

Antisemitic Readings of the Jewish Scriptures in Late Ancient Antisemitic Legislation¹

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That late ancient Jewry-legislation is not without influence on modern times illustrates a debate about the emancipation of the Jews in the *Allgemeine Kirchenzeitung* of 1833. An author abbreviated as Gr. argues that the abolishment of the Talmud could be easily achieved as Roman law would have been incorporated “in Subsidiu” into the legislation of the German federal states. Because the 146th Novel of the Justinian law code would include a prohibition of Rabbinic literature and because this prohibition would be still valid, the only thing needed would be to apply the 146th Novel.

The abolishment of the Talmud could be achieved with ease, because Roman law, which also in Jewish matters was adapted by the German federal states in Subsidiu, contains a specific clause, and it is thus precisely nothing necessary but to apply this clause, about which the Israelites could not complain.²

Today, I would like to address the Visigothic laws and the 146th Novel of the Corpus Iuris civilis as two examples to show how late ancient Jewry legislation is informed by Christian thought and exegesis and how its ordinances had an impact far beyond late antiquity. At the end of my presentation I will draw some conclusions about the implications of my analysis for the combating antisemitism.

1. The Visigothic Legislation against Jews

Some of you might wonder who the Visigoths were. The Visigoths were part of the Germanic group of the Goths and ruled Spain from the fifth through the early eighth century C.E. In 587, the Visigoths converted from Arian to Catholic Christianity. Although Jews were disadvantaged in Arian Christianity as well, this conversion of the Visigoths to Catholicism had devastating consequences for the Jews of the Spanish peninsula. The Visigoths issued a series of antisemitic laws that became ever more vicious. Visigothic secular laws, the so-called Lex Visigothorum needed authorization by the Toledan councils of the Catholic Church, i.e. by canonical law.

King Sisebut (612-20) ordered the forced conversion of all Jews to Christianity. Although as a response Sisebut’s measure the fourth council of Toledo prohibited such forced conversions, it compelled all baptized Jews to remain inside the Catholic Church. In the following Visigothic legislation, both the Lex Visigothorum and the councils of Toledo did not distinguish between Jews and people of Jewish origin who converted to Christianity forced or voluntary. Both groups are often designated indiscriminately as “Jews” by Visigothic legal

¹ Full discussion of scholarly literature will be added to this paper upon its publication.

² Gr., “Einige Bemerkungen über Emancipation der jüdischen Glaubensgenossen,” *Allgemeine Kirchenzeitung* 12.126 (11. 8. 1833): 1009-15, 1013-14: Die Aufhebung des Talmudes würde um so leichter geschehen können, da das römische Recht, welches in den deut- | schen Bundesstaaten auch in jüdischen Angelegenheiten in Subsidiu aufgenommen ist, eine genaue Bestimmung enthält, und sonach weiter gar Nichts nothwendig ist, als diese Verordnung in Anwendung zu bringen, worüber sich die Israeliten auch gar nicht beschweren können.

texts. Ethnic origin and Jewish religious identity blur into each other. Visigothic antisemitism is thus both a religious and a racist hatred of Jews.

After the sixth council of Toledo, King Chintila (636-39) allowed only Catholics to live in Spain. Converted Jews needed to declare their Catholic faith in a kind of signed public oath called *placitum*. In the following, the Visigoths and the Catholic Church controlled Jewish converts to assure that they celebrated Christian holidays properly and did not remain Jews in disguise. Visigothic laws prohibited any aspect of Jewish life. Violation of this antisemitic legislation was often punished by exile or death. A life sentence of slavery was considered clemency in these laws.

Out of the vast corpus of secular and religious Visigothic antisemitic legislation I would like to quote one secular law and one religious example. In law 12.2.8 of the *Lex Visigothorum*, king Reccesvind prohibits Jews to observe their dietary laws and forces them to eat what Spanish Christians eat.

12:2:8: Recc. Erv. THE GLORIOUS FLAVIUS RECESSVINDUS THE KING, THAT JEWS SHOULD NOT DISCRIMINATE BETWEEN FOODS ACCORDING TO THEIR CUSTOM *As the blessed Paul says that unto the pure all things are pure, but unto them that are defiled and unbelieving is nothing pure* (Titus 1:15), it is appropriate that the detestable life of the Jews and that cleanliness of a dreadful discrimination – far more defiled than any filthy deviation – should be both justly refuted and necessarily terminated. Not one of them should discriminate between pure and impure foods according to the ancient rite of their tradition and their customary usage. No one should refuse as unworthy what should be taken and what his status proves to be very good for him. Not one of them should refuse something and use something else, unless he observes that discrimination which is considered by all Christians to be wholesome and suitable. Otherwise, anyone detected in transgressing this should be subjected to the punishments instituted.³

This prohibition of *kashrut* is a good example for how Visigothic antisemitic laws are developed out of the Christian Bible. It is based on the NT Letter to Titus 1:15. The author of the letter asks not to pay “attention to Jewish myths or to commandments of those who reject the truth” (Titus 1:14). The Titus-quote in the Visigothic law above follows this verse directly. The letter of Titus abolishes thus with the concepts of purity and impurity as directed by Jewish law. For the letter of Titus, only the purity of the believer is decisive, a defiled and unbelieving person would remain defiled whether he observes purity regulations or not. The passage in the letter of Titus itself is at least derogatory towards Jews if not worse. The Visigothic law transforms the New Testament text though into antisemitic legislation. It picks individual elements of the Titus quote and recontextualizes them into the life of Spanish Jews. The Latin *coinquitnatis* (“them that are defiled”) is identified as the *Iudaeorum detestabilis vita* (“the detestable life of the Jews”). Because the letter of Titus claims that nothing is pure to the thus defiled, Jewish purity regulations become for the Visigothic law a *discretionis horrende* (“a dreadful discrimination”).

By way of his reference to a text in the New Testament, that is already derogatory towards Jewish Halakha, the Visigothic king feels empowered to condemn Jewish purity laws in extreme language. Beyond any insinuation made in the letter of Titus, Reccesvind also enacts

³ All Visigothic legislation is quoted according to Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages: Edited with Introduction, Translation, and Annotations* (Detroit: Wayne State University Press, 1997).

antisemitic measurements with catastrophic consequences. Any form of *kashrut* is prohibited in Spain and the Jews of Spain and the forced conversos are compelled to eat what Christians eat. Most likely pork among other things.

Any Jew who did not follow this law was threatened with “the punishments instituted.” This phrase refers to paragraph 12.2.11 where violation of the Visigothic anti-Kashrut law is threatened with stoning to death or burning.

The Visigothic anti-Kashrut law is an example for how religion and exegesis can be abused for the most horrendous purposes. In the case of the Visigothic legislation, Christianity became a religion whose confession was in part that Jews are bad people. For Visigothic Catholics, Jews were – as e.g. the fourth council of Toledo stated in varying rhetoric – progeny of the devil (canons 58 and 61).

The sixth council of Toledo met in the year 638. It forced Jews, in this case people of Jewish origin who converted voluntarily or under compulsion to Christianity, to swear and sign a public oath, a so-called *placitum*. In the *placitum*, Jews needed to forfeit any aspect of Jewish life, condemn Judaism in a most derogatory language, and confess to various dogmata of the Catholic Christian faith.

The *placitum* includes a brief review of Israel’s supposed crimes against God’s acts of salvation that has its first peak in the deicide libel:

Hence were made the promises to Abraham, hence to all the patriarchs; but carnal Israel, in the hardness of its heart and the depravity of its mind, did not recognize the healing of its life, which was always promised us through the mouths of the prophets; therefore, *they crucified the Lord of Glory* (1 Cor 2:8).

The second peak of supposed Jewish depravity is that despite their forced conversion and baptism Jews held on to Judaism and adhered to its customs and practices.

Far and above all these, we, too, have added the highest prevarication; for, having finally extricated ourselves from such an enormous abyss of our iniquity thanks to the care of the supreme piety, we have been ensnared again and are being bound captives by the snares of the Devil, lapsed into infelicitous disbelief after the holy baptism; hence, bound to the laws and the decrees of the canons, there was no alternative for us but to be put to death.

The *placitum* addresses various prohibitions of Jewish practices and halakhic regulations

We reject, however, abominate, and execrate the Jewish rite and their holidays, Sabbath, and carnal circumcision with all their superstitions or other observances and ceremonies; and we promise that we shall live under the Catholic law, eating with the Christians common food, with the exception of food made abominable to us by nature rather than by superstition, *for every creature of God is good* (1 Tim 4:4)

Jews were forced to swear that they would distance themselves from any other Jews even in litigation and legal proceedings.

Violations of their oath were punished by stoning to be executed by the Jews who signed the *placitum* themselves.

If any of us would go astray from all these promises, or even in one of them, or if the wife of anyone, his son, or anyone of those we have under our power and for whom we stand guarantors, would live in a different way from that of the Catholic faith, we declare on our faith and at our own risk that we shall lay our hands on them, and we undertake to stone anyone found out to have perpetrated this crime, so that his sacrilege shall be punished by death.

As part of the measures of the *placitum*, the Jews of Toledo needed to promise that all would submit the scriptures in their synagogues for inspection by Christian officials.

We undertake to present to your inspection all the Scriptures that are customarily held by our nation in the synagogues for the sake of the doctrine (*Scripturae omnes quascumque usus gentis nostrae in Synagogis, cause doctrinae, habuit*), those which are authoritative (*tam auctoritatem habentes*) as well as those they call Deuterias (*quas deuterias appellant*); and those they name Apocrypha (*quas apocryphas nominant*), in order that not even a vestige of malodorous suspicion shall remain with us. We solemnly undertake to despise and abominate the places of prayer which we have venerated until now in the Jewish rite.

The literature of the Spanish Jews is grouped here into three types. Scriptures which hold authority – most likely biblical books –, the *deuterias*, and apocrypha – the latter most likely deuterocanonical texts. This remark of the *placitum* alone is invaluable for the reconstruction of Jewish life and religion in pre-Arabic Spain. Today I want to alert you only to the fact that the scriptures in question were all kept in a synagogue and that immediately after the *placitum* regulates the inspection of Jewish scriptures, the Jews of Toledo need to disavow their frequenting of places of worship that they formerly used.

The scriptures in question seem thus to have been connected with synagogues and probably synagogue worship. By way of the synagogue, these scriptures disseminated an interpretation of the Hebrew Bible that in the opinion of the Visigothic Catholic church contradicted Christian readings of the Bible, hence the prohibition. The group of literature called *deuterias* is most likely an early kind of Rabbinic texts. – I will come back to this question soon.

The reference to scriptures shows that an interpretative conflict about the Hebrew Bible is at the heart of Visigothic antisemitism. In their perverse logic, Visigothic laws and canons accuse Jews to have crucified Christ and to have rejected God's acts of salvation through Christ. In doing so, Jews would have rejected the promises that God made to the patriarchs. The Jewish rejection of forced baptism and their continued Jewish practice would be just the latest illustration of the so-called Jewish perfidy. Jews on the other hand applied a more literal reading to the Jewish scriptures that did not envision Jesus as the promised Messiah and rejected the generalization of God's promises to his people as including all Christians.

Visigothic church law and secular law responded violent to this interpretative conflict by the ordinances I have discussed above and other legal means. For the Visigoths, Jews needed to be persecuted as the murderers of Christ. Judaism needed to be eradicated either by banishment or forced conversion.

That Jews needed to present even their scriptures for inspection points to an attempt by the Visigoths to suppress any part of the Jewish cultural memory which does not agree their Christian Catholic reading.

The Visigothic interpretation of the Bible resulted thus in brutal antisemitic religious legislation which attempted to eradicate Judaism both physically and culturally in Spain.

2. The 146th Novel to the Justinian Law Code

Similar ideas as in Visigothic secular and religious Jewry legislation can be found in the *Corpus Iuris civilis* of Justinian. The *Corpus Iuris civilis* developed in four parts from 529-65 on the initiative and sponsorship of emperor Justinian (reigned 527-65). It consists of four books. The (1) *Codex Constitutionum* is a revised version of all ordinances of Roman emperors including Justinian's own legislation. It was issued in two versions in 527 and 534. (2) The *Digesta* or *Pandectae* are an extract of the writings of all known jurists at the time and were collected and edited in the years 530-33. (3) The *Institutiones* are an elementary textbook for first-year law students and were published 533. (4) The *Novellae Constitutiones Post Codicem* are called Novels in English and include new ordinances issued in the years 534-65. While the Novels were almost all phrased in Greek and only translated to Latin for the western Roman provinces, the other three parts of the Justinian law code were written in Latin.⁴

As compared to earlier legislation, Justinian's *Corpus Iuris civilis* marks a significant aggravation in the legal status of the Jews in the Roman Empire. Many protective ordinances seized to exist while restrictive ones became worse and new interdictions were added.⁵

The last law about Jews, which Justinian issued, is the 146th Novel of 553 C.E. Lotter describes its purpose as follows:⁶

Although Justinian does not say so directly, the expected outcome cannot be doubted, the conversion of the Jews to the true faith. Thus, the extensive complex of Jewry-law closes with an unambiguous reference to the actual objective this legislation, the disappearance of the Jewish minority and the permanent creation of religious unity in the Christian faith.

The 146th Novel responds to an inquiry if Jews are allowed to use a Greek translation of the Torah during synagogue service – most probably Aquila's translation. Already in the preface of the Novel it becomes clear, that Justinian took the opportunity to create a law that reaches much further than the original request.

⁴ For the Novels, only their Greek text should be analyzed as the transmission of the Latin text is corrupt. See Friederich Lotter, "Die kaiserzeitliche Judengesetzgebung von Konstantin bis zur Veröffentlichung von Justinians Novelle 146 (553)," *Aschkenas* 22 (2012): 247-390, 342: „Maßgebend ist allein die griechische Originalfassung, die lateinische Version des Authenticum ist fehlerhaft und unvollständig.“

⁵ Cf. Lotter, "Die kaiserzeitliche Judengesetzgebung," 311-313, 371; For the legislation about Jews in the *Corpus Iuris civilis* see further among others Amnon Linder, *The Jews in Roman Imperial Legislation: Edited with Introductions, Translations, and Commentary* (Detroit: Wayne State University Press, 1987); Karl Leo Noethlichs, *Das Judentum und der römische Staat: Minderheitenpolitik im antiken Rom* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996); Karl Leo Noethlichs, *Die Juden im christlichen Imperium Romanum (4.-6. Jahrhundert)* (Studienbücher Geschichte und Kultur der Antiken Welt; Berlin: Akademie Verlag, 2001). The scholarly literature on the 146th Novel is extensive and will be added to the published version of this paper.

⁶ Lotter, "Die kaiserzeitliche Judengesetzgebung," 347: "Obwohl Justinian dies nicht direkt sagt, ist doch das erhoffte Ergebnis nicht zweifelhaft, die Bekehrung der Juden zum wahren Glauben. So schließt der umfangreiche Komplex der Judengesetze Justinians mit einem unmissverständlichen Hinweis auf das eigentliche Wunschziel dieser Gesetzgebung, das Verschwinden der jüdischen Minderheit und die endgültige Herstellung religiöser Einheit im christlichen Glauben."

Justinian's motivation for 146th Novel was to achieve a Christian and Christo-centric interpretation of the Jewish scriptures in Judaism itself. The severity of Justinian's legislation becomes apparent both in the text of the Novel and its epilogue which include a draconic punishment to enforce Christian dogma on Judaism.

And if there are people among them who shall attempt to introduce ungodly nonsense, denying either the resurrection or the last judgment or that the angels exist as God's work and creation, we want these people expelled from all places, and that no word of blasphemy of this kind and absolutely erring from that knowledge of God shall be spoken. We impose the harshest punishments on those attempting to utter such a nonsense, completely purifying in the way the nation of the Hebrews from the error introduced into it.⁷

In the epilogue, Justinian asks every official of the state

and he shall absolutely not allow the Hebrews to act against these matters, but impose on those resisting them or attempting to prevent them altogether firstly corporal punishments and confiscation of property, and then he shall force them to live in banishment, lest they defy in this matter God and Empire.⁸

The Latin heading of the 146th Novel summarizes its contents with a similar emphasis on harsh punishment.

That Hebrews shall be permitted to read the sacred scriptures according to their tradition in Latin, or Greek, or any other language, and that those shall be expelled from their place who do not believe in the (last) judgment or in the resurrection or that the angels are creatures of God.⁹

On the whole, Justinian rules that Jews are allowed to read the Torah in any language spoken in any district of the Empire, namely "in any language that is more suited and the better known to the hearers in each locality."¹⁰ The Greek speaking Jews though are only allowed to use the Septuagint and Aquila. Those who do not follow Justinian's law are threatened with "corporal punishment as well as ... loss of property."¹¹ Justinian gives a detailed reason for this legislation:

It was right and proper that the Hebrews, when listening to the Holy Books, should not adhere to the literal writings but look for the prophecies contained in them, through which they announce the Great God and Saviour of the human race, Jesus Christ.¹²

This sentence emphasizes the main interest of the 146th Novel, i.e. to convince Jews of a Christian interpretation of their scriptures. There can be little doubt that this Christian interpretation was supersessionist, understanding Jesus as the aim and fulfillment of promises of the Hebrew Bible.

⁷ Chapter 2. If not noted otherwise, all translations of the 146th Novel are according to Linder, *The Jews in Roman Imperial Legislation*, 408-10.

⁸ Epilogue.

⁹ *Ut liceat hebraeis secundum traditionem legere sacras scripturas latine vel graece vel alia lingua et ut de locus suis expellantur non credentes iudicium vel resurrectionem vel angelos esse creaturam.*

¹⁰ Preface

¹¹ Chapter 1.

¹² Preface

This becomes all the more clear when Justinian recommends the Septuagint as the Greek translation of choice:

Furthermore those who read in Greek shall use the Septuagint tradition, which is more accurate than all the others, and is preferable to the others particularly in reason of what happened while the translation was made, that although they divided by twos, and though they translated in different places, nevertheless they presented one version. Apart from these, who will not be amazed by this thing about these men, who lived a long time before the saving revelation of the great God and our Saviour Jesus Christ yet carried out the translation of the Holy Books as if they saw that this revelation was to happen in future, and was illuminated by prophetic grace? Let all use mainly this translation; but in order that we shall not appear to prohibit them all the other translations, we give permission to use also Akilas' translation, although he was gentile and in some readings differs not a little from the Septuagint.¹³

Justinian understands the Septuagint translation as a prophecy of Christ, i.e. as a text that communicates the Christian dogma that he wants to impose on his Jewish subjects. The 146th Novel is therefore not just concerned with the simple question which translation to use in synagogue service. It tries to legally enforce a Christian allegorical and typological interpretation of the Septuagint in light of the New Testament. This understanding of the Septuagint leaves little doubt that an interpretative conflict is at the heart of the 146th Novel. Pierre Legendre brings it to point:

Two approaches to the law and to the scriptures of law are on the test-bed: The Roman-Christian approach is based on the prophecies of the incarnate power, the Jewish on mediation of the exegete.¹⁴

The 146th Novel brings the interpretative conflict about the Jewish scriptures between Jews and Christians to the legislative level. It wants to enforce a Christian dogmatic interpretation of the Hebrew Bible on the one hand but wants to exclude Jewish readings of it on the other hand. For this purpose, Justinian prohibits in the second paragraph of the Novel's first chapter the *deuterosis*.

What they call *deuterosis*, on the other hand, we prohibit entirely (τὴν δὲ παρ' αὐτοῖς λεγομένην δευτέρωσιν ἀπαγορεύομεν παντελῶς = *Eam vero quae ab eis dicitur secunda editio interdicimus*), for it is not included among the Holy Books (ἱεραῖς βίβλοις = *sacris libris*), nor was it handed down from above by the prophets, but is an invention of man in their chatter, exclusively of earthly origin and having in it nothing divine (ἐξεύρεσιν δὲ οὐσαν ἀνδρῶν ἐκ μόνης λαλούντων τῆς γῆς καὶ θεῖον ἐν αὐτοῖς ἐχόντων οὐδέν = *inventionem constitutam virorum, ex sola loquentibus terra et divinum in ipsis habentibus nihil*). Let them read the holy words themselves, therefore in unfolding these Holy Books for reading, but without hiding what is said in them, on the one hand, and without excepting extraneous and unwritten (ἀγράφοις = *sine scriptis*) nonsense the

¹³ Chapter 1.

¹⁴ Pierre Legendre, "Die Juden interpretieren verrückt": Gutachten zu einem Text," in ders., *Vom Imperative der Interpretation: Fünf Texte: Aus dem Französischen* (Wien: Turia + Kant, 2010), 165-88, 175-76: "Zwei Arten des Zugangs zum Gesetz und zur Schrift des Gesetzes stehen auf dem Prüfstand: Die römisch-christliche Variante beruft auf den | Weissagungen des fleischgewordenen Macht, die jüdische auf der Vermittlung durch Interpretieren."

themselves have contrived to the perdition of the more simple minded, on the other hand (chapter 1).

As in the Visigothic *placitum* the text called *deuterosis* in the 146th Novel is used in a synagogue context. Justinian characterizes it as not being part of the Holy Scriptures, i.e. as not belonging to either the Jewish or the Christian Bible. Different from the Visigothic *placitum*, Justinian gives a characterization of the *deuterosis* though. It would be “an invention of man in their chatter” (ἐξεύρεσιν δὲ οὐσαν ἀνδρῶν ... λαλούντων = *inventionem constitutam virorum ... loquentibus*), it would be “only about earthly things” (ἐκ μόνης ... τῆς γῆς = *ex sola ... terra*), and would have “nothing divine in it” (καὶ θεῖον ἐν αὐτοῖς ἐχόντων οὐδέν = *et divinum in ipsis habentibus nihil*).

Which text the term *deuterosis* designates, is extensively debated by scholars. That the Visigothic *placitum* distinguishes it from the Bible and the apocrypha, shows that it is a corpus of texts. Because Justinian puts the *deuterosis* into opposition with the sacred books (ἱεραῖς βίβλοις = *sacris libris*), it represents most likely an authoritative collection of texts. The slander of the 146th Novel suggests that this collection engages not with prophecy but with halakhic detail i.e. what Justinian calls “earthly things.” That Justinian attacks the *deuterosis* as “unwritten (ἀγράφους = *sine scriptis*) nonsense,” reminds of the concept of oral law. The *deuterosis* is hence a written text that claims to represent an orally transmitted halakhic tradition. Given that the Greek word *deuterosis* as well as the Hebrew word Mishnah are both derived from the numeral two, it seems most likely that Justinian prohibits in his 146th Novel the reading and use of the Mishnah.

That Jerome and other late ancient Christian authors use the term *deuterosis* in the same way, confirms its identification as the Mishnah:

The Pharisees preferred the justice of traditions and observances which they called *deuterosis*¹⁵ (Jerome, *Commentary on Matthew 22:23*)

When Justinian slanders the Mishnah as atheistic vain talking (κενοφωνίας ἀθέου = *vanae vocis* and *impia*) he tries to turn the Christian disregard for Jewish literal and halakhic exegesis into imperial law. Justinian finds in the Mishnah the reason for the Jewish rejection of Christian dogma because it represents a second canonical focus of the Jewish cultural memory through which the Jewish scriptures are read. In prohibiting the Mishnah, Justinian aims thus at destroying the way, how Judaism understood and understands the Jewish scriptures. Justinian’s prohibition of the Mishnah and its way to interpret the Jewish scriptures grows thus out of his own reading of the Christian Old Testament and tries to legislative suppress the Jewish cultural memory. It aims thus not at physical but religious and cultural eradication of Judaism.

Justinian’s prohibition of the Mishnah begins a said story of governmental confiscations, suppressions, and burnings of books. Examples include the infamous Talmud-burning of Paris in 1244, the confiscation of Jewish books by Johannes Pfefferkorn in 1509, the Catholic *Index Librorum Prohibitorum* which existed from 1559 to 1948, and Nazi book burnings.

Justinian objects to the Mishnah because its advocates a literal interpretation of the Hebrew Bible. Instead, Justinian enforces in his legislation a Christian understanding of the Hebrew

¹⁵ Translation according to Thomas P. Scheck, *St. Jerome: Commentary on Matthew* (The Fathers of the Church 117; 000: The Catholic University of America Press, 2008), 253; cf. also Jerome, *Commentary to Isaiah 3 to 8:11-17*; Jerome, *Epistel 121.10*; Epiphanius, *Panarion 15.2.1.; 33.9.3-4*; Augustine, *Contra Adversarium Legis et Prophetarum 2.1.1.*

Bible that is based on an allegorical reading viewing the Jewish Scriptures as forecasting Jesus as the Messiah. I.e. Justinian wants to legislate the perception of the Jewish scriptures as the Old Testament. The Christian understanding of the Old Testament is for Justinian best grasped by an allegorical reading of the Septuagint, whose translators were according Justinian divinely inspired.

Apart from these, who will not be amazed by this thing about these men, who lived a long time before the saving revelation of the great God and our Saviour Jesus Christ yet carried out the translation of the Holy Books as if they saw that this revelation was to happen in future, and was illuminated by prophetic grace?¹⁶

In the case of the 146th Novel, Justinian's antisemitic legislation grows thus out of his Christian interpretation of the Hebrew Bible. To enforce this Christian reading on Judaism on the one hand and to eradicate the Jewish cultural memory on the other hand, he goes as far as prohibiting a key component of the Jewish cultural memory, the Mishnah.

3. Conclusions

I wanted to show you how Christian antisemitic legislation in late Antiquity was motivated by religious prejudice against and religious condemnation of Jews, and how Christians rationalized the legal persecution of Jews by deducting some of their antisemitic laws out of a distorted exegesis of the Christian Bible. The Christian interpretations that allowed for the generation of antisemitic laws on the one hand and the application of the Jewish scriptures to a messianic reading of Jesus of Nazareth on the other hand were allegorical in nature. The 146th Novel of the *Corpus Iuris civilis* leaves little doubt that Christian allegorical readings of the Bible did not convince Jews to dismiss their own understanding of the Jewish scriptures that was informed by literal exegesis.

At the bottom of the interpretative conflict between Judaism and Christianity reflected in late ancient Jewry-law are thus the competing claims to salvation by Judaism and Christianity. When Jews resisted Christian claims to salvation because of their literal approach to the Jewish scriptures, Christianity tried to enforce them on Jews with legislative violence. For this purpose, antisemitic legislation in the *Corpus Iuris civilis* and in the Visigothic laws even aims to destroy Rabbinic literature as the embodiment of the Jewish cultural memory.

Both the secular and religious Visigothic laws as well as the 146th Novel of the *Corpus Iuris civilis* mark thus early attempts to redesign the cultural and religious memory of Judaism in order to align it with the Christian understanding of the Jewish scriptures. When Jewish communities both in Visigothic Spain and in the Christian Roman Empire were not convinced of their supposed errors by way of persuasion, Christian states tried to enforce by legislation what persuasion could not achieve, i.e. the cultural and religious eradication of Judaism. My observation agrees well with the overall aim of Justinian's Jewry-legislation as summarized by Lotter, i.e. "To maneuver the Jews to accept the Christian faith by denying them opportunities for social improvement."¹⁷

¹⁶ Chapter 1.

¹⁷ Friederich Lotter, "Die Entwicklung des Judenrechts im christlichen Abendland bis zu den Kreuzzügen," in *Judentum und Antisemitismus von der Antike bis zur Gegenwart* (eds. T. Klein, V. Losemann, und G. Mai; Düsseldorf: Droste Verlag, 1984), 41-63, 47: "Die Juden durch Verweigerung der Chancen gesellschaftlichen Aufstiegs zur Annahme des christlichen Glaubens zu bewegen."

The reception history of the Jewish scriptures shows that neither does the allegorical approach to the Bible facilitate antisemitism necessarily nor does a literal approach avoid antisemitism automatically. The two hermeneutical approaches are thus neither the cause of antisemitism nor its cure. Nevertheless, Christian readers of the Bible are well advised to treat allegorical and typological readings of the Jewish scriptures towards Jesus of Nazareth with caution. Such allegorical and typological readings have and still are justifying supersessionist interpretations of the Bible that provided and provide justification for Christian antisemitism.

Historical critical exegesis of the Jewish scriptures, i.e. their literal readings, will help Christians to recognize the validity of Jewish interpretations of the Bible and hence the validity of Jewish claims to salvation. In other words, it will help Christians to understand the Jewish scriptures as the Hebrew Bible and not as the Old Testament. A literal historical-critical approach to the Bible has the potential to qualify Judaism to its Christian readers as an earlier and equally valid religion by anchoring a Jewish understanding of the Jewish scriptures in the Christian cultural memory.

An example for at least a lessening of Jew hatred due to the exposure to literal readings of the Hebrew text of the Bible by Rabbinic sages is no one less but Jerome. On my last slide, you can therefore see an early modern painting of Jerome studying with a rabbi. The painting is either an original by Guercino or a copy of a now lost original by one of his students.

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