky, evildoing sect that had infiltrated their society. Ramsey (1904.234-235) correctly interprets this second stage of convictions: “The trials and punishments of the

Christians continue even after all pretence of connection with the fire had been abandoned. The safety of the people, it was argued, required that these enemies of society should be severely dealt with.” Perhaps Nero himself understood that the majority of the Romans were not buying his scapegoat routine, but he continued to press for some other means by which to shift public attention away from himself. Therefore, he adopted, or had his prosecutors adopt, the vague charge of their hatred of mankind.¹⁰ Schoedel (1973.311n.20) offers a variety of instances in support of the theory that the Romans considered the atheism of the Jews and Christians, which threatened the *pax deorum*, indistinguishable from their hatred of mankind. *Odium generis humani* was then nothing more than a broadening of the earlier accusation.

In the fires, Nero saw an opportunity to rebuild the city and claim glory.¹¹ His purposely slow reaction to them was interpreted by the people of Rome as proof that Nero had ordered them. Feeling the pressure of the rumors, Nero played upon the religiously charged masses to shift the blame. Investigations were made and those who confessed Christianity, which implied that they had incurred the wrath of the gods, were punished. Seeing that the rumor of his guilt was not fading away, Nero broadened the accusation to keep attention upon the Christians. The Roman people, with their prejudice toward Christianity, first willingly accepted this accusation, but later realized that the Christians were executed in such a way in order to satisfy Nero’s appetite for torture.

¹⁰ See Getty (1966.290-291) for the alternate interpretation of *humani generis* as a subjective rather than objective genitive.

¹¹ Except for the conjecture that the fires were an accident, this reconstruction follows closely that of de Ste. Croix (1963.8).

CHAPTER 6

PLINY AND THE BITHYNIAN CHRISTIANS: 110-112 C.E.

Pliny's correspondence with the emperor Trajan contains sufficient amount of information to complement our understanding of the early stages of the Christian persecution, especially in legal areas. Because of the brevity of these letters, a summary of their content will be short, yet useful.

Pliny first expresses his ignorance in dealing with the Christians who were brought before him. Since he had not been present at such trials, he was unsure about the penalty which Christians should suffer, whether age or apostasy should be considered in relation to their sentencing, and whether the name itself, or the crimes associated with the name, was to be the charge (10.96.1-2). He then describes the methods that he had adopted in dealing with the Christians. Three times he asked them whether they were Christians, threatening punishment with the third question. Romans who confessed Christianity were sent to Rome for trial. Both Romans and provincials who denied Christianity, invoked the Roman gods, offered prayers to the image of the emperor, and cursed Christ, were set free (10.96.3-4a). Then, as he expounds upon his question about the accusation to be made against the Christians, he claims to have found neither that they were gathering for subversive reasons nor that their ritual involved any immoral behavior. As he questioned the two deaconesses, he found no specific crimes, except for their obstinacy in repeatedly affirming their belief in a perverse *superstitio* (10.96.4b-8). Pliny's letter concludes with remarks about the extent to which Christianity had grown, and his hopes that the affair, if properly curbed, might produce some benefit (10.96.9-10).

Trajan's response was short and to the point (10.97.1-2). He instructed Pliny to continue to deal with the Christian situation in Bithynia in the same manner. He warned that these Christians were not to be sought out and that the *libellus* was not to be allowed in Pliny's court. Yet, by replying that Pliny has done what he ought, even when Pliny has stated that no *flagitia* existed, Trajan clearly accepts that Christians were to be prosecuted for the name. Such a reply was very judicious from a Roman standpoint. Again, the primary duty of the provincial governors was to maintain peace. An uprising of the pagan masses against the Christians presented a grave threat should the governor refuse to punish those who were brought before him. Popular sentiment, as already noted, played a large part in the Christian persecutions. But by not specifically seeking them out, Pliny incurred the least amount of backlash from the smaller Christian community. Pliny, although devoted to the Roman religion,¹ would have been pleased to cooperate with such advice. He had no personal agenda against these Christians, although he thought that their religion might have a corrupting influence upon Roman society.² In effect, the course of action that these two men settled upon was to risk the minimal threat of disturbance from the smaller Christian community so that the majority of the provincial populace would remain peaceful. It also had the positive effect of portraying the governmental authorities, the leaders of the Roman people in both secular and religious areas, as willing to stand firm with its people in defending their ancient religion.

Attempts to understand the legal issues in Pliny have produced complex and vastly differing interpretations. Keretzes (1964.204) claimed: "there is today an almost

¹ Pliny's religious nature becomes evident by his closing remarks about the once desolate temples being revisited.

² That Pliny wished, not to eliminate the Christians, but to rehabilitate them is proved by his final words in 10.96: *Ex quo facile est opinari, quae turba hominum emendari possit, si sit paenitentiae locus.*

general agreement that the Christians, under normal circumstances, were not tried on the basis of either the *ius coercitionis* or the general criminal law, *but* on the basis of a special law introduced during Nero's rule." Yet in the following year, Crake (1965.61) observed: "It also seems now to be clear that the normal procedure in dealing with Christians was by exercise of the power of *coercitio*." As to the procedure of the trials that were carried out against the Christians in Pliny's court, I can do no better than to reiterate a few points made by Sherwin-White (1952). The theory of a general edict, though plausible during Nero's reign, falls apart in the context of Pliny's letters. If such a document had existed, why would Pliny have filled his letter with so many various questions about the procedure? If it were the case that the new governor was somehow not acquainted with the edict, why did Trajan fail to mention it in his rescript? Perhaps one might argue that the edict was known to the governor, but was so vague as to leave out some rather major points. Yet, this theory still fails to account for the complete failure of either Pliny or Trajan to mention it. If an edict of intolerance towards Christianity were so well-known that both the governor and the emperor could write about it without mentioning it, it is difficult to understand how such a famous piece of legislation could have gone half a century without addressing Pliny's questions. Furthermore, the emperors Nero or Domitian³ would not have considered the Christians of the second half of the first century C.E. so important as to devote so much attention to them. This presents the greatest difficulty in assuming that Nero published an edict against the Christians following the fires. Finally, "all scholars seem to be agreed that either *de iure* or *de facto* the churches enjoyed effective property rights before the Decian troubles, save in

³ The adherents of the "general edict" theory fix the date of such an edict to the reign of one of these emperors.

moments of active persecution” (Sherwin-White 1952.201). If an edict of persecution were established, it would have had effect upon all the provinces. Governors would have been compelled to carry out orders to eliminate Christianity throughout the Roman Empire. Yet Christian communities in Asia Minor, Palestine, and North Africa continued to exist even during the years immediately following the fires. The sporadic nature of the persecutions from 64-250 C.E. proves incompatible with this theory.⁴

To disprove the theory that the Christians who suffered during the second phase of persecutions were punished for specific crimes takes much less effort. Any early Christians who were guilty of crime would be dealt with just as any other common criminal of the day under the public laws. Unless we are to believe that no magistrate conducted an inquiry into the actual way of life of the early Christians until the time of Pliny, and that these magistrates simply assumed crimes of a few to be prevalent among the Christian majority, this theory fails to relate how any more widespread persecution ever came into existence. Furthermore, Tacitus’ remark that the Christians were punished not so much for their involvement in the fires, but rather for their hatred of mankind and Pliny’s investigation that found the crimes associated with the name of Christianity baseless stand in complete objection to this theory. To assert that the accusation against the Christians in Pliny’s court was their refusal to offer prayers to the image of the emperor would be to miss the point. While Goodenough (1931.36) correctly identifies the Roman’s perception of the Christian’s refusal to “drop a pinch of incense” before the statue of an emperor as unpatriotic, this refusal only fueled public animosity against the Christians, it was not the accusation brought against them in Pliny’s court. The charge

⁴ One of the major points brought up in favor of the “general edict” is Tertullian’s *institutum Neronum*. For the proper understanding of this phrase, see Sherwin-White (1952.208-209).

was simply being a Christian.⁵ Pliny established the emperor test as a way of confirming an individual's apostasy from the cult.

The *coercitio* theory,⁶ already mentioned before, seems most probable. As is evident, at least after Trajan's reply, Pliny did not seek out the Christians. Instead, the Christians were brought to him by individual *delatores*.⁷ The legal jurisdiction with which Pliny presided over these trials was that of the *cognitio* process. This right was inherent to the position of proconsul as a part of his *imperium*. As Sherwin-White (1952.208) notes, the power of life and death over all non-Romans was also inherent in the governor's *imperium*. With this power too, governors had a very wide range of power in deciding which trials they would allow to be heard and in reaching judgments on issues which were not dealt with by the codified laws (*ordo iudiciorum publicorum*) to which all governors were subject. As de Ste. Croix (1963.11) points out: "Large areas of Roman criminal and public law, however, were by contrast very unsatisfactory, and one of the worst blemishes was precisely *cognitio extra ordinem*, the procedure by which the large deficiencies of the *quaestio* system (the *ordo iudiciorum publicorum*, regulating the punishment of what may be called 'statutory crimes'), which at least was subject to fairly strict rules, were supplemented by direct governmental intervention." The only checks to this power were specific imperial *mandata* or *edicta*, or the fear that once their governorship had ended, accusations of judicial malpractice would be brought against them. Since it has been proven most unlikely that such an edict about the Christians

⁵ Crake (1965.67-68) concludes: "By failing to answer Pliny's question, but telling him to carry on as he had been doing, the rescript could be taken to imply that *nomen ipsum* was the proper charge." Yet I fail to see how it could have been taken otherwise. See Sherwin-White (1966.710).

⁶ The following description of the judicial process by which the Christians were tried is largely indebted to the work of Sherwin-White (1952) and de Ste. Croix (1963).

⁷ On the role of the *delatores* in relation to Christianity see Rutledge (2001.72-73, 75, 77).

existed, Pliny had no restraints, nor any guideline, for his judgments. He most likely knew of the Neronian persecution, and evidently knew that Christians had been brought to trial before, but he was never present at one of these. For this reason he wrote to Trajan. As opposed to the “general edict” theory, this explanation corresponds well with the sporadic nature of the persecutions during this phase. For it was within the governor’s prerogative to pursue the Christians as much or as little as he thought fit. The greater the threat of civil unrest should he refuse to hear cases against Christians, the more likely a governor would have been to pursue the Christians as the cause of disturbance. Pliny was under a great deal of pressure to act against the Christians. He writes: *Mox ipso tractatu, ut fieri solet, diffundente se crimine plures species inciderunt* (10.96.4). Once it became known that Pliny was hearing such cases, a larger number and greater variety of cases were brought against the Christians. Yet his policies would last only as long as he held his term of office. Upon arrival, the next governor could take up the same position as his predecessor, or he could forge a different approach to the issue, provided that imperial decree, or in Pliny’s case imperial rescript, did not bind him to a certain course of action. In contrast with the *flagitia* theory, this theory allows for a more widespread punishment to be placed upon Christians, at least within a particular province. Individual prosecutors would not have to attach crimes to the individual Christians whom they brought to trial. Instead, *delatores* were permitted to prosecute and governors to punish Christians simply for being Christians. This theory is wholly consistent with the policy which Pliny had already been employing, and in which manner Trajan’s rescript encouraged him to continue.

CHAPTER 7

SUMMARY AND CONCLUSION

The Bacchanalian conspiracy established Rome's course of action in refusing to tolerate a foreign cult. This jurisdiction of the Roman government over both political and religious affairs became all the more cemented during the Empire as the emperor assumed the title *pontifex maximus*.¹ But even at the turn of the 2nd century B.C.E., the government's control over both is evident. It was not the case in 186 B.C.E., nor was it in 64 or 112 C.E., that the Roman government set aside its political power to deal with these religious affairs on strictly religious grounds. Instead, Roman religion was a vital aspect of the government's ability to fuse together a tight-knit, morally upright society, which would be most effective for its purposes both in war and at peace. Upon the advent of a foreign god or cult, Rome had to weigh the effects upon the solidarity and moral fortitude of its citizenry. When the threat seemed sufficient to eliminate cult, it is no surprise that the government termed the affair a *coniuratio*. For in destroying the religious ties that bound Roman to Roman, the cult hindered the agenda of those in power.

Furthermore, the Bacchanalian conspiracy inaugurated a long list of foreign cults that Rome, for various reasons, checked, expelled, or in some way repressed. Chaldeans and astrologers, Jews, Druids, Isis-worshippers, and Christians during the next two centuries all experienced Rome's intolerance in one form or another. By the time of the arrival of Christianity, it is safe to assume that skepticism, at least among the Roman

¹ Pliny 10.68 calls upon Trajan as *pontifex maximus*, a title that Roman emperors had assumed from Augustus onwards, to decide the rights of family members to move burial sites of their relatives.

governing class, about such cults would have been prevalent. In time, after the succession of these suppressions wore on, stock prejudices evolved. Those held against the Christians, against which the Christian apologists wrote, are strikingly similar to the secretive gatherings and nocturnal orgies of the Bacchants.

Rome's relation to Judaism had an even closer connection to her later interaction with Christianity. The anti-social appearance, notoriety as trouble-making sects, and proselytizing of both religions stimulated prejudice, fear, and ultimately suppression by Roman authorities. Where Judaism had earned marginal respect because of its antiquity, Christianity was more despised for deserting the traditions of its forefathers.

The most basic principal upon which the government based its decision for tolerance or intolerance was the threat these imposed upon the peace and stability of the Roman world, which indirectly threatened the prosperity of the ruling classes. In the first place, these religions and cults undermined Rome's authority over her citizens. Secondly, prejudices that arose among the masses, especially in provincial areas of the Empire, to a certain extent dictated the Roman government's action. Finally, the political and religious affairs of the Empire cannot be separated from one another. The manipulation of religious affairs to secure the political agenda of an emperor, at the same time *pontifex maximus*, was a natural result of this process. Roman religion was certainly not dead in the first century C.E. *Superstitiones* were a grave threat to the *pax deorum*, especially among the more religiously prone lower classes.² Nero used this to his advantage in accusing the Christians of *odium generis humanis*. By Pliny's time, prosecuting Christians for their

² Last (1937.83): "This 'tribal' motive (in which a society persecutes a group within it because they have offended the gods upon whom the society as a whole depends for its safety) may not have actuated the Roman government, or indeed any persons of enlightenment, during the first three centuries A.D.; but of its potency among some of the classes opposed to the early church there can be no question."

nomen was an established practice, although it was sporadically enforced due to the nature of the *delatores* process.

Finally, persecution has been applied to the actions of Rome against early Christianity throughout this paper. Yet there have been critics who argue that the term is inappropriate.³ Bacchic ritual was expelled from Italy because of the *flagitia* that occurred during their gatherings. For this reason no one considers Rome's reaction to the Bacchants as persecution. Yet, in the aftermath of the fires, Tacitus explicitly states that the Christians were not accused of incendiarism. Pliny found no crimes in their assembly. If we are to understand events only from the Roman perspective, then a case could be made that since religious matters were inherently political, and since the favor or disfavor of the gods directly affected Rome's prosperity, the suppression of Christianity, whose very existence had incurred the wrath of the gods in the form of the fires, was considered only a survival tactic and a method of punishing crime in the Roman mind.⁴ But by this reasoning, that is, by asking the oppressors what they think of their actions, it becomes very difficult to apply persecution to any suppression of religion. Last (1937.89) is correct in quoting Maccully's phrase: "there never was a religious persecution in which some odious crime was not, justly or unjustly, said to be obviously deducible from the doctrines of the persecuted party." The applicability of the term revolves upon the perception of the action as just or unjust. To the modern reader Rome's actions were unjust, especially since the division between church and state has been sharply

³ Getty (1966.292) opposes the use of the term in relation to the Neronian persecution: "So it was with Nero's indictment of the Christians, and Hugh Last, for example, was correct in refusing to regard it as a persecution. In holding that they were punished because 'of the *flagitia* which made them *invisi* to the *vulgus*,' he, in effect, was justifying *odio humani generis* as the real incentive for their punishment."

⁴ Last (1937.89-90) concludes that Christians were perceived as having committed arson, and in this Rome is justified in suppressing (not persecuting) them.

established. Yet to the Romans, naturally, the actions taken against Christianity were justifiable. In the end, the argument relies upon the vantage point from which it is taken.

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BIOGRAPHICAL SKETCH

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