How Rome's administration of the Fiscus Judaicus accelerated the parting of the ways between Judaism and Christianity

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Introduction

Who were the victims of the \textit{fiscus Judaicus} under Domitian?

In this thesis it will be my aim to describe the Roman influence on the process of separation between Judaism and Christianity that resulted in two distinct religions. In my view this influence reached its climax in the form of the \textit{fiscus Judaicus}, which was the Roman financial institution designated by the emperor Vespasian in the early seventies of the first century CE to levy the Jewish tax from Jews in the Roman Empire. But who could be regarded as a Jew? Who was supposed to pay this tax? Not long after its introduction this became a major issue.

The scholarly research into the problems surrounding the \textit{fiscus Judaicus} can boast of a long history. In 1734 the German scholar Peter Zorn published a book under a rather lengthy title, which was customary for those days: \textit{Historia Fisci Judaici Sub Imperio Veterum Romanorum: Qua Periodi Designantur Sceptri Judaeorum Ablati. Inseritur Commentarius In Nummum Thesauri Regii Prussici De Calumnia Fisci Judaici Per Nervam Cocejum Imperatorem Romanum Sublata}. This book by the Hamburg scholar is about the Roman taxation policy towards Jews from the moment Judaea and Jerusalem came under Roman rule in 63 BCE. Also included in the title is Zorn’s interest in the fiscal situation under the emperors Domitian and Nerva at the end of the first century CE, which he could illustrate by the presence of a specific Roman coin in the Royal Prussian Treasury. This coin was a sestertius issued by Nerva to ‘publish’ the fact that he ended some kind of abusive situation concerning the \textit{fiscus Judaicus} that had been introduced by his predecessor Domitian: \textit{FISCI IVDAICI CALVMNIA SVBLATA}: ‘the removal of the wrongful accusation of the \textit{fiscus Judaicus}’.1

From a report by the Roman historian Suetonius, one learns that the levying of the Jewish tax by the \textit{fiscus Judaicus}, which had been introduced by Vespasian in the early seventies of the first century, was administered in a harsh way (\textit{acerbissime}) during the reign of his second son Domitian. According to Suetonius two categories of people were the victims of this

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1 \textit{RIC} II 58, 72, 82; Mattingly 2005 [1936, 1966]: 15 (no. 88), 17 (no. 98), 19 (no. 105). Zorn’s coin: \textit{RIC} II 82, which is displayed in the Bode-Museum in Berlin (November 2008).
harsh administration: ‘those who without publicly acknowledging that faith yet lived a Jewish life’ (*improfessi Iudaicam viverent vitam*) and ‘those who concealed their origin and did not pay the tribute levied upon their people’ (*dissimulata origine imposita genti tributa non pependissent*).²

In the eighteenth century Peter Zorn was already in a position to write about the history of the interpretation of this Suetonian passage by scholars of his own day and earlier centuries, bringing up one of the main questions:

> An vero etiam *Christiani* per improfessos aut originem dissimulantes intelligendi sint, disputatur ab interpretibus (Zorn 1734, 279-80).

Whether actually *Christians* should also be understood as ‘those who did not publicly acknowledge that faith’ or ‘those who concealed their origin’, is debated among scholars.

Zorn then treated the various positions taken by scholars before him, ranging from the standpoint that only Jews (*dissimulata origine*) and proselytes (*improfessi Iudaicam viverent vitam*) were the victims, to the view (shared by him) that also Christians should be included in one or both of these groups.

So whether or not Christians were among the victims of the *fiscus Judaicus* is certainly not a new question, but for some reason it has not gained the interest that it might have done or perhaps should have done in more recent years. If one looks at the number of specific articles about the *fiscus Judaicus* or its inclusion in other publications in the last sixty years, it is hard to find more than a dozen that really matter.³ In some of those articles and books Christians are still mentioned as possible victims of the *fiscus Judaicus* under Domitian⁴ and this *fiscus* is also mentioned as an important factor in the process of the ‘parting of the ways’ of Judaism and early

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² Suetonius, *Dom.*, 12.2
⁴ Most of these scholars specifically count Jewish Christians among the possible victims of the *fiscus Judaicus* under Domitian: Smallwood 1956, 3, and 2001 [1976], 377; Keresztes 1973, 5-6; Thompson 1982, 340; also see Schäfer 1997, 114; Hemer 1973, 11, mentions Christians in general and also includes Gentile Christians as people who could be accused of living a Jewish life *improfessi*. So does Stenger 1988. Their positions will be discussed extensively in Chapter 2. In Dutch: Mulder 1973, has some good insights, but is unconvincing in many respects; Den Heyer 1994, see also note 183.
Christianity. Yet there is no thorough investigation into the details of how this should be understood.

Whether or not traces of the prosecutions by the fiscus Judaicus can be found in the New Testament or other early Christian writings is a question that has not been asked very often. Because of the relative lack of interest in the subject, this Roman financial institution does not get mentioned in commentaries of those New Testament books, where one might expect it. If there is a possibility that Christians were among the victims of the fiscus Judaicus under Domitian (which is acknowledged by some modern scholars as mentioned above), this possibility might have been tested for books like for instance 1 Peter, Revelation, the Letter to the Hebrews and the Gospel of John, in which there are indications of some kind of persecution of Christians.

In this thesis it will be my aim to fill this gap and investigate the connections between the Roman fiscus Judaicus, the Christian New Testament, some other early Christian writings and also Jewish (Talmudic) sources, focusing on the situation under the Roman emperor Domitian. It will be argued that new and important insights can be gained from investigating the actions of the fiscus Judaicus during Domitian’s reign and their possible impact on the early Christian communities in the Roman Empire. Taking into account the fact that his successor Nerva thought it necessary to solve some kind of problem with respect to this fiscus, one should also try and find out what this solution meant for these same communities. Doing this may shed new light on a number of issues, some of which have been among the most important in the study of ancient history, early Jewish history and the study of the New Testament over the last few decades.

The first of these issues is the persecution of Christians by Roman authorities in general and the alleged persecution of Christians by Domitian in particular. Furthermore, reference can be made to the relations between

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6 Examples of scholars who have mentioned the fiscus Judaicus as a factor within the context of early Christianity in the last decades of the first century: Hirschberg (1999) and Bredin (2003) in relation to the Book of Revelation; Vouga (1977), Cassidy (1992), Frey (2004a) and Kierspel (2006) in relation to the Gospel of John; and Zetterholm (2003), writing about the separation between Christianity and Judaism in Antioch. Their contributions will be discussed in the later chapters (Chapters 5, 6 and 7) about New Testament writings and Chapter 8 about the Parting of the Ways.
Judaism and early Christianity, including the important issue of alleged anti-Jewish passages in Christian writings like the Book of Revelation, the Letter to the Hebrews and the Gospel of John. Moreover, one could mention the debate about the connection between the Jewish ‘benediction of the heretics’ (*birkat ha-minim*) and early Christianity, particularly in the case of the Gospel of John.

One important characteristic of my approach is that I have tried to find all relevant sources that are somehow connected to the last two decades of the first century, whether they are Roman, Jewish, Jewish Christian or Christian. Especially with regard to this moment in time one should try and consider the historical circumstances from these different perspectives. There is always the risk that the lack of one perspective leads to a distorted result.

I found it remarkable not to find a single reference to the *fiscus Judaicus* when checking the index of a book with conference papers on *Anti-Judaism and the fourth gospel*, although the issues concerning this *fiscus* under Domitian and Nerva are closely contemporaneous with a very common dating of this New Testament book around the year 100 CE. Furthermore, it

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7 When I use the term ‘Jewish Christian’ in this study, I am referring to Jews who recognized Jesus as the Messiah and accepted non-Jews into their ‘Christian’ communities, without converting them to Judaism by having them follow the Jewish laws concerning, e.g., food and circumcision. This is often referred to as ‘Pauline’, because the apostle Paul was a strong advocate of this approach. Since these converted non-Jews needed to distance themselves from their traditional religious practices in order to become Christians, they did adopt the Jewish exclusive monotheism. For this reason, as will also be seen in this study, their social environment (including state authorities) became highly suspicious of them and the people who converted them. Being a ‘Christian’ eventually even became the crime for which members of Christian communities (originally made up of Jewish and Gentile Christians) could be punished. Groups like the Ebionites, who remained within the boundaries of Judaism much longer, did not face this risk and with regard to them I would use the term ‘Jewish Christian’ with hesitation. In this respect I use a different definition from the one used by Skarsaune and Hvalvik (eds.) 2007, 3-16, in their *Jewish believers in Jesus* (following a definition by Mimouni): ‘A “Jewish Christian” is a Jewish believer in Jesus who, as a believer, still maintains a Jewish way of life.’ (5, italics Skarsaune). I do agree with Skarsaune’s observation that the ancient sources ‘divide Christians into two categories by an ethnic criterion. There are Christians (or believers in Jesus) from the Jews and from the Gentiles (…).’ (3) This ethnic criterion will be of the highest importance, when I turn to the administration of the *fiscus Judaicus* under the emperor Domitian and the reform of this administration under the emperor Nerva. For the issue of defining Jewish Christianity also see Taylor 1990, Carleton Paget 2007, and Jackson-McCabe 2007.

was equally striking not to find a single reference to the administration of the *fiscus Judaicus* under Domitian in a monograph on the *birkat ha-minim*, which is dated by its author around the year 90 CE.\(^9\) This is all the more surprising, since in all these cases the issue of Jewish identity is at the centre of the scholarly debates: with regard to the Gospel of John many scholars are puzzled by the enigmatic use of the term ‘the Jews’; for the *fiscus Judaicus* under Domitian and Nerva it was an important question who should be regarded as a Jew from a Roman legal perspective; and the Jewish ‘benediction of the heretics’ was composed to make a distinction between ‘orthodox’ and ‘heretical’ Jews. Even studies that focus entirely on Jewish and Christian identities in ancient times seem unable to fathom the importance of the *fiscus Judaicus* as perhaps an important driving force or catalyst in defining these identities.\(^{10}\)

Somehow the Roman factor in all of this seems to be neglected or highly underestimated. This is why this study will start with the Roman perspective: the first three chapters will deal with the *fiscus Judaicus*. In the first chapter the introduction of the Jewish tax by Vespasian and its general history will be described. In the second chapter I will focus on the ‘harsh’ administration of the *fiscus Judaicus* under Domitian and in Chapter 3 Nerva’s reform of this administration will be the main subject. Special attention will be paid to the impact of these developments on Jewish and Christian communities during the reign of these two emperors. Chapter 4 is a more general discussion about the persecution of Christians by Roman authorities and the important place the *fiscus Judaicus* should be given in this context on the basis of my findings in the first three chapters. In Chapter 4 I will also look at the evidence that can be found in 1 Peter.

The second part of this thesis will deal with New Testament books that are somehow related to the history of the *fiscus Judaicus* under Domitian and Nerva, as will be explained. In Chapters 5, 6 and 7 I will investigate the

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9 Teppler 2007.
10 Lieu 2002 and 2004. In the first mentioned book from 2002, *Neither Jew nor Greek: Constructing Early Christianity*, Judith Lieu mentions the *fiscus Judaicus* five times (2002, 19; 21; 109; 123; 227), but sees no clear role for this institution in relation to the separate identities of Christians and Jews. In the book from 2004, *Christian Identity in the Jewish and Graeco-Roman World*, the issue of the *fiscus Judaicus* has completely disappeared and plays no role at all in her discussions about any boundaries between Jews and Christians. This study will hopefully make clear that the writing off of the *fiscus Judaicus* as an important separating factor towards the end of the first century is not justified.
connections between the *fiscus Judaicus* and the Book of Revelation, the Letter to the Hebrews and the Gospel of John respectively. This will both clarify the Roman context of early Christianity at the end of the first century and will lead to new or better founded conclusions with regard to date, purpose, and addressees of these particular books, as will be argued.

In Chapter 7 about the fourth Gospel, I will also pay attention to the way the *birkat ha-minim* could fit into this historical context. In this way there will be a shift of focus to the Jewish context of early Christianity as well. The emergence of the categories of orthodoxy and heresy in both early Judaism and early Christianity is often located in this period of time and there may be some wider connection to the *fiscus Judaicus* in this respect too, as will be made clear.

The final chapter (Chapter 8) in this second section will be of a concluding nature and, like the fourth chapter, will also take a somewhat broader perspective. It will discuss how the *fiscus Judaicus* should be positioned within the context of the highly debated ‘Parting of the Ways’, the separation between Judaism and Christianity. In this way the Roman influence on this process will be given a prominent place in my argument.