

ABSTRACT

RICE, CARL ROSS. Diocletian's "Great Persecutions": Minority Religions and the Roman Tetrarchy. (Under the direction of Prof. S. Thomas Parker)

In the year 303, the Roman Emperor Diocletian and the other members of the Tetrarchy launched a series of persecutions against Christians that is remembered as the most severe, widespread, and systematic persecution in the Church's history. Around that time, the Tetrarchy also issued a rescript to the Proconsul of Africa ordering similar persecutory actions against a religious group known as the Manichaeans.

At first glance, the Tetrarchy's actions appear to be the result of tensions between traditional classical paganism and religious groups that were not part of that system. However, when the status of Jewish populations in the Empire is examined, it becomes apparent that the Tetrarchy only persecuted Christians and Manichaeans. This thesis explores the relationship between the Tetrarchy and each of these three minority groups as it attempts to understand the Tetrarchy's policies towards minority religions. In doing so, this thesis will discuss the relationship between the Roman state and minority religious groups in the era just before the Empire's formal conversion to Christianity. It is only around certain moments in the various religions' relationships with the state that the Tetrarchs order violence. Consequently, I argue that violence towards minority religions was a means by which the Roman state policed boundaries around its conceptions of Roman identity.

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Diocletian's "Great Persecutions": Minority Religions and the Roman Tetrarchy

by
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BIOGRAPHY

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Upon graduating in August 2013 from WVU, he matriculated into the MA in history program at North Carolina State University in Raleigh, NC later that month. Over the next three years, he worked as a teaching assistant in the history department and as a graduate assistant with the Fellowship Advising Office. In spring 2015, he completed the Certificate of Accomplishment in Teaching at NC State. Throughout his career at NC State, CJ has worked on the editorial staff of the history department’s *The NC State University Graduate History Journal*, serving as editor-in-chief for the 2015/16 academic year.

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LIST OF ABBREVIATIONS

CIJ	<i>Corpus Inscriptionum Judaicarum.</i>
CIL	<i>Corpus Inscriptionum Latinarum.</i>
CJ	<i>Codex Justinianus</i>
CMC	<i>Cologne Mani Codex</i>
CPJ	<i>Corpus Papyrorum Judaicarum.</i>
CSEL	<i>Corpus Scriptorum Ecclesiasticorum Latinorum.</i>
CT	<i>Codex Theodosianus</i>
Eusebius, HE	Eusebius, <i>Historia Ecclesiastica</i>
Eusebius, MP	Eusebius, <i>The Martyrs of Palestine</i>
Josephus, AJ	Josephus, <i>Antiquities of the Jews</i>
Josephus, BJ	Josephus, <i>Bellum Judaicum</i>
Lactantius, DMP	Lactantius, <i>De Mortibus Persecutorum</i>
LCL	Loeb Classical Library.
<i>Leg. Coll.</i>	<i>Legum Collatio Mosaicarum et Romanarum</i>
<i>ManiTexts</i>	<i>Manichean Texts from the Roman Empire</i> , edited by Iain Gardner and Samuel N.C. Lieu. Cambridge, UK: Cambridge University Press, 2004.
<i>NewEus</i>	<i>A New Eusebius: Documents Illustrative of the History of the Church to A.D. 337.</i> Edited by J. Stevenson. London: SPCK, 1974.
PT	Palestinian Talmud
<i>P&CinLA</i>	<i>Pagans and Christians in Late Antiquity: A Sourcebook</i> , edited by A.D. Lee. London: Routledge, 2000.
<i>REF&PW</i>	<i>The Roman Eastern Frontier and the Persian Wars AD 226-363: A Documentary History.</i> Edited by Michael Dodgeon and Samuel N.C. Lieu. London: Routledge, 1994.
SEG	<i>Supplementum Epigraphicum Graecum Online.</i>
TTH	Translated Texts for Historians (Liverpool, Liverpool University Press)

**CHAPTER ONE:
ROMAN RELIGION, THE TETRARCHY, AND THE PROBLEM OF RELIGIOUS VIOLENCE**

This is a study of frontiers. Frontiers are boundaries that separate one world from another. Often in historical scholarship, frontiers appear in discussions of military engagements and in political and national histories; they are the dividing lines between provinces and empires, between cities and states. They can occur naturally or can be superficially imposed upon the landscape, the result of political negotiations and agreements. However, the frontiers I intend to discuss in this thesis are not of that nature. Instead, these frontiers are intellectual, spiritual, and religious ones. They separate the state from the individual, the spiritual core from the religious periphery, the ruler from the ruled, and the religion of the Roman people from the empire's minority religious dissenters. This thesis is a study in the boundaries around religious identity constructed under the reign of the Roman Emperor Diocletian and the other members of the Tetrarchy (284-305).¹

This period, just before Constantine's rise to power and eventual conversion to Christianity, is marked by state-sponsored and state-directed violence towards minority religious groups. As the chapters that follow will show, Diocletian and his co-emperors—known collectively as the Tetrarchy (293-305)—issued imperial legislation against certain minority religious groups late in their reign. Christians and Manichaeans bore the greatest burden of these edicts and rescripts. Consequently, the conflict seems, at first glance, to be the result of incompatibility of traditional Roman polytheism with exclusivist monotheism or dualism. However, further examination of the period immediately reveals that this cannot be the case. While Christians and Manicheans suffered as a result of the legislation against them, Jews in the empire remained free and unmolested. In fact, as I will show, some evidence even suggests that the Tetrarchy granted special exemptions to Jews under their rule.

Historians have dedicated volumes to the Tetrarchy's edicts against the Christians, which constituted one of the most serious and systematic persecutions of that religious tradition. More recently, historians have explored the connections between the persecutions of Christians in relationship to a rescript published against Manichaeans in North Africa.² However, these same

¹ Unless otherwise noted, all dates are CE.

² For general works on religion under the Tetrarchy, see T.D. Barnes, *Constantine and Eusebius*, 3-27, 148-63; Simon Corcoran, *The Empire of the Tetrarchs, passim* discusses the administration of the Empire; Roger Rees, *Diocletian and the Tetrarchy*, 46-71; and Steven Williams, *Diocletian and the Roman Recovery*, 151-202. For detailed analyses of the Tetrarchy's persecution of Christians, see N.H. Baynes, "The Great Persecution," 646-677; P.S. Davies, "The Origin

historians have largely ignored the aforementioned toleration Jews experienced at the same time. To my knowledge, no scholar has conducted a detailed, in-depth analysis of this situation. No one has examined each of these minority religious traditions in the context of the others in anything more than passing. In this thesis, I seek to understand the nature of the relationship between the Tetrarchy and minority religious groups.

The remainder of this chapter will present the reader with a brief overview and introduction to the religious world of Rome and the Diocletianic Tetrarchy. I will focus my discussion of Roman religion largely on the institutionalization and integration of Roman religious cult with civil and government life, as well as the toleration (and, even at times, the embrace) of foreign cults. A brief discussion of Diocletian, the Tetrarchy, and their reforms will follow as background and to identify the major players whose stories are woven throughout the following chapters. After all, nothing happens in a vacuum, and to understand the policies of the Tetrarchy, we must understand their world. Indeed, the Tetrarchs and their actions were very much the product of the Roman world.

Before I begin a discussion of Roman religious history, there are a few key terms and theoretical concepts that merit introduction since they will apply throughout the thesis. First and foremost, this is not a work of theology. My discussion here does not attempt to uncover any new perspectives on belief concerning any of the religious traditions involved. Consequently, I only discuss religious beliefs and observances as they pertain to the topic at hand. For example, I cannot fail to discuss the feasting practices of the Manichaeans, though they were based in Manichaean soteriology. However, the theology behind them is not necessarily relevant for this study. As far as I can, then, I have endeavored to refer to communities of people (e.g. Jews) rather than schools of thought or religious ideas (e.g. Judaism). After all, it was people, not their ideas, who suffered and endured religious persecution at the hands of the Roman government.

and Purpose of the Persecution of AD-303,” 66-94; G.E.M. de Ste. Croix “Aspects,” 6-94; G.E.M. de Ste. Croix, “Why were the Christian Persecuted?,” 105-52; Elizabeth Depalma Digeser, “Religion, Law, and the Roman Polity,” 68-84; W.H.C. Frend, “Prelude,” 1-18; Paul Kerestzes “From the Great Persecution to the Peace of Galerius,” 379-99; A.J. Mason, *The Persecution of Diocletian, passim*; and Jeremy Schott, “Porphyry on Christians and Others,” 277-314. For the Manichaeans, see Peter Brown, “The Diffusion of Manichaeism,” 92-103; L.D. Bruce, “Diocletian, the Proconsul Julianus, and the Manichaeans,” 336-347, and S.N.C. Lieu, *Manichaeism in the Later Roman Empire, passim*; S.N.C. Lieu, *Manichaeism in Mesopotamia and the Roman East, passim*. Finally, for comments on Jews, see Alfredo Mordecai Rabello, “On the Relations between Diocletian and the Jew,” 147-167. In each subsequent chapter, I will discuss the historiography of each religion’s relationship with the Tetrarchy in more detail.

Furthermore, the term “religion” or any variation thereof has become a contested one in modern scholarship. J.Z. Smith and Brent Nongbri have argued that religion is a construct of the modern world too often read onto peoples of the past.³ However, in light of this work on the nature of “religion,” I continue with the traditional use of the term. When I refer to “Roman religion” or “ancient Christian religious traditions” or the like, I am simply referring to the world view, the self-accepted beliefs and practices, and self-appointed identities individuals ascribed to themselves through their communal relationships with other co-religionists, accessible through a variety of evidence that survives from antiquity.

It is also important to comment upon my use of the term “pagan” in reference to the traditional Roman religion. While the word “pagan” originated as a pejorative term (*paganus*, *-i*, from *pagus*, *-i*) meaning something like “uneducated country bumpkin,” the term has traditionally been used—both in theological and in historical works—to refer to non-Judeo-Christian traditions in the Mediterranean basin. For facility’s sake, I choose to follow this traditional use of the term, while acknowledging the complicated and problematic nature of the term. I use the term with none of the pejorative meaning, utilizing it rather as shorthand for the traditional polytheistic religious traditions of the Roman world.

Finally, I draw a pedantic yet important distinction between the terms “tolerance” and “toleration.” In my use, the term “tolerance” refers to a cultural attitude in which a belief, practice, or identity is accepted. In contrast, I employ the term “toleration” to refer to a situation in which the government has bestowed legal protections upon a belief, a practice, or an identity. A modern example illustrates this dichotomy. Before the landmark 2015 United States Supreme Court decision in *Obergefell v. Hodges*, same-sex couples in many communities may have experienced tolerance from their neighbors, friends, and members of their communities, though often they did not enjoy legal toleration. However, when the Supreme Court’s decision made marriage equality a legal right across the country, same-sex couples could now enjoy a degree of toleration, because the United States government has extended legal protection to their community. In sum, “tolerance” refers to general attitudes about a person or group, while “toleration” describes the relationship between that group and the government.

Like all historical events, the actions of Diocletian and the Tetrarchy must be situated in a larger historical context. In fact, the government of Rome and the religious lives of the

³ J.Z. Smith, “Religion, Religions, Religious,” 269-84; Brent Nongbri, *Before Religion, passim*.

Romans were intrinsically linked from very early on in Rome's history. Legend attributes the foundation of many aspects of the traditional Roman cult to Numa Pompilius, the legendary second king of Rome. In fact, Livy even writes that Numa endeavored to give Rome a new beginning, reconstituting the city's militaristic origins for a new foundation in religious observance.⁴ Numa is also credited with the construction of the temple of Janus in the city of Rome, a visible indication of the relationship between war, peace, and the Roman people.⁵

More significantly, however, Numa was later credited with the integration of the Roman religious system with the Roman civil world. He, for instance, allegedly established many priestly offices, or *flamines*. Perhaps the most significant was the *Flamen Dialis*, the chief priest of the cult of Jupiter.⁶ One benefit of this office was a seat in the senate and social distinction among the Roman elite. Livy notes that Numa established this position in the hopes that the duties typically conferred on the king—the embodiment of the Roman government at the time—would not lapse in the absence of the king.⁷ Doing so, then, he linked the government of Rome with proper religious practice at any time and integrated Roman religious practice with the Senate, an important governing organ in Rome.

Numa did not stop there in his attempts to integrate the Roman government with their religious world. In addition to the *Flamen Dialis*, Numa established the college of the Vestal Virgins, priestesses who maintained the cult of Vesta, a goddess from Alba.⁸ This cult cultivated a sacred flame to which the safety of the state was intimately tied. If the Vestals neglected the flame, Romans believed that the goddess Vesta had withdrawn her protection from the city. Numa's introduction of this cult into Rome is relevant to this discussion for two reasons. First, it highlights long-held understanding of the complex and important relationship between proper religious practice (i.e. the maintenance of the flame) and the pleasure of the gods vis-à-vis the safety of the city. Furthermore, it demonstrates how thoroughly foreign cults could be—and often were—integrated into the Roman religious system. The cult of Vesta originated in Alba Longa, a city near Rome and, thus, was not initially a Roman goddess (although, she was a Latin

⁴ Livy, *AUC* 1.19.1.

⁵ Livy, *AUC* 1.19.2.

⁶ Livy, *AUC* 1.20.1-2. See also, David S. Potter, "Roman Religion," 136-7.

⁷ Livy, *AUC* 1.20.1-2.

⁸ Livy, *AUC* 1.20.3.

goddess). Eventually, however, this cult would become one of the most significant and visible cults in the city of Rome.⁹

Numa also defined the responsibilities of the *Pontifex Maximus*. When he appointed Numa Marcius as *Pontifex Maximus*, the king ordered written instructions for how the pontifex could maintain the proper worship of the gods and determine their will when they needed to be consulted.¹⁰ The pontifex was also responsible for overseeing the individuals who monitored the auspices and other prophetic rites. These divination rituals were incredibly important and often influenced the policy decisions of the Roman government as they were understood to reflect the will of the gods. David Potter has noted that prophecy provided a “crucial medium” to describe power and formulate Roman identity.¹¹ Numa’s codification of rules and regulation of the pontifex again demonstrates that the Romans believed in the intrinsic link between the divine and the wellbeing of the state.

The source for all of this information about Numa is Livy’s *Ab urbe condita*, a history of the city and people from its foundation. Much of it is likely more legendary than historical. Scholars should, and do, doubt much of the historicity of Livy’s account of the monarchy. However, while such texts may not present historical fact *per se*, they do offer an insight into the worldview of the author at the turn of the first century. And, from this source, we see that the Roman elite—and likely the Roman lower classes as well—believed that there was a long-standing and important link between the city’s governance and the proper practice of the state religion when Livy was writing. Livy’s depiction of the links between Roman religion and government reflects attitudes prevalent throughout the Imperial period.

Naturally, the links between the Roman government and religious practice apparent in Livy would continue to occupy an important place in the Roman world throughout its history. The proper relationship between the sacred and the profane worlds was predicated upon the highly formalistic practices, those proscribed by Numa to his *pontifex maximus*. Pliny describes in his *Natural History* the important steps necessary for a proper sacrifice. He writes that, beyond the act of the ritual slaughter itself, a proper prayer must be recited and the appropriate magistrates must perform certain ritualistic duties which include the proper dictation of *formulae*

⁹ As I will discuss later in this chapter, the Roman world often integrated foreign cults into their religious system and the Vestals were only one example. I will return to the relationship between foreign cults and the Roman religion in subsequent pages.

¹⁰ Livy, *AUC*, 1.20.5-7.

¹¹ David S. Potter, *Prophets and Emperors*, 213.

or ensuring the order of the crowd in attendance.¹² This understanding of the divine's role in the world can be understood as the *pax deorum*, or the “peace of the gods.”

In much of the ancient world, religion permeated every aspect of human existence, including especially public affairs. This too was true in Rome. As I have shown with a brief discussion of Numa's religious reforms and Pliny's remarks about sacrificial orthopraxis, the well-being of the state was directly and proportionally related to and dependent upon the satisfaction of the divine. In other words, when the gods were happy and satisfied, things were good for the Romans. In contrast, the Romans believed that when the gods were displeased—often as a result of a lapse in orthopraxy or some other disruption in cult—their world suffered very real consequences like plague, famine, or military defeat. In many ways, this is why the religious life of Rome was so intricately and publicly intertwined with its civil life. The Roman civil religion, in other words, represented a means by which the Roman government could ensure that the *pax deorum* was preserved and, consequently, they could ensure the success of the Roman world.

One other means of ensuring the *pax deorum* was to integrate foreign cults into the Roman religious system. In such a polytheistic system, the existence of foreign gods was not a question; believers took this for granted because their existence did not in any way challenge the existence or primacy of the Roman pantheon. For the Romans, their gods were simply a selection of the larger religious world of the Mediterranean. Generally, then, Roman and non-Roman religious systems were not incompatible with one another. Consequently, the Romans often translated and adopted foreign deities for worship in Rome.

A particularly striking example is the adoption of the Phrygian goddess Cybele late in the Second Punic War (205 BCE). During the course of that war (218-201 BCE), the Carthaginian general Hannibal invaded Italy, threatening Rome itself. For the next fifteen years, he ravished the Italian countryside, wreaking havoc on the economy and psyche of the Roman people. Roman efforts to thwart Hannibal's army had failed while suffering heavy casualties. The Roman people were perplexed and panicked and the consuls were charged with determining the government's course of action. Around that time, the *decemviri*, another priestly group under the direction of the *pontifex maximus*, purportedly discovered a passage in the Sibylline Oracles. According to Livy, the oracle read: “Whensoever a foreign enemy should bring war into the land of Italy, he may be expelled from Italy and conquered, if the Idaean Mother [i.e. Cybele]

¹² Pliny the Elder, *Natural History*, 28.3.

should be brought from Pessinus to Rome.”¹³ The Senate, intrigued and inspired by this newly discovered portent, sent ambassadors to Asia Minor to convey the goddess back to Rome.¹⁴ When a statue of the goddess arrived in Rome, a group of matrons carried it into the city, accompanied by a nobleman of high status and rank and surrounded by pomp, circumstance, and public games.¹⁵ In due course, Hannibal was recalled from Italy to North Africa, where Roman forces led by Scipio Africanus eventually defeated him and the Carthaginians. The Roman authors gave some credit for the victory to the importation of Cybele’s cult into Rome, indicating that the Romans believed that incorporating her cult into the Roman religious world had restored the *pax deorum*.

While Cybele’s cult represents a third century BCE example of a foreign cult’s integration into the Roman system, it is not a unique event. In the first centuries of the Common Era, several mystery cults—traditions that often had foreign origins—likewise found themselves integrated into the Roman religious world as well. Mystery religions are diverse and heterogeneous in nature. Each shared to some extent or another, however, an implicit secrecy as the specific teachings of each tradition was reserved for the eyes and ears of initiates only. Mystery cults also often promised eternal salvation to its initiates as a benefit of acquiring the secret knowledge the religion professed. Finally, many of these traditions also found themselves exported from their places of origin and incorporated into Roman society—and even government or civil religion—in some way.

A particularly intriguing example of an influential mystery cult is the Cult of Mithras. Scholars hotly debate the origins of Roman Mithraism. The cult, which appears to have begun to spread in Rome in the first century, was based around a Persian deity Mithra, whose name rendered in Greek is Mithras.¹⁶ The cult proselytized only to men; women were not welcome in its ranks.¹⁷ The cult also grew to prominence among members of the Roman military and imperial administration. Manfred Clauss has identified Mithraic sites that correspond roughly to the Roman frontiers, though there have been *Mithraea* uncovered throughout the empire’s territories and even in Rome itself. Some of the inscriptions are dedicated to *Sol Invictus*

¹³ Livy, *AUC* 29.10.5.: “*quandoque hostis alienigena terrae Italiae bellum intulisset eum pelli Italia uincique posse si mater Idaea a Pessinunte Romam aduecta foret.*”

¹⁴ Livy, *AUC* 29.11.

¹⁵ Livy, *AUC* 29.14.10-4.

¹⁶ Manfred Clauss, *The Roman Cult of Mithras*, 3-8 offers an intriguing discussion of the god Mithra and his origins in the eastern Mediterranean basin.

¹⁷ Manfred Clauss, *The Roman Cult of Mithras*, 33.

Mithrae.¹⁸ *Sol Invictus*, or the Unconquered Sun, was an important component of the imperial cult. In fact, beginning with the reign of Commodus (180-192), emperors began to adopt the epithet *invictus*, a title clearly associated with Mithras from very early on.¹⁹

The parallelism between Mithras and the imperial house was even made explicit in some inscriptions from the northern frontiers. These include dedications to the emperor himself. For example, one that reads “Invictus (god), for the health and safety of Emperor Caesar Lucius Aelius Aurelius Commodus, pious, unconquered, fortunate, and blessed of Roman Hercules” while another refers to the “safety of the unconquered Augustus.”²⁰ Such inscriptions betray a link between the military, the imperial cult, and the god Mithras. It is unclear to what degree the imperial house may have endorsed a mystery religion such as Mithras, but it remains clear that, with the preponderance of Roman soldiers and officials openly participating and actively dedicating cultic shrines and other objects, the cult was tolerated. Such a link further indicates that the Roman world did not resist the importation and integration of foreign cults and Roman civil religious practices.

However, the attempted importation of foreign cults was not always successful in Rome. For example, the emperor Elagabalus (r. 218-222) attempted to install the Syrian sun god Elagabal in place of Jupiter Optimus Maximus at the head of the Roman pantheon.²¹ Elagabalus met with a disastrous end in this attempt. However, Cassius Dio makes it abundantly clear that it was not the attempt to integrate Elagabal into Roman cult. Rather, it was the bizarre practices and the attempt to elevate Elagabal above the Roman pantheon that was deemed offensive. Of Elagabalus and his attempts to establish Elagabal as a part of the Roman religious system, Cassius Dio writes:

The offence consisted, not in his introducing a foreign god into Rome or in his exalting him in very strange ways, but in his placing him even before Jupiter himself and causing himself to be voted his priest, also in his circumcising himself and abstaining from swine's flesh, on the ground that his devotion would thereby be purer. ... He had planned, indeed, to cut off his genitals altogether, but that desire was prompted solely by his effeminacy... Furthermore, he was frequently seen even in public clad in the barbaric dress which the Syrian priests

¹⁸ Manfred Clauss, *The Roman Cult of Mithras*, 38 and *passim*.

¹⁹ Manfred Clauss, *The Roman Cult of Mithras*, 23-4.

²⁰ Manfred Clauss, *The Roman Cult of Mithras*, 23-4. “*Invictus (deus), pro salute et incolunitate Imperatoris Caesaris Lucii Aelii Aurelii Commodi pii invicti felicitis Herculis Romani*” and “*salvis Aug[ustis] invictis.*”

²¹ Cassius Dio, *History*, 80.11.

use, and this had as much to do as anything with his receiving the nickname of "The Assyrian."²²

Cassius Dio clearly suggests that it was not the attempted integration of the Cult of Elagabal into Roman life that vexed the Romans; it was the adoption of a different identity. He began to dress differently, to act effeminately, and to abstain from certain foods; in these ways, he marked himself as different, as non-Roman, if you will. In other words, he adopted a foreign identity and attempted to subject his Roman identity to it. As the chapter on the Jews will demonstrate, Jewish communities that had been integrated into the Roman world were able to do so because of the antiquity of their religion; furthermore, adherents of Judaism never attempted to install Yahweh at the head of the Roman state cult. Jews also were content to keep their identities to themselves; they never sought to enforce it on others through missionary movements. Some third century Romans feared that Elagabalus would enforce an unwanted henotheism upon them. Consequently, his attempt to bring Elagabalus into the Roman fold failed.²³

This brief synthetic overview demonstrates the principles fundamental to an understanding of Roman religion throughout the empire's history.²⁴ First, the Roman religious system was predicated upon proper worship, which satisfied the gods, thus maintaining the *pax deorum*. Second, the Roman religious system frequently tolerated and occasionally incorporated foreign cults into their religious system. In the ways that religious practice determined one's Roman-ness, one's identity was rather fluid. In other words, one could participate in a number of cults from the ancient Mediterranean basin and still be a good Roman citizen. The boundaries between one cult and another were often permeable. It was in this religious tradition—a complicated, yet tolerant relationship between the earthly and the divine—that the

²² Cassius Dio, *History*, 80.11.1-2: “τῶν δὲ δὴ π αρανομημάτων αὐτοῦ καὶ τὸ κατὰ τὸν Ἐλεγάβαλον ἔχεται, οὐχ ὅτι θεόν τινα ξενικὸν ἐς τὴν Ῥώμην ἐσήγαγεν, οὐδ’ ὅτι καινοπ ρεπ ἑστάτα αὐτὸν ἐμεγάλυνεν, ἀλλ’ ὅτι καὶ π ρὸ τοῦ Διὸς αὐτοῦ ἤγαγεν αὐτόν, καὶ ὅτι καὶ ἱερέα αὐτοῦ ἑαυτὸν ψηφισθῆναι ἐπ οίησεν, ὅτι τε τὸ αἰδοῖον π εριέτεμε, καὶ ὅτι χοιρείων κρεῶν, ὡς καὶ καθαρώτερον ἐκ τούτων θρησκευσῶν, ἀπ εἶχετο ἔβουλεύσατο μὲν γὰρ π αντάπ ασιν αὐτὸ ἀπ οκόψαι: ἀλλ’ ἐκεῖνο μὲν τῆς μαλακίας ἔνεκα π οιῆσαι ἐπ εθύμησε, τοῦτο δὲ ὡς καὶ τῆ τοῦ Ἐλεγαβάλου ἱερατεία π ροσῆκον ἐπ ραξεν: ἐξ οὗ δὴ καὶ ἑτέροις τῶν συνόντων συχνοῖς ὁμοίως ἐλυμήνατο: καὶ μέντοι καὶ ὅτι τὴν ἐσθῆτα τὴν βαρβαρικὴν, ἣ οἱ τῶν Σύρων ἱερεῖς χρώνται, καὶ δημοσία π ολλάκις ἐωρᾶτο ἐνδεδυμένος: ἀφ’ οὗπ ερ οὐχ ἦκιστα καὶ τὴν τοῦ Ἀσσυρίου ἐπ ονυμίαν ἔλαβεν.” Translation by Earnest Cary.

²³ Cassius Dio, *History*, 80.17.

²⁴ David Potter's essay "Roman Religion," 113-67 provides a thorough discussion of Roman Religion.

Tetrarchy found themselves operating; in some ways, their break with this tradition when they decided to persecute was unusual.

It is also prudent to include a brief biographical sketch of Diocletian, the emperor at the center of the Tetrarchic imperial college. Very little is known about Diocletian's early life, but Timothy D. Barnes and David Potter have narrowed the date of his birth to 22 December 243, 244, or 245.²⁵ He was likely born in Dalmatia to a family of relatively low status and given the name Diocles. Ancient sources indicate that his father may have worked as a scribe, while others maintain that Diocletian may have even been a slave in his early life.²⁶ Talmudic sources place him in Palestine as a youth, working as a swineherd, though this seems highly suspect.²⁷ Otherwise, little is known of his career until 284 when he was serving as *domesticos regens*, the leader of a military unit assigned to the emperor's household. Following the death of his predecessor, Diocles was proclaimed emperor on November 20, 284 in Nicomedia and he changed his name to Gaius Aurelius Valerius Diocletianus, the name by which historians now remember him.²⁸

While we may know very little about his own early years, we do know a great deal about the state of his world. In what is known as "the crisis of the third century," military conflict with northern neighbors, namely Germanic tribes and federations, coupled with additional pressures from the Sassanid Persian Empire to the east, yielded a weakened Roman state on the verge of fracture.²⁹ Consequently, imperial authorities struggled to maintain control over the vast, problem-ridden territories. In about fifty years, as many as fifteen "legitimate" emperors ruled and controlled the city of Rome itself; countless other pretenders laid claims to rule as well.³⁰ Furthermore, the costs of the various wars caused the strained state to levy new taxes on a

²⁵ T.D. Barnes, *New Empire*, 31 and David Potter, *The Roman Empire at Bay*, 280. Both authors refer to Lactantius's *De Mortibus Persecutorum* and other primary sources for their dating, while they acknowledge a lack of certainty on account of vagueness in the sources. Potter openly admits "we know nothing at all of Diocletian's career prior to 284, save that he was born (possibly around Salonae) on December 22 between 243 and 245, and was commander of Numerian's bodyguard at the time of his elevation."

²⁶ Both biographical origins are laid out in Eutropius, *Breviarium*, 9.19. I know of no modern scholars who believe Diocletian may have been a slave.

²⁷ PT, *Terumot*, 8.10.V.A-S.

²⁸ For an excellent summary of Diocletian's career and travels while in office, see T.D. Barnes, *New Empire*, 30-1; 49-56. Unless otherwise noted, the information in the preceding paragraph has been taken from Barnes' work. See also Pat Southern, *The Roman Empire from Severus to Constantine*, 134.

²⁹ Steven Williams, *Diocletian and the Roman Recovery*, 15-7.

³⁰ Steven Williams, *Diocletian and the Roman Recovery*, 18. Some usurpers are only known through numismatic evidence.

shrinking, struggling population. Poverty, inflation, and other economic problems ran rampant throughout the empire. Accompanying these problems were vast migrations within the empire that spread disease and further destabilized the economy, internal trade, and the state.³¹ When Diocletian came to power, he had to deal with all of these issues.

He began dealing with these problems very early in his reign. Almost immediately he accepted Maximian as co-Augustus (285). Ten years into his reign (293), Diocletian created the



Figure 1: Porphyry Relief of the First Tetrarchs (ArtSTOR, accessed 16 Feb. 2016)

Tetrarchy to deal with the administrative problems associated with the large empire. The empire, he believed, had become too unwieldy for one person. Under this administrative regime, two “junior” emperors would be appointed, who would be known as *Caesares*. One *Augustus* and one *Caesar* would be responsible for roughly one half of the empire, either the east or the west. The Tetrarchs, as the four were called, issued all rescripts, edicts, laws, and legal decisions as a group, though Diocletian seems to have been a large-looming presence in such decisions. Diocletian and the Tetrarchy further subdivided the existing administrative regions or provinces from about 50 to 96. Each province had two governors: a military leader, or *dux*, and a civil governor, or *praeses*. The Tetrarchy offered a solution to the problem of solitary rule; it split the administrative duties amongst

more individuals and allowed an imperial presence in more places at once, while weakening potential usurpers in the military and bureaucracy.

The Tetrarchy also attempted to stem the economic problems plaguing the empire as well. The Tetrarchs adopted a new system of tax collection. Previously, when the Roman economy was generally more stable under the Principate, most taxes were paid in coin. Under the Tetrarchy, however, tax collectors collected taxes in kind so as to avoid the high costs associated with inflation. Diocletian also tried to alleviate inflation itself by passing an *Edict on*

³¹ Steven Williams, *Diocletian and the Roman Recovery*, 15-23 describes excellently the third century’s crisis and sets the tone for the Tetrarchy’s reforms.

Maximum Prices (301), though it met with little success.³² This edict established maximum prices on a variety of goods and services throughout the empire. Failure to adhere to the edict would result in capital punishment. The new method of tax collection and the edict sought to alleviate the economic problems associated with the third century crisis.

Furthermore, Diocletian integrated a new ideology of empire. Whereas the emperors of preceding years had upheld the pretense of republicanism to varying degrees in the Principate, Diocletian and his co-rulers completely abandoned this position in favor of the Dominate. This imperial ideology, its name derived from one of the imperial titles Diocletian and his colleagues took (*dominus et deus*), linked Roman religion and government more strongly than perhaps ever before. In effect, the Tetrarchy established a sort of autocratic theocracy. Williams points out that Diocletian related the imperial college to the divine dynasties of Jupiter and Hercules to establish a more profound loyalty among the Tetrarchy's armies and to shore up their connections with the divine.³³ Traditional worship, some have argued, brought inhabitants of the Roman Empire together and created a sense of unity among them.³⁴

This is only a sampling of the ways the Tetrarchs sought to deal with the number of crises facing their rule. Their administrative reforms, their attempts at economic reform, and the further integration of religion and politics were all attempts to re-stabilize the empire.³⁵ In many ways, Diocletian, the Tetrarchy, and their reforms saved the Roman Empire from collapse. In light of the Tetrarchy's tendency towards reform to deal with problems, their programs of persecution toward some minority religious groups strike scholars as uncharacteristic and intriguing.

In the following pages, I will examine Christianity, Manichaeism, and Judaism and each faith group's relationship to the imperial government. Each chapter will examine the historical relationship of that particular religious group with the Roman government and an analysis of the Tetrarchy's actions (or inaction, as the case may be). In Chapter Two, I will examine the Christians and the so-called "Great Persecution." Chapter Three is dedicated to the Manichaeans, while Chapter Four will focus on Jews in the Roman world. Finally, Chapter Five

³² Steven Williams, *Diocletian and the Roman Recovery*, 224-7.

³³ Steven Williams, *Diocletian and the Roman Recovery*, 68-9.

³⁴ David S. Potter, "Roman Religion," 138.

³⁵ C.E. Van Sickle, "Conservative and Philosophical Influence in the Reign of Diocletian," 51-8 explores the conservative nature of Diocletian's reign.

will offer concluding remarks on Tetrarchic policy in regards to minority religious groups and a few insights into the religious climate and notions of religious identity under the Tetrarchs' reign.

I will argue that the Roman state established identity boundaries—that is, perceived frontiers—around their conception of *Romanitas*. The new religious ideals of the Tetrarchic imperial ideology more intimately linked religion and the Roman government around notions of identity. When adherents of certain religious traditions threatened or impinged upon that conceptualized identity, the Roman state issued orders of violence towards the offending group. State-sponsored violence became a means by which to police the all-important Roman identity and, in a way, to unite the empire in troubled and fractured times.

CHAPTER TWO: THE “GREAT PERSECUTION”: THE TETRARCHY AND THE CHRISTIANS

Agnes was only twelve years old when the Urban Prefect in Rome came for her. According to the legends that would later surround the young saint, she had been born into a wealthy aristocratic family. Her elevated social position and virginal youth had made her a coveted object of many suitors' desires. As punishment for rebuffing him, a jealous young man identified the young Agnes as a Christian to the Roman authorities; it was a dangerous charge to level against someone in the early years of the fourth century. At her trial, the judge found her guilty of the charges and sentenced her to death. Initially, the legend goes, the magistrate sentenced Agnes to die at the stake. However, the bundle of wood at her feet would not ignite. To carry out her sentence the executioner then took out his sword and beheaded her before the crowd. Agnes had tragically fallen victim in 304 to the “Great Persecution,”³⁶ which had begun a year prior.³⁷

The historicity of this particular course of events remains unclear. However, whether theologically-tinged fiction or historical fact, the narrative of Agnes's death highlights a terrifying period in the Christianity's early history. Historical sources record a severe persecution against Christians throughout the Roman Empire, instigated by the emperor Diocletian and his Tetrarchic colleagues. This chapter will examine in detail the Great Persecution both in its historical context and as an independent event. I will also postulate potential motives that governed the Roman state's actions. This reevaluation of the evidence will reveal that Christianity could not integrate itself into the late Roman religious system in the ways that Judaism was able to do. In other words, the two disparate identities—Christian and Roman—became incompatible in the imperial mind. At that moment, late in his reign, Diocletian decided that he and his colleagues could no longer tolerate Christianity in the Roman world, and, in response, they issued a series of edicts against the empire's Christian populations.

By the time of the Tetrarchy's edicts, Christianity had existed within the Roman Empire for nearly three centuries. In the tradition's earliest years, any Romans who even knew of the

³⁶ Some have also taken to referring to this episode of persecution as the “Diocletianic Persecution,” questioning how “great” the persecution actually was. However, to distinguish policy towards Christians from other religious groups and to stay in line with traditional scholarship, I will retain the traditional nomenclature.

³⁷ The account of St. Agnes is likely legendary and ahistorical. However, the legend was circulating by St. Ambrose's lifetime (c. 340 to 397). In fact, he references the story in a sermon on virginity: Ambrose, *De Virginitibus*. See also, Prudentius, *Passio Agnetis*. Finally, P. M. Barbini, “S. Agnetis basilica, coemeterium,” 33-36 records an inscription at a church dedicated to her martyr tradition.

group's existence would have merely regarded Christianity as a new Jewish sect. Jesus of Nazareth, the charismatic teacher around whose teachings Christianity developed, had in fact lived and died a Jew. Much of early Christian theology drew on theological ideas and perspectives prominent in first century Judaism. An episode from the *Acts of the Apostles* illustrates this Roman viewpoint. When a group of Jews and Christians took some doctrinal disputes to a government official in Palestine, he refused to decide on the matter and ordered them to settle their disagreements amongst themselves.³⁸ Such an order implies that the magistrate felt that Jews and Christians belonged to one religious group and should mediate their differences within that group's hierarchy. Because of its antiquity and status as a national *religio licita*, Judaism enjoyed a privileged position that was extended to Christianity as long as it was perceived as just another sect of Judaism in the early period.³⁹

The emperor Claudius (r. 41-54 CE) also conflated Jews and Christians in the first century. Suetonius's biography of Claudius maintains that the emperor expelled the Jewish community from Rome. In his description of these events, Suetonius argued that a figure named Chrestus was causing unrest within the city.⁴⁰ Modern consensus holds that the name "Chrestus" represents a corruption of the name *Christus*, the Latin form of the messianic title bestowed upon Jesus of Nazareth.⁴¹ If so, then Claudius still regarded followers of Christ as Jews. Though these men and women had been expelled from the city of Rome, they did not suffer any further serious violent action at the hands of the Roman government.

However, the first episode of imperial action against Christians occurred under the Emperor Nero in 64. When a disastrous fire broke out in the city of Rome, Nero blamed the Christians for setting it. Tacitus recounts that Nero, aiming to punish the Christians for their crimes, used the Christians as human torches to illuminate his gardens.⁴² Despite their ferocity, however, Nero's actions remained confined within the city walls. There seems to be no evidence to indicate that Christians anywhere else in the empire suffered as a result of Nero's actions. This episode is significant for two reasons. First, it demonstrates a Roman perception

³⁸ *Acts of the Apostles*, 18.12-17.

³⁹ See Josephus, *AJ* 14.190-222 for more on Judaism as *religio licita*.

⁴⁰ Suetonius, *Divus Claudius*, 25.4.

⁴¹ Robert E. Van Voorst, *Jesus Outside the New Testament*, 30-9 presents the primary arguments for and against this identification. Ultimately, Van Voorst concludes that the identification of "Chrestus" as a corruption of "Christus" is correct, but he concedes that we cannot be certain (38).

⁴² Tacitus, *Annales* 15.44.3. Tacitus also reports that the group was "hated for their abominations" (*idem.*). It may have been during this persecution that Roman officials martyred Ss. Peter and Paul in Rome, if their martyr traditions have any basis in fact.

of Christianity as separate from Judaism. Second, Nero did not target Christianity the religion; rather, he sought out Christians as a social group.

Even so, Nero's actions set a dangerous precedent. For the next two centuries, localized episodes of violence sprang up from time to time in various places for a plethora of reasons. Officially, however, the Roman state never proscribed a formal series of persecutions. Admittedly, some limitations on social mobility and engagement existed when Christians refused to offer sacrifice or participate in pagan cultic rites. However, Roman officials did not actively seek out Christian offenders for punishment. In fact, an exchange of letters between Pliny the Younger and Trajan reveal much about this state of affairs.

In c. 112, Pliny, the governor of Bithynia-Pontus in Asia Minor, wrote the emperor seeking instructions for how to deal with Christians in his *provincia*. In his reply to Pliny's inquiry, Trajan prescribed punishment for Christians only if they were brought forward and refused to offer a sacrifice before the Roman officials; in other words, Trajan ordered Pliny (who had thus far required Christians to curse Christ) to refrain from actively seeking them out and to punish them *only* when they refused to participate in the Roman cult and thus demonstrate their loyalty to the Roman government.⁴³ The litmus test for determining the guilt of those brought forward was participation in traditional sacrifice, a repudiation of their Christian beliefs.⁴⁴ All someone had to do to escape punishment was make a sacrifice to Jupiter or some other Roman deity. Hadrian (r. 117-138), Trajan's successor, went a step further and demanded in a rescript to the proconsul of Asia that Christians not be punished unless they could be convicted of other crimes, e.g. cannibalism, incest, etc.⁴⁵ When dealing with Christians, this course of action was to become official imperial policy for the next century. It was not the individuals' Christianity *per se* that the state punished, but rather their refusal to participate in Roman cult. This refusal demonstrates the perceived incompatibility of Christian and Roman identities.

However, things were eventually to change. Full-scale state-sponsored imperial persecutions began in the mid-third century. Concentrated episodes of violence occurred under the reigns of Maximinus Thrax (r. 235-238), Decius (r. 249-251), and Valerian (r. 253-260). All

⁴³ Pliny the Younger, *Letters*, 10.96-7.

⁴⁴ T.D. Barnes has suggested that it was not until the mid-third century that persecution had a strict basis in Roman law. T.D. Barnes, "Legislation Against the Christians," 49-50. Barnes sums up his argument eloquently: "It is in the minds of men, not in the demands of Roman law, that the roots of the persecution of the Christians in the Roman Empire are to be sought" (50). Barnes argues that, in the exchange of letters between Pliny and Trajan, Pliny seems to be unaware of any legal recourse against the Christians and that the "crime" of *nomen Christianum* was easily erasable by ritual sacrifice, unlike other crimes.

⁴⁵ Eusebius, *HE* 4.9.1-3.

of these took place during the ‘crisis of the third century.’ The political, economic, and social instability rendered it nearly impossible for any ruler to maintain order for a sustained period. In fact, over a span of approximately fifty years, as many as fifteen “legitimate” emperors and countless usurpers claimed the Roman imperial throne; few served long and even fewer died naturally.⁴⁶

During the period leading up to the crisis of the third century, many Romans believed that the presence of Christians was the cause of the calamities facing the empire. The Christian writer Tertullian recounts the popular anti-Christian cry, “*Christianos ad leonem!*” or “Christians to the lion!” which characterizes this mentality.⁴⁷ This cry, ringing in Christian ears like a veritable death knell, resounded from the crowd whenever hardships faced the population. Like the mobs, the Roman government responded to the threats to the empire in a similar fashion: forcing participation in the Roman cult to ensure the maintenance of the *pax deorum* and, thus, to save the empire from suffering and falling apart.

This point of view had permeated into some of the upper echelons of imperial power by the crisis (235-284) and Tetrarchic (284-305) periods. Perhaps this is why the sporadic, yet severe imperial persecutions punctuate the crisis period. This perspective urged an empire-wide persecution under Decius in c. 250, but it was short-lived. Furthermore, in a rescript written in 305 and responding to a letter from Tyre asking permission to pursue further persecutory actions against Christians, Maximinus, the new *Caesar* in the east, equated the city’s wellbeing with its persistence in worshipping the traditional Greco-Roman pantheon and adhering to traditional polytheistic religious traditions.⁴⁸ Maximin noted in his letter that the city’s crops were growing well and the region had enjoyed peace in recent years. He attributed this to the citizenry’s zealous, pious punishment of Christians. His rescript refers to the Christians as “lawless men” who disrupt the favor of the gods and he authorizes the city to persecute any Christians remaining there.⁴⁹ The language he uses reminds a reader of the “*Christianos ad leonem*” mentality Tertullian described. Many Romans, even those in imperial positions of power, seem

⁴⁶ See Steven Williams, *Diocletian and the Roman Recovery*, 15-23 for an excellent summary and discussion of the “Crisis of the Third Century.” The preceding paragraph has been reconstructed from this volume.

⁴⁷ Tertullian, writing in the early third century, records this cry in *Apology* 40.2: “*Si Tiberis ascendit in moenia, si Nilus non ascendit in arva, si caelum stetit, si terra movit, si fames, si lues, statim: "Christianos ad leonem!" acclamatur.*” English: If the Tiber rises to the walls, if the Nile does not rise to the fields, if the sky stands still, if the earth moves, if there is hunger, if there is plague, “Christians to the Lion” is immediately cried out!”

⁴⁸ Eusebius, *HE* 9.7.5-9. Stephen Mitchell, “Maximinus and the Christians,” 108-11 gives a transcript and commentary on an epigraphic version of the text.

⁴⁹ Eusebius, *HE* 9.7.9-14

to have believed that Christian refusal to participate in the Roman cult threatened the *pax deorum* and thus threatened the empire's wellbeing.

A different attitude from the imperial government colored the interactions between the church and state on the eve of Diocletian's rise to power. When his co-emperor and father Valerian was captured by the Persians in a campaign on the eastern front in 260, Gallienus (r. 253-268) issued a series of decrees that halted any and all imperial action against Christians and incorporated Christianity into the religious world of the time.⁵⁰ The original decree does not survive, but Eusebius cites a letter from Gallienus to several bishops in which the emperor extends his protection to Christians throughout the empire.⁵¹ For the next four decades, Christian communities across the empire enjoyed stability and peace. During this peace which comprised the last forty years of the third century, known as the "Peace of Gallienus" or "the little Peace of the Church" Christianity saw rapid growth in urban centers. For example, in his account of the Great Persecution, the historian Eusebius describes the destruction of a large church that had been built near the imperial palace in Nicomedia.⁵² Furthermore, one can see an expansion of catacombs and churches in Rome and other major cities.⁵³ Finally, the Roman emperor even mediated a dispute within the Christian hierarchy.⁵⁴ This level of expansion and intervention by the state was unprecedented for the Christian community and could only have occurred under relative toleration.

This was the context in which Christianity found itself upon Diocletian's rise to power, and indeed, for much of his reign. For over forty years, Christians had enjoyed relative peace and prosperity that would soon be shattered. When the period of tranquility ended in 303, it shocked many Christians who had grown accustomed to living in peace.

Starting in 303, the imperial college issued a series of edicts that launched one of the most severe, most widespread, and most systematic periods of persecution in the Church's three-century history. For nearly a decade, the persecutions ebbed and flowed in severity through a series of edicts and actions undertaken by different members of the Tetrarchic

⁵⁰ Valerian had been a persecutor of Christians.

⁵¹ Eusebius, *HE* 7.2.6-11.

⁵² Eusebius, *HE* 8.2.4.

⁵³ While still technically an illegal religion, Christianity was expanding; in fact, For a discussion of previous persecutions and the little peace of the Church, see W.H.C. Frend, "Martyrdom and Political Oppression," 825.

⁵⁴ Eusebius, *HE* 7.30.19-21.

regime.⁵⁵ The edicts no longer survive, but the narratives that Lactantius and Eusebius provide enable scholars to understand their basic content. The first of these edicts, likely issued from Nicomedia, Diocletian's capital, in February 303, mandated that all Christian churches, houses of worship, or other gathering places be destroyed; that all Church property be confiscated by the state; and that all Christian scriptures be burnt.⁵⁶ The edict also forbade Christians to congregate and revoked some of their rights of citizenship.⁵⁷ A few months later, a second edict ordered the arrest of all Christian clergy across the empire. When these arrests became too cumbersome for the Roman penal system to handle, a third edict permitted the arrestees' release, provided they would make a sacrifice to the traditional and imperial cults; otherwise, Roman officials were ordered to torture them into submission. This edict essentially amounted to forced participation in the Roman cultic system. Some accepted and made the requisite sacrifices quite readily, while some resisted and were forced halfheartedly through the motions before eventually being released.⁵⁸ The following year, Diocletian and the Tetrarchy posted the fourth edict, arguably the most severe of all. This edict ordered that all citizens of the empire perform sacrifices to the Roman gods or face hard labor or death.⁵⁹ By ordering that all citizens must sacrifice to the Roman deities, Christians who refused would be forced out of hiding and made to profess their Christian faith in public.⁶⁰

While the actual legislation no longer survives, it is likely that it specifically targeted the Christian community. As we will see in Chapter Four, there is no evidence to suggest that Jews were forced to participate in the traditional Roman cult. Had the edict ordered that *all* citizens offer sacrifice to Roman gods, the Jews would surely have had to participate as well. It is also possible that Jews had been granted an exemption from this order. Talmudic evidence claims that Diocletian exempted Jews from an obligatory libation offering at some undetermined point

⁵⁵ See Stephen Mitchell, "Maximinus and the Christians," 105-24 and Paul Kerestzes "From the Great Persecution to the Peace of Galerius," 379-99 for a good summary of the "ebbs and flows" of the persecution years.

⁵⁶ Lactantius, *DMP* 12.1 notes that this date was the festival of *Terminalia* and suggests that it was chosen as a time to "terminate" the Christian faith. Jerome, *Chronicle* 2330b records the destruction of Churches in the nineteenth year of Diocletian's reign.

⁵⁷ Eusebius, *HE* 8.2. For example, the Church at Nicomedia, which had flourished under the relative peace of the preceding half-century, was attacked as the first edict was published. The church's doors were taken down, any copies of sacred scripture were found and burnt, church property was confiscated, and the church building was wrecked. See also T.D. Barnes, *Constantine and Eusebius*, 22.

⁵⁸ G.E.M de Ste. Croix, "Aspects," 75-77. Eusebius, *HE* 8.2; 8.6. Furthermore, those who capitulated to the imperial decrees would eventually be re-admitted to the Church, though not without controversy.

⁵⁹ Eusebius, *HE* 8.2-3. This edict is reminiscent of Decius's persecution that began in 250.

⁶⁰ G.E.M. de Ste. Croix, "Aspects," 75-77 provides an excellent summary and discussion of the edicts and it is from this work in conjunction with the primary sources that these summaries are derived. N.H. Baynes crafts one of the best descriptions of the Great Persecution in N.H. Baynes, "The Great Persecution," 646-677.

in his reign.⁶¹ It is entirely possible, though unproven, that this may have been included within the fourth edict, which required sacrifices to the Roman pantheon. David Potter, in his overview of the period in question, has also noted that the edicts created a sense of Roman unity by engaging all levels of Roman society.⁶²

It is also worth noting that the first three edicts primarily targeted the upper echelons of Christian communities. In the *Gesta apud Zeophilum* is a discourse between the mayor of Cirta—named Munatius Felix—and local Christian congregants. When Felix arrived at the local church to carry out the Tetrarchy’s orders, he and his henchmen confiscated several items made of silver and sacred scriptures despite leaving the men’s physical bodies unmolested once they reveal the names of “readers” who had copies of the scriptures.⁶³ It seems that the imperial administrators were even uninterested in the church’s laity. The confiscation of valuable items and texts would have affected the wealthier and the better-educated members of the church (though it is also possible that the elite members comprised the core institutional structure). It was not until all citizens were forced to offer sacrifice with the fourth edict that the Christian laity more directly experienced the effects of persecution. This bears similar characteristics with the rescript against the Manichaeans, which I discuss more fully in Chapter 3.

While these four edicts constitute the traditional “canon” of the Great Persecution, there were other imperial documents that incited violence in this period as well. In 305 or 306, according to Eusebius, the new *Caesar* Maximin dispatched letters to the cities in Palestine requiring the cities’ leaders to enforce traditional sacrifices.⁶⁴ Additional letters by Maximin instructed government officials in the east to reconstruct pagan temples and to continue destroying Christian centers of worship.⁶⁵ While technically not an edict, this document, preserved in Eusebius’s work, gives scholars valuable insight into the execution of the Great Persecution.

Ultimately, it was the Tetrarchs themselves who would eventually end the persecutions. The first edict to do so was issued by Maxentius in the West.⁶⁶ Shortly thereafter, Galerius, who was now the eastern *Augustus*, issued the *Edict of Toleration* in 311 and effectively ended the Great

⁶¹ PT, *Avoda Zara* 5.4.III.EE. See Chapter Four for more.

⁶² David S. Potter, *Roman Empire at Bay*, 337.

⁶³ *Gesta apud Zenophilum*, 287.

⁶⁴ T.D. Barnes, *New Empire*, 65-6.

⁶⁵ Eusebius, *MP*, 4.8.

⁶⁶ Eusebius, *HE* 8.14.

Persecution. There were later episodes of persecution, notably those launched by Maximin shortly after the *Edict of Toleration*, but, for the most part, the violence was over.

The persecutions that began in 303 were arguably the most deadly that Christians had suffered thus far. What prompted Diocletian and the Tetrarchy to embark on a systematic attack on Christianity? The primary sources—few of which survive—offer a problematic answer to this question. What evidence does survive, however, is almost entirely Christian in origin and, because it was written by victims of the edicts, offers scathing commentary on the emperors’ actions. Despite their obviously biased perspective, however, these sources can reveal useful information to a careful modern reader.

The earliest documentation for the Great Persecution is Lactantius’s *De Mortibus Persecutorum* (c. 315). Sometime before the persecutions began, Lactantius records an incident, likely between 299 and 301⁶⁷, in which Diocletian was receiving the *haruspicy*. This important rite of divination features a priest who interprets the entrails of a slaughtered sacrificial animal to determine the will and favor of the gods. Emperors frequently consulted rites like these when faced with important policy decisions. Consequently, the imperial college saw the rite as supremely important and influential. Lactantius maintains that a group of Christian officials present at the ceremony placed a sign upon their foreheads.⁶⁸ As a result of the Christians’ actions, “the rites were disturbed.”⁶⁹ When the *haruspices* could not read the sacrificial entrails, Diocletian flew into a rage. He ordered that everyone in attendance that day should offer sacrifices to the Roman deities to regain their favor and to restore the *pax deorum*. Diocletian then extended the order to any Roman citizen serving in the palace bureaucracy or the military. Naturally, some Christians refused to participate and consequently faced punishment. This punishment seems to have been carried out in the form of a purge. However, at that time, it appears that Diocletian took no further action—especially violent ones—against Roman Christians.⁷⁰

⁶⁷ R.W. Burgess, “The Date of the Persecution of Christians in the Roman Army, 157-8 argues for 300.

⁶⁸ The text is unclear about what sign the Christians placed upon their brows. I suspect that it was likely a cross reminiscent of the ashen cross that adorns some Christians’ foreheads as part of Ash Wednesday rituals.

⁶⁹ Lactantius, *DMP* 10.2. “*sacra turbata sunt.*”

⁷⁰ John Helgeland, “Christians and the Roman Army A.D. 173-337,” 159 dates this purge to 301 based on his reading of Lactantius, *DMP* 10. He also argues that, rather than convert to pagan beliefs or to offer sacrifices, many Christians serving in the army simply left their post (based on his reading of Eusebius). It is unlikely that this would have resulted in a major decrease in the number of enrolled soldiers; Christians were still a relatively small portion of the population even into the reign of Constantine and the “Christianization” of the Empire following the collapse of the Tetrarchy.

This episode offers some insights into Diocletian's attitude on the eve of the Great Persecution. In his narrative Lactantius reports that Christians were actively serving in the Roman court *after* Galerius had returned from his eastern campaign in 299. Presumably, Christians had been serving the court before this point as well. As the victorious emperor, Galerius would have been responsible for the treaty negotiations with the Persians and would only have left once they were concluded. Lactantius, as mentioned above, maintains that they were present at a *haruspicy* ritual performed at the imperial court. He notes that it was not their presence *per se* that Diocletian and the soothsayers perceived as the problem; it was the Christian signs they made that disrupted the ritual. This disruption of ritual became the problematic event according to Lactantius's account.⁷¹ In addition to their presence at court, Christians had become prominent in the city of Nicomedia at large. For example, in his description of the Nicomedian church's destruction, he claims that it was situated on high ground and visible from the palace.⁷² Such a geographical position in the city suggests the social position of Christians and relative liberty with which they practiced their faith. The fact that the church was in view of the palace also suggests the imperial court was aware of the Christian faith's growth in that city but chose not to act until 303.

Furthermore, the punishment that Lactantius records for this disruption is most interesting. Rather than ordering the death of those who disrupted these rites, Diocletian merely demanded that everyone present offer sacrifice. Those who did not were scourged. Lactantius also records that Diocletian sent an order to various military leaders demanding that all soldiers (Latin: *milites*) offer sacrifice as well. Any soldiers who refused were, Lactantius writes, to be dismissed from military service. The text offers no indication that any of those dismissed faced any further punishment. After enacting his purge, in fact, Lactantius reports that Diocletian went to Bithynia, likely to Nicomedia.⁷³

First, careful analysis reveals that there was a clear conceptual connection between *haruspicy* rituals, the imperial court, and the military. When the *haruspices* were threatened, the ability of the imperial court and the effectiveness of the military were likewise threatened. Another way of stating things is this: when Christians disrupted the *haruspicy*, they disrupted the important line of communication between the Tetrarchs and their divine connections. In doing

⁷¹ Lactantius, *DMP* 10.1-6.

⁷² Lactantius, *DMP* 12.3: "*in alto enim constituta ecclesia ex palatio videbatur.*"

⁷³ Lactantius, *DMP* 10.6.

so, they placed themselves outside the religious boundaries around Roman state religious identity.

Once Diocletian and his officials removed the perceived threat by means of a purge, however, no further action was necessary. Second, the purge itself does not seem to have specifically targeted Christians. While Lactantius specifically notes that it was Christians who were present at the *haruspicy* reading, he does not specify that the order to military commanders targeted Christian soldiers specifically. It was merely an order to sacrifice to Roman gods. Had the offender's Christianity been the root cause then Diocletian would likely have ordered Christians specifically to be purged from the military. While this may seem like a distinction without a difference, it is, in fact, quite significant. As a Christian apologist himself, Lactantius is writing with the express purpose of demonizing the imperial persecutors of the Christians. In some of his other portrayals of the Tetrarchs, they appear as fanatical psychopaths hell-bent on destroying the Christian faith. Lactantius was likely present at Nicomedia for those events. It seems unlikely that Lactantius, a rhetorician at the imperial court, would have missed an opportunity like this to demonstrate the imperial malevolence toward Christians.

In the winter of 302-303, however, Diocletian and Galerius (to whom Lactantius refers to by his birth name, Maximian) spent the winter together in Nicomedia, one of Diocletian's administrative palaces in modern-day Turkey and where the Tetrarchs likely issued the four edicts. While there, Lactantius reports that the two rulers engaged in a series of secret meetings. During these meetings, Lactantius states that Galerius argued for imperial persecution of Christians. Initially, Diocletian resisted Galerius's insistence, but, after consulting the *haruspex* of Apollo of Miletus, he was finally persuaded to take action.⁷⁴ Diocletian's conservative piety led him to action at the behest of Apollo when this god designated the Christians as religious "Others" who now fell outside the boundaries of Roman religious identity.

Perhaps what is most intriguing about this account, however, is Galerius's allegedly fanatic insistence on pursuing Christian persecution. Lactantius argues that the reason for Galerius's insistence lies with his mother, a pagan priestess. He writes: "[Galerius'] mother, a priestess of the mountain gods... conceived a hatred for them, and by complaining in the way that women will, she incited her son ... to destroy the people."⁷⁵ Thus, according to Lactantius,

⁷⁴ Lactantius, *DMP* 11.1-8.

⁷⁵ Lactantius, *DMP* 11.1-2: "*Erat mater eius deorum montium cultrix, quae cum esset <mulier admodum superstitiosa>, dapibus sacrificabat paene cotidie ac vicinis suis epulas exhibebat. Christiani abstinebant, et illa cum gentibus epulante ieiuniis hi et*

the persecutions began because of Galerius's influence—informed by his devoutly pagan mother—on his co-ruler Diocletian. While Galerius's mother likely did not wield so much influence at the imperial court, this narrative may underscore conflict between Christian and pagan cults in certain regions, further hinting at conflict between the communal religious identities.

Still, however, Diocletian remained reticent to issue further edicts until events at the palace changed his mind. Lactantius recounts that a series of fires at the palace, which he implies were likely set by Galerius and his henchmen, set Diocletian on edge.⁷⁶ So angry was Diocletian, in fact, that he even targeted his own family, including his wife and daughter (who may or may not have been Christians themselves).⁷⁷ Diocletian then ordered the arrest and execution of clergy and lay Christian and mandated sacrifice to Roman divinities.⁷⁸ Over the next eight years, the Great Persecution would continue until Galerius's deathbed Edict of Toleration in 311.

In contrast to Lactantius's account, the ecclesiastical historian Eusebius provides an account of the supernatural origins of the Great Persecution. He notes that an “as the result of a greater freedom, a change to pride and sloth came over our affairs.”⁷⁹ Infighting and ruptures, Eusebius argued, over matters of orthodoxy and theology had begun to rock the Christian movement—which had never truly been unified to begin with—in the preceding century. These issues had rendered the clergy and episcopal leadership incapable of adequately serving the needs of the laity. As punishment, God himself “hath exalted the right hand of his adversaries, and hath turned back the help of his sword.”⁸⁰ Divine action, then, had driven the persecutors to action against the Christians.

Unfortunately, there are very few secular accounts that document the events of the Great Persecution. One of these is a portion of *Gesta apud Zenophilum* mentioned above.⁸¹ Domitius Zenophilus, after whom the text is named, served as a Roman administrator in North Africa in

orationibus insistebant. Hinc concepit odium adversus eos ac filium suum non minus superstitiosum querelis muliebribus ad tollendos homines incitavit.”

⁷⁶ Lactantius, *DMP* 14.1-2.

⁷⁷ Lactantius, *DMP* 14.3; 15.1. Of Diocletian's family, Lactantius writes: “he compelled his daughter Valeria and his wife Prisca to be polluted by doing sacrifice.” Latin: “*filiam Valeriam coniugemque Priscam sacrificio pollui coegit.*”

⁷⁸ Lactantius, *DMP* 15.2-7; Eusebius, *HE* 8.2.4-5; Eusebius, *MP* 3.1.

⁷⁹ Eusebius, *HE* 8.1.7: “Ὡς δ' ἐκ τῆς ἐπὶ πλέον ἐλευθερίας ἐπὶ χανρότητα καὶ νοθρίαν τὰ καθ' ἡμᾶς μετηλλάττετο.” Translated by J.E.L. Oulton.

⁸⁰ Eusebius, *HE* 8.1.9: “Ὑψωσεν γὰρ τὴν δεξιὰν τῶν ἐχθρῶν αὐτοῦ καὶ ἀπέστρεψεν τὴν βοήθειαν τῆς ῥομφαίας αὐτοῦ.” Translated by J.E.L. Oulton

⁸¹ *Gesta apud Zenophilum*, 287-9.

the late third and early fourth centuries. The text records an exchange between another imperial administrator and some Christian leaders in a small town named Cirta. This document records the various items confiscated from the church there. The government officials took a church plate, clothing and shoes, and other property.⁸² This document gives insight into the persecution in action, but shows little of the motives behind their actions.

In addition, Anna Marie Luijendijk has recently published two papyri from Egypt about the Great Persecution.⁸³ The first of these, *P. Oxy. 33 2673*, likewise provides an account of the seizure of a church's property. In many ways, the document is highly formulaic. It again provides insights into the procedures followed by Roman administrators as they seized property. It even provides evidence into subtle means of Christian resistance. A second document, a personal letter from a Christian man to his wife, explains the ways Christians were able to legally maneuver around the edicts⁸⁴. However, like the aforementioned *Gesta apud Zenophilum*, these texts provide no explanation for the Tetrarchy's actions.

Modern historians have dedicated many pages to exploring the causes of imperial religious persecution against Christians, indeed even questioning the extent to which they may have occurred. As early as the 18th century, Edward Gibbon explained such persecutions in his monumental work, *The History of the Decline and Fall of the Roman Empire*. Lacking the serious critical analysis of more recent historical investigations, Gibbon accepts Lactantius's rhetoric at face value.⁸⁵

Fortunately, more critical analysis began in the nineteenth century with the rise of modern historical source criticism. Until then, authors had discussed the Great Persecution itself only in passing, often in larger works of ecclesiastical history with clear theological aims. Theologian and church historian A.J. Mason dedicated the first full English language monograph to the topic in 1876. However, he largely follows Gibbon's tradition in accepting Lactantius's report uncritically, though absolving Diocletian of blame and placing it only with Galerius.⁸⁶

⁸² *Gesta apud Zenophilum*, 287-9.

⁸³ Annemarie Luijendijk, "Papyri from the Great Persecution," 341-369.

⁸⁴ Annemarie Luijendijk, "Papyri from the Great Persecution," 357-60.

⁸⁵ Edward Gibbon, *The History of the Decline and Fall of the Roman Empire*, 483-95. Gibbon portrays Diocletian as attempting to "moderate the fury of Galerius" (490) and exhibiting a "reluctant consent" (492) to bloodshed.

⁸⁶ A.J. Mason, *The Persecution of Diocletian*, 54-8. "But [Galerius] was the younger and the stronger man: and a determination to do has always an advantage over the determination not to do." He argues that Galerius was in fact the fanatic described by Lactantius and that Galerius was somehow able to persuade "the old man [Diocletian, whom he describes in passing as a wise and able ruler] not to rely solely upon his own profound wisdom, but to take the advice of confidential friends" (57-8).

In the following decades, most scholars chose to discuss Christian persecution as an historical phenomenon in and of itself, adding the Great Persecution to their studies of earlier Christian persecutions as a whole. In an essay titled “Why were the Early Christians Persecuted?,” G.E.M. de Ste. Croix argues that early Christians were punished for the crime of *nomen Christianum*, that is simply for being a Christian and that they participated in what he terms “voluntary martyrdom.”⁸⁷ For de Ste. Croix, it was the stubborn intolerance of Christians themselves that lay at the root of the problem; Christians, he believed, formulated around themselves identity boundaries that they then forced into conflict with Roman religious identity. For early Christians exercised a “total refusal to worship any god but their own.”⁸⁸ In other words, Christian belief was predicated upon a complete rejection and intolerance of the polytheistic nature of Roman religion. As a result, Christians refused even go through the motions of sacrifice to the state cult.⁸⁹ Their refusal to participate in the cult of the Roman pantheon threatened the *pax deorum*. Rather than face the severe consequences of a poor relationship between the Romans and their gods, Roman citizens demanded action and participated in the persecutions.⁹⁰

Other scholars have built upon de Ste. Croix’s work, though treating the Great Persecution independently. Mark Humphries and W.H.C. Frend argue that the Great Persecution was an expression of the Tetrarchy’s imperial ideology. One of the primary duties of the imperial powers was to maintain the security and success of the empire. The surest way of doing so was through maintaining traditional piety in relation to the Roman gods.⁹¹ Humphries points to the preamble of the *Edict on Prices* as an excellent example of imperial ideology, which was predicated upon the link between morality, piety, and the good of the state.⁹² Because Christians were a threat to traditional piety and thus to the Roman state,

⁸⁷ G.E.M. de Ste. Croix, “Why Were the Early Christians Persecuted?,” 105-52. For a response to de Ste. Croix, see A.N. Sherwin-White, “Why were the Early Christians Persecuted—An Amendment,” 23-7. De Ste. Croix develops his theory of “voluntary martyrdom” in more detail in an essay, “Voluntary Martyrdom,” 152-200.

⁸⁸ G.E.M. de Ste. Croix, “Why Were the Early Christians Persecuted?,” 133.

⁸⁹ G.E.M. de Ste. Croix, “Why Were the Early Christians Persecuted?,” 124.

⁹⁰ G.E.M. de Ste. Croix, “Why Were the Early Christians Persecuted?,” 134.

⁹¹ Mark Humphries, “The Mind of the Persecutors,” 23. W.H.C. Frend, “Prelude,” 3. Among the legal actions taken by Diocletian and the Tetrarchy that were designed to legislate piety and morality are the *Edict on Prices*, the edict forbidding incest and regulating marriage laws, the proclamation against the Manicheans, and many others.

⁹² Mark Humphries, “The Mind of the Persecutors,” 21-5. The *Edict on Prices* was an edict issued by Diocletian that set maximum prices on all goods and services available in the Empire. It was an attempt to curb inflation and was punishable by death. Humphries also points to a conceived link between military victory and piety in Tetrarchic iconography. Military tensions were quite taut at the time the edicts were issued against the Christians; war with the Persians had recently concluded only a few years before. It is reasonable to conclude that the

Humphries concludes, the Tetrarchy was required to act. Ultimately, this meant the extermination of the Christian faith.

Likewise, P.S. Davies argued that it was the expansion of Christianity in the periods of peace that inspired persecution against them. Christian communities were growing increasingly influential during the “little peace.” The period of relative peace immediately preceding the outbreak of the Great Persecution saw a great increase in the number of Christians; some were even rising in the political ranks of the Empire. Lactantius, for example, had been appointed a professor of rhetoric at Nicomedia, a post which permitted him access to the imperial court; likewise, there were Christian officials—almost certainly appointed by Diocletian and the Tetrarchs themselves—present at the official *haruspicy* readings. It is likely, Davies argues, that the expansion of this minority religion alarmed the emperors. In fact, the Tetrarch Maximin expressed alarm at the number of conversions in an edict he himself issued.⁹³ For Davies, it was the growth of Christianity, rather than its inherent intolerance, that threatened the imperial college and made the edicts necessary.⁹⁴

Other authors have argued that an increase in anti-Christian philosophical writings (and Christian responses to those volumes) encouraged violent actions against Christians. Elizabeth Depalma Digeser writes that some documents from the period suggest that leading figures “all believed that legislation regulating divine worship was part of the foundation and identity of a given community” and that traditional piety, threatened by Christian worship, underscored the Tetrarchic system and the very identity of the Roman world.⁹⁵ Jeremy M. Schott, though careful to avoid a direct correlation between the neo-Platonist philosopher Porphyry’s writings and the Tetrarchy’s decision to persecute, argues that the philosopher attempted to place Christians at an imagined periphery, a boundary that needed to be policed by violence.⁹⁶ While each scholar in this school of thought has his or her own variation, the common thread among them is that

Persecution was initiated in order to garner the favor of the traditional Roman pantheon and earn their support in the various wars and programs of state. There are several other “anxieties” (25) that are prevalent at the time, but the point, that the Tetrarchy’s perceived link between piety and the success of the state, has been made.

⁹³ Eusebius, *HE*, 9.9a.I, as cited on P.S. Davies, “The Origin and Purpose of the Persecution of AD-303,” 93.

⁹⁴ P.S. Davies, “The Origin and Purpose of the Persecution of AD-303,” 92-4. Pliny, in his letter to Trajan, is also concerned about the number of people involved and thus with the growth of Christianity (Pliny the Younger, *Letters* 10.96).

⁹⁵ Elizabeth Depalma Digeser, “Religion, Law, and the Roman Polity,” 69. Elizabeth Depalma Digeser, *The Making of a Christian Empire*, 4; 69-70. Elizabeth Depalma Digeser, *A Threat to Public Piety*, *passim*.

⁹⁶ Jeremy M. Schott, “Porphyry on Christians and Others,” 177-214. Schott argues that Porphyry was trying to create a sense of Christian as the anthropological Other, the periphery of the Empire in the core-periphery model. As such, they were not entirely integrated into the Roman Empire.

both pagan and Christian writers were engaged in identity politics. These scholars argue that the identity boundaries created by these philosophical writings resulted in separation and a sense of danger between the Christian and pagan communities, ultimately erupting into violence in an attempt at boundary maintenance.⁹⁷

Each of these scholars and their respective schools of thoughts offer plausible explanations for violence towards Christians under the Tetrarchy's reign. However, what all of them fail to do is to examine Christianity in the context of the Tetrarchy's behavior toward other minority religions. In doing so, it becomes apparent that the Roman government was, as Digeser and Schott have identified, engaged in identity politics. However, their actions extended beyond Christianity to other minority religious traditions as well.

Analysis reveals that Diocletian and his Tetrarchic colleagues largely ignored and tolerated Christians' presence in the empire (and even at court!) throughout most of Diocletian's reign. Had the presence of Christians been a primary concern for Diocletian then he surely would have acted earlier than 303, a mere two years before his voluntary retirement. Some might suggest, however, that Diocletian and the Tetrarchy were otherwise engaged until the later years of his reign. It is in fact true that the Sassanid Persian Empire had engaged in several battles with the Roman world throughout his reign, culminating in a major Roman defeat in 297. The following year, a decisive Roman victory, however, precipitated a peace agreement. The resulting Treaty of Nisibis in 299 led to a nearly thirty-year truce between the Romans and Persians.⁹⁸ Despite these distractions, however, Christianity seems to have remained tolerated for some time more. If eliminating Christianity had been a priority item on the imperial agenda, then the Tetrarchy would surely have turned their attention to action immediately upon concluding the negotiations surrounding the Treaty of Nisibis. Furthermore, Diocletian and the Tetrarchs demonstrated a precedent for religious reform much earlier in their reign, as they were dealing with other crises. Early on, Diocletian and the others took honorary *signa* that linked them with Roman gods.⁹⁹ In fact, the Christians had enjoyed relative prosperity and served in the government and at court, yet further evidence that Diocletian was uninterested in specifically targeting Christians. However, in 303, his attitude changed.

⁹⁷ See also W.H.C. Frend, "Prelude," 1-18.

⁹⁸ Aurelius Victor, *Liber de Caesaribus* 39; Festus, *Breviarium* 14.2; 25.5; Eutropius, *Breviarium*, 9.24-5.1. See also, Touraj Daryaee, *Sasanian Persia*, 12-3.

⁹⁹ Elizabeth Depalma Digeser, *The Making of a Christian Empire*, 28.

To determine the reasons behind Diocletian's change of heart, perhaps the wider religious context Christianity found itself situated in may provide some illumination. Adherents of two other religious traditions—Manichaeans and Jews—were also substantial sectors of the population during the period in question. By situating Christianity in this wider context, then, a clearer image comes to light. The Tetrarchy also targeted the Manichaeans. Unlike the Christians and Manichaeans, however, Jews enjoyed a certain degree of liberty and community engagement that indicates that they did not experience imperial persecution at the hands of the Tetrarchs. While I treat each of these religious traditions in their own right in other chapters, there are several intriguing points of comparison to consider with regards to Christianity.

The first point is Diocletian's traditional conception of Roman-ness and the sense of morality incumbent within it.¹⁰⁰ Each of these contributed to a newly refined sense of Roman identity. Several of Diocletian's reforms hint at a profound sense of traditionalism in the emperor. Part and parcel of that traditionalism is a concern with traditional morality and religious practice. Members of the Jewish tradition, for the most part, had enjoyed *de facto* and *de jure* toleration from the imperial government since the time of Julius Caesar.¹⁰¹ Circumcision, for example, did in fact set Jewish individuals aside in terms of identity, but prior imperial leaders had granted the Jews exemptions from legislation forbidding circumcision on account of the antiquity of the religion. Unlike Christianity, Judaism had existed in some form or another for centuries before its practitioners came into contact with the Roman world. In contrast, Christianity had been an upstart religion that had appeared only in the early years of the empire; consequently, Christians could not have enjoyed the same rights and privileges extended to Jews.

While they participated in several customs and rituals that would have seemed odd to an outsider—consider abstinence from consuming pork or the rite of circumcision, for example—none of their rites and practices was antithetical to any notion of Roman identity. In fact, the documentary evidence suggests that, through Diocletian's two-decade long reign, Jews actively participated in commerce, the legal system, and other traditionally pagan institutions. Romans had integrated—or at least had made additional room for—Jews into their conception of Roman identity. Jews had been also exempted from military service because they were unable to perform the responsibility of Roman military cult.¹⁰²

¹⁰⁰ C.E. van Sickle, "Conservative and Philosophical Influence in the Reign of Diocletian," 51-58.

¹⁰¹ I discuss this history in more detail in Chapter 4.

¹⁰² E. Mary Smallwood, *Jews Under Roman Rule*, 539. John Helgeland, "Christians in the Roman Army," 158-9 cites three *acta* (those of Marinus, Maximilian, and Marcellus) that likewise demonstrate the exceptionality of military

Christians, however, found themselves surrounded by rumors of malicious and dangerous practices. For example, Christians throughout the empire had, in the years leading to Diocletian's reign, been accused of incest,¹⁰³ cannibalism,¹⁰⁴ and dark magic.¹⁰⁵ While these accusations can easily be explained in light of traditional Christian practice, the rumors persisted. Likewise, there were rumors among Christians of the impending arrival of a Christian messiah, a kingly figure, in the return of Jesus of Nazareth. These rumors, if they were true, were decidedly un-Roman. The moral accusations against the Christians would have been viewed with disgust; they were activities in which no good Roman citizen would participate. Furthermore, the rumors of a king not endorsed by the Tetrarchic government would have caused Romans to question Christians' motivations. In other words, were Christians loyal to Rome or to some transnational leader? Finally, the Tetrarchy may have come to see these odd anti-Roman practices as able to potentially corrupt Roman citizens, much like their concern with Manichaeans in Africa. Any of these questions would have rendered Christians incompatible with Roman identity.

As a primary component of Diocletian's traditionalism, he wholeheartedly endorsed a connection between the well-being of the Roman state and proper religious practice. In other words, he connected the imperial college with the divine in a new ideology of empire and rule, known today as the Dominate. This understanding of the imperial college focused on a thorough connection between the Tetrarchs and the Roman pantheon, the traditional protectors of Rome. The connection crystallized in a number of ways: the Tetrarchs took sacred *signa* and emphasized proper sacrifice. For centuries, Romans had offered sacrifices to members of the Roman pantheon in order to facilitate military and political successes for the state. In fact, there is archaeological evidence to suggest that the Tetrarchy participated in ritual slaughters as part of their public image, attempting to bind their rule to the gods' will.¹⁰⁶

Shortly after their initial contacts with the Jews in Palestine in the first century BCE, Roman leaders granted them certain privileges as an *ethnos*, namely the right to sacrifice to their

officials seeking out Christians in the ranks of military service. It was not until the purge, he concludes, that Roman military leaders did not actively seek out Christian soldiers.

¹⁰³ E.R. Dodds, *Pagan and Christian in an Age of Anxiety*, 111-2.

¹⁰⁴ E.R. Dodds, *Pagan and Christian in an Age of Anxiety*, 112.

¹⁰⁵ Robert Louis Wilkens, *Christians as the Romans Saw Them*, *passim* offers various other critiques of Christianity leveled by its pagan opponents.

¹⁰⁶ *Suovetaurilia* depicted on *Decennalia* Base on pg. 66. See also, Aurelius Victor, *Liber de Caesaribus*, 39 for more on the emperors' divinity.

own god on behalf of Rome and, eventually, its emperors.¹⁰⁷ In this way, the Romans had integrated Jewish praxis into their religious system in a way that other minority religions had not been incorporated. Furthermore, when the Temple was destroyed in the First Judean Revolt, Jews were no longer able to offer sacrifices to YHWH, so (for the most part) they abstained from sacrificial worship entirely. In both cases, Jewish sacrificial practices—or, rather the lack thereof—did not threaten the *pax deorum*.

The Romans, however, clearly considered Christians a threat to the empire's safety and stability because they posed a significant threat to the *pax deorum*. Lactantius, as noted above, recounts a significant episode that illustrates this phenomenon. When Christian members of the court placed some sort of sacred symbol upon their forehead, they disrupted the sacred *haruspicy*. Leaders would almost certainly have understood the disruption of a rite like this as a sign of the gods' displeasure. Furthermore, Lactantius also alleges Diocletian's resistance to persecution until an oracle from Apollo encouraged him to take action. Even if not strictly speaking historical, each of these episodes demonstrates that there was a tension between pagan and Christian religiosity, in spite of the toleration the Christians had enjoyed for the preceding four decades. Furthermore, the divine directive from Apollo to persecute underscored the new tensions between the two religious identities.

In addition to religious unity, the Tetrarchy focused a great deal of energy on political unity. When Diocletian first rose to power, recall that the empire was fractured by the events of the third century crisis. Diocletian, and later the other members of the Tetrarchy, spent years trying to crush all internal usurpers and to restore the borders with enemy nations. Any social group that would have exacerbated the problem was problematic.

Jews did not pose a threat in this regard. Jewish populations had thrice revolted and had thrice suffered defeat (in 66-70, 117, and 132-135). Their traditional sacred city was destroyed and re-founded as a Roman city after the last of these revolts. In fact, Jews were not even allowed to enter the city, save for one day a year; this practice continued well after Diocletian's reign was over. As a result, the Jews' political mechanisms had been disbanded. While the patriarchate did serve particular functions as administrators, they did so on behalf of the Roman emperors as a rescript to the Patriarch Juda demonstrates.¹⁰⁸ Following the destruction of their

¹⁰⁷ Some Christians hoped to be understood as an *ethnos* or a race. See Epistle of Diognetus 5; Aristides, *Apology* 2 & 17.

¹⁰⁸ *CJ* 3.13.3. Origen also remarked that the patriarch had kinglike powers over the Jewish people (private correspondence with Prof. William Adler).

capital city, Jews lived in diaspora throughout the empire; their populations were likely relatively small and nucleated. Christianity was also a small portion of the Roman population. However, Christians actively proselytized their faith. During the “little peace of the Church,” Christianity saw rapid expansion in urban areas. Members of the faith rose to prominent positions in administration as well as within the emperor’s court, and communities even built large churches near imperial residences. It is possible that this rapid growth in numbers and in influence would have resulted in growing tensions between Christian and pagan groups, and, ultimately, the Tetrarchy’s actions against the Christians. However, this cannot be verified on the basis of surviving evidence.

The question of proselytism, however, may prove more useful in this analysis. Christians were active missionaries in their community. As I just noted, Christian communities grew rapidly in the decades before the Tetrarchy’s edicts. Christian proselytism had caused this growth in part. The Christian message also contained doctrines of monotheism and exclusive universal salvation. In other words, anyone who accepted Christian teachings could join the faith and attain eternal life; all others were condemned to eternal damnation. Further, all other gods were false or, worse, actually demons serving Satan. Likewise, Mani, the founder of Manichaeism, had envisioned that his new faith tradition would spread across boundaries to the east and west, into a plethora of languages, cities, and territories.¹⁰⁹ Both of these faith traditions, despite their universal nature, incorporated an exclusivist worldview; one was either a member of the faith or one was not. Identity boundaries like these would have contributed to a widening gulf between Roman and Christian (and Manichaean) identities.

These identity boundaries, as I have shown, existed as multiple places of intersection between Christians and Romans. While the last four decades of the third century saw a period of *de facto* toleration and rapid growth in the church, all that would come to a halt in the last years of Diocletian’s reign. Diocletian was obviously unconcerned with Christianity when he first ascended to the imperial throne. In fact, there is evidence to suggest his wife and daughter may have been baptized as Christians, though the evidence is far from conclusive.¹¹⁰

However, at some point, the tensions between the two communities came to a point. Rumors about Christians already placed them outside the realm of traditional Roman morality,

¹⁰⁹ Mani, *Kephalaion* 154.

¹¹⁰ Lactantius, *DMP* 14.3; 15.1. Lactantius does not explicitly state that the wife and daughter of Diocletian were Christians. He writes that they were “polluted” by forced sacrifice.

despite their falsehood. Christians also participated in a religious tradition that did not enjoy the protections afforded to others by antiquity. Christian disruption of an important ritual of state underscored the religious differences between Christians and pagans, as did an active program of Christian proselytism that attracted new followers every day. The Christian faith was an exclusivist monotheistic tradition that was potentially intolerant of other religious systems. All of these contributed to an environment that, in 303, erupted in imperial proclamations that targeted Christianity because the two identities had become incompatible.

CHAPTER THREE: “A NEW AND UNIMAGINED MONSTER”: THE MANICHAEANS AND THE TETRARCHY

In 302, Julianus, proconsul of Africa and thus a powerful Roman official, wrote to the highest echelons of Roman government asking for help. Though his letter does not survive, it is not difficult to imagine Julianus as a vexed figure, concerned about the emergence of a new, strangely-behaved group of religious individuals in the province under his control. He writes with purpose, wondering how he should respond to these individuals' presence in his province. Julianus has spoken with his informants, or, perhaps, he has even spoken with some Manichaeans themselves. Nevertheless, he has collected tidbits of information about these bizarre people, their beliefs, and practices. He is obviously concerned that they will somehow disrupt the peace, so he seeks guidance from Diocletian and the other Tetrarchs. His letter illuminates an intriguing moment in Roman history, when the Tetrarchy's religious policies again come to the fore against a non-traditional religious group.

In response to Julianus's letter, the Tetrarchy issued a rescript against the Manichaeans, a religious sect with Babylonian and Persian origins. The text survives in a late antique legal codex known as *Legum Collatio Mosaicarum et Romanarum*.¹¹¹ Close analysis of the rescript will reveal that the Roman state deemed one's identity as Manichaean incompatible with one's identity as Roman because of its close affiliation with external political powers and participation in rituals that separated Manichaeans from others within the Roman world. For the Roman government, persecution became a means of enforcing their identity on a group that had begun to “other” themselves. This process of “Othering” was a process that went both ways in the case of the Manichaeans. The Manichaeans created a separate identity for themselves, while the Roman government created in them a pariah group.

Unlike both Judaism and Christianity, Manichaeism had arrived in the Roman Empire only a short time before Diocletian's ascent to power. The faith's founder was Mani;¹¹² he seems

¹¹¹ The rescript of Diocletian and Maximian against the Manichaeans survives in a legal codex from the late fourth or early fifth century known as the *Collatio Legum Mosaicarum et Romanarum*. The Collator remains anonymous, but the work represents a collection and comparison of Jewish laws from the Hebrew Bible and Roman legal compilations. Robert Frakes, *Compiling the Collatio Legum Mosaicarum et Romanarum in Late Antiquity*, 129-51 presents prior arguments for a Jewish author in the west, before ultimately concluding the author was likely a Christian lawyer from Italy.

¹¹² Geo Widengren, *Mani and Manichaeism*, 25-6 places Mani in a “southern Babylonian, gnostic, more explicitly Mandaean, baptist community...” Michel Tardieu, *Manichaeism*, 2-4 describes Mani's father Pattek (Patik in other renderings) as a religious gadabout, who had participated in several religious traditions in his lifetime. Andrew

to have been born to gnostic Jewish-Christian parents in Babylon. As a young pre-teen boy, he experienced a series of heavenly visions that led him to leave the Elchasaite “baptist” sect of gnostic Christianity into which he had been born and to begin a missionary movement of his own.¹¹³ Mani travelled extensively throughout the region, even as far as India. During his travels he was undoubtedly exposed to various religious traditions, such as Graeco-Buddhism, Gnostic Christianity, Hinduism, and Zoroastrianism, that influenced his theology in various ways. His religious system was also adaptable—so much so, in fact, that a group of Manichaeans survived in China until the fourteenth century, long after the sect had ceased to exist in the west.

Many variations of Manichaean teaching manifested across a wide territorial expanse. There were, however, some common themes amongst its adherents. The faith’s teaching focused heavily on the origins of evil in the world. Mani taught that, from the moment of creation, the universe had been divided into two natures: Good/Light and Evil/Darkness. The influence of Zoroastrianism is obvious in this dualism, but Mani and his followers even used Christian sacred texts to support this position.¹¹⁴ The religious tradition focused so heavily on salvation from that all-pervading evil that J. Kevin Coyle has observed that “soteriology ... shaped Manichaeism’s cosmogony” profoundly.¹¹⁵ Each man existed within the physical world, which was a creation of evil. As a result, this evil had corrupted those who lived in the material world causing them to commit evil deeds. In fact, even the very bodies humans inhabit are creations of evil.¹¹⁶ It was through striving towards accessing that good spiritual realm as a member of the faith’s Elect group that an individual could access the divine world.

Several primary sources attest to an influx of Manichaeans arriving in the eastern Roman Empire in the late third century.¹¹⁷ For example, a pastoral letter from an Egyptian bishop warns his followers about the false teachings and “abominations” that Manichaean missionaries are sharing in the area.¹¹⁸ Epiphanius, in a late fourth century refutation of Manichaeism, asserts that the sect had established firm roots in Palestine by the early 270s.¹¹⁹ The neo-platonic

Welburn, *Mani, the Angel, and the Column of Glory*, 67 maintains that Mani’s parents were members of the Elchasaite sects. See also David Potter, *Roman Empire at Bay*, 302-14 for more on Manichaeism in this period.

¹¹³ *CMC*, 3.2-5.3.

¹¹⁴ Kevin Kaatz, “The Light and the Darkness,” 103-118.

¹¹⁵ J. Kevin Coyle, “Characteristics of Manichaeism in Roman Africa,” 109.

¹¹⁶ S.N.C. Lieu, *Manichaeism in Mesopotamia and the Roman East*, 249.

¹¹⁷ Peter Brown, “The Diffusion of Manichaeism in the Roman Empire,” 92-103.

¹¹⁸ *P. Rylands Greek* 469.12-42.

¹¹⁹ Epiphanius, *Haeresibus* 66.1-3.

philosopher Alexander of Lycopolis, in a volume against Manichaeism, also describes the missionary movement's presence in Egypt.¹²⁰ In addition, archaeologists have found caches of documents in excavations at two sites in Egypt, Narmouthis and Kellis, that hint at a vibrant Manichaean community at those sites.¹²¹ Furthermore, there is some evidence in the sixth century chronicle of John Malalas that Manichaean missionaries had even reached the city of Rome by the reign of Diocletian.¹²² This evidence suggests that by the late third century the Manichaeans had begun to penetrate deeply into the Roman Empire and had established a thread of Manichaeism within the Roman religious world. In fact, the Manichaeans had created enough of a stir in Africa that the proconsul Julianus felt compelled to write to the Tetrarchs to ask what he ought to do with these individuals. Unfortunately, the initial letter from Julianus does not survive, but, in response to his letter, the Tetrarchs wrote:

The Emperors Augusti Diocletian and Maximian and the most noble Caesars Constantius and Maximian to Julian, proconsul of Africa. Sometimes a great laziness incites men of a very troubled condition to exceed the limits of human nature and to persuade them to bring in a certain empty and loathsome type of superstition doctrine, and in the judgment of their own error they seem draw in many others [...]

[...] it is divine law neither to obstruct nor to resist and an old religion ought not be rebuked by a new one. For it is of the greatest crime to revoke those things that once were established and limited by the ancients...

We have heard that, most recently, they have committed many crimes here, as if some new and unimagined monster has progressed and has grown in this world from the Persian people, our enemies. They disturb the peaceful people and thrust the greatest evils upon the citizens [...]

It should be feared, lest by chance, as is accustomed to happen, as time proceeds, they should try, through detestable habits and the sinister laws of the Persians to taint men of a more innocent nature—the modest and peaceful Roman people and our whole world!—with the poisons of their wicked deeds [...]¹²³

Their response makes it clear that the influx of Manichaeans into the Roman world disturbed the Tetrarchs.

The date of this letter is important in understanding the response of Diocletian and the Tetrarchy. It was issued on 31 March (the “day before the Kalends of April”) but the year is not

¹²⁰ Alexander of Lycopolis, 115-116.

¹²¹ I.M.F Gardner and S.N.C. Lieu, “From Narmouthis (Medinet Madi) to Kellis (Ismant El-Kharab),” 146-69.

¹²² John Malalas, *Chronicle* 12.31.

¹²³ *Leg. Coll.* 15.3 (Hyamson). I have included here only excerpts relevant to my argument in this chapter. I have added the full Latin text and a translation of the rescript in Appendix 1.

specified. The rescript, however, explicitly names all four Tetrarchs and thus must date after its formation in 293 but before 1 May 305 when Diocletian and Maximian abdicated. Furthermore, the postscript designates that the rescript was issued at Alexandria in Egypt. So, it must date to a time when one or more of the Tetrarchs was there. Finally, external evidence may determine when Julianus served his term of office. Together, this evidence should provide a date for the rescript.

Two dates emerge as the most likely candidates for the rescript's year of publication. L.D. Bruce argues for 31 March 297 based on three factors: 1) the language of the rescript; 2) the date of Julianus's consulship; and 3) the author's presence in Alexandria.¹²⁴ Bruce argues that the author's descriptions of the Manichaeans suggest a clear relationship between the edict and Persian influence. He notes that the Rescript refers to Manichaeism's Persian origins at least three times. Bruce also points to the particular phrase "our enemy the Persian people" as indicating that the Rescript was issued at a time that converged with Persian hostilities, which he dates to 296/7.¹²⁵

In 293, Narseh had just usurped the Persian throne and he had ended a two-decade long persecution of the Manichaeans in Persia. In fact, many of the Manichaeans who had fled the preceding persecutions had sought refuge within the Roman Empire. Further, Narseh resumed hostilities against Roman allies in the East. Diocletian responded by ordering Galerius to campaign against the Persians. Galerius was initially defeated by the Persians in Mesopotamia in 297 but ultimately proved victorious the following year, negotiating a favorable treaty in 299 that extended the Roman frontier east of the Tigris. Bruce argues that the confluence of Persian hostilities with a Roman conception of Manichaeism as a Persian religious tradition spurred the Tetrarchy to act.

However, when one considers that the Persian government was still likely viewed as an "enemy" despite the Treaty of Nisibis, then Bruce's reasoning is less sound. His proposed date is far from certain. Bruce admits that there were two periods in the African proconsulship that may have been held by Julianus. The first, which he argued for, was in 296-297. However, the proconsul also remains unknown for the years 301-303. T.D. Barnes has argued that Diocletian

¹²⁴ L.D. Bruce, "Diocletian, the Proconsul Julianus, and the Manichaeans," 336-347. He follows Peter Brown, "The Diffusion of Manichaeism in the Roman Empire," 92-103, Henry Chadwick, "Manichaeism," 643, and L.J. Van der Lof, "Mani as the Danger from Persia in the Roman East," 75-84.

¹²⁵ *Leg. Coll.* 15.3.4, 7.: "*Persica adversaria nobis gente.*" L.D. Bruce, "Diocletian, the Proconsul Julianus, and the Manichaeans," 336-8.

was present in Egypt, the origin of the rescript, in both 298 and 302. His reconstruction of the proconsuls firmly places the office in Julianus's hands in 302, as the proconsul in 298 was another individual, Helvius Dionysius.¹²⁶

Furthermore, John Malalas discusses Diocletian's movements in the period in question, including the "Great Persecution" of Christians in 303.¹²⁷ In the paragraph *after* this discussion, he notes that Diocletian was in Egypt in an "Olympic Year" in Antioch and left Egypt to attend the games. Antioch had hosted quadrennial "Olympic Games" since the middle of the first century until late in the fourth century.¹²⁸ Based on this scheme, one can calculate the dates 298 and 302 as Olympic years. As noted above, the year 298 has been ruled out by an inscription, and the *Chronicle* of Jerome places Diocletian in Egypt through 298 subduing a revolt in the province.¹²⁹ If he is present in Egypt, obviously, he cannot also be in Antioch. This evidence favors Barnes' argument for dating the rescript to early 302.

If 302 was the date of the rescript, then the association between Persian military engagement and the conceptualization of the Manichaeans as a fifth column requires reconsideration. If the rescript was issued after the Treaty of Nisibis (299),¹³⁰ then the long-held assumption that the rescript bears merely military and geo-political significance seems less sound. Interestingly, this dating also places the rescript in closer chronological proximity to the edicts that Eusebius and Lactantius describe in their narratives of Christian persecution. These factors together indicate that there is more at work here than international politics.

The language that Diocletian and the Tetrarchy used in the edict can illuminate their motives and intellectual position prior to action. Their word choice clearly indicates that they believed that the Manichaeans posed a significant danger to the empire and its stability. For the Tetrarchy, the Manichaean faith is a "new and unexpected monster" that recently had "grown in this world from the Persian people."¹³¹ Here, the authors of the rescript indicate their knowledge of the faith's troubling Persian associations.

¹²⁶ T.D. Barnes, *New Empire*, 55; T.D. Barnes, "Sossianus Hierocles" 246-50. In "Sossianus Hierocles," Barnes refers to an inscription (*CIL* 8.12459) which places Dionysius' proconsulship between 296/7-300/1.

¹²⁷ John Malalas, *Chronicle* 12.43.

¹²⁸ Bartosz Wojciechowski, "Athletic Games in the Roman Levant," 128-32 discusses the athletic games in Antioch.

¹²⁹ Jerome, *Chronicle* 226.

¹³⁰ Petrus Patricius, *frag.* 14, *FGH* IV; Johannes Lydus, *De Magistratibus* 2.25.

¹³¹ *Leg. Coll.* 15.3.4: "uelut nova inopinata p[er]digia in hunc mundum de p[er]sca aduersaria nobis gente p[er]gressa uel orta esse."

However, this is not the only issue the imperial college takes with the religious system. In addition, they write: “it is of the greatest crime to revoke those things that once were established and limited by the ancients...”¹³² In other words, the religion’s newness, exclusivism, and non-Romanness concern the authors of the imperial rescript. From the Roman perspective, you were either “with us or against us;” one’s religion was either compatible with the Roman system or it was not. In addition, their use of the term *superstitio* to describe Manichaeism suggests what they thought the religion to be. In many ways, the term carries the same connotation as its modern English cognate “superstition” —a senseless religious or spiritual belief with no basis in reason or history. Rather than focusing on Roman high principles of religion, as the emperors did through the state religion’s orthopraxis, Manichaeism was a faith lacking any claim to antiquity or tradition.

The authors also describe the Manichaeans as criminals and heathens who “taint men of a more innocent nature” (i.e. Romans).¹³³ Since we lack the initial letter in the correspondence, it is unclear if the imperial college is responding to specific perceived disruption and damage. There are in fact no extant accounts of political or social tensions specifically involving the Manichaeans—beyond the rescript from the Emperors, of course. Some sources record social tensions between Manichaean missionaries and Christian teachers, but no accounts of violence or other upheaval survive.¹³⁴ So, scholars are left wondering how the Manichaeans specifically disturbed or disrupted Roman society.

Alternatively, the damage referenced in the rescript may be of a moral or social nature rather than a physical one. Members of the so-called “Elect” did participate in unique practices that would have seemed strange to outside observers. For example, the Elect did not eat meat,¹³⁵ abstained from sexual relations,¹³⁶ and were unwilling to bathe.¹³⁷ As part of a long and somewhat later formula for renouncing one’s faith as a Manichaean in favor of Catholic Christianity, one must say:

I anathematize those who pollute themselves with their own urine and do not suffer their filth to be cleansed in water lest, they say, the water be defiled. I anathematize those who perform shameless acts against nature, not only men but

¹³² Leg. Coll. 15.3.2: “*Maximi enim criminis est retractare quae semel ab antiquis statuta et definita suum statum et cursum tenent ac possident*”

¹³³ Leg. Coll. 15.3.4: “*et multa facinora ibi comittere populos manque quietos p[er]turbaret*”

¹³⁴ P. Rylands *Greek* 469.12-42.

¹³⁵ Augustine, *Contra Faustum* 6.5; Mani, *Kephalaion* 94.

¹³⁶ Hegemonius, *Acta Arbela* 166-8; Mani, *Kephalaion* 86; Peter Brown, *The Body and Society*, 200-1.

¹³⁷ Augustine of Hippo, *Contra Faustum* 20.23; *De Utilitate Credende* 36.

also women, and those who reject marriage and withhold themselves from the lawful intercourse with women, in order, they say, that they will not produce children and would lead the souls into the mire of human souls.¹³⁸

While such a renunciation formula highlights what Christians might have found absurd about Manichaeism, it also provides insight into its practices and beliefs. It suggests a belief within Roman society—granted a later Christian society—that Manichaeans did not bathe, a central aspect of Roman culture. Roman baths, some of which Diocletian and the Tetrarchs built, had long been important social centers in Roman society. Bathhouses were important places for politicking, social networking, and business transactions. Bathing also contributed to the city’s collective hygiene, helping to stem the spread of dangerous diseases. It was a marker of Roman identity, something all good Romans did. Refusing to participate in the bathhouse culture created distance between Manichaeans and non-Manichaean Romans.

Furthermore, the Manichaean Elect insisted on abstaining from sexual relations and reproducing children. Proper marriage practices were on Diocletian’s mind at least at one point earlier in his reign. Two rescripts from the mid-290s preserved in the *Legum Collatio* discuss the improprieties and problems with incestuous marriages and condemns those who have fallen into them to severe punishments.¹³⁹ Throughout the rescripts, the authors use religious language to describe the institution of marriage. For example, the principles of marriage and their place within the Roman legal system are described with such adjectives as “pious” and “venerable” (*piis* and *venerabilia*).¹⁴⁰ In short, Romans understood marriage and family as part of the Roman religious system. Thus good Roman men and women participated in matrimonial rites as deemed necessary by Roman religious officials. Conversely, both Manichaean men and women members of the Elect remained abstinent. The emperors may have seen this celibacy as an affront to Roman religion. Such an affront would, like the disruption of the *haruspicy* reading discussed in my chapter on Christianity, threatened the *pax deorum* and thus endangered the state. Furthermore, abstinence from marriage was yet another way the Manichaean communities separated themselves from their neighbors.

It is interesting to note that both the desire not to participate in the bathhouse culture and the emphasis on abstinence bear a strong resemblance to the nascent anchoritic monastic

¹³⁸ “Formula for the Renunciation of Manichaeism” in S.N.C. Lieu, *Manichaeism in Mesopotamia and the Roman East*, 251.

¹³⁹ *Leg. Coll.* 6.4.

¹⁴⁰ *Leg. Coll.* 6.4.1.

movement in Christianity. These Christians also chose not to participate in these activities and sought to remove themselves from the sinful world by seeking withdrawal from society and meditation with Christ.¹⁴¹

The text also implies that, if left unchecked, the Manichaeans would almost certainly corrupt innocent Roman citizens.¹⁴² As discussed above, Manichaean views on sexuality, diet, and sanitation did not conform to traditional Roman stances.¹⁴³ The Manichaean missionary movement was, as I will discuss, active and easily spread. The spread of these odd non-traditional viewpoints into Roman society would likely have alarmed the traditionalist Diocletian.

The emperors seem to attribute the rapid expansion of Manichaean influence to *otia maxima*, “a great laziness.”¹⁴⁴ The exact meaning of this is unclear. Is it the laziness of Roman citizens, a lack of diligence, perhaps, that enabled them to fall prey to the wiles of the Manichaean missionaries? Or, conversely, is it the relationship of the Manichaean elect to the Manichaean “Hearers” that was the problem? To an outsider, this relationship might easily appear to be one of parasitic exploitation that encouraged the Elect to pursue idleness, in direct contradiction to Roman industriousness.

Of course, however, the relationship between these two classes of Manichaeans was not so simple. In his book on Manichaean ritual, Jason BeDuhn describes this relationship as it relates to the ritual meal, a central feature in Manichaean belief and identity. Based on analysis of texts and images from various strands of Manichaeism, it appears that the Hearers harvested and provided meals to the Elect. For BeDuhn, the meal “establish[es] a relationship of exchange, and economy if you will, between the two constitutive classes of the Manichaean community.”¹⁴⁵ A primary function of the Hearer class of Manichaeans was to provide alms in the form of a meal to the Elect. They had various concerns about purity and thus were unable to harvest food or consume meat; the ritual meal, which BeDuhn describes as a spiritual and alimentary ritual, represents the “liberation of the embodied self.”¹⁴⁶ The ritual meal aids the Elect’s souls and, separating the light from the dark, allows them to purify their soul and to form

¹⁴¹ For more on early Christian Ascetic movements see C.H. Lawrence, *Medieval Monasticism*, 1-17; Peter Brown, *The Body and Society*, *passim*; and David Brakke, *Athanasius and Asceticism*, *passim*; among others.

¹⁴² *Leg. Coll.* 15.3.4

¹⁴³ J. Kevin Coyle, “Characteristics of Manichaeism in Roman Africa,” 105.

¹⁴⁴ *Leg. Coll.* 15.3.1.

¹⁴⁵ Jason BeDuhn, *The Manichean Body*, 161.

¹⁴⁶ Jason BeDuhn, *The Manichean Body*, chapter 6 title.

oneself within their religious identity.¹⁴⁷ In exchange, Hearers by providing food participated in an otherwise inaccessible ritual. Michel Tardieu argues that the alms-giving of the Hearers “purified [the Hearer] of world works, and... allowed... the elect, to discharge their duty of prayer and preaching.”¹⁴⁸ While the relationship between the two classes as it pertains to the ritual meal was symbiotic, it requires no imaginative jump to see why it seemed to an outsider to encourage lazy idleness among its adherents.

Finally, Manichaeans were guilty of some *nequitiae* that Diocletian and his cohorts must have felt threatened the empire’s tranquility.¹⁴⁹ The term *nequitia* means “moral worthlessness.”¹⁵⁰ Such a term places the Manichaeans outside the boundaries of traditional Roman morality as participating in a moral system that was, to Roman observers, bankrupt and fundamentally different from their own sense of morality.

Furthermore, the similarity between the policies of the Tetrarchy towards members of the Christian and Manichaean faiths cannot be ignored. The temporal proximity of these events must be significant. The “Great Persecution” of Christians in 303 began only a year after the rescript’s issue. In addition, punishments faced by members of both faiths were similar. According to the rescript and Eusebius’s *Martyrs of Palestine*, the Roman state condemned high status Manichaeans, as well as certain Christians to labor camps at Phaeno in southern Jordan.¹⁵¹ The chronological proximity of the rescript to the edicts against the Christians underscores the parallels between the imperial decrees.

While the edicts’ texts themselves no longer survive and a textual comparison remains impossible, the manner of persecution is quite similar. Elite citizens faced more severe punishment than plebeian practitioners.¹⁵² Adherents of both faiths were sentenced to forced labor (even at the same place!).¹⁵³ And the practitioners of both religions could face the death penalty. Given these similarities in policy, the links between the two persecutions become more apparent. Consequently, analysis of one may shed light on the other.

To that end, there are some relationships between the two faiths. Both are exclusive in nature, i.e., they required adherents to focus their worship and ritual on the divinities of that

¹⁴⁷ Jason BeDuhn, *The Manichean Body*, 222-31.

¹⁴⁸ Michel Tardieu, *Manichaeism*, 69.

¹⁴⁹ *Leg. Coll.* 15.3.8: “*ut igitur strepitus amputari malis hec nequitiae de seculo beatissimo nostro possit deuotio tua iussi.*”

¹⁵⁰ “*Nequitia*” in *OLD*, 1175.

¹⁵¹ *Leg. Coll.* 15.3; Eusebius, *MP*, 24.

¹⁵² *Leg. Coll.* 15.3; Eusebius, *MP*, *passim*.

¹⁵³ *Leg. Coll.* 15.3. Compare with the first three edicts of the “Great Persecution.”

faith while refusing to worship or even acknowledge the existence of other gods. However, Judaism, a faith unmolested by the Roman state, was also an exclusive tradition. Jewish cultic practice, on the other hand, had long been recognized as a legal religion by the Roman state and Jews were exempt from participation in Roman cult, whereas Manichaeism and Christianity were not.

Adherents of both Manichaeism and Christianity also actively proselytized their faith. This is a significant departure from Judaism. It is unlikely, however, that Christian and Manichaean missionaries had converted enough Roman citizens by the beginning of the fourth century to overwhelm the traditional Roman religion in a way to require a violent reaction. We cannot be sure where most Manichean converts lived, but we do know that most Christian conversion occurred in urban areas of the East.¹⁵⁴ It seems likely that Manichaeism, whose missionary style mirrored Christian proselytization (as noted above), would have followed a similar trajectory. Meanwhile, the Manichaean emphasis on explaining evil appealed to neo-platonic thinkers in the Roman world, as exemplified by St. Augustine. Before reconversion to Christianity in 386, Augustine spent several years as a Manichaean Hearer.¹⁵⁵ His conversion to Manichaeism also suggests that the faith, like Christianity, found converts in cities. Manichaeism continued to hold sway among Roman intelligentsia well into Augustine's career as bishop at Hippo (395-430).

However, Manichaeism did not only appeal to the intellectual elite. Anyone could become a member of the faith, though his or her status within Manichaeism was not fluid. Adherence to the rules and commandments, however, could result in a Hearer's rebirth as a member of the Elect. Like Christianity, then, the faith had certain universalist aspects. In fact, when Mani began teaching, he hoped that his faith system would adapt to the needs of various regions and take on a more universal appeal so as to win converts.¹⁵⁶ Furthermore, Manichaeism emphasized the pursuit of divine salvation through its rituals and teachings.

Classical paganism focused itself on the proper relationship between the divine and humans as a means of vouchsafing the security of the state. Diocletian had come to power when a great deal of stress was tearing the Roman world apart; no doubt a traditional pagan such

¹⁵⁴ Ramsey MacMullen, *Christianizing the Roman Empire, passim*. *Idem* 85 also estimates that by 400, almost a century after the persecutions of Diocletian and the formal conversion of the Empire under Theodosius, nearly half of the Roman Empire was still non-Christian.

¹⁵⁵ Peter Brown, *Augustine of Hippo*, 35-49.

¹⁵⁶ Mani, *Kephalaion* 154.

as Diocletian would have attributed these troubles at least partially to the disruption of the *pax deorum* that resulted from Manichaean teachings. In other words, the universalist approaches of Manichaean and Christian theologies were incompatible with the Tetrarchy's neo-traditional paganism as they drew adherents away from participation in the Imperial Cult.

Identity politics also factored heavily into the Tetrarchy's policy toward the Manichaeans. Scholars have historically identified the rescript's association of the faith with Persia as the motivating factor behind persecution.¹⁵⁷ They maintain that the Tetrarchy viewed Manichaeans as a Persian fifth column, a sleeper cell of sorts highly reminiscent of American anxieties about Soviet spies during the Cold War. I do not challenge this argument entirely; in fact, the text of the rescript itself indicates that this was part of the Tetrarchy's motivation. However, the situation was far more complicated than this single factor would lead one to believe.

It seems that the reasoning behind the imperial actions must come from the faiths' interactions with Roman society. Manichaeism, like Christianity after it was "othered" by the Tetrarchs and their religion, formulated a separate identity that could not coexist with adherents' identity as Romans. Manichaeism was predicated on the Elect's withdrawal from "normal" social interactions and participation in the world of evil. The Elect ate differently, avoided sexual relations and bathing, and identified themselves as an elite group within their religious tradition. Manichaeans did not worship Roman gods. Manichaeans, especially the Elect, focused all their energies on escaping the world in which they lived. In other words, the Manichaeans disengaged from the world around them; they did not participate in the world in the same ways as most Romans. They sought to "other" or separate themselves.

The Tetrarchy sought to restore order after a long period of chaos. This required the unity of the Roman State, which could not tolerate the existence of identities incompatible with their Roman-ness. To police the unified boundary they had created around their world, the Tetrarchy resorted to violence against those who did not conform to their Roman identity—namely religious persecution. In other words, one could be either a Roman or a Manichaean. These two disparate identities were, in the eyes of the State, incompatible and the tension between them resulted in violent actions by the dominant partner in that relationship, the Roman government.

¹⁵⁷ S.N.C. Lieu, *Manichaeism in the Later Roman Empire and Medieval China*, 121-5.

CHAPTER FOUR: LIVING WITHIN THE LAW: THE TETRARCHY AND THE JEWS

One of the many tractates from the Jerusalem Talmud proclaims, “Diocletian oppressed the inhabitants of Panaes.”¹⁵⁸ The text provides neither explanation nor description of this oppression. Instead, it leaves the reader wondering why this settlement was singled out for special mention and what Diocletian specifically did to inhabitants. A second passage in the same Talmud recounts a correspondence between Diocletian and Rabbinic leaders. In this story, Diocletian ordered a pair of prominent Rabbis from Tiberias—R. Yudan the Patriarch and R. Samuel bar Nahman—to visit Diocletian’s court at Panaes. Diocletian, in an apparent act of treachery, ordered that the message not be delivered until it would force the Rabbis to travel on the Sabbath, a grave violation of Jewish law. Furthermore, the summons forced them to travel through a cemetery, threatening their purity as one of the two men was of priestly descent.

The Talmudists explain that Diocletian had written in such a fashion in order to punish the region’s Jews for teasing him as a young swineherd.¹⁵⁹ Although this latter event is almost certainly the product of the Talmudists’ imagination, the picture both alleged episodes paint of Diocletian, the picture they paint of Diocletian, is one of a tyrannical Roman overlord bent on exacting revenge for mistreatment in his youth. When this image melds with Diocletian’s reputation as persecutor of the Christians, the modern reader cannot help but wonder if Diocletian also aimed violence at Jewish communities in his empire. However, a third tract in the Palestinian Talmud alludes to an exemption Diocletian had granted the Jews—and only the Jews—from offering libations to the Roman gods, an act that was directly contradictory to Jewish mores.¹⁶⁰ Which of these conflicting memories—of Diocletian as a vengeful persecutor or as a protector of Jewish sensibilities—holds true?

Scholars have historically taken three stances concerning the relationship between Jews and the Roman state under Diocletian’s reign. Arthur Marmorstein seems to interpret the

¹⁵⁸ PT, *Shebiit*, 9.2.III.A. Panaes (also known as Baniyas, Paniaas, and Caesarea Philippi) lies in the Golan (Jaulan) Heights in occupied Syria today. While there was a substantial pagan population there in antiquity, the Jews also likely comprised a large segment of the population. This is confirmed when the rabbinic authority deemed it necessary to include a reference to the city in the Palestinian Talmud. John Francis Wilson, *Caesarea Philippi*, 48-9 argues for a substantial Jewish population that experienced heavy taxation as part of Diocletian’s empire-wide taxation policy.

¹⁵⁹ PT, *Terumat*, 8.10.V.A-S. Other sources point out that Diocletian was from Illyria, so his presence in Palestine as a young man is highly suspect.

¹⁶⁰ PT, *Avoda Zara* 5.4.III.EE. It is entirely possible that this exemption was granted as part of the Edicts issued against the Christians. However, there can be no way of knowing for sure if this is the case.

Talmudic evidence as suggesting persecution.¹⁶¹ Y.F. Baer argued more forcefully than Marmorstein that the Jews, like Christians, suffered persecution during Diocletian and the Tetrarchy's reign.¹⁶² In contrast, however, Alfredo Mordechai Rabello has reviewed the Talmudic evidence and concluded that Jews did not suffer persecution during this period.¹⁶³ Michael Avi-Yonah likewise argued that the rights Jews previously had enjoyed continued to be observed and even reinforced by the Roman state. He has described Diocletian as "delineated in these stories as a hard ruler," but one who had ultimately favored the Jews.¹⁶⁴ Max Radin has argued that the economic and political position of Jews in the Roman Empire was not unique; in other words, Jews and non-Jews enjoyed many of the same rights and privileges.¹⁶⁵ Finally, other scholars have chosen to remain silent on the issue. Peter Schäfer, for example, mentions Diocletian only in passing, despite the emperor's relatively long reign.¹⁶⁶ Neither T.D. Barnes nor Simon Corcoran makes any significant reference to Jews under his reign in their important works on the period (both of which represent standard works in the corpus of modern scholarship on Diocletian and the Tetrarchy).¹⁶⁷

The following review of the Talmudic, legal, and papyrological evidence will add yet another voice to the chorus of scholars who maintain that the Jews remained unmolested by the state under the reign of Diocletian and the Tetrarchy. In other words, I will argue that Jewish populations throughout the empire did not endure state-sponsored religious persecution. This analysis will also place Judaism in the context of other minority religions under the Tetrarchy's reign. Ultimately, the evidence will show that the Jews did not pose a significant threat to Diocletian's imperial ideology, the safety and security of the Roman state, or to Roman identity because they had been integrated into the Roman world in a way in which Christians and Manichaeans had not. Whereas Diocletian and the Tetrarchy felt compelled to resort to violence to police the boundaries around their Roman identities where Christians and Manichaeans were concerned, the Jews presented a different situation altogether. Jews had become part of the Roman world in ways that other minority religions had not. As a result, state-sponsored violence towards Jews was not necessary.

¹⁶¹ Arthur Marmorstein, "Diocletian á la lumière de la littérature rabbinique," 19-43.

¹⁶² Y.F. Baer, "Israel, the Christian Church, and the Roman Empire," 128.

¹⁶³ Alfredo Mordechai Rabello, "On the Relations between Diocletian and the Jews," 147-67.

¹⁶⁴ Michael Avi-Yonah, *The Jews Under Roman and Byzantine Rule*, 125-7.

¹⁶⁵ Max Radin, *The Jews Among Greeks and Romans*, 365. Christians, of course, were an exception.

¹⁶⁶ Peter Schäfer, *The History of the Jews in Antiquity*, 175. Diocletian's 20-year reign and his voluntary abdication from the throne in 305 represent the exception rather than the rule in the mid-3rd to early-4th centuries.

¹⁶⁷ T.D. Barnes, *New Empire, passim* and Simon Corcoran, *The Empire of the Tetrarchs, passim*.

In order to properly understand Diocletian and the Tetrarchy's relationship with the Jewish communities in the Roman Empire, we must situate these rulers and their policies within the long history of contact between Rome and the Jews.¹⁶⁸

Rome first came into contact with the Jews in their Judean homeland in the second century BCE. From the very beginning, the rapport between these communities was one fraught with tension. In fact, there is evidence that Jewish rulers and the Roman Senate entered into treaties and alliances against their common enemy, the Seleucids, throughout this period.¹⁶⁹ It was not until the mid-first century BCE, however, that interactions between the two peoples became more permanent. At that time, the Roman general Gnaeus Pompeius Magnus, more commonly known as Pompey, marched from Rome to the eastern Mediterranean to suppress piracy and complete the final defeat of Mithridates VI, the King of Pontus. While in the region, Pompey marched through the Levant and established Roman rule; he claimed the right to do so under the pretext that he was in the region to restore order. It was at this time (64 BCE) that he abolished the Seleucid monarchy and created the Roman province of Syria.¹⁷⁰ Moving south, he found the Jews engaged in a civil war between Hasmonean claimants to the throne of Judaea. Choosing sides, Pompey besieged the temple within the city of Jerusalem.

Pompey and his troops finally brought the city under his control in the summer of 63 BCE. He and his staff purportedly entered the Temple's Holy of Holies, violating its sanctity. However, Pompey and his men did not loot any of the golden ritual furniture or the gold talents stored therein.¹⁷¹ Pompey, following his victory, recognized Judaea as a Hasmonean client kingdom. Herod, who consolidated control over the region, founded a new dynasty (the

¹⁶⁸ However, there are a few caveats. First, this narrative is hardly exhaustive but focuses primarily on the events that involved the Roman state and its representatives as they interacted with Jewish peoples across the Roman world. There are countless other instances in which Jews and Romans interacted with one another on a smaller-scaled basis. While they fall largely outside of the scope of this current project, there may yet be much to learn from the texts detailing those encounters. Second, Jews had lived in diaspora since the destruction of the First Temple in the sixth century BCE. Over the course of time, they had also permeated west across the Roman Empire. For example, Alfredo Rabello, "The Situation of the Jews in Roman Spain," 159-90 describes the Jewish diaspora community in Spain. For an in depth study of the late ancient diaspora Jewish community in Rome, see Leonard Rutgers, *Jews in Late Ancient Rome, passim*. For the first portion of the story, I focus primarily on the Jews in Judaea; however, the diaspora communities became more prominent visible actors in the years following the destruction of the Jerusalem Temple. This was but one of the fundamental changes Judaism experienced in the first and second centuries.

¹⁶⁹ *I Macc.* 8.1-30; *I Macc.* 14.40; Josephus, *AJ* 12.414-9; Justinus, *Epitome* 36.3.9. See E. Mary Smallwood, *The Jews Under Roman Rule*, 4-10 for a more thorough discussion of these diplomatic arrangements.

¹⁷⁰ For an excellent and thorough archaeological study of the Roman involvement in this region, see Kevin Butcher, *Roman Syria and the Near East*, 16-88.

¹⁷¹ Josephus, *AJ* 14.72-3; *BJ* 1.52-3; Cassius Dio, *History*, 37.16.4 however, disagrees and reports that Pompey and his men did loot the gold coins. For the purposes of this discussion, his violation of the Temple's sacred space is most significant.

Herodians), and ruled from 37 until 4 BCE, replaced the Hasmoneans as a client king of Rome. In the year 6 CE, the Romans officially annexed Judaea as a province of Rome with an equestrian governor and permanent auxiliary garrison.

In the years following Pompey's military expedition, chaos erupted across the Roman Empire. Within fifteen years, a civil war between Pompey and Julius Caesar threatened to tear the very fabric of the Roman world asunder. Eventually, Caesar and his supporters solidified control over Italy and established diplomatic relations with the anti-Pompeian factions that had arisen after Pompey's desecration of the Temple. In fact, E. Mary Smallwood claims that the forces of the Judaeian leaders Hyrcanus and Antipater were invaluable aids to Caesar in the civil war.¹⁷² Once he had established control over the Roman world, Caesar formulated a policy that established Judaism as a *religio licita*—a permitted religion—across the empire; Augustus would later solidify this designation in imperial decrees.¹⁷³ Romans routinely bestowed such a designation upon the cults of peoples with whom they came into contact, so long as their doctrines and rituals were not offensive to Roman sensibilities or raised political concerns.¹⁷⁴ This newly conferred official status would survive for nearly four hundred years with only a few exceptional moments of lapse.

Another early clash between Roman and Jewish sensibilities occurred sometime early in the governorship of Pontius Pilate (*praefectus Judaeae*, 26-36). Prefects in Judaea had typically respected Jewish ideals when considering what garrison to keep in the Antonia, a fortress directly adjacent to and overlooking the Temple. Pilate broke with this tradition of respect with an auxiliary garrison that carried standards adorned with busts of the emperor. While not forcing participation in the imperial cult, he was acutely aware of the trouble it might cause among the Jews in Jerusalem if they realized how close the Roman standards (which would have been viewed as idolatrous) were to the high priests' vestments. In fact, Josephus reports that Pilate and the garrison arrived in the city under the cover of night, implying that Pilate knew full well what he was doing.¹⁷⁵ When his actions became known, demonstrations and protests arose

¹⁷² E. Mary Smallwood, *The Jews Under Roman Rule*, 38. Josephus, *AJ* 14.127.

¹⁷³ See Josephus, *AJ* 14.190-222.

¹⁷⁴ Druids practiced human sacrifice while popular Roman thought held that Christians were incestuous cannibals who drank the blood of infants. These two groups serve as excellent examples of the types of offensive cult practices the Romans banned. It is interesting to note that each of these charges would be leveled against Jews during the medieval period.

¹⁷⁵ Josephus, *AJ* 18.55-9. E. Mary Smallwood, *The Jews Under Roman Rule*, 161 treats his phrasing as hyperbole. While we cannot be certain of Pilate's intent, it seems likely that it was not his intention to damage the sanctity of the city.

in Jerusalem and in Caesarea, the Roman administrative capital. They continued for several days until Pilate tried to violently force the Jews to capitulate and to disperse. However, when his soldiers surrounded Jewish protestors, they volunteered to die rather than permit the violation of their sacred spaces. Pilate ceded the argument and withdrew the unit and its standards to Caesarea, a site much more agreeable for the Jews.¹⁷⁶ This interaction does betray tensions between Roman and Jewish sensibilities early on in the formal relationship between the two worlds. However, notwithstanding these tensions, Judaism remained a *religio licita* and a legitimate socio-political entity in the eastern empire.

Otherwise, only two other episodes of note stand out during the reigns of the Julio-Claudian emperors, the first imperial dynasty of Rome. The first of these involved the emperor Caligula (r. 37-41). Late in his short reign his politics and rhetoric began to take on a much more religious tone than previous emperors. While he never took the title *dominus et deus* of later Roman emperors, he began referring to himself as a divine being and some temples across the empire were dedicated to him.¹⁷⁷ Part of this new policy was an order to erect his statues in temples and sacred spaces across the empire, including the Temple in Jerusalem.

The Jews could not permit such sacrilege. When the legate of Syria, Publius Petronius, foresaw the trouble Caligula's actions would cause, he called together a group of Jewish leaders to ask them to urge the Jews to quietly submit to the emperor's wishes. They responded just as those who had protested against Pilate's transgressions: the Jews would rather die fighting the Romans than see their Temple profaned.¹⁷⁸ Petronius, possessing this knowledge, found various reasons to delay the statue's installation, biding his time as he worked out a better solution. Agrippa, one of Herod's grandsons and a close friend of Caligula, eventually persuaded Caligula to terminate his plans. Petronius was no doubt relieved when he could lead his forces back to his provincial capital in Antioch. Thus, it was only the intervention of Herod the Great's grandson that prevented the tense heat of social friction from igniting into full-on flames of rebellion.

¹⁷⁶ Josephus, *AJ* 18.55-9.

¹⁷⁷ Cassius Dio, *History*, 59.28; Philo, *De Legatione* 30.203-31.209. Caligula's actions stand in contrast to a precedent attested by Titus's time, at least regarding the Jewish Temple. Alfredo Rabello, "The 'Lex de Templo Hierosolymitano,'" 28-32 discusses a Latin and Greek inscription found in Jerusalem that dates to the period before the Temple's destruction. While he ultimately concludes that those present in the temple (not the Roman or Judaeian state) enforced the death penalty described in the inscription, its presence (and its composition in Latin and Greek) does attest to a Roman understanding of the temple's sanctity and the grave consequences that accompanied such sacrilege.

¹⁷⁸ Philo, *De Legatione*, 209-24.

In the wake of Caligula's assassination, Claudius (r. 41-54) ascended the imperial throne and sought to stabilize the empire. A brief line in Suetonius's biography of Claudius mentions that he expelled the Jewish community in Rome on account of provocations by a certain "Chrestus."¹⁷⁹ Consensus argues that this "Chrestus" is merely a corrupted Latinized form of *Χριστός*, the title given to Jesus of Nazareth. In other words, those figures expelled were likely Christians (or, perhaps, Jewish Christians) not Jews. One can find further evidence to support this assertion in the *Acts of the Apostles*. According to the text, a Roman couple, Aquila and Priscilla, travelled from Rome to Corinth in c. 50 because Claudius had expelled the Jews from Rome.¹⁸⁰ Some historians question the historicity of this event. Josephus, for example, fails to mention such an expulsion, and given the tenor of his historical account, he would almost certainly have included such a story. Although this event seems to be of questionable historical authenticity, it does represent the climate of the Jewish-Roman relationship on the eve of the Jewish Revolt that would soon rock Judaea.

In 66, a full-scale rebellion erupted in Judaea.¹⁸¹ However, we should not understand this war as one between opposing religious factions. In fact, no one at the time (beyond the religious zealots known by some as *Sicarii*) would have conceived of the revolt as such. It seems to have been social and political factors that drove the people of Judaea into revolt. Furthermore, the vast majority of diaspora Jews took no part in the revolt. So, perhaps it is more effective to think of these events as the "Judaean War" rather than the "Jewish War." This distinction, though seemingly insignificant, underscores the socio-political aspects of the war, rather than the religious. Yet, although for the most part, Caesar's and Augustus's policies concerning Judaism as a *religio licita* remained in place in the years following the end of hostilities, there were undeniable religious and cultic consequences of this struggle. When the Roman commander Titus stormed Jerusalem in 70 after a lengthy siege, he focused his assault on the Antonia fortress located on the Temple Mount.¹⁸² When he had conquered that fortress, sacrificial offerings in the Temple took place for the last time because there was a shortage of sacrificial lambs and able men in the city.¹⁸³ This interruption of Jewish cult took a major toll on

¹⁷⁹ Suetonius, *Divus Claudius*, 25.4. Van Voorst, *Jesus Outside the New Testament*, 30-9.

¹⁸⁰ *Acts of the Apostles*, 18.2. These figures later returned to Rome.

¹⁸¹ For a detailed summary of the revolt's military and political narratives, see E. Mary Smallwood, *The Jews Under Roman Rule*, 293-330.

¹⁸² Vespasian had originally held the command of the Roman forces in Judaea, but left his son Titus in command when he was declared emperor in 69.

¹⁸³ Josephus, *Bj* 6.93-4.

the psyche of the Judaeen defenders who were still fighting. Sacrifice to YHWH had formed one of the cornerstones of Jewish cultic practice and its cessation would forever change the nature of Judaism.

Shortly after his assault on the Antonia, Titus's men breached the Temple Mount's defenses. While there, Roman soldiers looted the Temple of its golden ritual furniture; the famous Arch of Titus in Rome depicts the Menorah and what may be the Table of the Shewbread as they were carried through Rome during his triumph. When the looting was done, the Roman forces razed the Temple to the ground.¹⁸⁴ It is unclear in the primary sources what role Titus himself played in the Temple's destruction.¹⁸⁵



Figure 2: *Arch of Titus*, detail featuring spoils from Jerusalem, Rome (ArtSTOR, accessed 16 February, 2016)

Regardless of his role, however, the Roman legions declared Titus *imperator* and offered sacrifices on the Temple Mount itself, a final desecration of the Temple's sanctity and an act of domination over the rebellious Jewish population and their god.¹⁸⁶ One may even read Titus's sacrifice on the Temple Mount as an act symbolic of the Roman gods' defeat of YHWH.

The destruction of the Temple represents a defining moment in Jewish history. Since its reconstruction in the sixth century BCE, the Temple had stood as the epicenter of the Jewish cult. Jewish life across the empire had in many ways been focused toward Jerusalem. In the following decades that focus shifted inward towards synagogues and local communities across the Roman world. Furthermore, the Jewish communities of the Diaspora had, as noted above, taken no part in the revolt. Interestingly, when Titus and Vespasian shared their triumph in Rome, neither took the honorific "Judaicus," seemingly out of respect for the diaspora

¹⁸⁴ Josephus, *BJ* 6.271-83.

¹⁸⁵ Josephus, *BJ* 6.284-6 recounts that Titus had ordered his men to preserve the temple, but that his forces fell into a frenzy and ignored his orders. Of course, this may represent the type of apologetic flavoring Josephus often added to his narrative as he played to his patrons the Flavian rulers. Tacitus, *Fragmenta Historiarum* 2 paints a very different picture of Titus's role in the destruction of the Temple.

¹⁸⁶ Suetonius, *Titus*, 5.2. Josephus, *BJ* 6.316.

communities.¹⁸⁷ This move suggests that the revolutionaries' Jewishness was not the issue; rather it was their violent behavior that drew the empire's wrath. In other words, though the Romans had destroyed the Temple in Jerusalem, they left Judaism's status as *religio licita* intact in Judaea as well as across the empire.¹⁸⁸ However, some argue that the status of *religio licita* was reserved only for those Jews who demonstrated allegiance by paying the tax, the *Judaicus fiscus*.¹⁸⁹ This tax had formerly been paid by Diaspora Jews to help support the maintenance of the Jewish Temple. As a consequence of the Judaeian defeat, however, the imperial court redirected the tax to imperial coffers.

According to Suetonius's biography, Domitian, Titus's younger brother and successor (r. 81-96), rigorously enforced the *Judaicus fiscus*.¹⁹⁰ There is also some evidence to suggest that Domitian did not respect the *religio licita* status of Judaism. For example, Cassius Dio records the execution of Flavius Clemens—Domitian's cousin and a consul of Rome. The formal charge was atheism which, Dio claims, was a common charge used against those who tended toward conversion to Judaism and against those who did not worship Roman gods.¹⁹¹ Surviving historical narratives record only this one particular event, however. Consequently, it seems unfair to consider Domitian's attitude toward the Jews as persecution full-stop. His concerns against proselytism and conversion even seem to echo the concerns of earlier emperors such as Claudius. In other words, Domitian focused his attention on converts rather than established Jews. Furthermore, Domitian's tendency to take the title *dominus et deus noster* did indeed take the imperial cult further than any previous emperor. Natural born Jews, however, maintained their exemptions from the imperial cult which had been bestowed in their status as *personae religionis licitae*. Fortunately for converts to Judaism, Domitian's assassination in 96 marked the end of his concern for proselytization and his rigorous support of the *fiscus Judaicus*.

His successor Nerva (r. 96-98) adopted a policy that prohibited punishment for conversion and no longer required participation in the imperial cult to avoid a charge of

¹⁸⁷ Cassius Dio, *History*, 65.7.2. In previous triumphs, victorious Roman commanders would adopt an honorific cognomen to memorialize their military successes.

¹⁸⁸ While this might have destroyed the Jewish religious rites, its status as a religion clearly remained intact from the Roman perspective.

¹⁸⁹ E. Mary Smallwood, *The Jews Under Roman Rule*, 345. She relies on statements in Josephus, *BJ*, 7.218 and Cassius Dio, *History*, 65.7.2. See also, E. Mary Smallwood, "Domitian's Attitude towards the Jews and Judaism," 1-13.

¹⁹⁰ Suetonius, *Domitianus*, 12.2.

¹⁹¹ Cassius Dio, *History*, 67.14.1-3.

maiestas.¹⁹² While some Jews had suffered a temporary lapse in their protections and privileges, many more Jews continued their post-war existence as they had under Vespasian and Titus's reign. However, such a static existence would not last long.

Between the years 115 and 117, Jewish communities in Egypt, Cyrenaica, Cyprus and Mesopotamia—communities that had remained uninvolved in the Judean Revolt fifty years prior—rebelled against Rome. Unfortunately, no detailed account of the revolt survives. As a result, historians must speculate about its causes and the course of events using fragmentary evidence.¹⁹³ The literary evidence that survives provides no concrete justification for the Jew's uprising.¹⁹⁴ Orosius describes the rebellious Jews as acting in a wild rage, while Eusebius claims that the Jews “were seized by some terrible spirit of rebellion.”¹⁹⁵ A scrap of papyrus riddled with *lacunae* details a confrontation between Alexandrian Jewish and Greek delegates before the emperor Trajan in Rome.¹⁹⁶ Despite its likely ahistorical (or, at best, incredibly biased) narrative, it points nonetheless to some sort of inter-communal disputes between Greeks and Jews in Alexandria in the years leading up to the second revolt.

Whatever its causes, Rome responded swiftly and efficiently. In less than two years, the Romans had suppressed the revolt. Despite its short nature, however, it was a fierce fight. In fact, epigraphic evidence indicates that extensive repairs were necessary in Cyrenaica in the revolt's wake.¹⁹⁷ Notwithstanding its ferocity, however, the Roman government enacted no legal measures to punish the religion of the Jews for their insurrectionist behaviors. Like the Judean Revolt of 66, it seems to have been a rebellion of a people, not of a religious group, against their Roman overlords.

Like the Revolt of 115-117, evidence for the Bar Kochba Revolt is scant. The sources indicate that it was a vicious fight. Cassius Dio writes that more than half a million Jews died.¹⁹⁸

¹⁹² Eusebius, *HE* 3.20.8. *Maiestas* was the sort of treason due to failure to participate in the imperial cult. Smallwood 384-5 argues that Nerva's proclamation was why the Christians in Bithynia Pontus were punished for obstinacy according to the exchange between Trajan and Pliny (Pliny the Younger, *Letters*, 10.95-6).

¹⁹³ E. Mary Smallwood, *The Jews Under Roman Rule*, 397 speculates that a messianic movement likely drove the revolt. I am inclined to believe that this coupled with the racial tensions described below resulted in Jewish attempts at revolt.

¹⁹⁴ *CPJ* 435 provides some brief insights into the battles between Jews and Romans in Alexandria, but there are too many *lacunae* to pinpoint a definite cause.

¹⁹⁵ Orosius, *History* 7.12.6-8; Eusebius, *HE* 4.2.2: “ὡςπερ ὑπὸ πνεύματος δεινοῦ τινος καὶ στασιώδους ἀναρριπισθέντες.” Translation by Kirsopp Lake.

¹⁹⁶ *CPJ* 258.

¹⁹⁷ SEG 9.136; SEG 9.252. Each references Hadrian's rebuilding program in the wake of the “Jewish disturbance.”

¹⁹⁸ Cassius Dio, *History*, book 69, 12.1-14.3.

However, the surviving literary-historical evidence is conflicted on the cause of the revolt. Cassius Dio describes Hadrian's foundation of Aelia Capitolina, a traditional Greco-Roman city, on the site of Jerusalem's ruins.¹⁹⁹ Dio mentions that Hadrian ordered a temple for Jupiter built on the site of the Jewish temple. Accordingly, the Jews found it unacceptable that foreign peoples should inhabit the city and practice their religion there.²⁰⁰ Recent excavations in Jerusalem have uncovered a fragmentary inscription erected by the *Legio X Fretensis* (the city's permanent garrison since 70) to honor Hadrian's visit to Jerusalem in 129/130 CE.²⁰¹ One might speculate that his visit coincided with his plan to re-establish Aelia Capitolina as a traditional pagan city named after his family. Historical sources do confirm that the city was renamed and, in the years following the revolt, Jews were forbidden from entering the city.²⁰² It remains unclear precisely in what order these events occurred.

In contrast, the anonymous author of *Historia Augusta* claims that Hadrian tried to ban the Jewish rite of circumcision, a profound marker of Jewish identity. It is true that Hadrian issued a rescript sometime during his reign that forbade castration.²⁰³ However, whether or not the ban included circumcision remains unclear. A.M. Rabello maintains that, based on the language used in the rescript, Hadrian's law included a ban on circumcision.²⁰⁴ Such a law would undoubtedly have roused Jewish ire as Hadrian threatened the long-established privileges of Jewish communities. The implications of each potential cause remain the same: Hadrian posed a severe, albeit rare, threat to Judaism's *religio licita* status. However, the threat did not last long after Hadrian's death.

The following years were relatively stable ones for Jewish populations. Upon Hadrian's death in 138, his successor, Antoninus Pius, reversed several elements of Hadrian's Jewish program. While Aelia Capitolina remained a Greco-Roman city and Jews were still banned from entering, he relaxed the ban on circumcision.²⁰⁵ Rabbinic evidence also indicates that he changed other policies. A particularly macabre account in the Midrash on Lamentations records a ban on

¹⁹⁹ Cassius Dio, *History*, 69.12.2; Epiphanius, *On Weights and Measures*, 14-15.

²⁰⁰ Cassius Dio, *History*, 69.12.2.

²⁰¹ Israel Antiquities Authority, *A Rare 2,000 Year Old Commemorative Inscription Dedicated To The Emperor Hadrian Was Uncovered In Jerusalem (October 2014)*. 2014. Web. 2 May 2015. The peer-reviewed English publication for this find is forthcoming.

²⁰² Eusebius, *HE*, 4.6.1-4.

²⁰³ *Digest* 48.8.4.2.

²⁰⁴ Alfredo Rabello, "The Ban on Circumcision as a Cause of Bar Kokhba's Rebellion," 189-192.

²⁰⁵ *Digest* 48.8.11.: "*Circumcidere Iudaeis filios suos tantum rescripto divi Pii permittitur: in non eiusdem religionis qui hoc fecerit, castrantis poena irrogatur.*" It is worth noting that the ban remained in effect for non-Jews.

Jewish burials “until a certain emperor arose and ordered their interment.”²⁰⁶ This phrasing suggests that there was a marked change in policy between Hadrian’s and his successor. Likewise the remainder of the Antonine period (138-192) was one of reconstruction for most Jews in the areas affected by the revolt.

The following Severan dynasty (193-235) saw similar stability. The extension of citizenship (*constitutio Antoniniana*) by Caracalla in 212 included Jews as citizens of the empire. During this period, Jewish leadership experienced enough liberty to begin codifying the Mishnah; tradition holds that Judah Ha-Nasi led this endeavor before his death in the 220s. Such an achievement would hardly have been possible if Jews were not experiencing a relatively stable socio-political existence.²⁰⁷ Finally, while the ban was still in place forbidding Jews to enter Aelia Capitolina, its enforcement seems to have relaxed during this period. Diaspora communities also seem to have flourished in the second and third centuries. The theater at Miletus contains a notice that reserves seats for the Jews, indicating that they were a prominent sector of the population.²⁰⁸ It was also during this period that rabbinic schools in Palestine and Babylon prospered.²⁰⁹ Therefore, while there may have been some imperial resistance to pagan conversions to Judaism and the aforementioned Jewish tax continued, the faith remained a *religio licita*.²¹⁰ This practice continued throughout the third century. Despite the economic and socio-political problems of the “crisis of the third century,” the Jews throughout the empire retained their religious liberties in the years leading up to Diocletian’s reign. Indeed the historical sources indicate, as the following will show, that the Jews’ *religio licita* status continued throughout Diocletian and Tetrarchy.

Any discussion of a community’s legal status must surely begin with surviving laws, edicts, and decrees concerning the specified group of people. In 1987, Amnon Linder compiled a masterful collection of imperial legislation regarding Judaism and Jews.²¹¹ His compilation brought together sixty-six laws from various legal sources from the late Roman empire. The sources for these laws include legal digests, codices of legal pronouncements, rescripts, and various constitutions. The laws range in topic from circumcision rights to language in late antique synagogues.

²⁰⁶ Midrash Rabbah, *Lamentations* 2.2.4.

²⁰⁷ Hayim Lapin, *Rabbis as Romans*, *passim*.

²⁰⁸ *CJ* 748.

²⁰⁹ E. Mary Smallwood, *The Jews Under Roman Rule*, 510.

²¹⁰ E. Mary Smallwood, *The Jews Under Roman Rule*, 500.

²¹¹ Amnon Linder, *The Jews in Imperial Roman Legislation*.

Very little legislation from the Tetrarchic period survives. In fact, Linder dates only one document definitively to the Tetrarchy. The Tetrarchs—Diocletian, Maximian, Galerius, and Constantius—wrote a rescript to the Patriarch Juda in January 293 that reinforced the Patriarchate’s authority as a legitimate Judeo-Roman institution. The rescript survives in the *Codex Justinianus* and discusses judicial authority. The text reads:

THE SAME TWO AUGUSTI AND CAESARS TO IUDA

The agreement of private individuals does not make him a judge, who is in charge of no jurisdiction, nor does that which he establishes contain the authority of a legal verdict.

WRITTEN ON THE SIXTH DAY BEFORE THE CALENDIS OF JANUARY, IN THE CONSULATE OF THE TWO AUGUSTI.²¹²

While little can be known about the rescript’s specific context, Alfredo Rabello has speculated that the emperor composed the rescript in response to a dispute between Juda and a group of rabbis. Rabello has maintained that the rabbis held the status of *privati* despite their communal and religious importance. Instead, the imperial government vested only the Patriarchate—a political and religious organ recognized by Roman public law—with the authority to appoint legitimate legal judges.²¹³ Michael Avi-Yonah has viewed the rescript as a statement of Rome’s support for the Patriarchate, though he has questioned how effective such support may have been.²¹⁴ These scholars’ interpretation of this document appropriately places this text within its Roman *and* Jewish contexts. Other scholars, Linder points out, have argued that the identification of Juda as the rescript’s recipient is problematic and thus have rejected the interpretation of the rescript that depends upon it.²¹⁵

If Rabello and Avi-Yonah’s interpretation holds, as I believe it does, then it demonstrates two important points. First, the existence of the patriarchate as a legitimate legal body further reinforces the point that Jews in Palestine enjoyed imperial recognition and support. Incumbent in that recognition is a certain degree of legal toleration. Secondly, Diocletian’s rescript bestows legal and administrative power to a Jewish official. As a result, it becomes clear that the Roman State endorsed and even supported a certain degree of autonomy

²¹² CJ 3.13.3= Amnon Linder, *The Jews in Roman Imperial Legislation*, 115. Latin from *idem*:

IDEM AA ET CC. IUDAE

Privatorum consensus iudicem non facit eum, qui nulli praeest iudicio, nec quod is statuit rei indicatae continent auctoritatem.

S. VI K. IAN. AA. CONSS.

²¹³ A.M. Rabello, “Jewish and Roman Jurisdiction,” 152.

²¹⁴ Michael Avi-Yonah, *The Jews Under Roman and Byzantine Rule*, 120-1.

²¹⁵ Amnon Linder, *The Jews in Imperial Roman Legislation*, 115. Avi-Yonah, *The Jews Under Roman and Byzantine Rule*, 121.

for Palestinian Jews. Surely this would not have been the case had Jews been suffering any degree of non-toleration from the Roman State.

Another document, preserved in Paul's *Sentences*, discusses the prohibition of Gentile circumcision. Unlike Diocletian's rescript, the text provides no means to date it with any specificity. Linder believes *Sentences* was published before 300, i.e., the late third century. The text forbids circumcision for any Roman citizen, though it seems to distinguish between *Cives Romani* and *Iudaei*, for the purposes of this law.²¹⁶ Some scholars have argued that Jews were included in this law. However, Roman law had previously granted exemptions from legal requirements to Jews in relation to citizenship. For example, the third century Roman jurist Modestin writes:

It is permitted to the Jews by a rescript of the Divine Pius (i.e., Antoninus Pius) that only they may circumcise their sons; he who may do this not in the same religion shall suffer the punishment of a castrator.²¹⁷

This text makes it clear that Jews—even in the wake of a violent revolt—enjoyed a special exemption from anti-circumcision laws. Surely such exemptions, part and parcel of imperial recognition, did not disappear in later decades. Furthermore, an imperial decree in the early fifth century designated Modestin's legal texts as decisive and granted them the force of law.²¹⁸ If Modestin's works would become so highly regarded so long after his death, imperial officials would likely have been familiar with them at the start of the fourth century CE. As a result, imperial legislators would have had known about the exemptions Jews had previously enjoyed and would likely have respected the legal precedent. With this in mind, the law recorded in *Sentences* likely included an exemption for Jews.

In addition to these legal texts, the Palestinian Talmud recounts an edict that no longer survives in written form. While the Talmudic sources often blend history and legend, the spirit of the law as it is recorded reflects the attitude of Diocletian towards Jewish communities in Jewish Talmudic memory. According to the text, Diocletian arrived in Palestine and “commanded all the nations, *except the Jews*, to offer libations to the idols.”²¹⁹ While the specific context of this command remains unknown, Diocletian followed imperial tradition and

²¹⁶ Paul, *Sentences*, 5.22.3-4.: *Cives Romani, quie se Iudaico ritu uel servos suos circumcidi patiuntur, bonis adeptis in insulam perpetuo relegantur: medici capite puniuntur. Iudaei si alienae nationis comparatos servos circumcidereint, aut deportantur aut capite puniuntur.*

²¹⁷ *Digest*, 48.8.11: *Circumdiere Iudaeis filios suos tantum rescripto Divi Pii permittitur: in non eiusdem religionis qui hoc fecerit, castrantis poena irogatur.* Recall that Jews were certainly citizens under the *Constitutio Antoniniana*.

²¹⁸ *CT*, 1.4.3

²¹⁹ *PT*, *Avoda Zara* 5.4.III.EE. Emphasis added.

specifically granted a special exemption to the Jews. This portrayal is obviously quite different than the image recorded elsewhere in the Talmud. He would hardly have exempted Jews from offering libations had he possessed a negative attitude towards Jewish religion.

Furthermore, papyrological evidence from Egypt suggests that Jews—both individuals and communities—were able to enter into legal contracts. One document contains a deed of enfranchisement. A Greek transcript of a now-lost Latin original, the document verifies the manumission of Paramone—a female Jewish slave—and her two children.²²⁰ The deed dates itself to the seventh year of Diocletian’s reign and the sixth of his co-emperor Maximian’s, c. 292. In that year, “the community of the Jews through Aurelius Dioskoros... and Aurelius Justus, senator of Ono in Syrian Palestine” collected and paid the manumission bounty for Paramone and her children.²²¹ Jews were clearly actively engaged in the legal system of the Roman Empire during the early Tetrarchy. Entire communities were even able to act as collective bodies within the legal system. This is significant because the suspension of legal rights and standing was a major mode of persecution in antiquity, as the Christian and Manichaean persecutions indicate.

Later during the Tetrarchy, Jews were still active agents in the Roman legal and social realms. Rent receipts survive in two papyrus fragments from Karanis (*CPJ* 474a & 474b). Written by an Aurelius Johannes on behalf of his wife Aurelia in 304 and 306 respectively, they record payment of four and a half *artabatai* of grain to Aurelia. According to the receipts, Aurelia owned land in the vicinity of the village that others rented and farmed. By this time, the Tetrarchy had issued edicts against Christians and Manichaeans, and the confiscation of personal property was one hallmark of these persecutions.²²² There is some debate over Aurelia’s religious affiliation. Based on his name, her husband was most likely a Jew. His Greek name, Ἰωάννης, derives from a Hebrew name meaning “YHWH is Gracious.” However, he served as a gymnasiarch, a position that may or may not have been compatible with strict adherence to Jewish law, and therefore it is conceivable that he may have married a non-Jew. I maintain, however, that this document speaks to the relative legal safety afforded to Jews regardless of Aurelia’s religious affiliation. Had any laws or edicts been enacted concerning Jews, then

²²⁰ James Albert Harrill, *The Manumission of Slaves in Early Christianity*, 173 indicates that the slave was likely nameless and adopted a Greek legal term referring to her status as a slave.

²²¹ *CPJ* 473: “παρὰ τῆς συνα(γ)ωγῆς τῶν Ἰουδαίων διὰ Αὐρελίων (Διοσκόρου ... καὶ Ἰούστου, βουλευτοῦ Ὠνειτῶν τῆς Συρίας Παλαιστεινῆς...” The translation is that provided by Tcherikover and his associates.

²²² *Leg. Coll.* 15.3.1-8.

community members like Aurelius Johannes could not have exercised power of attorney on behalf of his wife. Legal limits against such actions would have been too strong.

Finally, a document from Oxyrhynchus records a list of night guards for the town's Serapeum in 295. The Serapeum was an important center of Pagan culture in Hellenized Egypt. What is remarkable about this list is that it includes a man named Jakob. This is traditionally a Jewish name that appears in the Hebrew Bible.²²³ If this figure was indeed a Jewish man, then Jews were permitted to find employment and to serve as protectors of religious shrines. No one who had been anathematized by the state could have served in such a position.

These papyri documents clearly show that Jews in Egypt enjoyed freedoms and privileges that enabled them to engage in society at large at three different points *throughout* Diocletian's reign. Jews could participate in legal transactions, real estate deals, and as guards of religious spaces. That said, it is worth noting that all these texts originate in Egypt. The arid conditions in the region enabled the preservation of papyrus texts that supplement the epigraphic and literary records. Unfortunately, however, texts like these, particularly from the period in question, rarely survive in other regions of the empire.²²⁴ This prohibits a better view of the Jewish situation across the empire. It is likely, however, that the empire-wide situation was similar to that in Egypt. If so, then it holds that the documents preserved by the sands of Egypt are reflective of the empire as a whole.

The Jews' exemption from persecution appears unquestionable given the evidence presented thus far. No surviving legislation from the period targets Jews, no historical narratives preserve accounts of persecution, and papyrological documents suggest that Jews participated actively in their respective social spheres. In other words, the evidence clearly favors an absence of persecution against Jews under the Tetrarchy. However, the Tetrarchy's Jewish policy begs the question: Why did the Tetrarchs lash out against Christians and Manichaeans, but not Jews?

Most scholars who have dealt with the issue have hazarded cautious answers to this question. Jean Juster argued, in his *magnum opus* on Jews' legal, economic, and political status in the Roman Empire, that Diocletian retained a favorable attitude towards Judaism because of Judaism's opposition to Christianity, which the emperor (and his predecessors) despised.²²⁵ Kurt Stade has argued that Jewish monotheism was tolerated because Jews did not actively engage in

²²³ CPJ 475.

²²⁴ Other papyrus caches have been found in regions like Judaea/Palestine. The Babatha archives are an excellent example. However, these date to the Bar Cochba Revolt.

²²⁵ Jean Juster, *Les Juifs dans l'Empire Romain*, I.226.

widespread proselytism like Christians.²²⁶ Alfredo Rabello, however, offers no explanation for the policy difference between Roman treatments of Christians, Manichaeans and Jews. Instead, he offers only the evidence to refute Y.F. Baer's thesis, namely that Jews did in fact suffer persecution.²²⁷ Stephen Williams' and Roger Rees's discussions of Diocletian's and the Tetrarchy's religious policies largely ignore Jewish populations, focusing primarily on the so-called "Great Persecution" in 303.²²⁸ All of these answers fail to adequately examine Judaism's place in the larger religious world of the Roman Empire. None properly analyzes Judaism alongside the other major minority religions, such as Christianity and Manichaeism. By placing Judaism in its larger context, a clearer image of the Tetrarchy's interactions with minority religions comes forward.

Upon coming to power, Diocletian had created a new ideology of rule. Under previous emperors, rule had been shared at times. Marcus Aurelius, for example, shared rule with Lucius Verus in the early years of his reign (161-169), then elevated his son Commodus to Augustus during his later years (177-180). However, it was under Diocletian's new Tetrarchic scheme that four men shared power. This new imperial ideology became necessary in response to the various problems plaguing the empire just before his reign.

As mentioned above, religion played an integral role in maintaining the empire's safety and thus was necessary for his Tetrarchy's success. The prevailing notion of *pax deorum*, that is 'the peace of the gods,' intimately linked the Roman state's well-being with proper sacrificial practice. In other words, keeping the Roman gods happy was a means to secure the empire's safety from internal and external threats triggered by the gods' displeasure. In fact, one of Diocletian's laws concerning marriage describes the important relationship between religion and the Roman state. It states: "For our laws guard nothing except what is sacred and venerable, thus Roman Empire, under the favor of the gods one and all, came to such greatness because it

²²⁶ Kurt Stade, *Der Politiker Diokletian*, 136 cited in Alfred Mordechai Rabello, "On the Relations Between Diocletian and the Jews" 149. However, Louis Feldman, *Jew and Gentile in the Ancient World*, 413-5 argues for a lively period of Jewish proselytism.

²²⁷ A.M. Rabello, "On the Relations between Diocletian and the Jews," 147-167.

²²⁸ Stephen Williams, *Diocletian and the Roman Recovery*, 163ff. explains Diocletian's persecution of Christians as the result of the faith's growth. Roger Rees, *Diocletian and the Tetrarchy* (Edinburgh, Edinburgh University Press, 2014), 57-71.

has bound all of its laws to the wise religion and the monitoring of shamefulness.”²²⁹ Essentially, traditional orthopraxis was essential for maintaining successful rule.

Jews, unlike Christians, did not threaten the *pax deorum* and thus the new Tetrarchy’s ideology. Although their strict monotheism excluded practitioners of both faiths from making sacrifice to the traditional Roman pantheon and, thus risked incurring the Roman gods’ anger, Jews had been legally exempted from these sacrifices as early as Augustus’s reign. When the temple still stood, Jews offered sacrifice to YHWH on behalf of the emperor in a modified form of participation in Roman practice—a form that would not have offended Jewish sensibilities. In addition to the exemption, the Jews could no longer offer sacrifice to a god not included in the traditional Roman pantheon once the Temple in Jerusalem had been destroyed. As a result, they did not risk angering the Roman gods. Christians, on the other hand, had no such exemption from traditional Roman cult. This may explain earlier episodes of persecution against Christians—particularly those under Decius in the mid- third century—which forced Roman citizens to sacrifice to traditional deities.

Also understood in the sacrifice to Roman gods was a connection to Roman identity. In fact, Lactantius describes a series of failed sacrifices as the test for one’s loyalty to the state.²³⁰ Despite their several attempts at rebellion, Jews no longer tried to place themselves outside the Roman world. Under Diocletian, the Jews enjoyed recognition as a legitimate religious community with certain self-governance privileges. The papyrological evidence cited above has shown that Jewish individuals participated in the payment of taxes and engaged in other civic responsibilities such as guarding pagan temples. In a manner of speaking, and as discussed further below, Jews experienced religious tolerance that Christians and Manicheans had not.

Furthermore, Christians believed Jesus of Nazareth had lived and died as the Messiah. Part of the traditional understanding of the Messiah was that he would serve as a king to the people of Israel, understood by Christians as their own community. Recall that the gospel narratives record the inscriptions placed above Jesus’s head at the Crucifixion. John 19.19-20, Luke 23.38 and Matthew 27.37 record an inscription on the cross above Jesus’s head that refers to Jesus as “King of the Jews.” Most scholars agree that both gospels came to their final forms in the last decade or so of the first century or early second century. This demonstrates that

²²⁹ *CJ* 5.4.17=*Leg. Coll.* (Hyamson) 6.4.6-8: “*Nil enim nisi sanctum ac uenerabile nostra iura custodiunt et ita ad tantam magnitudinem Romana maiestas cunctorum numinum fauore peruenit quoniam omnes leges suas religione sapienti pudorisque obseruatione deuinxit.*”

²³⁰ Lactantius, *DMP* 10.4.

Christian authors believed that Roman leaders understood Christian notions of Messiah and the royal connotations that identification entailed and publicly mocked Jesus as he died for his kingly claims. Such a belief likely reflected the general Roman attitude at the time. Diocletian, who had just come to power after decades of civil war, political separatism, and massive foreign invasions, could not afford to tolerate an unsponsored Christian political movement within the Roman world.

Judaism, on the other hand, had witnessed several failed messianic movements. The Bar Kochba revolt is an excellent example since he actually claimed to be the Jewish Messiah. However, the primary difference between the charismatic messianic claimants in Jewish history and Jesus of Nazareth is that the other Jewish messianic movements did not stick. In other words, after the failure to realize their messianic claims and their subsequent deaths, the messianic claimants no longer held a privileged status among most Jews. Unlike Jesus, these men did not continue to be revered after their deaths at the hands of the Romans. In fact, some Talmudic references to Bar Kochba tried to discredit him. By referring to him as irrational and easily enraged, the rabbis who composed the text tried to distance themselves from such supposed messianic figures.²³¹ As a result, Jewish false messiahs did not threaten to pull Jewish loyalty from the Roman state after their deaths and thus did not pose the same threat that Jesus of Nazareth did after Christianity's spread throughout the empire.

Origins may also contribute to the politics of religion. All three minority religious traditions were rooted in the east. Judaism originated in Judea, while Christianity drew its origins from Judaism. Manichaeism was inextricably linked with the Persian empire where the prophet Mani lived and died. It was just this association with Persia that rendered Manichaeism a perceived threat to the empire's stability.²³² In other words, because of their Persian origins, the Manichaeans were concretely linked in the Roman mind with the Persian empire. Consequently, Diocletian and his co-rulers viewed the new sect as a subversive fifth column embedded in Roman society by Persian leaders to corrupt good upstanding Roman citizens. Manichaeans, the Tetrarchy believed, were a suspect if even potentially treasonous influence on Roman society because they could be associated with Sassanid Persia.

Jews, however, experienced no such external political affiliation—despite the large Jewish presence in Babylon—and thus could not be linked with external corrupting influences.

²³¹Midrash Rabbah, *Lamentations*, 2.2.4.

²³² Peter Brown, "The Diffusion of Manichaeism in the Roman Empire," 92-103.

Their traditional homeland, Judaea/Palestine, had been fully integrated into the Roman Empire some three centuries before and most Jews lived outside Palestine in any case. The Romans had destroyed the city that had once housed the Temple and had established an entirely Greco-Roman city on its ashes. Furthermore, Jewish claims to Judaea/Palestine as a national homeland with Jewish sovereignty were not likely to be realized. Jews represented a small segment of the empire's population and both Christians and pagan also inhabited Judea/Palestine. Further Jewish revolts seemed unlikely and ill-advised. Likewise, Christians—at least some sects of Christians—did not associate themselves with external political entities nor, for that matter, did they enjoy any kind of territorial domain. In addition, Jewish senses of morality could be closely linked to Roman sensibilities as well. The late antique legal codex that contains the Rescript against the Manichaeans, for example, seeks to demonstrate the relationship between Jewish and Roman moral and legal systems.

Finally, Judaism enjoyed the privilege of antiquity. Judaism had existed in one form or another for centuries before contact with Rome. As such, the faith garnered respect for its antiquity and tradition. Christianity had originated only in the first century CE, while Manichaeism was even newer, appearing only in the mid-third century. In the Roman mind, there was a distinction between traditional religion and any upstart *superstitio*. Christianity and Manichaeism fell into the second category. When Diocletian endeavored to secure traditional Roman identity as part of his new imperial ideology, the newer *superstitiones* found themselves in direct opposition to that tradition. Reverence for tradition was what safeguarded the empire and made men Roman. To fall outside the traditional religion was dangerous. Often, persecution was the result. Jews, however, because of the antiquity and traditional nature of their religion, remained immune to such policies.

At a time of active persecution of other minority religious groups, Judaism enjoyed a secure status. Judaism remained a sanctioned, state-endorsed religious movement (albeit one with no temple or rite) in Palestine while diaspora Jews engaged in their world at large. Unlike Christianity and Manichaeism, Judaism was a traditional religion that posed no major threat to Diocletian's traditional sense of Roman identity. Whereas Diocletian and the Tetrarchy resorted to violence to police the identity boundaries they had created around their *romanitas*, Jews continued to operate within those boundaries—despite having an identity all their own. Whereas Christians and Manicheans were “othered” and designated as pariah groups, Jews had been exempted from Imperial cult and worked pagan religious sites. Jews lived and operated

freely in the Roman world. Furthermore, Christian messianic claims and Manichean's perceived external affiliations brought the traditions into conflict with imperial ideology and safety. The Jews, whose homeland was firmly under Roman rule, did not. The Jews' ancient tradition, integration into the Roman world, and an identity which did not conflict with one's Roman-ness rendered Jews under the Tetrarchy harmless to the Roman Empire. Thus persecution was not necessary.

CHAPTER FIVE: RELIGIOUS IDENTITY, VIOLENCE, AND THE TETRARCHY

For decades, scholars have understood Late Antiquity as a period of rapid identity formation and competition between those newly formed religious identities. Beginning with the revitalization of the field with German scholars in the first half of the twentieth century and especially reinforced by the lively academic output of Peter Brown that began in the late 1960s, questions of identity have loomed large in discussions of late ancient history.²³³ Indeed, this thesis represents an attempt at focusing the scholarship on Tetrarchic persecution through an analysis of religious identities in the late Roman world and is but a small contribution to that vast field.

In the preceding chapters, I have explored the relationship between three minority religious groups and the Tetrarchy. As noted in the introduction, Diocletian, and consequently the Tetrarchy, came to power at a moment of great unrest in the empire. A new imperial ideology became one of the means by which Diocletian and the Tetrarchs managed the severe crises that plagued the empire. One of the crises stemmed from the issue of legitimate succession and rule. The fifty or so years before Diocletian's ascent to power saw many legitimate and even more illegitimate emperors staking claims to the imperial throne. To deal with this problem, Diocletian reinterpreted his position vis-à-vis the imperial throne in light of a "form of divine descent," as Robert Frakes and Elizabeth DePalma Digeser have referred to it.²³⁴ This new imperial ideology resulted from combined conceptions of both Roman leadership and Near Eastern kingship and their relationship with the divine.²³⁵ In other words, Diocletian and the Tetrarchy constructed an identity about themselves predicated upon notions of high religiosity and divine rule over a unified Roman world. As part of that program, Diocletian and his Tetrarchic colleagues reimagined and reinterpreted conceptions of Roman identity and their place within it. The Tetrarchs adopted religious iconography in ways most prior emperors had not. For example, Diocletian and Maximian, the first two *Augusti* took *signa* that linked them to divine figures in Roman religion as a means of ensuring that important conceptual link between

²³³ Robert M. Frakes and Elizabeth Depalma Digeser, "Approaching Late Antique Religious Identity," 4-9 offers an overview of the historiography of identities in Late Antiquity.

²³⁴ Robert M. Frakes and Elizabeth Depalma Digeser, "Approaching Late Antique Religious Identity," 8.

²³⁵ Robert M. Frakes and Elizabeth Depalma Digeser, "Approaching Late Antique Religious Identity," 8. See also Arthur Darby Nock, "The Emperor's Divine *Comes*," 102-16.

religion and state remained intact.²³⁶ Early in his reign, Diocletian adopted the *signum Jovius* to associate himself with Jupiter (*Jovis*), the chief god of the Roman pantheon, while Maximian took the *signum Heraclius* to associate himself with the hero Heracles. With the establishment of the Tetrarchy in 293, the two *Caesares* assumed the *signa* of their respective *Augusti*.²³⁷

Furthermore, the authors of the *Panegyrici Latini* used epithets like “sacred” or “pious” in reference to the emperors. *Panegyricus Latinus* X (2), published in 289, refers to Maximian as “sacred emperor”.²³⁸ Another, *Panegyricus Latinus* XI (3) repeats those sentiments, routinely referring to the emperors as sacred or divine.²³⁹ Epithets like these had been given to Roman emperors prior to the Tetrarchy to associate them with the divine; in fact, the Latin *pius* was a standard epithet in imperial titulature.²⁴⁰ These types of epithets linked the Tetrarchs with the traditional religious dimension of imperial offices.

In addition to traditional names, sacrifice was a key component of Tetrarchic religion. A *Decennalia* base found in Rome depicts the Tetrarchs participating in the *suovetaurilia*.²⁴¹ This



Figure 3: *Suovetaurilia* depicted on *Decennalia* base, Rome (ArtSTOR, accessed 16 February, 2016)

traditional sacrifice incorporated the slaughter of a pig, a sheep, and a bull into an expensive public ceremony. That same base also shows the Tetrarchs offering a libation to the divine as a winged Victory looks on. These types of traditional sacrifice bound the emperors to the Roman pantheon of gods. In Diocletian’s imperial ideology this association, as the winged Victory implies, remained essential for the well-being of the

state and the military’s success in battle. Both the onomastic association with the divine and the emphasis on traditional sacrificial practice intimately linked the imperial figures with the traditional divine.

²³⁶ Elizabeth DePalma Digeser, “Religion, Law, and Roman Polity,” 73 develops this notion more. She writes: “legislation regulating divine worship was a component of a polity’s foundation and identity [that] was pervasive in the third and early fourth century.” *Signa* were names or symbols an individual adopted to represent his- or herself.

²³⁷ Roger Rees, *Diocletian and the Tetrarchy*, 55.

²³⁸ *Panegyricus Latinus* X (2) 1.1. These pieces, as panegyric, are highly praiseworthy.

²³⁹ *Panegyricus Latinus* XI (3) 2.2, 11.1.

²⁴⁰ Roger Rees, *Diocletian and the Tetrarchy*, 58. Antoninus Pius is an excellent example. Another popular example of religious epithet is *divus*. Augustus Caesar, the first emperor of Rome, took that latter title in the middle of his reign.

²⁴¹ Roger Rees, *Diocletian and the Tetrarchy*, 190 provides images of both details discussed here.

Over the course of the third century, sacrifice remained an important marker of Roman identity. In the martyrdom of Christian bishop Cyprian, for example, Galerius Maximus, the proconsul of Carthage, asks Cyprian if he will perform the rites of sacrifice as commanded by the emperor Valerian. When he refuses, Galerius responds:

You have long lived an irreligious life, and have drawn together a number of men bound by an unlawful association, and professed yourself an open enemy to the gods and the religion of Rome; and the pious, most sacred and august Emperors ... have endeavored in vain to bring you back to conformity with their religious observances; - whereas therefore you have been apprehended as principal and ringleader in these infamous crimes, you shall be made an example to those whom you have wickedly associated with you; the authority of law shall be ratified in your blood.²⁴²

Cyprian's failure to participate in the traditional sacrificial rites placed him outside the boundaries of Roman identity in the years leading up to the Tetrarchic regime.²⁴³ Galerius claimed that Cyprian, by neglecting his religious duties as a Roman citizen, stood as an "open enemy" to Roman gods and country.²⁴⁴ While these events took place some time before the rise of Diocletian and the Tetrarchy, this demonstrates the important connection between sacrifice and identity in the Roman mind.

In turn, the Tetrarchy developed a relationship with each of the minority religious traditions examined here. That relationship materialized in one of two ways: state-directed religious violence or toleration. Which of the two ways, however, depended upon the minority tradition's ability to incorporate itself or to be incorporated into the Tetrarchs' religious system.

First, I began by analyzing the historiographical tradition surrounding Diocletian, the Tetrarchy, and the so-called "Great Persecution." Christians were largely tolerated in the Roman world from the middle of the third century until 303, when Diocletian and the Tetrarchy issued a series of edicts ordering their churches and scriptures destroyed, their clergy seized, and, eventually, the laity punished. As noted in Chapter 2, the changed relationship between the Tetrarchs and the Christian communities in the empire occurred late in Diocletian's reign and

²⁴² *Acta Proconsularia* 3-4. Note this proconsul is not the Galerius that was a Tetrarch.

²⁴³ Martin Goodman, *Rome & Jerusalem*, 536 also argues this point. Goodman maintains that Diocletian, like Decius, had persecuted Christians to maintain imperial unity by fostering a shared Roman identity.

²⁴⁴ An arrest warrant for a man identified as a Christian (P. Oxy. 3035) survives from this period. There seems to be no other charge listed, so it stands to reason that his guilt lies in his identity as a Christian. Only a handful of other religious tradition had been made illegal by the Roman state, which normally practiced a policy of toleration and openness.

seems to hinge around three particular moments: a failed *haruspicy*, a directive from a Roman god, and a series of fires in the imperial palace at Nicomedia.

For much of Diocletian's reign (nearly eighteen years), one's identity as a Christian did not preclude one from participating in the Tetrarchy's newly conceived notion of identity. Christians served in the military and at court, as well as in influential positions in the city at large; Lactantius, for instance, was a professor of rhetoric (a prestigious post in-and-of-itself) whose writings record Christians present at important meetings of state affairs. It was only when certain Christians at court placed a sacred symbol upon their foreheads *at a traditional rite of the polytheistic tradition* that they challenged the Tetrarchy's identity.²⁴⁵ The Tetrarchs, Diocletian especially, perceived their actions as having disrupted a sacred ritual necessary for communication between themselves and the gods with whom they had connected themselves. However, Diocletian did not need to resort to full-scale imperial persecution of Christians to rectify their threat to his imperial religious ideology. Instead, a simple purge of the army and civil service sufficed.²⁴⁶

For some time after the purge (the texts remain unclear exactly how long after), ancient authors recount that Diocletian hesitated to follow through with an empire-wide persecution of Christians. It was only when Apollo, speaking through his oracle at Miletus, urged Diocletian to act that Diocletian relented to the issue of the first three edicts.²⁴⁷ Even then, however, the edicts focused primarily on the institutions and structures of the Christian communities. When Galerius and others at the court blamed a series of fires at Diocletian's palace in Nicomedia on Christians seeking revenge for prior punitive actions, Diocletian relented and issued the final and most severe edict against the Christians.²⁴⁸ At each of these particular moments, Christian identity and traditional Roman pagan identity found themselves in opposition to one another: a failed divination ritual that showed a disrupted *pax deorum*, an act of "othering" by an important traditional Roman god, and a final, serious break in relations when the Christians were blamed for a fire that threatened the very safety of the imperial rulers.

The third chapter examined the extant rescript against the Manichaeans, in order to understand the causes of imperial action against this group. I ultimately concluded that Manichean practices and beliefs separated this religious group from others in the Roman

²⁴⁵ Lactantius, *DMP* 10.2.

²⁴⁶ Lactantius, *DMP* 10.2-3.

²⁴⁷ Lactantius, *DMP* 11.1-8.

²⁴⁸ Lactantius, *DMP* 11.1-8.

Empire. That is, the Manichaeans created “others” in themselves. Manichaeans believed in a cosmic dualism that permeated into every aspect of existence. This concept of dualism even found its way into the religious community itself, the laity of which was split into two distinct groups of people: the Elect and the Hearers. The Elect endeavored to withdraw from society. They did not work, for instance, and they followed different dietary guidelines. Their religious beliefs, which encouraged them to do (or not do) these things, created for them an identity that differed radically from conceptions of Roman identity.

Moreover, and perhaps more significantly, Manichaeans belonged to a relatively new religious group with origins in Sassanian Persia. The Rescript the Tetrarchy wrote concerning the Manichaeans refers to the faith’s Persian roots and expresses deep concerns that that Manichaeans might corrupt the peoples of the Roman Empire.²⁴⁹ Their external affiliation with Persia coupled with their unique religious beliefs and practices to essentially separate themselves from traditional Roman conceptions of identity.

In each case, violent action by the state resulted when the minority religious group challenged the identity of the Roman government. Manichaeans, then Christians, found themselves the target of imperial edicts that sought to police identity boundaries that the Tetrarchs had formed, first when the Manichaeans “othered” themselves, then when Apollo “othered” Christians by urging Diocletian to persecute.

Conversely, however, the fourth chapter considered the status of Jewish populations in the Roman Empire throughout the Tetrarchic period. Legal and papyrological evidence, though sparse, demonstrates that Jews did not suffer the same legal action as Christians and Manicheans. Jews enjoyed exemptions from sacrifices otherwise required by the Roman government of all other minority religious groups.²⁵⁰ They actively participated in the Roman legal and economic system as individuals and as larger communities. Likewise, evidence suggests that Jews did not distance themselves from pagan cult either, for example by working as a guard at a Serapeum.²⁵¹ It appears that, despite the destruction of the Jewish Temple in Jerusalem, Jews received the same exemptions from emperor worship and adulation of traditional Roman deities that they had previously enjoyed, likely on account of their religion’s antiquity. Furthermore, because they could not worship another god, they posed no threat to the identity

²⁴⁹ *Leg. Coll.* 15.3.

²⁵⁰ PT, *Avoda Zara* 5.4.III.EE.

²⁵¹ *CPJ* 473; *CPJ* 475.

the Tetrarchy had established around their conceptions of Roman religion and its relationship to the government. In other words, they could not disrupt the *pax deorum* and threaten the relationship between the Tetrarchs and their gods. Jews could still participate in emperor cult by offering prayers to their god on behalf of the Tetrarchs without offering sacrifices to a different deity. Jews, it seems, posed no significant threat to breaching the religious boundaries constructed around the Tetrarchs' new Roman identity.

Ultimately, these analyses point to one conclusion. In their interactions with minority religious groups within the Roman Empire, the Tetrarchs attempted to integrate a variety of religious groups into their new conception of Roman religion where they could. As long as adherence to a particular tradition did not somehow threaten the Tetrarchy's ability to maintain order or to communicate with the divine, the religious tradition remained tolerated. The Tetrarchs, however, constructed an identity around which they actively policed boundaries when those boundaries became threatened. When those minority religious traditions became incompatible—as a result of their affiliation with external polities, their disruption of important sacred rites, or for other reasons—the Tetrarchs responded with violence. When the boundaries collided, the Tetrarchs issued edicts or rescripts of persecution against the offending traditions so as to police their infractions.

Scholars have taken a variety of approaches to exploring issues of religion and violence. For example, Emile Durkheim formulated the famous conceptualization of religion as a division between the sacred and the profane.²⁵² Human religion exists at the intersection of these two and, for adherents of a particular religious tradition, religious violence—whether it may be personal, communal, or impersonal—could occur when the divisions between the two became blurred.²⁵³ Likewise, Rene Girard developed a theory of “scapegoating” wherein sacrificial victims—i.e., the objects of religious violence—represent wider evils in the world as the “other.”²⁵⁴ In other words, these scholars postulate that violence can occur when boundaries around sacred identities become threatened.

Some political scientists have explored the political relationship between religious communities and state institutions. Political scientists analyze the degree to which the communities and institutions exhibit independence from or interdependence upon one

²⁵² Émile Durkheim, *The Elementary Forms of Religious Life*, 36-40. Mircea Eliade also took this position in his classic book *The Sacred and the Profane*, *passim*.

²⁵³ John R. Hall, “Religion and Violence from a Sociological Perspective”, 365.

²⁵⁴ Hall, “Religion and Violence from a Sociological Perspective”, 365.

another.²⁵⁵ As I have argued, Roman religion and Roman government were intrinsically linked early on in Roman history. In the Roman mind, the gods determined the courses of action that Roman leaders would take and made their will known through a variety of divination rituals; *haruspices*, for instance, offered predictions and demonstrated the state of human and divine relations.²⁵⁶ Furthermore, the wellbeing of the state depended upon the proper practice of ritual sacrifice. This was so much the case that the chief of Rome's priestly colleges was a political office as much as a religious one. In sum, the institutions of Roman government and of Roman religion were thoroughly and intrinsically interconnected with one another.

Alternatively, political theology, or the "set of ideas that a religious body holds on legitimate political authority," explores questions of legitimacy of rule and sovereignty.²⁵⁷ As I noted earlier, the new Tetrarchic political identity had materialized in such a way that linked their earthly rule with the divine. The legitimacy of their rule rested, in their minds, with their association with and endorsement by Roman divinities, a process that had begun early in their reign.²⁵⁸ When combined, these two models can account for explanations of communal conflict (like religious persecution), writes Daniel Philpott.²⁵⁹ For political scientists, communal conflict can be propelled by religion as religion helps to define one's identity. That identity can be further perpetuated by integrationist political theologies as one party achieves control of the state and reconfigures the state's institutions in their own ideologies, steps the Tetrarchs actively took over the course of their reign.

Anthropologists have also adopted the Durkheimian model of religion to view the relationship between society and religion as co-dependent. Religion supports social structures by establishing values and mores; conversely, social structures perpetuate religious beliefs.²⁶⁰ It is when the various structures involved in this model are threatened that religious violence manifests between social groups. In that same vein, Max Weber explored the relationship

²⁵⁵ Daniel Philpott, "Religion and Violence from a Political Science Perspective," 398-9.

²⁵⁶ David S. Potter, "Roman Religion," 148; David S. Potter, *Prophets and Emperors*, 213 asserts that prophecies enabled Roman leaders to describe and define their power in the Roman world.

²⁵⁷ Daniel Philpott, "Religion and Violence from a Political Science Perspective," 399.

²⁵⁸ Elizabeth Depalma Digeser, *Lactantius and Rome*, 27-8 explores the political theology of Diocletian's religious reforms. *Ibid.* 28 cites Aurelius Victor, *Liber de Caesaribus*, 39 as validation of associations with divine natures early in their reign. Furthermore, *ILS* 629 (cited on Digeser 28) refers to Diocletian and Maximian as "born of gods and creator of gods."

²⁵⁹ Daniel Philpott, "Religion and Violence from a Political Science Perspective," 399.

²⁶⁰ Pamela J. Stewart and Andrew Strathern, "Religion and Violence from an Anthropological Perspective," 377. Clifford Geertz also saw religion and society—or religion and collective life, more accurately—as intimately linked (cited on Stewart and Strathern, "Religion and Violence from an Anthropological Perspective," 377.)

between religion and polity.²⁶¹ In some manifestations of that account, religion legitimates a ruler as a representation or personification of the sacred. In others, like caesaropapism, a secular ruler assumes authority in divine matters. Religion, in both of these Weberian models, becomes a means of justifying violence and legitimating authority. When these types of relationships between states/societies and religions materialize, religious violence can become a means by which a state and its sanctioned religion can maintain a “monopolistic position or... purge society of infidels.”²⁶² John R. Hall concludes that, in societies dominated by a particular religious group, religious violence can result from a variety of circumstances in the relationship between the “other” and the professed sacred of the dominant religious group; he further notes that religion can structure acts of violence as sacred in order to both legitimize them and to shape a society’s character and patterns.²⁶³

Of particular interest and importance in this analysis, however, is the work of the cultural anthropologist Fredrik Barth. In one essay, Barth explored the nature of communal boundaries around ethnic groups.²⁶⁴ Barth developed a theory that maintained boundaries that circumscribed ethnic identities and defined the group itself.²⁶⁵ The boundaries he considered in this essay are, naturally, social (and thus socially constructed) boundaries and can encapsulate a variety of social relationships.²⁶⁶ Barth also concludes that there is a determined set of rules that governs inter-communal interactions and that stable interactions between groups “presuppose ... a structuring of interaction” and depend upon an agreement upon codes and interactions.²⁶⁷ While Barth’s work focuses primarily upon ethnic groups, his theoretical framework applies also to other types of social groups, including those identity groups that established themselves in Late Antiquity. In fact, Thomas Sizgorich interpreted Barth’s framework and applied it to late antiquity. While Sizgorich’s work focused primarily Christianity and Islam in a later period than the present study, his *Violence and Belief in Late Antiquity* remains an insightful case study of the use of violence (what he calls militant piety) as a mode of boundary maintenance.²⁶⁸

The most useful aspect of Barth’s discussion however, comes as he discusses what he calls “Pariah Groups.” While different groups can co-reside with one another, certain historical

²⁶¹ Max Weber, *Economy and Society*, 1159-1169.

²⁶² John R. Hall, “Religion and Violence from a Sociological Perspective,” 369.

²⁶³ John R. Hall, “Religion and Violence from a Sociological Perspective,” 373.

²⁶⁴ Fredrick Barth, “Introduction,” 9-38.

²⁶⁵ Fredrick Barth, “Introduction,” 15.

²⁶⁶ Fredrick Barth, “Introduction,” 15.

²⁶⁷ Fredrick Barth, “Introduction,” 16.

²⁶⁸ Thomas Sizgorich, *Violence and Belief in Late Antiquity*, *passim*. See especially his first chapter.

events can yield a series of circumstances in which the host society (in our case the Roman Tetrarchs) respond to the events by “othering” the offending group, designating them as a pariah group.²⁶⁹ Dominant groups actively reject pariah groups, much as happened with Christians and Manichaeans. As we have seen, particular historical circumstances yielded the situation in which the Tetrarchs created pariah groups out of the minority groups.

In reality, each of these approaches—the sociological, the anthropological, and the political scientific—offers insights into imperial persecutions and toleration under the Tetrarchy. Understanding the codependent nature of society and religion, as articulated by the anthropological approach, helps explain the ways in which the Tetrarch utilized its religious identity as a stabilizing factor in a chaotic Roman world. By establishing a new understanding of Roman religious identity—predicated upon the complexly interwoven sacred-profane relationship emphasized by the Roman government then perhaps more than ever before—and the appropriate values and mores regarding the imperial college, the Tetrarchs linked their rule (and thus their laws, rescripts, statutes, and reforms) to the ancient structures of Roman religion. The Tetrarchs had appropriated religious symbolism and functions into their new imperial ideologies as they sought to mitigate the myriad issues facing the empire by bringing together the sacred and the profane in themselves.

The Tetrarchy had also established a sort of political theology. Under this theology, the Tetrarchs themselves served as one of the conduits through which humans could converse with their gods. In addition, they oversaw the important ritual sacrifices and ensured the gods’ satisfaction with the Roman world. In other words, they used their new conception of religious identity as a means of legitimizing their status as rulers of the Roman world. They and they alone were legitimate rulers because of their association with the divine. When Christians, for instance, disrupted that channel of communication at the *haruspicy*, they threatened the very political theology upon which the Tetrarchy had been constructed. Such a threat could not be tolerated and the Roman government was forced to respond, first with the purge, then later with a full-scale persecution. Jews, on the other hand, did not challenge the established Roman political theology in any measurable way. Whereas Christians and Manichaeans, as a result of the historical events and circumstances that disrupted the understood agreement of codes and rules of interaction, became pariahs, while Jewish identity remained viable alongside Tetrarchic notions of Roman religious identity.

²⁶⁹ Fredrick Barth, “Introduction,” 30-1.

Ultimately, state-sponsored religious violence became a means by which the Tetrarchs policed the boundaries they established around themselves as saviors and rulers of the Roman world. Persecution became a means of coercing integration into Roman identity and an attempt at creating a cohesive Roman world. These endeavors by the Roman government represent one of the earliest and (comparatively speaking) best-recorded instances in which an ancient government used violence to enforce religious identity.²⁷⁰ The Rescripts and Edicts that the Tetrarchs issued would lay the groundwork for future exclusionary legislation in the Roman and Byzantine worlds.²⁷¹ Furthermore, the manner in which the Tetrarchy interacted with minority religious traditions formulated a model that would foreshadow the emerging Christian Empire's interactions with minority religions as the Christian Roman world sought to formulate its own identity.

It is an all too unfortunate hallmark of human society that religious identity often yields violence. The “Great Persecutions” of Diocletian and his Tetrarchic colleagues mark but a few moments in that long historical tradition of religious violence, a tradition that still—even in the supposedly “enlightened” world of modernity—rears its head.

²⁷⁰ Another famous example of religious coercion to police identity boundaries is the edicts of Antiochus IV Epiphanes against the Jews. See 1 and 2 Maccabees; Josephus, *AJ* 12.3-4.

²⁷¹ *CT*, 16.7.3.

APPENDICES

Appendix 1: The Rescript Against the Manichaeans

English Translation:

The Emperors Augusti Diocletian and Maximian and the most noble Caesars Constantius and Maximian to Julian, proconsul of Africa. Sometimes a great laziness incites men of a very troubled condition to exceed the limits of human nature and to persuade them to bring in a certain empty and loathsome type of superstition doctrine, and in the judgment of their own error they seem draw in many others.

But, dearest Julian, the immortal gods in their providence have seen fit to ordain and to distinguish that by the plan of many, good, outstanding, and wise men and the management the wholesome things are approved and established, whom it is divine law neither to obstruct nor to resist and an old religion ought not be rebuked by a new one. For it is of the greatest crime to revoke those things that once were established and limited by the ancients, now have and possess their own status and course.

Whence, it is our greatest desire to punish the obstinacy of the perverse mind of the most worthless men: for these who set up new and unheard of sects against the older religions, that in their depraved judgment exclude those things that have formerly been divinely handed over to us, the Manichaeans, about whom your expertise reported to our serenity.

We have heard that, most recently, they have committed many crimes here, as if some new and unimagined monster has progressed and has grown in this world from the Persian people, our enemies. They disturb the peaceful people and thrust the greatest evils upon the citizens.

It should be feared, lest by chance, as is accustomed to happen, as time proceeds, they should try, through detestable habits and the sinister laws of the Persians to taint men of a more innocent nature—the modest and peaceful Roman people and our whole world!—with the poisons of their wicked deeds.

And because of all these things, which in your wisdom, exposes in telling their religion, with the types of evils most clear of their statutes sought out and their plots found, for that reason we have established for them the appropriate labors and punishments owed.

And we order the founders and leaders be subjected the most severe punishment together with their detestable scriptures, that is that they be burnt in burning flames. We order that those indeed in agreement and still persistent, be punished with death, and we sanction that their goods be claimed for our treasury.

If any, of course who hold office or who have a certain dignity or are more esteemed persons should take themselves over to that unknown, scandalous, and infamous sect, or the doctrine of the Persians, you shall ensure that their estates are added to our treasury and that they are also sent to the mines of Phaeno and Proconnesus.

Therefore, in order that this plague of worthlessness is able to be cut off from our blessed age by its roots, may your devotion to carry out our orders and our commands of peace come to fruition.

Given at Alexandria on the day before the Kalends of April.

Latin Text:

Leg. Coll. 15.3. (Hyamson, pp. 130-2):

Impp. Diocletianus et Maximianus AA. [et Constantius] et Maximianus nobilissimi [CC.] Iuliano proconsuli Africae. Otia maxima interdum homines incommodioris condicionis naturae humanae modum excedere hortantur et quaedam genera inanissima ac turpissima doctrinae superstitionis inducere suadent, ut sui erroris arbitrio pertrahere et alios multos uideantur, Iuliane karissime. Sed dii imortales prouidentia sua ordinare et disponere dignati sunt, quae bona et uera sunt ut multorum et bonorum et egregiorum uirorum et sapientissimorum consilio et tractatu inlibata probarentur et statuerentur, quibus nec obuiam ire nec resistere fas est, neque reprehendi a noua uetus religio deberet. Maximi enim criminis est retractare quae semel ab antiquis statuta et definita suum statum et cursum tenent ac possident. Unde pertinaciam prauae mentis nequissimorum hominum punire ingens nobis studium est: hi enim, qui nouellas et inauditas sectas ueterioribus religionibus obponunt, ut pro arbitrio suo prauo excludant quae diuinitus concessa sunt quondam nobis, de quibus sollertia tua serenitati nostrae retulit, Manichaei, audiuius eos nuperrime ueluti noua [et] inopinata prodigia in hunc mundum de Persica aduersaria nobis gente progressa uel orta esse et multa facinora ibi committere, populos namque quietos perturbare nec non et ciuitatibus maxima detrimenta inserere: et uerendum est, ne forte, ut fieri adsolet, accedenti tempore conentur [per] execrandas consuetudines et scaeuas leges Persarum innocentioris naturae homines, Romanam gentem modestam atque tranquillam et uniuersum orbem nostrum ueluti uenenis de suis maliuolis inficere. Et quia omnia, quae pandit prudentia tua in relatione religionis illorum, genera maleficiorum statutis euidentissime sunt exquisita et inuenta commenta, ideo aerumnas atque poenas debitas et condignas illis statuimus. Iubemus namque auctores quidem ac principes una cum abominandis scripturis eorum seueriori poenae subici, ita ut flammeis ignibus exurantur: consentaneos uero et usque adeo contentiosos capite puniri praecipimus, et eorum bona fisco nostro uindicari sancimus. Si qui sane etiam honorati aut cuiuslibet dignitatis uel maiores personae [ad] adhuc inauditam et turpem atque per omni infamem sectam, uel ad doctrinam Persarum se transtulerint, eorum patrimonia fisco nostro asociari facies, ipsos quoque Phaenensibus uel Proconnensibus metallis dari. Ut igitur stirpitus amputari lues haec nequitiae de saeculo beatissimo nostro possit, deuotio tua iussis ac statutis tranquillitatis nostrae maturet obsecundare. Dat. Prid. K. April. Alexandriae.

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