

UNIVERSITY OF KANSAS PUBLICATIONS

Humanistic Studies, No. 30

Persecution of the Jews

in the

Roman Empire

(300-438)

Persecution of the Jews
in the
Roman Empire
(300-438)

by
James Everett Seaver

UNIVERSITY OF KANSAS PUBLICATIONS, LAWRENCE, 1952

000007 9A027

COPYRIGHT, 1952, BY THE UNIVERSITY OF KANSAS PRESS
ALL RIGHTS RESERVED

PRINTED IN THE U. S. A. BY
THE UNIVERSITY OF KANSAS PRESS
LAWRENCE, KANSAS

Contents

	PAGE
INTRODUCTION	3
PART I: JEWISH PERSECUTION OF CHRISTIANS	5
PART II: CHRISTIAN PERSECUTION OF JEWS	19
CONCLUSION	84
INDEX OF ABBREVIATIONS	88
REFERENCES	89
SELECT BIBLIOGRAPHIES	95
INDEX OF THEodosian CODE LAWS PERTAINING TO THE JEWS.....	97
INDEX OF CANONS	98
GENERAL INDEX	99

Persecution of the Jews
in the
Roman Empire
(300-438)

Introduction

The persecutions of the Jews during the fourth century A.D. has received scant consideration from the great historians of the Jews such as Jost, Graetz, and Dubnow. Since the fourth century marks the transition from the enlightened toleration of Jews to their bigoted persecution, this neglect by scholars has long needed attention.

Some progress in remedying this situation was made by Leopold Lucas in his *Zur Geschichte der Juden im vierten Jahrhundert* (1910).¹ But his short essay was more a discussion of sources than an attempt to give a general account of the period. Lucas used the Theodosian Code extensively, but did not utilize much of the material which had already been uncovered by Salomon Krauss in his series of articles on the "Jews in the Works of the Church Fathers" [*Jewish Quarterly Review*, V (1893), VI (1894)].²

In 1934 James Parkes used both Lucas and Krauss for his work on *The Conflict of the Church and the Synagogue*, but his interest, which was almost exclusively centered in the doctrinal points at issue between the two faiths, restricted his use of available sources.³ This is also true of Arthur L. Williams' *Adversus Judaeos* (1935), which treats of the intellectual warfare between Judaism and Christianity during the fourth century in a somewhat less accurate manner than Parkes, particularly in matters of dating. The most recent work in the field is Marcel Simon's *Verus Israel* (1948), published in Paris and only recently available in the United States. Simon's conclusions in this scholarly work concerning Jewish-Christian relations for 135-425 agree with those presented here in almost all cases, and have been most helpful; but Simon has used the Theodosian Code and the church canons very little and concentrates on intellectual matters more than actual persecution.⁴

In view of these earlier works a new survey of the Jewish-Christian conflict during the fourth century seems desirable at this time, a survey which will show the actual persecution the Jews suffered at the hands of the Christians during the fourth century. This persecution was largely the result of Christian propaganda by the church fathers and religious fanatics, who deliberately stirred up both popular in-

dignation and official repression against the hapless Jews on the baseless charge of Jewish maltreatment of Christians. The legislation of the fourth century emperors at first shows an attempt to protect the ancient privileges of the Jews, and then manifests a gradual submission to the popular Christian demand for persecution and repression. The remarkable coincidence between the fulminations of the church fathers such as Jerome and Ambrose, popular pogroms, and the enactment of repressive laws against the Jews tells the sad story. The fourth century witnessed the passage from Jewish privilege to persecution, from prosperity in the classic world to poverty in the medieval ghetto. The objective of this investigation will be to outline the origins and progress of this tragic decline during the crucial period of the fourth century. Besides offering the first English translation of all fourth century laws and canons concerning the Jews, the following essay will, it is hoped, bring to the attention of scholars the close connection between the writings of the church fathers and anti-Jewish legislation by contemporary Roman emperors.

Part I

Jewish Persecution of Christians

§1

The great conflict between the Church and the Synagogue and the gradual breakdown of the immense bureaucracy of the Roman imperial government both occurred during the fourth Christian century. This breakdown and the ever-growing influence of the ecclesiastical authority on the central government is visible in the Roman legislation of the century which dealt with the actual rights and privileges of the Jewish community. The Theodosian Code, a compilation of the mid-fifth century, does not contain all the legislation previously passed, but it probably contains all that was ever enforced or not withdrawn before 438. The Theodosian Code gives accurate dates and place locations from which laws and rescripts were promulgated; from these it is possible to reconstruct the progressive decline in privileges and security suffered by the Jews in the Roman Empire from 321 to 438.

The Theodosian Code shows us that those immunities which had been granted to the Jews by the pagan emperors, and which had made them a privileged class dwelling within the Roman world, were continued by the Christian emperors.⁵ At the opening of the fourth century Jews were classed as Roman citizens and enjoyed all the advantages of civic status. They were in every economic stratum of the empire; many were rich, many were poor. Some were merchants, others artisans, and still others farmers. They had their own cult organizations called synagogues. If any Jew did not belong to such an organization he had to pay the Roman government poll tax and sacrifice to the Roman gods. Only a Jew within the synagogal organizations could escape these *munera* (civic duties). The synagogues were the Jewish *collegia*, which themselves had to pay collegiate *munera*, the *Fiscus Judaicus*, a didrachm levied by Rome after A.D. 70 on the head of every Jew. This *Fiscus* was collected indirectly by the synagogues and sent to Rome. It originally had been gathered to support

the Capitoline temple, but later was paid directly into the emperor's treasury. The main Jewish privilege was that Jews could not be forced to perform any task which violated their religious convictions. This meant that they were exempt from the crushing burden of the *decurionate*, that responsibility for the collection of imperial taxes which was gradually impoverishing the middle class of the Roman world. And Jews were neither compelled to celebrate state worship nor forced to attend pagan temples. The Jews had to perform all other liturgies and *tutela*e (forced donations) common to all Roman citizens.

At the opening of the fourth century the central Jewish administrative council, called the Sanhedrin, was very active in Palestine, and several schools were in operation there under the guidance of the Jewish *nasi* or patriarch. The maintenance of these institutions was a religious duty for the Jews. The money for their support, called the *aurum coronarium*, was collected by men called *apostoli*, agents of the patriarch, and deposited in the Jewish synagogues. Some Jews, such as slaves, did not support the state at all, but a Jew could be slave to another for only seven years, and it was a religious duty for Jews to free brothers enslaved by the Gentiles. Therefore it seems probable that there were very few Jewish slaves, and most Jews contributed at least something to the public welfare.

As Juster shows, the economic and political position of the Jews in the Roman Empire was unique. No other group had exactly the same rights or obligations. Nevertheless, at the opening of the fourth century nothing marked the Jew off conspicuously from his neighbor. From the end of the second great revolt in Palestine, 135, to the time of Constantine, 313, most emperors and the Roman governments they represented were indifferent to the nature of Judaism.⁶

When Christianity was legalized in 313 and became the close ally of the Roman emperors, this indifference quickly became a thing of the past.⁷ Thus in 321 Constantine promulgated the earliest law recorded in the Theodosian Code dealing with the Jews; it begins the process of reducing their privileges and immunities. Already in this first law there is evidence of that hatred which would change the role

of the Jew in a little over 100 years, from one of privileged citizenship in the Roman Empire to that of outcast.

Much of Christian hatred toward the Jews was based on the popular misconception, amazingly enough still prevalent, that the Jews had been the active persecutors of Christians for many centuries. Juster, Parkes, and Williams have ably shown the fallacy of this idea concerning Jewish persecution of Christians during the first three centuries. It remains to discover whether there is any basis for the claim, often voiced in the writings of the church fathers, that the Jews were actively persecuting Christians during the crucial fourth century, thus inviting Christian hatred and retaliation.

The following examination of the sources for fourth century Jewish history will show that the universal, tenacious, and malicious Jewish hatred of Christianity referred to by the church fathers and countless others has no existence in historical fact. The generalizations of patristic writers in support of the accusation have been wrongly interpreted from the fourth century to the present day.⁸ That individual Jews hated and reviled the Christians there can be no doubt, but there is no evidence that the Jews as a class hated and persecuted the Christians as a class during the early years of the fourth century. Jewish hatred was rather directed toward the Gentile Romans who had despoiled the Temple and kept the Jews from Jerusalem.

Evidence that the Jews took no part in the great persecutions of the second, third, and fourth centuries comes not from Jewish sources nor from inference, nor from later generalization, but from the *Acta Sanctorum*, which records the lives of the very martyrs whose deaths are in question. The responsibility for the persecution of Christians lay completely with the Romans and not with the Jews after the first century of our era. Scattered throughout the *Acta Sanctorum*, however, are many references to Jewish hostility and often violence towards the Christians. An examination of those *Acta* involving the Jews may help to show first: how small a part of the vast number of fourth century martyrs were molested by the Jews; and second: how dangerous these documents are for use as historical evidence, since the fanciful and imaginative are inextricably entwined with the kernel of fact.

Typical of the *Acta Sanctorum* is the story of Marciana, who was martyred in 304 during Diocletian's persecution.⁹ This tale deals with the noble virgin Marciana, consecrated to God, who overthrew the marble statue of Diana of Caesarea in Mauretania. When she would not worship idols in the hearing of the governor, Marciana was condemned to be torn by wild beasts in the arena. Imprisoned in a school of rude gladiators, she was protected from them every night by a miraculous wall. When she was later insulted by the Jews, she predicted that their synagogue would burn down and never be rebuilt. After she was tortured and put to death her predictions in due course proved correct. Monceaux dates the passion as a fourth or fifth century composition, and regards Marciana as a victim of Diocletian in 304 or 305.¹⁰

The *Acta Sanctorum* for March 7 contains the story of the first missionary bishop of the Chersonese, Basil, who was consecrated at the beginning of the fourth century by Herman, patriarch of Jerusalem. He was sent, along with some other churchmen, to preach among the heathen of Palestine. The success of his preaching earned him the hostility of the adherents of the older worship, and of the numerous Jews in the region. Stirred up by the Jews, a mob of pagans seized the bishop and dragged him through the streets until he expired.¹¹

Basil's successor, Antherius, is said to have written Constantine to obtain soldiers for driving out the murderers of the late bishop. His appeal was evidently of no avail. When, after the death of Antherius, the people received another bishop, the Jews demanded a miracle to prove the newcomer's claims. Thereupon the bishop walked through fire in full canonicals and the Jews and unbelievers were at once converted to Christianity, "the soldiers with the other Christians receiving them at the font." It has been suggested that this last detail indicates a narrative of a forced conversion, exacted from all townspeople as the penalty for murdering Basil, but this seems improbable because of the early date of the incident.¹²

There are three versions of the martyrdom of Paul, Valentia, and Thea during the persecutions of Diocletian. According to Eusebius the trio were Egyptian Christians, who were taken up to Diocaesarea, a predominantly Jewish town. There they were tried by the prefect

Fermilian and sentenced to death. In his last prayer the dying Paul prayed for the Jews and pagans.¹³ There are two other accounts quoted by Parkes.¹⁴ The Constantinopolitan tradition adds to Eusebius' account that when Paul, Valentia, and Thea were brought before Fermilian, a mob of Jews stirred the prefect up against the Christian trio and secured their conviction. The Armenian tradition asserts that the accused lived in Diocaesarea and not Egypt, and that they did not come to the notice of Fermilian until the Jews denounced them.¹⁵

These three versions of the same *Acta* constitute an admirable example of the growth of legend. If the account of Eusebius is taken as substantially true, the reference to the Jews in the prayer of Paul can be explained by the fact that they inhabited Diocaesarea in large numbers in the early fourth century when the martyrdom supposedly occurred. There is no guilt on the part of the Jews implied in this. But the scribe at Constantinople perhaps felt that there must have been some special nobility in Paul's prayer. It became, therefore, the reply of Paul to the Jewish demands for his execution at the prefect's judgment seat. The parallel with "Forgive them, for they know not what they do" becomes apparent. The Armenian version makes Paul's deed still nobler; for it was by the Jews that he was originally denounced as a Christian.

The Jewish hatred of Christians described in these *Acta* is also referred to in the works of the fourth century church fathers. Jerome in his commentary on Amos accurately reflects the general opinion of Jewish anti-Christian hostility when he says, ". . . holding fast to their ancient anger and violence, still today under the name of Nazarenes, the Jews in their synagogues blaspheme the Christian flock: and while they slay us, they will their own destruction in the eternal fire."¹⁶ This, as will later be shown more conclusively, was the usual opinion of Jewish malice toward the Christians held by the churchmen of the fourth and fifth centuries. It is natural enough that the *Acta* of the period show an attempt to keep in line with these orthodox sentiments. The fact that any active persecution of Christians by Jews was a thing of the past by the second century made little impression on the pious mind. Jewish responsibility for the Passion of Christ was

the fact uppermost in the minds of ecclesiastical writers. When contemporary Jews or contemporary events in Jewish history were described, the preoccupation of the church fathers with the ancient day of sorrow made them merge the present with the past in wild anachronisms and attach the opprobrium connected with the Jews of Christ's time to their fourth century descendants.

The Acta of Bishop Austremonius, who is said to have been of the first century, but was more probably of the fourth, illustrates the violence of some Jewish anti-Christian feeling. This prelate was very successful in preaching to the Jews of Clermont. Among his converts was Lucius, the son of one of the Jewish elders. Lucius' father, enraged by his son's apostasy, seized a knife, and killed both the bishop and his own son.¹⁷ Urbicus, Austremonius' successor, convened the authorities and secured a decree that all Jews in Clermont should either accept baptism, or, if they remained in the town, should be sentenced to death.¹⁸

This narrative contains various miracles which are obviously embroideries, but the most serious difficulty is the statement about the action of the Roman authorities. Urbicus is said to have secured a decree against Judaism in 312 when it was a lawful religion and Christianity was not only unrecognized but being actively persecuted in certain portions of the Roman Empire. Suspicion is thus placed on the dating of this narrative, which is almost certainly later than Constantine's Peace of the Church. This type of confusion is quite common in the *Acta Sanctorum*.

Two further cases from the *Acta* are of particular interest in view of the continual legislation of the church and the fourth century emperors against Jewish possession of Christian slaves. Matrona, the slave of a Jewish mistress at Salonica, was found by the Jewess to be a Christian, since she refused to enter a synagogue. In a rage her mistress beat Matrona and locked her up in a room without food or water. Later when she was found still to be recalcitrant, Matrona was beaten so severely that she died. This tale was very popular in the Middle Ages, and there are many versions of it.¹⁹

A story similar to Matrona's comes from Portugal. The date is uncertain, fourth to sixth century. A slave, Mancius, was found to be a

Christian by his Jewish master. He was severely beaten, but refused to alter his religion. Finally he died under the punishment.²⁰

In the *Acta Sanctorum* the Jews also are often wicked persecutors of the Christians. At the martyrdom of Isbozetes by Chosroes, the Persian King, the saint is impaled on a cross with a Magus on his right and a Jew on his left. The Magus desires to become a Christian, and, being accepted, expires. The Jew expresses his willingness to do anything to save his life, but is ignored. After long suffering, he dies unsaved.²¹ After the martyrdom of Marciana at Caesarea in Mauretania, it is related that the whole house of a Jew who had mocked at her in the arena fell in on his head.²²

The Jews of Caesarea in the proconsular province of Africa are said to have joined in the torture of St. Victor early in the fifth century. Caplan states that this "fifth century" document is not historical for Africa, since no detail of it is African. In parts it resembles the Acts of Victor of Cerezo in Spain of the ninth and tenth centuries. He says it undoubtedly belongs to Spain of the later Middle Ages.²³

Some of the references to Jews in the *Acta* are not as unfavorable to the Jews as the examples so far produced. In Alexandria the Jews are usually represented as being permanently and violently hostile to the orthodox Christians; their participation in the Arian riots of the fourth century during the primacy of Athanasius and his successors is usually quoted as evidence of this. Nevertheless, in two long narratives of martyrdoms, in which it is specifically mentioned that all the inhabitants of Alexandria took part, the Jews are passed over in silence. In this instance the *argumentum ex silentio* seems very strong.²⁴

Sometimes deeds of kindness are done for Christians by Jews in the *Acta*. After the martyrdom of Habib at Edessa "even some Jews and pagans took part with the Christian brethren in shrouding and burying his body."²⁵ The life of Venantius of Arles was "so beautiful that he was loved alike by Hebrews, Greeks, and Latins."²⁶ Such was the beloved memory of Agatha of Catania that "Jews and Gentiles as well as Christians revered her grave."²⁷ There are also several cases in which Christian martyrs are said to have been buried in Jewish cemeteries either with or without the knowledge of the Christians: Agri-

cola and Vitalis at Milan;²⁸ Hermes, Aggaeus, and Caius in Dacia;²⁹ and Vincent and Orantius in Spain.³⁰ The burial of Christians by Jews certainly does not suggest that the Jewish communities were always hostile to their Christian neighbors. Moreover, in the *Acta Sanctorum* as a whole there is remarkably little about Jewish enmity toward Christianity, although there are a generous number of miraculous Jewish conversions to Christianity.

§2

There are several accounts of Jewish insurrection and rebellion during the fourth century which should be introduced here in order to examine what basis, if any, there was in fact for the constant charges of Jewish hatred for the Christians. St. John Chrysostom records a revolt of the Jews during the reign of Constantine and an attempt to rebuild the Temple at that time. This also involved the breaking of Hadrian's prohibition against Jewish entrance into Jerusalem. Chrysostom says that the insurgents were punished by having their ears cut off, being branded as slaves, and being sold in great numbers.³¹ Milman hesitates to accept the historicity of this insurrection on the basis of an invective, since there is no other trace of it in history or in Jewish tradition. Nor does Graetz, the eminent historian of the Jews, give credence to this account.³²

A law of Constantius, issued in 339, indicates Jewish hatred of those Jews who had been converted to Christianity. Constantius forbids Jewish stoning of Christian converts from Judaism and his edict must have been successful, for it was never re-enacted. Since Biblical times such stoning had been the traditional punishment for Jewish apostates, the martyrdom of Stephen is an example, but such acts as provoked this law are certainly to be classed as anti-Christian violence.³³

Concerning the Jewish rebellion of 352, another political disturbance, there is much more reliable evidence. Two accounts have been preserved: one by St. Jerome and the other by Socrates, the church historian. Jerome's summary is to be found in his *Chronicon* for the year 352: "The emperor Gallus suppressed the Jews who had taken up arms in rebellion after slaughtering the Roman troops in the

night; when he had killed many thousands of people, indeed even children, Gallus consigned to the flames the Jewish cities of Diocaesarea, Tiberias, and Diospolis together with a great number of Jewish villages."³⁴ The account of Socrates is substantially the same, but it confines the insurrection more to the neighborhood of Diocaesarea. In neither story is there any mention of a special malice on the part of the Jews against the Christians, although it would have been a fine opportunity to show this if the evidence were at hand: "About the same time there arose another intestine commotion in the East: for the Jews who inhabited Diocaesarea in Palestine, having taken arms against the Romans, began to ravage the adjacent places. But Gallus, who was also called Constantius, whom the emperor, after creating Caesar, had sent to the East, despatched an army against them, whereby they were completely vanquished, after which their city Diocaesarea was by his order completely destroyed."³⁵ There is also a somewhat obscure reference in Aurelius Victor to this event. The historian writes, "And meanwhile the sedition of the Jews, who impiously had raised the patriarch to the semblance of a king, was suppressed."³⁶ This statement seems to imply that the Jews set up their patriarch during the insurrection at Diocaesarea as an independent sovereign.

One of the largest bodies of evidence concerning the Jews in the fourth century deals with their activities during the reign of Julian the Apostate (361-363). Some of the sources indicate that there was a brief moment of violent attack upon the Christians at this time in which the Jews participated. The *Acta Sanctorum* offers three stories of Jewish participation in the Julian persecutions. At Toul in southern France there was a preacher named Eliphilus, who was continually attacking the Jews in his sermons. Naturally the Jews hated him for this, and, when the opportunity for revenge was offered them by the anti-Christian emperor Julian and his soldiers, they seized Eliphilus and his companions and threw them into prison in order to please the apostate emperor. Apparently the Jews then forgot about their captives, for the Christians are next reported to have emerged from prison, only to be arrested and executed by the Romans.³⁷

Another tale is that of Benedicta, a Christian woman of Lyons.

When she was arrested during Julian's reign and charged with the crime of being a Christian, a Jewish judge presided over her case. This man is reported to have condemned her to death with great glee because of his foul hatred of Christ.³⁸ Both of these stories are of very doubtful authenticity.

More probable is the story of the soldiers, Bonosus and Maximilianus, who refused to remove the cross from their standards at Antioch, and were martyred for their temerity. All that is alleged against the Jews in this story is that, when Bonosus and Maximilianus resisted the effects of torture in the arena, "Jews and Gentiles who had come to mock at their death agonies cried out, 'Sorcerers! Criminals!'"³⁹

This evidence from the *Acta* would certainly not prove any great persecution of the Christians either by Julian or the Jews. It has been suggested that the famous story of Julian's attempt to rebuild the Temple of Jerusalem shows the active hostility of Palestinian Jewry toward Christianity.⁴⁰ But in the stories of the attempted rebuilding of the Temple by Julian, there is no really convincing evidence of Jewish hostility to the Christians or vice versa, and it is really doubtful if the rebuilding was ever actually attempted; since the incident shows neither persecution nor counterpersecution there is no need to elaborate upon it in this paper.

The next fourth century event which might indicate Jewish malice is mentioned by Theodoret. His account concerns the expulsion in 373 of Peter, archbishop of Alexandria, by a mob of pagans and Jews:⁴¹

Immediately after Peter had been raised to the archi-episcopal dignity, the governor of the province collected a multitude of pagans and Jews, and surrounded the church, desiring Peter to retire; and on his refusal, he threatened to expel him. The governor acted in the same way against all whose opinions were opposed to those of the emperor, under the pretense, indeed, of complying with his wishes, but in truth to satisfy his own impious wishes, for he was addicted to the worship of idols; and the storms which agitated the church were to him a source of festivity and rejoicing. When this unexpected war broke out, Peter quitted the city secretly, and embarking on board a vessel, proceeded to Rome.

The part played by Jews in this Alexandrine incident was small; indeed, the incident is one of race rioting.

This was not true, however, of their activities some forty years later. Agapius, a late chronicler, reports violence in Alexandria on the part of the Jews occurring in 411. Some Jews who had been forcibly baptized took a statue of Christ and crucified it, mocking the Christians and crying out, "That is your Messiah!" A riot naturally ensued in which many Jews and Christians lost their lives. This disturbance, too, was relatively unimportant compared with the disaster which occurred three years later.⁴²

In 414 violence reached such a crescendo that all Jews were expelled from Alexandria by the archbishop Cyril. Socrates' description of these events is as follows:⁴³

About this time the Jewish inhabitants were driven out of Alexandria by Cyril the Bishop on the following account. The Alexandrians are more delighted with tumult than any other people; and if they can find a pretext, they will break forth into the most intolerable excesses; nor is it scarcely possible to check their impetuosity until there has been much bloodshed. It happened on the present occasion that a disturbance arose among the populace, not from a cause of any serious importance, but out of an evil that has become inveterate in almost all cities, i.e. a fondness for public dancers. In consequence of the Jews being disengaged from business on the Sabbath, and spending their time, not in hearing the law, but in theatrical amusements, dancers usually collect great crowds on that day, and disorder is almost invariably produced. And although this was in some degree controlled by the governor of Alexandria, yet the Jews were continually factious; and there was added to their ordinary hatred of the Christians, rage against them because of the dancers. When therefore Orestes the prefect was publishing an edict in the theatre for the regulation of the shows, some of the bishop's party were present to learn the nature of the orders about to be issued. Among these was Hierax, a teacher of the rudimentary branches of literature; one who was a very assiduous auditor of the bishop's sermons, and made himself conspicuous by his forward and noisy plaudits. When the Jews observed this person in the theatre, they immediately cried out that he had come there for no other purpose than to excite sedition among the people. Now Orestes had long regarded with jealousy the growing power of the bishops, and their encroachments on the jurisdiction of the civil authorities. Believing therefore that Cyril wished to set spies

over his proceedings, he ordered Hierax to be seized, and publicly subjected to torture in the theatre. Cyril, on being informed of this, sent for the principal Jews, and threatened them with the utmost severities unless they desisted from their molestation of the Christians. These menaces, instead of suppressing their violence, only rendered the Jewish populace more furious, and led them to form conspiracies for the destruction of the Christians, one of which was of so desperate a character as to cause their entire expulsion from Alexandria. Having agreed that each one of them should wear a ring on his finger, made of the bark of a palm branch, for the sake of mutual recognition, they determined to attack the Christians on a certain night; and sending persons into the streets to raise an outcry that Alexander's church was on fire, they thus drew the Christians out in great anxiety and slew them—readily distinguishing each other by their rings. At daybreak the authors of this atrocity could not be concealed; and Cyril going to their synagogue (which is the name they give their house of prayer), attended by an immense body of people, took it away from them, and driving the Jews out of the city, permitted the multitude to plunder their goods. Thus were the Jews, who had inhabited the city from the time of Alexander the Macedonian, expelled from it, stripped of all they possessed, and dispersed, some in one direction and some in another. One of them, a physician named Adamantius, fled to Atticus, bishop of Constantinople, and professing Christianity, afterwards returned to Alexandria and fixed his residence there. But Orestes the governor of Alexandria viewed these transactions with great indignation and was excessively annoyed that a city of such magnitude should have been suddenly bereft of so large a portion of its population; he therefore at once communicated the whole affair to the emperor. Cyril also wrote to him, describing the outrageous conduct of the Jews; and in the meanwhile sent persons to Orestes who should mediate concerning a reconciliation: for this the people had urged him to do, etc.

Socrates has here related one of the most incriminating stories concerning Jewish malice toward Christians which date from the fifth century, but it might be argued that this is an example of race-rioting and not clearly of racial persecution. Nevertheless, it shows a deep Jewish resentment, even hatred, of the Alexandrine Gentiles.

Socrates follows this narrative with another Jewish outrage upon the Christians which is perhaps mentioned in the Theodosian Code.⁴⁴

This was the so-called Inmestar incident, dated by Socrates as 414, which may have had more immediate ill effect on the Jews than the Alexandrine massacre:⁴⁵

Soon afterwards the Jews renewed their malevolent and impious practices against the Christians, which drew down on them deserved chastisement. At a place named Inmestar, situated between Antioch in Syria and Chalcis, the Jews, while amusing themselves in their usual way with a variety of sports, impelled by drunkenness were guilty of many absurdities. At last they began to scoff at Christians and even Christ Himself; and in derision of the cross and those who put their trust in the crucified One, they seized a Christian boy, and having bound him to a cross, began to laugh and sneer at him. But in a little while they became so transported with fury that they scourged the child until he died under their hands. This brutal conduct occasioned a sharp conflict between them and the Christians; and as soon as the emperors were informed of the circumstance, they issued orders to the governor of the province to find out and punish the delinquents with the utmost severity. Thus vengeance overtook the Jewish inhabitants of this place for the wickedness they had committed in their impious sport.

The chronographer Theophanes, writing much later, asserts that this event took place in 408. He says: "*In the year 408 which was the first year of the Bishop Cyril of Alexandria. In this year the Jews abducted a Christian boy during the festival of Haman; in the midst of their games they hung this same boy from a beam in mockery of the cross and killed him under torture; because of this the emperor found out and executed those Jews who were liable for punishment.*"⁴⁶ It appears that this tale like Cassiodorus' is only a copy of Socrates' account; Theophanes unhappily adds to the confusion by his careless dating.

The only other evidence of Jewish anti-Christian activity, or rather resistance to oppression in the fourth century, is in the story of the brigand monk Barsauma. He visited Palestine about 400 when a young man, and, according to his own account, was much persecuted by Jews and Samaritans during his visit, "for there were few Christians in Palestine and the Jews and Samaritans who dominated the country persecuted them."⁴⁷ Jerome, however, who was living in Bethlehem at this time and was himself no friend of the Jews,

relates nothing which could be called persecution. In view of the character and subsequent life of Barsauma, it is doubtful whether his statements are a true indication of conditions in Palestine.

After 415 and the suppression of the patriarchate nothing further is heard of active Jewish persecution of Christians. The end of the unity of Jewry in the Roman world also marked the end of the usefulness of Jewish atrocity stories. The Christians had accomplished their aim, which was not the extinction but the disarming of Judaism. Looking back at the record of Jewish crimes against Christianity, a fair judge must admit that the positive evidence for widespread Jewish anti-Christian activity is very slight, although occasionally Jewish groups or individuals attacked Christians. In the Constantinian and Constantian rebellions no such actions could be alleged. In the most reliable sources for the Julian era, pagan and Christian, the Jews are given a clean slate; even if Jewish dislike of Christians is often evident, active persecution is absent. It is only in the Alexandrine riots and Inmestar incident, all of which occurred at the beginning of the fifth century coincidental with the deposition of Gamaliel, that any active Jewish attacks on Christians took place. If we accept these incidents as true history, they are almost inconsequential compared with contemporary Christian persecution of Jews. The offensive was largely from the Christian side, regardless of how eager the church fathers and Christian apologists were to find justification for the barbarous actions of their followers.

Part II

Christian Persecution of Jews

§1

Until the fourth century the Judaeo-Christian encounter had been a battle of words. But the victory of the church brought a new element into the struggle. The Christians now became possessed not only of official recognition but also of power over the whole executive machinery of the Roman Empire. The church did not grant tolerance to others in the days of her triumph.

Another new element was the widespread adoption of a superficial Christianity by upper-class Roman society. This brought an already anti-Jewish group into the church, for the wars of the first and second centuries had destroyed Jewish popularity with the Roman ruling class. The Roman military was ever watchful for Jewish rebellion, and this was soil in which the hostility of the church fathers found it easy to sow the seeds of hate.

The Jew as he is encountered in the pages of fourth century writers is, as Parkes points out, not a human being at all.⁴⁸ He is a "monster," a theological abstraction of superhuman malice and cunning, and more than superhuman blindness. He is, as we have just seen, rarely charged with human crime, and little evidence against him is drawn from contemporary behavior, or his action in contemporary events.

In view of the close relations which, as the Theodosian and canon laws show, existed between local Jewish and Christian communities, it is amazing how this myth of the Jewish character could have persisted. But certain considerations help to explain, if not to excuse, its survival. The most important factor was the universal attitude of the time toward the infallibility of the written word of the Bible. To the student of the fourth century the whole of the Bible was written under the compulsion of divine inspiration. This idea was very harmful to the Jews when all the promises in the Bible were applied to the Christians, and all the curses and threats therein were leveled at the Jews. A terrible falsification took place.

The church fathers saw a distorted picture of Judaism. The monstrosity of Israel was evident to them. There was not one virtuous action in her history. The Jews had been a continual disappointment to God, in spite of all the wonderful things He had done for them. The church fathers attempted to separate all the evil deeds from the main stream of the history of the Jewish people. Christianity then claimed all the virtuous actions in the Old Testament for a kind of pre-existent church. After this had been done the Jewish record was one of continuous disobedience, and their ultimate rejection was pictured as almost inevitable from the beginning. This portrait of the Jew was still further colored and confirmed by the church fathers' eschatology. For if they looked for any change of heart in the Jews as a whole they expected it only at the second coming of Christ.

A. L. Williams in his work *Adversus Judaeos* and Bishop Murawski in his book on the *Jews in the Works of the Church Fathers* have cited the opinions of a number of Christian authors concerning the Jews. It will be my purpose to examine the views of the most important fourth century church writers in order to show how these views influenced the legal enactments made against the Jews in this century.⁴⁹ This information will then form a convenient backdrop before which the violent drama of forced conversion and synagogue destruction can be played.

Dialogues against the Jews form a special branch of literature which by the fourth century is almost sterile for historical purposes. This is because those composed during the fourth century are based on earlier material.

The bulk of anti-Jewish propaganda is not to be found in these dialogues, but rather in the letters, sermons, homilies, and commentaries on the Bible which were written by the fourth and fifth century fathers of the church. Excerpts from these writings give us our best picture of what educated Christians believed about the Jews and wished to induce their followers to believe. The disastrous pogroms of the early fifth century were undoubtedly greatly influenced by the misconceptions which this huge body of patristic literature fostered during the fourth century. Selections from the works of the more important fourth century fathers together with the legal enactments

against the Jews will demonstrate the steady pressure of anti-Semitic literature during these years, and the constant effort to keep a "Biblical monstrosity" and not a "human being" before the eyes of the faithful Christian flock as long as Judaism was considered a menace to the church. The success of this anti-Semitic propaganda placed the Jew outside the law by 438.

The reader may well ask at this point why the church fathers felt such an urge to attack the Jews, who from all the evidence had themselves provided no adequate reasons for this Christian wrath to descend upon their heads. No final answer can be given to this pertinent query, but some suggestions may be in order. The main theoretical reason for the attack seems to have been the Jewish rejection and killing of Christ, the most terrible crime in world history to the church fathers. The Christian fathers were also violently angered by the Jewish powers of resistance and their ability to make proselytes in the century of Christian triumph. The church fathers themselves were seldom moved by materialistic reasons for their anti-Jewish propaganda, but their less theoretical adherents took advantage of Christian opportunity and converted synagogues to churches and Jewish plate to Christian coin. Even the most superficial reading of the writings of Ambrose, Jerome, and Augustine must convince the reader that these writers were sincere and usually not motivated by materialistic considerations. These Christian church fathers led a theoretical attack against the Jews while their lieutenants and the Christian populace eagerly followed the theoretical argument to reap the material reward.

Unfortunately Lactantius, the first great church writer of the fourth century, has no information about the Jews. In his *Divine Institutes* he tells of a special work against the Jews which he was planning to write, to point out their errors and crimes, but as far as we know this treatise never appeared.⁵⁰ Commodian, the Christian poet, who probably flourished about the same time (ca. 300), has left an acrostic poem on Jews and Judaizers. He calls his verse *On the Fanatics who Judaize*:⁵¹

What! Art thou half a Jew. Then wilt thou be half profane? Whence thou shalt not, when dead, escape the judgment of Christ. Thou thyself blindly wanderest, and foolishly goest in among the blind.

And thus the blind leadeth the blind into the ditch. Thou goest whither thou knowest not and thence ignorantly withdrawest There is not an unbelieving people such as yours. O evil men! in so many places, and so often rebuked by the law of those who cry aloud. And the lofty One despises your Sabbaths and altogether rejects your universal monthly feasts according to the law, that ye should not make to Him the commanded sacrifices; who told you to throw a stone for your offence. If any should not believe that He, God, perished by an unjust death, and that those who were beloved were saved by other laws and not by the life that was suspended on the tree, then they believe not on Him. God Himself is the life; He Himself was suspended for us. But ye with hard hearts insult Him.

Not many years later Hilary of Poitiers and Eusebius of Caesarea were continuing the same epithets, the same charges against the Jews. The phrase "a Jew" or "some Jews" is almost unknown in patristic literature. On the rare occasions when contemporary Jews are mentioned, it is usually "the Jews" and usually proves only to be a reference to past history. This use of vague generalities is one of the methods by which the church fathers, through their continual preaching and writing, ultimately persuaded the ordinary people that their distorted picture of the Jew was true, and that any contact with Jews was a defilement.

It is related of Hilary of Poitiers that his orthodoxy was such that he would not eat with a Jew or even answer Jewish salutations in the street, conduct which amazed Venantius Fortunatus, his biographer.⁵² This is more understandable if Hilary really believed, as he wrote, that "before the Law was given, the Jews were possessed of an unclean devil, which the Law for a time drove out, but which returned immediately after their rejection of Christ."⁵³ In another passage, commenting on the fifty-first psalm, Hilary writes that the strong man who scoffs at the righteous is to be applied to the Jews, who are that wicked people which has always persisted in iniquity and has gloried in wickedness:⁵⁴

For Israel was mighty when in slavery it was visited by God; when on its account Egypt was struck by so many plagues; when in three days of darkness it did not feel the dark; when it left Egypt to its fate despoiled of gold and silver ornaments; when it was accompanied day and night by a column of smoke and fire In all these things it

was mighty. But ever it was mighty in wickedness; when it longed for the flesh-pots of Egypt; when through its wickedness it preferred an unholy slavery to a holy liberty; when it worshipped the calf; when it cursed Moses; when it hated God; when it vowed its sons as offerings to demons; when it killed the prophets, and finally when it betrayed to the praetor and crucified our God Himself and Lord, who for its sake became man. And so, glorying throughout all its existence in iniquity when it was mighty, it was persistently in iniquity where it showed its might.

It is upon this distorted background of Jewish history that the church was to act for many centuries.

While this attitude is to be found in most of the commentaries and writings of the fourth century, its classical expression is in two large volumes by Eusebius of Caesarea, the *Praeparatio Evangelica* and the *Demonstratio Evangelica*.⁵⁵ These two works, the first in fifteen books which have been completely preserved, and the second in twenty, of which only I-X and a fragment of XV remain, were completed in 311. They constitute the most complete example of Christian propaganda to the pagan world at this critical epoch in church history. In the *Praeparatio Evangelica* Eusebius attempts to prove the superiority and greater antiquity of Christianity in comparison with all other religions; in the *Demonstratio Evangelica* he tries to show the superiority of Christianity over Judaism and the uniqueness of Christ's person.

The fundamental hypothesis of both books is a sharp distinction between "Hebrews" and "Jews."⁵⁶ The Hebrews are the most ancient people in the world, and their religion is the basis of Greek philosophy.⁵⁷ But they themselves, though not "Jews," were not "Gentiles" either. Rather they were from the beginning "Christians," and led a Christian way of life. The patriarchs pleased God by their lives, and Abraham lived as a Christian and not as a Jew.⁵⁸ Moses then came into this primitive and "Christian" life with his special law concerning the Jews, for reasons which Eusebius leaves obscure. This law which he introduced was never meant to have any meaning for the Gentiles, and even for the Jews who lived outside Palestine the law was impossible, since its provisions could not be carried out without a temple.⁵⁹ Perhaps Eusebius is here opposing himself to the efforts of

Jewish missionaries among the pagans by his insistence on these points; this is, however, mere speculation.

Eusebius is careful to insist on both the partial character of the Jewish law and its temporary expediency even for the Jews. From Moses to the Incarnation Hebrew prophets were continually pointing to the "new day" when the old law would pass away and a new dispensation take its place.⁶⁰ Eusebius states that it is only for the prophecies of the Christian era and for the historical conceptions based on them that the study of the Hebrew Scriptures is valuable. To Eusebius the Jew is negligible and an unimportant companion of the older "Hebrew" who foretold and anticipated Christianity.⁶¹ Together with Hilary, he was thus presenting the pagan world with a complete caricature of Jewish history.

From our scanty sources we cannot say of the fourth century that hostility toward the Jews by the masses of the populace was general. Some of the laws, especially the canons, seem to show that the reverse was the case, but an added political or religious opposition might stir up trouble quickly. Later legend describes incidents involving Jews in the reign of Constantine. A council is supposed to have been held before Constantine and Helena between Christian bishops and Jewish scribes and Pharisees from Palestine which resulted in the discomfiture and conversion of the latter by Pope Sylvester.⁶²

This pious fable was matched by another which told how Constantine himself expelled all the Jews from the Roman Empire as a preliminary to the building of Constantinople.⁶³ Actually the first anti-Jewish riots date from the middle of the fourth century, if we exclude the Jewish participation in the disorders at Alexandria during Constantine's reign against Athanasius and his successor, which were really political conflicts where difference of religion played only an incidental role.⁶⁴ Athanasius, as patriarch, was almost a sovereign prince, and was in addition an Egyptian nationalist. The Egyptian party in Alexandria was always in opposition to the Jews and Greeks, who were for this reason partial to the Arians. The Jewish share in the Christian persecution under Sapor II in Persia was also political. The pogrom at Edessa and the rising of the Jews of Diocaesarea were

terrible events, but they were the results of a series of local incidents due to the oppressive rule of the Roman governor, and not clear deeds of religious persecution.⁶⁵

§2

The theoretical attacks upon the Jews presented by Eusebius and Hilary are brought closer to reality in the Canons of the church councils of the fourth century. The earliest council whose canons concerning the Jews survive was held ten years before the publication of Eusebius' anti-Semitic work. This was a local meeting at Elvira (Eliberitanum) in Spain. Its jurisdiction was limited to Spain in 300, for the oecumenical councils were possible only later when Christianity was legalized and church delegates were able to travel and meet on ecclesiastical business without fear.

The church canons show that the main task of the earliest legislators was to introduce uniformity and discipline into the many scattered and diversified Christian communities. Since the first councils were not specifically interested in the Jews, there was at first no attempt to use conciliar action for actual restrictions and regulations upon the internal life of the Jewish communities. There is manifested, however, a great interest in Jewish-Christian relationships, and this reveals how close contacts were at the beginning of the fourth century.

The pre-Constantinian Council of Elvira took place in Spain about 300.⁶⁶ Its canons are the earliest fourth century decrees concerning the Jews; they were promulgated fifteen or twenty years before the first such edict of Constantine during a period of great obscurity in Jewish affairs. Four of the canons of Elvira deal with the Jews. The first is concerned with intermarriage between Jews and Christian girls: "If heretics have refused to join the Catholic Church, then Catholic girls are not to be given them in marriage; moreover it is decreed that these girls are not to be given either to Jews or heretics; this is because there can be no fellowship between a believer and an unbeliever. If Christian parents have offended against this prohibition, it is decreed that they must abstain from communion for a period of five years."⁶⁷ Canon 78 is a companion to Canon 16, since it

prohibits adultery with pagan or Jewish women, thus aiming to eliminate the possibility of any kind of sexual relationship between Jews and Christians. This adultery is probably a reference to concubinage, which was a very common social institution during the fourth century: "Any married Christian, who has committed adultery with a Jewess or a pagan, is to be denied communion. If he is exposed by a second party, the offender shall be allowed to take part in the communion of the Lord's day after he has done the lawful penance for five years."⁶⁸ Some years later in the fourth century (ca. 380) Ambrose of Milan was to write in his letters about the necessity for unmixed Christian marriages, and of the importance of this to the bride, to the groom, and to the church. Ambrose writes: "Teach the people, therefore, that marriage is to be sought not from foreigners, but from Christian homes For there is almost nothing more serious than for those of different race to marry, when the incentive of lust and discord and the crime of impiety are joined. When it is fitting for the husband himself to be sanctified by the priestly veil and holy benediction, how is it then possible for him to be called a husband, since there is no unity of faith?"⁶⁹

The two other canons of Elvira concerning the Jews emphasize still further the intimacy between the Jewish and Christian communities in Spain at the opening of the fourth century. The first of these two laws provides that neither cleric nor layman is to accept Jewish hospitality: "Moreover if any cleric or layman has eaten with the Jews, it is decreed that he shall not receive holy communion, in order to force him to mend his ways."⁷⁰ In the other canon Christians are forbidden to have their fields blessed by the Jews, and excommunication is the penalty established for disobedience. The strange reason given for this edict is that such profanation would be likely to make any subsequent benediction of the fields by a priest useless: "It is decreed that householders are to be warned, that they should not permit their crops, which have been received from God, to be blessed by the Jews, lest they render our blessings fruitless and weak. If any one has presumed to do such a deed after this prohibition, he is to be completely excommunicated."⁷¹ This canon is of special interest because it shows that agriculture was one of the main occupations

of the Spanish Jews. Otherwise it is difficult to see what would make the Christians ask the Jews to perform this function. They obviously had seen the Jews do some ceremony in their own fields and then reap a good harvest. Naturally the same success was desired. What the Christians saw was perhaps a sort of mystic rite connected with preservation of a vineyard from possible pollution, for a Jewish vineyard would become unclean if drops of wine taken from it were used in pagan sacrifices.⁷²

The story told by Venantius Fortunatus in his *Life of Hilary of Poitiers* shows that Hilary was in complete agreement with these laws of Elvira.⁷³ It is significant that the Spanish decrees and the Gallic ascetic should entertain such similar ideas about the Jews at this early date, for as we have seen Hilary flourished only a few years after the Council of Elvira. Venantius tells us that Hilary was so cautious "that he never accepted food from a heretic or Jew." Indeed this most holy man so detested the enemies of the Catholic Church that it is not enough to say that he refused to eat with them, for he refused even to reply to their salutations in the streets. The author then adds that "this abstinence from Jewish hospitality is something which has hitherto seemed difficult among mortal men." Here we see complete agreement between church canons and the church fathers.

From the western churches there is no further conciliar legislation concerning the Jews during the fourth century, but the great councils of Africa and the eastern half of the Roman Empire make up for this silence. The eastern councils suggest that even closer relations between Jews and Christians existed there than in the West. The canons show that many persons who were not really heretics were suspected of "Judaizing" tendencies.

During the reign of Constantine the oecumenical Council of Nicaea in 325 formally separated the Jewish Passover from Christian Easter.⁷⁴ Although the surviving canons dealing with the Jews are all among those forged at a later date, they come very close to the spirit of the canons of Elvira and perhaps were based upon authentic laws.⁷⁵ Since they are not out of line with other fourth century ecclesiastical legislation concerning the Jews, we are perhaps justified in including them here with the above warning as to their authenticity.

The second law of the Arabian collection of Nicene canons seems to be aimed at the Jews, since it deals with circumcision:⁷⁶

Servants who have been castrated against their will by their masters, or circumcised, shall be admitted to the clerical rank, if they are worthy. If masters circumcise any of their slaves, or castrate them, thus misusing their power over them, since these masters are infidels, and for this reason persecute their faithful Christian servants with cruel malice, and to such a degree that the servants are under compulsion, and are oppressed by the violence of their masters; then regardless of his castration or circumcision the servant in question, if he has been a man of good morals and works, and furthermore considered one worthy of the cloth, shall be admitted to the clergy after having been freed and manumitted from his servile condition.

The Council of Nicaea also decreed that marriages between Christians and non-Christians were not to be made. In this law Jews are specifically classed among the *infideles*: "Concerning the avoidance of marriage between members of different cults. Let Christians take wives from every nation provided the wives embrace the faith; but Christians ought not to give their girls in marriage to infidels, lest these girls be perverted to the error of their husbands, and be made either Jewesses or pagans because of their weakness and their evil inclinations; and anyone who has not obeyed this order shall be excommunicated by the synod."⁷⁷ This canon is very similar to the sixteenth of the Council of Elvira, and later edicts in the Theodosian Code. It is repeated in later conciliar legislation of the fifth century.

The third of the Forged Canons of Nicaea dealing with the Jews is concerned with the association of the clergy and Jewry. By this edict, which reminds us again of Hilary, clerics are forbidden to eat or have business associations with the Jews: "Concerning the prohibition of usury and base gain by the clergy; and concerning the prohibition against conversing or eating with the Jews. No priest shall set money out at interest or take unfair profit or be friendly or sociable with Jews; nor should anyone take food or drink with the Jews; for if this was decreed by the holy apostles, it is incumbent upon the faithful to obey their command; and the synod [shall] excommunicate any one who does not comply with this order."⁷⁸

In addition to these church canons which thus began to restrict intercourse between Jew and Christian, several imperial decrees concerning the Jews were issued during Constantine's reign. The point at which this official legislation, binding on all Roman citizens, affected the Jews was in regard to their sharing the burdens of the decurionate—the tax collecting curial class of municipal magistrates. The ancient immunity of the Jews from the decurionate had rested upon their inability to hold an office involving sacrifice to the gods. But this was no longer an excuse in a Christian empire, and new sources of imperial revenue were needed.

The burden of collecting the imperial taxes fell upon the curials, and theirs was the unhappiest class in the empire in the age of Constantine. As municipal officials responsible for the collection of the innumerable imperial taxes in their communities they were compelled to make good any deficit from their own fortunes. The evasions of the wealthy and the increasing poverty of the Roman world made this burden more and more impossible to bear, and great fines were imposed on attempts to escape responsibility. No member of the decurionate was allowed to leave his town or sell his property without the most stringent safeguards for the imperial treasury. The class was hereditary, and no one could leave the order if he was born into it. Many were prepared to become serfs or monks rather than retain its imaginary honor.⁷⁹

Legislation upon the subject of curial responsibility continued to be repeated throughout the fourth century, for the Jews were certainly not the only group which tried to evade the law. It had been customary to exempt from this burden those who occupied religious positions, and since the Christian clergy possessed this exemption, the first law of Constantine on the subject accords two or three in each Jewish community the same grace: "According to the general law we grant that the Jews be called to the curial office along with all the other classes. But in order to leave something to them as a consolation for their ancient practice, we permit two or three [in each community] as a privilege held in perpetuity not to be named for any offices."⁸⁰ Nine years later this law was amplified and, more explicitly,

this exemption was accorded to all who were entirely occupied with religious functions: "Those who dedicate themselves in the synagogues of the Jews to the duty of patriarchs or presbyters with complete devotion and, living as members of the above-named sect, preside over its law, shall continue to be free from all personal or civil duties, just as those who are now perhaps decurions; under no circumstances shall they be destined for other duties, since men of this type must for no reason whatsoever be compelled to leave the positions they now occupy. Moreover, those who are not curials shall be exempt from the decurionate in perpetuity."⁸¹

This law shows that there was no attempt to be more severe to the Jews (at this time) than to the rest of the population. The Christian officials in Constantine's day not only permitted freedom to the Jewish functionaries such as the *nasi* in this law, but also reaffirmed it later by special charter addressed to those persons themselves: "We decree that all priests and *archisynagogi* and *patres synagogarum* and others who serve the synagogues are free from all personal services."⁸²

The legislation of Constantine also marks the beginning of a long struggle to prevent the Jews from acquiring or circumcising Christian or non-Jewish slaves: "If any Jew has purchased and circumcised a Christian slave or one of any other sect than his own, he shall not keep the circumcised slave in servitude, but the man who has suffered this outrage shall be granted the rights of liberty. And so forth."⁸³ This law seems to show that Constantine did not altogether prohibit Jews from buying such slaves, for if he had, the prohibition to circumcise them would seem superfluous. Furthermore, later laws which we shall examine on the same subject show Jews possessing many Christian slaves; the earliest of these is the *Constitutio Sirmo-dianis*, No. 4, which supplements *CTh.*, 16, 9, 1 and is dated likewise, October, 335:⁸⁴

For a long time the most wholesome sanction of our decree, the strength of which we have doubled by the holiness of repeated edict, has been openly published; and we wish that, if any Jew has dared to purchase and circumcise a Christian slave or one of any other sect, the circumcised slave, according to the terms of that statute, shall be given his freedom and shall enjoy all the privileges appertaining thereto, and it shall not be lawful for the Jew who circumcised the

slave of the aforesaid description to hold him in the bonds of slavery. Furthermore we also decree in the same penal clause, that, if any Jew has opened for himself the door of life everlasting and has become a servant to the holy religion, and has chosen to be a Christian, then he shall suffer no molestation or violence from the Jews. But if any Jew dares to harass or injure a Christianized Jew, then Felix, my dear relative, we wish the perpetrator of this insult punished according to the severity of his crime. Therefore with great affection we place our confidence in those who are our faithful servants throughout the Roman world since they preserve due reverence for the royal power; and we wish your excellency to remind the judges in your letters which you circulate in the diocese entrusted to you, that they most urgently preserve in like manner due respect for this royal power.

The force of these laws was to make Jews forfeit slaves who were either Christians or members of any other non-Jewish religion. These slaves acquired freedom, but their Jewish owners suffered no extra penalty, and they were apparently not prohibited from owning such slaves in the future provided they did not circumcise them. Eusebius in his *Life of Constantine* speaks of this Jewish law of Constantine and adds a fine to its provisions; the Theodosian Code thus provides interesting evidence for the authenticity of Eusebius' source for this edict: "He [Constantine] also passed a law to the effect that no Christian should remain in servitude to a Jewish master, on the ground that it could not be right that those whom the Saviour had ransomed should be subjected to the yoke of slavery by a people who had slain the prophets and the Lord Himself. If any were found hereafter in these circumstances, the slave was to be set at liberty, and the master punished by a fine."⁸⁵

Constantine also promulgated an edict which forbade the molesting of Jewish converts to Christianity. His law is vague and unsatisfactory. Constantius had to supplement it by further legislation to make it effective: "The Jews are not permitted to disturb any person who, once a Jew, has become a Christian, or inflict other injury upon him; insults are to be punished according to the seriousness of the attack committed, etc."⁸⁶

Constantius followed his father as ruler of the Roman Empire in 337. It is sometimes stated that he, as an Arian, was more favorable

than Constantine to the Jews. This is not apparent in his legislation, which is harsher in tone than that of the previous reign. In the year following his accession he considerably strengthened the restrictions on Jewish slave-owners:⁸⁷

If any Jew has obtained a slave of another sect or national group than his own, the slave shall at once be confiscated to the public fisc: furthermore if he has circumcised the slave after buying him, then not only shall he suffer the confiscation of the slave, but also he shall meet capital punishment. But if the Jew has purchased slaves known to be of the holy faith, then all the goods found in his possession shall be taken from him at once, and no delay shall be interposed in depriving him of the possession of those men who are Christians.

Parkes says that this insistence on the rights of Christian slaves at the very beginning of the law-making power of the church is probably due to two causes.⁸⁸ For a Jew to circumcise his slave was a natural action and one intended for the slave's benefit, since in that way he became in some sort a member of the owner's family and shared in its religious observances. It would, however, be easily interpreted by the church, if the slave had previously been a Christian, as a hostile action. The second reason was the extent to which Christianity had penetrated into the lower strata of society. If the Jews were, as is supposed, important as slave traders during this time, they could harm the church considerably if they were allowed to convert their slaves to Judaism.

Another enactment in 339 by Constantius was clearer and more specific than the earlier and brief Constantinian law prohibiting the reconversion of Christianized Jews:⁸⁹

We wish to make clear to the Jewish elders and patriarchs that if, after the enactment of this law, anyone attempts by stoning or other type of madness (which we know is being done at this time), to reconvert a person who has given up the baleful sect of Judaism and has joined the cult of God, forthwith he and his accomplices are to be given to the flames and burned. Furthermore if anyone of the people has joined their evil sect and frequented their meeting places, he shall suffer his deserved penalty with them.

This law suggests that many Jews had deserted the synagogue after the legalization of Christianity throughout the Roman Empire. With-

in a few years of the transformation the severest penalties were attached to those who molested converts to Christianity from the synagogue. This was more justifiable than the second part of the law which makes it a crime to become a Jew. The anti-Jewish feeling is strong in the second sentence, for the synagogues are called *conciliabula* for the first time. This word was never used of a religious building, for it was one which at this time in Roman slang meant a brothel. The hatred of the Christian writers who now accompanied the Emperor in his official entourage was entering into the official parlance of the laws.

Some fourteen years later Constantius enacted another law attempting to reaffirm this prohibition against Christian apostasy to Judaism: "According to an already existing law, if any one once a Christian has become a Jew and has associated with sacrilegious groups, we decree that all his goods be confiscated to the imperial fisc after the accusation has been proved."⁹⁰ Since this old law had to be reissued it would seem that backsliders were still common, and a problem to Christianity at this period.

Constantius also promulgated the first of many imperial edicts to prohibit intermarriage between Jews and Christians. This represents imperial recognition of the earlier canon laws at Elvira and Nicæa and of the writings by church fathers such as Hilary and Eusebius of Caesarea. The law provides that any Jew who married a Christian woman employed in the imperial weaving factories was to be put to death and the woman returned to the factory: "Concerning those women previously employed in our weaving factories whom the Jews have taken to wife in their lewd wedlock, it is decreed that they be restored to the factory and that care be taken in the future that no Jews link Christian women with their malpractices; but if they do so, they shall suffer capital punishment."⁹¹ There is no extant legislation by Julian or Jovian concerning the Jews, but Julian's letter to the Jewish patriarch in Palestine (Epistle 25) implies that he had removed some of their taxes, although these are unspecified. Parkes thinks that the Law of Gratian reimposing the burdens of curial office suggests that Julian had released the Jews from this onerous responsibility.⁹² There is no indisputable evidence that Julian ever abolished

the "fiscus Judaicus," but it is possible that Codex Theodosianus 12, 1, 99, dated 383, refers to such an event. In this law the Emperor Gratian rescinded the edict protecting Jews from the curial responsibility.⁹³ Thus if the Jews had received these immunities from Julian, they apparently were in effect for twenty years—a period of calm and prosperity for them before the storm.

Julian's successor, Jovian, who ruled only a few months, was not a fanatic, and his policy of toleration toward Jews and pagans was followed by Valens and Valentinian. The only legislation concerning the Jews from these reigns was that of Valentinian, and it was a pro-Jewish protest against the violation of Jewish synagogues: "Command those who violate the synagogues of the Jewish law under the guise of lawful billeting to depart: since it is lawful for them to occupy private homes but not places of religious worship."⁹⁴ Thus Valentinian seems to have been friendly and tolerant to the Jews, and characteristically the only incident of his rule which was remembered by later chroniclers concerning the Jews was that "he gave gardens to the pagans for their sacrifices, and the same to the Jews of Antioch for their worship."⁹⁵

54

The church canons concerning the Jews issued during these middle years of the fourth century emphasize the relatively mild tone taken by the imperial administration. In 341 the Council of Antioch reinforced the legislation passed at the Nicene Council. The new law prohibited Christians from feasting at Passover with the Jews. This seems to indicate that the old dates for Easter were still being observed in some places. It is possible that this law refers not only to the use by Christians of the same date for Easter as Jews use for the Passover, but also to actual Christian participation in the ancient Jewish feast: "The canons of the Nicene Council are to be observed; in particular Easter is not to be celebrated with the Jews."⁹⁶ This "Judaizing" practice is certainly implied in the Sermons of Chrysostom against the Jews delivered only a few years later than the Council, and actual participation in the Passover by Christians is again suggested by the canons of the Council of Laodicea, issued in 360.

Canon 29 from the Council of Laodicaea stresses the difference between the Sabbath and the Lord's Day. It orders Christians not to "Judaize" (imitate the Jews), but rather to work on the Sabbath and rest upon Sunday: "It is not right that Christians should 'Judaize' and be idle on Saturday; rather they should be busy on that day. Moreover it is much more preferable for Christians who wish to rest to do this upon the Lord's day in honor of Him. But if Christians have been found 'Judaizing' let them be anathematized by Christ."⁹⁷ Canons 37 and 38 are reminiscent of Hilary and the canons of the earlier councils, since they attempt to prohibit close contact between Christians and Jews. Canon 37 requires Christians not to accept gifts from the feasts of Jews and heretics, and denies Christians the right to feast with these persons: "It is not proper that Christians accept gifts which are sent by Jews or heretics, nor celebrate feasts with them."⁹⁸ Canon 38 declares that Christians are not to accept unleavened bread from the Jews nor take part in their festivals: "It is not proper for Christians to accept unleavened bread from the Jews, and take part in their impieties."⁹⁹ These regulations taken together certainly leave a strong impression that even in the fourth century there were not only Judaic practices in the Asiatic church, but also there was actual religious fellowship with the Jewish inhabitants.

The *Apostolic Canons*, which are a Syrian compilation of the mid-fourth century, strengthen this impression. They deal in still further detail with religious fellowship between the clergy and the Jews in that very place where the violence of the monks was fiercest against the Jews, Alexandria. Canon 69 repeats the prohibition against feasting or fasting with the Jews: "If any bishop or other cleric fasts with the Jews or celebrates festal days with them or accepts gifts from their festivals, such as unleavened bread or anything else similar, he shall be excluded from the clergy; and if a layman does these things, he shall be segregated from the flock."¹⁰⁰ Furthermore, Christians are forbidden to enter a synagogue under the threat of the same punishment: "If any cleric has gone to pray in a synagogue of the Jews or heretics, he is to be removed from the clergy and segregated from the flock."¹⁰¹ Another canon forbids Christians to tend the lamps of heathen temples or of Jewish synagogues on the feast days: "If any

Christian brings oil into a temple of the pagans or into a synagogue of the Jews or lights their lamps at the time of their festivals, he is to be segregated from the flock."¹⁰² This is clearly a reference to Christian servants or slaves who performed duties on the Sabbath which were prohibited to orthodox Jews. The ecclesiastical legislation is in this case complementary and supplementary to that of the Roman emperors, beginning with Constantine, who made such an effort to prohibit Jewish ownership of Christian slaves and servants.

A final Apostolic Canon, No. 62, seems to date part of the collection back to the time of Julian, for it orders Christians not to deny their holy faith from fear of the Jews and heretics; seemingly the only period to which this order might have application in the fourth century would be that during the brief reign of the Apostate: "If any cleric makes a denial through natural, human fear of Jews, pagans, or heretics: if he denies the name of Christ, he is to be expelled from the Church: if he denies his own rank, he shall be deposed from office. If he does penance, he shall be received back [into the church] as a layman."¹⁰³

§5

The death of Valentinian marked the end of an era for the Jews in the Roman Empire. The fifty-year era of mild repression was at an end; the era of the degradation of Jewry was at hand. The violent bitterness against the Jews manifested by the Christian fathers in the years just preceding Gratian's reign presaged a dark period ahead for the people of Israel.

In passionate hatred of the Jews, Ephraem Syrus (*ob.* 373) surpasses all church fathers before or after him. In many of his extant works he rages against the Jews. His resentment is curious, for it is doubtful that he knew many of them. His anger was aroused by Judaism's powers of resistance, for he was forced to bear witness to its ability to acquire proselytes even at this time of severe oppression. We learn from Ephraem as from Justin and Origen that the old faith received at this period numerous accessions from heathendom. Ephraem declares that the heathens are deluded by the Jewish missionaries.¹⁰⁴

Ephraem calls the Jews the "circumcised vagabonds," and Judaism a worthless vineyard which cannot bear fruit.¹⁰⁵ He frequently refers to the wretched condition of the Jews, which he regards as a punishment sent from God.¹⁰⁶ Because they reviled Jesus, the Lord has banished them from their land, and now they are condemned to wander over the whole face of the earth.¹⁰⁷ After Julian's death Ephraem composed four hymns: the first against Julian; the second against heresies; the third against apostasy; and the fourth against the Jews. Some quotations from these may show more clearly the tenor of Ephraem's violent anti-Jewish feelings:¹⁰⁸

The Jewish people broke out into maddening noise; the circumcised blew their trumpets and rejoiced that Julian was a magician and a worshipper of idols. They saw again the image of the beast on his gold pieces; they again viewed the bull of shame and danced around it with trumpets and timbals, for they recognized in this beast their ancient golden calf. The heathen bull, imprinted on their hearts, he stamped on his coins for the delectation of the Jews, who were enamored of him. The circumcised blew their trumpets and behaved like madmen. Jerusalem put to shame the accursed crucifiers who had dared to announce that they would rebuild the ruins their sins had wrought. Fire broke out and destroyed the scholars who had read in Daniel that the desolation would endure forever. Look, Christians live in peace, free from the possessed, free from contact with the servants of the devil.

In the writings of the pseudo-Ephraem, composed at Nisibis perhaps forty years after the real Ephraem's death, there are more fulminations against the Jews.¹⁰⁹ In *De Magis* it is stated: "He that eateth with the magicians shall not eat the body of our Lord, and he that drinketh with the enchanters shall not drink the blood of the Messiah, and he that eateth with the Jews shall not inherit life eternal. . . . Everyone that hath eaten and drunken and mingled with the Jews entereth thither into the accusation that he hath become the comrade of the crucifiers."¹¹⁰

In *De Admonitione* the readers are warned against taking part in the festivals of the Jews. The *Rhythm against the Jews Delivered upon Palm Sunday* states that: "The vine of Israel is broken; the Gentile church worships, but the Jews are indignant, for they have rejected the King. As the Father was exchanged for a calf, so was the

Son for a thief and murderer. The Jews vexed the Holy Spirit, and therefore they are rightly punished. The church fulfills all prophecies, although the Jews fail to see Jesus in the Old Testament. Let them be ashamed and admit He is Christ!" Rhythm No. 44 indicates that the pseudo-Ephraem had some personal acquaintance with Judaism, but the work is not important for demonstrating anti-Jewish feeling, being mostly concerned with theological abstractions.

The Syriac church father Aphrahat also was violently anti-Semitic, though milder than Ephraem. In his *Homilies*, written ca. 345, he puts forth an ordered exposition of the Christian faith to a questioner.¹¹¹ In *Homily I*, he bids each of his readers abstain from observing the hours, Sabbaths, new moons, and annual festivals of the Jews. In *Homily XI (de circumcissione)* he says that those who are circumcised in heart are blessed, and are born again in the waters of the second circumcision. The next, *Homily XII (de paschate)*, concerns the observance of Easter and the Passover. The great Jewish festival can only be kept in Jerusalem, says Aphrahat, though the Jews still think they can keep it in their dispersion. They even dare to make an ark, although Jeremiah said it could never be made again. These are typical specimens of Aphrahat's thought. On the whole he makes little direct reference to the Judaism of his time. Yet he knew a good deal about the Jews and their doctrines from close contact with them. He seems to have feared lest some of his flock would be exposed to the danger of being led astray by Jewish practices and arguments.

Athanasius, the orthodox Alexandrine bishop, has some hard things to say of the Jews. In his *Oratio de incarnatione verbi* he claims that the Jews mock the faith of the Christians and scoff at the true prophecies of the incarnation.¹¹² St. Basil also had little use for Jews. In his *Homily XXIV* he says: "The Jews fight with the pagans, but both combat the Christians, just as the Assyrians and others were enemies to the ancient Israel. We Christians thus should avoid the blasphemy of the Jews who slaughtered God's Son, fearing contamination from them."¹¹³ In Basil's *Commentary on Isaiah* there are further anti-Jewish testimonies. The Jews tore out God's eyes when they nailed the Savior to the cross. Furthermore the Blood of the Son is upon them and upon their children forevermore.¹¹⁴ The Jews have

been found out through their hardness of heart; they neither choose the path of life by good deeds nor alter their false ideas and believe in Christ.¹¹⁵

Gregory of Nyssa and Gregory Nazianzen continue this tradition. The former compiled a lengthy *Testimonia adversus Judaeos* which presents Biblical texts to the confusion of the Jews on the following subjects:¹¹⁶

- (1) The Coming of Jesus Christ in the Flesh.
- (2) The Birth of Jesus from a Virgin.
- (3) The Miracles of Christ.
- (4) The Betrayal of Christ.
- (5) The Sufferings of Christ.
- (6) The Cross and the Darkness when Christ Died.
- (7) The Resurrection.
- (8) The Ascension.
- (9) The Glory of the Church.
- (10) Circumcision.
- (11) Sacrifices.
- (12) The Celebration of the Sabbath.
- (13) The Mark of Cain.
- (14) The Evangel.
- (15) The Unbelief of the Jews.
- (16) The Jews before the Second Coming of Christ.
- (17) The Name for Christians.
- (18) The Frightening of Herod and His Companions.
- (19) Baptism.
- (20) The Descent of the Lord into Egypt.
- (21) The Holy Ghost.

This catalogue of anti-Jewish points of argumentation has been included here because it is very typical of material used in other works against the Jews which were being composed at this time. There is no treatise of similar size among the writings of Gregory of Nazianzen against the Jews, but scattered through his five orations against Julian there are bitter comments on their activities during his reign.¹¹⁷

Far more harmful to the Jews than any of the writers previously noted was St. John Chrysostom of Antioch. A generation after Hilary

and Eusebius introduced the Christian world to a strange version of Jewish history, Chrysostom was expressing similar, but more violent, theories from his pulpit at Antioch. He spoke with bitterness and violence against the Jews in eight sermons delivered in 387, during the reign of Theodosius. If it were not for the exegetical background which has already been indicated, it would be impossible to explain his tone. For Chrysostom was a man whose character was admired by his contemporaries and whose commentaries on the gospels are still read and studied throughout Christendom because of their deep understanding and spiritual beauty.

Yet this was the man who has left us the most complete picture of the Christian attitude toward the Jews in the century of the victory of the church.¹¹⁸ Only Jerome among the church fathers has contributed a comparable body of writing about Judaism. In Chrysostom's discourses there is no sneer too mean or gibe too bitter to fling at the Jews. No text is too remote, no argument too caustic, or blasphemy too startling for him to employ. The only explanation for his bitterness is the very close fellowship between the Jews and Christians of Antioch.¹¹⁹ There is no suggestion that the Jews are immoral or vicious or that Christians were corrupted in morals or orthodoxy by contact with them. Only one contemporary event is related, apart from general denunciations against visiting synagogues at times of Jewish feast or fast. This is the case of the Christian woman who took an oath in the house of a Jew, because she believed a vow taken in the Jewish manner was more binding than any other. To Chrysostom's eyes the crime was not only the Jewish oath, but also the circumstance that a Christian woman had been taken into a Jewish house.¹²⁰

There is no material in these sermons for a study of contemporary Jewish life, for events and beliefs of centuries earlier are quoted as if contemporary. Using Psalm XCVI, 37, he states that the Jews sacrificed their sons and daughters to devils; they outraged nature, and overthrew from their foundations the laws of relationship. They have become worse than wild beasts, and for no reason at all; with their own hands they murder their offspring to worship the avenging devils who are the foes of our life.¹²¹ The synagogues of the Jews are the

homes of idolatry and devils, even though they have no images in them.¹²² They are worse than heathen circuses, and the very idea of going from a church to a synagogue is blasphemous; to attend the Jewish Passover is to insult Christ.¹²³ To be with Jews on the very day when they murdered Jesus is to ensure that on the Day of Judgment He will say, "Depart from me! for you have had intercourse with my murderers."¹²⁴ Some say that the synagogue is hallowed by the presence of the Bible, but one might just as well say that the temple of Dagon was hallowed by the ark. Actually the presence of the Bible makes the synagogues more detestable, for the Jews have introduced it not to honor God, but to insult and dishonor Him.¹²⁵ The Jews do not worship God but devils, so that their feasts are unclean.¹²⁶ God hates them and indeed has always hated them; since their murder of Jesus He allows them no time for repentance.¹²⁷ He concentrated all their worship in Jerusalem so that He might more easily destroy it.¹²⁸

The Jewish pretense that all their misfortunes were caused by Rome is nonsense, for it was not the power of the Caesars, but the wrath of God which destroyed the Jews. It is foolish for the Jews to imagine that God will ever allow the Jews to rebuild their Temple or return to Jerusalem, for He has rejected them; their experience with Julian should convince them of that.¹²⁹ Since God hates the Jews, it is the duty of Christians to hate them, too. He who has no limits in his love of Christ must have no limits in his battle with those who hate Him. "I hate the Jews," Chrysostom exclaims, "for they have the Law and they insult it."¹³⁰ From the above passages it is evident that Chrysostom's Jew was a theological necessity rather than a living person. If he looked different from the actual Jews living in Antioch, this was part of the malice of the Jew, one of the snares of the devil, set to catch the unwary Christian.

One of the most influential figures in fourth century politics was Ambrose, the Christian statesman and bishop of Milan. His attitude toward the Jews is also known in full detail from his two letters on the subject of the burning of the synagogue of Callinicum in Asia by a Christian rabble, and his conflict with Theodosius the Great over this affair.¹³¹ The first trouble between Ambrose and Theodosius was

in December, 388. Ambrose had gone to Aquileia, probably to conduct the funeral of Bishop Valerian and consecrate his successor Chromatus.¹³² A little while before, news had come of a religious riot which had occurred at Callinicum (modern Al-Rakka), a town of commercial importance on the Euphrates.¹³³ The Count of the East had reported that the Christians of Callinicum, at the instigation of their bishop, had burnt a Jewish synagogue after stripping it of valuables; furthermore some monks had burnt a village chapel, situated in the midst of a sacred grove which belonged to the sect of Valentinians. Such disorders, particularly the destruction of synagogues, had recently become common in all parts of the empire.¹³⁴ It was obvious that decisive action was necessary. Therefore Theodosius directed the Count of the East to force the bishop of Callinicum to rebuild the synagogue at his own expense (since he admittedly started the fire), and to restore the stolen properties; the monks and others implicated were to be punished.

Ambrose heard about this at Aquileia and wrote to Theodosius in Milan demanding that he rescind his orders.¹³⁵ Ambrose approached the subject delicately with anxiety about giving offense. After a careful preface he protests vigorously against the rebuilding of the place of worship for God's enemies. To do this would be apostasy for the bishop; if he refused to obey the emperor and was punished he would be a martyr. Ambrose writes that he himself would gladly take the bishop's place and suffer martyrdom. He would himself gladly assume responsibility for the bishop's actions: "I am present here before you and confess my guilt. I proclaim that I set the synagogue on fire or at least ordered others to do so, so that no building should be left where Christ is denied. If you ask me why I have not burned the local synagogue, I answer that the judgment of God had already begun its destruction, so my intervention was not needed."¹³⁶ Ambrose feels that even if the bishop of Callinicum were personally excused, it would be monstrous if a Jewish synagogue were to be restored at the expense of the Christian state or Christian citizens: "Shall a building be erected for perfidious Jews out of the spoils of the church? Shall the patrimony which by the favor of Christ has been acquired for Christians be transferred to the treasury of un-

believers? If such a thing were done, the Jews might well inscribe on the front of their synagogue the title, "Temple of impiety erected out of Christian spoil." ¹³⁷ To the contention that public order must be maintained, Ambrose replied that during Julian's reign many churches had been destroyed by Jews and heathen—two at Damascus, and others at Alexandria, Gaza, Ascalon, Berytus, and various other cities—and the crimes had not been punished. Why then should there be such a commotion about the burning of a mean provincial synagogue, a haunt of infidels, a house of the impious, a hiding place for madmen, a virtually heathen temple which was under the damnation of God Himself? Theodosius should not think of restoring stolen properties, for it is inconceivable that a squalid synagogue of the provinces could have possessed any treasures. The perfidious Jews had obviously trumped up the robbery charges, so that on perjured evidence Christians could be condemned to the mines, the axe, and the fire: "Will you give the Jews this triumph over the church of God? This victory over the people of Christ? Will you give this joy to unbelievers, this festival to the synagogue, this sorrow to the church? The Jews will place this solemnity among their feast days, numbering it among those which commemorate their triumphs over the Amorites, etc." ¹³⁸ Ambrose then concludes with a threat, "I beseech you, sir, do not disdain to listen to me, who fear both for you and me. In remonstrating, I have certainly treated you with the greatest possible respect, so that you might hear me in the palace, and not force me to make myself heard in the church." ¹³⁹

When Ambrose wrote this letter, Theodosius had already decided that his sentence had been too harsh, and had decreed that the bishop of Callinicum would not have to rebuild the synagogue himself, but that this should be done at state or civic expense; but he insisted that the stolen properties should be returned and the criminals prosecuted. This compromise was not acceptable to Ambrose, who insisted that no reparation whatsoever ought to be made to the Jews, either by individual Christians or by the Christian community, and that no punishment should be inflicted on the Christian rioters. ¹⁴⁰

Theodosius ignored Ambrose's letter, and when the bishop returned to Milan, he was refused royal audience. ¹⁴¹ Thereupon Am-

brose made a sermon on this subject in the Milan Cathedral. After generalizing a few moments, the preacher turned his sermon to the subject of Nathan's rebuke to David. The congregation soon realized that Ambrose, speaking in the presence of the Augustus, was suggesting a parallel between him and the Hebrew monarch. When Ambrose finished his sermon, he descended from the apse and stood before Theodosius, who said to him, "You have been preaching about me." "Yes," replied Ambrose, "but the sermon was meant for your good." The emperor then said, "I own that the order about the rebuilding of the synagogue by the bishop was somewhat harsh, but that has been corrected. As for the monks, they are constantly offending." At this point, General Timasius, a blunt and irritable soldier, who was in attendance, burst into violent abuse of the monks, but Ambrose brusquely interrupted him, saying, "With the emperor I confer as in duty bound, for I know he fears God; but with you, who speak so rudely, I shall deal differently." There were a few moments of silence, and then Ambrose said to Theodosius, "Set my mind at rest; let me offer the sacrifice for you with a clear conscience." The emperor, who was seated, gave a nod of assent, but remained silent; seeing, however, that the bishop did not move, he said, "I will amend the order." "Put a stop to the whole inquiry," Ambrose urged, "lest the Count of the East use it as a pretext for injuring Christians." Theodosius now yielded, and said it should be done. "I celebrate in reliance on your honor," said Ambrose. "You may celebrate in reliance on my honor," said the emperor. The bishop then proceeded to the altar, which he afterwards declared he would never have done without the imperial promise, and offered the sacrifice.

This weakness on the part of Theodosius set a bad precedent, for supporters of the church who later destroyed synagogues could claim immunity on the basis of this misdeed. Dudden believes that the recent arrival of Theodosius in Italy and his desire to avoid offending the Romans made him yield grudgingly in this affair to the exigencies of a difficult political situation. He did not feel that he could risk a crisis with the powerful bishop Ambrose at this time.¹⁴²

The church writer "Ambrosiaster," who was perhaps himself a converted Jew, is not much less harsh towards the Jews than Ambrose,

with whose works Ambrosiaster's were confused until the beginning of the seventeenth century. In his *Commentary on Romans IX* he declares that the Jews are to be treated as apostates from Christianity and as men who have known the truth but have rejected it.¹⁴³ A portion of his *Sermon VII on the Kalends of January* is even more condemnatory. Here he states:

We ought to avoid contact not only with the pagans, but also with ^{scilicet} Jews, for mixing with them is a pollution. For they craftily get ^{into} people's good graces, enter their homes, invade the courts, and disturb the judges and laymen alike; and the more they succeed, the bolder they become. For they are not recently become evil, but it is a long standing and original fault. For once they even persecuted Christ the Saviour in the courts, and condemned him by the laws. The innocent are persecuted by the Jews therefore in court, and then religion is condemned. For when Christ was killed, all truth and justice before the law was condemned.

One more citation may suffice to show Ambrosiaster's opinion of the Jews. In his *Quaestiones Veteris et Novi Testamenti* he says that in time to come the nation of the Jews will be punished, since they have been found faithful to God neither in the Old nor the New Testament.¹⁴⁴

Of sinister import for the future were attacks made on the synagogues during the middle years of the fourth century. The first recorded were made by Innocentius, bishop of Dertona in northern Italy, who died in 355. Under his command the Christians together with their bishop destroyed the synagogue at Dertona and erected a church on the site.¹⁴⁵ They seem to have confiscated all the property of the Jews in the town. In addition Innocentius, after destroying the synagogue of the Jews, offered all living in Dertona baptism or expulsion.

At about the same time the Christians are said to have seized the Jewish synagogue at Tipasa in Mauretania and to have consecrated it as a church.¹⁴⁶ This information reaches us through the *Passion of St. Salsa*. According to the *Passion Salsa* was a Christian daughter, aged fourteen, of pagan parents. One day she accompanied her father and mother to the festival of the dragon which was being celebrated in Tipasa's mid-town sanctuary. During the festivities Salsa slipped

away, obtained the dragon's head, and threw it into the sea. On returning to fetch the rest of the body she was caught, cut to pieces, and thrown into the sea. The dragon sanctuary she violated became a synagogue and finally was consecrated as the Church of Salsa, according to this pious tale.¹⁴⁷

Thirty years later the Christians burned a synagogue in Rome, and Ambrose considered that the cause of the usurper Maximus' downfall was that he compelled the Christians to rebuild it and thereby forfeited all the sympathy of the Roman Christians.¹⁴⁸ Ambrose's own actions when a synagogue at Callinicum on the eastern frontier was destroyed in 388 have already been discussed. There is, thus, evidence from Italy, Africa, and Asia of these acts of vandalism during the middle years of the fourth century; acts sanctioned and encouraged by the church fathers.

§6

While fathers such as Chrysostom, Ambrose, and Ambrosiaster were thus writing violent anti-Semitic propaganda, and synagogue destruction was getting under way throughout the empire, Roman officialdom took an increasingly strong stand against the Jews. The emperor Gratian, who assumed the purple in 375, was a man of different temperament from his predecessor, the easy-going Valentinian. Gratian at the time of his accession was a boy of sixteen filled with fanatic religious zeal. Early in his rule (383) the Jews were forced to shoulder once again the burden of the decurionate: "That command, by which those who practice the Jewish law are pampered, and through which immunity from civil duties is granted them, is hereby rescinded, since not even clerics should be free to devote themselves to holy works before they discharge the services owed the state. Therefore let whoever truly consecrates himself to God qualify, at his own expense, some other person to carry out his duties for him."¹⁴⁹ This law was the first which really infringed on Judaism as a lawful religion, for the enactment placed Judaism on a very inferior plane to Christianity, since all Christian priests had exemption from the curial burdens. This law was followed by one which deprived the convert to Judaism of testamentary rights and applied the same penalty

to the Jew who converted him. A charge might even be preferred up to five years after the death of the accused person, and his descendants robbed of this inheritance.¹⁵⁰

We punish Christians for going into the temples and to the altars of heretics, by denying these apostates the right to make wills. Furthermore, let the crimes of those persons be punished, who, having neglected the dignity of the Christian name and religion, have infected themselves with the plague of Judaism. Moreover let that binding and unceasing punishment which both my father Valentinian prescribed from his divine wisdom and my decrees have no less often commanded fall upon those who have from time to time preferred to hunt out the evil secrets of the Manichaeans and their wicked haunts. Also let the same punishments as those suffered by people guilty of this error be visited upon the authors of this proselytism, who have turned weak minds to their society; nay we even decree that more severe punishments, far beyond the ordinary, dependent on the decisions of the judges and the gravity of the crime committed, be pronounced upon the wicked contrivers of this type of crime. But to avoid continual criminal aspersions being leveled against the dead, and constant revival in the courts of questions of heredity, long dormant during the passing of many years, we decree a time limit for cases of this nature; therefore, if a person accuses a dead person of having profaned and deserted the Christian religion, and declares that this dead person went over to the sacrileges of the rites and temples of the Jews, or the disgraceful acts of the Manichaeans, and the accuser proves that he himself did not make this declaration for the sake of the will, then let him start the correct proceedings within a space of five years, the time limit which has been established for testamentary cases, and make a proper beginning for the prosecution of such a case, so that, in the everlasting light of day he may prove his accusation of the crime and wickedness of the deceased (which accusation, if false, is a criminal act) when he has appeared in person making his accusation by public testimony; for this accuser, if ignorant of such a crime, and acquiescing in a lie for the benefit of evil persons, may not continually accuse anyone of this apostasy using as an excuse the fact that he did not swear in the name of God.

The sharp wording of this law shows the fanaticism of the youthful Gratian, who wished to protect Catholicism wherever possible. Quite naturally, therefore, he undertook to prevent the possession or purchase of Christian slaves by Jews, as Constantine and Constantius

had done before him: "No Jew shall purchase a Christian slave nor corrupt one who is a Christian with Jewish rites. But if public inquiry has discovered that this has been done, then the slave should be rescued and such masters shall be liable to fitting and proper punishment for their crime, with this in addition, that, if any former Christian slaves or Christians who have become Jews are found among the Jews, they shall be rescued from this unworthy servitude after a proper price has been paid by the Christians."¹⁵¹ The punishment for Jews apprehended in unlawful ownership of Christian slaves is not specified by this law, and this omission seems to argue that it was probably a fine at the discretion of the judges and not torture or execution. For capital punishment was usually specified if required in the Theodosian Code.

The restrictions placed upon the Jews by Gratian were not lifted by his successor, Theodosius the Great, himself famed as a champion of orthodoxy. He continued Gratian's legislation, widening the social gulf between Jews and Christians by the enactment of a law which made it adultery for a Christian man or woman to marry a Jew: "Let no Jew take a Christian woman to wife, nor any Christian seek marriage with a Jewess. For if any one admits anything of this sort, he will be charged with his crime just as if he has committed adultery, and furthermore liberty for accusations of this nature has been granted to the general public."¹⁵² Note that anyone is allowed to make the terrible accusation; this left an opening for all the evils of delation.

The concern for orthodoxy which characterized all of Theodosius' legal enactments is also evident in his prescription for the Jews to marry among themselves only according to Christian practices; they might not contract two marriages at the same time and had to observe the Christian tables of affinity: "No Jew shall retain his own marriage customs, nor seek marriage according to the law of the Jews, nor possess several wives at the same time."¹⁵³ Theodosius also may have restricted the building of synagogues for the first time. Juster cites a passage from the work of Zeno, bishop of Verona (*ob.* 380) which makes reference to such a law.¹⁵⁴ Therefore there was probably some such edict in force before Zeno's death. Zeno's statement, "If Jews or pagans were allowed, or if they wished, they would build their

synagogues and temples more beautifully," may, as Parkes points out, refer only to a prohibition against altering buildings which already existed; for the church was ever jealous of beautiful synagogues.¹⁵⁵

As befitted an able administrator, Theodosius was always on guard to preserve internal peace, and several times he had to repress anti-Jewish rioters and anti-Jewish discrimination. These riots were caused partly by the ever-increasing economic distress of the empire, which made wealthy members of a minority sect perfect targets for violence, and partly by such attacks upon Judaism as those of Ephraem and especially the popular anti-Jewish orator, Chrysostom. In 390, only three years after the fiery orations of Chrysostom, Theodosius was obliged to forbid the prefect of Egypt to impose special taxes upon the Jews and Samaritans in connection with the duties of *Navigularii*, who fulfilled the burdensome and ill-paid function of supplying the two capitals with grain: "It is known that the nations of the Jews and Samaritans cannot lawfully be called to the duties of grain provision; for that which seems to be the duty of the whole group cannot be pushed upon the shoulders of any one particular individual. Therefore just as it is not fair to burden persons who are poor and humble tradesmen with the duty of the maritime transport, likewise those persons should not be given immunity from the aforesaid duty, who, possessing a sufficiency of funds, can be chosen from these corporations."¹⁵⁶ In 392 Theodosius, in another vain effort to halt the steady attack on ancient Jewish privileges, felt called upon to insist on the internal liberty of the Jewish communities, which was being infringed upon by imperial officials who canceled the excommunications of heretical by orthodox Jews:¹⁵⁷

The complaints of the Jews state that certain persons, whom the Jews by their own actions and wishes have excommunicated, are received back into their sect on the authority of the imperial judges, although the men most learned in Jewish law protest this action. We command that this injury be remedied everywhere; nor does the constant meeting of these people in this superstition deserve the punishment whereby improper reconciliations are forced upon them either by the power of the judges or by fraudulent rescripts, against the wishes of their leaders, men who, in the opinion of the most honorable and respectable citizens, have the greatest knowledge of their own religion.

A year later, in 393, this law, which must have been a relief to the leaders of the Jewish communities all over the empire, was followed by another in which Theodosius insisted upon the legality of the Jewish sect. This new law implies general anti-Jewish feeling and anti-Semitic demonstration throughout the Roman world, and thus is extremely important, since it is one of our first indications of popular prejudice against the Jews. Thus popular feeling had at last caught up with the fulminations of the fathers. And the content of this law presages the continual brawls fomented by the turbulent Syrian and Egyptian monks which were to disturb Jewry during the early fifth century: "It is evident that the Jewish sect is not prohibited by any law. We are therefore seriously concerned to learn that Jewish meetings have been banned in certain localities. Therefore, your Excellency will, upon the receipt of this order, restrain with proper vigor the excesses of those persons who, under the name of the Christian religion, have presumed to destroy synagogues and ruin them or commit other illegal actions."¹⁵⁸

§7

Before continuing this survey of the legislation concerning the Jews, it will be profitable to note the opinions concerning the Jews of those two great church fathers, Jerome and Augustine. For their writings were authoritative and widely disseminated throughout the Roman world in the early fifth century. The opinions of the Christian clergy concerning the Jews were certainly molded and formed by the weight of their authority. From opinions and words the clergy and the people they intellectually controlled proceeded to violent action against the Jews—pogroms, synagogue burnings, and the like. Of the eventual fate of the Jews, Jerome himself, the church father who gives more attention to Jewish matters than any of his contemporaries, is not quite sure. He has three conjectures: at times he believes in their final and absolute rejection.¹⁵⁹ At other times he holds that a remnant of them will be saved.¹⁶⁰ Sometimes he even holds a third view, that all will ultimately be saved, and that after the gathering in of the Gentiles all Israel will be redeemed.¹⁶¹ This third view was the most commonly accepted one, but it created an artificial

relationship between Jews and Christians, since it expected no immediate response from the Jews to any appeal that might be made to them.

Jews are ranked along with the heretics by Jerome. He says that those who do not seek God correctly cannot find peace. The Jews seek God in an evil way, hoping to find Him without Christ. The heretics seek Him with idle words. He concludes that all these are foolish, for they think God can be comprehended by the senses.¹⁶² Of Jewish guilt there is no doubt in Jerome's mind. He asks, "If Judas sinned when he betrayed the blood of the Saviour, how much more did the Jews sin who demanded Christ's blood, and offering a price for it, enticed Judas, the disciple, to betray his Lord?"¹⁶³

In some of his letters Jerome also displays strong anti-Jewish feelings, and even about Jews who had done him personal favors. Writing in Bethlehem about his knowledge of Hebrew, Jerome makes these slurs on his Jewish teacher: "What trouble and expense it cost to get Bar Aninas to teach me under cover of night! For by his fear of the Jews he presented to me in his own person a second edition of Nicodemus. . . . If it is expedient to hate any men and to loathe any race I have a strange dislike for those of the circumcision. For up to the present day, they persecute our Lord Jesus Christ in the synagogues of Satan."¹⁶⁴ Some years later when writing to Augustine, Jerome repeated these statements, showing that none of his hatred had passed away: "But if we must take up the Jews with orthodox Christians, then they will be able to see those things in the churches of Christ, which they curse in the synagogues of Satan. I should say what I think—the Jews will not be made Christians, but they will make us Jews."¹⁶⁵ Jerome also writes bitterly of the Jews he despised in the *Commentary on the Epistle to the Galatians*. He writes that the Jews say they are Hebrews and they are not; they lie, for they are from the Synagogue of Satan. Nor should one wonder if in imitation of the Spiritual Israel the Jews have established a carnal Israel, which has neither peace nor pity.¹⁶⁶ His tone in the Hosea commentary is even more violent: "A fomicatress is a woman who has had intercourse with several men. An adultress, one who, deserting her true spouse, joins herself to another. The Synagogue is both of these, and if she

continues in fornication and adultery, God will strip off her clothes and remove the ornaments which He gave her."¹⁶⁷ Jerome even maintains that the Jews and their adherents were still "persecuting" the Christians of his day, something very hard to believe in the light of the other evidence previously reviewed: "Right up to the present time, moreover, those who interpret the Scriptures according to the Jewish manner persecute the Church of Christ, and fill the church not with zeal for the word of God, but with the traditions of depraved individuals."¹⁶⁸ Note how vague these references to the "depraved" Jews are. Several passages from the *Commentary on Isaiah* seem to demonstrate that Jerome knew of an actual ritual of cursing which the Jews employed against the Christians in their synagogues. The first purports to give the sense of this malediction: "These things are also said about the leaders of the Jews, who are completely sunk in luxury and avarice: but called upon to penance by God and later by his apostles, the Jews even today continue to blaspheme, and three times each day they pronounce anathemas upon the name Christian under the title 'Nazarenes.' This is the sense of their curse. 'Anathema upon you who think the day of judgment is not yet to come, or the captivity is not impending which the speech of the prophets foretells.'"¹⁶⁹ A few pages later the same phrase recurs when Jerome says that the good pastor will put his own soul before love of his relatives, and not act like the Jews, who curse Christians three times daily in their synagogues under the name of Nazarenes.¹⁷⁰

Compared with Jerome, Augustine was very mild toward the Jews. The correspondence between these two fathers alone will demonstrate this. The African bishop, however, feels a great sense of Christian superiority. "The Jews," he declares, "are our attendant slaves, who carry, as it were, our satchels and bear the manuscripts while we study them. . . . When we argue with the heathen we adduce the predictions found in the Bible written by the Jews."¹⁷¹ Commenting on Psalm 63 he declares that the Jews seek Christ's soul in vain, for, since they persecute or try to persecute the church, so much is certain about them. They will not relinquish the earth and its pleasures, and thus they crucified Christ.¹⁷²

One of Augustine's main theses is that the Jews must be pre-

served as the representatives of the old dispensation for the Christians—the old dispensation which ended when Jesus was born. The Jewish race must not die out. To be sure, it has been conquered by the Romans, spread over the earth, and prohibited entrance to Jerusalem, but it is still the Jewish race. The Jews are never so conquered as to be absorbed by the victors. They possess the mark of Cain; for they circumcise their children after the law, they observe the Sabbath, they celebrate Passover, and they eat the unleavened bread. Therefore the Jews have not perished, and they are needful for the believing peoples. They must never be exterminated, only dispersed about the world as living testimony of God's displeasure.¹⁷³ God is, as Jerome says, so wroth with them that the Jews are now dispersed as spiritual mendicants: "Therefore these people [the Jews] have also become vagabonds, since they crucified God and our Lord. For they are not in their former abodes, but are spread over the whole earth. Here the Psalmist speaks of the beggary of spiritual riches which is upon them. For they have neither prophets, nor law, nor priesthood, nor sacrifice, but in truth they are made beggars."¹⁷⁴

Augustine further elaborates these ideas in his *Tractatus adversus Judaeos*.¹⁷⁵ Following Romans XI, 18-23, he says that because of unbelief the Jews are now cut off from the root to which the patriarchs belonged, and the Gentiles have, by faith, been ingrafted, and now partake of the richness of the olive tree. The Jews reject this and ask why the Christians do not circumcise the flesh, abstain from forbidden food, observe Sabbaths, new moons, and sacrifice the lamb and keep the Passover with unleavened bread. Augustine avers that all this is now observed in a spiritual way. Christ himself fulfilled all the earlier sacraments. All must now obey His new covenant. But the Jews affirm that these blessings of God refer to them and that they are God's chosen race. To this Augustine replies: "If you are his people, then admit you led Him to death. You are so blind that you claim to be spoken of when you are not, and you do not recognize yourselves where you are. Malachai speaks of your rejection. Come, then, Jews unto Him. For the light is not in you Jews, but in Christ. In the place where you believe in Him, there will you come unto Him." Augustine concludes with an admonition to all Christians to

preach to the Jews everywhere in a spirit of love, whether they welcome or spurn conversion. The best method to win them is by kindness and not by boasting. Thus the influential Augustinian theology, by making the Jew an outcast and an evil example for Christians, prepared the way for the medieval ghetto.

§8

In this survey a century and a half of increasingly violent anti-Jewish propaganda has been reviewed. This theoretical attack was often supplemented by physical violence and active Christian persecution of the Jews. While the Jews could not be forbidden to exist by the church fathers or the emperors, the main purpose of both conciliar and secular legislation proved to be an attempt to shut the Jews within the limits of their own community so far as religious matters were affected, and to remove their civic liberties; but it was difficult to stop at this point. The position of the Jews was becoming increasingly inferior to that of the Christians. Already by 380 the epithets applied to them in the laws and the works of the church fathers betray the desire to punish and humiliate them. They are a "*feralis secta*" in a "*synagoga Satanae*"; the laws speak of "*turpitude sua*" and "*sua flagitia*"; their meetings are "*sacrilegi coetus*." At the end of the fourth century to marry a Jew is equivalent to adultery and to serve them is an "*indigna servitudo*." For the Jews, however, it was not easy to accept this separation and confine themselves within their own communities. Nor did the local Christian churches readily break off either social relations with Jews, or theological connections with Judaism.

The Roman officials, on their part, found that it was difficult to persuade subordinates and fanatical bishops that the laws passed against the Jews did not cover a tacit permission to go even farther, especially under the constant spur of anti-Jewish propaganda from the ecclesiastical writers. Had the Jews shown any sign of accepting Christianity, legislation and enmity against them might not have reached the point it did early in the fifth century.

In this age of pogrom and synagogue destruction (380-438) what then was the course of canonical and imperial legislation concerning

the harassed Jews? During this age the swelling tide of religious persecution of the Jews approaches a peak.

The information from the canon laws for these years is not very satisfactory. While there are some references to the Jews in the canons of the African church, it is difficult to use them as reliable historical sources, since their dates are by no means clear. The collection of African canons was made in Gaul, perhaps during the Carolingian Age, and must be used with great caution. It is proposed to utilize the evidence of these canons, since the material from the Forged Nicene Canons was introduced earlier.

Canon 89 of the so-called Fourth Council of Carthage, dated by Mansi 398, is entirely in line with earlier conciliar legislation concerning the Jews.¹⁷⁶ It prohibits, in general terms, the adoption of Jewish superstitions and festivals: "Any one who is a slave to magical rites and incantations is to be segregated from the fellowship of the church; likewise any one who clings to Jewish superstitions or festivals [is to be segregated from the fellowship of the church]."¹⁷⁷ Two other Carthaginian canons are peculiar to Africa and somewhat contradictory in tone. One reminds bishops that they are by no means to prohibit Jews from attending the services of the Church up to the "mass of catechumens": "Let no bishop forbid any pagan or heretic or Jew to enter the church and hear the word of God as far as the Mass of the Catechumens."¹⁷⁸ This law implies that some Jews were certainly being converted to Christianity by this time. In the other canon, the ecclesiastical authorities remind the judges that Jews, being in the category of infamous persons, are not to be allowed to give evidence in court, except against each other: "Furthermore it is decreed that all slaves or freedmen proper shall not be allowed to make accusations, likewise all whom the general laws do not permit to make public criminal accusations: Also those persons who are marked with the stain of 'infamia,' to wit: actors, and persons of evil habits, also heretics, pagans, and Jews. Nevertheless permission to make accusations among themselves is not to be denied to any of these persons, even though they are not permitted the right of general accusation."¹⁷⁹ The inclusion of this reminder in an ecclesiastical collection is peculiar, but it is perhaps the copy of an imperial edict which

has accidentally been preserved in the Carthaginian collection. Actually no such edict is known at so early a period, but Codex Justinianus 1, 5, 21, implies the existence of previous confused legislation of this kind.¹⁸⁰

The councils of the fifth century add but little to the evidence already discussed. From the evidence of available secular laws, it must be suspected that if we had more canons about the Jews from the early fifth century, it would become clear that many customs practiced by both Jews and Christians which were frowned upon by the councils of the fourth century were still extant in the fifth.

Restrictions on Jewish life are no longer confined to a few categories such as the slave trade, marriage, or the decurionate; from 380 on the Jews are regulated and placed at a disadvantage to the Christians in everything. With the arrival of the fifth century come the disabilities which lead directly to the medieval ghetto.

The division of the empire between Honorius and Arcadius after the death of Theodosius the Great symbolized the future disparity of fortunes between the two parts of the empire. The barbarian invasions, the great event of the fifth century, caused chaos in the western half of the Roman Empire, but did not affect the legal status of Roman citizens. The edicts of the emperors, as embodied in the Theodosian Code, including those relative to the Jews, were carried out by the barbarian kings and the episcopal and ecclesiastical authorities.

The legal characteristic of the first half of the fifth century is that a right once lost by the Jews was almost never recovered. Restrictions were continually reinforced, and lawlessness and ecclesiastical enthusiasm from time to time made inroads on the few Jewish rights then remaining in the Theodosian Code, but the Code almost never enacted any law conferring new privileges upon the Jews. Juster sums up the trend by saying: "All the different systems under which they lived ended under the influence of the church by considering the Jews ethnically as strangers, and religiously as unbelievers, and in this capacity persons deprived of civil rights, and subject to special restrictions."¹⁸¹

In the West, Honorius began his anti-Jewish legislation in 398 with two decrees emphasizing the duty of the Jews in the decurionate.

In his need for money, the young emperor turned to every available source: "All those of any sect whatsoever who are by any law needed for the decurionate are to be held for the discharging of that service."¹⁸² This law was accompanied by another of the same date which shows clearly the disturbed state of affairs, Christian as well as Jewish, that prevailed in Italy as the fourth century ended.¹⁸³

We have learned that citizens of various ranks from the towns are wandering about in Apulia and Calabria, under the delusion that they are exempt from the necessity of undertaking civil duties because they are members of the Jewish sect and because of a certain law about the Jews which has been decreed in the eastern provinces. Therefore by our authority we decree that this same law, if there is any such enactment, one obviously harmful to our provinces, is canceled, and all persons who by law are required for the decurionate in any way, no matter what their religion, shall be held for the carrying out of civic duties in their respective communities.

This restrictive measure reminds us that freedom of movement was denied the lower classes from the end of the third century, and it shows the economic strait jacket which had already almost stifled trade throughout the empire. In this unhappy financial situation it is little wonder that the "*aurum coronarium*" was confiscated in 399. Thus Honorius boldly appropriated the money which was normally sent to the Jews in the Holy Land, evidently feeling that such moneys as left the West were being paid to a foreign province. The almost cynical wording of the decree seems to expect the Jew of Italy to rejoice in the "lifting of this burden" which was really so necessary for the preservation of the unity of Judaism:¹⁸⁴

It is the custom of the worthless superstition of the Jews that the Archisynagogi or elders of the Jews or those persons, directed by the patriarch to collect gold and silver at specified times, whom they term apostles, take back to the patriarch from the individual synagogues sums of money which have been raised and appropriated. In this matter we order that all the moneys which we know to have been collected within a specified period of time shall be carefully sent to our treasury: moreover, we decree that no more moneys of the aforesaid nature shall be dispatched. Therefore let the Jewish people know that we have removed from them the burden of this thievery. But if any persons have been sent by that despoiler [the patriarch] of the

Jews to carry on this duty of exacting money, they shall be tried by the judges, just as though sentence were being passed against violators of our laws.

If the emperor really expected the Jews of the West to be happy about being preserved from the "despoiler of the Jews" he was greatly in error, for five years later, in 404, he restored them permission to send the *aurum coronarium* once again: "A short while ago we commanded that the funds which, according to the custom of these lands, were exacted by the Jewish patriarchs, should no longer be exacted. But now we remove the first law and wish all to be aware of the Jewish privilege, granted them by our indulgence, re-established according to the old formula, to send their funds away."¹⁸⁵

Honorius' laws about the *aurum coronarium* were roughly contemporary with his important edicts excluding the Jews from military and court functions. The first of these was promulgated in 404: "We decree that Jews and Samaritans, who are deluding themselves with the privileges of imperial executive office, are to be deprived of all military and court rank."¹⁸⁶ This law seems to have been operative when Jerome wrote his *Commentary on Isaiah*, 408-410, for he shows clearly that Jews could not bear arms or become soldiers at that time: "Nor is it remarkable that all 'fighting qualities' have perished among the Jews, for they are not allowed to serve in the ranks with the sword or bear arms."¹⁸⁷ This first law of 404 proving both unjust and inadequate, Honorius issued a more comprehensive one in 418, which excluded Jews from the civil service as well as the army. Those Jews who were already in official positions could finish their term of office and then retire (as a special concession), but any Jew in the army was to be degraded at once. On the other hand, Jews could become lawyers and share in the "honor" of the curial responsibility:¹⁸⁸

Entrance into the military service from any other occupation is denied those who are living in the Jewish faith. Therefore any Jews who are either engaged in government service or in the imperial army are permitted the grace of completing their terms of office and of terminating their enlistments (since such persons are really more ignorant than unfriendly), but in the future the grace we have now granted a few will not be continued. We decree, moreover, that those devoted to the perversity of this Jewish nation, who are proved to have en-

tered the armed forces, shall be deprived of their honor at once, being allowed no suffrance for past good deeds. But we do not deny to the Jews who have been trained in liberal studies liberty to follow the law, and we permit them to have the honor of the curial service, which they can enjoy by their privilege of birth and nobility of family. These things ought to be enough for them, and they ought not to take their exclusion from military service as a disgrace.

The economic distress which prompted the promulgation of the edicts demanding Jewish participation in the decurionate was not the real active force behind this edict of Honorius, which stripped the Jews of court and military functions. Both Parkes and Lucas believe that the Jewish connection with the Donatists in the early years of the fifth century was the real reason for this active persecution.¹⁸⁹ Lucas states that the legal exclusion of Jews from the army and official duties is contemporaneous with their connection with the Donatists; as these heretics were opposed to close ties between state and church and insisted on absolute clerical purity. Augustine attacked them as heretics, starting in 397. The publication of Augustine's anti-Donatist writings only a few years before the exclusion of Jews from the army and civil service is to Lucas an indication that the Jews were dragged down in the defeat of this Christian heresy.¹⁹⁰ Using the evidence at hand from the church fathers and the laws, it would seem, however, that the anti-Jewish trend was well under way before the Donatists helped destroy the last vestiges of Jewish freedom. If the Donatists had not been involved, Judaism would probably have suffered similar reversals from its connection with some other heresy.

The seat of the Donatist sect was in North Africa, where Augustine fought them a score of years, and where they rivaled the eastern monks in violence. The Jews were only incidentally involved in the imperial attempts to suppress this heresy, but the laws indicate that Jews took some part, however small, in Donatist attacks on Christian churches and services. The silence of Augustine on any Jewish part in this violence seems to indicate that their share was very small. A law of 408 states that Jews and heretics must not disturb the Christian sacraments: "The new and unusual audacity of the Donatists and Jews has revealed that they desire to disturb the sacraments of the

Catholic faith. These deeds of pestilence and contagion grow ever more frequent and spread. Therefore we decree that just punishments be inflicted on those who have tried to do anything of harm or disadvantage to the Catholic sect."¹⁹¹ When this law was not equal to the task of curbing religious rioting in the North African provinces, Honorius promulgated another decree in the next year, 409, which reinforced his previous commands:¹⁹²

Lest the Donatists or other heretics of such nature, who cannot be persuaded to join the Catholic faith, and who are called "pagans" in common parlance, both Jews and Gentiles, should think that the law previously passed against them had become inoperative, let the judges all know that they must carry out their instructions in regard to the Jews and heretics with faithful devotion and that they must not hesitate, as a duty among the most important of their responsibilities, to put into execution whatever we have decreed against the Jews and heretics. But if any judge through court error does not carry out the present law, he shall know, when his office is taken away from him, that he will suffer from a still greater disturbance of our normal clemency; for, after the punishment of the three curators, his office, too, which was sadly in need of proper attention when he ignored our imperial order, shall be fined twenty pounds of gold. Also if men of the curial rank hide any like crime committed in their towns or territories for the benefit of Jews or heretics, let them know that they will suffer the penalty of deportation and the deserved confiscation of their property.

Together with the Donatists, the Caelicolae appeared in Africa about the end of the fourth century. They were somehow connected with the Jews, but, since they are hardly mentioned elsewhere than in the Theodosian Code, we are almost completely ignorant of their customs and beliefs. From the Code they appear to have been a "Judaizing" sect, for they are reported trying "to force certain Christians to adopt the foul and degrading name of Jew":¹⁹³

The name "Caelicolae" has served to protect an almost unheard-of new type of criminal superstition. Let those "Caelicolae" know that if they have not been converted to faith in God and Christian reverence within the space of a year, they themselves will be held responsible under those laws by which we have decreed the punishment of heretics. For it is certain that whatever deviates from the faith of Christians is contrary to Christian law. And certain persons even now

dare thus to tamper with the law unmindful of their souls and the statutes, since these evil proselyters try to force certain Christians to adopt the foul and degrading name of Jew. And although the persons who have admitted these crimes have been condemned in court according to the laws of the earlier emperors, nevertheless it will not hurt to remind you frequently that those persons who are conversant with the Christian mysteries must not be forced to adopt the Jewish superstition or any other such sect adverse to the Roman rule after once accepting Christianity. And if anyone has tried to do this we decree that the authors of the deed with their accomplices shall be apprehended and punished by the penalty prescribed by the former laws, seeing that it is a worse thing than death and more awful than destruction for any Christian to be infected by the contagion of Jewish belief. And therefore lest we sanction something harmful to the churches or permit the loss of any person to the faithful and devoted love of God, under the following precise definition, we decree that, if any one attempts to break this law, he will be held for the crime of *lèse-majesté*.

The banning of the *Caelicolae* seems to have been successful, and the summons to take only one year to "cease to exist" was evidently obeyed; the sect is never heard of again except as part of the title of the chapter of the Theodosian Code dealing with "Jews, Samaritans, and *Caelicolae*."

Although most of Honorius' legislation concerning the Jews which has thus far been discussed is of a repressive nature, when we consider the age he lived in, he can be considered relatively friendly to the Jews. There is much less virulence in his attitude toward the Jews than in that of his co-emperor, Arcadius. This clemency may have been due to his desire for domestic peace in order to deal with the barbarian hordes, and also his wish to strengthen the unraveling economic structure of the western empire by conserving Jewish industry.

This reasonable attitude of Honorius toward his Jewish subjects can be seen in his legislation on the question of sanctuary, the violation of which in normal times was considered a crime of *lèse-majesté*.¹⁹⁴ The reign of Honorius was, of course, far from normal, but he allowed Jews who had fled to sanctuary, even when converted to Christianity, to return without any penalty to Judaism, an almost

heretical position in the early years of the fifth century, as seen in the light of conciliar and other secular legislation:¹⁹⁵

It is enacted in ancient and our own penal clauses that when we have discovered persons of the Jewish faith, for criminal evasion and various pretexts, wishing to associate themselves with the Christian church, this was not done from devotion to the faith but was craftily simulated. Therefore the judges of the provinces, in which such acts were discovered, are so aware of the necessity of obeying our statutes that they will permit those persons to return to Judaism whom they discover neither able to remain in the steadfastness of religious persuasion in this same Christian cult nor imbued with the faith and mystery of holy baptism, since this is of greater advantage to the Christian faith.

In addition to this law, which must have eased the conscience of many baptized Jews, Honorius took the unique step of revoking the consistent policy of Christian imperial legislation about slaves. He permitted Jews to own Christian slaves provided that the master did not interfere with the slaves' religion, and any interference with the Jewish possession of such slaves was to be severely punished:¹⁹⁶

We decree that Jewish masters may possess Christian slaves without reproach, but only on condition that they permit these slaves to follow their own religion. Moreover the judges of the provinces are to know, when the amount of their public confiscation has been inspected, that the insolence of those men who have thought to deceive them with timely prayers is to be reproved; and we decree that all possessions fraudulently elicited or to be elicited from Jewish masters are to be given back to them. If anyone breaks this law, he is to be punished as if he had committed sacrilege.

Honorius was very conscious of the danger of Christian animosity toward the Jews. Though the western monks did not equal their eastern brethren in fierceness and lawlessness, Honorius felt called upon to issue two edicts to protect the sanctity of the Sabbath and the security of the synagogues:¹⁹⁷

We decree that on the Sabbath day and during the periods in which the Jews celebrate the rites of their cult, no one ought either to molest the Jews or assemble from any section of the city (with malicious intent), since it is agreed that the rest of the week is sufficient for the trade and business transactions of private citizens. [To this the

Codex Justinianus adds: Likewise we decree that the Jews should not have permission to assemble on the same day when orthodox Christians congregate, lest by chance the Christians be harmed through Jewish disturbance of the aforementioned holy days.]

This law was followed by another in 412, which again demanded that the sanctity of the synagogues be respected; obviously the desecrations of synagogues were continuing:¹⁹⁸

Let no one dare to desecrate or, forcibly entering, prohibit the customs of the Jews in their assemblies, or disturb the readings of their prayers in the synagogues, since they should be allowed to retain all their customs in peace according to their law without outside interference of their religion and cult. And since ancient custom and practice has preserved the sacred day of the Sabbath for the aforementioned Jewish people we decree that this also is to be prohibited, to-wit: that, lest any privilege be violated, any Sabbath gathering should interfere with a Jew under the pretext of public business or private memorial service, when all the other days of the week are deemed sufficient for business in the public laws and should be most ample considering the moderation of our age. We decree this, albeit it seems that enough has been stated about this matter in the laws promulgated by past emperors.

Honorius' successor in the West, Valentinian III, displays in his legislation little of the conciliatory and protective tone manifested in these decrees of Honorius. As the last legal expressions of the attitude toward the Jews in the Western Roman Empire, the two laws of Valentinian III which exclude Jews from government service and rob them of their rights of inheritance, show that the night of bigotry and intolerance had fallen upon the West about the same time as the Jews were robbed of their last privileges in the eastern part of the Roman Empire. Valentinian III repeats the law by which Jews were deprived of all governmental offices, adding the reason that he did not wish Christians to serve such persons: "We deny to Jews as well as pagans the right to try cases of law or serve in the army: we deny those following the Christian way of life the right to serve such persons, lest by using their opportunity as masters these Jews might find occasion to corrupt the venerable Christian faith. We command that all persons of this foul error be excluded from these offices, unless a

complete betterment [i.e. conversion] shall come to their aid."¹⁹⁹ In addition he enacted one further law which completed Gratian's enactment of 383 about the intestability of apostates to Judaism. This law, providing for the rights of inheritance of converted Jewish children, is of considerable importance, since it is evidence that even when a purely political or social right is in question, by the third decade of the fifth century the influence affecting it is almost entirely religious:²⁰⁰

If the son or daughter or grandchild, one or several, of a Jew or Samaritan, shall after mature consideration leave the shadows of his superstition for the light of the Christian religion, it shall not be lawful for his parents or grandparents to disinherit him or to pass him over in their will, or to leave him less than he would have received if they had died intestate. If they do so, we order that he succeed to the inheritance as though it were a case of intestacy, and the will shall be null and void, except for the manumissions to the legal maximum which it may contain, which shall retain their validity.

If it be proved that these children or grandchildren have committed great crimes against their parents or grandparents, the parents or grandparents have legal means of revenge, if they bring the accusation to trial. Furthermore they shall put believable and clear documentary evidence in their wills regarding these crimes, and shall leave these children only the Falcidian quarter of the legacy which should have been theirs, since this seems to be only fitting for such children or grandchildren, in honor of their chosen religion; but, as we have said, the children will be punished if any charge is proved against them.²⁰¹

It seems evident from this law that Jews were trying to stop conversion to Christianity by denying their Christianized children any inheritance. Valentinian III and his pious advisers naturally could not allow any such anti-Christian activity, and therefore this interference with the free will of Jewish testators was proposed.

While Honorius and Valentinian III enacted legislation in the West which was certainly repressive to the Jews and excluded them from most of the normal paths of life, this legislation was gentle and

kind compared to the virulence, scorn, and vituperation which Arcadius and Theodosius II poured upon the heads of those Jews who lived in the eastern half of the Roman Empire during the early years of the fifth century. Arcadius, who succeeded to the eastern portions of the domains of Theodosius the Great in January, 395, was an inexperienced boy of seventeen. Power lay with a succession of favorites, and it is against a troubled background of internal disorder that his Jewish legislation was passed. The misfortunes of the age of the barbarian invasions had their severe effects on the situation of the Jews.

The evidence of the laws gives us our best picture of Jewish-Christian relations during the reign of Arcadius. This evidence shows that the fiery preaching of Chrysostom at Antioch and Cyril at Jerusalem was inflaming the populace, already anti-Jewish and eager to despoil the Jews if opportunity arose. Jews now suffered from the attacks of officials, ecclesiastics, and fanatical mobs. A petty vexation which was forbidden by a law of 396 was the interference with the Jewish slave markets: "Let no one outside the Jewish faith establish prices for the Jews, when they offer goods for sale. For it is only right for them to establish these prices for themselves. Furthermore the officials of the province shall not force upon you any overseer or director. But if any one dares to make this matter his concern in disregard of yourselves and your chief men, then let the authorities hasten him off to punishment just as they would do to those who have despoiled the property of others."²⁰² This law shows that minor officials were being officious to the Jewish minority and were imposing on their trade privileges as citizens of the Roman Empire. One doubts if the law corrected the abuse, for even more direct attacks upon Judaism were being successful. By 396 the character and dignity of the patriarch of the Jews were being slandered despite his very high rank and official nobility: "If any one should dare to speak slanderously in public about the illustrious patriarchs, let him be subjected to punishment."²⁰³ But mere verbal abuse of the patriarch was not enough. He was openly insulted, his rights were questioned, and his officials challenged, as another law shows: "All the privileges which my father of blessed memory and past emperors have granted to the honorable patriarchs or to those

whom the patriarchs have appointed as officials, we command to be lastingly preserved."²⁰⁴ At some time during the period 396-404 the patriarch lost his title of "illustrious" (*inlustris*) and became merely "honorable" (*spectabilis*). This was the first step on the path to his degradation which took place in 415 under Theodosius II.

The Christians in the eastern portions of the Roman Empire went far beyond petty vexations and verbal insults as the reign of Arcadius progressed. They were often engaged in attacking and destroying synagogues and assaulting their Jewish occupants with even more violence than their fellow citizens in the West. This is disclosed by an edict addressed specifically to the governor of Illyricum in 397. Parkes believes it probable that this edict was due to the disorder in the province of Illyricum which accompanied the raids of Alaric and the Visigoths on the region: "By virtue of the authority vested in you, Your Excellency will command your officials to meet in order to get clearly in mind the idea that Jews must be protected from the depredations of looters, and that their synagogues must remain in their usual quiet."²⁰⁵ It is typical of the harsh treatment of Jews in the Eastern Roman Empire that some twenty years before Honorius in the West allowed Jews to return to Judaism if they had fled to the church for economic reasons (*CTh.*, 16, 7, 23), Arcadius in the East had permitted the violation of sanctuary, and had ordered the expulsion of Jews from the churches until their debts were paid: "Those Jews, who, harassed for debt or some other crime, pretend they wish to be joined to the Christian law, so they can avoid their crimes or payment of debts by taking refuge in the churches, should be prohibited entry into the church; nor should they be accepted as Christians before they have paid their debts in full or have been cleared of accusations against them by proving their innocence."²⁰⁶ This edict shows the suspicion with which forced conversions were viewed in the East; and the permission for violation of sanctuary is an indication of the lawlessness which was rampant everywhere at the close of the fourth century.

The problem of Jewish service in the decurionate was one upon which Arcadius legislated as did his co-emperor. At first he gave Jews

a very broad immunity from the curial duties: Jewish clergy are to have the same privileges as Christian clergy:²⁰⁷

The Jews should be confined to their own observances: meanwhile in protecting their privileges we emulate earlier emperors, by whose decrees it has been established that the Jews retain the privileges granted to those who are subject to the overlordship of the illustrious patriarchs, and to those high priests and patriarchs and elders and the rest who perform the holy rites of this religion; and we decree by the permission of our sacred will that the Jews retain in perpetuity the same privileges which have been granted to the foremost priests of the venerable Christian law because of their holiness. For in their divine wisdom not only the holy Constantine and Constantius but also Valentinian and Valens decreed this. Let the priests of the Jews, therefore, be free from the curial responsibility, and let them carry on their offices according to their own laws.

Such a liberal decree had little chance for long survival in the last years of the fourth century, troubled as they were with religious strife. This was probably the law which disturbed Honorius in 398 and called forth *CTh.*, 12, 1, 158 (q.v., p. 57). The western emperor felt that this immunity of the Jews would lead to the economic ruin of his provinces, and so he enacted his own law to counteract the effects of Arcadius' pronouncement in the East. Unhappily for the Jews, Arcadius in two and one-half years seems to have become convinced that his brother was right after all, and he revised his liberal policy. By 399 all Jews in the East as well as the West were obliged to take their full share in the decurionate: "Those Jews who are proved liable to the curia shall shoulder their full responsibility in the decurionate."²⁰⁸

It is probable that some of Arcadius' laws have been lost, for among the decrees of his successor, Theodosius II, are several which point to a strengthening of earlier enactments restricting the freedom of the Jews.²⁰⁹ In 398 Arcadius decreed a law which greatly reduced Jewish judicial autonomy, for he made it necessary for Jews to follow Roman law except on purely religious questions:²¹⁰

Let the Jews who live according to the Roman and common law bring in their cases for trial in solemn manner and decide all their legal actions according to the Roman laws in those cases which appertain more to the forum and the laws and decrees than to their

own religion; in conclusion let them live according to our laws. But persons are not to be denied the judgment of arbiters according to the public law, if, after agreeing among themselves as citizens to abide by the award of an arbiter, they decide to try a civil suit before arbiters chosen from among the Jews or patriarchs. Moreover, the judges of the provinces shall carry out the judgments of these men, just as if the arbiters were officially assigned their positions upon the advice of a *juris-consult*.

Besides confining Jewish legislation to matters of cult, Arcadius may have taken away from them the right of giving evidence in a Christian court. Ferrandus, a Carthaginian deacon of the early sixth century, has included in his *Breviatio Canonum* a law to this effect which probably dates from the reign of Arcadius: "It is decreed that all slaves, or those freed permanently, or all those whom the general laws do not permit to make public accusations, actors, heretics, pagans, and Jews shall not be allowed to make accusations in court."²¹¹ Parkes believes that this canon would hardly be included in an ecclesiastical collection unless it were supported by imperial approval, and therefore by the existence of a parallel imperial prohibition.²¹² This weakening of the legal position of the Jews in the eastern half of the empire laid the foundation for the legislation of Theodosius II, which degraded the patriarch and left the Jews strangers in an alien world, tolerated only as the symbol of a past dispensation.

The Jewish legislation of Theodosius II, who became Roman emperor in 408 when only seven years old, and who was in the power of his chamberlains for many years, discloses a new note of petulance and open dislike for the Jews. In the eastern half of the Mediterranean the Jewish colonies were much larger than those in the West, and when the violence of religious strife overflowed, there was great bloodshed. The breakdown of society from the weakness of the imperial administration, the raids of the barbarians, and economic strangulation had its manifestation in an increasing lawlessness and violence. The monks of Syria were particularly ferocious in their anti-Jewish activity, stimulating by their atrocities and accusations the first laws of the new boy emperor about the Jews.

The initial Theodosian legislation concerning specifically Jewish

problems was a complaint about the Jewish method of celebrating Purim, the feast celebrating the deliverance of the Jews from Haman. Riots and wild behavior were common at this festival, and it is possible that real Jewish guilt provoked this decree: "Let the governors of the provinces prohibit the Jews from burning the effigy of Haman and maliciously setting afire images of the sacred cross fabricated in contempt of the Christian faith, in the special celebration of their festival to the memory of the punishment of Haman in bygone times; do this lest the Jews pollute the symbol of our faith with their jests, and look down upon the Christian law as inferior to their own rites, for they are in danger of losing what have so far been lawful privileges, unless they refrain from these unlawful activities."²¹³ The church historian, Socrates, tells us that some eight years after this decree an actual case of Jewish murder occurred at the celebration of the Haman festival at Inmestar, not far from Antioch.²¹⁴ This Inmestar incident has already been described. There was a great outcry among the Christians at this outrage, and the Roman authorities heavily punished the guilty. Juster doubts the authenticity of this narrative without adequate basis, and attempts to absolve the Jews from all charges of ritual murder.²¹⁵ But the murder itself appears to have been an accident and certainly does not come under the heading of "ritual murder." Parkes believes that the authenticity of the narrative is vouched for by the absence of miracles and the factual not fanciful nature of the story, and this reasoning seems cogent.²¹⁶ It is certainly a black mark on the Jewish record.

It is perhaps significant that Agapius, a later chronicler, also reports rioting in Alexandria on the part of the Jews which occurred at about the same time as the Inmestar incident. Some Jews, who had been forcibly baptized, took a statue of Christ and crucified it in the year 411, according to this story, mocking the Christians and crying out, "That is your Messiah!" A riot naturally ensued in which many Jews and Christians lost their lives.²¹⁷

This event, disastrous to the Jews because it aroused anti-Semitic feeling, was followed by the Alexandrine riots of 414 which proved much more serious, and resulted in the expulsion of all Jews from Alexandria by the bishop Cyril. Since the Jewish community of Alex-

andria had been very large, and there is no record of its return to the city, this was a severe blow to Judaism.²¹⁸

In 418 the forced conversion of all the Jews on Minorca was accomplished by the bishop Severus.²¹⁹ We have the account of this atrocity on the authority of the bishop himself. The pious Severus states that he had for a long time been sorely distressed that the Jews should be so numerous and wealthy in the two largest towns of Minorca, particularly in Magona. He had long desired to engage in a holy war against them, and was at last encouraged to hope for victory by the arrival of the relics of St. Stephen, the martyr, which were left on Minorca by the celebrated Orosius. In a short time the conflict began, and lengthy disputations took place. The Christians were led by their bishop, the Jews by a certain Theodorus, a man of rabbinical learning who had once held the office of defender of the city of Magona. After lengthy debate and a street fight Theodorus was bribed to accept Christianity, and when the rabbi yielded all the other Jews on the island were converted. Severus concludes his letter by strongly recommending his brethren to follow the example of his own zeal and success. That this advice was eagerly accepted, the laws of the Theodosian Code clearly demonstrate; the evil of forced conversion (as this mass conversion on Minorca certainly was) became common in the later fifth century.

Perhaps there were also other riots against the Jews in the widely separated portions of the empire at this time. In the year 420 we have a law of Theodosius addressed to Philip, Governor of Illyricum, which protects Jews from attack and prohibits the burning of synagogues, while at the same time warning the Jews not to outrage Christianity. This may reflect a state of active hostility lasting well over a decade.²²⁰ And further, no Jew if he be innocent, shall be oppressed nor may any religion make him the victim of evil slander. The synagogues and meeting places of the Jews are nowhere to be burned nor falsely and without reason damaged, since in general, even if someone is caught in crime, for all that the power of the courts and the protection of the public law have been constituted for such matters, providing that no private person is allowed to take private vengeance on his enemies. But while we wish this law to be decreed for the legal protection of their persons, we also decree that they are to be warned as follows:

Let the Jews not grow insolent in any way and, puffed up with confidence in their own security, commit any rash act against the sanctity of the Christian religion.

The most unfortunate result of these many Jewish-Christian encounters, specially the Inmestar incident, and the two Alexandrine riots, was that they tended to crystallize the anti-Jewish feeling which had been growing for a century. This mass hysteria, then, fomented by religious fanaticism and the desire for plunder, had an effect upon the rulers of the empire, and in 415 Theodosius delivered the Jews the most serious blow they had suffered in a century of Roman legislation. This was the degradation of the patriarch Gamaliel:²²¹

Since the more exalted the office to which he has been raised, the more Gamaliel has presumed to disobey our commands with impunity, may Your Excellence in your power know that our clemency has issued certain commands to the illustrious *magister officiorum*: to wit, that the badges of the patriarch's honorable prefecture be stripped from him, likewise that he be reduced to that rank he held before he was granted the prefecture; furthermore he may erect no more synagogues, and if any are abandoned, he must destroy those if they can be torn down without rioting, and no Jews shall have the right to judge Christians: and if any dispute arises between Jews and Christians, it is to be settled by the governors of the province. If the patriarch or any other Jew attempts to befoul any Christian or freeman or slave of any sect with the mark of a Jew [circumcision], let him and the Jew be subject to the penalty of the laws. Also if any Jew keeps Christian slaves, the slaves are to be freed and placed in the custody of the church, according to the law of Constantine.

This degradation of Gamaliel, which was the same as the abolition of his office, was perhaps partly due to his own lack of caution. The law just quoted seems to imply that he had been assuming powers which were not allowed him, such as building new synagogues, judging cases in which Christians were involved, and possessing Christian slaves. The temper of the times, however, was such that other excuses for his degradation would doubtless have been brought forward if the ones actually used had not been available. The words of Jerome in his *Commentary on Isaiah* indicate that as early as 408 or 410 the power of the patriarch and that of his judges had been seriously cur-

tailed; therefore it may even be that the official degradation of the patriarch in 415 was only the imperial recognition of a *fait accompli*: "But the Jews are not even to have their own judges, and are to be subject to Roman courts; moreover the Roman princes judge the Jewish leaders, who only seem to be leaders among their own people. But this, too, is to be noted, that the Jews have no champion in law who is a qualified judge, but all their affairs are idle and collapsing and full of folly."²²² Thus all the centuries-old anti-Semitic feelings were now having their outlet through religious and governmental sanction, and the degradation of the patriarch was at this time a necessary step in the process of making Jews outcasts in a Christian world.

Despite his degradation, the patriarch's funds were still paid by the Jews to their Palestinian leaders until this practice, too, was abolished by Theodosius II in 429.²²³

The leaders of the Jews, who are nominated in the assemblies of either part of Palestine or spend their time in other provinces, must pay up whatever funds they have collected under the pretense of pension money after the dissolution of the patriarchate. In the future, under threat of punishment, their ordinary tribute from all their synagogues, which the patriarchs at one time demanded under the name of the *aurum coronarium*, is to be collected by our Palatini. Whatever sum this amounts to you are to confiscate after a diligent investigation; and those moneys which used to be given regularly to the patriarchs from the western provinces are to be confiscated to our charity fund.

The abolition of all these taxes made it extremely difficult for any centralized organization of Judaism to continue functioning. The degradation of Gamaliel and the abolition of the Jewish system of taxation ended organized Jewry in the Roman Empire. The disorganization of this smaller group within the disorganized Roman Empire proved disastrous to the Jews. During the Middle Ages the church and pope formed a connecting link between the smaller economic and political units which made up western Europe in place of the sprawling Roman Empire. The Jews lost their economic ties and their patriarch in the reign of Theodosius II. Helpless and isolated from society they had no centralized organization through the medieval centuries.

The slave laws of the earlier emperors were re-enacted by Theodosius II. A Jew was not to buy a Christian slave or acquire one as a gift. If the Jew became the master of a Christian slave by inheritance or was appointed his trustee, he might keep him if he did not convert him to Judaism. Confiscation of property and capital punishment were the penalties imposed on violators of this decree:²²⁴

Jews must not purchase Christian slaves nor acquire them as gifts. Let Jews who have impudently disobeyed this decree stop acquiring Christian slaves, and let the slaves themselves be granted freedom if the Jews voluntarily confess what they have done. But under this law we permit this Jewish sect to possess other slaves whom this evil superstition chooses to consider members of the true faith according to its own opinion, or others who follow this faith because of oath or legacy. Let the Jews do this so long as they do not misuse those slaves who are either willing to become Jews or those wishing to remain in the filth of their own sect; but only on the condition that, if these privileges have been violated, the Jews who are authors of such great crimes shall be punished with capital punishment and also loss of all their property.

Although measures like this concerning the possession of Christian slaves by Jews had been enacted over a century of legislation, they had proved futile and almost impossible of enforcement. This was the most difficult of all the enactments against the Jews to carry into execution, and the last protest, registered in 423, was probably no more successful than its predecessors: "After other matters: Let no Jew dare to purchase Christian slaves. For we consider it a crime for devout slaves to be polluted from being owned by impious masters. But if any Jew has done this, then he will at once be found guilty and condemned according to the established punishment."²²⁵

This evident official hostility was equaled by the violence of the mobs in the Eastern Roman Empire. It has been seen that, as early as 412, *CTh.*, 16, 8, 21, the emperor had to refer to the burning of synagogues and houses and the assaults on Jews. He even had to remind his subjects that there were law courts in which Jewish criminals could be punished. The effect of this law is not certain, but it probably failed to deter the more fanatical Christian brethren very long. In 413 a marauding monk named Barsauma appeared for his

second raid in Palestine, this time accompanied by forty monks. His first incursion had been made about 400. For three years Barsauma destroyed Palestinian temples and synagogues unchecked.²²⁶ His activity was quite that of a religious fanatic. Others with more practical bent seized synagogues and consecrated them as churches. This happened at Edessa under Rabbulas, who was bishop there in 411.²²⁷

In 423 Theodosius II made his last attempt to save the Jews from the social, economic, and religious ruin which was threatening them. This eleventh-hour stand, according to Nau, was the result of the marriage in January, 423, of the emperor to Eudoxia, who had been a pagan and whose uncle was prefect of the eastern provinces.²²⁸ His first law of 423 avoids the use of all offensive language in ordering that in the future no synagogue in any district is to be pulled down or burnt. Furthermore, if any synagogue had been confiscated to Christianity, it was to be returned to the Jews:²²⁹

It is decreed that in the future no synagogues of the Jews anywhere are to be pulled down or burned down, and if, after this decree, any synagogues are seized or consecrated as churches or devoted somehow to the holy mysteries by a new attack, sites of sufficient extent for these places where they can build new synagogues are to be furnished for the Jews. Furthermore, if furniture has also been stolen, let it be returned to the Jews unless it has been dedicated to the holy mysteries; but if the holy consecration [of the furniture] does not permit its restitution, then a fair price for this furniture is to be paid. Moreover no further synagogues are to be constructed, and the old ones are to remain in their present state of repair.

Two months after this law was promulgated, the Jews demanded more adequate protection from those molesting them. This was granted by Theodosius II, but in language which shows a return to the abusive tone of many of his earlier laws. The respite for the Jews was of short duration:²³⁰

Our decrees and those of our ancestors in which we have repressed the audacity and zeal of evil pagans, Jews, and heretics have been known and made plain to all. Nevertheless we wish the Jews to be gratified that this instance of their appeal to our laws has met with approval, and that we grant the following to their wretched pleading: that those who continue to act illegally under the cloak of Christianity must cease their outrages and assaults against the Jews, and that both

now and in the future, no one is to seize or burn down Jewish synagogues. Nevertheless the Jews themselves are to be condemned to perpetual exile and their goods confiscated if it is found that Jews have circumcised a man of our faith or have ordered one to be circumcised.

There is no penalty attached to Christians who attack or burn synagogues, whereas the penalties for Jewish misdemeanor at the end of the law are extremely severe. Theodosius is using a gloved hand on his Christian subjects in this law; perhaps he was afraid to assert his control over them, since the turbulent condition of his empire made that control so insecure at this time.

This weakness of the imperial control is well demonstrated by the issuance two months later of very similar legislation: "Let those decrees be valid which we formerly announced concerning the Jews and their synagogues: let it be known that neither are the Jews permitted to build new synagogues anywhere, nor are they to expand their old ones. Let the Jews know, moreover, that in the future they must refrain from doing other forbidden things, just as the provisions of the published law establish."²³¹ On the same day, in an edict which begins by denouncing the Manichaeans, the Pepyzites, and the Quarto-decimans, Theodosius II earnestly requests Christians, real or pretended, not to defy religious authority and attack quiet and peaceable Jews. If riotous Christians seize the goods of such Jews, they are to pay compensation to the extent of three or four times the value of the articles stolen:²³²

After other matters: If they remain steadfast in their madness the following persons will be punished by the same penalty—confiscation of goods and exile: the Manichaeans and those who call themselves Pepyzites, and even those who are worse than all other heretics, since they are under this single delusion of dissenting from all men in the celebrating of the holy Easter day. But we specially demand this boon from those who are either good Christians or say they are, that they not presume to harm, under the pretense of religious sanction, Jews and pagans living in quiet and making no disturbance or breach in the laws. For if they have made disturbances against peaceful Jews or stolen their goods, then they will be forced to repay not only those goods which they stole, but also three or four times the amount of the agreed value of the goods. Furthermore let the governors and officials

and dignitaries of the provinces be aware, if they have allowed the perpetration of these acts, that those who did them must be punished.

These laws of 423 constitute Theodosius' final effort to protect the Jews in the Roman Empire. His two remaining laws about the Jews in the Codex Theodosianus show that after 423 he abandoned any further hope of repressing anti-Jewish activity. Literary sources demonstrate that the violation of synagogues continued, and many were changed to Christian churches. When Theodosius, late in 423, made an attempt to restore to the Jewish community at Antioch the synagogues which the Christians had stolen from them, the denunciation of Simeon Stylites made the emperor retract his command. Simeon rebuked Theodosius II for his sinful indulgence to the enemies of Heaven, and the emperor was not proof against a reprimand from so eminent a saint. Theodosius humbly apologized to the orthodox for his action and left the citizens of Antioch their stolen property. Furthermore he removed the prefect who had pleaded the cause of the Jews.²³³

In 432, some nine years after the trouble at Antioch, another Jewish-Christian incident occurred. This time it was on Crete.²³⁴ Among the numerous and wealthy Jews who inhabited that island a fanatic stranger appeared, who either bore or assumed the name of Moses. He announced himself as the successor of the great Lawgiver, and for a whole year traveled about Crete persuading the credulous countrymen to abandon their possessions and their farms to follow his guidance. They listened to him and neglected their labor in the hope of speedily obtaining possession of a more fertile land, one of milk and honey. The great day came, and at Moses' call the Jews crowded forth by thousands; for he had proclaimed that the Mediterranean would be turned to land before them, like the Red Sea of old. At dawn they followed him to the top of a lofty promontory, from which eminence Moses commanded them to throw themselves. The foremost obeyed; they were dashed against the rocks or drowned. Many perished and more would have shared their fate but for some fishing craft and merchant vessels belonging to the Christians who saved many Jews from the sea, and by holding up the bodies of the drowned prevented the rest from following their example. The Jews

turned to revenge themselves on their leader, but he had prudently disappeared. Socrates concludes that Moses was really a devil who had assumed human form in order to lure the unhappy Cretan Jews to destruction. He is pleased to record, however, that many of the surviving Jews, ashamed of their own credulity, and struck by the kindness of the Christians, adopted Christianity. Was this another forced conversion? The evidence does not seem to support such an assumption, but the unhappy incident was evidently used as a fine opportunity for Christians to make Jewish converts.

The religious zeal of Theodosius II, or his subservience to ecclesiastical advisers, can further be seen in his edict of 425. This law, couched in almost mystic terms, commanded the Jews to observe the Christian seasons of fast and feast:²³⁵

On the Lord's day, which is the first day of every week, and on Christmas and the sixth of January, and also on Pentecost and Easter, during the times when vestments portraying the new light of holy baptism give proof of the glory of the sacred font, and at the time when the Apostle's Passion is commemorated according to law by all of Mistress Christianity, then, since the pleasures of the theaters and circuses throughout all the cities are denied their citizens, let the mind of every Christian and pious man be occupied by thoughts of God's cult. But if even yet some are blinded by the madness of the Jewish evil or by the error and insanity of stupid paganism, let them know that there is one time for prayer and another for pleasure. And lest someone think himself compelled to honor our majesty as a great and necessary official duty, and imagine that the grace of our favor would be taken from him if he did not prefer the magnificence of our shows and spurn the holy religion, or if, perchance, he showed less loyalty than usual toward us, let this person not err concerning that divine favor which is not attributed by most of the human race to our clemency, since actually the homage of the whole world must be offered to the grace and good works of Almighty God.

Between *CTh.*, 15, 5, 5, and Novella III there is an interval of almost fifteen years during which Jewish affairs seem to have sunk to a very low state. In the Novella III of 438 Theodosius II reverts to the most violent denunciation and contempt for his Jewish subjects. Here the exclusion of Jews from all the privileges of public office is made more definite than in any previous legislation we possess. Pos-

sibly earlier laws have been lost, for in the anonymous *Altercation between the Church and the Synagogue* which is incorrectly included among Augustine's works, we find this gibe addressed to the Synagogue: "You pay me tribute and cannot obtain authority; you may not possess the prefecture; a Jew may not be a count; you may not enter the public services; you may not attain to the tables of the rich. You have lost the right to the title of *Clarissimus*."²³⁶ The dates of these restrictions and their application to the eastern and western provinces is unknown, but Parkes believes that they probably preceded the publication of the third Novella.²³⁷

The pretense that laws concerning the Jews are made necessary by Jewish rowdiness is abandoned in Novella III; indeed only one case of such violence is mentioned in the last thirty years of Theodosius II's reign. John of Antioch reports that the Jews of Laodicea took a saintly archdeacon and "punished" him in the theater.²³⁸ This incident is related in one of a collection of letters dealing with the Nestorians, and Parkes thinks it possible that this account has nothing to do with real Jews, but with Nestorians, who were often referred to by their enemies simply as Jews.²³⁹ Novella III itself opens with a long theological exordium confusing orthodoxy and monotheism. This prefaces a recapitulation of much of the Jewish legislation of the last century and a final harshening of all laws dealing with Jews and heretics:²⁴⁰

Among the other cares which love of the people forces us to consider with constant attention we see that the most important function of the imperial power is the inquiry into the nature of the true faith; for if we can hold the practice of true religion steady, we will find the path of prosperity opened up for mortals. But by virtue of the experience derived from age-old custom and the opinion of a pious mind, we establish the ceremonies of the holy faith for our posterity on a basis of everlasting law. For who is so deluded, who is so condemned to the barbarity of his own wildness, that, when he sees heaven rule the changes of seasons within its vastness with amazing swiftness, by the regulation of divine art; when he sees the motion of the stars, regulating the things necessary for life; the earth producing crops; the liquid ocean; and the vastness of the immense work enclosed by the boundaries of nature, he does not seek the author of such a secret, of such a construction? Yet this is what we know the Jews, Samaritans,

pagans, and other types of blind, evil heretics dare to question. If we attempt to recall these people by a healing law to reason and sanity, they themselves are answerable for the amount of our severity, who, by the obstinate sin of stubborn opposition, do not leave us room for forgiveness. Therefore since, according to long-standing opinion, there can be no possible cure for desperate sicknesses, at least, to prevent wild sects from freely wandering about as it were in some wild confusion, unmindful of this our Christian age, we decree by this eternal law that no Jew or Samaritan, no matter what law he brings forward, shall accede to dignities and honors, or perform the duties of any civil post, or even enjoy the position of an advocate.

For we certainly consider it criminal that those who are enemies of the highest power and of the Roman laws should be considered the prosecutors of our laws by obtaining stolen jurisdiction, and armed with the authority of office acquired against Christians and especially the bishops of holy religion, and these people, while insulting our faith, should have the power of trying cases and of deciding suits as they wish: and furthermore we prohibit with equal caution and consideration the construction of any new synagogue, though permission is given for repairing old ones which are threatened with immediate ruin. To these orders we add that whoever has converted a slave or freedman, willingly or against his will, from the Christian cult to any evil sect or rite, is to be executed and his fortune confiscated; furthermore if any one has seized the badges of office, he will not be able to enjoy his acquired honors, or if he has constructed a synagogue, he shall know that he labored for the benefit of the Catholic church. Moreover if any Jew or the like has stolen into a position of honor, let him be held liable for the extreme penalty as before noted, even if he has received decorations; and let one who has begun to build a synagogue without the intent of repairing it, be fined fifty pounds of gold as penalty for his daring. Moreover let the person who has destroyed the faith of another with a perverse doctrine know that he is to suffer confiscation of his goods and the swift punishment of death. And since it is proper for the imperial power to embrace all matters in this provision, so that the public interest is in no respect harmed, we decree that the *Curiales* of all cities and also the assistants of the provincial governors, even indeed those who are obligated by personal responsibilities and the duties of various offices and the burdens of the army, should remain at their posts, no matter what their religious beliefs, lest we seem to grant the favor of immunity because of insolent bribery by those execrable persons, whom we wish to condemn by the authority of this law. But let this exception be made,

namely that the members of the aforementioned sects may follow, at least in private suits, opinions from their own judges; but they must not superintend the public jail, lest Christians, as is wont to occur, sometimes suffer another imprisonment because of the odiousness of these guards, being uncertain whether they may lawfully be imprisoned under Jews. Hence our clemency sees the vigilance we must keep over both the pagans and their monstrous kinsmen, who, with natural madness and pertinacious scorn, practice both the nefarious rites of sacrifice and the errors of fatal superstition in certain hidden solitudes, if their crimes are not made known by public confession through their injury to heavenly authority and their contempt of our age. These persons the thousand terrors of the published laws do not restrain, and threatened exiles do not hold back; therefore, if they cannot be changed, they may at least know that they must abstain from monstrous crimes and the abominations of sacrifice. But our patience is so offended by the audacity of their madness and so disturbed by these provocations of wicked men, that if any wretch wished to be overlooked, he could not dissemble. Therefore, although love of the true religion never can be secure, and although the pagan madness calls for the extreme penalty, nevertheless by a firm command and remembering our natural clemency, we decree that our ire shall rise against whosoever is apprehended sacrificing anywhere with polluted and contaminated ideas and we shall confiscate his fortune and end his life. For it is necessary that we punish this man as a fitting sacrifice, so that the altar of Christianity may be preserved intact. Or should we longer endure the confounding of the seasons of the year, since the serenity of the heavens has been disturbed, which, angered at the perfidy of the pagans, no longer cares to serve the delicate balance of nature? Why then does spring abjure its wonted loveliness? Why does summer rob the laboring farmer of his hope of good crops by a meager harvest? Why does the intemperate ferocity of winter destroy the fertility of the land by penetrating cold and the misfortune of sterility? Why unless it be that nature transgresses her own laws in the punishing of impiety? But even if we have to sustain the law after this by the aforementioned gentle punishment, the majesty of Almighty God is to be venerated and adored in piety. It remains to be said that the laws which were decreed in innumerable measures concerning the Manichaeans (always offensive to God) and concerning the Montanists, Frygians, Fatinists, Priscillianists, Ascodrogians, Hydroparastatists, Borborites, and Ofites, Florentius, my dearest and kindest friend, should be carried into swift execution and without further delay. Therefore, through virtue of the authority

vested in you, Your Excellency, who have always been minded to obey the commands of God and your emperor, should cause notice to be taken everywhere, by means of edicts solemnly proposed by Your Excellency, of the laws we have decreed to the unending glory of the Catholic faith, and also you should take care to make known to the judges of the provinces that they zealously inform all the cities and provinces of these necessary laws which we have made.

Thus the Theodosian legislation concerning the Jews ends in verbiage and bombast. The period from the first Jewish edict of Constantine to Novella III of Theodosius II spans 123 years. During this century the peace of the church, coupled with the rising political influence of the clergy, introduced a new phase of Jewish life. The anti-Jewish protagonist was the imperial or ecclesiastical legislator, and no longer the theologian or the Biblical commentator as had been the case in the first three Christian centuries. The mantle passed from the preacher to the legislator, but we have seen that the laws themselves were clothed in language of clerical vituperation, and varied in intensity with the piety and orthodoxy of the emperors. Even the bitterest edicts of the Middle Ages lacked the abuse showered upon the Jews by these fanatical fourth and fifth century rulers of the Roman Empire.

Few of the laws passed against the Jews before the fall of the western empire were the result of any political, economic, or constitutional necessity. The laws of the pagan second century had dealt with the menace of the Jews, under Bar-Cocheba, as a rebel nation. The laws of the Christian fourth and fifth centuries were designed to crush a hated religious sect. Even if a legitimate Christian interest was served in the repeated legislation for the protection or removal of Christian slaves from their Jewish masters, nothing but hatred and malicious spite forbade the adequate repair, the rebuilding, or adornment of Jewish synagogues, or ordered the exclusion of Jews from the privileges or honors which accompanied such official positions as they were allowed to hold.

The hostile laws of the later empire did not perish with its fall, as did those insuring only the minimum civic rights to the Jewish population. The Middle Ages forgot the statement of Theodosius the

Great, "It is quite clear that no law forbids the existence of the Jewish Sect." In some places the legislation against the adornment of synagogues was still enforced in the eighteenth century.

Many of these laws were embodied in canons by the ecclesiastical contemporaries of the imperial legislators and so passed naturally into the tradition of western Europe by way of the Church in the great collections of canons which were a feature of the Carolingian Age. Others were repeated in the shortened editions of the Theodosian Code which were prepared for the various barbarian states that succeeded the Roman Empire.

Nothing could be clearer than the incriminating record of Christian oppression of the Jews during the fourth century both in word and deed. That the violence of this century was mostly on the Christian side is obvious not only from the literature but also from the imperial and canon laws of the fourth century. There was a great difference between the really protective legislation issued by Valentinian and Theodosius the Great, and the weak edicts issued by their fifth century successors. The earlier legislation is direct, and contains no countercharges of Jewish unrighteousness. In fact none of the fourth century laws can be said to refer to actual Jewish misdeeds. It is only in the fifth century that theological excuses and atrocity stories are adduced as pretexts to explain the government's inability to protect the Jews.

On the whole, the period 315-438 is one of battle between Jews and Christians, the former clinging to the laws of their fathers, the latter eager to crush all opposition in the floodtide of new-found victory. This struggle put its stamp on the whole age, and so influenced the minds of the Christian aggressors that they were firmly convinced of the necessity of removing the Jews as a menace to Christianity. The Jews fought back manfully and held fast to their religion. The Code has shown how they were protected from time to time by high Roman officials from the more fanatical mobs and monks. Even bishops and emperors were sometimes filled with pity at their misfortunes and tried to help them. Finally, however, as we have seen, the Jews were so ringed by popular hatred and repressive imperial and canonical ordinances that it became impossible for them ever

to regain their lost privileges and possessions. They had fought hard and lost; it was to be their last struggle against oppression for many centuries. By 438 church and state guaranteed the Jews possession of their own laws only among themselves, since the Christian church desired in most cases to preserve the *status quo* once it had built itself into the Roman governmental bureaucracy. The church classed the Jews as apostates and would not let them join the Christian faith except under severe tests and waiting periods. It would not let the Jews perish, however, for they were the everlasting witnesses for the Old Dispensation which had passed away.

Thus excluded from society, Jewry changed its aspect to the outside world; it donned special clothes and retired to the ghetto, and this had disastrous results on its subsequent history. All the evidence from the church fathers, canon and imperial laws, and anti-Semitic popular violence indicates that Christianity took advantage of a favorable political position to disarm an ancient foe by a century of persecution. The later sad history of the Jews in western Europe is largely a consequence of the misfortunes which befell them in the fourth century.

Conclusion

From the study just concluded it should be apparent that the Jews in the Roman Empire experienced a series of misfortunes during the fourth century which reduced them from privileged citizenship to oppressed exile. These misfortunes occurred mainly as the result of Christian animosity, propagandism, and persecution.

The fourth century was the age of the great conflict between the church and the synagogue. The church fathers from Eusebius to Augustine tried to show that the Jews were wicked and depraved monsters, fit only to be an evil and eternal example to pious Christians. "The Jew" became a fearsome theological abstraction to suit the propagandism purposes of the victorious church. The anti-Semitic propagandism of the church leaders gradually spread to their flocks, and the Christian record was marred by atrocities against the Jews from the middle of the fourth century on: typical acts of violence were the forced conversions on Minorca, the destruction of the synagogue at Callinicum, the massacre at Edessa, and the expulsion of the Jews from Alexandria.

Under pressure from Christian zealots, the imperial administration gradually succumbed to the rising tide of anti-Jewish feeling. The Theodosian Code shows us that a series of Roman laws gradually stripped away the privileges of the Jews during the late fourth and early fifth centuries—finally assuring the persecuted race only the minimum civic rights. The Jews were forbidden to own Christian slaves. The building or repairing of synagogues was banned. Constantine forced the Jews to accept the burden of the decurionate, and Constantius confiscated the property of converts to Judaism. Gratian later deprived converts of testamentary rights. Theodosius the Great equated marrying a Jew or Jewess with adultery, and further allowed the Jews themselves to marry only according to the Christian Table of Affinity. Honorius then excluded Jews from military and political functions. His co-emperor, Arcadius, degraded the Jewish patriarch, Gamaliel, on a flimsy pretext, and confiscated his tax, the *aurum coronarium*, thus disrupting forever the empire-wide organization of Jewry. Finally Theodosius II summed up all this anti-Jewish legisla-

CONCLUSION

tion in his Novella III, crystallizing in bombast and elaborate verbiage all the orthodox sentiments of the pious Roman emperors of the late fourth and early fifth centuries.

Many of these laws were embodied in canons by the ecclesiastical contemporaries of the imperial legislators and later passed into the tradition of western Europe by way of the church in the great collections of canons which were made during the Carolingian Age. The canons of the church councils of the fourth century helped make anti-Jewish sentiments traditional in the Christian church. The Spanish Council of Elvira early in the fourth century forbade intermarriage between Jews and Christians. It also provided that neither cleric nor layman should accept Jewish hospitality. The Forged Canons of Nicaea deal with the same matters as those of Elvira, adding only a prohibition against Jewish circumcision of Christians. The Councils of Antioch and Laodicaea forbade "Judaizing," and the Apostolic Canons ordered Christians not to deny their faith from fear of Jews and heretics. The effect of this body of religious legislation coupled with the Theodosian laws was disastrous to Jewry. The church canons and the Theodosian laws together officially stamped the mark of Cain on the Jews, and permanently separated them socially and economically from their fellow Roman citizens.

When Rome gave way to the Germanic kingdoms of the West the anti-Jewish laws of the Theodosian Code were embodied in the barbarian codes, and the Jews remained outcasts in an unfriendly world throughout western Europe. As the cities decayed many of them became wandering traders, and others migrated eastward to seek new and happier homes. A haven of refuge in Spain and Africa was created for the Jews by the Moslems in the seventh and eighth centuries. There the Jews prospered as merchants and scholars under the protection of Islam. Ibn Gebirol, Jehuda Halevi, and Moses Maimonides produced some of Judaism's greatest works. As the cities began to revive in western Europe during the eleventh and twelfth centuries Jewish communities formed in them, but with the Jews always separate and inferior to the Christians, and really outside the protection of the Christian law. When the passions of the First Crusade were aroused in 1095 the Jews were among the first to feel

the fury, and community after community of Jewish merchants, artisans, and traders was robbed and massacred by the Frankish knights and their hordes of followers as they passed down the Rhine and Danube on their way to Constantinople. Again the Jews suffered when the crusaders under Conrad marched east on the Second Crusade in 1146. All the old sophistries were once more employed. Peter of Cluny wrote, "Do not slay them, God does not want to annihilate them. . . . They are dependent, miserable, and terror-stricken, and must remain in that state until they are converted to the Saviour. You ought not to kill them but to afflict them in a manner befitting their baseness."²⁴¹ Here is Augustine's theory of the position of the Jew repeated to justify pillage in the twelfth century!

Early in the thirteenth century the Jews of Italy and France were involved in the downfall of the Cathari during the Albigensian Crusade. Innocent III called the famous Fourth Lateran Council in 1215, and by canon law the Jews were forbidden all honors or offices, forced to dwell in restricted areas—the ghettos of the cities, and compelled to wear the degrading Jew badge which set them apart from all their neighbors and caused a general loss of self-respect among the Jews of western Europe.

As the national monarchies grew in power the kings who ruled them turned greedy eyes upon the wealth of this unprotected class, just as the crusaders had done in the eleventh and twelfth centuries. Edward I of England was the first to despoil them of their property and expel them from England. This was done in 1287 on theological grounds, and Philip IV, the Fair, of France followed his lead in 1306.

Then in 1348 the calamity of the Black Death fell upon Europe, and the Swiss, Germans, and others looked for a scapegoat for their terror. The hapless Jews were the logical suspects, and it was asserted that they had poisoned the wells of Europe and thus had caused the plague. Thousands were tortured and slain in hideous massacres all over Europe.

In view of the brutal treatment that the Jews had received in Christian lands during medieval times, it was no wonder that the Spanish Jews had usually sided with Islam in the great wars which Moslem and Christian had waged in the Iberian peninsula, 1000-1492.

CONCLUSION

As the Christians gradually won out they exerted more and more pressure on the Spanish Jews to turn Christian. This resulted in horrible massacres of the Jews and mass conversions in 1391. Even this did not satisfy Spanish fanaticism, and the Jews were expelled from Spain in 1492, an expulsion which led to the decline in Spanish prosperity. Soon afterward followed the Jewish expulsion from Portugal and Navarre. Thus excluded from many of the countries of western Europe, the Jews crowded into Poland, Germany, and Bohemia, and many of the eastern European lands, making new homes for themselves. Although they suffered horribly in the Thirty Years' War they found relative security and prosperity in Germany and especially Holland from the sixteenth through the nineteenth centuries; and in the intervening years enlightenment forced England and France to reopen their doors to Jewish immigration.

Then, commencing with the Russian pogroms of the nineteenth century, a new wave of anti-Semitism and persecution began about 1850. It has culminated so far in the butchery of the Nazis, doubtless the most brutal and extensive persecution the Jews have ever known; and this most recent persecution, though not the only one with strong economic motivation in Jewish history, is unique in owing so little, on the surface at least, to Christian influence, probably because of the rapid weakening of Christianity in the last century before the onslaughts of science and materialism in various forms.

Though times and symbols change with the passing of centuries the Jews of the medieval ghetto and the Jews of Buchenwald have the common heritage of Christian persecution. This religious persecution of the Jews had its origins in the fourth Christian century; it is sad to think that an end to this ancient problem is not yet in sight.

Index of Abbreviations

For bibliographical details of the works listed here see the bibliographies at the end of the essay.

- AASS *Acta Sanctorum quotquot toto urbe coluntur collegit . . . Joan. Bollandus.*
- BKV *Die Griechischen Christlichen Schriftsteller, der ersten drei Jahrhunderte, herausgegeben von der Kirchenväter-commission der Königl. Preussischen Akademie der Wissenschaften.*
- CJ *Codex Justinianus.*
- CIL *Corpus inscriptionum latinarum.*
- CSEL *Corpus scriptorum ecclesiasticorum latinorum.*
- CTh. *Codex Theodosianus.*
- Graetz *Graetz, H., Geschichte der Juden.*
- JQR *The Jewish Quarterly Review (London, 1888-1908). New Series (New York and Philadelphia, 1910 ff.).*
- Juster *Juster, J., Les Juifs dans l'empire romain.*
- Krauss *Krauss, S., "The Jews in the Works of the Church Fathers," JQR (1893-1894).*
- Mansi *Mansi, J. D., Sacrorum conciliorum amplissima collectio.*
- MGH *Monumenta Germaniae historica.*
- Parkes *Parkes, J., The Conflict of the Church and the Synagogue.*
- PG *Migne, J. P., Patrologiae cursus completus, series graeca.*
- PL *Migne, J. P., Patrologiae cursus completus, series latina.*
- PO *Patrologia Orientalis (Corpus Scriptorum Christianorum Orientalium).*
- p.p. *pretorian praefect.*
- REJ *Revue des Etudes Juives (Paris, 1880 ff.).*
- Williams *Williams, A. L., Adversus Iudaeos.*

References

1. Lucas, Leopold, *Zur Geschichte der Juden im vierten Jahrhundert* (Berlin, 1910).
2. Krauss, Salomon, "The Jews in the Works of the Church Fathers," *JQR*, V (1893) and VI (1894).
3. Parkes, James, *The Conflict of the Church and the Synagogue* (London, 1934).
4. Williams, Arthur L., *Adversus Judaeos* (Cambridge, 1935). Simon, Marcel, *Verus Israel, étude sur les relations entre chrétiens et juifs dans l'empire romain 135-425* (Paris, 1948).
5. Juster, Jean, *Les Juifs dans l'Empire Romain*, 2 vols. (Paris, 1914), II, pp. 1-27. Juster is the standard authority on Jewish institutions in the early centuries of the Christian era. These immunities were guaranteed as late as Honorius' reign, A.D. 397; *CTh.*, 2, 1, 10.
6. The religious fanatic Aurelian, a devotee of the Sol Invictus, in his attempts to solidify the religious fiber of the Roman Empire in the chaotic days of the third century, ca. 275, persecuted Jews and Christians alike. See the *Historia Augusta* for details. The material lies outside the scope of this survey.
7. Juster, II, *passim*.
8. A flagrant example of this misuse of sources is to be found in the violently anti-Semitic pamphlet of Lentz, H. K., *Der Kirchenväter Ansichten und Lehren über die Juden* (Münster, 1894).
9. AASS, Jan. 1; the important sections are quoted by Caplan, Harry, *Materials for a History of the Jews in the Province of Africa*, a thesis (Cornell University, Ithaca, New York, 1921), p. 77.
10. Monceaux, P., *Histoire Littéraire*, III, p. 156.
11. AASS, March 7.
12. AASS, April 20. Parkes, p. 134.
13. Eusebius, *The Martyrs of Palestine*, VIII; *PG*, XX, 1489.
14. Parkes, p. 135.
15. *Synaxarium Constantinopolitanum*, July 16, in Parkes, p. 135.
16. Jerome, *In Amos*, I, 11 ff.; *PL*, XXV, 1001. Cf. Gaudentius, *Sermo IV*, *CSEL*, 68.
17. AASS, Nov. 1.
18. AASS, April 3.
19. AASS, March 15. Several versions of the same story.
20. AASS, May 21.
21. AASS, Nov. 9.
22. AASS, Jan. 9.
23. Acts of St. Victor of Caesarea, c. 8, *Catal. Cod. Hagiogr. Lat. Antiquam saec. XVI, qui asserv. in Bibl.*, n. 3, pp. 504 ff. (Cf. *Analecta Bollandiana*, XXIV [1905], p. 257.) Quoted in Caplan, *op. cit.*, p. 77.
24. AASS, Sept. 12, Martyrdom of Theodorus; and AASS, Sept. 13, Martyrdom of Philip.
25. Martyrs of Edessa in Euphemia the Goth by F. C. Burkitt; quoted in Parkes, p. 145.
26. AASS, May 30.
27. AASS, Feb. 1.
28. AASS, Nov. 4.
29. AASS, Jan. 4.
30. AASS, Jan. 22.
31. Chrysostom, John, *Adversus Judaeos*, V; *PG*, XLVIII, 900.
32. Milman, Henry Hart, *The History of the Jews* (New York, 1871); Graetz, II, pp. 500 ff.
33. *CTh.*, 16, 8, 1; 13/8/339.
34. Jerome, *Chronicon*, ad ann. 352; ed. by Helm in *BKV*, VII (1913), i, p. 238: "Gallus Judaeos, qui, interfectis per noctem militibus, arma ad rebellandum invaserant, oppressit, caesis multis hominum millibus usque ad innociam aetatem, et civitates eorum Diocaesaream, Tiberiadem, et Diospolim, plurimaeque oppida igni tradidit."
- The Migne ed., *PL*, XXVII, 501 f., gives the date as 355; but Helm gives 352 as does Seeck, Otto, *Geschichte des Untergangs der Antiken Welt* (Berlin, 1897-1920), p. 125; and IV *Anhang*, p. 440, cites also Sozomen, IV, 7, 5; Theophanes, *Chron.*, 5843; Augustine, *Sermon V*, 5 (*PL*, XXXVIII, 56 f.). He also dates the event in 352.
35. Socrates, *Hist. Eccl.*, II, 33; *PG*, LXVII, 296, tr. in Bohn Library (1888), p. 131.
36. Victor, Sextus Aurelius, *Liber de Caesaribus*, 42; ed. by Francis Pichlmayr (Leipzig, 1911), p. 128: "Et interea Judaeorum seditio, qui Patricium nefarie in regni specie sustulerant, oppressa."
37. AASS, Oct. 16.
38. AASS, Oct. 8.

PERSECUTION OF THE JEWS IN THE ROMAN EMPIRE

39. AASS, Aug. 21.
40. Bidez, I., *La Vie de l'empereur Julian* (Paris, 1930), pp. 305 ff.; Vogt, Joseph, *Kaiser Julian und das Judentum* (Leipzig, 1939); etc.
41. Theodoret, *Hist. Eccl.*, IV, 210-221.
42. Agapius, third year of reign of Theodosius II; PO, VIII, 408 ff.
43. Socrates, *Hist. Eccl.*, VII, 13; PG, LXXXII, 759 ff., tr. in Bohn Library (London, 1888), pp. 345 ff.; dated by Socrates 412; but Juster, II, p. 176, has plausibly argued that it could not have happened before 414.
44. CTh., 16, 8, 21. The dates of the law and Inmestar incident do not correspond, but the activities mentioned have a startling resemblance. An early confusion in dating either event may account for the discrepancy.
45. Socrates, *Hist. Eccl.*, VII, 16; tr. in Bohn Library, pp. 349 f.
46. Theophanes, *Chronographia*; PG, CVIII, 227. The account of Cassiodorus, PL, LXIX, 1195, is an adaptation of Socrates' story.
47. Nau, F., "Life of Barsauma," *Revue de l'orient chrétienne* (1913).
48. Parkes, p. 158. Cf. Trachtenberg, Joshua, *The Devil and the Jews* (New Haven, 1943), for amplification of the Jewish "monster" or "devil."
49. Williams; Maurawski, Bp., *Die Juden bei den Kirchenvätern und Skolastikern* (Berlin, 1925).
50. Lactantius, *Div. Inst.*, VII, 26.
51. Commodianus, *Instructiones*, ed. by B. Lombart in CSEL, XV (1887); tr. in vol. III of *The Writings of Tertullian* by R. E. Wallis (Edinburgh, 1870), pp. 452 ff.
52. Fortunatus, Venantius, *Vita Sancti Hilarii*, III; MGH, *Auctores antiquissimi*, IV, 2, p. 2. Cf. Amolo, *Lib. contra Iudaeos*, III; PL, CXVI, 180 ff.
53. Hilary of Poitiers, *Comm. in Matt.*, XII, 22; PL, IX, 992 ff.
54. *Ibid.*; *Tract. in Ps. LI*, 6; CSEL, 22, pp. 100 ff.
55. Eusebius of Caesarea, PG, XXI and XXII. See the fine edition and translation of the *Preparatio Evangelica* by E. H. Gifford in 5 vols., 4 tomes (Oxford, 1903). *The Demonstratio Evangelica* is now published in BKV, VI, ed. by I. Heikel (Leipzig, 1913).
56. Eusebius, *Praep. Evang.*, VII and X; *Dem. Evang.*, I.
57. Eusebius, *Praep. Evang.*, V and XI.
58. Eusebius, *Dem. Evang.*, I and VI.
59. Eusebius, *Praep. Evang.*, VIII; *Dem. Evang.*, I, II, and III.
60. Eusebius, *Dem. Evang.*, I and III, *passim*. The prophets are never called Jews. Only the law is Jewish.
61. Eusebius, *Praep. Evang.*, VII.
62. Discussion of St. Sylvester in Cedreneus, George, *Synopsis Historion*; PG, CXXI, 521-540. Cf. Ep. of Pope Hadrian I to Charlemagne in 792; Mansi, II, p. 551; also published in full by Mombrinius in *Sanctorum seu vitae Sanctorum* (1490), II, pp. 508-529, republished in Paris (1910). MGH, *Epist. Carolini aevi*, V, 3, p. 39. This discussion is of doubtful historical value. It is part of the pseudoepigraphical material later attributed to Sylvester, much of it belonging to the Pseudo-Isidorian literature.
63. *Nestorian History*, XIX; PO, IV, 281.
64. Athanasius, *Ep. Encyc.*, III; PG, XXV, 228. For the later riots see Theodoret, *Hist. Eccl.*, IV, 18 f; BKV (Leipzig, 1911), pp. 239 ff.
65. Graetz, II, p. 575.
66. Parkes, Appendix I, believes this council was ca. A.D. 300. Mansi, II, p. 1, dates the council 305.
67. Council of Elvira, Canon XVI; Mansi, II, p. 8.
68. Council of Elvira, Canon LXXVIII; Mansi, II, p. 18.
69. Ambrosius, *Epistola XIX*; PL, XVI, 1025 f.
70. Council of Elvira, Canon L; Mansi, II, p. 14.
71. Council of Elvira, Canon XLIX; Mansi, II, p. 14.
72. Parkes, p. 175.
73. See note 52.
74. Council of Nicaea, Canon XXI; Mansi, II, p. 1048.
75. Parkes, Appendix I.
76. Forged Canons of Nicaea, Canon II, Arabian Collection; Mansi, II, p. 982.
77. Forged Canons of Nicaea, Canon XIII, Arabian Collection; Mansi, II, p. 969.
78. Forged Canons of Nicaea, Canon LII, Arabian Collection; Mansi, II, p. 969.
79. Dill, Samuel, *Roman Society in the Last Century of the Western Empire* (London, 1905), pp. 250 ff.
80. Constantine to the officials at Cologne, CTh., 16, 8, 3; 11/12/321. The dating of all laws is according to Seeck, Otto, *Regesten der Kaiser und Päpste A.D. 311-476* (Stuttgart, 1919).

REFERENCES

81. Constantine to Ablavius, p.p., *CTh.*, 16, 8, 2; 29/11/330.
82. Constantine to the Jewish Priests, Rabbis, Elders, and Other Authorities, *CTh.*, 16, 8, 4; 1/12/330.
83. Constantine to Felix, p.p., *CTh.*, 16, 9, 1; 21/10/335.
84. Constantine to Felix, p.p., *Constitutio Sirmondianis* No. 4; 21/10/335.
85. Eusebius Pamphilus, *Vita Constantini*, IV, 27; *PL*, VIII, 77.
86. Constantine to Felix, p.p., *CTh.*, 16, 8, 5; 21/10/335.
87. Constantius to Evagrius, *CTh.*, 16, 9, 2; 13/8/339.
88. Parkes, p. 180.
89. Constantius to Evagrius, *CTh.*, 16, 8, 1; 13/8/339.
90. Constantius to Thalassius, p.p., *CTh.*, 16, 8, 7; 3/7/353.
91. Constantius to Evagrius, *CTh.*, 16, 8, 6; 13/8/339.
92. Parkes, p. 180.
93. Gratian to Hypatius, p.p., *CTh.*, 12, 1, 99; 18/4/383.
94. Valentinian to Remigius, Magister officiorum, *CTh.*, 7, 8, 2; 6/5/368.
95. Michael the Syrian, VII, 7.
96. Council of Antioch, Canon I; Mansi, II, p. 1336.
97. Council of Laodicea, Canon XXIX; Mansi, II, p. 580.
98. Council of Laodicea, Canon XXXVII; Mansi, II, p. 580.
99. Council of Laodicea, Canon XXXVIII; Mansi, II, pp. 580 f.
100. Apostolic Canons, Canon LXIX; Funk, F. X., *Didascalia et Constitutiones Apostolorum* (Paderborn, 1906), p. 585.
101. Apostolic Canons, Canon LXV; Funk, *op. cit.*, p. 585.
102. Apostolic Canons, Canon LXXI; Funk, *op. cit.*, p. 587.
103. Apostolic Canons, Canon LXII; Funk, *op. cit.*, p. 583.
104. Ephraem Syrus, *In II Reg. XIX*, I (*Opera Syriaca*, I, 558); quoted in Krauss (1894), p. 91.
91. *Ephraem Syri opera omnia*, rec. P. Benedictus (Rome, 1732-1746), 6 vols.
105. Ephraem Syrus, *Op. Syr.*, II, 469.
106. Ephraem Syrus, *In Gen. XLIX*; *Op. Syr.*, I, 523.
107. Ephraem Syrus, *In II Reg.*, II, *ad finem*.
108. These quotations are from Krauss (1894), pp. 90 ff.
109. Pseudo-Ephraem, in Lamy, *S. Ep. Syri Hymni et Sermones*, II and III; cf. Krauss (1894), pp. 90 ff.
110. Lamy, *op. cit.*, II, 399 and 411; quoted in Krauss (1894), pp. 90 ff.
111. Aphrahat, *XXIII Homilies in Patrologia Syriaca*, I, 1 and 2 (1894); cf. Aphrahat, *Homilien*, tr. into German by G. Bertin, *Texte und Untersuchungen zur Geschichte der Altchristlichen Literatur* (1888), III; *Homilies*, I, 19, XI, and XII.
112. Athanasius, *Oratio de incarnatione Verbi*, I; *PG*, XXV, 97. The tone of the Pseudo-Athanasius *De Passione et Cruce Domini* is also violently anti-Jewish, No. 33 and 34; *PG*, XXVIII, 245 ff.
113. Basil, *Homilia* XXIV, I; *PG*, XXXI, 600.
114. Basil, *Comm. in Es.*, I; *PG*, XXX, 192.
115. *Ibid.*, V; *PG*, XXX, 345.
116. Gregory of Nyssa, *Testimonia adversus Iudaeos*; *PG*, XLVI, 193-234. The Pseudo-Gregory of Nyssa's *Selected Testimonies from the Old Testament against the Jews*, cited in Williams, p. 130, has no claim to independent merit. Nowhere does it rise beyond naïve interpretations, or attempt independent reasoning. Williams says it is hard to think that it could ever have been in use for practical controversy with the Jews, of whom the author seems to have no personal knowledge.
117. Gregory Nazianzen, *Oratio V contra Julianum*, II, 3-4; *PG*, XXXV, 667-670.
118. Chrysostom, John, *VIII Sermons against the Jews*; *PG*, XLVIII.
119. For a full account of Jewish-Christian relations in Antioch, see Kråling, C. H., "The Jewish Community at Antioch up to A.D. 600," *Journal of Biblical Literature*, LI; cf. Krauss, "Antioche," *REJ*, XLV (1902), pp. 27-49.
120. Chrysostom, *VIII Sermons against the Jews*; *PG*, XLVIII, Sermo I, 3.
121. *Ibid.*; *PG*, XLVIII, Sermo I, 6.
122. *Ibid.*; *PG*, XLVIII, Sermo I, 3 and II, 3.
123. *Ibid.*; *PG*, XLVIII, Sermo I, 3.
124. *Ibid.*; *PG*, XLVIII, Sermo III, 5 and VI, 8.
125. *Ibid.*; *PG*, XLVIII, Sermo I, 5 and VI, 6.
126. *Ibid.*; *PG*, XLVIII, Sermo I; 3 and 6.
127. *Ibid.*; *PG*, XLVIII, Sermo VI, 1.
128. *Ibid.*; *PG*, XLVIII, Sermo IV, 6.
129. *Ibid.*; *PG*, XLVIII, Sermo VI, 3 and V, *passim*.

PERSECUTION OF THE JEWS IN THE ROMAN EMPIRE

130. *Ibid.*; PG, XLVIII, Sermo VII, 1. Cf. Chrysostom, *Ep. I ad Innocentium*; PG, LII, 533 ff.; where he writes in a rather friendly vein about Jews who sympathized with the Christian martyrs in an Alexandrine riot of A.D. 404.
131. Ambrose, *Epistolae XL and XLI*; PL, XVI, 1148-1171.
132. This is the opinion of Dudden, Homes, *Saint Ambrose*, 2 vols. (Oxford, 1935), II, pp. 371 ff.
133. Ammianus Marcellinus, *History*, ed. and tr. by Rolfe in Loeb Classics, 3 vols. (London, 1929); XXIII, 3, 7.
134. Cf. the destruction of a synagogue in Rome; Ambrose, *Ep. XL*, 20; PL, XVI, 1155 f.
135. Ambrose, *Ep. XL*; PL, XVI, 1148 ff.
136. Ambrose, *Ep. XL*, 8; PL, XVI, 1151 f.
137. Ambrose, *Ep. XL*, 10; PL, XVI, 1152.
138. Ambrose, *Ep. XL*, 18 and 19; PL, XVI, 1155.
139. Ambrose, *Ep. XL*, 33; PL, XVI, 1160.
140. Ambrose, *Ep. XLII*, *passim*; PL, XVI, 1172-1177.
141. Paulinus of Nola, *Epistola XXIII*; PL, LXI, 256 ff.
142. Dudden, *op. cit.*, II, pp. 371 ff.
143. Ambrosiaster, *Comm. in Rom. IX*, 27; PL, XVII, 146.
144. Ambrosiaster, *Quaestiones Veteris et Novi Testamenti*, ed. by Souter, CSEL, I (1908). This is from O.T., XLIV ff.
145. *Vita Innocentii*, ed. from fragments of his life written by his deacon Celsus; in AASS, April 2, p. 483.
146. *Passio S. Salsae*, REJ, XLIV, p. 8; cf. Caplan, *op. cit. Monceaux, Histoire Littéraire*, III, pp. 163 ff., dates this in the reign of Constantine; Parkes, p. 187, gives it as ca. 355.
147. Of the two sanctuaries of Salsa mentioned in this recital, one, a funerary chapel, has been unearthed. (See Gsell, *Récherches arch. en Algérie*, pp. 1 ff.; CIL, VIII, 20913 and 20915, for inscriptions found there.) The sarcophagus found in the center of the chapel has the name Fabia Salsa, age 63, and is pagan in appearance. Monceaux, *Histoire Littéraire*, III, pp. 166 ff., who regards the passion as genuine, thinks this may be the parent of the martyr or the martyr herself who was made young in the passion. Dessau, however, discredits the whole legend as a growth from misinterpreting the inscription (Dessau, H., *Archaeolog. Anz.* [1900], p. 153; cf. Caplan, *op. cit.*).
148. Ambrose, *Ep. XL*, 23; PL, XVI, 1156.
149. Gratian to Hypatius, p.p., CTh., 12, 1, 99; 18/4/383.
150. Gratian to Hypatius, p.p., CTh., 16, 7, 3; 21/5/383.
151. Gratian to Cynegius, p.p., CTh., 3, 1, 5; 22/9/384.
152. Theodosius the Great to Cynegius, p.p., CTh., 3, 7, 2 or 9, 7, 5; 14/3/388.
153. The text of this law is not to be found in the Codex Theodosianus, but is preserved in the Codex Justinianus, 1, 9, 7; Theodosius the Great to Infantius, Governor of the Eastern Provinces; 30/12/393.
154. Juster, I, p. 469.
155. Parkes, p. 182.
156. Theodosius the Great to Alexander, prefect of Egypt, CTh., 13, 5, 18; 18/2/390.
157. Theodosius the Great to Tatianus, p.p., CTh., 16, 8, 8; 17/4/392.
158. Theodosius the Great to Addeus, Commander in Chief of the Eastern Command, CTh., 16, 8, 9; 20/9/393.
159. Jerome, *Comm. in Es.*, III, 9 f.; VIII, XXVI, 11; XVIII, XVIII, 13; PL, XXIV, 100, 307, 665.
160. Jerome, *Comm. in Es.*, XIII, XLVIII, 22; XIII, XLIX, 1; and XVII, XLIX, 19; PL, XXIV, 480, 482, 608.
161. Jerome, *On Jeremiah*, V, 2; CSEL, 59, pp. 296 ff. For a collection of passages from different authors dealing with the ultimate destination of the Jews, see PL.
162. Jerome, *Comm. in Ep. ad Titum*, I, II ff.; PL, XXVI, 594.
163. Jerome, *Comm. in Evang. Matt.*, IV, 27, 1-5; PL, XXVI, 212.
164. Jerome, *Ep. LXXXIV*, 3; CSEL, 55, p. 123. It is interesting to note that one hundred years before, Origen consorted openly with Jewish scholars.
165. Jerome, *Ep. CXII* to Augustine, 13; CSEL, 55, p. 382.
166. Jerome, *Comm. in Epist. ad Galat.*, III, VI, 12; PL, XXVI, 464.
167. Jerome, *Comm. in Osee*, I, II, 2; PL, XXV, 830.
168. Jerome, *Comm. in Ep. ad Galat.*, I, I, 1; PL, XXVI, 335 f.
169. Jerome, *Comm. in Es.*, II, V, 18, and 19; PL, XXIV, 86 ff. So also in his *Tractatus de Psalmo CVIII* (ed. by G. Morin, *Anecdota Maredsoliana*, III, II, 195, 13-14, commenting: "Maledicent illi, et tu benedices. Usque hodie hoc fit: illi maledicunt in synagoga, et Dominus benedicit in ecclesia").

REFERENCES

170. Jerome, *Comm. in Es.*, XIII, XLIX, 7; *PL*, XXIV, 484; cf. *Comm. in Es.*, XIV, LII, 4; *PL*, XXIV, 517.
171. Augustine, *Enarratio in Psalmum XL*, 14; *PL*, XXXVI, 463.
172. *Ibid.*; *PL*, XXXVI, 760 ff.
173. Augustine, *De fide rerum quae non videntur*, I, VII; *PL*, XL, 179; cf. *Sermo CCI*, III; *PL*, XXXVIII, 1032.
174. Cf. Jerome, *Tractatus de Psalmo CVIII (Anecdota Maredsolana, III, II, p. 191, 12-15)*: "Ita igitur et isti, quoniam crucifixerunt Deum et Dominum Suum, nutantes transferuntur (cf. Ps. 108 A.F. [109], 10). Non enim sunt in suis locis, sed in toto orbe divisi sunt. Mendicitatem hic dicit divitiarum spiritualium. Non enim habent prophetas, non habent legem, non habent sacerdotium, non habent sacrificium, sed vere mendici facti sunt."
175. Augustine, *Tractatus adversus Judaeos*; *PL*, XLII, 51-64. The two Pseudo-Augustinian treatises, *Adversus Quinque Haereses* (fifth century); *PL*, XLII, 1099 ff., and *Contra Judaeos, Paganos, et Arianos Sermo de Symbolo* (fifth century); *PL*, XLII, 1117-1130, contain only stereotyped material borrowed from earlier authors. For details see Williams, pp. 321 ff. They have both been attributed to Quodvultdeus (ob. c. 453); cf. Bardenhewer, Otto, *Geschichte der altkirchlichen Literatur*, 5 vols. (Freiburg i/B, 1913-1934), IV, p. 522.
176. Mansi, III, Syllabus, p. vi and 945 ff.
177. Council of Carthage IV, Canon LXXXIX; Mansi, III, p. 958.
178. Council of Carthage IV, Canon LXXXIV; Mansi, III, p. 958.
179. Council of Carthage, VI (or VII), Canon II; Mansi, IV, p. 437 (A.D. 419).
180. Parkes, p. 177. *CJ*, 1, 5, 21, prohibits Jews and pagans from giving testimony against Christians, etc. (dated 530).
181. Juster, II, p. 27.
182. Honorius to Theodorus, p.p., *CTh.*, 12, 1, 157; 13/9/398.
183. Honorius to Theodorus, p.p., *CTh.*, 12, 1, 158; 13/9/398.
184. Honorius to Messala, p.p., *CTh.*, 16, 8, 14; 11/4/399.
185. Honorius to Hadrian, p.p., *CTh.*, 16, 8, 17; 25/7/404.
186. Honorius to Romulianus, p.p., *CTh.*, 16, 8, 16; 22/4/404.
187. Cavallera, Ferdinand, *Saint Jérôme* (Paris, 1922), première partie, tome 2, p. 164, for the dating of the Isaiah Commentary. Jerome, *Comm. in Es.*, II, 3; *PL*, XXIV, 59.
188. Honorius to Palladius, p.p., *CTh.*, 16, 8, 24; 10/3/418.
189. Parkes, p. 202, and Lucas, Leopold, *Zur Geschichte der Juden im Vierten Jahrhundert* (Berlin, 1910), p. 93.
190. Lucas, op. cit., p. 93. Lucas' belief that Augustine's *De Civitate Dei* was an anti-Donatist writing, and as such contributory to the downfall of the Jewish Patriarchate, has not won wide acceptance among scholars.
191. Honorius to Donatus in Africa, *CTh.*, 16, 5, 44; 24/11/408.
192. Honorius to Theodore, p.p., *CTh.*, 16, 5, 46; 15/1/409.
193. Honorius to Jovius, p.p., *CTh.*, 16, 8, 19; 1/4/409.
194. *CJ*, 1, 12, 2.
195. Honorius to Annatus Didascalus and the Elders of the Jews, *CTh.*, 16, 8, 23; 24/9/416; cf. the story of the Jew who, promised money if he would abandon Judaism and accept Christianity, was baptized and apostasized many times and made a handsome profit of the business; in Socrates, *Eccl. Hist.*, VII, 17.
196. Honorius to Annatus Didascalus and the Elders of the Jews, *CTh.*, 16, 9, 3; 6/11/415.
197. Honorius to Johannes, p.p., *CTh.*, 8, 8, 8, or 2, 8, 26; 26/7/412.
198. Honorius to Johannes, p.p., *CTh.*, 16, 8, 20; 26/7/412.
199. Valentinian to Amatius, Governor of Gaul, *Constitutio Sirmondianis*, No. 6, ad finem; 9/7/425.
200. Valentinian III to Bassus, p.p., *CTh.*, 16, 8, 28; 7/4/426.
201. For *Lex Falcidia*, which forbade the bequest in legacies of more than three-quarters of the estate (at least one-quarter remained for the heirs), see Gaius, *Institutes*, II, 227 (Poste's ed. [4th ed., Oxford, 1904]), p. 238.
202. Arcadius to the Jews, *CTh.*, 16, 8, 10; 28/2/396.
203. Arcadius to Claudianus, Governor of the Eastern Provinces, *CTh.*, 16, 8, 11; 24/4/396.
204. Arcadius to Eutythianus, p.p., *CTh.*, 16, 8, 15; 3/2/404.
205. Parkes, pp. 231-233. Arcadius to Anatolius, Prefect of Illyricum, *CTh.*, 16, 8, 12; 17/6/397.
206. Arcadius to Archelaus, Prefect of Egypt, *CTh.*, 9, 45, 2; 17/6/397.
207. Arcadius to Caesarius, p.p., *CTh.*, 16, 8, 13; 1/7/397.
208. Arcadius to Eutythianus, p.p., *CTh.*, 12, 1, 165; 28/12/399.
209. *CTh.*, 16, 8, 22, makes it appear probable that Arcadius prohibited the building of new synagogues, for such a law was in force in 415 at the time of the degradation of the

PERSECUTION OF THE JEWS IN THE ROMAN EMPIRE

- patriarch. Furthermore the sermons of Chrysostom at Antioch make one suspect that the building of synagogues was banned during his patriarchate (398-404).
210. Arcadius to Eutychianus, p.p., *CTh.*, 2, 1, 10; 3/2/398.
211. Ferrandus, *Brevatio Canonum*, Title 196; *PL*, LXVII, 959.
212. Parkes, p. 233.
213. Theodosius II to Anthemius, p.p., *CTh.*, 16, 8, 18; 29/5/408.
214. Socrates, *Hist. Eccl.*, VII, 16; *PG*, LXVII, 769 ff. For further details see pp. 16 f.
215. Juster, II, p. 204.
216. Parkes, p. 233.
217. Agapius, third year of reign of Theodosius II; *PO*, VIII, 408 ff.; for further details see pp. 15 f.
218. Socrates, *Hist. Eccl.*, VII, 13; *PG*, LXVII, 760. See pp. 15 f. for full details of this incident.
219. Severus, *Epistola ad omnem ecclesiam de virtutibus ad Judaeorum conversionem in Minorcensi insula factis in praesentia reliquarum Sancti Stephani*; *PL*, XX, 731-746.
220. Theodosius II to Philip, Governor of Illyricum, *CTh.*, 16, 8, 21; 6/8/420.
221. Theodosius II to Aurelian, p.p., *CTh.*, 16, 8, 22; 2/10/415.
222. Jerome, *Comm. in Es.*, III, 2; *PL*, XXIV, 58 f.
223. Theodosius II to John, Count of the Sacred Largesse, *CTh.*, 16, 8, 29; 30/5/429.
224. Theodosius II to Manaxius, p.p., *CTh.*, 16, 9, 4; 10/4/417.
225. Theodosius II to Asclepiodotus, p.p., *CTh.*, 16, 9, 5; 9/4/423.
226. Nau, F., article on Barsauma in *REJ*, LXXXIII, p. 184.
227. *Chronicon Edessae*, III, s.s., IV, pt. I of *Corpus Scriptorum Christianorum Orientium*; cf. Michael the Syrian, bk. VI, 10.
228. Nau, F., article on Barsauma in *REJ*, LXXXIII, p. 184.
229. Theodosius II to Asclepiodotus, p.p., *CTh.*, 16, 8, 25; 15/2/423.
230. Theodosius II to Asclepiodotus, p.p., *CTh.*, 16, 8, 26; 9/4/423.
231. Theodosius II to Asclepiodotus, p.p., *CTh.*, 16, 8, 27; 8/6/423.
232. Theodosius II to Asclepiodotus, p.p., *CTh.*, 16, 10, 24; 8/6/423.
233. Evagrius, *Historia Ecclesiastica*, I, 13; *PG*, LXXXVI, pt. 2, 2456; also Metaphraster, *Life of Simeon Stylites*; *PG*, CXIV, 381.
234. Socrates, *Hist. Eccl.*, VII, 38; *PG*, LXVII, 826 ff.; cf. Nicephorus, XIV, 40; *PG*, CXLVI, 1199 ff.
235. Theodosius II to Asclepiodotus, p.p., *CTh.*, 15, 5, 5; 1/2/425.
236. *Altercatio Synagogae et Ecclesiae*; *PL*, XLII, 1133 (cf. Juster, II, p. 245, n. 4).
237. Parkes, p. 239.
238. *Epistle of John of Antioch to Proclus of Constantinople in Variorum Episcoporum Epistolae*, ed. in *Chron. Lupus* (Louvain, 1682). I have not seen this volume. It is quoted in Parkes, p. 238.
239. Parkes, p. 238.
240. Theodosius II to Florentius, p.p., *Novella III*; 31/1/438.
241. Graetz, III, p. 350.

Select Bibliographies

1. Sources

- Ammianus Marcellinus, *History*, ed. and tr. by Rolfe in Loeb Classics, 3 vols. (London, 1929).
- Benedictus, P., *Ephraem Syri opera omnia* (Rome, 1732-1746).
- Bertin, C., *Texte und Untersuchungen, Afrahat Homilien* (Berlin, 1888).
- Bollandus, Joan., *Acta Sanctorum quotquot toto urbe coluntur collegit . . . Joan. Bollandus . . .*, 53 vols. (Antwerp, 1643-1794; Paris, 1865 ff.).
- Corpus Inscriptionum Latinarum, 15 vols. in 39 tomes (Berlin, 1853 ff.).
- Corpus Iuris Civilis, vol. I, *Institutiones*, ed. by P. Krueger; *Digesta*, ed. by Th. Mommsen and P. Krueger, 14th ed. (Berlin, 1922). Vol. II, *Codex Justinianus*, ed. by P. Krueger, 9th ed. (Berlin, 1915). Vol. III, *Novellae*, ed. by R. Scholl and W. Kroll, 5th ed. (Berlin, 1928).
- Corpus Scriptorum Ecclesiasticorum Latinorum, ed. by Consilio et Impensis Academiae Litterarum Caesareae Vindobonensis (Vienna, 1866 ff.).
- Corpus Scriptorum Christianorum Orientalium, ed. by K. de Luigi (Rome, 1904 ff.).
- Dalton, O. M., *The History of the Franks by Gregory of Tours*, 2 vols. (Oxford, 1927), Vol. I, Introduction, Vol. II, Translation and Commentary.
- Eusebius, *Church History, Life and Oration on Constantine*, in *A Select Library of Nicene and Post Nicene Fathers*, ed. by P. Schaff and H. Wace (New York, 1890).
- Funk, F. X., *Didascalia et Constitutiones Apostolorum*, vols. I and II (Paderborn, 1906).
- Gothofredus, Jacobi, *Codex Theodosianus cum Perpetuis Commentariis* (Leipzig, 1741).
- Jerome, *De Viris Illustribus*, tr. by E. C. Richardson in vol. III, *A Select Library of Nicene and Post Nicene Fathers*, ed. by P. Schaff and H. Wace (New York, 1892).
- , *Principal Works*, tr. by W. H. Freemantle, G. Lewis, and W. G. Martney, vol. VI in the second series of *A Select Library of Nicene and Post Nicene Fathers*, ed. by P. Schaff and H. Wace (New York, 1893).
- Lactantius, *Opera Omnia*, tr. by William Fletcher (Edinburgh, 1871).
- Lamy, P. S., *Ephraem Syri Hymni et Sermones* (Paris, n.d.).
- Mansi, Gian Domenico, *Sacrorum conciliorum nova et amplissima collectio*, 50 vols. in 55 tomes (Paris, 1903-1927).
- Migne, J. P., *Patrologiae cursus completus, series Graeca*, 166 vols. (Paris, 1857-1866).
- , *Patrologiae cursus completus, series Latina*, 221 vols. (Paris, 1844-1864).
- Monumenta Germaniae Historica, ed. by G. H. Pertz, 25 vols. (Hanover, 1826-1874); ed. by Societas aperiendis fontibus rerum germanicarum medii aevi (Berlin and Hanover, 1877 ff.).
- Socrates, *Church History*, tr. in Bohn Library (London, 1888).
- Theodoret, *Historical Writings, etc.*, vol. III in *A Select Library of Nicene and Post Nicene Fathers*, ed. by P. Schaff and H. Wace (New York, 1892).
- Theodosiani Libri XVI cum constitutionibus Sirmondianis et leges Novellae ad*

PERSECUTION OF THE JEWS IN THE ROMAN EMPIRE

Theodosianum pertinentes, ed. by Th. Mommsen and P. M. Meyer, 2 vols. in 3 tomes (Berlin, 1905).

Venanti Fortunati opera poetica, ed. by Fred. Leo, MGH, Auctores Antiquissimi, IV, 1 (Berlin, 1881).

Sextus Aurelius Victor, Liber de Caesaribus, ed. by Francis Pichlmayr (Leipzig, 1911).

2. Secondary Works

Bardenhewer, Otto, Geschichte der altkirchlichen Literatur, 5 vols. (Freiburg i/B, 1913-1934).

Bidez, I., La vie de l'empereur Julien (Paris, 1930).

Caplan, Harry, Materials for a History of the Jews in the Roman Province of Africa, a thesis (Cornell University, Ithaca, New York, 1921).

Cavallera, Ferdinand, Saint Jérôme, sa vie et son oeuvre, première partie, tomes I and II (Louvain and Paris, 1922).

Dill, Samuel, Roman Society in the Last Century of the Western Empire (New York, 1905).

Dudden, Homes, Saint Ambrose—His Life and Times, vols. I and II (Oxford, 1935).

Graetz, Heinrich, Geschichte der Juden von den ältesten Zeiten bis auf die Gegenwart, 4th ed., 11 vols. (Leipzig, 1906-1909).

Juster, Jean, Les Juifs dans l'Empire Romain, 2 vols. (Paris, 1914).

Kräling, C. H., "The Jewish Community at Antioch up to A.D. 600," Journal of Biblical Literature, LI.

Krauss, Salomon, "Antioche," REJ, XLV (1902), pp. 27-49.

———, "The Jews in the Works of the Church Fathers," JQR, V (1893) and VI (1894).

Lentz, H. K., Der Kirchenväter Ansichten und Lehren über die Juden (Münster, 1894).

Lucas, Leopold, Zur Geschichte der Juden im vierten Jahrhundert (Berlin, 1910).

Milman, Henry Hart, The History of the Jews, 3 vols. (New York, 1871).

Murawski, Bishop, Die Juden bei den Kirchenvätern und Skolastikern (Berlin, 1925).

Nau, F., "Barsauma," REJ, LXXXIII, pp. 184 ff.

———, "Life of Barsauma," Revue de l'orient chrétienne (1913).

Parkes, James, The Conflict of the Church and the Synagogue (London, 1934).

———, A History of Palestine (New York, 1949).

Seeck, Otto, Geschichte des Untergangs der Antiken Welt (Berlin, 1897-1920).

———, Regesten der Kaiser und Päpste, A.D. 311-476 (Stuttgart, 1919).

Simon, Marcel, Verus Israel, étude sur les relations entre Chrétiens et Juifs dans l'empire romain 135-425 (Paris, 1948).

Souter, Alexander, The Earliest Latin Commentaries on the Epistles of St. Paul (Oxford, 1927).

———, A Study of Ambrosiaster (Cambridge, 1905).

Strack, H. L., The Jew and Human Sacrifice (London, 1909).

Trachtenberg, Joshua, The Devil and the Jews (New Haven, 1943).

Vogt, Joseph, Kaiser Julian und das Judentum (Leipzig, 1939).

Williams, Arthur Lukyn, Adversus Judaeos (Cambridge, 1935).

Index of Theodosian Code Laws Pertaining to the Jews

The following is a convenient index of translations for the Theodosian Code. The code number of the law appears on the left, and the page where the law is translated appears on the right:

2, 1, 10 — 67 f.	16, 8, 11 — 65
2, 8, 26 — 62	16, 8, 12 — 66
3, 1, 5 — 48	16, 8, 13 — 67
3, 7, 2 — 48	16, 8, 14 — 57
7, 8, 2 — 34	16, 8, 15 — 65 f.
8, 8, 8 — 62	16, 8, 16 — 58
9, 7, 5 — 48	16, 8, 17 — 58
9, 45, 2 — 66	16, 8, 18 — 69
12, 1, 99 — 46	16, 8, 19 — 60 f.
12, 1, 157 — 57	16, 8, 20 — 63
12, 1, 158 — 57	16, 8, 21 — 70 f.
12, 1, 165 — 67	16, 8, 22 — 67, 72
13, 5, 18 — 49	16, 8, 23 — 62
15, 5, 5 — 77	16, 8, 24 — 58
16, 5, 44 — 59 f.	16, 8, 25 — 74
16, 5, 46 — 60	16, 8, 26 — 74 f.
16, 7, 3 — 47	16, 8, 27 — 75
16, 8, 1 — 32	16, 8, 28 — 64
16, 8, 2 — 30	16, 8, 29 — 72
16, 8, 3 — 29	16, 9, 1 — 30
16, 8, 4 — 31	16, 9, 2 — 32
16, 8, 5 — 31	16, 9, 3 — 62
16, 8, 6 — 33	16, 9, 4 — 73
16, 8, 7 — 33	16, 9, 5 — 73
16, 8, 8 — 49	16, 10, 24 — 75 f.
16, 8, 9 — 50	Novella III — 78 ff.
16, 8, 10 — 65	

OTHER IMPERIAL LAWS CITED:

CODEX JUSTINIANUS, 1, 9, 7	48
CONSTITUTIO SIRMONDIANIS No. 4	30
CONSTITUTIO SIRMONDIANIS No. 6	63 f.

Index of Canons

	PAGE
COUNCIL OF ELVIRA	
ANTIOCH 1 —Mansi, II, 1, 8	25
LAODICAEA 29 —Mansi, II, 1, 14	26
37 —Mansi, II, 1, 14	26
38 —Mansi, II, 1, 18	26
APOSTOLIC 62 —Mansi, II, 982	28
65 —Mansi, II, 969	28
69 —Mansi, II, 969	28
71 —Mansi, II, 1048	27
Canon 16—Mansi, II, 1336	34
Canon 49—Mansi, II, 580	35
Canon 50—Mansi, II, 580	35
Canon 78—Mansi, II, 580 f.	35
NICENE 2 —Funk, 583	36
13 —Funk, 585	35
52 —Funk, 585	35
NICAEA 21 —Funk, 587	35 f.
CARTHAGE COUNCIL IV, 84—Mansi, III, 958	55
IV, 89—Mansi, III, 958	55
VI, 2 —Mansi, IV, 437	55

General Index

- Abraham, 23
Acta Sanctorum, 7, 8, 9, 10, 11, 12, 13
Adamantius, 16
Africa, 11, 27
African Canons, 55, 56
Agapius, 15, 69
Agatha, 11
Aggaeus, 12
Agricola, 11, 12
Alaric, 66
Albigensian Crusade, 86
Alexander of Macedon, 16
Alexandria, 11, 14, 15, 17, 24, 35, 43, 69, 70, 84
Altercation between the Church and the Synagogue, 78
Ambrose, 4, 21, 26, 41, 42, 43, 44, 46
Ambrosiaster, 44, 45, 46
Antherius, 8
Antioch, 14, 17, 34, 40, 69, 76
Antioch, Council of, 34, 85
Aphrahat, 38
Apostoli, 6
Apostolic Canons, 35, 36, 85
Apulia, 57
Aquilaia, 42
Arcadius, 56, 65, 66, 67, 68, 84
Archisynagogi, 30, 57
Arians, 11, 24, 31
Ascalon, 43
Ascodrogians, 80
Athanasius, 11, 24, 38
Augustine, 21, 50, 51, 52, 53, 54, 59, 78, 84, 86
Aurelian, 91
Aurelius, Victor, 13, 91
Aurum Coronarium, 6, 57, 58, 72
Austremonius, 10

Bar Aninas, 51
Bar-Cocheba, 81
Barsauma, 18, 73, 74
Basil, 8, 38
Benedicta, 13, 14
Berytus, 43
Black Death, 86
Bohemia, 87
Bonosus, 14
Borborites, 80
Buchenwald, 87

Caecilolae, 60, 61
Caius, 12
Calabria, 57
Callinicum (Al-Rakka), 41, 42, 43, 44, 45, 46, 84
Caplan, Harry, 11, 94
Carolingian Age, 55, 82, 85

Carthage, Council of, 55, 56
Cassiodorus, 17
Cathari, 86
Cedrenus, George, 92
Chersonese, 8
Chosroes, 11
Chromatus, 42
Chrysostom, 12, 34, 39, 40, 41, 46, 49, 65
Circumcision, 28, 30, 31, 32, 37, 38, 39, 51, 71, 85
Clermont, 10
Codex Justinianus, 56
Collegia, 5
Commodian, 21
Conciliabula, 33
Conrad III, 86
Constantine, 6, 10, 12, 18, 24, 27, 29, 30, 31, 36, 47, 67, 84
Constantius 12, 13, 18, 31, 32, 33, 47, 67, 84
Constitutio Sirmondianis, 30
Crete, 76
Cyril, 15, 17, 65, 69

Dacia, 12
Damascus, 43
De Admonitione, 37
De Magis, 37
Decurionate, 29, 56, 57, 58, 59, 66, 67, 79
Demonstratio Evangelica, 23
Dertona, 45
Diana of Caesarea, 8
Diocaesarea, 8, 13, 24
Diocletian, 8
Diospolis, 13
Divine Institutes, 21
Donatists, 59, 60, 61
Dubnow, 3
Dudden, Homes, 44

Easter, 34, 38, 75, 77
Edessa, 24, 74, 84
Edward I, 86
Eliphus, 13
Elvira, 25, 26, 27, 33, 85
England, 86, 87
Ephraem Syrus, 36, 37, 38, 49
Eudoxia, 74
Euphrates, 42
Eusebius of Caesarea, 9, 22, 23, 24, 25, 31, 33, 40, 84

Falcidian Quarter, 64
Fatinists, 80
Felix, 31
Fermilian, 9
Ferrandus, 68
First Crusade, 85
Fiscus Judaicus, 5, 34

PERSECUTION OF THE JEWS IN THE ROMAN EMPIRE

- Florentius, 80
 Forced Conversion, 8, 70, 76, 87
 Fourth Lateran Council, 86
 Frygians, 80

 Gallus, 12, 13
 Gamaliel, 18, 71, 72
 Gaul, 55
 Gaza, 43
 Gebirol Ib, 19, 85
 Germans, 86, 87
 Graetz, 3, 12
 Gratian, 33, 34, 36, 46, 47, 48, 64, 84
 Gregory Nazianzen, 39
 Gregory of Nyssa, 39, 93

 Habib, 11
 Hadrian, 12
 Halevi, Jehuda, 85
 Haman, 17, 69
 Helena, 24
 Hermes, 12
 Hierax, 16
 Hilary of Poitiers, 22, 25, 27, 28, 33, 35, 39
 Holland, 87
 Homilies of Aphrahat, 38
 Honorius, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 84
 Hydroparastatians, 80

 Illyricum, 66, 70
 Innestar Incident, 17, 18, 69, 71
 Innocent III, 86
 Innocentius of Dertona, 45
 Isbozetes, 11
 Islam, 86
 Italy, 86

 Jeremiah, 38
 Jerome, 4, 9, 12, 17, 21, 40, 50, 51, 52, 58, 71, 72
 Jerusalem, 12, 53
 John of Antioch, 78
 Jost, 3
 Jovian, 33, 34
 Judaizers, 21, 34, 35, 85
 Julian the Apostate, 13, 14, 18, 33, 34, 36, 37, 41, 43
 Juster, 6, 7, 48, 56, 69
 Justin, 36

 Krauss, Salomon, 3

 Lactantius, 21
 Laodicea, Council of, 34, 35, 85
 Lentz, H. K., 91
 Lucas, Leopold, 3, 59
 Lucius, 10
 Lyons, 13

 Magister Officiorum, 71
 Magona, 70

 Magus, 11
 Maimonides, Moses, 85
 Mancius, 10, 11
 Manichaeans, 47, 75, 80
 Mansi, 55
 Marciana, 8, 11
 Matrona, 10
 Mauretania, 8, 11, 45, 46
 Maximilianus, 14
 Maximus, 46
 Milan, 12, 42, 43, 44
 Milman, Henry Hart, 12
 Minorca, 70, 84
 Monceaux, P., 8
 Montanists, 80
 Moses, 24
 Moses of Crete, 76
 Munera, 5
 Murawski, Bishop, 20

 Nasi, 6
 Nau, F., 74
 Navarre, 87
 Navicularii, 49
 Nazarenes, 9, 52
 Nazis, 87
 Nestorians, 78
 Nicene Canons (Arabian collection), 28, 33, 34, 55, 85
 Novella III, 77, 78, 79, 80, 81, 85

 Ofites, 80
 Orantius, 12
 Orestes, 15, 16
 Origen, 36
 Orosius, 70

 Parkes, James, 3, 7, 32, 33, 49, 59, 66, 69, 78
 Passover, 34, 38, 41, 53
 Patres Synagogarum, 30, 57, 67
 Patriarch, 6, 8, 18, 30, 33, 65, 66, 67, 71, 72
 Paul, 8, 9
 Pentecost, 77
 Pepyzites, 75
 Peter of Alexandria, 14
 Peter of Cluny, 86
 Pharsees, 24
 Philip, 70
 Philip IV, 86
 Poland, 87
 Portugal, 10, 87
 Praeparatio Evangelica, 23
 Presbyters, 30
 Priscillianists, 80
 Pseudo-Ephraem of Nisibis, 37
 Purim, 69

 Quarto-decimans, 75

 Rabbulas, 74

 Sabbath, 39, 62, 63

GENERAL INDEX

- Salonica, 10
 Salsa, 45, 46
 Samaritans, 60, 61, 78, 79
 Sanhedrin, 6
 Sapor II, 24
 Second Crusade, 86
 Seeck, Otto, 91, 92
 Severus of Minorca, 70
 Simeon Stylites, 76
 Simon, Marcel, 3
 Socrates, 12, 13, 15, 16, 17, 69
 Spain, 11, 12, 25, 86, 87
 Stephen, 12, 70
 Swiss, 86
 Sylvester, 24
 Synagogues, 5, 30, 32, 35, 36, 40, 41, 42, 43,
 44, 45, 50, 51, 52, 53, 54, 57, 63, 66,
 70, 74, 75, 78, 79, 82, 84
 Thea, 8, 9
 Theodoret, 14
 Theodorus, 70
 Theodosius the Great, 41, 42, 43, 44, 45, 46,
 48, 49, 50, 65, 82, 84
 Theodosius II, 65, 66, 67, 68, 69, 70, 71, 72,
 73, 74, 75, 76, 77, 78, 79, 80, 81, 84
 Theophanes, 17
 Tiberias, 13
 Timasius, 44
 Tipasa, 45, 46
 Tutelae, 6
 Urbicus, 10
 Valens, 34, 67
 Valentia, 8, 9
 Valentinian, 34, 36, 47, 67, 82
 Valentinian III, 63, 64
 Valentinians, 42
 Valerian, 42
 Venantius Fortunatus of Arles, 11, 22, 27
 Victor, 11
 Vincent, 12
 Visigoths, 66
 Vita Constantini, 31
 Vitalis, 12
 Williams, Arthur L., 3, 7, 20
 Zeno of Verona, 48