Burial and Religious Identity: Religious Groups and Collective Burial

In Les Origines du culte des martyrs, Hippolyte Delehaye writes, "The custom that quickly spread of not mingling Christian tombs with pagan ones, but instead setting aside separate areas, was hardly unprecedented. Other associations or groups had introduced this type of solidarity in death into their practices."[1] This statement needs verification, for, besides the obvious relevance to Christianity, it raises the issue of the social behavior of religious groups whose differentiation is one of the characteristics of late antiquity.

Religious development in Late Antiquity is often described as an inevitable movement toward monotheism, according to a point of view that approaches religion on the basis of beliefs. By adopting a point of view based instead on social practice, we shift the emphasis to the development of religious pluralism.[2] Without attempting to go back to the origins of this phenomenon, we can say with confidence that in the third century the Roman Empire was a true "marketplace of religions." Not only were Jews, Christians, and pagans competing with each other but, within paganism, a plurality of religious groups appeared, weakening the monopolistic position of civic religion.

From this standpoint, John North has noted that one of the most sensitive criteria for evaluating the impact of these groups in traditional Greco-Roman society involves tracing areas of conflict with members' families.[3] Here, the study of funerary practices is decisive. Statistical studies regarding burial inscriptions of civil populations in the Western Roman Empire have shown that, when the relationship was mentioned, 80 percent of commemorators were wives, parents, children, or cousins of the deceased individual honored in the epitaph. This percentage increased in the fourth century, but the samples used for Late Antiquity were all Christian and therefore less representative.[4] Even if commemoration with an epitaph did not extend to every level of Roman society, the numbers allow us to conclude that it was traditional in the Roman Empire for the family, in fact the nuclear family, to maintain the tombs of its members. Did the appearance of new cults and subsequent religious groups lead to tensions between a family and a religious group over the choice of a grave?

1. Hippolyte Delehaye , Les Origines du culte des martyrs, Subsidia hagiographica 20 (Brussels: Société des Bollandistes, 1933), 30. Belgium

2. This is the point of view adopted in The Jews among Pagans and Christians in the Roman World, ed. Judith Lieu , John North , and Tessa Rajak (London: Routledge, 1992). United Kingdom

3. John North , " The Development of Religious Pluralism," in Lieu, North, Rajak, eds. , The Jews among Pagans and Christians in the Roman World, 184.

4. See Richard Saller Brent D. Shaw , "Tombstones and Roman Family Relations in the Principate: Civilians, Soldiers and Slaves," Journal of Roman Studies 74 (1984): 124-156 ; Brent D. Shaw, "Latin Funerary Epigraphy and Family Life in the Later Roman Empire," Historia 33 (1984): 457-497. Dale B. Martin , " The Construction of the Ancient Family: Methodological Considerations," Journal of Roman Studies 86 (1996): 40-60 questions the counting method of Saller and Shaw ; yet this does not affect the part of their research I use here. See Jonathan S. Perry , A Death in the 'Familia': The Funerary Colleges of the Roman Empire 1996 170 ff University of North Carolina-Chapel Hill for a thorough discussion of the topic.

Mystery Cults, Oriental Cults, and New Cults

The success of the oriental cults in the Roman Empire has often been viewed as preparation for the rise of Christianity. Because of their common origin in the East, of the mystery surrounding their rites, and of the initiation that separated their members from the rest of society, the comparison was appealing. The cults and their beliefs, as well as their organization, have long been analyzed through the reference system of Christianity. Walter Burkert, who constantly emphasizes the discontinuity between oriental cults and Christianity, has thus attacked the causal relationship between eschatological beliefs and collective burial grounds postulated by Franz Cumont at the beginning of the twentieth century.[5]

5. Walter Burkert, Ancient Mystery Cults (Cambridge, MA: Harvard University Press, 1987) chap. 1 United States

Of the mysteries of Mithras, Cumont wrote, "In these closed churches, where everyone knew and supported each other, there reigned the intimacy of a large family. ... In death, probably, all rested in a common graveyard. Although no one has yet discovered a single Mithraic cemetery, the special beliefs of this sect about the afterlife and its very distinctive rites make it very likely that, like most of the Roman sodalicia, it formed not only religious associations but also burial ones."[6]

6. Franz Cumont, Les mystères de Mithra, 3rd ed. (Brussels: Lamertin, 1913) 181 Belgium See also Franz Cumont, Textes et monuments figures relatifs aux mystères de Mithra, vol. 1, Introduction (Brussels: Lamertin, 1899) 328. Belgium

The origin for claims of this type is to be found in a document dating from the fifth century BCE that has remained the necessary starting point for all discussion of the funerary practices of these cults. It is the famous inscription of Cumae (today Cuma, in Italy), which seems to reserve a burial place for initiates of a cult of Bacchus. The text announces in fact that it is forbidden for a noninitiate to repose there, using a vocabulary that exceeds human law and evokes a religious sanction. Many scholars, after Cumont[7] have seen in it proof that Dionysian associations had their own cemeteries. Recent discussions have attempted to determine if this document concerned a Dionysian or Orphic cult; for our purposes, that debate is less important than trying to reconstitute the archaeological context of the inscription.[8] Actually, this inscription was not carved on a stele but on the inner face of a stone slab that must have been used to cover a tomb. This means that the inscription could not have been read from the outside. The inscription of Cumae, despite its strong religious defense, thus probably did not have a function very different from the Orphic inscriptions on gold tablets whose primary purpose was to proclaim salvation. Rather than an interdiction, this inscription, notes Jean-Marie Pailler, is like "a hyphen between initiation and afterlife."[9] Moreover, archaeology has provided cases showing that a separate tomb was not the rule; on the site of Hipponium (today Vibo Valentia, in Italy), for example, the tomb of an Orphic initiate was found among tombs of noninitiates in the same necropolis.[10] It has similarly been thought that a cluster of some one hundred tombs at Tarentum (today Taranto, in Italy) laid out regularly and very simply, constituted the cemetery of a Pythagorean community. Archaeologists thought they had found at the center of this necropolis the tomb of Archytas, a Pythagorean general at Tarentum in the fourth century BCE. It has now been proven that this was a woman's tomb from the beginning of the second century BCE; there is nothing to suggest a connection between this cluster of tombs and Pythagorism.[11] This very early evidence does not support the notion of the separation of the dead by religion.

7. See, for instance, Franz Cumont, Lux perpetua (Paris: Geuthner, 1949), 253, 405-6. France

8. The inscription unearthed in 1903 by Antonio Sogliano (Notizie degli scavi di antichità, 1905, 380) is published in Franciszek Sokolowski, Lois sacrées des cités grecques. Supplément., Ecole française d'Athènes. Travaux et mémoires 11 (Paris: De Boccard, 1962) 202-203, no. 120. Robert Turcan, Bacchoi ou bacchants? De la dissidence des vivants à la

ségrégation des morts, L'association dionysiaque dans les sociétés anciennes, Collection de l'École française de Rome 89 (Rome: École française de Rome, 1986), 227-246, Italy proposes to read it as an orphic document, while Jean-Marie Pailler sustains the traditional interpretation of a dionysian document; see Pailler, Jean-Marie Sépulture interdite aux non bachisés: dissidence orphique et vêture dionysiaque," in Bacchus: figures et pouvoirs Histoire (Paris: Les Belles Lettres, 1995) 111-126. See Angelo Bottini, Archeologia della salvezza: l'escatologia greca nelle testimonianze archeologiche, Biblioteca di archeologia 17 (Milan: Longanesi, 1992) 58-62 Italy

9. Pailler, " Sépulture interdite aux non bachisés, " 118.

10. Bottini Archeologia della salvezza 51-58

11. For the traditional hypothesis, see Pierre Wuilleumier, Tarente des origines a la conquête romaine, Bibliothèçque des Ecoles françaises d'Athènes et de Rome 148 (Paris: De Boccard 1939), France 548-549. Pier Giovanni Guzzo, " Altre note tarantine," Taras 12 (1992): 135-141, esp. 135-136 excludes the possibility of it being Archytas's tomb. See Enzo Lippolis, Catalogo del Museo nazionale archeologico di Taranto. 3,1 Taranto, la necropoli: aspetti e problemi delia documentazione archeologico tra VII e I sec. A.C. (Taranto: La Colomba, 1994), Italy 58.

As for the cult of Mithras, Cumont considered it highly likely that places of collective burial existed, even though none are known. At Gross-Krotzenburg, near Hanau in Germany, the tombs that were discovered very near the Mithraeum cannot be the remains of a Mithraic cemetery organized around the sanctuary as they reuse stones from the sanctuary's walls and postdate its destruction.[12] Some epitaphs of Mithriasts are known in Italy or Gaul, but they contain no prescription specific to the cult of Mithras, and the dedicators were always relatives of the deceased.[13]

12. This is noted in Franz Cumont " Textes et monuments figurés relatifs aux mystères de Mithra," vol. 2 Textes et monuments (Brussels: Lamertin, 1896), 353. Belgium See Maarten Jozef Vermaseren , Corpus inscriptionum et monumentorum religionis Mithriacae, vol 2, (The Hague: Nijhoff, 1960), no. Netherlands 1148

13. Vermaseren Corpus inscriptionum et monumentorum religionis Mithriacae, vol. 1, (The Hague: Nijhoff, 1960), nos. Netherlands 113-115 206 511 623-624 708 885

Worshippers of the Thracian god Sabazius also did not specify their religious affiliation in their epitaphs.[14] Nevertheless, they may have formed associations that provided tombs for their members. A first century BCE stele from Rhodes is dedicated to one Aristo of Syracuse and honors him for his devotion and the care he took of the tombs of the association. This was found in a small funerary monument consisting of two adjacent rooms that might well have belonged to this Sabazian association. Still, there is not sufficient evidence to allow us to assume that Sabazian cemeteries as such existed. Nothing there indicates any particular concern for a separate burial. Another piece of evidence attests that an association of Sabazians at Teos in Asia Minor (today Sigacik in Turkey) also provided tombs for spouses of members although they were not members of the cult themselves.

14. See the inscriptions gathered in Eugene N. Lane Corpus cultus Iovis Sabazii, vol. 2, The Other Monuments and Literary Evidence, Etudes préliminaires aux religions orientales dans l'Empire romain 100, no. 2 (Leiden: Brill, 1985). Neitherlands

15. Lane, Corpus cultus Iovis Sabazii, vol. 2, 22, no. 46. See especially the thorough commentary of Vassa Kontorini, Inscriptions inédites relatives a l'histoire et aux cultes de Rhodes au IIe et ou Ier s. av. J-C. 1, Rhodiaka, Archaeologia transatlantica 6, Publications d'histoire de l'art et d'archéologie de l'Université catholique de Louvain 42 (Louvain-La-Neuve: lnstitut supérieur d'archéologie et d'histoire de l'art, College Erasme, 1983), Belgium 71-79, and illustrations X-XI.

16. Lane Corpus cultus Iovis Sabazii, vol. 2, no. 28 for the inscription and Eugene N. Lane, Corpus cultus Iovis Sobazii, vol. 3, Conclusions Études préliminaires aux religions orientales dans l'Empire romain 100, no. 3 (Leiden: Brill, 1985), Neitherlands 45, for male membership in Sabazius's cult.

The cult of Cybele has provided more evidence. It was neither a new cult nor a true oriental one, since it was officially introduced as a public cult in Rome in 204 BCE. The cult, closely linked to that of Attis, was organized around priests attached to the sanctuary (the galli), as well as associations with official roles in the large annual festival held in March (dendrophori and cannophori). The epitaphs are for the most part those of galli, or members of the associations, but some inscriptions indicate that worshipers of Cybele and Attis sometimes marked their affiliation by identifying themselves as religiosi.[17] Of particular interest is one inscription from Pozzuoli in Campania and dating from around the second century CE. It mentions a "field of believers" (ager religiosorum) in which Gaius Julius Aquilinus built a portico and benches at his own expense.[18] What exactly does this expression ager religiosorum mean? It could designate one of those funerary gardens, known from epitaphs, in which there stand, beside the funerary monument, various structures intended for the cult of the dead or simply for social gatherings.[19] However, the term could just as well designate a meeting place, where porticos and benches are frequently mentioned.[20] As the inscription was found out of any context, we simply cannot know for certain.

17. See Maarten Jozef Vermaseren , Corpus cultus Cybelae Attidisque Etudes préliminaires aux religions orientales dans l'Empire romain 50 Brill Leiden Neitherlands 1977-1989 vol. 3, no 337(Rome), vol 4, no. 105 (Larinum), vol.5, no. 142 (Sitifis).

18. Ibid. vol. 4, no. 16. See also Vincent Tam Tinh Tran, Le culte des divinités orientales en Campanie en dehors de Pompéi, de Stabies et d'Herculanum Etudes préliminaires aux religions orientales dans l'Empire romain 27 (Leiden: Brill, 1972), Netherlands 107, no. C9 CILCorpus Inscriptionum Latinarum 10.1894)

19. See the data gathered in Jocelyn M. C. Toynbee , Death and Burial in the Roman World (Baltimore: John Hopkins Universiry Press, 1996), USA 94-100.

20. See the inventory of meeting places owned by collegia in Jean-Pierre Waltzing, Étude historique sur les corporations professionnelles chez les Romains depuis les origines jusqu'à la chute de l'Empire d'Occident, 4 vols., (Louvain: Peeters, 1895-1900), Belgium 4:447ff.

Another inscription at Pozzuoli mentions a field of seven jugeri (more than one hectare) belonging "to members of the association of followers of Jupiter Heliopolitanus." Here again, the funerary purpose of the land is not explicit; the inscription mentions a cistern and taverns and, notably, specifies the conditions for access to the field, but says nothing of the use that could be made of it. To call it a "private cemetery" is questionable.[21] On the strength of this inscription, Felix Hettner postulated a similar cemetery for the worshipers of Jupiter Dolichenus (from Doliche, today Duluck in Turkey) on the Aventine in Rome, where a temple has provided a great deal of evidence. The only inscription that he related to this cemetery cannot, however, be explicitly linked to this cult. The force of his entire argument thus depends upon the example of Pozzuoli.[22] No epitaph of a simple follower of Jupiter Dolichenus is known, and the three extant epitaphs of priests contain no indication on the location of the grave.[23]

21. This is contra Tam Tinh Tran Le culte des divinités orientales en Campanie, 133 ; see pages 149-50 for the text of the inscription (= CILCorpus Inscriptionum Latinarum 10.1579) and its translation. For Waltzing , Étude historique sur les corporations 4:448 it was a meeting place.

22. Felix Hettner , De Iove Dolicheno (Bonn: 1877), Germany 17. This inscription is not listed in the inventory of Monika Hörig Corpus cultus Iovis Dolicheni Études préliminaires aux religions orientales dans l'Empire romain 106 (Leiden: Brill, 1987). Netherlands

23. Hörig , Corpus Cultus Iovis Dolicheni, nos. 3, 67, and 123. Pierre Merlat Jupiter Dolichenus: essai d'interprétation et de synthèse, Publications de l'Institut d'art et d'archéologie de l'Université de Paris 5 (Paris: Presses universitaires de France, 1960) France 190-210, gives no indication about funerals and burials for the followers of Jupiter Dolichenus.

It is thus clear that among the documents attesting to the presence or the spread of a particular cult, epitaphs are very few and most often refer to priests, not to simple followers. Walter Burkert has concluded that "individual distinctiveness prevailed over group identity."[24] I would like to add that membership in this type of cult does not seem to have been relevant information for the wording of epitaphs, which in turn suggests that the new cults did not lead to conflict with families over the burial choices of their members. No document relating to the new and rapidly multiplying cults in the empire indicates a religious preference in burial practices .

24. Burkert , Ancient Mystery Cults, 48.

The Jew

That Jews were buried together and apart from non-Jews has long been considered beyond discussion. Jewish studies basically described the Jews of the Diaspora as living in total isolation from, and in opposition to, the surrounding communities. It is only recently that Jewish documents and monuments have begun to be compared systematically to other, contemporary, documents and monuments; as long as these were studied in isolation, historians necessarily concluded that the Jews were isolated. Today it is possible to have a more nuanced view on the degree of integration of Jews in the Roman Empire and on the degree of interactions with other groups.[25] Whenever some degree of interaction has been considered, close examination reveals that the Jews did not live in isolation. Tessa Rajak has thus shown that the Jewish system of honorary titles functioned in the same way as the patronage system in any Greco-Roman city, which made it possible, as she emphasizes very provocatively, to attract non-Jewish patrons to the synagogue.[26] Leonard V Rutgers, with a very different perspective, has tried to show that artifacts found in Jewish catacombs in Rome had come from workshops that also made artifacts for non-Jews, pagans as well as Christians.[27] Such examples show clearly that Jews in the Roman Empire were not living in ghettos as the nineteenth-century historians had tended to imagine.[28]

25. See Judith Lieu, John North, and Tessa Rajak Introduction in Lieu, North, and Rajak, eds. The Jews among pagans and Christians, 1-8 and Martin Goodman, ed., Jews in a Graeco-Roman World(Oxford: Clarendon Press, 1998). United Kingdom

26. Tessa Rajak, " Archisynagogoi: Office, Title and Social Status in the Greco-Jewish Synagogue," Journal of Roman Studies 83 (1993): 75-93.

27. Leonard Victor Rutgers, " Archeological Evidence for the Interaction of Jews and Non-Jews in Late Antiquity," American Journal of Archeology 96 (1992): 101-118. See also Leonard Victor Rutgers, The Jews in Late Ancient Rome: Evidence of Cultural Interaction in the Roman Diaspora Religions in the Greco-Roman World 12 (Leiden: Brill, 1995). Neitherlands

28. About Jewish historiography, see Rutgers, The Jews in Late Ancient Rome, chap. 1.

What do we know about funerary practices of the Jews of the Diaspora and of the organization of their burial?[29] To start, we must consider the practice of being buried in Palestine. There are cases, at Beth She'Arim, of wealthy Jews from Asia Minor having their remains repatriated to the land of their ancestors.[30] Rabbinical teachings on this subject are not found before the third century and the practice, if only for logistical reasons, was rather marginal.[31] Most Jews in the Diaspora were buried where they lived. Archaeologists, as well as epigraphists, are more prudent than in the past about identifying a Jewish tomb or inscription.[32] These efforts, and the removal of prejudices about Jewish isolationism, have revealed that the mixing of Jewish and non-Jewish tombs in the same burial areas was very common.

29. See the general introduction in Rachel Hachlili, , Ancient Jewish Art and Archaeology in the Diaspora, Handbuch der Orientalistik. 1, Nahe und Mittlere Osten 35 (Leiden: Brill, 1998), Neitherlands 263-310. The discussion was opened by B. H. Williams, The Organization of Jewish Burials in Ancient Rome in the Light of Evidence from Palestine and the Diaspora Zeitschrift für Papyrologie und Epigraphik 101 (1994): 165-182 . See David Noy , Where Were the Jews of the Diaspora Buried? in Goodman, ed., Jews in a Graeco-Roman World, 75-89

30. Tessa Rajak, The Jewish Community and Its Boundaries in Lieu, North, and Rajak, eds., The Jews among Pagans and Christians 16; See Moshe Schwabe and Baruch Lifschitz, eds., Beth She'arim, vol.2 The Greek Inscriptions (Jerusalem: Massada, 1974), Israel 219.

31. See Isaiah Gafni , " Reinternment in the Land of Israel: Notes on the Origin and Development of the Custom," Jerusalem Cathedra 1 (1981): 96-104. See also Noy , " Where Were the Jews of the Diaspora buried?" 78-79.

32. See Rutgers , " Archaeological Evidence," 110-111 ; Ross Shepard Kraemer , " Jewish Tuna and Christian Fish: Identifying Religious Affiliation in Epigraphic Sources," Harvard Theological Review 84 (1991): 141-162 ; and Jan William van Henten and Alice J. Bij de Vaate , " Jewish or Non-Jewish?: Some Remarks on the Identification of Jewish Inscriptions from Asia Minor," Bibliotlieca Orientalis 53 (1996): 16-28.

In the case of Italy, with the exception of Rome, data are scattered. At Venosa, Jewish and Christian hypogea are dug into the same hillside.[33] At Taranto, as at Syracuse and Agrigento in Sicily, Christian and Jewish objects have come from the same cemeteries.[34] One inscription from Ostia, dated from the second century, would attest to a funeral enclosure owned by Jews but situated among non-Jewish enclosures.[35]

33. See Harry J. Leon , " The Jews of Venusia," Jewish Quarterly Review 44 (1954): 267-284 , and Cesare Colafemmina , " Saggio di scavo in località 'Collina della Maddalena' a Venosa," Vetera Christianorum 18 (1981): 443-451 . See also Eric M. Meyers , " Report on the Excavations at the Venosa Catacombs 1981 Vetera Christianorum 20 (1983): 445-459 ; Rutgers , " Archeological Evidence," 112 ; and David Noy Jewish Inscriptions of Western Europe ,vol. 1, Italy (Excluding the City of Rome), Spain, and Gaul (Cambridge University Press Cambridge United Kingdom 1993), XV-XXI

34. Rutgers , " Archaeological Evidence," 12-13 and bibliography

35. Noy, Jewish Inscriptions of Western Europe, vol.1, no, 18 ; see also Noy, , " Where Were the Jews of the Diaspora buried?" 80-81. The first part of the inscription, in which it says that the society (synagoga?) of the Jews bought some land and then gave it to C. Iulius Iustus, who built a tomb, is solely a montage of hypothetical restitutions.

In Asia Minor, where Jewish communities are well known,[36] no Jewish cemetery has yet been identified. An inscription discovered at Tlos, in Lycia, dating from the first century, makes a point of mentioning the gift from a certain Ptolemy of the funerary monument, which he built at his own expense for himself and his son, to all the Jews of the city. This kind of evergetism is rare, though attested elsewhere, and does not necessarily evince a communal burial area. Through this gift, the Jewish community ·simply took ownership of an individual tomb.[37] The private and familial nature of Jewish tombs is clear when fines are stipulated in the epitaph against the burial of an unauthorized body, a practice that was also common among non-Jews. A good example of this practice is the epitaph of Rufina in Smyrna that dates from the third century, at the earliest: "Rufina, a Jewish woman, built this tomb for her servants and slaves raised in her house. No one shall have the right to bury others here. Anyone doing so shall pay a fine of 1,500 denarii to the sacred treasury and 1,000 denarii to the Jewish people. A copy of this inscription has been place in the public archives."[38] Tombs were usually reserved for the nuclear family, though sometimes, as in this example, enlarged to include freedmen and slaves, but without any explicit religious restrictions. These fines were sometimes to be paid to the Jewish community under a variety of names: synagogue, Jewish nation, Jewish colony. This might lead us to think there was a kind of community organization controlling and overseeing Jewish burials were it not that, in the same inscriptions, these fines were also directed to the fiscus, or the sacred treasury.[39] That tells us that

respect for tombs is as much the responsibility of the city and its institutions as it is for a more limited group of coreligionists.

36. See Paul R. Trebilco, Jewish Communities in Asia Minor, Monograph series, Society for New Testament Studies, 69 , (Cambridge University Press Cambridge United Kingdom 1991)

37. See the text and translation by Jean-Baptiste Frey , Corpus inscriptionum iudaicarum: recueil des inscriptions juives qui vont du IIe siècle avant Jésus-Christ ou VIIe siècle de notre ère. 2, Asie - Afrique, Sussidi allo studio delle antichità cristiane 3 (Vatican City: Pontificio Instituto di archeologia cristiana 1952 Vatican), n. 757 (Tituli Asiae minoris. 2, , Tituli Lyciae linguis Craeca et Latina conscripti. 2 ed. E. Kalinka (Hoelder Vindobonae Austria , 1930), n. 612). See Trebilco Jewish Communities in Asia Minor; no. 71, 227.

38. Frey , Corpus inscriptionum iudaicarum, vol. 2, no 741 = Die Inschriften von Smyrna. 1, ed. Georg Petzl (Bonn: Habelt 1982),Germany no. 295 .

39. More examples: Frey , Corpus inscriptionum iudaicarum, vol. 2, nos. 775, 776, 799, etc. About the Jewish inscription of Hierapolis, see Elena Miranda , " La comunità giudaica di Hierapolis di Frigia," Epigraphica Anatolica 31 (1999): 109-55, esp. 148 (for funerary fines).

Still, in Asia Minor, whenever identification is possible, we find that Jewish tombs are mixed with non-Jewish ones. That is the case, for example, at Hierapolis or at Corycus.[40] At Acmonia, the great number of epitaphs containing curses against violators of tombs has been used to argue in favour of the existence of a Jewish cemetery there.[41] As these curses actually refer to "curses written in Deuteronomy" or, more generally, to the vengeance of divine justice, they were unlikely to be deterrents for non-Jews.[42] However, the curse was engraved more for its own performative value than for the fear it would arouse in a tomb violator who might read it.[43]

40. About Hierapolis, see Tullia Ritti , " Nuovi dati su una nota epigrafe sepolcrale con stefanotico da Hierapolis di Frigia," Scienze dell'antichità 6-7 (1992-93) 41-68, esp. 41-43 and Miranda , " La comunità giudaica di Hierapolis di Frigia," 146 , which mentions only one case of contiguity between two Jewish sepultures, while the rest of them are scattered along the road. For Corycus, see Joseph Keil , ed., Monumenta Asiae Minoris antiqua. 3, Denkmäler aus dem rauhen Kilikien, (Manchester University Press Manchester United Kingdom 1931), 120-22 , where there is a description of the necropolis along the coast and a map illustration (46). Jewish inscriptions were found in the three areas arbitrarily designated by the editors as A, B, and C. See Margaret H. Williams , " The Jews of Corycus: A Neglected Diasporan Community from Roman Times," Journal for the Study of Judaism 25 (1994): 274-86, esp. 278 and notes 23-24.

41. Johan H. M Strubbe , " Curses against Violation of the Grave in Jewish Epitaphs of Asia Minor in Studies in Early Jewish Epigraphy, ed. Jan Willem van Henten Pieter Willem van der Horst Arbeiten zur Geschichte des antiken Judentums und des Urchristentums 21 (Leiden: Brill, 1994) Neitherlands 101-2 ; this is contra Trebilco , Jewish Communities in Asia Minor, 227, n. 71. Margaret H. Williams , " The Meaning and Function of Ioudaios in Graeco-Roman Inscriptions," Zeitschrift für Papyrologie und Epigraphik 116 (1997): 256 and n. 69, stresses the weakness of Strubbe 's arguments; we find the same comment in Noy, , " Where Were the Jews of the Diaspora Buried?" 81, n. 30.

42. Trebilco , Jewish Communities in Asia Minor, 67-68, 83, 100, implies that people in cities like Acmonia had some knowledge of Jewish law.

43. This is note in Strubbe , Curses, 100 .

Two Jewish inscriptions from Asia Minor also record funds bequeathed to associations, but there is no indication that these were exclusively Jewish. In one of them, from Hierapolis, P Aelius Glykon gives money to two associations for the placing of wreaths on his tomb-to the purple dyers for the festival of Passover, to the carpet weavers for the festival of Pentecost, and for the Calends.[44] In the other, from Acmonia, Aurelius Aristeas gives land to a neighborhood association, the neighborhood of the First Gate, "on the condition that each year they deck with

roses the tomb of [his] wife".[45] To celebrate the rosalia or to crown tombs were two traditional commemorative practices in the Greco-Roman world. Their adoption by Jews suggests once again a degree of integration that has often been denied them and would make little sense if funerary segregation were the rule.[46]

44. Frey , Corpus inscriptionum iudaicarum, vol. 2, no. 777(incomplete); new edition in Miranda , " La comunità giudaica di Hierapolis di Frigia," 131, no. 23, with a detailed commentary, 140-45. See also Ritti , " Nuovi dati."

45. See the text, English translation, and commentary in Trebilco , Jewish Communities in Asia Minor, 78-81.

46. According to Trebilco , the association of the Neighborhood of the First Gate would be a Jewish association; as for P Ailios Glykon, he was not Jewish but a "sympathizer." In both cases, the arguments are hardly convincing: neither is the hypothetical reading of Aphrodisias's inscription proposed in Margaret H. Williams , " The Jews and Godfearers Inscription from Aphrodisias: A Case of Patriarcal Interference in Early 3rd Century Caria?" Historia 41, no. 3 (1992): 297-310 .

The city of Tukrah, Libya (ancient Teucheira in Cyrenaica) provides another interesting example, with a total of 440 inscriptions drawn mostly from chamber tombs cut in the sides of ancient quarries located east and west of the city. Shimon Applebaum was able to identify as Jewish 109 inscriptions, to which he added 144 others from chamber tombs in which other Jews have been identified. That presupposes that within anyone chamber, only Jewish graves would be found; there is no reason to think otherwise. However, and contrary to the old view, Applebaum can show that if one of these quarries seems to have been almost exclusively used as a burial place for Jews, others reveal almost no Jewish graves and still others reveal small pockets of Jewish graves among those of non-Jews.[47]

47. Shimon Applebaum, , Jews and Greeks in Ancient Cyrene, Studies in Judaism in Late Antiquity 28 (Leiden: Brill, 1979), Netherlands 144-160. See also Shimon Applebaum , " The Jewish Community of Hellenistic and Roman Teucheira in Cyrenaica," Scripta Hierosolymitana 7 (1961): 27-52, esp. 34-35 .

As these examples show[48], Jews usually buried their dead in the same areas as pagans and Christians. Was that also true in the large cities of the empire? The larger and stronger Jewish communities have often been credited in the past with their own separate burial places. However, the ancient "Jewish necropolis" at Alexandria, found at El Ibrahimiya, seems to have been a place where Jews and some non-Jews, somehow connected to each other, were buried together.[49] In Carthage, the necropolis of Gammarth is less extensive than it was thought to be and includes actually about two hundred tombs. It thus cannot be the sole "Jewish necropolis" of Carthage but simply a small group of hypogea used by Jews.[50]

48. Note the case of villages in the Golan Desert, where a mixed population shared the same burial area; see Robert C. Gregg , " Marking Religious and Ethnic Boundaries: Cases from the Ancient Golan Heights," Church History 69, no. 3 (2000): 519-57, esp. 547-548.

49. Compare William Horbury and David Noy , eds., Jewish Inscriptions of Graeco-Roman Egypt: With an index of the Jewish Inscriptions of Egypt and Cyrenaica Cambridge: Cambridge University Press, 1992), United Kingdom 4; against Charles Simon Clermont-Ganneau , " L'antique nécropole juive d'Alexandrie" Comptes rendus de l'Académie des Inscriptions et Belles-Lettres (1907): 236-39, 375-76 .

50. See Alfred Louis Delattre , Garmant ou la nécropole juive de Carthage (Lyon: Mougin-Rusand, 1895);France Stéphane Gsell , " Chronique archéologique africaine," Mélanges d'archéologie et d'histoire 15 (1895): 829 . See Yves Le Bohec , " Inscriptions juives et judaïsantes de l'Afrique romaine," Antiquités africaines 17 (1981): 168, and 180-89 (for the inscriptions). Delattre initially thought that Jews and Christians were buried together in Gamart before excluding such theory; see the history of the excavations in Erwin R. Goodenough , Jewish Symbols in the Greco-Roman Period, vol. 2, The Archaeological Evidence from the Diaspora Bollingen series 37 (New York: Pantheon Books, 1953), United States 63-68. For a very cautious evaluation of the basis for Jewish burial groupings in

North Africa, see Karen B. Stern , Inscribing Devotion and Death: Archaeological Evidence for Jewish Populations of North Africa Religions in the Graeco-Roman World 161 (Leiden: Brill, 2008), Netherlands esp. 259-60 and 280-84.

The situation at Rome is both better documented and more complex.[51] Six Jewish catacombs are known: the catacomb of Monteverde, on the Via Portuense, which has yielded the most abundant harvest of inscriptions but is now destroyed; the catacomb of the Villa Randanini, situated between the Via Appia and the Via Appia Pignatelli; the two catacombs of the Villa Torlonia on the Via Nomentana; and two smaller hypogea, that of the Villa Labicana on the route of the same name and that of the Vigna Cimarra on the Via Appia.[52] These catacombs are located in areas where there are also pagan and Christian tombs, but there is general agreement that they were used exclusively by Jews. While it is impossible to prove, there is no strong evidence to the contrary. Some epitaphs use the pagan formula Dis Manibus in its abbreviated form D.M., but those found in context are very few. The same reasoning may apply to some tombs with a pagan decor. Rooms I and II of the Villa Randanini catacomb are painted with explicitly pagari motifs, but they could originally have belonged to an independent hypogeum.[53] That would mean that at Rome, toward the end of the second century when these catacombs began to be used, Jews preferred to be buried together.

51. Beside the pioneering study of Harry J. Leon , The Jews of Ancient Rome 1st ed., 1960, updated by Carolyn A. Osiek (Peabody: Hendrickson, 1995), United States see Rutgers , The Jews of Late Ancient Rome. See also Tessa Rajak , " Inscription and Context: Reading the Jewish Catacombs of Rome," in Studies in Early Jewish Epigraphy ed. Jan Willem van Henten and Pieter Willem van der Horst , Arbeiten zur Geschichte des antiken Judentums und des Urchristentums 21 (Leiden: Brill, 1994), Netherlands 226-41.

52. For a detailed description of these catacombs, see Cinzia Vismarra , " I cimiteri ebraici di Roma," in Società romana e impero tardoantico.2, Le merci. Gli insediamenti, Andrea Giardina, Collezione storica Leonard Victor Rutgers , " Überlegungen zu den jüdischen Katakomben Roms," Jahrbuch für Antike und Christentum 33 (1990): 140-57. For an English revised translation, see Leonard Victor Rutgers , " Dating the Jewish Catacombs of Ancient Rome," in idem, The Hidden Heritage of Diaspora Judaism (Leuven: Peeters, 1998), Netherlands 45-47. Rajak , " Inscription and Context," 228-30 , insists on the very limited knowledge we have of these catacombs.

53. See Rutgers , The Jews of Late Ancient Rome, 269-72, for the formula Dis Manibus; 77-81, for sarcophagi; and 53-55, for rooms I and II in Villa Randanini. Rajak , " Inscription and Context," 239 , decides to leave the question open.

Harry J. Leon posited that the choice of a catacomb for burial was determined by membership in a particular synagogue.[54] However, Margaret H. Williams has recently shown that there was only one case of a synagogue of which all known members were buried in the same catacomb, and that the members of at least three synagogues used several catacombs.[55] Moreover, there are no inscriptions attributing a role in the choice or assignment of a tomb to any synagogue. Inscriptions mention a synagogue only to indicate that the dedicatee held an office there. It is therefore unlikely that membership in a synagogue determined the choice of burial site; it is even more difficult to imagine a centralized system.[56]

54. Leon , The Jews of Ancient Rome, 54, and chap. 7, passim.

55. Williams , " The Organization of Jewish Burials," 165-70 .

56. Ibid., 179-81 . See also Noy , " Where Were the Jews of the Diaspora Buried?" 87 .

Williams offers the hypothesis that Jews, like their pagan contemporaries, bought their tombs from funerary merchants who built these underground burial grounds at their own expense, then sold them in parcels consisting of large or small burial chambers, or of simple tombs.[57] This may in fact be how the catacombs of Beth She'Arim in Palestine were organized. The city is set on a plateau; into its slopes were dug the catacombs, used mainly in the third and fourth centuries. In

general, a hallway descends to the heart of the hill, pierced by entryways into halls that consist of one or two connecting burial chambers. Numerous inscriptions preserved in situ give us a fairly precise idea about the organization of the space. These inscriptions are generally deeds of ownership: Aidesius, an official of Antioch, owned-in hall B of catacomb 12-chamber iv that contains, an inscription tells us, six places; hall C of catacomb I was entirely owned by one Thymus; another burial chamber was jointly owned by four people. No inscription ever mentions the act of purchase itself. The only indication about the role of a funerary enterprise is an inscription discovered in the synagogue that was meant to mark the benches of two people who were responsible for preparing and placing the body.[58] In Rome, however, no Jewish inscriptions mention the sale of a tomb or its title deed in any way that attests to the intervention of a funerary trade. In general, very little is known of these funeral consortia.[59]

57. Williams , " The Organization of Jewish Burials," 181-82.

58. Important precision is brought in Tessa Rajak , " The Rabbinic Dead and the Diaspora Dead at Beth She'arim," in The Talmud Yerushalmi and Graeco-Roman culture, ed. Peter Schafer , Texte und Studien zum Antiken Judentum 71 (Tübingen: Mohr Siebeck, 1998), Germany 349-66. For excavations and inscriptions, see Benjamin Mazar , ed., Beth She'arim, vol. 1, Catacombs 1-4 (Massada, Jerusalem: Israel 1973); Moshe Schwabe and Baruch Lifschitz , eds., Beth She'arim, vol. 2, The Greek Inscriptions(Jerusalem: Massada, 1974); Israel and Nachman Avigad , ed., Beth She'arim, vol. 3, The Archaeological Excavations during 1953-1958: The Catacombs 12-13(Brunswick, NJ: Rutgers University Press, 1976). United States The inscriptions referred to are Beth She'arim, vol. 2, nos. 141-43, 11, 83, and 202 respectively .

59. Susan D. Martin , The Roman Jurists and the Organization of Private Building in the Late Republic and the Early Empire, Collection Latomus 204 (Latomus, Brussels: Belgium 1989), 48-49 , assumes on the basis of Digesta 17.2.52.7 that there were small businesses specializing in the development of land for resale as tombs. On the sale of tombs and loculi in columbaria, see Stefan Schrumpf , Bestattung und Bestattungswesen im Römischen Reich : Ablauf, soziale Dimension und ökonomische Bedeutung der Totenfürsorge im lateinischen Westen (Cottingen: Bonn University Press, 2006), Germany 202-10.

According to the traditional view, the fact that Jews were buried among Jews was not even open to discussion: the synagogue was held to be responsible for the organization of the burial of Jews. According to Williams's view, the question has to be framed differently: Why did Jews choose to be buried among Jews if they were buying their tombs from consortia? Does the answer imply that the consortia themselves were Jewish?

At the beginning of the twentieth century, Jean Juster held that "religious segregation of the dead" was characteristic of Jews. The only justification given to support this statement were a few imniptiom whose wording finds numerous parallels in both Christian and pagan inscriptions relating to ius sepulchri and not "religious segregation."[60] In rabbinical teaching, there are no rules about the separation of Jews and non-Jews in burial. Semahot, a treatise that seems to have been published in the third century and entirely dedicated to burial and mourning, contains no such proscription. At most, it prescribes that "for pagans or slaves,no rite shall be observed, but [that] there shall be an expression of mouming"[61]. The issue is about adopting no ritual signs of mourning and not about refusing burial to a non-Jew. In addition, the Tosefta (third and fourth centuries) and the Jerusalem Talmud (fifth century) recommend that in cities where Jews live in the midst of pagans they should take care to bury the poor whether Jewish or not, but give no detail about the place of burial.[62] No impurity seems to have been attached to the tombs of gentiles, either; their homes, however, could be a source of impurity as aborted fetuses could be buried nearby.[63] In a discussion about the Sabbath, it seems that if a gentile dug a tomb for a Jew on the Sabbath, the Jew could not use it, but if the tomb were dug for a gentile, a Jew could use it.[64] Thus a Jew could not require a gentile to work for him on the Sabbath, but nothing would stop a Jew from being buried in a tomb intended for a gentile. Even though the Mishna and the

Tosefta cannot be used as documents relating directly to the relations between Jews and non-Jews[65], there is every indication that segregation in burial was not the rule.[66]

60. Jean Juster , Les juifs dans l'Empire romain: leur condition juridique, économique et sociale , vol.1 (Paris: Geuthner, 1914), France 480, and n. 4 which cites the three following inscriptions: Noy , Jewish Inscriptions of Western Europe, vol. 2, no. 378 = Frey Corpus inscriptionum iudaicarum, vol. 1, no. 220 where a wife chooses a loculus next to her husband's; Tituli Asiae minoris. 2, 2, no. 612 = Frey Corpus inscriptionum iudaicarum, vol. 2, no. 757 , where a funerary monument is given to the Jews of Tlos; CILCorpus Inscriptionum Latinarum 6. 10412, which is no longer identified as Jewish.

61. Semahot 1.9. See Dov Zlotnick , The Tractate "Mourning": (Semahot): (Regulations Relating to Death, Burial and Mourning), Yale Judaica Series 17 (Yale University Press, New Haven, CT: United States 1996).

62. Tosefta. Gittin 5.5; Jerusalem Talmud. Demai 1.4; and Jerusalem Talmud. Aboda zora 1.3. See Babylonian Talmud. Gittin 61a, where no burial place is indicated either (contra Rutgers , " Archaeological Evidence," 114).

63. Michna. Ohalot 18.7-8 . See Jacob Neusner , A History of the Mishnaic Law of Purity, vol. 4, Ohalot: Commentary, Studies in Judaism in Late Antiquity 6 no.4, (Leiden: Brill, 1974), Netherlands 340-41 ; Gary G. Porton , Goyim: Gentiles and Israelites in Mishnah-Tosefta, Brown Judaic studies 155 (Atlanta: Scholars Press, 1988), United States 16-17, 274.

64. Michna. Shabbat 23.4, and Tosefta. Shabbat 17.14-15. See Jacob Neusner , A History of the Mishnaic Law of Appointed Times, vol. 1, Shabbat: Translation and Explanation, Studies in Judaism in Late Antiquity 34, no. 1 (Leiden: Brill, 1981), Netherlands 200-201 ; Porton , Goyim, 28-29, 208.

65. See the important methodological points in Porton , Goyim, 4-5.

66. Leonard V. Rutgers , in a review of the French version of this book, states that"the sources do not forbid explicitly the burying together of Jews and non-Jews simply because it was self-evident from the beginning that this was not normal procedure" (Vigiliae Christianae 59, no. 2 [2005]: 214. This is the kind of assumption I am challenging in this book.

Ultimately, the choice of a tomb seems to have been a family matter, as it is taught in the Old Testament. The purchase of the Tomb of the Patriarchs by Abraham at Hebron (Gen.Genesis 23) is an important model, and the desirability of possessing a family tomb for the burial of the dead is a recurring theme in the Old Testament. This is Jacob's wish in Genesis 49:29-31: that he be buried with his fathers, where he himself buried his wife Leah, in the field where Abraham and Sarah as well as Isaac and Rebecca lie buried. Joseph makes his family promise to take his body back to the land of Abraham when they are able to do so (Gen.Genesis 50:25). Gideon and Samson also were buried in their fathers' tombs (Judg. Judges 8:32 and 16:31). David gathers the bones of Saul, of his son Jonathan, and of the seven hanged men, in the tomb of Kish, Saul's father (2 Sam2 Samuel, 21:12-14).

Thus, there was no specific religious ruling about the choice of a tomb; the model is simply that of family buriaL Moreover, it should be noted that, for Jews, contrasting family and community did not have the same significance as for followers of the cults of Mithras or of Isis; burial with family and burial among Jews were one and the same thing. How then are we to explain the groupings of family tombs in the same catacombs at Rome? Was it a desire to distinguish themselves from non-Jews?[67] That seems to be contradicted by the absence of parallels, elsewhere, in Jewish communities of the Diaspora. But the size of the city might explain different social practices.[68]

67. Noy , " Where Were the Jews of the Diaspora Buried?" 88-89 , mentions such desire without giving specific examples. See also David Noy , " Writing in Tongues: The Use of Greek, Latin and Hebrew in Jewish Inscriptions from Roman Italy," Journal of Jewish Studies 48 (1997): 300-311 , which suggests that using Greek for the epitaph (in about 74 percent of the cases) coincided with choosing a specific formula, a Jewish one therefore, by opposition to Latin

epitaphs whose formula was more in accordance with contemporary pagan inscriptions.

68. About the implications of the status of megapolis, see Claude Nicolet , Robert Ilbert , and Jean-Claude Depaule , eds., Mégapoles méditerranéennes: géographie urbaine rétrospective: actes du colloque organise par l'Ecole française de Rome et la Maison méditerranéenne des sciences de l'homme (Rome, 8-11 mai 1996) L'atelier méditerranéen, Collection de l'Ecole française de Rome 261 (Paris: Maisonneuve et Larose / France Rome: Ecole française de Rome, Italy 2000) A study of social practices in those large cities has not yet been undertaken.

Christians

The precedent of Jewish communities has often been used as an argument supporting the thesis of burial segregation among Christians. Particularly in Rome, the development of Jewish and Christian catacombs has been attributed to the same religious necessities in the two communities. Yet the case of Jewish catacombs shows that there was no community organization responsible for the burial together of Jews, that this was largely the result of family choice .

The Teaching of the Church

There is no known Jewish teaching that can be cited to support a ban on mixing Jewish and non-Jewish graves. Does Christian teaching contain any new elements? This is assuredly not the case in the New Testament, where even a familial obligation to provide burial for relatives is contested.[69] Christian texts have been closely examined, however, in order to find any trace of a rule against mixing the graves of Christians and non-Christians in one place.[70]

69. See Matt. 8:25 "Let the dead bury the dead," which is, surprisingly, rarely commented on by the Fathers of the Church, unless allegorically; see Hilary of Poitiers below, note 73.

70. See Éric Rebillard , " Eglise et sépulture dans l'Antiquité tardive (Occident latin, 3e-6e siècles)" Annales: histoire, sciences sociales 54, no. 5 (1999): 1029-32. See Mark J. Johnson , " Pagan-Christian Burial Practices of the Fourth Century: Shared Tombs?" Journal of Early Christian Studies 5, no. 1 (1997): 37-59 , for a list of similar testimonies and a critique of the way they have been used.

As a result, a phrase from Tertullian (c. 160-225) has been taken out of context: "We may live with the heathens, die with them we may not" (De idololatria 14.5). Tertullian comments upon the verses of 1 Corinthians in which Paul explains that idolatry must be shunned, but not so as to offend the pagans; thus, one is allowed to accept an invitation to dinner from a pagan and to eat what is served without question, but if meat is offered as a meat of sacrifice, it must be refused. Tertullian concludes, "While it is inevitable that we live and mingle with sinners, we may also sin with them. Where there is social intercourse, which is permitted by the apostle, there is also sinning, which is permitted by no one. We may live with the heathens, die with them we may not." Death in that sense means sin, so the second phrase repeats the first and cannot be understood as an interdiction for Christians to be buriedamong pagan tombs.

A letter from Cyprian of Carthage (d. 258) has also often been interpreted in this sense. The letter is a response by Cyprian and his African colleagues to the Spanish communities of Legio, Astorica, and Emerita on the subject of the bishops Basilides and Martialis. They had obtained false certificates of sacrifice that testified that they had conformed with Decius's edict (250) but they did not themselves actually sacrifice. Nevertheless, their churches deemed their conduct unworthy of bishops and deposed them. The Spaniards appealed to their African colleagues, for Basilides requested and received support from Stephen, bishop of Rome. The offense of the two bishops was not simply their obtaining of certificates of sacrifice. Martialis's case, in particular, was aggravated by his membership in a collegium. Not only did he participate in the banquets of the collegium, but also had buried his sons in the collegium burial place. Cyprian's indignation is

clear in the words he used: "his own sons he had buried in the manner of pagans as members of that same sodality, interred in the company of strangers among heathen graves."[71] We must take note of his insistence on describing pagan rites as foreign to Christians, but the key to understanding his indignation is found in the role played by the collegium. Martialis, in effect, not only turned to the collegium for the burial of his sons but obtained for them tombs in the locus scpulturae of the collegium-in other words, in the monument or the ground owned by the collegium, where its members could be buried.[72] The choice of such a place had religious implications, for members of a collegium commemorated their dead together and on those occasions offered libations and sacrifices that were forbidden to Christians. Cyprian's letter therefore contains no general condemnation of the mixing of pagan and Christian tombs, but condemns specifically the recourse to a pagan association for funerals and burials of Christians.

71. Cyprian , Letters 67.6 See Graeme W Clarke The Letters of Cyprian, vol. 4, Ancient Christian Writers 47 (New York: Newman Press, 1989), United States 139-42 , for the circumstances and the bibliography.

72. See Anna Cafissi , " Contributo alla storia dei collegi romani: i collegia funeraticia," Studi e ricerche dell'Istituto di Storia, Facoltà di Lettere e Filosofia, Università di Firenze 2 (1983): 89-111 ; and Waltzing , Étude historique sur les corporations, 4:487-95 , for an inventory of locus sepulturae known through epigraphy. See chapter 3 of the present volume for the funerary activities of the collegia.

A passage from Hilary of Poitiers (d. 367) has also been misunderstood. It is a commentary on (Matthew 18:22: "He did not therefore forbid to honor a father with a decent burial, but by adding, 'let the dead bury the dead,' he urged him not to associate with the memory of the saints (memoriis sanctorum) dead nonbelievers, and also to consider as dead those who live without God." The memoriae sanctorum have sometimes been understood as the tombs of the saints, but the last part of the sentence shows that death there is used metaphorically, which caused the last editor of the text to conclude that "the wording does not reflect a liturgical usage relative to burials, but is relevant to the rule on excommunication."[73]

73. Hilary In Matheum 7.11 , with commentary by Jean Doignon , Sources chrétiennes 254 (Paris: Editions du Cerf, 1978), France 192-93, and n. 15 . Johnson , " Pagan-Christian Burial Practices," 44 , understands that it is forbidden to bury nonbelievers in the tomb of a martyr, but that the statement does not concern private burials

Finally, sometimes cited is a text in which Theodoret of Cyrus (d. 458/466) refers to pagan concerns that Christian burials were a source of pollution (The Cure of Greek Maladies 8:29). The object of the criticism was actually the veneration of the martyrs. Theodoret dealt with the objection easily by alluding to the cult of the tombs of ancient heroes; their tombs, like those of the martyrs, were intermingled among the living. There was never an issue of the mixing of pagan and Christian tombs.

The first proscription against the mixing of pagan and Christian tombs seems to have been made by Charlemagne in 782 in the Capitulatio de Partibus Saxoniae, a collection of measures taken against the Saxons, who had just been defeated: "We order, he said, that the bodies of Christian Saxons be buried in the church cemeteries and not in the pagan tumuli," Charlemagne's law was not meant to enforce Christian practice, but to undermine the Saxon aristocracy by banning its traditional burial customs.[74]

74. Capitulatio de partibus Saxoniae, 22; see also the analysis of Bonnie Effros , " De partibus Saxoniae and the Regulation of Mortuary Custom: A Carolingian Campaign of Christianization or the Suppression of Saxon Identity?" Revue belge de philologie et d'histoire 75, no. 2 (1997): 267-86.

In any case, it is impossible to affirm that the exclusive character of Christian burial places was a very ancient regulation. The church clearly wanted to leave the question of burial to the discretion

of the family and not interfere in this sphere.

The Behaviour of Christians

In Christian epitaphs, the place of the nuclear family and even the "conjugal family" is even greater than in pagan inscriptions, even though Christians tended not to note the relationship between the deceased and the commemorators. This change in epigraphic formulae, however, was due to other factors than those that concern us here: it was the vertical relationship of the deceased to God that received the attention, not the horizontal relationships of kinship.[75] Christians did not introduce religious restrictions on the right to burial in their family or hereditary tombs. There are, however, two apparent exceptions that warrant our attention. The first is an inscription, published by Giovanni Battista De Rossi in 1865, which opened the tomb to freedmen and their descendants on condition that they belonged to the same religion (at religionem pertinentes meam) as their patron, Valerius Mercurius. On paleographical grounds the inscription is dated from the end of the second century. As it was found among other pagan inscriptions or fragments of inscriptions in the Villa Patrizi, on the Via Nomentana, and out of any specific archaeological context, its Christian character is difficult to determine. For De Rossi the use of religio mea was sufficient evidence. But, as we have seen, followers of Cybele, and also those of Isis, use the word religio to speak of their cult and called themselves religiosi.[76] Be that as it may, membership in the same religion was subordinate to membership in the first category, that of the freedmen of Valerius Mercurius and his wife and their descendants. So this monument was a simple family tomb. The same is true of the tomb that Marcus Antonius Restitutus says was constructed for "himself and his household faithful in the Lord." This epitaph comes from the catacomb of Domitilla in Rome, but we do not know the exact context in which it was found; it may have been simply a cubiculum or part of a larger group. It is difficult to say whether the expression "faithful in the Lord" had a restrictive meaning, signifying "on condition that they be faithful in the Lord," or if it was a declaration of faith.[77]

75. Show , " Latin Funerary Epigraphy and Family Life," 481-83.

76. See Giovanni Battista De Rossi , " Le iscrizioni trovate nei sepolcri all'aperto cielo nella villa Patrizi," Bullettino di archeologia cristiana (1865): 53-54(= CILCorpus Inscriptionum Latinarum 6.10412 ICVRInscriptiones Christianae Urbis Romae 8. See Gaston Boissier , La religion romaine d'Auguste aux Antonins (Paris: Hachette, 1878), France 1:383 , n.5 , for the use of religiosi. Inscriptions of religiosi are now compiled in M. de Souza , Religiosus ou les métamorphoses du "religieux" dans le monde romain, de la fin de la République à l'Empire chrétien (IIe siècle av.]-C-debut du Ve siècle apr. i-C) (PhD diss., Université François Rabelais, Tours, 2001 France), 471-85.

77. See Giovanno Battista De Rossi , " Le varie e successive condizioni di legalità dei cemeteri, il vario grado di liberta dell'arte cristiana, e la legalità della medesima religione nel primo secolo verificate dalle recenti scoperte nel cemetero di Domitilla," Bullettino di archeologia cristiana (1865): 89-99 (= ICVRInscriptiones Christianae Urbis Romae 3.6555). See, more recently, Philippe Pergola , Les cimetières chrétiens de Rome depuis leurs origines [jusqu'au neuvième siècle: le cas du "praedium Domititlae" et de la catacombe homonyme sur la "Via Ardeatina" (PhD diss., Université d'Aix-Marseille, Aix-en-Provence, 1992), France 305-6. Antonio Ferrua (ICVRInscriptiones Christianae Urbis Romae 3.6555) compares the formula to 2 Cor.Corinthians 1:9: non simus fidentes in nobis sed in deo qui suscitat mortuos.

Burial foundations intended for adherents of Christianity were not very numerous. There was the case of Faltonia Hilaritas, "who built at her own expense this tomb (coemeterium) and gave it to her religion (huhic [sic] religioni)." The inscription was discovered on a tomb, in reuse, near a small funerary basilica at Solluna, on the territory of the ancient Velitrae, not far from Rome, on the Via Appia.[78] The discoverer seems to think that the inscription, whose marble plaque bears the marks of hooks, was originally hung at the entrance to the small burial basilica, which Faltonia was supposed to have given to her coreligionists. While it has some appeal, this hypothesis is a fragile one; the context of the inscription cannot be taken as confirmed. Even if it were the case,

Faltonia would simply have opened to her coreligionists a funerary basilica built at her expense for her own burial rather than establish a place of communal burial.

78. See Gioacchino Mancini , " Scoperta di un antico sepolcreto cristiano nel territorio veliterno, in località Solluna," Notizie degli scavi di antichità (1924): 341-53, esp. 345-46 (= ICVRInscriptiones Christianae Urbis Romae 3681). See Supplementa Italica, vol. 2 (Roma: Ed. di storia e letteratura, 1983), Italy no. 66.

A famous inscription from Caesarea (today Cherchel, in Algeria) mentions a gift to the church of a funerary enclosure by a pious benefactor, the clarissimus Severianus.[79] What has been preserved is not the original inscription, but that engraved by the Church of Caesarea celebrating the gift. Paleographically, the inscription is from the fourth century, but the gift of Severianus might be earlier. The archaeological context of the inscription is unknown;[80] the description of the enclosure comes entirely from the inscription. Severianus, poetically described by the term cultor uerbi, bought some land to be used for burial and built there at his expense a cella. The whole is then designated by the word memoria-in other words, a (monumental) tomb. The term cella is imprecise. We can rule out the idea of a chapel devoted to the martyrs, for these would be mentioned in the commemorative inscription. Cella designates either a tomb or the edifice to house it and intended also for the holding of funerary rites.

79. CILCorpus Inscriptionum Latinarum 8.9585, with commentary in Yvette Duval , Loca Sanctorum Africae: le culte des martyrs en Afrique du IVe au VIIe siècle, Collection de l'Ecole française de Rome 58 (Rome: Ecole française de Rome, 1982), 1:380-83, no. 179.

80. Contrary to what was thought; see, for instance, Stephane Gsell , Les monuments antiques de l'Algerie (Paris: Fontemoing, 1901), France 2: 398-400, and Paul Monceaux , Histoire littéraire de l'Afrique chrétienne: depuis les origines jusqu'a l'invasion arabe (Paris: Leroux, 1901-23), 1:14 and 2:125-30. Actually, Cardinal Lavigerie excavated in the area where the inscription was found, but the excavation did not fulfill his expectations since he discovered a pagan enclosure. See the publication of the excavation in Philippe Leveau , " Fouilles anciennes sur les nécropoles antiques de Cherchel," Antiquités africaines 12 (1978): 93-95.

Gifts, like those of Faltonia or of Severianus, did not come from a desire to separate Christians and non-Christians in death, but were benefactions comparable to those of contemporary pagans. This is again the case in a second inscription from Cherchel, this time that of a priest, Victor, who built an aaubitorium in order to house several tombs, including that of his mother Rogata, and who made it a gift "to all the brothers";[81] and in a Lydian inscription dated from the fourth century that relates how Gennadius bought "with what God gave him" a monument and made it a "tomb for Christians of the Catholic Church."[82] We will have to return to this role of the church as an intermediary, in a way, between the donor and eventual beneficiaries. But nothing should lead us to see behind these gifts a Christian duty to be buried together and apart from others; no tension with the family is evident. To open one's funerary monument to other Christians was not even an expression of a preference for "Christian" burial .

81. ILCVInscriptiones Latinae Christianae veteres 1179 = CILCorpus Inscriptionum Latinarum 8.9586 .

82. Peter Herrnann , Neue Inschriften zur historischen Landeskunde von Lydien und angrenzenden Gebieten, Denkschriften/Österreichische Akademie der Wissenschaften, Philosophisch-Historische Klasse 77, no. 1 (Vienna: Rohrer, 1959), 13,no. 10 (= SEC, 19, 1963,no. 719).

The Case of the Catacombs

Is such preference supported by archaeological evidence? We must be cautious; to identify a burial area-or a tomb within such an area-as Christian on the basis of epigraphic formulae or iconographic motif is a delicate business, at least for material dated before the middle of the fourth century. In spite of these difficulties, recent excavations or the reexamination of old ones

have led to a number of examples of the mixing of Christian and non-Christian tombs.[83] Rather than attempt to establish an inventory across the provinces of the Roman Empire, which could only be incomplete, I prefer to focus on the situation in Rome. There are many reasons for this choice, principal among them the historiographic importance of the catacombs to the studies of the origins of Christian cemeteries. Because of the antiquity and strength of Christian settlement in Rome, and because of the size of the city itself, this example is appropriate for illustrating the complexity of the issues at stake.

83. See Johnson , " Pagan-Christian Burial Practices:" 51 ff.

While it has long been thought that the origins of the catacombs were exclusively Christian, today there is a growing awareness, despite some obvious ideological obstacles, of the fact that they may have had pagan origins.[84] The catacomb of Domitilla is one of the best-known examples, thanks to the work of Philippe Pergola.[85] He has shown how difficult it is, in a number of cases, to determine the religious affiliation of the owners. The neutrality of the epigraphic formulae may suggest a Christian identity, whereas iconography-borrowing its motifs from the traditional repertoire-would suggest pagan sponsors, since Christian iconography, unlike epigraphy, was already clearly defined in the third century. Of the seven pre-Constantine hypogea, only two belong to individuals who are known with certainty to have been Christians: the so-called area of the scalone of 1897, with 135 meters of galleries and about four hundred tombs, where inscriptions have been found in situ with the characteristic formulae, and the hypogeum of "the martyrs," where Nereus and Achilles were buried. What is known as the hypogeum of the Flavii, where De Rossi thought he had identified the tomb of Christian members of the family of Flavia Domitilla, niece of the emperor Domitian, is actually a pagan hypogeum from the end of the second or beginning of the third century; it was not used by Christians until the second half of the third century. The Ampliatus after whom is named another hypogeum was, far from being the Ampliatus mentioned in the Epistle to the Romans, actually a pagan freedman; the iconography in the two burial chambers of the primitive area contains no explicitly Christian elements. The same is true of the hypogeum of the Good Shepherd, from all evidence a family tomb with a central gallery leading to the burial chamber of the owner and lateral corridors pierced with loculi for other members of the familia. Finally, the religious affiliation of the owners of the two hypogea known as the Flavii Aurelii cannot be determined: the one with some fifteen tombs was familial; the other, which included about 250 burials, may have belonged to a collegium. What can be seen through the example of the catacomb of Domitilla is that in the second and third centuries in Rome, pagans and Christians were buried together: this pagan hypogeum became Christian in the space of one generation; that area was mixed; and so on. The primitive hypogea do not have an exclusively familial character (250tombs for the hypogeum of the Flavii Aurelii A, 400 for that of the sea/one of 1897), but nothing suggests that the grouping of tombs followed religious prescriptions in the largest areas.

84. See Philippe Pergola , Le catacombe romane: storia e topografia, catalogo a Cura di P M. Barbini, Argomenti 8 (Rome: Carocci, 1998), Italy 57-71.

85. See status quaestionis and bibliography in Pergola , Le catacombe romane, 211-13 , and Philippe Pergola idem, Les cimetières chrétiens de Rome depuis leurs origines [jusqu'au neuvième siècle. I would like to thank the author for granting me access to his work before publication.

Besides the large catacombs, there are also some fourth-century hypogea of more modest size whose religious affiliation is hard to define.[86] They are sometimes referred to as "private catacombs" as opposed to "communal catacombs," which would have been managed by the

church. This concept, which has no legal basis,was used by Antonio Ferrua to explain the presence of certain representations, in the famous catacomb of the Via Latina (Dino Compagni) discovered in 1956,[87] that he believed no ecclesiastical authority would have tolerated. This point of view, like the view that these were the catacombs of heretics,[88] has slowly been abandoned; these hypogea may have escaped ecclesiastical control-which, for the time being, remains to be proven for other catacombs-but primarily they are evidence of pagans and Christians continuing to use the same burial areas in the fourth century in Rome. For instance, the catacomb of the Via Latina, which seems at first to have been used exclusively by Christians, later received pagan burials in the second half of the fourth century, as we know from rooms with pagan iconography located next to rooms with Christian iconography.[89] In other hypogea, such as that of the Aurelii on the Via Labicana or of the Via Livenza, figured scenes have sometimes been interpreted as the result of philosophical and religious syncretism, since pagan and Christian motifs seem to have been juxtaposed in the same spaces.[90] Such a notion supposes a form of synthesis that is far from being documented and thus should be abandoned. In any case, the mixing of pagans and Christians in Rome up to the second half of the fourth century is clear, and hardly exceptional.[91] What about the so-called communal catacombs that are interpreted as places of Christian burial exclusively, and that became quite large? Before the beginning of the fourth century, galleries in the catacomb "Ad duos lauros," for example, extended two kilometers and contained some thirty cubicula; Jean Guyon estimates that there might have been 11,000 burials there, to which must be added 6,000 surface tombs. He extrapolates from these numbers a population of some 9,000 souls having used the catacomb in the first forty years.[92] The number of Christians living in Rome is estimated between 30,000 and 50,000 for that period. If we accept the traditional thesis, holding that the church managed the catacombs, the question of why Christians chose to be buried together is not an issue; it was imposed upon them by their religious affiliation. But, as I have shown, there is no evidence of any such obligation during the period under consideration. The administration of the catacombs by the church in turn raises a number of problems, as I have already shown in emphasizing the fragility of De Rossi's system. Actually, the only known authority responsible for these burial areas is that of the fossores,[93] who were technically responsible for developing the catacombs: digging the galleries, furnishing the tombs, connecting different areas, ensuring their safety. They sold the spaces and received payments. These grave diggers were skilled workers who might have been previously employed in the digging of cisterns and sandpits that catacombs often reused. Charles Pietri has proven that they were not members of the clergy.[94] The epigraphical record of the sales of tombs in catacombs, studied by Jean Guyon, shows, moreover, that their activity was autonomous and independent of the clergy. Of slightly more than one hundred inscriptions, only three texts involve a member of the clergy: in one, a priest witnesses a sale, and in two cases, the priest's involvement concerns the sale of an especially valuable space. Yet, Pietri maintained that the church entrusted these various duties to the fossores.[95] I will show that, in fact, it was the emperor who entrusted the control of the grave diggers to the church.

86. See Pergola , Le catacombe romane, 89-93 , where he insists on the need to clearly distinguish fourth-century hypogea from those from the end of the second and beginning of the third centuries.

87. Antonio Ferrua , Le pitture della nuova catacomba di via Latina, Monumenti di antichità Cristiana 2, no. 8 (Vatican City: Pontificio Istituto di Archeologia Cristiana, 1960), Vatican 89-91. See De Rossi Giovanni Battista , La Roma sotterranea cristiana, 1:84, on the distinction between common and private burial places; and Pasquale Testini , Le catacombe e gli antichi cimiteri cristiani in Roma, Roma cristiana 2 (Bologna: Cappelli, 1966), Italy> 141-43.

88. About "cemeteries for heretics" in Rome, see Éric Rebillard , " L'Eglise de Rome et le développement des catacombes: a propos de l'origine des cimetières chrétiens," Mélanges de l'Ecole française de Rome. Antiquité 109, no. 2 (1997): 755-59.

89. See status quaestionis and bibliography in Pergola , Le catacombe romane, 171-74.

90. See Fabrizio Bisconti , " L'ipogeo degli Aureli in viale Manzoni: un esempio di sincresi provata," Augustinianum 25 (1985): 889-903 .

91. For more Roman and Italian examples, see Johnson , " Pagan-Christian Burial Practices," 53-55.

92. Jean Guyon , Le cimetière aux deux lauriers: recherches sur les catacombes romaines, Bibliothèque des Ecoles françaises d'Athènes et de Rome 264 (Rome: Ecole française de Rome, 1987), 101 .

93. About the fossores see, in particular, Guyon , Le cimetière aux deux lauriers, 98-100 ; Jean Guyon , " La vente des tombes à travers l'épigraphie de la Rome chrétienne (III - VII Siècles) le rôle des fossores, mansionarii, praepositi et prêtres," Mélanges de l'Ecole française de Rome. Antiquité 86 (1974): 549-96. Elena Conde Guerri , Los "fossores" de Roma paleocristiana: estudio iconográfico, epigráfico y social Studi di antichità cristiana 33 (Vatican City: Pontificio istituto di archeologia cristiana, 1979), Vatican is mainly valuable for its catalog of figured scenes. See Pietri Charles , Roma Christiana, 131-34 and 659-67, and Charles Pietri , " Appendice prosopographique a la Roma Christiana (311-440)," Mélange de l'Ecole française de Rome. Antiquité 89 (1977): 398-406.

94. Pietri , Roma Christiana, 659-67 .

95. Guyon , " La vente des tombes," 574-76 . See Pietri , Roma Christiana, 134 : "Very pragmatically, the Church entrusts to the fossores, who are laymen, the tasks associated with the care and burial of the dead."

The choice of a burial was not dictated to Christians by the church, and not even suggested as an alternative to family practices. Nor could the grouping of Christians in burial areas as vast as the catacombs have been the result of a "Christian community"; what sort of organization would it have had, outside the church? Was the service of the fossores available exclusively to Christians? We have seen that this was not the case, either in the hypogea later incorporated in the largest catacombs or in the small, independent fourth-century hypogea. Was it, however, the case for the so-called communal catacombs? The question has never been asked; it may be that we should reconsider the cases one by one, now that we can no longer presume to know the answer in advance.[96] Let us also point out that, as in the case of the Jews, there are no Christian burial areas anywhere in the empire comparable to the Roman catacombs; we should not rule out the possibility that the very exceptional size of the city itself played a role in the choice local Christians made to be buried together.

96. John Bodel , " From Columbaria to Catacombs: Collective Burial in Pagan and Christian Rome," in Commemorating the Dead: Texts and Artifacts in Context, Studies of Roman, Jewish and Christian Burials, ed. Laurie Brink and Deborah Green (Berlin: De Gruyter, 2008), Germany 183-85 , uses calculations of mortality rate, estimations of the number of Christians, and the number of excavated graves to suggest that it is very unlikely that the catacombs contain exclusively Christian dead.

The conclusion is still tentative, but it does seem that Christians, like other religious groups, did not have religious reasons for favoring some form of communal burial over family burial. Funerary practices and, specifically, the choice of burial place does not appear to have been, in the Roman Empire, an important element in the constructing of religious identity. Although membership in a cult, synagogue, or church was not a determining factor in the choice of burial place, we have often seen that membership in an association, or collegium, was. It is this form of social relationship, typical of the Greco-Roman world, that we must now explore.