

ANCIENT JUDAISM  
AND EARLY CHRISTIANITY

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Studies in  
Jewish and  
Christian History

*A New Edition in English including  
The God of the Maccabees*

VOLUME ONE



E. J. BICKERMAN

*introduced by*  
MARTIN HENGEL  
*edited by*  
AMRAM TROPPER

brill

# Ancient Judaism and Early Christianity

Arbeiten zur Geschichte des Antiken  
Judentums und des Urchristentums

*edited by*

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VOLUME 68/1

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*The God of the Maccabees*

*By*

E.J. Bickerman

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Amram Tropper

Volume One



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## PREFACE TO THE NEW EDITION

On August 31, 2006, twenty-five years will have passed since in 1981 E.J. Bickerman died quite unexpectedly in Israel at the age of 84 years. His 44 essays on themes of ancient Jewish and early Christian history, published in different, often remote journals and written in three languages appeared successively in three volumes in 1976, 1980 and posthumously in 1986 under the title *Studies in Jewish and Christian History* with Brill Publishers, Leiden. In the meantime, they have become classics and have been out of print for a long time. The same counts for his most famous book *Der Gott der Makkabäer*, which he wrote in Paris as an emigrant but published in 1937 in the Schocken Verlag/Jüdischer Buchverlag in Germany. It was translated into English by Horst R. Moehring and printed by Brill Publishers, 1979, at the author's request in a slightly shortened form.

We are grateful that the publisher made possible a new two volume edition of the 'Studies' together with *The God of the Maccabees*, in which Bickerman's twenty essays written in French, and his five essays in German have now all been translated into English. My own biographical essay "Elias Bickerman – Recollections of a Great Scholar from St. Petersburg", written in German for a symposium in St. Petersburg on the occasion of the three hundredth anniversary of this town (1703–2003), was first published in the Russian classical journal *Hyperboreus* 10 (2004), pp 171–198. I thank Brian McNeil for his translation.

Professor A.J. Baumgarten, the editor of the posthumous volume III of the "Studies" and former pupil and assistant of Bickerman, is engaged in writing an intellectual biography of his great teacher which he plans to finish in 2007. Herewith he fulfils an urgent desideratum of modern scholarship in classical, Jewish and Christian studies.

Spring 2007

Martin Hengel  
Tübingen



## PREFACE TO THE ORIGINAL EDITION

Some years ago Professor Martin Hengel, now in Tübingen, suggested that I should gather my widely scattered papers on Jewish and Christian history. Other pressing obligations delayed the preparation of my *Scripta Minora*, and I owe a debt of gratitude to Professor Hengel and to Mr. F.C. Wieder Jr. and Mr. F.Th. Dijkema of Brill's house for help, patience and understanding.

Some papers have been revised to take account of new discoveries and of my re-examination of sources, but it was neither possible nor advisable to extend the bibliography for every point I touched. I do not believe that the latest paper on every topic is necessarily better than the earlier ones.

Though a classical scholar, I gave up a large part of my time to questions of Jewish and Christian history. I did it, I believe, for two reasons. First, it is more fun to work on a question one is not familiar with. A specialist remaining in his field, perhaps, advances our knowledge of it. Working in a foreign field, he learns. Secondly, my classical studies again and again led me into neighboring fields. For instance, Seleucid documents compelled me to study the Books of the Maccabees; Hannibal's treaty with Philip V of Macedonia, reproduced by Polybius, is unintelligible without the biblical *berit*; my papers on *Utilitas crucis* and on the persecution of the Christians originated in the study of provincial law in the Roman Empire. But an outsider is bound to commit mistakes, some of them egregious. Therefore, I must ask indulgence of the specialists in biblical, rabbinic and patristic disciplines who may by chance open this work.

This work is dedicated to the memory of my parents Joseph and Sarah, *née* Margulis. If I did achieve anything in my life. I owe it to the example and love of my father and to the forbearing wisdom of my mother.

Columbia University  
October 1975

Elias J. Bickerman



## FOREWORD BY A. TROPPER

Elias J. Bickerman was one of the twentieth century's great historians of antiquity. He passed away a quarter of a century ago and many of his writings are now viewed as classic studies in ancient history. These writings are still relevant and well read today, and they succeed to astound us page after page as they reveal Bickerman's innovative thinking alongside his breathtaking erudition.

Forty four of Bickerman's articles were published in the 1970s and 1980s within a three volume collection entitled *Studies in Jewish and Christian History*, but these volumes have been out of print for some time. Recognizing that a new generation of students and scholars has much to gain from Bickerman's *Studies*, Martin Hengel recommended that E.J. Brill, the original publisher of *Studies*, put out a new edition of this important collection. In order to further enhance the accessibility of the collection for the large audience of English speakers not proficient in French and German, Hengel also suggested that the new edition include English translations of the twenty French and five German articles of the original collection. Hengel's reasoning was persuasive and Brill agreed to publish a new edition of Bickerman's *Studies* within its Ancient Judaism and Early Christianity (AJEC) series. In addition, since Brill's translation of Bickerman's famous book *Der Gott der Makkabäer* (*The God of the Maccabees*) is also out of print, it was decided to include this classic work in the new edition as well.

In order to introduce the reader unfamiliar with Bickerman's writings to the intellectual landscape of his scholarship, I would like to highlight four methodological themes which recur time and again in *Studies*, and contribute, I believe, to the lasting quality of this collection. First, a reader of *Studies* cannot help but be astonished by Bickerman's sheer breadth of knowledge. His vast learning is displayed in various ways and one impressive application of this learning is his investigations into the history of interpretation. From Hellenistic Jewish authors, early rabbinic figures and early church fathers, through medieval scholastics, medieval Jewish commentators and Renaissance artists, to Deists, Enlightenment figureheads, Romantic historians and modern scholars – Bickerman

explored and evaluated the contributions of numerous eras.<sup>1</sup> Bickerman recognized the value of past and often neglected scholarship and he seemed to enjoy finding corroboration for his preferred interpretations in the commentaries of earlier periods. Yet while appraising the intellectual fruits of earlier eras, Bickerman was well aware that he had access to sources previously unavailable and that he employed ways of thinking alien to the past. In addition, Bickerman sought to contextualize trends in interpretation and, in like manner, he tried to situate current scholarly positions within the contemporary historical setting. One fascinating result of his explorations into the history of scholarship is that an *opinio communis* considered obvious by many of his colleagues might have appeared more uncertain and contingent to Bickerman because of his broader historical purview.<sup>2</sup>

Second, Bickerman was an exceptional philologist and though philology is not as popular today as it was in the past, Bickerman's philological acumen may serve to remind current students of history of the tremendous value of this traditional discipline. *Studies* contains careful analyses of manuscript traditions and suggestive source criticism, but Bickerman's most powerful and insightful philological tool, in my opinion, is his analysis of language. Bickerman believed that a very precise understanding of ancient words, such as "Herodians," "βλασφημία" and "Christians" for example, could illuminate ancient texts and historical realities.<sup>3</sup> Bickerman's specialty, however, was not ancient languages per se, but the language of ancient documents; i.e. the technical terms, whether legal or administrative, which reflected official institutions and structured formal discourse. Through his analysis of ancient technical terms, Bickerman dated documents and texts, determined their authenticity and shed new light on their meaning and significance.

Third, Bickerman recognized early on the relevance of the Graeco-Roman setting for a faithful interpretation of early Christianity and

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<sup>1</sup> For example, see below, "The Two Mistakes of the Prophet Jonah," 32–70; *The God of the Maccabees*, 1058–1065.

<sup>2</sup> On Bickerman's scholarship in the context of his own historical setting, see Albert I. Baumgarten, "Elias Bickerman on the Hellenizing Reformers: A Case Study of an Unconvincing Case," *JQR* 97 (2007): 149–179.

<sup>3</sup> See below, "The Herodians," 656–669; "Utilitas Crucis," 726–793; "The Name of Christians," 794–808. On Bickerman and philology, see Albert I. Baumgarten, "Eduard Norden and his Students: A Contribution to a Portrait, Based on Three Archival Finds," *SCI* 25 (2006): 121–139.

ancient Judaism and his studies in this vein heavily influenced subsequent scholarship. Bickerman illustrated time and again how Jews and Christians shared with their pagan contemporaries much intellectual, social and cultural common ground. Analogies between Jewish or Christian practice and contemporary pagan practice abound in Bickerman's discussions and they are usually employed to reveal how Jews and Christians belonged to the overarching cultural environment of the Hellenistic and Roman worlds. For example, Bickerman revealed the influence of Greek literary genres on 2 Maccabees' description of the expulsion of Heliodorus from the temple and on Tractate Avot's chain of transmission.<sup>4</sup> Bickerman also recognized that the varied and significant ways in which Jews and Christians were distinct from other subjects and provincials in the Hellenistic and Roman periods could only come to the fore against the backdrop of the shared cultural practices and assumptions of Graeco-Roman antiquity.

Fourth, Bickerman's analogies extend far beyond antiquity and his sophisticated use of analogies to distant contexts is guided by a phenomenological methodology.<sup>5</sup> In "The Messianic Secret and the Composition of the Gospel of Mark,"<sup>6</sup> for example, Bickerman suggests that the Gospel of Mark and the biography of the Baal Shem Tov portray the early history of their subjects, a period in which the divine mission of each subject was kept secret, in strikingly similar manners. This fascinating comparison works, though not because Jesus or the Gospel of Mark influenced the Baal Shem Tov or his biographer. Rather, like a sociologist, Bickerman presupposes that humans tend to have a limited repertoire of natural responses for any given set of circumstances. When a specific response, or phenomenon, appears on more than one similar occasion, Bickerman assumes that the phenomenon reappears because it fulfills the same function under similar circumstances. Thus, the goal of a distant analogy, as opposed to a contemporary analogy, is not to determine the context or *Zeitgeist* for a phenomenon, but rather to bolster

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<sup>4</sup> See below, "Heliodorus in the Temple in Jerusalem," 432–464; "The Chain of the Pharisaic Tradition," 528–542. On Bickerman's understanding of the relationship between Judaism and Hellenism, see Martha Himmelfarb, "Elias Bickerman on Judaism and Hellenism," in *The Jewish Past Revisited: Reflections on Modern Jewish Historians*, eds. David N. Myers and David B. Ruderman, New Haven and London: Yale University Press, 1998, pp. 199–211.

<sup>5</sup> See below, "On Religious Phenomenology," 879–893. See also Judah Goldin, "Bickerman's *Studies in History, II*," *JQR* 72 (1982): 207–209.

<sup>6</sup> See below, 670–691.

Bickerman's interpretation of an ancient event or text by divulging the function of the same phenomenon in similar circumstances in other times and places.

The methodological principles highlighted here illustrate some of the ways in which Bickerman contributed to the historiography of the ancient world. His understanding of the importance of the Graeco-Roman setting for the interpretation of Judaism and Christianity is now a mainstream position and his phenomenological approach is at the heart of many recent historical inquiries which employ methods from sociology and anthropology. His investigations into the history of interpretation are still excellent models of detailed scholarship and his illuminating analyses of technical terms demonstrate the efficacy of carefully executed old-fashioned philology. For these reasons and more, Bickerman's *Studies* is a classic that warrants a second edition.

Since the decision to publish a new edition of *Studies* was made, a number of people contributed to the venture. Martin Hengel graciously contributed a biographical essay on Bickerman which offers a concise overview of Bickerman's life. The editors of Brill's Ancient Judaism and Early Christianity series, Martin Hengel, Pieter W. van der Horst, Martin Goodman, Daniel R. Schwartz, Cilliers Breytenbach, Friedrich Avemarie and Seth Schwartz, each reviewed and edited a part of the collection. Brian McNeil translated the articles originally written in German and French. Tessel Jonquière checked the citations in Greek and Latin. Louise Schouten, Ivo Romein and Gera van Bedaf orchestrated the many tasks involved in the publication of this new, two-volume collection. All these individuals deserve our thanks because they turned the decision to publish a new edition of Bickerman's *Studies* into reality.

I was brought on as editor because the editors of AJEC felt that a single pair of eyes should review the entire new edition. As editor, I sought to locate and correct errors which appeared in the original collection or were introduced inadvertently in the process of translation. Since the articles and *The God of the Maccabees* were written over the course of many years and in three different languages, there is a great disparity in style and spelling throughout. I attempted to minimize this disparity and impose a semblance of unity on the collection. In addition, I introduced slight modifications designed to rectify infelicitous formulations and ease the flow of the text. For the most part, I did not check the numerous citations in Greek and Latin against the originals and Tessel Jonquière's work should ensure that these citations appear, at



the very least, just as Bickerman quoted them. I also made no attempt to update Bickerman's references since the purpose of this new edition is not to present the state of scholarship on the numerous and varied topics that Bickerman investigated but to reproduce Bickerman's classic studies on Jewish and Christian history.

Winter 2007

Amram Tropper  
Jerusalem



## FOREWORD BY THE EDITORS OF THE SERIES

Elias Bickerman was not able to complete in person the third volume of his *Studies in Jewish and Christian History*. He had worked hard at this task, but his sudden death on August 31, 1981, obliged him to lay down his pen. As late as August 25, he sent a postcard to one of the editors with the following message: "Greetings from the Holy Land and thanks for your letter. I shall be back in N.Y. about Sept 15 and from there shall send you a Xerox copy of my additions to the article 'das leere Grab'." This postcard and the obituary notice in the *Jerusalem Post* arrived in Tübingen on the same day.

This makes the third volume of essays a memorial volume for this great scholar, who throughout his life steadfastly refused to allow others to honor him with a Festschrift.

The posthumous edition of this volume entailed many difficulties. We are happy to express our thanks to all those who helped bring it to a successful conclusion.

We thank Professor A.I. Baumgarten for his careful editorial work; Professor Morton Smith, Elias Bickerman's friend, for advice and assistance in many difficult questions; the publishing house of Brill in Leiden for their exemplary work in printing this volume; and Mrs Grace Goldin for the photograph of Bickerman which she kindly made available to us. We are grateful to Mrs Anna Maria Schwemer for helping to correct the third set of proofs.

Last but not least, we wish to express our gratitude to those whose generous financial support made it possible to edit this third volume: Mr Franz D. Lucas, Honorary General Consul in London; the American Association for Jewish Research in New York; and especially the Axel Springer Foundation in Berlin.

M. Hengel

P. Schäfer

M. Stern



## FOREWORD BY A.I. BAUMGARTEN

In the preface to the first volume of this collection of papers, Professor E.J. Bickerman characterized the articles he had written on Jewish and Christian history as “fun”, as the joy of a scholar working outside his field of expertise, learning much about subjects concerning which he knew little. He further explained his interest in these matters as being the result of historical accidents: study of Seleucid documents led him to the Maccabees; Roman provincial law led to the accounts of the trial of Jesus and to the persecution of Christians. Bickerman was to repeat similar explanations of his interests in the introduction to the English translation of *Der Gott der Makkabäer*.

Bickerman’s account of the origins of his interest in Jewish and Christian history may or may not be wholly convincing. Whatever may have been the cause, Bickerman devoted considerable effort to Jewish and Christian history, and the significance of his contributions to these fields of study is beyond question. The papers collected in these volumes contain original insights of great importance, regularly forcing scholars to revise older explanations of historical data in the light of new evidence and interpretations.

There is a sense, however, in which Bickerman ranged widely over aspects of antiquity without ever leaving his original area of interest. Tying together so many of the papers collected in these volumes and fundamental to the interpretations Bickerman was able to offer, is a thread of knowledge – of Bickerman’s mastery of documents, institutions and official practice of the ancient world. This core, I submit, is the foundation on which much of Bickerman’s contributions to Jewish and Christian history is based, and the existence of this core is the key to understanding how Bickerman was able to range so widely, yet see so clearly what others had not seen.

As Morton Smith has written below, Bickerman wished to be remembered only for his scholarship. As such his work is a brilliant example of how to contribute effectively to varied fields, of how to build on a core of knowledge and apply it to solving new problems. If, as he claimed, Bickerman’s contributions to Jewish and Christian history originated in “fun”, then they are “fun” turned into an intellectual endeavour of the highest order.

This volume is appearing in print thanks to the efforts of a number of Bickerman's friends and former pupils. Most of the papers collected here were not completely revised by Bickerman prior to his death, rather he left a number of assorted notes for revisions. The task of going through these notes and preparing them for incorporation into the papers was shared by Professor Morton Smith and Shaye Cohen. I then prepared the final revised versions of the papers.

A special word of thanks is owed to Professor Martin Hengel, who first proposed to Bickerman that he collect his studies on Jewish and Christian topics. Professor Hengel undertook the major responsibility of arranging financing for this volume. Without his efforts, this volume might not have appeared.

A.I. Baumgarten

INTRODUCTION TO THE ORIGINAL EDITION  
(PART THREE) – ELIAS J. BICKERMAN BY M. SMITH

Elias J. Bickerman who died at the age of 84, in Israel, on Aug. 31, 1981, was a great scholar who wished to be remembered only for his scholarship. He therefore directed that his private papers be burned without being read. Of the little information about his early life, the most reliable seems that from the brief autobiographies written by his father, Joseph, and his brother, Jacob, and published by the latter under the title *Two Bickermans* (Vantage Press, New York, 1975). These correct some details of the data in *Who's Who*, to which Elias Bickerman customarily referred those who asked about his career, and on which I therefore relied when writing the memorial notice for *Gnomon* (1982.223f.). The corrected account runs as follows:

He was born in Kishinev in the Ukraine on July 1, 1897, his mother's name being Sarah (*née* Margulis). During the first year of his life the family moved to Odessa where, in October '98 (old style), his brother was born. His father, in his thirties, was a tutor and, later, gymnasium teacher, who not only supported his family, but also put himself through university and became so well known for his political pamphlets that he was able in 1905 to go on to St. Petersburg and a brilliant career as a journalist. He became one of the leading writers for the newspaper *Den* ("The Day") and, briefly, its financial manager. Thus, he could send his sons to good private *gymnasias* (preparatory schools) from which Elias went on to the University of St. Petersburg in 1915 and there became a pupil of Rostovtzeff, later his friend and collaborator. He also entered the Russian army officers' training school at Peterhof, from which in 1917, shortly before the Bolshevik revolution, he was sent as an officer to a regiment near the Persian frontier. When the regiment was disbanded he became involved in Tatar-Armenian fighting at Baku, was wounded and briefly hospitalized, but got home just in time to be drafted for the Red Army. Rescued by typhus, he was confined for some months to a hospital in Nikolaev (S. Ukraine) and thence transferred to St. Petersburg, where a job in a navy office enabled him to remain and complete his studies at the University by 1921. In that year his brother, too, was certified to have completed his university studies (in biology and chemistry) – degrees had been abolished as undemocratic. These certifications obtained, the family fled to Berlin; there, in 1922,

Elias was accepted as a student at the University and Jacob found a place at the Kaiser Wilhelm Institute.

From this time on the career of Elias Bickerman is known chiefly from his publications (a bibliography in preparation already lists a dozen books and a hundred articles and reviews) and from his academic degrees, positions, and honors. His doctoral work was done under Wilcken, his Ph.D. thesis being *Das Edikt des Kaisers Caracalla in P Giss. 40* (1926); his *Habilitations-schrift* became “Beiträge zur Antiken Urkundengeschichte I–III”, *Archiv für Papyrusforschung*, VIII–IX. These studies led to his classic article, “Chronologie”, in the Gercke-Norden *Einleitung in die Altertumswissenschaft* III.5, 1933. Along with these appeared a series of distinguished articles on problems of Greco-Roman history (especially chronology) and religion. At the same time, however, he published another series of equally distinguished articles on the Judeo-Christian tradition, beginning with “Das Messiasgeheimnis und die Komposition des Markusevangeliums”, *ZNW* 22, 1923, 122–40, and having as its climax during this Berlin period his *Realencyclopädie* article, “Makkabäerbücher I–III” (XIV.1.779–800). The importance of his publications was recognized by his appointment in 1929 as *Privat-Dozent* at the University, where he remained till 1933. During this period, too, he and his father were active in White Russian circles, opposing the Bolsheviks.

When the Nazis came to power in 1933 Bickerman went to France, where his reputation was such that he was at once appointed *Chargé de Cours* at the École des Hautes Études, of which he became an *Élève diplômé* in 1938. In 1937 he became also *Chargé de recherches* at the Centre National de la Recherche Scientifique, a position he held until 1942. At the fall of Paris in 1940 he fled to Marseilles whence, shortly before or after the fall of the Vichy government, he escaped to New York. (His *Who's Who* summary reads “Came to the United States, 1942, naturalized, 1948”, but B. Bar Kokhba, in *Cathedra*, 1981/2, says he stayed in Marseilles until 1943.)

While in France, in spite of the turmoil around him, he continued to pour out articles of the highest quality – twenty-five in ten years – and these in both of his chosen fields. Moreover, he produced in this period his two greatest books, the revolutionary *Der Gott der Makkabäer*, Berlin, 1937, and the magisterial *Institutions des Séleucides*, Paris, 1938. (His German publications of this period are still signed “Bickermann”, his French, “Bikerman”; his brother retained throughout life the spelling “Bikerman”.)



Arriving in the United States, Bickerman (as he now became) was at first attached to the *École Libre* in New York and the New School for Social Research, then, in 1946, became a research fellow at the Jewish Theological Seminary. A Guggenheim fellowship in 1950 and a short stay at the University of Judaism in Los Angeles were succeeded by his appointment in 1952 as Professor of Ancient History at Columbia. After his retirement in 1967 he became Professor Emeritus, spent a year at the Institute for Advanced Study, and then resumed his research fellowship at the Jewish Theological Seminary where, except for a year at the Institute for Advanced Study of the Hebrew University, he remained until his death.

His American period saw no decline in the quality of his articles; indeed, he seems to have turned to these in preference to books, for his most important books in these years – *From Ezra to the Last of the Maccabees*, 1962, and *Four Strange Books of the Bible*, 1967 – were collections of papers. As retirement from Columbia approached, however, he began revision and collection of his earlier works. *Chronology of the Ancient World* appeared in 1968 (the *Who's Who* date, 1967, is incorrect) and has since gone through several translations and revisions; volumes of revised *Studies in Jewish and Christian History*, of which this is the third (I, 1976; II, 1980), were prepared.

The insecurity of his early and middle years was replaced by the tranquility of his long old age. His health was in general excellent and he retained not only his extraordinary range of knowledge, but also his gift for analysis, for detecting neglected problems and proposing original solutions, which made so many of his works turning points for the study of the topics they treated – witness his recent article, “Darius I, Pseudo-Smerdis, and the Magi”, *Athenaeum* (Pavia), n.s. 56, 1978, 239–261, which puts the discussion of the magi on a new footing. His achievements were recognized by many prizes and honorary degrees, and by memberships in the American Academy for Jewish Research, The American Academy of Arts and Sciences, and the British Academy. Winters of research in New York were followed annually by summers in Europe and the Near East to visit his many friends on both sides of the “iron curtain” and of the Arab-Israeli boundaries. The range of his friendships was no less amazing than that of his knowledge, for his kindness was no less amazing than his intelligence. Proverbs 10.7 can be revised: the remembrance of a wise man is a blessing.



INTRODUCTION: ELIAS BICKERMAN – RECOLLECTIONS  
OF A GREAT CLASSICAL SCHOLAR FROM  
ST PETERSBURG<sup>1</sup> BY M. HENGEL

I. *A citizen of the world and homo universalis*

Elias Bickerman was one of the great classical scholars produced by St Petersburg; Momigliano called him “one of the most original and profound historians of the ancient world.”<sup>2</sup> It was in St Petersburg, at that time still the capital of Russia, that he spent those first years of scholarly initiation which were to prove decisive for the further course of his life. His path was to lead in less than twenty years from St Petersburg via Berlin and Paris, and finally to New York, thanks to the terrible

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[Original publication: “Elias Bickermann. Erinnerung an einen großen Althistoriker aus St. Petersburg,” *Hyperboreus* 10 (2004), pp. 171–198; English translation: Brian McNeil. In quotations from Bickerman, the original text is English unless otherwise noted. For the sake of consistency, the surname is spelled “Bickerman” throughout this translation, except in references to the titles of published works.]

<sup>1</sup> I am grateful to Professor Daniel R. Schwartz and Mr A. Ruban of the Bibliotheca Classica for valuable bibliographical help.

There exists neither a detailed biography of the man himself nor a thorough presentation of Bickerman’s scholarly achievements. All we have are obituary notices and brief posthumous appreciations. These are expanded and corrected by the autobiographies of his father (up to 1922) and his brother (up to 1946), which the latter published under the title: *Two Bickermans. Autobiographies by Joseph and Jacob J. Bickerman* (New York et al. 1975); occasionally, these give biographical data about the older brother, Elias. Earlier references in *Who is Who?* and the English-language *Encyclopaedia Judaica* IV (1971), p. 946 (on Elias Bickerman) and p. 992 (on his father and brother) contain some errors. On the bibliography of his father and his brother, in which Elias did not share, cf. A. Momigliano, “L’assenza del terzo Bickermann,” *Rivista storica italiana* 94 (1982), pp. 527–531. The most detailed biographical information is given by Mortin Smith in *Proceedings of the American Academy for Jewish Research* 50 (1983), pp. xv–xvii, reprinted in E. Bickerman, *Religions and Politics in the Hellenistic and Roman Periods*, ed. by E. Gabba and M. Smith (Biblioteca di Athenaeum 5), Como 1985, pp. ix–xii, and in Idem, *Studies in Jewish and Christian History* III (AGJU 9), Leiden 1986, pp. xi–xiii. (I quote from the last-named work: now in this volume pp. xxiii–xxv.) See also J.D. Cohen, “Elias J. Bickerman: An Appreciation,” *Jewish Book Annual* 40 (1982 [1986]), pp. 162–165, reprinted in *Ancient Studies in Memory of Elias Bickermann* (JANES 16/17), 1984/1985, pp. 1–3; Bezalel bar Kochba, *Cathedra* 23 (1982), pp. 3–9; J. Méléze-Modrzejewski, *RIDA* 3rd series 31 (1984), pp. 13–16; see also M. Himmelfarb, “Elias Bickermann on Judaism and Hellenism,” in D.N. Myers and D.B. Rudman, ed. *The Jewish Past revisited*, New Haven 1998, pp. 199–211. On Bickerman’s scholarly work, cf. F. Parente, “Bibliographic,” in E. Bickerman, *Religions and Politics in the Hellenistic and Roman Periods*, pp. xiii–xxxvii (cited here as: *Bibliographie* with the title number).

<sup>2</sup> Momigliano, *op. cit.*, p. 527 [original Italian].

turbulences that shook Europe to its foundations in the first half of the twentieth century. These had their origins in the ideological dictatorships first in Russia and then above all in (and through) Germany; today, it is scarcely possible to grasp the human and intellectual devastations wrought to Europe by Bolshevism and by National Socialism. These left their imprint on the path of the young scholar too, as we see in his threefold adaptation of his surname: Bikerman in St Petersburg and Paris, Bickermann in Berlin, and Bickerman in the USA. It was only in the fourth country that he was able to establish a permanent existence as a scholar, when he became professor of ancient history at Columbia University in 1952, at the age of fifty-five. In his very personal obituary notice, Joseph Méléze-Modrzejewski emphasized this point:

There are surely not many scholars whose *curriculum vitae* includes the very uncommon adventure of a university career which was started afresh four times in four different countries – and who have left behind an academic *oeuvre* which has won worldwide recognition... Some of his works have become great classics.<sup>3</sup>

What is more, this geographical sequence (St Petersburg – Berlin – Paris – New York) is too narrowly defined. From the 1950's onward, he traveled regularly through old Europe. During a visit to Tübingen, he told my colleague Hubert Cancik: "Don't work too much! Travel instead!" In a letter which he wrote to me on an airplane, he thanked me explicitly "for the hospitality in the Old World." He had a particular love for Italy and its language. When talking to ladies, he preferred to speak Italian, and not to talk about scholarship. From the mid-1970's, he included the Soviet Union in his travels. Kurt von Fritz told me at that time that Elias Bickerman wanted to return to Russia on a permanent basis, and I found this news so unsettling that I arranged a meeting with him in West Berlin. Bickerman dismissed all my reservations with a hearty laugh: naturally, all he wanted to do was to go on a visit. And yet, this plan also involved homesickness and the yearning for his mother tongue. In 1978, friends in Israel told me that Bickerman's fearless openness at a congress of historians in Moscow and on a short visit to Leningrad had caused something of a sensation.

Although he was certainly no Zionist, he visited Israel and other states in the Near East regularly in his last years. At the end of the 1940's, he and Tcherikover were in Jerusalem both candidates for a professorship

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<sup>3</sup> Méléze-Modrzejewski, *op. cit.* (n. 1 above), p. 14 [original French].

in the history of the Jews in the Hellenistic-Roman period. He died at Bat Yam near Tel Aviv on August 31, 1981, at the age of 84, and his grave is in Jerusalem. Perhaps this too is a kind of homecoming; even in ancient times, Jews from the diaspora wanted to be buried there. I received on the same day Shalom ben Chorin's notice of his death in the *Jerusalem Post* and a postcard which Bickerman himself had sent me on August 25: "I shall be back in N.Y. about Sept 15 and from there shall send you a Xerox copy of my additions to the article 'Das leere Grab'." At this time, he was preparing the third volume of his *Studies in Jewish and Christian History* for publication<sup>4</sup> and revising his earliest essays in classical scholarship, on the Messianic secret and the empty tomb, which he had published in 1923 and 1924 in the *Zeitschrift für die neutestamentliche Wissenschaft*. It is a remarkable fact that his two earliest essays, and the last essays which he published during his lifetime, are devoted to biblical themes.<sup>5</sup> Although personally (like his father) a liberal who sometimes almost gave the impression of being a skeptic, he had an astonishingly positive sensitivity with regard to themes concerning Greco-Roman, Jewish, and Christian *religion*. He knew what reverence meant, and he was convinced that there exist religious values which are worth defending. In the *curriculum vitae* appended to his dissertation (1926),<sup>6</sup> he writes openly: "I am of Jewish descent and profess my adherence to the law of Moses." A religious attitude, hidden deep within Bickerman, can also be seen in his publications on the Maccabees.<sup>7</sup> The same is true of his dedication of his *Studies in Jewish and Christian History* to his parents, which he underlined by means of a quotation from the *Bereshith Rabba*: "The days of the righteous die, but the righteous themselves do not die."<sup>8</sup> Here we can see the spiritual inheritance of his Jewish family tradition.

I remember that he once described himself with great accuracy: "I am a *world-citizen*. In every town I visit I can speak with a classical

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<sup>4</sup> See below in the final section of this essay.

<sup>5</sup> These are all published in Vol. II of the present work: "The Messianic Secret and the Composition of the Gospel of Mark" (first published 1923); "The Empty Tomb" (first published 1924); "Nebuchadnezzar and Jerusalem" (first published 1979/1980); and "On the Margins of Scripture" (first published 1981): pp. 670ff., 712ff., 961ff., 1000ff. See *Bibliographie*, nr. 3, 4, 313, 314.

<sup>6</sup> See section II and n. 26 below [original German].

<sup>7</sup> See section III below.

<sup>8</sup> Ed. Theodor-Albeck (second printing with additional corrections by C. Albeck) III, Jerusalem 1965, p. 1237.

scholar. Even in Kabul I can discuss with the director of the museum.” He was a true citizen of the world, not only in a geographical sense, but also in a comprehensive intellectual sense, since he was a *homo universalis*. He published works in six languages, and knew not only the texts of classical antiquity from Homer to Byzantium, as well as the Jewish tradition and the church fathers, but also the great literature of Europe, especially that of the eighteenth and nineteenth centuries – a trait which made him comparable to Zaicev, the recently deceased Greek scholar in St. Petersburg. He owed the foundations of this extraordinarily ample intellectual foundation to his youth and the years of his studies in St Petersburg.

In their selection of 25 classical studies by Bickerman, Emilio Gabba and Morton Smith emphasize the masterly precision with which he presents his work:<sup>9</sup>

The evidence and arguments are introduced, the objections and answers balanced with the precision of elements in a Mozart sonata. The deliberate contrast and concord of historic and artistic truth is not the least of their beauties.

At the same time, he showed himself a strict historian, indeed one is tempted to say: a “positivistic” historian (in the best sense of that word). He rejected all abstract theories that went beyond the historical sources and all the speculations of “the philosophy of history,” not because he was unacquainted with these, but rather because he had reflected fundamentally upon them. Martha Himmelfarb is correct to emphasize, with regard to the relationship between Judaism and Hellenism:<sup>10</sup>

Bickerman never set out a formal theory on the subject. The only method he would have acknowledged were the tools of the ancient historian’s craft as traditionally understood: philology and careful reading, which he used to remarkable effect.

Both these tools were supported by his astonishingly wide knowledge of the sources and his comprehensive familiarity with history and literature, which very frequently permitted him to adduce unknown parallels, which no scholar hitherto had evaluated. In Bickerman, one could learn what Ernst Troeltsch called “the omnipotence of analogy.” He warned younger scholars against the temptation to make things too

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<sup>9</sup> Bickerman, *Religions and Politics* (n. 1), pp. viif.

<sup>10</sup> Himmelfarb, *op. cit.* (n. 1), p. 200.

easy for oneself. He warned me: “Don’t write any ‘Halbgebackenes’ [‘half-baked things’],” and I have not forgotten to pass on this advice to my own students. He imposed the highest standards on himself; with others, he was somewhat more lenient, but always strict – as one can see in his book reviews, which are always worth reading. For example, he once told me that while he was a *Privatdozent* in Berlin, he submitted a manuscript to Eduard Norden. Three days later, he received one of the typically professorial postcards: “I have read your text twice, but it did not convince me.” Bickerman’s laconic conclusion to this story was: “I never published this article.” I replied – the student revolution was just ebbing out at that date – “Today, the professor would only read half of the article and would not reply until weeks had elapsed. And then the *Privatdozent* would say: ‘That makes me all the more determined to publish it!’”

In view of his extraordinary life, his exceptional memory, and his brilliant gifts as a *raconteur*, he could certainly have written a very interesting autobiography. I suggested this to him several times, but he always refused point blank: “No autobiography, no Festschrift.” He simply did not feel himself old enough for such a book, and this is why he consciously refrained from adding his own voice as a third partner to the autobiographies of his father and his brother;<sup>11</sup> he also ordered in his will that all his private papers, including all unpublished manuscripts, were to be burnt unread. He was “a great scholar, who wished to be remembered only for his scholarship.”<sup>12</sup> Accordingly, the very little we know about the events of his life is due to the autobiographies of his father and his brother<sup>13</sup> and to occasional references in his own scholarly works. The most detailed presentation of his biography up to now is by Morton Smith in the third volume of Bickerman’s *Studies in Jewish and Christian History*, published posthumously; this runs to two and a half pages.<sup>14</sup> Now we also have the letters which he wrote to his teacher and friend Rostovtzeff, and the mentions of his name in the correspondence of this great scholar. I have not been able to draw fully on these texts for the present sketch.<sup>15</sup> A more detailed biography is urgently needed;

<sup>11</sup> *Two Bickermans* (n. 1).

<sup>12</sup> M. Smith in the obituary notice in Bickerman’s *Studies in Jewish and Christian History* III (n. 1), p. xi. In this edition see above pp. xxiii ff.

<sup>13</sup> See n. 1 above.

<sup>14</sup> See n. 1 above, and the concluding section of this essay.

<sup>15</sup> Г.М. Бонгард-Левин, “М.И. Ростовцев и И.И. Бикерман: учитель и ученик. Новые архивные материалы” (G.M. Bongard-Levin, “M.I. Rostovtzeff and I.I.

this might be a task for a young scholar in St Petersburg today. Such a work would not only link the four great stations of Bickerman's path through life, but would also mean in a certain sense that a great scholar had returned home at last.

## II. *Years of study and travel: St Petersburg and Berlin*

The following recollections are based in part on the scanty written sources, in part on things I myself experienced, and in part on "oral history" that I heard from third persons. Given the nature of human memory, I cannot always disentangle these three "sources" with complete precision.

Elias (Joseph)<sup>16</sup> was born on July 1, 1897 in Kishinev (capital of today's Moldova), the son of Joseph Bickerman (1867–1942) and Sarah, née Margolis (1861–1931).<sup>17</sup> His wife's respectable family traced its origins back to Abrabanel, but Bickerman *senior* came from a poor Jewish family in Podolia. The only education he received as a child was in the Talmud; it was only at the age of fourteen that he began to learn Russian out of a personal interest. He continued to educate himself, so that he was able to take the high school graduation examination at the age of 29, in the year Elias was born; up to this point, he had earned his living primarily as a domestic tutor. Soon after this, he began his studies at the university of Odessa, where his second son, Jacob Joseph, was born on October 28, 1898.<sup>18</sup> Their father's keen interest in literature, history, and mathematics was inherited by his sons.<sup>19</sup> After successfully finishing his studies, he was appointed to teach mathematics at a high school in Odessa. From 1901, he also worked as a journalist and quickly became well known, not least because of his controversy with the Zionists V. Jabotinsky and B. Borochof. In the crisis year of 1905, he stopped working in the school and moved to St Petersburg, where he worked as a freelance journalist and later as a publisher. As

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Bickerman: A teacher and a student"), *Скифский роман*. Под ред. Г.М. Бонград-Левина, Moscow 1997, pp. 333f.

<sup>16</sup> In his publications, his forename appears as Elias J. or Elias.

<sup>17</sup> On this, cf. the autobiography of his father in *Two Bickermans* (n. 1).

<sup>18</sup> *Two Bickermans*, p. 83.

<sup>19</sup> *Ibid.*, p. 25.



such, he soon made a name for himself. He presciently foresaw the collapse of the Czarist empire and the failure of the March Revolution and of Kerensky in the spring of 1917, which was followed by the October Revolution. When the family moved to St Petersburg, Elias began his education.

After graduating from a good private high school (classical gymnasium), he enrolled as a student at the university in 1915. One of his professors was Michael Rostovtzeff, whose friend he remained; another was S.A. Zhebelev, whose obituary he wrote in 1944.<sup>20</sup>

In 1926, he began his dissertation in Berlin<sup>21</sup> with some moving lines dedicated to a teacher at his high school in St Petersburg:

*B.M.*

*Catharinae Smirnow  
Magistrae dilectissimae,  
Quae animum pueri imbuit  
Antiquitatum amore,  
Matronae sanctissimae  
Morte lugubri peremptae,  
Requiescat cum martyribus in Deo.*

Clearly, she was a victim of the Bolshevik terror. He could scarcely have erected any lovelier monument to his earliest years in classical education.

Later, he attended the Czarist Cadets' Institute in Peterhof. He was sent to the Persian border as a very young officer in 1917, and was wounded in the battles between Armenians and Muslims in Baku. He retained all his life the taut countenance of a Czarist officer. He fell ill with typhoid fever, and this saved him from military service in the Red Army. On his return to Petrograd, he worked as a military attaché in the Office of Marine Transport, while continuing his studies. Like his brother, who studied natural sciences, he successfully completed his courses in 1921; however, in keeping with the egalitarian ideology of the

<sup>20</sup> *Bibliography*, nr. 162; cf. nr. 158 and 64.

<sup>21</sup> See below. [Translation of the Latin text: "To the b(lessed) m(emory) of Catharine Smirnow, a most beloved teacher, who filled the soul of a boy with a love of classical antiquities. She was a most holy married woman who was snatched off by a sad death. May she rest with the martyrs in God."]

Bolsheviks, no academic degrees were awarded. All that the two brothers received were certificates that they had passed their examinations. In the winter of 1921/1922, the family made their hazardous escape from Russia with forged Polish passports in which the name Bickerman had been changed to Berman. They came via Minsk and Vilna to Warsaw, and thence to Berlin, where they arrived in April, 1922. The story of their escape reads like a chain of improbable interventions by providence. To begin with, they supported themselves with gold rubles which they had hidden in loaves of bread when fleeing from Russia; later, they had sewn these coins into their coats and thus brought them safely to Germany, where they were an extremely valuable resource for the family until the end of the inflation at the beginning of 1924. A half-sister (from the first marriage of Elias' mother) remained behind in Petrograd at her own wish. The great classical historian Eduard Meyer obtained a grant for the gifted Jewish émigré from Russia, so that he could pursue his "advanced studies" in Berlin and begin work on a doctoral dissertation.

This second period of his studies was thus the beginning of his itinerant years. His first publications soon followed. The bibliography compiled by Fausto Parente<sup>22</sup> lists 319 titles up to 1985. At the age of 17, Bickerman published thirteen pages of "Notes on Pushkin,"<sup>23</sup> and a year later came a small study on "Grand Prince Constantine and March 11, 1801."<sup>24</sup> I would not be surprised if further publications from his earliest years as a student in Petrograd were to come to light.

As I have mentioned, the first two essays he wrote in Berlin deal with New Testament themes. They were published in the *Zeitschrift für die Neutestamentliche Wissenschaft*, edited at that time by Hans Lietzmann, who thought very highly of the young scholar.<sup>25</sup> Parente's bibliography has 83 entries up to the end of 1933, including numerous book reviews and articles for the German *Encyclopaedia Judaica*. While he was looking for a *Doktorvater*, he was particularly impressed by the ancient historian Ulrich Wilcken, an expert in the study of papyri, because he had corrected himself in front of his students: "A German professor who

<sup>22</sup> *Religions and Politics* (n. 1), pp. xiii–xxvii.

<sup>23</sup> И. Бикерман, "Пушкинские заметки," *Пушкин и его современники* 19–20 (1914), pp. 49–62.

<sup>24</sup> И. Бикерман, "Цесаревич Колстантин и 11 Марта 1801 г.," *Голос минувшего: Журнал истории и лимерамуры* 3 (1915) 10, pp. 102–111.

<sup>25</sup> Cf. n. 5 above.

corrects himself before his students must be a great scholar. Therefore I chose him as a doktorvater.” Wilcken was a noble character: “He never criticized but only corrected.” Besides this, he was “a Kantian, Prussian professor, who lived for his scholarly duty. Being a classical scholar he never visited Athens or Rome, but only Cairo, Paris and London, because only there were important papyrus collections.” This outstanding scholar was the right teacher for an independent spirit like Bickerman, who was completely devoted to the task in hand, i.e. the study of the sources, and he remained grateful to Wilcken for the rest of his life. In 1926, he took his doctoral title with a dissertation on *Das Edikt des Kaisers Caracalla in P. Giss. 40* (Verlag A. Collignon, Berlin 1926). He defended his thesis before U. Wilcken and E. Norden. This slender study, only 38 pages in length, is exceptional in its precision, the concision of its formulations, and the convincing character of its argumentations. It caused a considerable sensation in academic circles, and made the name of the young scholar known.<sup>26</sup> This papyrus is not the text of the edict itself, but a somewhat later decree which forbade the bestowal of Roman citizenship on barbarians who had settled on Roman territory. In the preface, Bickerman calls this little study “part of large-scale studies of the production of official documents of Egypt,” which U. Wilcken had suggested and which “are basically now complete.” In this field, he also mentions P.M. Meyer and W. Schubart as his teachers. His dissertation established his reputation as an expert in ancient legal documents on papyrus and in inscriptions. This theme was to interest him throughout his life, and he repeatedly demonstrated his mastery here. At the same time, such studies gave him a sure eye for the forms of ancient political and religious texts in general. Here, he was following in the steps of work done by the “school of Sokolov” in St Petersburg.<sup>27</sup>

These studies led to the publication of his *Beiträge zur antiken Urkundengeschichte* I–III in the *Archiv für Papyrusforschung* (1927 and 1930),<sup>28</sup> and to his *Habilitation*. He became *Privatdozent* in Berlin in 1929. On the basis of these pioneering studies, Arnaldo Momigliano called him

<sup>26</sup> See *Bibliography*, nr. 8 [original of the quotation from the preface to this book: German].

<sup>27</sup> See e.g. *Bibliography*, nr. 12 (1927) and nr. 51 (1930).

<sup>28</sup> *Bibliography*, nr. 12, 51, 52: (I) “Der Heimatsvermerk und die staatliche Stellung der Hellenen im ptolemäischen Ägypten,” *APF* 8 (1927), pp. 216–230; (II) “Ἀπογραφή, οἰκογένεια, ἐπίκρισις, Ἀιγύπτια,” *APF* 9 (1930), pp. 24–46; “Ἐντευξις und ὑπόμνημα,” *APF* 9 (1930), pp. 155–182.

“A lawyer by instinct, rather than in virtue of a precise training. He examines with extraordinary precision and originality various aspects of public and private Greek, Hellenistic, and Roman law.”<sup>29</sup> With J. Sykutris, Bickerman edited the letter of Speusippus, nephew of Plato and head of the Academy, to King Philip of Macedon;<sup>30</sup> he himself wrote the commentary and the notes to the translation.<sup>31</sup> This is a letter of recommendation for an historian called Antipatros; at the same time, it is a “public letter” meant to impress its readers and directed against Isocrates. At that period, Bickerman planned “a large-scale study of political literature in classical antiquity,” and he regarded both this work and his essay on “Ritual murder and the worship of an ass” (cf. Vol. I of the present book) as preliminary investigations in view of such a book;<sup>32</sup> as we know, of course, he was not able to carry out this project. In their foreword, Bickerman and Sykutris write that “His Excellency von Wilamowitz-Moellendorff and Professor P. Maas have examined this work and made stimulating observations on a number of individual points.” They write that they had “already presented the results of these investigations . . . in spring of 1927 to a small group of friends in Professor W. Schubart’s house” – an indication of the lively climate of collaboration in the Berlin of the 1920’s. He also mentions this group in his first surviving letter to Rostovtzeff, when expressing his joy that his teacher agrees with the contents of his dissertation.<sup>33</sup>

Another fruitful field of research to which he continually returned was the cult of rulers in antiquity. In 1929, he published his great article “Die römische Kaiserapotheose,” which was to have a fundamental influence on subsequent scholarship. His starting point was the puzzling fact that while the Romans persistently refused to divinize living emperors (as happened all the time in Greece and in the East), they were perfectly willing to declare the divinity of deceased emperors and indeed of some of the imperial relatives. Other original researches into this subject, which took scholarship into new terrain, followed in Bickerman’s years in New York.<sup>34</sup> Later, the questions involved in this

<sup>29</sup> Momigliano, *op. cit.* (n. 1 above), p. 527 [original Italian].

<sup>30</sup> E. Bickermann and J. Sykutris, ed. *Speusiphs Brief an König Philipp. Text, Übersetzung, Untersuchungen* (Berichte über Verhandlungen der Sächsischen Akademie der Wissenschaften 80, 3), Leipzig 1928.

<sup>31</sup> *Ibid.*, pp. 12–47.

<sup>32</sup> *Ibid.*, 18f., n. 1 [original German].

<sup>33</sup> Бонгард-Левин (n. 15 above), p. 330 (letter to Rostovtzeff, January 14, 1927).

<sup>34</sup> *ARW* 27 (1929), pp. 1–34 (= *Religions and Politics* [n. 1 above], pp. 3–36), *Bibliography*,

field led him to study the attitude taken by individual emperors such as Trajan and Hadrian to the Christians.<sup>35</sup>

In the previous year, his article about the first three Books of Maccabees had appeared in half-vol. 27 of Pauly-Wissowa.<sup>36</sup> This subject too was to accompany him for the rest of his life. He himself observed that he<sup>37</sup>

was not (and is not) particularly interested in the Maccabees. But collecting the evidence about the Seleucids (see *Institutions des Séleucides*, 1938)<sup>38</sup> he necessarily had to study the Books (...). In the meantime, I received an invitation from W. Kroll, then the editor of the *Real-Encyklopädie* (...), to write the article about the First – Third Maccabees. I don't know why did he choose me for this task. But I was young and, thus, ready to deal with any subject of Greek and Roman History. I was poor and any honorarium was welcome (...). Last but not least, it was a honour for a beginner to write for "Pauly-Wissowa".

These lines entail a certain measure of understatement, for Bickerman had already published the brilliant article on "Ritual murder and the worship of an ass" in 1927, as well as writing a number of reviews of books about hellenistic Judaism and several encyclopedia articles on this subject between 1926 and 1928.<sup>39</sup> This field was one of Bickerman's major interests, to which he returned again and again, down to his last *opus magnum*, the posthumously published *The Jews in the Greek Age*.<sup>40</sup>

A quite different interest is reflected in his *Chronologie*, which appeared in 1933 in the *Einleitung in die Altertumswissenschaft* which was edited by

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nr. 44; cf. also nr. 292, "Consecratio," in O. Reverdin, ed. *Le culte des souverains dans l'empire romain* (Entretiens sur l'Antiquité Classique 19), Vandoeuvres and Geneva 1973, pp. 3–25; nr. 247, "Filius Maiae (Horace, *Odes*, I, 2, 43)," *PP* 16 (1961), pp. 5–19 (= *Religions and Politics*, pp. 453–469); nr. 297, "Diva Augusta Marciana," *AJPh* 95 (1974), pp. 362–376 (= *Religions and Politics*, pp. 541–557).

<sup>35</sup> *Bibliography*, nr. 282, *RFIC* 97 (1969), pp. 393–408 ("Pliny, Trajan, Hadrian and the Christians," in Vol. II of the present work, pp. 809ff.). This essay prompted me to write about Hadrian's policies *vis-à-vis* Jews and Christians in *Ancient Studies in Memory of Elias Bickerman* (n. 1 above), pp. 153–182 (= M. Hengel, *Judaica et Hellenistica: Kleine Schriften I* [WUNT 90], Tübingen 1996, pp. 358–391).

<sup>36</sup> 1928; cols. 779–800 (*Bibliography*, nr. 43).

<sup>37</sup> E. Bickerman, *The God of the Maccabees* (SJLA 32), Leiden 1979: Preface to the English translation, p. xi.

<sup>38</sup> See n. 62 below.

<sup>39</sup> *Bibliography*, nr. 13 (an English translation of the article appears in Vol. I of the present work, pp. 497ff.); cf. nr. 10 (a brilliant critique of the Russian investigation by S. Luria of antisemitism in the ancient world, *PhW* 46 (1926), pp. 1241–1246), 17, 22, and 29–42 (the articles in the German *Encyclopaedia Judaica*).

<sup>40</sup> Cf. n. 66 below.

A. Gercke and E. Norden.<sup>41</sup> It demonstrates a tendency to “mathematical exactness” in Bickerman’s work as an historian. A second, revised edition, which was published in East Germany in 1963, was dedicated to his former teachers: “In memory of Eduard Norden, Wilhelm Schubart, and Ulrich Wilcken.”

He had probably already left Germany when this book was published. He told the story of how on January 30, 1933 – that *dies ater* in German and European history – he met Paul Siebeck, the owner of the publishing house J.C.B. Mohr Siebeck and grandfather of today’s publisher, in the Hotel Adlon in Berlin and signed a contract to write a commentary on 1 and 2 Maccabees for the *Handbuch zum Alten Testament*. When they came out of the hotel, Hitler had become Chancellor of Germany, and Bickerman soon lost his position as *Privatdozent*. The young scholar realized what this meant: although he was expecting a professorship at Münster, there was in reality no longer any future for him in Germany. In a letter to Rostovtzeff (March 23, 1933), he describes the desolate situation in Germany and enquires about possibilities of working in other countries. One possibility was Paris, another Milan. On May 21, speaking of the same matter, he wrote these moving words to F. Cumont in Rome: “My academic activity here is finished.” But he concludes with his typical confidence: “I accept confidently my fate: *volentem fata ducunt*.”<sup>42</sup> The same thing happened to the classical scholar Günther Zuntz, who had taught in a high school and whose family the young scholar had frequented for some time.<sup>43</sup> Zuntz found a research position in Denmark.

Bickerman also related that the publishing house Mohr Siebeck always maintained contact with him even after his emigration to France. Even in the post-War years, their catalogs said that he was preparing a commentary on the Books of Maccabees.

Bickerman always spoke with great respect of his years in Berlin. He had known the great philologists, historians, and theologians in

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<sup>41</sup> Einleitung in die Altertumswissenschaft III/5, Leipzig and Berlin 1933. A second revised edition was published separately in 1963; cf. *Bibliography*, nr. 257, an expanded English edition published in 1968; cf. nr. 280 and nr. 187–188.

<sup>42</sup> Бонгард-Левин (n. 15 above), pp. 330f.; on Cumont, cf. C. Bonnet and Arnaldo Marcone, *RSI* 114 (2002), pp. 241–245 [original in letter to Cumont: French].

<sup>43</sup> On him, cf. M. Hengel, “Günther Zuntz, 1902–1992,” *Proceedings of the British Academy* 87 (1994): *Lectures and Memoirs*, 1995, pp. 493–522; expanded German version in G. Zuntz, *Lukian von Antiochien und der Text der Evangelien*, ed. B. Aland and K. Wachtel, with an obituary by M. Hengel (AHAW.PW 1995, 2), Heidelberg 1995, pp. 63–88.

person. In addition to Eduard Meyer, Ulrich Wilcken, Eduard Norden, W. Schubart, and P.M. Meyer, whose names have already been mentioned, he also spoke of Ulrich von Wilamowitz-Moellendorff (died 1931), Paul Maas, Werner Jaeger, Adolf von Harnack (died 1930), and Hans Lietzmann. In this context, he liked to speak of the three forms of aristocracy in the old empire: the aristocracy of birth, the military aristocracy, and the “intellectual aristocracy,” i.e. the leading university professors. The young scholar, who “was living on small grants,”<sup>44</sup> was greatly helped by Paul Hinneberg, the editor of *Kultur der Gegenwart* and of the *Deutsche Literaturzeitung*, who commissioned book reviews from him and often gave him books; Bickerman also wrote reviews for *Gnomon* and the *Philologische Wochenschrift*. The “intellectual aristocracy” had its drawbacks, however, and he once asked Hinneberg how he could have a good relationship with professors who were often so difficult, humanly speaking. He received this reply: “That is very simply. All I say is: ‘In your own professional field, you surpass all your colleagues.’ Then there are no more problems!”

One close friend was Hans Lewy, roughly his own age, a classical philologist and scholar of Philo who emigrated to Jerusalem and died far too young in 1945. His posthumous work, *Chaldaean Oracles and Theurgy*, was not published until 1956.<sup>45</sup> One had the impression, listening to Bickerman speak of the two friends, that they had very different characters: he himself was the adventurous type, vigorous and energetic, while Lewy tended rather to be reserved and cautious. Like his father before him, Bickerman was critical of Zionism, whereas Lewy was a convinced Zionist.

Bickerman’s father, Joseph, had been politically active while working as a journalist in St Petersburg. He continued these activities in Berlin, among the Russian exiles. He was one of the founders of a “Patriotic Union of the Russian Jews Abroad,” which aimed at the re-establishment of a constitutional monarchy in Russia.<sup>46</sup> He also wrote in many genres:<sup>47</sup> for example, he published in 1929 a voluminous study in German entitled *Don Quixote und Faust*, which reflects his idealistic-liberal

<sup>44</sup> Quotation from his brother’s autobiography: *Two Bickermans* (n. 1 above), p. 164.

<sup>45</sup> Institut Français d’Archéologie Orientale, Cairo; new edition by Michel Tardieu, *Études Augustiniennes*, Paris 1978.

<sup>46</sup> *Encyclopaedia Judaica* (n. 1 above) IV, 992.

<sup>47</sup> *Two Bickermans* (n. 1 above), p. 169; J. Frumkin, ed. *Russian Jewry* (1966), Index. In the *curriculum vitae* appended to his dissertation, Elias speaks of the “writer” Dr Joseph Bickerman.

worldview. Soon afterwards, this book was translated into Spanish.<sup>48</sup> Another book treated the contemporary topic of “freedom and equality.” His son too, who remained a “liberal conservative” throughout his life and always had the courage to express his opinions openly in the spoken or the printed word, was politically active in these circles.

### III. *Years of wandering: from Paris to New York*

He left Germany on his own; his father and his recently married brother followed in 1936. The latter had a visa for England and was able to take his doctoral degree in Cambridge. He then worked in the chemical industry, and emigrated to the USA in 1946. Here, he had a leading position in the field of physical chemistry at the Massachusetts Institute of Technology.

In Paris, the great gifts of the émigré from Germany were well known from the outset, and Elias was soon appointed “Chargé de Cours” at the École des Hautes Études, where he became an “élève diplômé” in 1938; in 1937, he was appointed to a research position at the Centre National de la Recherche Scientifique. Throughout his life, he had a great friendship with the world’s most prominent epigraphic scholar, Louis Robert, and his wife Jeanne in Paris. His emigration scarcely interrupted the flow of his publications. I mention here only the numbers; most of these are book reviews, but the list also includes books of his own and lengthy essays. 1930: 8 titles; 1931: 5; 1932: 10; 1933: 9; 1934: 9; 1935: 14; 1937: 17; 1938: 15; 1939: 7; 1940: 4; 1941: 2. No gap occurs before 1941/1942. In 1943, he published 2 titles, and in 1944, 8 titles – by then, he was in the USA.

We learn a great deal about Bickerman’s stay in Paris, and above all about the increasing danger after the Germans occupied the city in July, 1940, in his letters to Rostovtzeff, who had endeavored even before the War broke out to find a position for his former student in the USA. For a long time, he tried to secure a visa for Bickermann and his family, but bureaucratic difficulties slowed everything down. On March 3, 1941, Mrs Bickerman wrote to Rostovtzeff from Nice, while her husband was in Paris, that the family was making its preparations for departure, but Bickerman wrote on October 19, and then again on December 10 and 20, that he had not yet received the visa, and

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<sup>48</sup> Verlag Arthur Collignon, Berlin 1929, 402 pages.



that there was a danger that he would be deported to a concentration camp. The clock was ticking ominously. On April 13, 1942, A.J. Johnson informed Rostovtzeff that the visa was almost ready; on May 28, he wrote that the tickets for the ship had been booked. Bickerman arrived in the USA in July/August; his father had died shortly before this. Bickerman and his wife had to take the last ship that left Marseilles in the direction of Lisbon. Bickerman had reviewed many of Rostovtzeff's books;<sup>49</sup> and now, thanks to his unwearied endeavors over the course of several years, Michael Rostovtzeff, his teacher and fatherly friend with whom he had exchanged letters since his years in Berlin, had saved his life.<sup>50</sup>

We can trace the successive homes of this citizen of the world above all by means of the languages in which he wrote his papers and the periodicals in which these appeared. From 1923 onward, he published mostly in German and in the scholarly periodicals of that country; between 1934 and 1943, he usually wrote in French; from 1944 onward, English predominates. His brilliant and self-assured style and the inherent drama of his essays never changed.

I should like to mention two of the numerous publications in his early years in Paris. Morton Smith has called these "his greatest books,"<sup>51</sup> and they retain lasting significance. Bickerman's best known work, *Der Gott der Makkabäer*, was published in 1937 by the Jewish Schocken publishing house in Berlin, with the subtitle: "Investigations into the meaning and origin of the Maccabean revolt."<sup>52</sup> This is certainly the most stimulating study of this subject in the twentieth century, and I believe that its importance is unrivaled. In preparation for this book, the author had published a number of essays,<sup>53</sup> and the same publisher had brought out his brief presentation of the Maccabean history in 1935.<sup>54</sup> Bickerman's basic thesis was that the initiative for the "hellenistic reform" came not from the Seleucid king, but from a prominent group

<sup>49</sup> *Bibliography*, nr. 6, 7, 60, 68, 78, 83, 111, 130.

<sup>50</sup> Бонгард-Левин (n. 15 above), pp. 334–339; cf. n. 65 below.

<sup>51</sup> *Religions and Politics* (n. 1 above), p. xi.

<sup>52</sup> Schocken Verlag/Jüdischer Buchverlag, Berlin 1937, 182 pages. English translation by H.R. Moehring, *The God of the Maccabees* (SJA 42), Leiden 1979, with a preface by the author written for this translation, pp. xi–xiii. Unfortunately, the valuable appendixes II and IV (pp. 143–181) and the notes and Addenda et Corrigenda (p. 112) were not included in the translation.

<sup>53</sup> Cf. the preface to the English edition, p. xi–xiii. The essays on the subject of the Maccabees are collected in Vol. I of the present work.

<sup>54</sup> *Die Makkabäer. Eine Darstellung ihrer Geschichte von den Anfängen bis zum Untergang des Hasmonäerhauses*, Berlin 1935; *Bibliography*, nr. 47.

in the Jewish aristocracy in Jerusalem, leading finally to “a civil war, a religious conflict between the orthodox and the reformers.” This escalated when the “reformers” took an increasingly radical line and appealed for aid to “the power and authority of the foreign ruler.” The king responded by issuing edicts which prohibited the traditional religious practices of the conservatives.<sup>55</sup> Both the Persian rulers and Antiochus III had confirmed the validity of Torah as the law for the Jews in Judea; thus it was possible for Antiochus Epiphanes to revoke its validity when the Jewish “reformers” asked him to do so. “Menelaos was an anti-Ezra and Epiphanes his Artaxerxes.”<sup>56</sup> The hypotheses presented in this masterly book met with a basically positive response, and they continue to be debated even today. Although “its style naturally reflected the new political situation” after 1933,<sup>57</sup> the author himself was surprised that “my academic and even pedantic book could offer some consolation for the persecuted Jews in Germany, as several letters I received from my readers told me.”<sup>58</sup> This too is an example of his typical understatement; for at the beginning and at the end of his book, he points to the religious consequences in world history of the “testimony of the martyrs’ blood” which unites Jews and Christians, and to the “service in the newly dedicated temple.” This service “has preserved for humanity – in its millennial wanderings, deceived and disappointed by countless alleged truths – the only truth which it has found to be absolute and eternal, viz. the truth of the uniqueness of God. In this way, history confirms theodicy. It is not from without, but from within that disaster comes – but it is also from within that rescue comes. And the presupposition of rescue is conversion.”<sup>59</sup>

Taken together with the quotations from Ps. 106:42–46, 121:2, and 127:1,<sup>60</sup> this sounds like a confession of faith – something unusual in the works of this particular author.<sup>61</sup>

<sup>55</sup> *Der Gott der Makkabäer*, p. 137.

<sup>56</sup> Bickerman’s preface to the English translation (n. 52 above), p. xiii.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*, p. xii. On this, cf. Himmelfarb (n. 1 above).

<sup>59</sup> *Der Gott der Makkabäer*, pp. 139 and 8.

<sup>60</sup> *Ibid.*, p. 8, and at the end of *Die Makkabäer* (n. 54 above), p. 75, and in the preface to the English translation (n. 52 above), p. xiii.

<sup>61</sup> C. Schmidt, “‘wa Taslach Emet Arza...’ (*Dan* 8,12),” in J. Brokoff and J. Jacob, ed. *Apokalypse und Erinnerung in der deutsch-jüdischen Kultur des frühen 20. Jahrhunderts*, Göttingen 2002, pp. 147–170, attempts to bring out the “political theology” and philosophy of history in Bickerman’s book. Bickerman himself however was not fond of pointed references to current events; cf. the next section of this essay.

*Institutions des Séleucides* can also justly rank as a pioneering work. According to its preface, this book was finished in May, 1936, but it was published only two years later.<sup>62</sup> “It treats a new subject”<sup>63</sup> where the sources (unlike those for Alexandria and Ptolemaic Egypt) are extraordinarily fragmentary; besides this, the geography and history of the Seleucid realm mean that the institutions described here were less constant than in the other empire. Bickerman wrote this *opus magnum* after ten years of preparatory work, drawing on his studies of the history of concepts and of law in the Egyptian papyri. Although this book soon went out of print, he refused a mere reprint, since he intended to revise it in the light of more recent research. As far as I can see, the revised version which Morton Smith mentioned has unfortunately not appeared.<sup>64</sup>

#### IV. *The New World as a new home*

Bickerman had a difficult start in the third station on his lengthy and often dramatic years as a wanderer. He had a deep love for his Russian mother tongue and for Italian, and he could express himself with literary elegance, indeed with brilliance, in German, French, and English, but to begin with, he found the American pronunciation hard to understand. The first period was not easy for him, but as an outstanding scholar, he overcame these difficulties. A.J. Johnson, whom Rostovtzeff had asked for help in the matter of Bickerman’s emigration as long ago as October, 1940, quickly found him work at the New School for Social Research in New York,<sup>65</sup> and Louis Finkelstein obtained for him a fellowship at the Jewish Theological Seminary (JTS) in New York in 1943 or 1946.<sup>66</sup> After a short period in residence in 1950 at the University of Judaism in Los Angeles, which had close links to JTS, he succeeded W.L. Westermann in 1952 as professor of ancient history at Columbia

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<sup>62</sup> ВАН 26, Paris 1938. A Russian translation by L.M. Gluskina, *Государство Селевкидов*, was published in Moscow in 1985.

<sup>63</sup> *Institutions des Séleucides*, p. 1 [original French].

<sup>64</sup> *Religions and Politics* (n. 1 above), p. xi.

<sup>65</sup> Бонгард-Левин (n. 15 above), pp. 333f.

<sup>66</sup> 1943 according to Gerson D. Cohen in his preface to E. Bickerman, *The Jews in the Greek Age*, New York 1988, p. vii. According to Morton Smith in *Religions and Politics* (n. 1 above), p. xi, Bickerman worked first at the École Libre and the New School for Social Research, and was given a research fellowship at JTS in 1946. This was succeeded by a Guggenheim fellowship in 1950.

University in New York. Westermann too had frequently exerted himself on Bickerman's behalf. Kurt von Fritz, who had emigrated because he had refused to swear an oath of loyalty to Hitler in Rostock, was at that time professor of Greek at Columbia, and he himself has told me that he gave this appointment his vigorous support. After reaching retirement age in 1967, Bickerman spent a year doing research at the Institute for Advanced Studies in Jerusalem. He then resumed his research fellowship at JTS.

After years of turbulent and unsettled wandering, when his life was often in danger, there now followed almost three decades of peaceful, fruitful, and continuous work, broken only by the annual summer visits to the Old World which he so much loved. In the 319 entries in his 1985 bibliography, 161 publications, i.e. somewhat more than half,<sup>67</sup> come from his time in the USA, although of course he also worked on his articles during his summer visits to Europe and Israel. Once again, there came a steady flow of articles and book reviews on subjects from the ancient East to Byzantium, covering the entire field of classical philology, ancient history, Judaism, and early Christianity, as well as biblical themes. He published and wrote book reviews in a strikingly large number of academic periodicals.<sup>68</sup> This shows the breadth of his historical interests. I should like to mention only a few of his books.

In 1963, the second, revised edition of his *Chronologie* appeared in East Germany; at the same time, an Italian translation was published.<sup>69</sup> In 1968, an English translation, expanded to include tables, was published as *Chronology of the Ancient World*.<sup>70</sup>

The preface is a typical example of his scholarly self-irony:<sup>71</sup>

This book was originally written at the suggestion of Eduard Norden. I was young at that time and did not realize the difficulty of my task:

<sup>67</sup> *Bibliography*, pp. xxv–xxxvii, nr. 158–319.

<sup>68</sup> *Ibid.*, pp. xiiif.: 54 periodicals, series, and encyclopedias.

<sup>69</sup> *Ibid.*, nr. 257 and 258; cf. n. 41 above. The first German edition was published in 1933.

<sup>70</sup> In the series “Aspects of Greek and Roman Life” edited by H.H. Scullard, Ithaca 1968 (*Bibliography*, nr. 280). A Russian edition appeared in 1975 (*ibid.*, nr. 299; 253 pages).

<sup>71</sup> We find the same self-critical, ironic attitude in his preface to his great posthumous book *The Jews in the Greek Age* (n. 66 above), p. ix: “The author does not doubt that this volume contains its just share of mistakes and errors. In truth, without both ignorance and arrogance, who would dare to publish a historical work?”

knowledge is required to prepare a work of scholarship, but only ignorance gives the courage to publish it.

Bickerman went on to express a very unusual viewpoint on the reviews made of his own books; there cannot be many academic authors who would readily agree with him when he says, "It is a pity that the reviewers of my book preferred to praise it instead of pointing to its faults." He then formulates an unusual word of thanks to his friends Jeanne and Louis Robert "for their censorious *Bulletin épigraphique*", i.e. for their critical review (feared by other scholars) of all publications in the field of ancient inscriptions.

In the year in which he retired, he dedicated the revised English version to two friends: his patron and predecessor as professor for ancient history at Columbia University, W.L. Westermann, and his successor, Morton Smith. In view of the indifference, or indeed the disdain with which questions of "chronology" and "factual character" are far too frequently dismissed in my own field, that of New Testament studies, I should like to quote the first sentences of the Introduction:<sup>72</sup>

Time is the proper dimension of history. A fact is historical when it has to be defined not only in space but also in time. A fact is placed in the fourth dimension, that of Time, by measuring its distance from the present.

In the prefaces to his books, we always find the same names of colleagues and friends who stimulated him and criticized him – for the two cannot be separated. He mentions Boaz Cohen, Gerson D. Cohen, H.L. Ginsberg, Judah Goldin, Saul Lieberman, W.L. Westermann, and last but not least Morton Smith; he always spoke of these scholars with the highest respect. With Smith, he wrote a brief introduction to ancient history for students: *The Ancient History of Western Civilization*.<sup>73</sup> In the short foreword, "Why History?," he sets out the basic principles of his own critical understanding of history and of historical work, and these are thought-provoking. The reconstruction of the past as a *conscious* past is the work of human minds: "The past is what we make it" (p. 1). This is why the Greeks were wrong to believe that not even the gods could change the past: in reality, this exists only in our ideas about it, and these in turn are subject to change. Without this reconstruction,

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<sup>72</sup> *Chronology of the Ancient World*, pp. 7 and 9.

<sup>73</sup> Harper & Row, New York, etc., 1976. Chs. 1–6 are mostly the work of Elias Bickerman, chs. 7–18 of Morton Smith, but the whole book is based on a very close collaboration between them.

there would be neither an individual nor a collective consciousness of identity, nor any knowledge of religious, moral, and cultural values. Nor would there be any hope for the future: “as Orwell’s dictator in *1984* says, ‘He who controls the past controls the future’” (p. 3). Precisely for this reason, however, the historian should not be a “time-server”: “A dishonest historian cheats both his readers and himself.” I recall him saying about a German New Testament scholar who had written an anti-Jewish book after the Second World War: “As a scholar he is a dishonest man.” Respect for the object of one’s research demands “the strict adherence to the truth,” precisely because one knows that even “the most scrupulous historian is himself a part of history” (p. 5) and “everyone, to some extent, tailors history to suit himself.” This is a basic difference between history and the natural sciences: “No events, as historical events, can be exactly repeated and there are no firm ‘laws of history’ (. . .). We have to reckon with ‘accidents,’ that is, events we cannot explain” (p. 6). This means “that all historical accounts of causation are to some extent hypothetical and therefore always open to revision.” We may be reminded here of Droysen’s theory of history, as well as of Sokolov’s school in St Petersburg.

This is why historical research needs the *freedom* to study the past out of *curiosity*. All that results of the attempt to be up to date is illusion and conceit. The wishes of society must not be allowed to tie the researcher’s hands. (We see here how deeply the author was marked by his experiences of two murderous dictatorships.) Such restrictions paralyze our consciousness of truth and our creative powers:

The pursuit of the relevant too often deprives those who practice it of the greatest delight of research: *the discovery of the unexpected* (p. 8).

This explains his especial fondness for the words of Heraclitus about the “unhoped-for finding,” which he often quoted.<sup>74</sup>

Bickerman remained faithful to his special subject of Jewish history in the hellenistic period, as we see from his book *From Ezra to the last of the Maccabees: Foundations of Post-biblical Judaism*, written for a general readership.<sup>75</sup> This brings together two earlier studies with related contents. The second study, the English translation of his short book on

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<sup>74</sup> See the close of the present section.

<sup>75</sup> New York 1962, 186 pages (*Bibliography*, nr. 252; on the earlier publications, cf. nr. 175 and 185).

the Maccabees,<sup>76</sup> bears a dedication which may puzzle the reader. Its elucidation is shattering: "TO T.B. DEPORTED BY THE GERMANS Ps 35,17."<sup>77</sup>

The book as a whole deals with the encounter between Palestinian Judaism and Greek civilization. The first part ends with the "scribes, as a sign of the impact of Hellenism on Judaism," and the production of the Greek translation of Torah. The second part shows that after conquering the radical "reformers" who were open to assimilation, the superior foreign civilization triumphed in a different manner even under the Maccabean victors. John Hyrcanus created a "hellenistic principality" in Judea, and the victorious religious party of the Pharisees recast the Greek idea of a judgment of the soul and its re-embodiment, by creating the doctrine of the resurrection of the dead and the judgment of the world. This, together with biblical monotheism, became the central Pharisaic doctrine, as we see in the beginning of the Eighteen Benedictions: "You are mighty forever, Lord, you make the dead to live."<sup>78</sup>

Another book written for a wider readership, *Four Strange Books of the Bible*,<sup>79</sup> is likewise based on earlier preparatory studies. It discusses the Books of Jonah, Daniel, Qoheleth, and Esther, all of which are affected by the zeitgeist of Hellenism, and brings to light their enigmatic character, which has been overlooked by the sometimes "disarming naïveté" of some would-be "enlighteners."<sup>80</sup> His unprejudiced way of understanding the texts leads to theological insights, as when he writes: "The story of Jonah teaches us that God is merciful... because he is creator." David Kimchi, with his starting point in Is. 43:7, concludes that "God creates men for the sake of his glory. In Augustinian terms: *gratia gratis data*. A humanistic interpretation of the story of Jonah, judging it according to man's needs and mind, is fallacious (Ps. 115:1)."<sup>81</sup>

His true *opus magnum* on the history of the Jews in the hellenistic period, *The Jews in the Greek Age*, appeared posthumously, seven years

<sup>76</sup> Cf. n. 52 above.

<sup>77</sup> P. 92. The Psalm verse reads: "How long, O Lord, will you look on? Rescue me from their ravages, my life from the lions!"

<sup>78</sup> *From Ezra to the last of the Maccabees*, pp. 54ff., 72ff., 148ff., and 164f.

<sup>79</sup> New York, 1967. Cf. my review, *ThLZ* 95 (1970), pp. 94f.

<sup>80</sup> *Four Strange Books of the Bible*, p. 234; cf. pp. 134f.

<sup>81</sup> *Ibid.*, p. 48. Cf. also "The two mistakes of the prophet Jonah," in Vol. I, pp. 32ff. of the present work (*Bibliography*, nr. 266).

after his death.<sup>82</sup> A.I. Baumgarten, who had worked with Bickerman on this book, has explained its complicated history. It goes back to a manuscript which was already finished in 1963; its publication was announced in the preface to *Four Strange Books* in 1967.<sup>83</sup> The author continued to work on this text in the last years before his death, but he decided not to publish the notes (as originally intended), since he was by now over eighty and it was not possible for him to revise them to take account of the most recent scholarship: “The typescript of the notes seems to have been destroyed.”<sup>84</sup> Nevertheless, this is a masterly work which brings the numerous individual studies together to form a coherent picture. At the same time, he responds to his critics. Given the extremely fragmentary nature of our sources of Judaism in the early hellenistic period, his gift of a concentric synoptic view of the very various and disparate sources proves its worth. He makes surprising but convincing inferences from these sources, and precisely because there is no academic apparatus of footnotes and references, the reader is introduced into Bickerman’s methodology and his life’s work. In the preface, probably written ca. 1963 for the planned first publication,<sup>85</sup> he emphasizes that his intention is not to offer a connecting link between the Hebrew Bible and the rabbinic period (as other scholars have done), but rather to present Judaism in the age of the Greeks “as a part of universal history.” Here, he follows a “theological” principle: “the final meaning of which only he knows, before whom a thousand years are like one day.” He encourages the reader by closing the book with a quotation from Seneca (*Nat. quaest.* 6.5,2) which one might call the maxim of Bickerman’s own often unusual – but for that reason fruitful – methodological procedure.<sup>86</sup>

*Plurimum ad inveniendum contulit qui speravit posse reperiri.*

A saying of Heraclitus which points in the same direction is quoted as a motto at the beginning of his *Studies in Jewish and Christian History*:<sup>87</sup>

<sup>82</sup> E. Bickerman, *The Jews in the Greek Age*, Cambridge, Mass. and London 1988, 338 pages. Russian translation: *Евреи в эпоху эллинизма*, Moscow 2000.

<sup>83</sup> A.J. Baumgarten, “Biographical Note,” in Bickermann (n. 82 above), pp. 309–311.

<sup>84</sup> Baumgarten, *Ibid.*

<sup>85</sup> Bickerman (n. 82 above), p. ix.

<sup>86</sup> *Ibid.*, p. 305.

<sup>87</sup> 22 B 18 D.-K. (from Clement of Alexandria, *Strom.* 2.17; 121, 25 St.). On the *Studies*, cf. n. 95 above.



ἔαν μὴ ἔλπηται, ἀνέλπιστον οὐκ ἐξευρήσει, ἀνεξερεύνητον ἐὼν καὶ ἄπορον.

One who does not hope for that which is unhopèd-for,  
cannot find it:  
it is untraceable and inaccessible.<sup>88</sup>

### V. *Meetings with Bickerman*

According to *mAbot* 1.16, Rabban Gamaliel II advised: “Get yourself a teacher and you will overcome doubt.” During my own brief studies, which lasted only eight semesters, I did not have any teacher who left his mark on me. Later, while I was a ‘*Repetent*’ (tutor) in the Tübinger Stift, I began to study the history of Judaism in the Hellenistic-Roman period as a protest against the Marburg existentialist theology which enjoyed an almost dictatorial domination in Germany at that time. It regarded historical work as something second-rate; a radical skepticism led these theologians to dismiss its importance. It saw early Christianity primarily as a syncretistic movement which was profoundly influenced by the hellenistic pagan milieu in which it lived. While I was preparing my doctoral dissertation on the Zealots, a key experience for me was reading Bickerman’s *Der Gott der Makkabäer*, a book which was then not very well known in Germany.<sup>89</sup> Here I encountered a convincing historical methodology which led to unambiguous conclusions on the basis of its philological mastery and its acute interpretation of all the available sources. Other works by Bickerman, which I gradually came to know, confirmed this impression. They were *all*, without exception, worth reading. He wrote nothing “half-baked.”<sup>90</sup> Even if one did not agree with all his conclusions, they were always stimulating, and frequently opened up new perspectives. Thus, through his writings, he became my teacher. The only other scholar of whom this is true was Joachim Jeremias. Above all, however, Bickerman pointed to a subject which has continued to interest me in its various aspects until the present day, viz. the relationship of Judaism to the externally superior Greek civilization and the significance of this relationship – full of tensions, but at the same time fruitful in cultural and religious terms – for the

<sup>88</sup> See also the closing words of this essay.

<sup>89</sup> See above, section III.

<sup>90</sup> See above, section I.

Christianity which grew out of Jewish roots. Since Christianity came into existence in *Eretz Israel*, not in a city such as Alexandria (where it is first attested at a relatively late date in the second century), I was particularly interested in the pre-Christian hellenism in the mother country. Here, I found the right teacher in Bickerman, with his *Der Gott der Makkabäer* and his other studies which deal with various aspects of this subject. German scholarship had paid scarcely any attention to this problem of the penetration of the hellenistic civilization into *Eretz Israel* from the fourth century B.C.E. onward.

Two other historians with links to St Petersburg were also important in my scholarly career. Victor Tcherikover was born in St Petersburg in 1894. He studied first in Moscow, then from 1921 in Berlin, but went to Palestine as an enthusiastic Zionist in 1925. He was one of the first professors at the Hebrew University, but died in 1958 at the early age of 64.<sup>91</sup> The second is the great Michael Rostovtzeff, who opened my eyes to the breadth and the real life of the “hellenistic world.”

The most important of all for me, however, was Rostovtzeff’s student. Bickerman was a supreme master of the small format and knew how to unite a profound interpretation of the sources with a stylistic beauty which was completely concentrated on the topic at hand. His publications stimulated me to begin my *Habilitation* dissertation in the fall of 1964, after ten years of *opera aliena* in the textile industry. Its final title was: *Judentum und Hellenismus. Studien zu ihrer Begegnung unter besonderer Berücksichtigung Palästinas bis zur Mitte des 2. Jahrhunderts*, and I submitted it to the faculty in 1966.<sup>92</sup> After my *Habilitation* in January, 1967, I sent him a letter of thanks. This was the beginning of a correspondence which continued with some intervals until his death at the end of August, 1981. His last postcard from Israel arrived in Tübingen together with the obituary notice at the beginning of September.<sup>93</sup> I suggested to him as long ago as 1967 that he ought to publish in one volume his German,

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<sup>91</sup> Cf. the article on him by Alexander Fuks, *Enc. Jud.* 15 (1971), pp. 875f. His great book *Hellenistic Civilization and the Jews*, trans. S. Applebaum, Philadelphia and Jerusalem, 2nd edn. 1961, and the major essay “Palestine under the Ptolemies,” *Mizraim* 4–5 (1937), pp. 7–90, were particularly important to me.

<sup>92</sup> WUNT 10, Tübingen 1969, 3rd edn. 1988; cf. also M. Hengel, *Judaica et Hellenistica: Kleine Schriften I* (WUNT 90), Tübingen 1996, and “Judaism and Hellenism Revisited” in J.J. Collins and G.E. Sterling, ed. *Hellenism in the Land of Israel*, Notre Dame, Indiana 2001, pp. 6–37.

<sup>93</sup> See section I above.

French, and English essays about Jewish and early Christian history, since these had appeared in disparate periodicals and were often hard to get hold of. He agreed and sent me a list. The negotiations with two German and one Dutch publishers were initially difficult. The German publishers pointed out that collected essays did not sell well (later, they regretted their rejection of this scheme); and the Dutch publisher wrote directly to the author without my knowledge and asked for 4,000 dollars to pay for the printing costs – a large sum of money at that time. Naturally enough, Bickerman refused this, because for this price he could have had his essays printed in an American university publishing house. He added, with his typical self-conscious understatement: “As a matter of fact, I was never – and I still am not – interested in my old publications. A scholar like a snake does not care for his old skins.”<sup>94</sup> He was right to hold that it was primarily others, viz. the academic world and especially the younger generation of scholars, who would surely be interested in his unique studies; nevertheless, he himself was happy when the publisher decided not to ask for a financial subvention, and a new possibility opened up. He did not shirk the work of checking his “old skins” for mistakes and oversights, and writing additional notes where necessary; indeed, he attached great importance to this. His first list contained 32 titles, and the question was whether they should appear in one volume or two. New studies were added, and finally three volumes with 44 studies were planned. The preparation took a long time, for the author revised his essays with great care. The first volume of *Studies in Jewish and Christian History* contains ten essays on the Bible and the Septuagint.<sup>95</sup> The second volume was published in 1980 and contains 16 essays on the post-biblical history and literature of Judaism, not least on the fundamental theme of the Seleucids and Maccabees.<sup>96</sup> Bickerman died at the age of 84, without completing the preparatory work for the third volume. Six days before his death on August 31, 1981, he wrote that he wanted to send me a Xerox copy of the additions to his article on the empty tomb (1924) when he got back to New York.<sup>97</sup> After his death, I exchanged many letters with his successor and friend, Morton Smith, about the preparation of the

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<sup>94</sup> Letter sent to me on September 20, 1967.

<sup>95</sup> AGJU 9, Leiden 1976, x + 288 pages.

<sup>96</sup> Bickerman, *Studies* II, viii + 405 pages.

<sup>97</sup> See section I, above.

third volume. Smith suggested that we enlist the help of a student and former colleague of Bickerman, A.I. Baumgarten, now professor at the Bar-Ilan University in Israel. Thanks to the generosity of sponsors,<sup>98</sup> the relatively high publishing costs were covered, and after a number of difficulties had been overcome, the third volume appeared posthumously in 1986.<sup>99</sup> All three volumes were printed in relatively large editions, but all are out of print today, and I have suggested to the publisher that they be republished. The extraordinary learning of the author can be seen in the indexes, especially to the sources on which he draws. Their extent and contents are particularly impressive in Vols. II and III.<sup>100</sup> One can but bow in reverence before such a wide knowledge of the classical texts, from the Ancient Near East to ecclesiastical Byzantine writers and the rabbinic authors. The “omnipotence of analogy,” already mentioned,<sup>101</sup> which was always at his fingertips, is obvious here. At the same time, one must ask: how did he manage to read all this and – without a computer – to keep all these texts in his memory?

In my correspondence with Morton Smith after Bickerman’s death, we also spoke of the unpublished, difficult manuscript of *The Jews in the Greek Age*. I made the suggestion that, if no other possibility was open, the book should be published by Mohr Siebeck, especially since the author had had good relations with this house since 1933.<sup>102</sup> It is the great merit of the Jewish Theological Seminary of America, which had commissioned Bickerman’s work on this book over many years, that it undertook the laborious task of preparing it for publication. In 1988, this crowning achievement and synthesis of his life’s work was published.<sup>103</sup> Similar difficulties in finding a publishing house and the necessary finance were entailed by the selection of 25 of his studies in philology and ancient history under the title *Religions and Politics in the Hellenistic and Roman Periods*, a multi-faceted work which represents the unity of the ancient world.<sup>104</sup> Emilio Gabba, in collaboration with Morton Smith, deserves our thanks for undertaking this task. In 1985, thanks to the support of the American Academy for Jewish Research

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<sup>98</sup> See the Foreword by the Editors of the Series, in the present volume, p. xix.

<sup>99</sup> Bickerman, *Studies III* (n. 1 above), xvi + 392 pages.

<sup>100</sup> See the indices in the present work.

<sup>101</sup> See section I above.

<sup>102</sup> See section II above.

<sup>103</sup> See n. 82 above.

<sup>104</sup> See n. 1 above.

and prominent scholars, this volume appeared in the series “Biblioteca di Athenaeum,”<sup>105</sup> one year before the last volume of Bickerman’s *Studies*. These four volumes constitute an impressive work of scholarship.

Naturally, after exchanging so many letters, I wanted to meet the inspiring scholar in person, and this happened at Pentecost in 1969, in connection with the great exhibition in Amsterdam which marked the three hundredth anniversary of the death of Rembrandt. Bickerman’s calendar had not allowed him to accept an earlier invitation to give a lecture in Tübingen. After the War, he had been very reserved about academic links to Germany; exceptions were the legal historian Hans Julius Wolff in Freiburg, who had emigrated to the USA and subsequently accepted a professorship in Germany, and Emil Kießling in Marburg, who had edited over the course of many years the collection of the Greek papyrus documents from Egypt. My wife and I will never forget how Bickerman explained to us in Amsterdam Rembrandt’s grand depiction of the sacrifice of Isaac. He was quite simply an inexhaustible source of stimulating remarks. In this context, he told me that Lucian’s *Demonax* was the most interesting Greco-Roman parallel to the Synoptics; he also pointed out the pre-eminent significance of Plutarch as a religious and ethical writer and a contemporary of the evangelists, a man who reflects the “Platonizing” intellectual milieu which the early Christian mission had penetrated from the outset with increasing success. *Inter alia*, he mentioned Plutarch’s “eschatological treatise” *De sera numinis vindicta*, which allows us to understand why the Christian message found adherents even among the educated classes. I passed on this suggestion to one of my students, who subsequently collaborated in editing this text.<sup>106</sup> He answered the question why he, as a classical philologist and ancient historian, had taken up topics of study in Judaism and early Christianity in the preface to the first volume of his *Studies in Jewish and Christian History*:

Though a classical scholar, I gave a large part of my time to questions of Jewish and Christian history. I did it, I believe, for two reasons. First, it is more fun to work on a question one is not familiar with. A specialist remaining in his fields, perhaps, advances our knowledge of it. Working

<sup>105</sup> See n. 1 above.

<sup>106</sup> Plutarch, *Drei religionsphilosophische Schriften: Über den Aberglauben, Über die späte Strafe der Gottheit, Über Isis und Osiris*, trans. and ed. by H. Görgemanns with the collaboration of R. Feldmeier and J. Assmann, Tusculum, Düsseldorf and Zurich 2003, pp. 318–339 and 363–382.

in a foreign field, he learns. Secondly, my classical studies again and again led me into the neighboring fields. For instance, Seleucid documents compelled me to study the books of the Maccabees; Hannibal's treaty with Philip V of Macedonia reproduced by Polybius, is unintelligible without the biblical *berit*; my papers on *utilitas crucis* and on the persecutions of the Christians originate in the study of provincial law in the Roman Empire...

Bickerman's studies are an antidote against the "pernicious specialization" which is spreading in historical theology, and especially in my own field, that of the New Testament – which is after all, according to the Nestle/Aland edition, a book of only 680 pages. This specialization no longer provides any "fun": it leads to a deadly boredom. But even this simple word "fun" (in keeping with Bickerman's typical understatement) points to the *joy in the truth* which, as the quotations from Seneca and Heraclitus tell us, wants to be hoped for, found, discovered, i.e. brought to light, precisely because it is ἀνέλπιστον, ἀνεξερεύνητον, and ἄπορον.<sup>107</sup> Ultimately, this search for the truth has a transcendental basis. Over the entrance to the great hall of the University of Freiburg stand the words from Jn. 8:32, "The truth will make you free."

Bickerman visited us once in Erlangen, and then three times in Tübingen, where I received a professorship in 1972. These visits always involved lively exchanges with classical scholars and historians and theologians in Tübingen, and with the up and coming academic generation. Bickerman was an extraordinarily stimulating dialogue partner. He could hold you spellbound for hours on end, then suddenly interrupt himself and leave with the words, "I know – I am a tiresome person." The correct word would have been "fascinating." I once visited him in Berlin, before he traveled to the Soviet Union.<sup>108</sup> One high point was the bestowal of the Dr Leopold Lucas Prize on him by the Faculty of Protestant Theology on May 30, 1977, in the year of his eightieth birthday and of the University's 500-year jubilee.<sup>109</sup> He received it together with Professor Shmuel Sambursky, the physicist

<sup>107</sup> See the close of section IV above.

<sup>108</sup> See section I above.

<sup>109</sup> This prize was founded by the Jewish Generalkonsul Franz D. Lucas in 1972, on the 100th birthday of his father. Dr Leopold Lucas was deported by the National Socialists to Theresienstadt on December 17, 1942, and died there on September 13, 1943. The prize is awarded annually for outstanding work "in the field of theology, the history of ideas, and philosophy."

and historian of science at the Hebrew University in Jerusalem.<sup>110</sup> I was dean at that time, and it was my task to hold the *laudatio*. I concluded with these words:

It is of the nature of the academic search for truth that it sometimes brings fruit in a quite unexpected way. For the scholar is not only subject to the law of laborious work; at decisive moments, he is also under the grace of discovery and of fruit, though of course there is no grace that does not presuppose the law of hard endeavor. It is no doubt thanks to this experience that Elias Bickerman placed the words of Heraclitus at the beginning of his *Studies*:<sup>111</sup>

One who does not hope for that which is un hoped-for,  
cannot find it:  
it is untraceable and inaccessible.<sup>112</sup>

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<sup>110</sup> *Das physikalische Weltbild der Antike*, Zurich and Stuttgart 1965; *Der Weg der Physik. 2500 Jahre physikalischen Denkens. Texte von Anaximander bis Pauli*, selected with an introduction by Shmuel Sambursky, Zurich and Munich 1975; *Naturekenntnis und Weltbild*, Zurich and Munich 1977; *The Concept of Time in Late Neoplatonism*, Jerusalem 1971; *The Concept of Place in Late Neoplatonism*, Jerusalem 1982.

<sup>111</sup> On this, see the close of section IV and n. 87 above.

<sup>112</sup> Tübinger Universitätsreden 31: P. Stuhlmacher and L. Abramowski, ed. *Zur Verleihung des Dr.-Leopold-Lucas-Preises*, Tübingen 1982, pp. 63f.





## ABBREVIATIONS

|           |   |
|-----------|---|
| AASS      | Acta Sanctorum  |
| AB        | Analecta Bollandiana  |
| AIB       | Annuaire de l'Institut de Philologie et d'Histoire Orientales et Slaves, de l'Université de Bruxelles |
| AJA       | American Journal of Archaeology   |
| AJPh      | American Journal of Philology   |
| ANET      | J.B. Pritchard, ed. <i>Ancient Near Eastern Texts Relating to the Old Testament</i> , 3rd edn. 1969   |
| Annuaire  | cf. AIB   |
| ASTI      | Annual of the Swedish Theological Institute   |
| BASOR     | Bulletin of the American Schools of Oriental Research   |
| BCH       | Bulletin de Correspondance Hellénique   |
| BE        | Bulletin Épigraphique, by J. and L. Robert in <i>REG</i>  |
| BGU       | Aegyptische Urkunden aus den Staatlichen Museen zu Berlin: Griechische Urkunden                       |
| BJRL      | Bulletin of the John Rylands Library  |
| Bonsirven | J. Bonsirven, S.J., <i>Le Judaïsme palestinien au temps de Jésus-Christ</i> , 1934                    |
| CAH       | Cambridge Ancient History   |
| CBQ       | Catholic Biblical Quarterly   |
| CIG       | <i>Corpus Inscriptionum Graecarum</i>   |
| CII/CIJ   | J.-B. Frey, <i>Corpus Inscriptionum Iudaicarum</i> I–II, 1936–1952                                    |
| CIL       | <i>Corpus Inscriptionum Latinarum</i>   |
| ClQ/CCQ   | Classical Quarterly   |
| CPJ       | V.A. Tcherikover, A. Fuks, M. Stern, eds. <i>Corpus Papyrorum Iudaicarum</i> I–III, 1957–1964         |
| CR        | Classical Review  |
| CRAI      | Comptes Rendus de l'Académie des Inscriptions et Belles-Lettres                                       |
| DJD       | Discoveries in the Judaean Desert   |
| FGH       | F. Jacoby, <i>Die Fragmente der griechischen Historiker</i>   |
| HTR       | Harvard Theological Review  |
| HUCA      | Hebrew Union College Annual   |
| IEJ       | Israel Exploration Journal  |
| IG        | Inscriptiones Graecae, Königliche preussische Akademie der Wissenschaften in Berlin                   |
| IGR       | R. Cagnat, <i>Inscriptiones Graecae ad res Romanas pertinentes</i>                                    |
| ILS       | H. Dessau, <i>Inscriptiones Latinae Selectae</i>  |
| IS        | E.J. Bickerman, <i>Institutions des Séleucides</i> , 1938   |
| JAch      | Jahrbuch für Antike und Christentum   |
| JAOS      | Journal of the American Oriental Society  |
| JBL       | Journal of Biblical Literature  |

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| JCS     | Journal of Cuneiform Studies   |
| JJS     | Journal of Jewish Studies  |
| JNES    | Journal of Near Eastern Studies  |
| JPOS    | Journal of the Palestine Oriental Society  |
| JQR     | Jewish Quarterly Review  |
| JRS     | Journal of Roman Studies   |
| JSS     | Journal of Semitic Studies   |
| JTS     | Journal of Theological Studies   |
| JWI     | Journal of the Warburg Institute   |
| MGWJ    | Monatsschrift für Geschichte und Wissenschaft des Judentums  |
| Michel  | C. Michel, <i>Recueil d'inscriptions grecques</i> , 1900   |
| Moore   | G.F. Moore, <i>Judaism in the First Centuries of the Christian Era</i> , 1927–1930                               |
| OGIS    | W. Dittenberger, <i>Orientalis Graecae Inscriptiones Selectae</i> I–II, 1903–1905                                |
| OLZ     | Orientalistische Literaturzeitung  |
| PAAJR   | Proceedings of the American Academy for Jewish Research  |
| PCZ     | C.C. Edgar, <i>Zenon Papyri</i> (Catalogue général des antiquités égyptiennes du Musée du Caire) I–IV, 1925–1931 |
| PEQ     | Palestinian Exploration Quarterly  |
| PG      | J.-P. Migne, ed. <i>Patrum Graecorum Cursus Completus</i>  |
| PL      | J.-P. Migne, ed. <i>Patrum Latinorum Cursus Completus</i>  |
| PO      | Patrologia Orientalis  |
| PSI     | Pubblicazioni della Società Italiana per la Ricerca dei Papiri Greci e Latini in Egitto: Papiri greci e latini   |
| RB      | Revue Biblique   |
| RE      | Pauly-Wissowa, <i>Pauly's Real-Encyclopädie der classischen Altertumswissenschaft</i>                            |
| REG     | Revue des Études Grecques  |
| REJ     | Revue des Études Juives  |
| REL     | Revue des Études Latines   |
| RES     | Revue des Études Sémitiques  |
| RhM     | Rheinisches Museum   |
| RHR     | Revue d'histoire des religions   |
| RIDA    | Revue Internationale des droits de l'Antiquité   |
| RPh     | Revue de Philologie  |
| RQ      | Revue de Qumrân  |
| RSR     | Revue des Sciences Religieuses   |
| SB      | Sammelbuch griechischer Urkunden aus Ägypten   |
| Schürer | E. Schürer, <i>Geschichte des jüdischen Volkes im Zeitalter Jesu Christi</i> I–IV, 3rd–4th edn. 1901–1911        |
| SEG     | Supplementum Epigraphicum Graecum  |
| SEHWW   | M. Rostovtzeff, <i>Social and Economic History of the Hellenistic World</i> I–III, 1941                          |
| SIG     | W. Dittenberger, <i>Sylloge Inscriptionum Graecarum</i> , 2nd edn. 1915–1927                                     |
| SP      | A.S. Hunt and C.C. Edgar, eds. <i>Select Papyri</i> I–II, 1932–1934  |

|        |   |
|--------|---|
| TU     | Texte und Untersuchungen zur Geschichte der altchristlichen Literatur     |
| TWNT   | Theologisches Wörterbuch zum Neuen Testament                              |
| UPZ    | U. Wilcken, <i>Urkunden der Ptolemäerzeit</i> , 1922–                     |
| VT     | Vetus Testamentum   |
| Welles | C.B. Welles, <i>Royal Correspondence in the Hellenistic Period</i> , 1934 |
| ZAW    | Zeitschrift für die Alttestamentliche Wissenschaft                        |
| ZDMG   | Zeitschrift der Deutschen Morgenländischen Gesellschaft                   |
| ZDPV   | Zeitschrift des Deutschen Palästina-Vereins                               |
| ZNW    | Zeitschrift für die Neutestamentliche Wissenschaft                        |
| ZPE    | Zeitschrift für Papyrologie und Epigraphik                                |

## “CUTTING A COVENANT”

In the Bible, the characteristic expression used to describe the making of a covenant is *karath berith*, literally “to cut a covenant.” This seems a very bizarre expression. When, for example, Latin speaks of *decisa negotia* or French of *trancher une question*, the verb (“to cut”) is employed metaphorically, but in semantic harmony with its object. In the same way, rabbinic Hebrew borrowed the verb *karath* to express the idea of division.<sup>1</sup> We know, for example, that nothing other than the writ of divorce can “separate” (*karath*) a wife from her husband. But in the formula *karath berith*, the complement contradicts the verb. Elsewhere in the Bible, the verb *karath* always has the concrete meaning of cutting or destroying, even in a metaphor: “Your hope will not at all be cut” (Prov 23:18).

We conclude that the phrase *karath berith* is not employed figuratively. It is a standard expression which, initially at least, is literally exact, and the only reason it appears bizarre is because the matter which it defines changed in the course of time. In the same way, the English expression *to strike a bargain* comes from the period when the partners struck each other’s hand as a sign of agreement.<sup>2</sup> Several languages used a word meaning “hand” to denote a security (in the sense of bail), because a gesture by the person who gave the security was the solemn form which attested his consent. For example, it was said in Akkadian that the security “withdraws the hand” of the creditor.<sup>3</sup> Legal Latin is full of such fossils: *lustrum condere*, *obligare fidem*, *mancipio accipere*, *vindictam imponere*, *promittere*, *spondere*, etc. These formulae were coined in remote antiquity, when the ritual representation was an integral part of an *actus legitimus*. The concept of *mancipium* went through a complex historical development, but initially it was the material gesture whereby one

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<sup>1</sup> M. Jastrow, *A dictionary of the Targumim*, s.v. My dear deceased friend Boaz Cohen wrote to me on this subject: “Karath here means the severance of the fringes of the garment.” See also *Archives de Mari* II, 1950, nr. 71: “to tie the fringe of one’s cloak” in order to make a treaty.

<sup>2</sup> *Oxford English Dictionary*, s.v., 9/1, p. 1134.

<sup>3</sup> E. Cuq, *Etudes sur le droit babylonien*, 1929, p. 232. Cf. also J. Partsch, *Göttinger Gelehrter Anzeiger*, 1913, pp. 17–20.

who wished to acquire a thing to hold of it: *adprehendere id ipsum, quod ei mancipio datur, necesse sit*.<sup>4</sup>

## I

A vow is a solemn formula, in most cases ratified by a gesture. This is why the words relating to this activity allude either to the uttering of sacramental words or to the ritual action which accompanies them. The English word *swear* is related to the Latin *sermo*. In Assyrian, the words for taking an oath mean "to speak," "to mention." In Tahitian, *horeo tapu*, i.e. "pronouncing a taboo," means "to make a vow." In Irish Gaelic, the phrase "to bring the relics" (*bierim mionna*) means "to swear an oath." In Arabic, the current term for a vow is *yamin*, "the right hand," because one commits oneself to the vow with the right hand raised, at the tomb of a saint or in some other sacred place. In Dahomey, the expression for taking an oath literally means "to drink voodoo" (the fetish), because the magic drink is taken during the ceremony. The Persian expression for swearing an oath literally means "eating (or drinking) sulfur"; this comes from the ancient rite of the ordeal. In the eighteenth century B.C.E., at Mari, the expression "to kill an ass" meant "making a covenant," because an ass was killed to solemnize the agreement.<sup>5</sup>

In Greek, the formula *dexian dounai* (= Latin *dextram dare*) is transparent: it alludes to the gesture of giving one's right hand in ratification of a promise. But the two other common expressions for oath-taking

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<sup>4</sup> Gaius I, 121. Cf. P. Noailles, *Fas et Jus*, 1948, p. 101; F. de Vischer, *Nouvelles Études de droit romain*, 1949, pp. 193–257. For *lustrum condere*, cf. K. Latte, *Römische Religionsgeschichte*, 1960, p. 119, n. 3. *Vindicta est virga* according to the ancient commentaries (cf. e.g. Acro on Horace, *Sat.* II 7, 76). Cf. M. Kaser, *Das römische Zivilprozessrecht*, 1966, p. 70. On the terms *spondeo*, *sponsio*, cf. F. de Vischer, *Le régime romain de noxalité*, 1947, pp. 88ff.; E. Benveniste, *Le vocabulaire des institutions indo-européennes* II, 1969, p. 214; on *promittere (manum)*, cf. M. Kaser, *Das römische Privatrecht* I, 1955, p. 154. On *vindicta*, *mancipatio*, and *sponsio*, cf. E. Volterra, *Istituzioni di diritto privato romano*, 1962, pp. 71, 328, 472.

<sup>5</sup> Cf. C.D. Buck, *A Dictionary of Selected Synonyms in the Principal Indo-European Languages: A Contribution to the History of Ideas*, 1949, p. 1437; J. Pedersen, *Der Eid bei den Semiten*, 1915, p. 4; E. and I. Andrews, *Dictionary of the Tahitian Language*, 1944, s.v.; P. Hazoumé, *Le pacte de Sang au Dahomey*, 1937, p. 45. On oath-taking among the Arabs, cf. e.g. T. Ashkenazi, *Tribus semi-nomades de la Palestine du Nord*, 1938, p. 84. For Persian, cf. E. Benveniste, "L'expression du serment dans la Grèce ancienne," *RHR* 134 (1948), p. 82. For Mari, cf. *ANET*, p. 482b. Cf. M. Held, *Bulletin Amer. Schools of Orient. Res.* 200 (1970), p. 62.

are no less “eloquent” and concrete. *Omnunai horkon* means to “seize vigorously” the sacramental object (*horkos*) on which one takes an oath. For example, the *horkos* of Achilles is his scepter.<sup>6</sup> *Temnein horkia* means “to make a treaty”; the primary meaning of this formula means cutting the pledges of the contract which has been sworn (*horkia*), viz. the sacramental victims, while the oath is being taken. The same is true of the Roman *ferire foedus* (“striking an alliance”) in order to ratify the oath. As a matter of fact, *foedus* = *fidus* = *fides* originally signified the pledge of good faith.<sup>7</sup> When he slaughtered a piglet with a stone, the *pater patratus* was in reality striking this pledge of loyalty. However, let us avoid the simplistic error of imagining that the purely material meaning was the primary sense of these expressive phrases. In reality, in very ancient law, a word designated both the thing which rendered an idea material and this idea itself.<sup>8</sup> Already in Homer, *horkia* is not only the sacralized object and the vow which is taken on this object, but also the oath that is sworn.<sup>9</sup> *Foedus* is at one and the same time the victim which represents the juridical notion, this notion itself, and the treaty which constitutes the memorial of the ceremony. The ancient Chinese emphasized this identity by placing the text of the treaty on the corpse of the bull that had been sacrificed to ratify the convention.

## II

Let us now turn to the formula *karath berith*.<sup>10</sup> The etymology of the word *berith* is uncertain and disputed,<sup>11</sup> but the word (like *foedus* in Latin)

<sup>6</sup> Homer, *Iliad* 1.233. Cf. Aristotle, *Pol.* 3.1285b. On the Greek vow, cf. the article by E. Benveniste cited above, and Benveniste, *op. cit.* II, p. 163. Cf. also n. 73 below.

<sup>7</sup> On the semantic development of the term *fides*, cf. E. Fränkel, “Zur Geschichte des Wortes Fides,” *Rhein. Mus.* 71 (1916), pp. 187–200; Benveniste, *op. cit.* I, p. 115; J. Gaudemet, *Institutions de l'antiquité*, 1967, p. 310.

<sup>8</sup> Cf. L- Lévy-Bruhl, *L'âme primitive*, 1927, pp. 130–132.

<sup>9</sup> Cf. e.g. Homer, *Iliad* 22.262: Hector proposes to Achilles that they make a sworn agreement. Achilles replies that there are no pacts deserving of faith (*horkia pista*) between lions and human beings.

<sup>10</sup> Bibliographical indications will be found in the article by M. Weinfeld, in G.J. Rotterweck and H. Ringgren, *Theologisches Wörterbuch zum Alten Testament* I, 1972, pp. 782–808 (which is the best introduction to the study of this topic), and in the article by E. Kutsch in E. Jenni and C. Westermann, ed. *Theologisches Handwörterbuch zum Alten Testament* I, 1971, *s.v.*

<sup>11</sup> Cf. e.g. D.J. McCarthy, *Old Testament Covenant*, 1972, pp. 2–4; pp. 59–61 (an exami-

means a covenant, the rite which creates an alliance, and the pact which is the result. The "ark of the covenant" symbolized the *berith* between God and the chosen people. In view of the parallels which we have just cited, it is reasonable to suppose that the word *berith* originally designated the oath that was sworn and its material representation, viz. a thing or an animal which was cut while the oath was being taken. This conjecture seems to be confirmed by the discovery of an exactly parallel expression in Phoenician: *krt'lt*.<sup>12</sup> The derivation of the word *ʾlt* (*'alah* in Hebrew) is likewise unknown; but the word signifies imprecation, link, plot.<sup>13</sup>

According to scripture, circumcision was the "*berith* in the flesh." The incision which remained in the flesh was the "mark" of the *berith*. Through this rite, one entered the *berith* with God and thereby also the *berith* with Israel, the people of God. "In order to form one and the same people" with Jacob, Shechem and the men of his city had themselves circumcised.<sup>14</sup> In this covenantal ceremony, the formula *karath berith* was carried out literally.

The analogy with the Greek expression *temnein horkia* is however also suggestive. For the Greek, "cutting" the victim meant slitting its throat. In the Israelite rite too, the neck of the victim was cut.<sup>15</sup> It may be that this rite of immolation could also serve to "cut" *berith*. The covenant of Sinai was ratified by the sprinkling of the victims' blood upon the participants, i.e. Israel and the altar which symbolized the deity. This was "the blood of the *berith* which the Eternal has cut." Finally, there is a Psalm which speaks of the pious persons who have "cut" *berith* with God by means of a sacrifice.<sup>16</sup>

Modern commentators explain the formula *karath berith* by reference to an expressive ceremony which is described twice in the Bible. We read

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nation of scholarly hypotheses). Mr Albright has drawn my attention to the formula *Tar beriti* ("dividing *berith*") in the cuneiform texts of Qatna: cf. J. Bottero in *Revue d'Assyriologie* 44 (1950), pp. 112–113. Unfortunately, the meaning of this expression is obscure. Cf. also E. Lipiński, *Syria*, 1973, p. 50; M. Weinfeld, *Orientalia*, 1975, p. 121.

<sup>12</sup> T.H. Gastner, "A Canaanite Magical Text," *Orientalia* new series 11 (1942), p. 65. Cf. *ANET*, p. 658; F.M. Cross Jr. and R.J. Saley, *BASOR* 197 (1970), p. 142.

<sup>13</sup> Cf. H.C. Brichto, *The Problem of "Curse" in the Hebrew Bible*, 1963.

<sup>14</sup> Gen 17:13 and 34:22. Cf. R. Dussaud, *Les origines cananéennes du sacrifice israélite*, 1921, p. 220.

<sup>15</sup> Cf. Homer, *Iliad* 3.292. Cf. J. Rudhardt, *Notions fondamentales de la pensée religieuse et actes constitutifs du culte dans la Grèce classique*, 1958, p. 282; J. Casabona, *Recherches sur le vocabulaire de sacrifices en Grèce*, 1966, p. 105. On the Jewish rite, cf. P. Billerbeck, *Kommentar zum Neuen Testament* II, 1924, p. 730.

<sup>16</sup> Ex 34:10; Ps 50:5. Cf. Dussaud, *op. cit.*, p. 217.

in Genesis<sup>17</sup> that Abraham cut the victims in the middle and placed the two parts opposite each other. During the night, the divine fire passed between the separated flesh: “On that day, the Eternal cut *berith* with Abraham.” Jeremiah also narrates that King Zedekiah and the nobles of Jerusalem had promised to set free their Israelite slaves, “dividing a calf into two parts and passing between the parts.”<sup>18</sup>

What is the meaning of this rite? The commentators see it as a rite of execration, but they are distorting the meaning of the prophet’s words.<sup>19</sup> Playing on words, Jeremiah says (v. 17): the Jews have proclaimed the liberty of their Hebrew slaves,<sup>20</sup> but then they enslaved them anew, violating the law about manumission in the seventh year (Ex 21:2), as Jeremiah explicitly points out (v. 16). As a result, God will proclaim the liberty of the sword, of plague, and of famine against those who have disobeyed him. And the prophet continues (v. 18): those who have passed (the verb is *abar*) between the severed flesh have transgressed (again *abar*) against the *berith* contracted in the presence of the Eternal. Accordingly, God will hand them over to the power of their enemies. Nothing is said here, even by implication, about an imprecatory value in this rite; the parallelism between verses 17 and 18 leaves no doubt on this point. Rather, God is acting in accordance with the *lex talionis* which is so dear to the prophets. (A good example of this principle is Jer 17:19–27: the Jews, breaking the sabbath rest, carry burdens on the sabbath day through the gates of Jerusalem. As a result, God will set fire to those gates; it will devour the palaces of Jerusalem and will not be quenched.) Since the *berith* of Zedekiah was made “before” God and in the Temple which bears his name (vv. 15, 18), those who violate “his” *berith* will be chastised by the God whose wrath they have provoked. Those ethnographers who (wrongly) classify this biblical ceremony among the rites of covenant where the partners exchange their blood, and those historians of religion who follow them, see this Israelite sacrifice as an act of communion which aims to create an artificial brotherhood between the contracting parties. Other scholars

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<sup>17</sup> Gen 15:10–18. According to the interpretation of H. Cazelles, “Connexions et structures de Gen. XV,” *Rev. Bibl.* 69 (1962), p. 336, the victims in this passage are cut into three parts.

<sup>18</sup> Jer 34:18–21. On the juridical signification of this pact, cf. M. David, “The Manumission of Slaves under Zedekiah,” *Oudtestamentische Studien* 5 (1948), pp. 63–79.

<sup>19</sup> In the original publication of this essay (p. 137), I still followed the exegesis of the commentators.

<sup>20</sup> Cf. J. Lewy, “The Biblical Institute of Deror,” *Eretz-Israel* 5 (1958), pp. 22–31.



again hold that even the exchange of blood or the shared meal by means of which the primitive tribes make alliances are instruments of a curse against any who might break the union that has been contracted.<sup>21</sup>

There is in fact no rite which is not susceptible of serving a diversity of goals, and scholars often complain about this ambiguity in sacred actions.<sup>22</sup> But why should one be surprised at this? The sacred object is only an instrument. A half-civilized African once compared the lightning conductor of the whites to the amulet which he wore to protect him against evil powers.<sup>23</sup> Now, a technical instrument can naturally serve very different, and even contradictory, purposes. The action of a revolver remains the same, whether one draws it against an enemy or against oneself: it is equally suitable for good or evil. It is only the inner dispositions, the intentions, and the maneuvers of the agent which determine the direction, and thereby the *raison d'être*, of a sacred action. If therefore we wish to identify more or less clearly the intentions which people of old had when they practiced this or that rite, we must begin by trying to understand the organization and the effect of the ceremony.

### III

The striking element in the sacrifice described in Genesis and Jeremiah is the passage between the separated flesh. Why is this done? In all the known examples, this rite of passing either confirms a promise (as in the Bible) or is part of a ceremony of purification. What is the relationship between these two religious values?

Let us begin with the obvious hypothesis that the passage between the pieces of the sacrifice serves to establish a communication between the agent and the victim, whether the transfer is from the human being to the animal, or in the opposite direction. The one who offers sacrifice chooses the direction of the transfer. On the other hand, the officiant can only act in conformity with the nature of the forces which he claims to dominate. In rites of purification properly speaking, he proceeds to the elimination of evil by means of the rite. Naturally, dirt can be absorbed

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<sup>21</sup> On the theory of sacrifice proposed by W. Robertson Smith, and the controversy to which it gave rise, cf. above all G. Davy, *La foi jurée*, 1922, pp. 43–81; W. Robertson Smith, *Lectures on the Religion of the Semites*, 3rd edn. by S.A. Cook, 1927.

<sup>22</sup> E. Durkheim, *Les formes élémentaires de la vie religieuse*, 1912, p. 551.

<sup>23</sup> R.H. Nassau, *Fetichism in West Africa*, 1904, p. 84.

by an animal just as well as by any other cleansing agent. For example, one can rub one’s body with wool,<sup>24</sup> or one can wipe oneself down with small dogs.<sup>25</sup> One can transfer jaundice to yellow birds which are attached to the bottom of the patient’s bed, etc.<sup>26</sup>

But if an animal is to be substituted for the patient, it is necessary that it be still alive while the act of substitution is carried out. Pliny the Elder informs us that one can heal a sick person by placing a puppy on the suffering limb: the dog absorbs the illness and often dies as a result. A newly born dog, still blind, is placed on the patient’s stomach, and the dissection of the animal will reveal the nature of the malady. Another example: among the Loango, a man condemned to death can transfer his crime to an animal, which is then slaughtered in his stead. First of all, however, the criminal must carry the sacrificial victim around the place of judgment. In the same way, a scapegoat, even if it is in fact killed later on, must still be alive in order to be charged with the sins of the people.<sup>27</sup> The universal rule is that one must transfer to the substitute the impurities of which one seeks to be rid either during or before its destruction.<sup>28</sup>

Naturally, as in many other circumstances, disparate principles can come into conflict and thus influence the rites of purification. For example, the homeopathic principle dictates that the stain of blood must sometimes be wiped away by means of blood. The stain of Orestes was “chased away,” as he says, “by the purifications of the piglets killed on the altar of the god Phoebus.” In order to cure epilepsy (the “sacred illness”), the “miasma” was removed by washing the sick person with blood.<sup>29</sup> But we should note that these instances do not involve the

<sup>24</sup> A.B. Cook, *Zeus* I, 1914, pp. 422–428.

<sup>25</sup> Plutarch, *Quaest. graec.* 68.

<sup>26</sup> J. Fillozat, *Magie et médecine*, 1943, p. 101.

<sup>27</sup> Pliny, 30.42; 30.64: *transire vim morbi, postremo exanimari dissectisque palam fieri aegri causas*. On the Louango, cf. J.G. Frazer, *Anthologia Anthropologica* I, 1938, p. 153. On the scapegoat, it suffices to refer to Frazer, *The Golden Bough*, 3rd edn., IX, pp. 33–59.

<sup>28</sup> H. Hubert and M. Mauss, *Mélanges d’histoire des religions*, 1909, pp. 77–78. Cf. e.g. *ANET*, p. 354, and H.M. Kümmel, *Ersatzrituale für den heitischen König*, 1967, pp. 15, 57, 113.

<sup>29</sup> Aeschylus, *Eumenides* 283 and 449. Cf. L. Sechan, *Études sur la tragédie grecque*, 1926, p. 97 and illustration I. Cf. Hippocrates, *De morb. Sacr.* 4 (VI, p. 362, ed. Littré): *καθαίρουσι γὰρ τοὺς ἐχομένους τῇ νόσῳ αἵματι τε καὶ ἄλλοισι τοιοῦτοισιν ὡσπερ μίασμά τι ἔχοντας ἢ ἄλ ἀλάστορας*. On the distinction (and the cohesion) of the notions of “making pure” and “making strong,” cf. Lévy-Bruhl, *Le surnaturel et la nature dans la mentalité primitive*, pp. 289–291, 438–441. On the state of purity as the absence of all dirt – a state which precisely for this reason is not positive – cf. A.-J. Festugière, *La Sainteté*, 1949, pp. 11–17.

transfer of dirt to an animal substitute: here, the blood is employed as a stronger detergent than water (which can likewise purify a murderer), or perhaps more precisely, as the strongest solvent that exists. Otherwise, in the innumerable cases where the blood (or entrails, etc.) is applied to obtain a healing, this does not involve the flushing out of dirt, but seeks to make the patient stronger by an infusion of the vital fluid of the animal.<sup>30</sup> Following the same idea, the bloody *piaculum* serves to re-establish purity rather than to expel the evil influence. Among the Bechuana, expiation is reconciliation, the reunion of separated entities (as they say in their language). When the penitent drinks the blood of the victim, the conjurer announces that this is the sacrifice of reconciliation with the spirits. In general, we may say that the use of blood in magic and in primitive religion intends more to re-establish order in the patient than to fight against evil.<sup>31</sup> As scripture frequently informs us, blood is life. The meaning of this ritual murder – for that is what sacrifice is – is to appropriate for oneself the mystical strength of the victim’s life in order to be able to apply this to one’s own goals. “I have consecrated you,” says the magician, as he kills the sacred scarab, a symbol of the divine sun, “in order that your essence may be useful to me... to me alone.”<sup>32</sup> If a human being is to be disinfected, his substitute must still be alive (although it will be killed later on); if its properties are to be beneficial to the human person, it must be immolated. When he enters into contact with the blood, the entrails, or the severed limbs of the animal, the human person absorbs its vital force. In the same way, when he offers a sacrifice to the deity, he contributes “strength to the god in order to enable him to help the human person

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<sup>30</sup> In one Babylonian rite, the limbs of the animal were torn apart and placed on the patient to heal him. Cf. E. Dhorme, *Les religions de Babylonie et d’Assyrie*, 1945, pp. 229, 251; C.F. Jean, *Le péché chez les Babyloniens et les Assyriens*, 1925, p. 153. The confusion between the idea of purification and that of strengthening is particularly obvious in the Brahman explanations of the *śutrāmanī* sacrifice. Cf. G. Dumézil, *Tarpeia*, 1947, pp. 117–121. On the importance of blood in popular medicine, cf. Eitrem I, pp. 441–447.

<sup>31</sup> J. Tom Brown, *Among the Bantu Nomads*, 1928, pp. 105, 144. Such ethnographical facts strikingly confirm the hypothesis of W. Robertson Smith, *Lectures on the Religion of the Semites*, p. 427, about the intention of the *piacula*.

<sup>32</sup> P. Mag. Paris, 735ff., in K. Preisendanz, *Papyri Magicae Graecae* I, nr. 4: ἐγὼ σέ ἐτέλευσα ἵνα μοι ἢ σοῦ οὐσία γένη χρήσιμος... ἐμοὶ μόνῳ. On the importance of the sun in magic which appealed to the powers of the gods, cf. S. Eitrem, *Symbolae Osloenses* 22 (1942), pp. 56ff.

better.”<sup>33</sup> The direction of the current is reversed: the power (this time beneficial) passes from the animal to the human person.

#### IV

This then is the significance of the *rite de passage* which we are investigating. It is not a simple process of elimination, but an active rite which imparts power. The most ancient text which describes this ceremony is a ritual from the second millennium B.C.E.<sup>34</sup> An army which has been defeated by the enemy first passes through a ritual gate flanked by two fires. These are of course two classical procedures (*iugum* and fire) designed to separate oneself from, and get rid of, the fluid of defeat. At the end of this ritual action, the troops are sprinkled with living water from a river. This too is a common means of “desacralization.” Between these banal ceremonies, however, we find a special rite. Behind the magic gate, a man, a goat, a puppy, and a piglet are cut in two; one part of each is placed on the one side, the other part on the other. Although the text does not say so explicitly, the context shows that after the troops have passed *sub iugum*, they march between the pieces of the victims. The magic gate<sup>35</sup> and the purifying power of the fire<sup>36</sup> are made necessary because of the sorcery worked by the defeat; the vital force of the sacrificed victims will restore the strength of the defeated troops by re-establishing their normal condition.

This interpretation is confirmed by all the parallel instances.<sup>37</sup> For

<sup>33</sup> H. Bergson, *Les deux sources de la morale et de la religion*, 1932, p. 216.

<sup>34</sup> O. Masson, *A propos d'un rituel hittite*, *RHR* 137 (1950), pp. 5–25. The text is transcribed and translated on p. 6. An English translation of this ritual, which confirms that of Mr Masson, has been sent to me by Albrecht Goetze, to whom I express my gratitude. Cf. also H.M. Kümmel, *Ersatzrituale für den hethitischen König*, 1967, p. 151.

<sup>35</sup> For the *iugum*, cf. A. Goetze, *Kleinasien*, 1957, p. 156; Frazer, *The Golden Bough*, 3rd edn., XI, p. 194. For the purification by fire, cf. *ibid.* III, p. 114; Eitrem I, pp. 169ff. Gellius 10.8 (quoted by Eitrem I, p. 452) writes that at Rome, cowardly soldiers were made to bleed, in order to get rid of their cowardice.

<sup>36</sup> Cf. e.g. Eitrem I, pp. 131ff.; I. Scheftelowitz, “Die Sündentilgung durch Wasser,” *Archiv für Religionswissenschaft*, 1914, pp. 353–412.

<sup>37</sup> The classical parallels are brought together by Eitrem II, pp. 8–15. Cf. S. Eitrem, “A Rite of Purification,” *Symbolae Osloenses* 25 (1947), pp. 1–38; ethnographic examples in Frazer, *The Folklore in the Old Testament* I, 1916, pp. 394–428, to which we should add H. Gaidoz, *Un vieux rite médical*, 1892. According to Plutarch, *Quaest. rom.* 3, the severing of a dog into two pieces, between which people passed in Boeotia, was a rite of purification.

example, before starting a campaign, the Macedonian army marched between the pieces of a bitch which had been cut in two.<sup>38</sup> In the hellenistic period, this rite was understood as an act of purification, but its original meaning is indicated by the act which followed this rite of passing. The army divided into two units, which engaged one another in a simulated battle with an obvious meaning: strengthened by the life of the victim, the army is now ready for combat. The same rite is also employed to ward off disaster. – The Arabs of Moab (and the Koriaks of the Kamchatka) pass between the halves of a victim which has been cut into pieces, in order to protect themselves against an epidemic.<sup>39</sup> Those who submit to this action are not already ill, but persons still "pure."<sup>40</sup> – Before entering his palace for the first time in 1882, the new viceroy of Egypt had to pass through the portions of victims which had been cut into pieces, in such a way that his carriage passed through the blood that had been shed. – A ship carrying Turkish pirates is buffeted by a tempest, but makes its way forward through the two parts of a victim thrown into the sea.<sup>41</sup> This is not a propitiatory sacrifice, as in the Book of Jonah, where "the fury of the sea calmed down at once." The victim is sacrificed, not to appease the waves, but to make the ship prosperous. – We may compare two Pharaonic stories.<sup>42</sup> King Amenophis is told by his diviner that, in order to see the gods, he must first purge Egypt of lepers. In a dream, King Shabaka hears the voice of the god Amon, who reveals to him that, if he is to have a long and happy reign, the Pharaoh must cut all the priests in two and pass through the midst of them. This time, the point is not to undo a sorcery, but to make the king luckier. One might call the action "tonic."

Naturally, the various ideas represented by a rite are often found in combination, and sometimes one does not know whether a proceeding

<sup>38</sup> Polybius 24.10(8), 17; Livy 40.6,6. The story of Quintus Curtius (10.9,11) is less clear. Cf. Apollodorus 3.17,7.

<sup>39</sup> Loisy, *Essai historique sur le sacrifice*, 1920, p. 339; S. Krasheninikoff, "Opisanie zemli Kamchatki," in *Polnoe Sobranie uchenykh putechestvii po Rossii* II, 1819, p. 214.

<sup>40</sup> Pausanias 3.14,9: before beginning their combat exercises, each of the two teams of young men in Lacedaemonia cut up a puppy into pieces. On the prefigurative combat, cf. J. Bayet, *Croyances et rites dans la Rome antique*, 1971, p. 49.

<sup>41</sup> H.C. Trumbull, *The Threshold Covenant*, 1896, pp. 7, 189. On the praxis of the Turkish pirates, cf. Gaidoz quoted by Masson (*op. cit.*, p. 15); on the same rite at Algiers in the Turkish period, cf. the note by J.G. Frazer in his edition of Apollodorus, *ad* 3.13,7.

<sup>42</sup> Josephus, *C. Apionem* 1.26,232; Diodorus, 1.65,6 (cf. Herodotus 2.139).

is healing, prophylactic, or tonic.<sup>43</sup> Mostly, the performance of the rite explains the intention of the agent. For example, in order to protect themselves against epidemics, the Chins in Burma cut a dog in two, without cutting through its entrails. The halves of the victim are placed symmetrically on both sides of the road in such a way that the intestines bar the way to the malevolent power. There is an analogy, but also a difference, with regard to the rite of the Moabite Arabs mentioned above, who pass through the dissected victim. Among the Chins, this action deals with the spirit of cholera; among the Arabs, the magic fluid of the victim works on the agent himself.

We may next compare an episode in the Scandinavian sagas: the hero, who has just cut a monster in two, is asked by the monster to pass through the separated halves, but if he were to do so, he would reanimate and rejuvenate his terrible adversary.<sup>44</sup> The direction of the vital fluid is changed, but the meaning remains the same as in the cases of the Arabs or Hittites.<sup>45</sup>

We must note another point too. Naturally enough, the victim is cut into pieces in many sacrificial rites.<sup>46</sup> The material passage between (or under) something is also an element in innumerable magic actions.<sup>47</sup>

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<sup>43</sup> Cf. e.g. the Hittite rituals translated by A. Goetze in *ANET*, pp. 346–355.

<sup>44</sup> Frazer, *The Folklore in the Old Testament*, p. 410, and T. Gaster, *Myth, Legend and Custom in the Old Testament*, 1969, p. 155. For a similar rite among the Ewe in Togo, cf. Loisy, *op. cit.*, p. 308. Cf. also Pausanias, 2.34,3; E.H. Sturtevant and G. Bechtel, *A Hittite Chrestomathy*, 1935, p. 121. According to a Hittite text which Masson translates (*op. cit.*, p. 8), after one has seen a bird of ill omen, one must place the halves of a puppy on each side of the road. Is this in order to halt the malevolent influence? – On the sagas, cf. Eitrem II, p. 15.

<sup>45</sup> Modern scholars see the *rite du passage* between the parts of the victim as the absorption of the agent's impurities by the victim; see e.g. Loisy, *op. cit.*, p. 334; Eitrem II, p. 14; Masson, *op. cit.*, p. 20. But Frazer, *op. cit.*, p. 409, notes the protective character of this ceremony.

<sup>46</sup> For example, in China the victim is cut into pieces to remove evil influences: cf. Loisy, *op. cit.*, p.341. Mr Goetze has written to me that the partition of the victims is explained in the Hittite texts as a means “to bring them on the way to the netherworld.” Cf. A. Goetze, *Kleinasien*, 1933, p. 143.

<sup>47</sup> Cf. A. van Gennep, *Les rites de passage*, 1909, p. 119; J.G. Frazer, *The Golden Bough*, 3rd edn., XI, pp. 168ff. H. Lewy, “Beiträge zur jüdischen Volkskunde, *Zeitschrift des Vereins für Volkskunde* 27–28 (1928), p. 95, emphasizes that the material passage is often an act of rebirth, not of purification. The same interpretation is found in H. Bächtold-Stäubli, *Handwörterbuch des deutschen Aberglaubens* II, 1929, p. 408. This is also the meaning of the passage between two corpses in the ceremony of initiation or in superstitious practices (H. Lewy, “Morgenländischer Aberglaube,” *Zeitschrift des Vereins für Volkskunde* 3 [1893], p. 24), and of the passage between the perforated corpse of a victim among the Bechuana. Cf. Frazer, *The Folklore*, pp. 408, 413; and Eitrem II, p. 12, n. 3.

Nevertheless, the passage through a victim is found only in a very restricted region; apart from the singular case of the Koriaks, this rite has not been registered in any non-civilized people and it is unknown in European folklore. It is not found in the exuberant ritual growths of the Egyptians, Babylonians, or Indians. It appears for the first time among the Hittites in Asia Minor; at a later date in antiquity, it is found in Greece, in Persia,<sup>48</sup> and in the Greco-Egyptian folklore of the Persian and hellenistic epochs. In modern times, it was practiced only in the Near East: Turkey, Palestine, Egypt, perhaps Persia.<sup>49</sup> To the east of the Aegean Sea, it occurred only among the émigrés of the Near East, among the Romany in Transylvania and Great Britain, and among the privateers in Algeria. It seems therefore that this rite, invented in Asia Minor, spread in the sphere of Hittite domination or influence.<sup>50</sup>

<sup>48</sup> Herodotus, 7.39–40: Pythios of Lydia beseeches Xerxes to exempt his son from military service in the campaign against the Greeks. The king has the recalcitrant man cut in two, and the army marches between the two pieces of the bloody victim, doubtless absorbing his vital force. But this is certainly also "an affirmation of the Persian power over any who might become its enemies": A. Caquot, "L'alliance avec Abram," *Semitica* 12 (1962), p. 61. Cf. n. 40 above. – The episode of the Christian women who were cut in two in 342 in order to heal a Sassanid queen is mentioned by Eitrem II, p. 11, but he quotes a late Byzantine compilation. The source of this story (repeated by Sozomen, *Hist. Eccl.* 1.12) is the Syriac Passion of Tarbo and her companions (translated by O. Braun, *Persische Märtyrerakten*, 1915). Cf. H. Peeters, *Analecta Bollandiana* 29 (1910), pp. 151–156. Whether or not the episode is authentic, the author of the Passion, writing under the Sassanids (cf. J. Labourt, *Le christianisme dans l'empire perse*, 1904, p. 51) knew the Persian rite of making the army pass between the portions of a victim.

<sup>49</sup> Gobineau, *Histoire des Perses* II, 1870, p. 194. But this writer, who is prone to exaggerations and who mentions the rite in order to illustrate the sacrifice ordered by Xerxes (Herodotus, 7.39–40), was certainly capable of embellishing the facts: on his writings, cf. A. Aymard in *Mélanges de la Société Toulousaine d'études classiques* 1 (1946), pp. 323–341. According to other travelers, the victim was killed in such a way that the visitor (or rather his horse) was forced to enter through the shed blood. See an illustration in J. Morier, *A Second Journey through Persia*, London 1818. According to the same author, *A Journey through Persia*, 1816, p. 85, this homage was reserved in principle to princes. See also E. Kuttler, "Einige vorderasiatische Beteuerungsformeln," *Wiener Zeitschrift für die Kunde des Morgenlandes* 28 (1914), p. 54; W. Hasluck, *Christians and Islam under the Sultans* I, 1929, p. 260. We must emphasize the point that this ceremony "brought luck" to the traveler. A general who came originally from Persia was accused in Baghdad in 840 of having killed a black sheep each Wednesday by cutting it in two, then passing through the two halves, and finally eating the flesh of this sheep (Tabari *apud* E.G. Browne, *A Literary History of Persia* I, 1908, p. 332). Cf. also Gaster, *op. cit.* (n. 44 above), p. 143.

<sup>50</sup> I need not spell out the fact that these remarks about the area of expansion of the rite are due to the inventories drawn up by other scholars. It is perfectly possible that other instances have been published subsequent to the list which Frazer drew up in 1918, but I have not been able to work through the immense number of ethnographic publications which have appeared in the intervening years. I note, however, that neither Bächtold-Stäubli, s.v. "Durchziehen" in his *Handwörterbuch*, nor Stith Thompson, *Motive-Index of Folk-Literature* I–VI, 2nd edn. 1955–1958, mentions any parallel case.

Let us now turn to the rite of passing between the pieces of a victim in order to reinforce an affirmation or a promise. Our first observation must be that this ritual act is attested only in the cases of the Hebrews, of the “Chaldeans” (Arameans), and probably of Asia Minor in antiquity.<sup>51</sup> In his account of the Trojan war, the novelist who calls himself Dictys of Crete links the taking of a vow three times to the act of passing between victims which have been cut in two.<sup>52</sup> This late writer has probably borrowed the description of this picturesque rite from some collection of stories of foreign customs. In any case, this shows that the rite continued to be practiced in some corner of the world which was accessible to the Greeks (of Asia Minor) in the hellenistic period.

This makes it worthwhile to examine the information given by Dictys.<sup>53</sup> Speaking of the alliance formed against Priam, he relates three acts. First, the Achaean chiefs, passing between the two portions of a sacrificed pig, smear the points of their swords with the blood of the victim. This is followed by the ceremony of the vow: *inimicitias sibi cum Priamo per religionem confirmant*. Finally, they sacrifice to Mars and to Concord. It appears that the contact with the vital force of the victim reinforces the concord among the allies, while the vow (according to Dictys) refers to the war that they will wage without quarter against Ilium.

Later, after dividing a victim into two pieces, Agamemnon repeats exactly the same rite as the Achaeans in the earlier episode. Then he swears that he has not abused Hippodamia, his captive. Finally, in the third narrative, the peace between the Achaeans and the Trojans is solemnized by means of two ceremonies. First, heaven and earth, and sun and the ocean are invoked as witnesses, then they pass between the halves of two victims.

The reader of these texts will note that Dictys preserves the structure we frequently find in the Bible: a rite which imposes an obligation is guaranteed by a vow (see below, section VI).

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<sup>51</sup> The cutting up of a victim to make an alliance among the Molosses or the Scythians was essentially a different ceremony. Among the Scythians, for example, the participants made their alliance by eating the detached portions. *Pavoiemiogr. Graeci* I, 225; Lucian, *Toxar.* 48. Cf. also for the Hebrews: Judges 19:30 and 1 Sam 11:7. Cf. also Theophanes Continuatus in *Corpus script. hist. Byzant.* 33, 1938, p. 31, and the criticism of this information about the Bulgarian vow by V.N. Zlatarski in the *Sbornik* dedicated to V. Lamanski, I, St Petersburg 1907, p. 253.

<sup>52</sup> Cf. Eitrem II, 10.

<sup>53</sup> Dictys 1.15; 2.49; 5.10.



However, the protective ceremony which includes a bloody sacrifice can easily be interpreted in terms of purification or imprecation.<sup>54</sup> Two texts will shed light on this interpretative modification.

In order to explain Gen 15 (see above), Ephrem the Syrian cites a ceremony of the “Chaldeans” who pass between victims which have been cut in two through the middle, and take a vow with the words: “May God not do the same to me!”<sup>55</sup> Likewise, Cyril of Alexandria cites this practice to illustrate the same biblical narrative, adding that the rite was employed to make some vows particularly binding.<sup>56</sup> By thus introducing into the protective rite a formula which identifies the one who takes an oath with the beast that has been cut in pieces, the sense of the sacred action is changed. Now, the ceremony centers on the death of the victim, not on its vital force (see above). Nevertheless, if I am not mistaken,<sup>57</sup> passing through the pieces of the victim is not employed in the innumerable ceremonies of alliances, vows, and confederation among non-civilized peoples.<sup>58</sup>

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<sup>54</sup> Thus, Seneca, *De ira* 3.16,4 interprets the action of Xerxes (cf. n. 48 above) as a rite of purification.

<sup>55</sup> Ephrem, *Opera syriace et latine*, ed. Assemani I, 1737, p. 161: the editor reproduces an exegetical *catena* which quotes this passage of Ephrem. It is not found in Ephrem’s commentary on Genesis. Cf. Ephraem Syrus, *In Genesim*, ed. R.-M. Tonneau, 1955.

<sup>56</sup> Cyril, PG 76, 1054: ἦν ἐν ἔθει Χαλδαίοις τοὺς ἀσφαλεστέρους ποιεῖσθαι τῶν ὄρκων διὰ μέσων ἰούσι τῶν διχοτομημάτων, καὶ νόμοις αὐτοῖς ἐγγωρίοις ἐβεβαίουν τὸ χρῆμα. I do not know whether Cyril is quoting Ephrem, or whether they follow a common source.

<sup>57</sup> The parallels cited by Frazer, *The Folklore*, pp. 395–397, 398–400, 403–407, or by Trumbull, *op. cit.*, p. 323, are inapplicable to our case, because they lack the essential element, viz. the passing between the portions of the sacrifice.

<sup>58</sup> When Keistut of Lithuania took an oath of allegiance to Louis I of Hungary in 1351, he passed through the severed head and body of a bull. Unfortunately, our sources do not agree about one important point. According to the *Chronicon Dubrivense*, written after 1479, and which I know only in the passage reproduced by C. Clemen, *Fontes historiae religionum primitivorum*, 1936, p. 107, the Lithuanians first rubbed their faces and hands with the blood of a sacrificed bull, and took an oath with a formula of imprecation which is quoted only in Lithuanian; after this, they passed three times between the two halves of the victim. Henry of Dissonhover, however, in his Chronicle of the years 1342–1362, referring to an eyewitness, relates that Keistut first had the blood of a bull drawn off in order to inspect the omens. Then he passed between the severed head and body of the bull, pronouncing an oath with an imprecation which Henry reproduces in Latin: *Scriptores rerum prussicarum*, ed. T. Hirsch et al., III, 1866, p. 420.

## V

*Est enim ius iurandum affirmatio religiosa.*<sup>59</sup> The vow is an assertion guaranteed by religion. This means that every vow, by definition, ought to contain two stable elements: first, the affirmation in question, and secondly, the appeal to the religious power. The invocation may be made in words, gestures, or a ritual action. There is no less variety in the choice of the sacred object which is called to be a witness. For the Bechuana in South Africa, this is the matter contained in the paunch of the sacrificed bull: it seals the promise of the one who touches it. In order to make his promises of marriage more solemn, Ptolemy Keraunos swore in the temple of Zeus in 280 B.C.E. *sumptis in manus altaribus, contingens ipsa simulacra et pulvinaria deorum.* Towards 750 B.C.E., two princes of Syria, Bar-Gay'an and Matti'el, took oaths about their alliance “before” the gods (i.e., in the presence of the idols), who were summoned to “open their eyes” on this occasion.<sup>60</sup> Why?

In order to punish perjury. “As this wax burns in the fire, so may Matti'el burn in the fire” if he should betray his pact and his vow. “And as this calf is cut in pieces, so may Matti'el be cut in pieces.”

When the sacred power is taken as witness, it strikes the one who breaks faith. As Hector tells Achilles, the gods are the “guardians” of agreements made with an oath.<sup>61</sup> But in order for the vow to bring about the punishment of the perjurer, it is necessary that the one who takes the oath consent to this in advance by uttering a conditional imprecation against himself.

In feudal law, the one who bound himself by the “bodily” oath raised his hand; the one who took an oath of a feudal vassal laid his hand on the Gospels. On May 13, 1310, Aimery de Villiers-le-Duc gave his testimony in the trial of the Templars, “raising his hands to the altar for a more solemn affirmation.”<sup>62</sup> He called down upon himself a sudden death, “accepting in the presence of the said lord commissioners to be plunged soul and body into hell” if he lied. Among the Bhilis of central

<sup>59</sup> Cicero, *De off.* 3.104. In the following pages, I develop ideas sketched in my review of G. van der Leeuw, *Phänomenologie der Religion*. Cf. Vol. II of the present work.

<sup>60</sup> *ANET*, p. 659; A. Dupont-Sommer, *Les Araméens*, 1949, pp. 56–59, on whose translation I draw. Cf. Benveniste (n. 4 above) II, p. 174: “The gods are taken as witnesses by inviting them to look; no appeal is possible against the testimony of what they see; this is the sole valid testimony.”

<sup>61</sup> Homer, *Iliad* 22.255. Cf. Augustine, *Ep.* 17.9.

<sup>62</sup> G. Lizerand, *Le dossier de l'affaire des Templiers*, 1923, p. 189.

India, the one who swears an oath confirms in writing that he will be guilty of a false oath if an accident occurs to himself or to his family within a set period of time.<sup>63</sup> An inscription from Cyrene describes the ceremony of oath-taking, where wax figurines were burnt while the oath-takers said: "May the one who fails to honor his vows and who breaks them be melted and burnt like these figurines – he himself, his family, and his wealth."<sup>64</sup> As we see, there is an infinite variety of means employed to bring about the punishment for perjury, but the essential point does not vary: the formula (often accompanied by a prefigurative action) of *devotio*. As Plutarch says, "All vows end with the execration of the perjurer."<sup>65</sup> Consequently, the vow is tripartite. The curse is joined to the affirmation and to the invocation of the sacred power.

Scholars have assimilated the cutting up of the victim when Matti'el takes his vow to the ceremony of *karath berith*, seeing the latter as an anticipation of the fate that awaits the one who transgresses the covenant; but this conclusion involves two mistakes. First, there is the mistake we have already mentioned à propos purification: in order for the sacrificial victim to be able to represent the perjurer, the prefigurative identification must take place before (or during) the immolation. This is the rule in all sacrifices connected with an oath. Among the Nanda of English East Africa, in order to seal the pact of peace, the contracting parties hold a dog, which is then cut in two with the following curse: "May the man who violates this peace be killed like this dog." When a king of Alahah binds himself by the "vow of the gods" in the fourteenth century B.C.E., he slits the throat of a lamb and says: "If I take back that which I have given..."<sup>66</sup>

Following a ritual created in the Stone Age, i.e. before the foundation of Rome, the *pater patratus* read the formula of the vow: if the Roman people were to violate the conditions of the pact, "May Jupiter strike it, as I today strike this piglet." Then, with a flint borrowed from the temple of Jupiter Feretrius, he slew the victim.<sup>67</sup> In Homer, those who bind themselves by a vow hold in their hand the hair cut from the head of the animal whose throat is to be slit; it appears that this practice

<sup>63</sup> R. Lash, *Der Eid*, 1908, p. 22.

<sup>64</sup> *Supplem. Epigr. Graec.* 9.3.

<sup>65</sup> *Quaest. Rom.* 44.

<sup>66</sup> H. Cazelles, *Rev. Bibl.* 59 (1962), p. 345.

<sup>67</sup> Livy 1.24.

disappeared before the classical period,<sup>68</sup> probably for economic reasons. A victim over which an oath had been taken was accursed, and could not be eaten.<sup>69</sup> It was less expensive to take an oath on the *hiera*, the entrails, which were reserved to the gods and were burnt on the altar. These vital organs (especially the testicles) were thought to represent the life of the victim. But it was also necessary that the identification of the one who took the oath with the victim should either precede or accompany the formula of imprecation. While taking the oath, one placed one's hand on the *hiera*, while the sacrifice was still "blazing."<sup>70</sup> In the same way, the Khond, standing on a tiger skin, vowed that he would be devoured by this carnivore if he committed perjury: the skin, *pars pro toto*, represented the entire beast.<sup>71</sup> But it is impossible that in the sacrificial vow – this ritual action – the perjurer should be assimilated to the accursed victim only *post factum*. The transfer of the evil spell is performed on a victim which is as yet pure, either before the immolation or at the moment of slaughter. We find confirmation of this in the second *Idyll* of Theocritus, that masterpiece both of erotic poetry and of ritual literature. Do we not see Simaitha burning the wax and at the same time identifying her lover with this magic substitute?

Besides this, as we have already noted, the imprecatory vow is necessarily tripartite. But in all those texts where the *berith* is mentioned in the Bible, the formula never contains an imprecation. Polybius has preserved (in Greek) the *berith* by means of which Hannibal commits himself vis-à-vis Philip V of Macedonia. This document contains only an appeal to the gods and the conditions of the pact.<sup>72</sup> There is no formula of cursing. As we shall see, Hebrew makes a precise distinction between *berith* and vows of execration (*'alah* and *shebu'ah*), even when these are occasionally juxtaposed. As is well known, the concise formula of the Hebrew vow is the euphemism: "May God do so to me and

<sup>68</sup> P. Stengel, "Zu den griechischen Schwuropfern," *Hermès* 49 (1914), p. 99.

<sup>69</sup> Cf. e.g. Pausanias 5.24,10.

<sup>70</sup> G. Glotz, *s.v.* *Jus jurandum*, in *Dictionnaire des Antiquités* III, p. 751.

<sup>71</sup> A.E. Crawley, *ERE* 9, 431. One may wonder whether the idea of malediction was original in such cases. In the original conception of the rite, the skin of the victim, which conserved the vital energy of the tiger, was thought to communicate its qualities to the one who stood on it. Cf. F. Cumont, "Un bas-relief mithraïque," *Revue archéologique* 6th series 25 (1946), pp. 183–196.

<sup>72</sup> Cf. *Transactions and Proceedings of the American Philological Association* 25 (1944), pp. 87ff.; *Amer. J. of Philology* 73 (1952), pp. 1–23.

more also, if . . ." This turn of phrase simply transposes a curse to the first person singular.

The imprecatory vow is not in fact the only current form of oath-taking. As we have observed, a vow is both affirmation and invocation; the curse is only an extra. In Greek, a distinction was sometimes made between the vow, properly speaking, and the formula of imprecation which was added to it. In the inscription from Cyrene mentioned above, for example, *horkia*, the conditions of the agreement, are clearly distinguished from *arai*, the curses. One who accepts the oath that another makes is more interested in the truth of the assertion made to him than in the punishment that will be inflicted if the partner to the covenant should commit perjury. An affirmation must be either true or false, and the curse punishes bad faith; but the sacred power can also be invoked to corroborate the truth. To quote the same passage of Cicero: *in iure iurando non quī metus, sed quae vis sit debet intellegi*.

## VI

Scholars have paid curiously little attention to these vows which place a constraint on the one who takes them.<sup>73</sup> But Saxo Grammaticus, writing shortly before 1200, noted that the Danes of old, when they proclaimed their kings, stood on stones which prefigured the stability of their obedience.<sup>74</sup> In 478 B.C.E., the Greeks of the Delian league bound themselves by reciprocal oaths while hurling blocks of iron into the sea, obviously with the intention of making their promise irrevocable.<sup>75</sup> Nothing was more common in antiquity than the vow ratified by a handshake. In the time of Ezra, the priests swore to repudiate their foreign wives, "giving each other their hand" to ratify this promise.<sup>76</sup> There is no

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<sup>73</sup> See however Pedersen, *Der Eid bei den Semiten*, pp. 21ff.; Loisy, *Essai historique sur le sacrifice*, pp. 281–286; S. Reinach, *Cultes, mythes et religions* V, 1923, pp. 124ff., who shows that the gesture indicated in Gen 24:1 and 47:8 is also based on the notion of a vow which binds the one who takes it. J. Bollack, *Rev. Études Grecques* 71 (1958), p. 28, emphasizes that *horkia* were employed to reinforce the spoken word. The one who took the oath was not pronouncing a curse on himself; rather, the validity of the word was attached "to the unshakable validity of the order of the world or of society."

<sup>74</sup> Saxo Grammaticus, *Gesta Danorum* 1.10, in C. Clemen, *Fontes religionis germanicae*, 1928, p. 77: *lecturi regem veteres affixis humo saxis insistere suffragiaque promere consueverant, subiectorum lapidum firmitate facti constantiam ominaturi*. On vows pronounced on stones, cf. Frazer, *The Golden Bough*, 3rd edn. I, pp. 160ff.

<sup>75</sup> Aristotle, *Resp. Ath.* 23.

<sup>76</sup> Ezra 10:19.

imprecatory character to this rite. According to Sophocles, to give one’s hand is “the ancient pledge of faith.” This gesture established what the apostle Paul calls “association” (Gal 2:9).<sup>77</sup> This is a prefigurative action which predetermines the future solidarity of the contracting parties. In the same way, the brotherhood created by a pact of blood establishes a more solid communion than natural consanguinity, one that cannot be broken.<sup>78</sup> It is not necessary to forbid the violation of this kind of union: those who had exchanged their blood with one another would never even think of doing so. This meaning of the rites of aggregation is particularly evident among the Karen of Burma, where fraternization proceeds by stages. The union created by a shared meal lasts only as long as it takes to digest the food; then, if one plants a tree together, the pact is valid along as the tree is alive; and finally, a perpetual alliance is established by the exchange of blood.<sup>79</sup>

Naturally, there is no logical or religious reason why a promise whereby one commits oneself may not be accompanied by an imprecatory vow. In this case, there will be two promises and two rites. Herodotus relates that the Phocaeans, who had abandoned their city in 547, promised imprecations against any of their group who might desert the expedition. They also threw a solid mass of iron into the sea, swearing that they would never return to Phocaea until this mass had resurfaced.<sup>80</sup> Joinville relates the making of a treaty between Baldwin II of Byzantium and the Comani. First, the parties mingled their blood and drank it, saying that “they would be blood-brothers.” Then they cut a dog into pieces with their swords “and said that they would be cut into pieces in the same way if either failed to keep faith with the other.”<sup>81</sup> Among the Malagaches of Madagascar, a cockerel (or a hen) is first sacrificed, accompanied by an execration against whoever might fail to keep his word; then they exchange blood with each other and

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<sup>77</sup> Sophocles, *Oed. Col.* 1632: by this gesture, Theseus becomes *horkios*. On *dextram dare*, cf. G. Beseler, *Zeitschrift der Savigny-Stiftung (Röm. Abt.)*, 1925, pp. 398ff., 423ff.; 1929, 409ff.; and *Opera*, 1930, pp. 19ff.

<sup>78</sup> A. van Gennep, *Les rites de passage*, pp. 35–56; J. Grierson-Hamilton, *ERE* II, pp. 857–881. On the pact of blood among the Semites ca. 1150 B.C.E., cf. J. Černý, *Journ. of Near East. Studies* 14 (1955), p. 161.

<sup>79</sup> Trumbull, *The Blood Covenant*, 1896, pp. 313–314. The document expressing the obligation accepted vis-à-vis another prince by a Sassanid king was accompanied by a packet of salt “sealed with the royal seal in sign of the immutability of the vow”: A. Christensen, *L’Iran sous les Sassanides*, 1936, p. 389.

<sup>80</sup> Herodotus 1.165.

<sup>81</sup> Joinville, *Histoire de Saint Louis*, ch. 97.

promise friendship. The order of these two vows is reversed among the Bali in Cameroon. The double oath is clearly obvious in Dahomey. Initially, the exchange of blood sufficed to establish solidarity, but since the number of perjures grew, the fraternization was reinforced by an imprecatory rite which is also employed separately on other occasions. They believe that this act of "drinking the fetish" will bring death to the one who breaks his promises. For example, among the Houédanou in Dahomey, those who take the oath first bind themselves by means of imprecatory vows, then they suck each other's blood. Finally, they eat magical pellets, saying that this substance will punish the perjurer. This description shows that the original meaning of the vow which imposes an obligation is often forgotten. In Morocco, for example, the rite of aggregation is considered as deriving its power from the imprecation which is either pronounced or implicit.<sup>82</sup> But this is a secondary development, as we shall see if we look at a few ancient texts.

In Sophocles' *Women of Trachis*, Hyllus, on the orders of Heracles, gives him his hand, "this pledge of faith" (*pistin*), and swears "on the head of Zeus" that he will carry out the wishes of his dying father. But Heracles, panic-stricken, is not yet satisfied and demands more of Hyllus, viz. that his son should curse himself in case he should fail to keep faith.<sup>83</sup> It seems that the same doubling of the vow explains a passage in Plato too. Before the ten kings of Atlantis pronounce judgments, they give each other a pledge. The ceremony has two stages: first, the kings slit the throat of a bull and offer it as a burnt offering, sprinkling themselves with its blood in front of a stele on which terrible imprecations are engraved; an act of purification marks the end of this act. Next, the kings drink the blood of the bull, swearing that they will judge in conformity with the law. Here we have the rite of fraternization added to an imprecatory ceremony.<sup>84</sup>

When he describes the way in which two oriental princes formally establish friendship, Tacitus underlines the essential difference between

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<sup>82</sup> Trumbull, *op. cit.*, pp. 46–48; *ERE* II, p. 860; Hazoumé, *Les pactes du sang au Dahomey*, pp. 54, 57, 62–65; E. Westermarck, *Ritual and Belief in Morocco* I, 1926, p. 654. Among the Kissi of French Guinea, the sacrifice which imposed an obligation was celebrated each year to affirm the fidelity of the participants to the chief of the canton. This sacrifice could also serve to seal a plot against him, by means of the addition of a formula of execration. Cf. D. Paulme, *RHR* 132 (1947), p. 57.

<sup>83</sup> Sophocles, *Trach.* 1181ff. On the character of Heracles in this drama, cf. G. Murray, *Greek Studies*, 1946, pp. 113–123.

<sup>84</sup> Plato, *Critias* 119e–120a.

the two forms of commitment and the meaning of the vow by which they obligate themselves. First, Radamastis swears to Mithridates that he will not kill him by sword or by poison. Then the exchange of blood must take place, *ut diis testibus pax firmaretur*. And Tacitus adds: *id foedus arcanum habetur quasi mutuo cruore sacratum*.<sup>85</sup>

## VII

The *berith* too is a rite of solidarity.<sup>86</sup> Its functioning naturally depends on the intentions of the one who “cuts” it. It may be sealed in view of some particular action, or it may create a complete and eternal union. The *berith* between Jehoiada and the royal guard envisaged only a coup d’état, while the *berith* between the Eternal and David is the promise that his dynasty will last in perpetuity. The *berith* between Jonathan and David made them brothers for ever. But the first and most important point is that every *berith* creates *shalôm* between the parties, a community which cannot be broken. The prophet Obadiah uses the expressions “men of the *berith*” and “men of *shalôm*” as synonyms. When he recalls the pact between Solomon and Hiram of Tyre, which had been made a century earlier, the prophet Amos threatens the people of Tyre in the name of the Eternal, because they are selling Hebrew captives to Edom “without remembering the fraternal *berith*.” – Those who were in the *berith* of Abraham came to his aid to free his nephew Lot, who had fallen into the hands of the king of Edom. To be in the *berith* means to desire the same things and to wish to avoid the same things. In this way, one’s wife can be called “the woman of your *berith*.”<sup>87</sup>

There are innumerable rites of aggregation; the specific mark of the *berith* is its rational character. Among the Arabs (and elsewhere), one who desired help automatically became the protégé of any prominent man on whom he spat; or else it sufficed to attach his own pitcher of water to the other man’s. The essential point was contact of any kind at all, since this magically created a sphere of solidarity.<sup>88</sup> When Pluto has Proserpine eat a pomegranate seed, this magic trick attaches

<sup>85</sup> Tacitus, *Annals* 12.47.

<sup>86</sup> On the *berith*, cf. W. Robertson Smith, *op. cit.*, pp. 318–320, 481; Pedersen, *op. cit.*, pp. 31–53, and *Israel* I–II, pp. 263–310; and n. 10 above.

<sup>87</sup> 2 Kg 11:4; Jer 33:21; 1 Sam 18:3; Obad 7; Amos 1:9; Gen 14:13–14; Mal 2:14.

<sup>88</sup> A. van Genneep, *op. cit.*, p. 45; Pedersen, p. 23.



her to the nether world for ever. But the men of Gibeon, although they are willing to try every trick they can think of in order to obtain the protection of the Israelites, are obliged to ask unambiguously: "Cut *berith* with us." "Make your *berith* with me," says Abner to David.<sup>89</sup> Like the *deditio in fidem*, the *berith* is the product of an appeal by one party and the consent of the other party. Like *fides*, the *berith*, this promise of solidarity, was originally granted unilaterally by a powerful man to the one who sought his protection. This is natural, since it was only the powerful man's promise that counted. Even today among the Bedouin, one of whom a stranger or a fugitive demands help commits himself by his own favorable response; he does not ask for any commitment on the part of his client.<sup>90</sup> But the fraternal *berith* too was established, as Amos says (1:9), e.g. between Hiram and Solomon (1 Kg 5:26) or Jonathan and David (1 Sam 18:3). In this way, the noun (like the Latin noun *foedus*) gradually came to designate any pact at all. Already Hosea speaks ca. 730 B.C.E. of the *berith* that had been "cut" with the Assyrians, although this form was unknown in Mesopotamian civilization.<sup>91</sup>

Naturally enough, the party of whom a *berith* was asked could attach conditions. When the inhabitants of Jabesh were besieged by Nahash, king of the Ammonites, they besought him: "Make a *berith* with us, and we will serve you." But the cruel prince declared that he would accept this surrender only after he had gouged out the right eye of each inhabitant of the city.<sup>92</sup> Obviously, such a mutilation would have been impossible *after* the *berith* had been agreed, since it bestows *shalôm*. But the one who grants his *berith* does have power over his protégés; thus, Joshua made the people of Gibeon "hewers of wood and carriers of water" for the chosen people. This unilateral character of the *berith* explains how this noun comes to mean "ordinance": these are the conditions attached to a promise. The *sefer ha berith*, the "document of the covenant" in Exodus, is a declaration by the Eternal which lists the duties of the chosen people to whom he promises the land of Canaan,

<sup>89</sup> Jos 9:6; 2 Sam 3:12.

<sup>90</sup> Cf. e.g. A. Musil, *The Manners and Customs of the Riwala Bedouins*, 1928, pp. 438ff. Cf. A. de Gobineau, "Les Amants de Kandahar," in his *Nouvelles Asiatiques*: "One takes in one's hands the robe of the mistress of the house in order to obtain her protection. The supplicant does not implore; he has a right which he may exercise vis-à-vis his future protector."

<sup>91</sup> Hos 12:2.

<sup>92</sup> 1 Sam 11:1-4.

the land of the covenant.<sup>93</sup> One is reminded spontaneously of the pacts imposed on their vassals by the Hittite and Assyrian high kings: these texts indicate the obligations of the vassals, but also promise the aid of the sovereign.<sup>94</sup> Besides this, these pacts were confirmed by the vassal's oath.

In the *berith*, by the very fact of asking for it, the client obligated himself to keep faith. Sometimes, this commitment was made explicitly, as in the case of the people of Jabesh which we have just quoted; sometimes, it was implicit. The *berith* guaranteed that the lives of the people of Gibeon would be spared, and a famine followed the violation of this *berith* by Saul. On the other hand, the inhabitants of Gibeon had to refrain from taking the life of any Israelite. Jonathan “cut” the *berith* with David in a spontaneous action, by giving him his own clothes and weapons. From then on, he watched over David. To accept a gift from someone is to ally oneself with that person. Several years later, after he had become king, David spared Jonathan's son in virtue of the *berith*.<sup>95</sup> For the same reason, having accepted the favor of the divine *berith*, Israel is bound by this covenant and cannot abandon it – nor can God himself go back on his promise. For millennia, all the hope of the chosen people, a people so often brought low, was based on the *berith*. Having bestowed this covenant on the posterity of Abraham, God cannot forget it. We must grasp this sense of the word *berith*, if we are to understand why the Septuagint translates the Hebrew noun by *diathéké*, whence (by the intermediary of the Latin *testamentum*) come our expressions “Old” and “New Testaments.” For *diathéké* is a unilateral declaration, a favor, which imposes moral obligations on its beneficiary when he accepts it.

Since the *berith* was a promise, people wanted to have some proof. The rainbow reminds God of his *berith* with Noah, in which he promised never again to send a flood. A cairn of stones is the witness to the covenant between Laban and Jacob. The stone which has heard all the words that the Eternal addressed to the Hebrews will be the witness to the *berith* made in the plains of Moab. The next stage is an inscription engraved on a stone as witness to the covenant; and finally we have a document, the *sefer berith*, as witness.<sup>96</sup>

<sup>93</sup> Ex 24:7; cf. 2 Kg 23:2 and 21.

<sup>94</sup> V. Korošec, *Hethitische Staatsverträge*, 1931.

<sup>95</sup> 2 Sam 3:12; 1 Sam 18:3; 2 Sam 21:7.

<sup>96</sup> Gen 9:5; 31:44; Jos 24:26; Ex 24:7 and 2 Kg 23:2. On the relation between *berith* and *eduth*, cf. Östborn, *Tora in the Old Testament*, pp. 39, 76.

In order to prohibit even more strongly the violation of the *berith*, it could be sanctioned by means of an imprecatory vow. Joshua accords *berith* to the inhabitants of Gibeon, and the princes of Israel add their vow. According to Ezekiel, God made a vow and granted a *berith* to Jerusalem.<sup>97</sup>

As we have seen, the consent of the parties was necessary for the *berith*. But was this sufficient to create a union? Even today, among the Palestinian Bedouin, it is necessary to take hold of the central pillar of the tent in order to establish solidarity with the nomad.<sup>98</sup> In the biblical narratives, the *berith* mostly appears as a kind of *nudi consensus obligatio*.<sup>99</sup> But if the narrator does not mention the rite which ratified the promise, this is rather because the ritual action was already implied by the formal expression *karath berith*. Sometimes, the acts which impose an obligation are mentioned: a gift, a shared meal, the "*berith* of salt," the communion sacrifice.<sup>100</sup> But an even better way to make the commitment indissoluble was to strengthen the positive dispositions of the one who took the oath.

The Eternal promised Abraham, who had no children, that his posterity would be innumerable. The patriarch believed this, and God saw this as a merit in him. When however the Eternal later promised Abraham the possession of Canaan, the patriarch asked for confirmation. The divine fire, passing between the halves of the victims, sanctioned the promise. On that day, God "cut" a *berith* for Abraham.

A thousand years after the time of the patriarchs, King Zedekiah and the nobles of Jerusalem undertook to free their slaves. They had recourse to the ancient rite, to add its force to their vow, and passed through the corpse of a sacrificial victim.

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<sup>97</sup> Jos 9:15; Ezek 16:8; cf. above. The *berith* with Abram is described at Gen 15; but God "swears" to the patriarch in Gen 22. Cf. also e.g. Gen 26:28; Ps 89:4. Gen 31:44-48 and 49-53 are two variants of the same narrative. In the first version, Laban and Jacob enter a *berith*, while the second version tells of an imprecatory vow. On one detail in the narrative, cf. J. Lewy, "The Late Assyro-Babylonian Cult of the Moon," *Hebrew Union College Annual* 19 (1947), p. 446. In the same way, the accord between Abraham and Abimelech is solemnized by a *berith* in Gen 21:27 and 32, while in another version (verse 31) the patriarch takes a vow "by Elohim." The ordeal is reinforced by a vow and a curse in Num 5:11-31.

<sup>98</sup> Ashkenazi, *Tribus semi-nomades de la Palestine du Nord*, p. 78.

<sup>99</sup> Cf. e.g. Jos 24:21-25; 1 Kg 20:32-34; 2 Kg 23:3.

<sup>100</sup> 1 Sam 18:3; Gen 26:30; Ps 50:5; Ex 24:5-8. "Covenant of salt": Num 27:19; 1 Chr 13:5. On the *berith* meal, cf. W.T. McCree, "The Covenant Meal," *Journal of Biblical Literature* 46 (1926), pp. 120-128.

Two and half centuries after King Zedekiah, Plato in his old age thought of the same rite of passage, which was well known in the Greek purification ceremonies. In his utopian city, the election of the guardians of the laws demands very great precautions, and three days of scrutiny are necessary. First of all, three hundred candidates are chosen, then one hundred from among them; finally, thirty-seven magistrates are chosen from this hundred. For this last vote, the electors must pass “between the *tomia*,” i.e. between the severed testicles of the victims. This is not a purification, since the elections are held in the holiest temple of the city; rather, by steeping themselves in the holiness of the victims, the electors will be able to make a better choice.<sup>101</sup>

For reasons of chronology which Saint Augustine so admirably untangled, Plato could not have been a disciple of Jeremiah (as some writers were claiming), but here there is one more spiritual point of meeting between the prophet and the philosopher. In the time of Jeremiah, the original idea of the *berith* was already attenuated, and the pact of fraternity was reinforced by means of terrible imprecations, based on the idea that God would punish the one who violated the *berith*. But when he announces the divine oracle of the new covenant, the prophet repristinates the ancient meaning of the *berith*, which derives its stability from the unfailing consent of those who enter it: “Oracle of the Eternal: see, this is the *berith* that I will make with the house of Israel and the house of Judah... I will put my law within them, I will write it on their heart...”<sup>102</sup>

## VIII

If this way of seeing things be accepted, we can understand something that has hitherto seemed so strange, viz. that one and the same rite was operative both for the taking of an oath and for purification. The significance of passing between the parts of the sacrifice was always and everywhere the same. When the body of the victim was cut in two, its entire vital breath emerged and communicated its quality to the agent who passed between the two sections, thus strengthening his

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<sup>101</sup> Gen 15; Jer 34. Plato, *Laws* VI, 753d: τὸ δὲ τρίτον φερέτω μὲν ἐκ τῶν ἑκατὸν ὁ βουλευθεὶς ὃν ἂν βούληται διὰ τομίῶν πορευόμενος. On the *tomia*, cf. P. Stengel, *Die griechischen Kultusaltertümer*, 3rd edn. 1920, p. 137.

<sup>102</sup> Jer 31:3.

inner disposition. The fluid of life, extracted from the victim, bestowed a compelling character on the promise which absorbed it. The soldier became more combative, the elector more perspicacious. This action gave more strength to one threatened by evil spells. There was even one poor Romany in England during the industrial revolution who believed that this ceremony, already by then three thousand years old, would give him so much strength that his pockets would be full of money.

#### ADDITIONAL NOTE

I have read in a recent book<sup>103</sup> that my modest essay was the first to draw attention to a formal resemblance between the *berith* and the Hittite treaties (see above). I have duly taken note of this fact; but I have not followed this new path of investigation, for the simple reason that no text of the Hebrew *berith* has come down to us. I remain convinced that, in order to compare two juridical facts, one must know both of them. For example, the emperor Julian understood the rite described in Gen 15:10–12 and 17 as an act of divination. When Cyril of Alexandria<sup>104</sup> sought to refute this, he alleged a ceremony of the “Chaldeans” and the Greek practices mentioned by Sophocles.<sup>105</sup>

Nevertheless, our ignorance of the formula of the *berith* has not prevented the publication of some three hundred books and articles (where I am not mentioned by name) on the subject of the relation between the *berith* and the oriental treaties, a flood which has not ceased to enrich the theological bibliography over the past twenty years.<sup>106</sup> These authors get right to the point, viz. explaining the theological value of the *berith*. They are not particularly interested in the history of law and are ignorant of ancient diplomacy. To help them a little, I present here a few observations relating precisely to the study of ancient documents.

<sup>103</sup> Dennis J. McCarthy, *Treaty and Covenant*, 1953, p. 3.

<sup>104</sup> Cyril, *Contra Julianum* 10, c. 358 (PG 76, 1054); cf. above.

<sup>105</sup> Sophocles, *Antigone* 265: in order to exonerate himself, the guardian is willing to take hold of red-hot iron, to walk through flame, “and to swear the vow in the name of the gods” (καὶ θεοῦς ὀρκωμοτεῖν). As happens frequently with scholars who make comparisons, the analogy is shaky. Here we have first an ordeal by fire, and then an imprecatory vow.

<sup>106</sup> Cf. the bibliography in D.J. McCarthy, *Old Testament Covenant. A Survey of Current Opinions*, 1972, pp. 93–108.

From the point of view of the study of documents – which is the perspective one must take in classifying and explaining juridical acts, whether written or oral – the essential fact relative to the investigation of the Hebrew *berith* is that its form remains obscure, since the Bible (our only source) never reproduces the text of a *berith*. We only have allusions, and a few ritual details are mentioned. If we turn to Deuteronomy, a book that is one long exhortation to fidelity to the *berith* with God, we find frequent mentions of the *berith* of Sinai, or the *berith* God made with Abraham.<sup>107</sup> At the close of the book, in the land of Moab, Moses insists on fidelity to the *berith*.<sup>108</sup> The sacred author shows us Israel assembled in this land in order to enter “the *berith* and the imprecation” (*alah*, 29:11), and Moses speaks of the “curses of the *berith* which are written in this book of Torah” (29:20), but we read nothing about the form of the act and the making of the covenant. All we are told is: “These are the regulations (*dibrei*) of the covenant which YHWH commanded Moses to ‘cut’ in the land of Moab” (28:69), but this clause is so obscure to us that the commentators have not reached any consensus about whether this passage refers to the preceding pages, or is the title of the discourse by Moses which follows (chs. 29–30).<sup>109</sup>

There is nothing in the least surprising about this indifference to the formal elements of the *berith*. Historians in the past and the present are interested in the “prescriptions” of a legal act, i.e. the regulations it lays down. Who would waste his time, in speaking of the Treaties of Versailles or of the European Union, on an analysis of the external or internal characteristics of the documents involved in these legal acts?

This is why the similarities which have been pointed out between the *berith* and the international treaties in the East refer to general ideas or indicate isolated analogies.<sup>110</sup> We are told that the *berith*, just like the treaties, proclaims the conditions which obligate the parties (or one of them). But this “prescription” (to use the technical term) is the central part of *every* legal act; what counts is its juridical construction. In the treaties which are adduced in this context, the intention is to specify the aid which a vassal must give his king. But the *berith* never asks the Hebrews to fly to the aid of the Eternal! – Another scholar has demonstrated that the list of curses in Deut 28 is borrowed from

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<sup>107</sup> E.g. Deut 4:13; 5:3; 7:2; 9:9; 10:8; 17:2; 31:9 and 26.

<sup>108</sup> Deut 29:8, 19, 26; 31:16, 20.

<sup>109</sup> K. Baltzer, *The Covenant Formula*, 1971, p. 34.

<sup>110</sup> Cf. McCarthy, *op. cit.* (n. 23 above); Baltzer, *op. cit.*, Part I.

an Assyrian formula.<sup>111</sup> This parallel is precious for the analysis of Deuteronomy, but it tells us nothing about the *berith*, since the exhortation in which Moses lists the blessings and the curses is not a *berith*, nor is this term employed in the passage in question.

Let us take another example. We are told that the "historical prologue" to the treaties reappears in the biblical narratives of the *berith*. According to the terminology of the study of ancient documents, what we have here is a *narratio*, i.e. an account of the historical facts which have motivated this legal act. Such an exposé, which precedes the "prescriptions," is normal in the formulae for gracious acts (gifts, pardons, etc.); we find it for example in the cuneiform acts of donation, and it has been rightly observed<sup>112</sup> that the "covenants" of God with Abraham and with David belong to this class of documents: the patriarch and the king are rewarded for their fidelity. But in the Hittite treaties of vassalage from the second millennium B.C.E., the king speaks of the benefits he has bestowed in order to inculcate in the spirit of his vassal a feeling of gratitude and the duty of obedience. Did the Hebrew *berith* include a similar exposé? In the absence of texts of the *berith*, we cannot answer this question; but this theme does not appear in the biblical descriptions of the making of a *berith*. Cf. e.g. Gen 15; 21:12; 26:26; the Sinaitic narratives (Ex 19–24 and 34); 2 Kg 23:3, etc. God's favors in the past tend rather to be recalled in remonstrances addressed to Israel (Amos 2:10; Mic 6:4–5, etc.) and in those exhortations in the biblical narratives which seek to persuade the chosen people, despite its obstinacy and lack of docility, to submit to the divine law. The orator confronts Israel with the alternatives of life and good things, or death and evil things (Deut 30:15). "If it displease you to serve YHWH, choose today whom you wish to serve" (Jos 24:15). They are given the choice of blessing or curse (Deut 30:1). For example, God lists his favors in order to comfort the Hebrews, who have been enslaved by the Egyptians; but the sacred writer notes that the Hebrews, oppressed by their harsh servitude, did not believe Moses (Ex 6:2–9). The exodus from Egypt is recalled at Ex 19:3–6 not as an article of the *berith*, but as an argument in the negotiations which precede the making of the *berith* between God and Israel. Similarly, in Jos 24, the historical argumentation is clearly separate from the making of the *berith* in verse 25. We find the same situation in Neh 9–10: the Levites harangue the people, but it is only

<sup>111</sup> M. Weinfeld, *Deuteronomy and the Deuteronomistic School*, 1972, p. 116.

<sup>112</sup> M. Weinfeld, *Journ. of Amer. Orient. Soc.* 90 (1970), p. 184.

later that the people enter the covenant of Nehemiah. Accordingly, the biblical narratives reflect the negotiations which lead up to the *berith*,<sup>113</sup> and the composition has the form of a dialogue: the people explicitly accept the propositions made by God or by his representative. Cf. e.g. Ex 19:8; Jos 24:16 and 24; Neh 9:32.<sup>114</sup>

In the Bible, this historical discourse is attached to the history of salvation: “We have heard with our own ears, our fathers have told us” the work which God accomplished in ancient times (Ps 44:1). “Come and see the mighty works” of God (Ps 66:5).<sup>115</sup> The origin of such words is not the Hittite chancellery, but the laudatory theology which was in common use in the societies of the classical East.

Let us add that the “historical prologue” is not found in the Assyrian and Aramaean treaties of the first millennium. Nor is it found in the only treaty of the Phoenician tradition which we know, the pact between Hannibal and Philip V of Macedonia. In my opinion, this is the only specimen of the *berith* which has come down to us.<sup>116</sup> Need I add that this text in Greek has escaped the notice of those erudite scholars who write so copiously about the *berith*? A study of these legal acts of the first millennium *qua* documents would certainly help us understand the Hebrew *berith*; at the same time, we must study other forms of covenants in the Bible in relation to the international law of the East. For example, the pact (*ʿamana*) of Nehemiah is not a *berith*, but a written declaration which is ratified when the chiefs of the community put their seals to it. Finally, we must take account of the local and chronological variations of the ritual of the *berith*.

It is regrettable that the theologians discover “the covenant” everywhere in the Bible, without paying due heed to the biblical vocabulary. For example, we are assured that the divine promise to Abraham was an “oath” (*Eid*),<sup>117</sup> although this word does not actually appear in the biblical text. Instead, the author speaks of the *berith* between YHWH and the patriarch (Gen 15:18). And can one really assert that *ʿeduth* is merely the synonym of the term *berith*?<sup>118</sup>

In point of fact, it is not the contents of a juridical act but its form

<sup>113</sup> Cf. V. Korošek, *Iura* 20 (1969), p. 215.

<sup>114</sup> On Ex 19:8, cf. McCarthy, *op. cit.* (n. 103 above), p. 156.

<sup>115</sup> Cf. Deut 6:12–23; 26:5–10; Ps 78, 105, 106, 107, 135, 136.

<sup>116</sup> Cf. n. 72 above.

<sup>117</sup> M. Lohfink, *Die Landverheissung als Eid*, 1967, p. 101. McCarthy (cf. n. 106 above), p. 60, has refuted this hypothesis.

<sup>118</sup> Cf. I. Gelb, *Bibl. Orient.* 19 (1962), p. 161; R. de Vaux, *Bible et Orient*, 1967, p. 256 n. 1; Weinfeld, *art. cit.*, pp. 188, 190 n. 58.



that defines it. When the theologians tell us that the *berith* is *Bestimmung* or *Verpflichtung* (“obligation”),<sup>119</sup> it is as if we were to be told that a papal bull is a decision taken by the pope. Another idea dear to the theologians is equally bizarre, viz. the distinction between a *berith* between human persons and a *berith* with God. Will they then tell us that a bull of canonization is a particular kind of papal act? *Berith* was a solemn form, doubtless the most earnest form, for establishing an agreement between the contracting parties. David did not need a *berith* in order to marry Michal, the daughter of Saul (1 Sam 18:27), but a *berith* sealed the brotherhood between David and Jonathan, the son of Saul (1 Sam 18:3). In the same way, an agreement with God (or “before YHWH”: 2 Kg 23:3) was made stable by vesting it with the due solemnities of the *berith*. Naturally, the Hebrews spoke of the fidelity due to the *berith*, just as we speak of obedience to the law. But this tells us nothing about the formal elements of the *berith* and even less about the juridical nature of the obligation. At Rome, *confarreatio*, *coemptio*, and *usus* all placed a woman under the juridical power (*manus*) of her husband, but the juridical effects of the act differed in keeping with the form that was chosen. It is also true that the contents (the “prescriptions”) of one and the same form (papal bull, *berith*, etc.) vary according to its juridical nature and to the case envisaged. It is the traditional framework (the “protocol” in the terminology of diplomacy) which is constant in the usage of one and the same chancellery during a given period. Since – and let us emphasize this point yet once more! – we do not know the contents of the *berith*, it is difficult for us to speak of its “protocol.” But it seems that the biblical accounts of the making of the *berith* permit the inference that this act was not ratified by means of an imprecatory oath, as I believe I have shown in this essay. According to the biblical narratives, neither the *berith* of Sinai nor that of Shechem (Jos 24) contained a validation by means of a vow.<sup>120</sup> In the same way, Deuteronomy does not describe any act of oath-taking when it speaks of the *berith* which was established in the land of Moab, although such an act is mentioned when it reports the ceremony held

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<sup>119</sup> Kutsch (n. 10 above), p. 304. This explanation of the Hebrew term, first proposed in 1818, was long popular among German theologians of the nineteenth century. Cf. R. Kraetzschmar, *Die Bundesschlussung im Alten Testament*, 1896, p. 5.

<sup>120</sup> I am happy to note that although he does not know my article, M. Weinfeld (n. 111 above), p. 63, writes that the *berith* of Sinai and that of Shechem were both validated by a rite.

opposite Garizim (Deut 27). The term *berith* appears neither in this narrative nor in the parallel narrative in Jos 8:30–35. It is true that in the discourse reported in Deut 29–30, Moses speaks of *'aloth haberit* written in this book of Torah (29:20; cf. verses 11 and 13, as well as 19), but he is referring here to the fifty-four curses which he has just uttered (28:15–68). It is precisely this passage that shows that the *berith* as such does not contain an explicit imprecation. Such an imprecation is adventitious,<sup>121</sup> an accessory precaution taken to guarantee better the execution of the *berith*. We could refer here likewise to the curses against anyone who in the future violates a royal edict (Ezra 6:2), sets aside the provisions of a will,<sup>122</sup> or disregards any prohibition, etc.

In a vow, on the other hand, the party who obligates himself calls down some evil upon himself if he should fail to keep his promise: we see an example in the rite performed opposite Garizim in Deut 27. One submits in advance and explicitly to the punishment for perjury, as long as one has the possibility of escaping from the cursing spells. Thus, the priest Jehoiada summons the corps of his guards to the Temple, “cuts a *berith*” with them, and additionally has them take an oath in the Temple of the Eternal (2 Kg 11:4). Nebuchadnezzar “cut a *berith*” with Zedekiah, king of Judah, put him under an imprecation (*be'alah*), and led off the nobles of Judah to Babylon, so that Zedekiah would keep his *berith* (verse 14). But Zedekiah “despised his [i.e. Nebuchadnezzar’s] imprecation (*'alato*) and broke his *berith*” (verse 16).<sup>123</sup> Similarly, the people joined the pact with Nehemiah “by imprecation and vow” (Neh 10:30). In the middle ages, in order better to ensure the strict observation of a legal act, anathemas and the commitment by vow were added to documents. In this case, the jurists speak of “sanctions” which are distinct from the signs of ratification. Greek usage was similar.<sup>124</sup> A distinction was made between *συνθήκαι* and *ῥρκον* and *ἄραι*.

<sup>121</sup> Cf. Brichto (n. 13 above), pp. 31, 76, 215.

<sup>122</sup> For a Greek example, cf. P. Herrmann and K.Z. Polatkan, “Das Testament des Epikrates,” *Sitz.-Ber. Österr. Akad.* 265/1, 1969.

<sup>123</sup> Note that Zedekiah had “given his hand” (verse 18). This gesture originally sealed a private agreement (2 Kg 10:15). On the use of the right hand in the Hebrew vow, cf. Ps 144:8; Tos. Nedar. 1.1; b.Naz. 3b (B. Cohen). The Chronicler (2 Chr 36:13) writes that Zedekiah had taken a vow “by God.” The imprecation of which Ezekiel speaks (17:19) invoked the divine wrath against the perjurer.

<sup>124</sup> Cf. M. Weinfeld, “Covenant Terminology in the Ancient Near East and its Influence in the West,” *Journ. Amer. Orient. Soc.* 93 (1973), pp. 190–199.

## THE TWO MISTAKES OF THE PROPHET JONAH

### I

According to the calculations of the ancient Jewish scribes,<sup>1</sup> the book of Jonah consists of only 48 verses. But the man on the street is more familiar with the name of the prophet Jonah than with that of any of the other prophets. He remembers Jonah as the man who was swallowed by a whale and then vomited out three days later, safe and sound. Although the Jewish Bible contains fifteen prophetic books, Mohammed speaks only of Jonah, “the man of the fish.”<sup>2</sup> From the second century B.C.E. onward, Jonah in the belly of the sea monster and Daniel in the lions’ den have been seen as striking examples of deliverance; in the eyes of the first Christians, Jonah emerging from the depths of the sea prefigured the resurrection.<sup>3</sup>

The miracle may have impressed the believers, but it merely amused the unbelievers. Celsus, who wrote a refutation of Christianity in the second century, suggested that the Christians ought to adore Jonah or Daniel rather than Jesus, since the miracles of these prophets surpassed the resurrection. Three centuries later, as the church fathers tell us, Jonah was still the stuff of jokes and mockery on the part of the pagans; and even believers, especially if they had received a Greek education, found it incredible that a man could have stayed alive for

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<sup>1</sup> The principal Jewish commentaries on Jonah (Rashi, Ibn Ezra, Kimchi) are reprinted in the edition of Joh. Leusden, *Jonas illustratus*, 1692. These exegetes often reproduce the rabbinic explanations. Cf. L. Ginzberg, *The Legends of the Jews* VI, 1946, pp. 346ff.; O. Komlós, “Jona Legends,” in *P. Hirschler Memorial Book*, Budapest 1949, pp. 41–61. The sermon on Jonah by Philo of Alexandria, preserved in Armenian, was published by H. Lewy in 1936. I have made use of the Latin translation by J.-B. Aucher, and I am very grateful to Ms N. Garsoian of Columbia University for her kindness in comparing H. Lewy’s text with Aucher’s translation.

Tanchuma’s commentary was published by P. Kozovzov in the “Collected Volume (*Sborník*) in Honor of Baron B.P. Rosen”, St Petersburg 1897. Cf. S. Poznanski, *REJ* 40 (1900), pp. 129ff. For the patristic commentaries, cf. Jerome, *On Jonah*, ed. P. Antin, 1956. On Jonah in Christian art, cf. M. Lawrence, *American Journal of Archeology* 66 (1962), pp. 289–296. Cf. Y.-M. Duval, *Le livre de Jonas dans la littérature chrétienne, grecque et latine*, 1973.

<sup>2</sup> Cf. B. Heller, *Encyclopedia of Islam* I, “Yūnus b. Mattai.”

<sup>3</sup> 3 Maccabees 6:8; Matt 12:40.

three days in the belly of a whale. In their embarrassment, erudite Christians appealed to Greek stories which were no less astonishing, such as the transformation of Zeus into a swan in order to seduce Leda: “You believe these stories, and you say that everything is possible to a god.” Augustine counters the skeptics by arguing that miracles are by definition impossible.<sup>4</sup>

Modern exegetes have often tried to demonstrate the veracity of the episode of the fish by citing sailors’ tales. Two years after the publication of Darwin’s *Origin of Species*, Canon Pusey collected several stories of this kind in his commentary on Jonah (1861).<sup>5</sup> Some religious writers had recourse to rational explanations of the miracle: when he landed in the sea, Jonah was taken on board a boat called “The big fish,” or he spent three nights in an inn with a whale as its inn-sign, or else he spent this period in a public bathhouse called “The whale.”<sup>6</sup> The most intelligent of these rationalist conjectures was the hypothesis that Jonah dreamt the whole incident when he fell into a deep sleep during the tempest (Jon 1:5).<sup>7</sup>

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<sup>4</sup> Origen, *C. Celsum* 7.53 and 57; Augustine, *Ep.* 102.30 (CSEL 34, 570). A. von Harnack, *Porphyrius, Gegen die Christen* (Abhandlung der Preussischen Akademie, 1916, nr. 1) attributes this jest to Porphyry rather than to Augustine. Cf. Cyril of Alexandria, *Ad Jonam* 2 (PG 71, 616). Jerome, *Ad Jonam* 2, quoting pagan myths, adds: *Illis credunt et dicunt deo cuncta possibilia*. The pagans believe the story of Arion, who was saved by a dolphin, but not the story of Jonah, which is even more incredible – *incredibilis quia mirabilis, et mirabilis quia potentius*.

<sup>5</sup> Cf. P. Friedrichsen, *Kritische Übersicht der verschiedenen Ansichten von dem Buche Jonas*, 2nd edn. 1841, p. 22. Luther was probably the first Christian author to say that the adventure of Jonah in the belly of the great fish is a fable: “If it was not in scripture, who would believe it? Who would not think it a lie and a fable?” Cf. his commentary on Jonah, written in German in 1526 (WA 19, 219).

<sup>6</sup> Cf. Friedrichsen, pp. 25 and 292.

<sup>7</sup> Several scholars attribute the paternity of this idea to Isaac Abarbanel (1437–1508). Cf. e.g. Johannes Jalm, *Einleitung in die göttlichen Bücher des Alten Bundes* II/2, 1803, p. 529; Leonhard Bertholdt, *Historisch kritische Einleitung in sämtliche kanonische und apokryphische Schriften des alten und neuen Testaments* V, 1, 1915, p. 2382; Friedrichsen, p. 69; M.M. Kalish, *Bible Studies*, 1878, p. 189. They quote Abarbanel’s commentary according to E.A. Christiani, ed. *Jonas Hebraice et Chaldaice cum Masora utraque, commentariis Raschii, Aben Esrae, Kimchii et Abarbanelis*, Leipzig 1683. Since this edition is now very difficult to get hold of, Mr E.M. Gershfield was so kind as to consult the copy in the British Museum for me. The hypothesis attributed to Abarbanel is found neither in this edition nor in the original edition of Abarbanel’s commentary on Jonah (reprinted 1960, p. 124). It seems rather to be the work of Hermann von Hardt, *Aenigmata Jonae*, 1719, according to F. Vigouroux, *Les livres saints et la critique rationaliste*, 1886, p. 317. Indeed, Abarbanel defends the credibility of the miracle of Jonah, on the analogy of the embryo which lives for nine months in the womb of its mother. – However, H.L. Ginsberg of the Jewish Theological Seminary in New York has kindly pointed out to me that this idea

Despite all this, the historical character of the narrative was unambiguously affirmed as recently as 1956 in a Catholic encyclopedia, and avowed (though with little enthusiasm) in a Protestant biblical dictionary published in 1962. In a mosque bearing Jonah's name near the oil wells in Mossul, the pious visitor can still admire today the mortal remains of Jonah's whale.<sup>8</sup>

All this shows that the Book of Jonah is a short but spell-binding work which has held the attention of readers for some twenty-five centuries. And yet its subject is very simple: a prophet announces the destruction of Nineveh, but the inhabitants repent and are spared. The author transforms this moralizing theme into a fascinating story, holding back the dénouement and keeping the reader on tenterhooks.

## II

There are three persons in the story of Jonah: God, the sinful people of Nineveh, and the prophet. God is outside the dimensions of time and space. We could imagine other ways of telling the story – for example, the same dramatic interest could have been created by concentrating on the conduct of the inhabitants of Nineveh. But the biblical text speaks of Jonah.

The word of the Eternal was addressed to Jonah as follows: "Go to Nineveh and prophesy against it!" The prophet is the one who cries out on behalf of God, proclaiming the divine will. But a messenger can refuse to pass on the message. The twelfth-century Jewish commentator Ibn Ezra cited the case of Moses, who hesitated to accept the appeal of the Eternal (Ex 4:10),<sup>9</sup> and in fact the theme of a human being who is indifferent to the divine appeal is common both in history and in literature. For example, Cicero, in his treatise on divination, speaks of a peasant who is commanded by Jupiter in a dream to inform the Romans of the anger of the supreme god. The man delays, and his son

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had already been suggested by the great exegete Ibn Ezra (*ad* Jon 1:1), who writes that all the prophets, with the exception of Moses (Ex 33:17–34:7), "prophesied in visions and dreams." And he underlines the importance of his hypothesis by saying that this is a mystery. – On Jonah's "whale," cf. J.G. Frazer, *The Folklore in the Old Testament* III, 1929, p. 82. C.C. Coulter, *Trans. Amer. Philol. Assoc.* 57, 1926, p. 42, notes that the passivity of Jonah in the belly of the "great fish" is without parallel in the analogous tales in folklore.

<sup>8</sup> *Catholic Biblical Encyclopedia*, 1956; J.D. Douglas, ed. *The New Bible Dictionary*, 1962, p. 653.

<sup>9</sup> Kimchi *ad* Jon 4:3 quotes Num 11:14. Cf. also Jer 9:1 and 20:9.

dies. The man still hesitates, and he is paralyzed. Finally, he is brought on a stretcher and transmits the divine message. He is cured at once, and is able to walk home.<sup>10</sup>

Many centuries before Cicero, the Babylonian seers – contemporaries of Jonah – swore that they could reveal signs and omens to the king. “If you refuse to speak, you will die.” An Assyrian seer informs us that this is what happened to his mother: instead of transmitting in person a divine message to the king, she entrusted it to a negligent courtier. The revelation did not reach the king, and she died.<sup>11</sup> In terms of modern psychology, one who believes that he has received a divine appeal and who delays to obey, falls victim to his own maladjustment. James Nayler, a former officer under Cromwell, heard a voice ordering him to leave his home, but, as he himself relates, “Since I did not obey the order to leave, the wrath of God came upon me.” He fell ill, “and no one thought I would survive.” Finally, he changed his mind and on his own initiative, he suddenly went out of the house without bidding his family farewell. “I received the order to go to the east.”<sup>12</sup>

In our own days, Tamba, in keeping with his family tradition, was a seer in the former French Guinea. When his father died, he refused to carry out this ancestral profession and fled to a foreign country. But his visions made him mad. He was obliged to return to his village and accept his task.<sup>13</sup>

Greek poetry gave symbolic expression to this religious experience in the person of Cassandra, the daughter of Priam of Troy, who could not stop predicting the future, even though no one ever believed her words.

The author of the Book of Jonah employs the theme of the prophet’s disobedience to construct the first center of interest in his story. Jonah is ordered to go towards the east, to Nineveh, a city located near today’s Mossul in Iraq. But Jonah boards a ship at Joppa to flee to the west, to Tarshish.<sup>14</sup> How is he to be compelled to carry out the order he has received? In general, the divine discipline employs physical suffering in such cases; but the author of Jonah avoids this banal theme.

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<sup>10</sup> Cicero, *De div.* 1.55 and 2.85; Livy 2.36. Cf. A.S. Pease, Cicero *De natura deorum* 3.89; J. and L. Robert, *Bull. Épig. (R.E.G.)* 1963, nr. 224.

<sup>11</sup> Waterman, nr. 656.

<sup>12</sup> E. Fogelklon, *James Nayler*, 1913, p. 73.

<sup>13</sup> D. Paulme, *Rev. hist. des religions* 99, 1956, p. 150.

<sup>14</sup> R.D. Barnett, *Antiquity* 32, 1958, p. 220, believes that “Tarshish” is in fact Tarsus; the same opinion was held by Ibn Ezra (*ad. Jon* 1:3).

A mighty tempest sweeps down upon Jonah's boat. The boat which carries an enemy of the gods is always at risk. In the fifth century B.C.E., in Athens, Antiphon, a contemporary of Socrates, attempted to prove before the tribunal of the people that his client, who was on trial for murder, was innocent, because the ship on which he was traveling had arrived safely in the harbor. When Diagoras, surnamed "the atheist," undertook a sea voyage, a tempest broke out. But the philosopher, pointing with his finger to the other boats, asked if Diagoras was on board there too – since those boats were equally in distress.

To counter this ironical argument, Theodore of Mopsuestia, a learned fourth-century Christian commentator, assured his readers that the tempest attacked only the boat in which Jonah was traveling.<sup>15</sup>

The sailors cast lots to discover who is guilty, and Jonah is thrown into the sea. The narrator adapts here a theme found in folk tales from Iceland to Korea: in order to appease the hostile elements, a man is thrown overboard to ransom the other travelers. Jonah offers himself as an expiatory victim.<sup>16</sup>

This means that the reader already knows that the prophet will be saved. But how?

Commenting on the surprising advice of Qoheleth, "Cast your bread upon the waters" (11:1), the rabbis collected numerous anecdotes about just men who had gone down with the boat that was carrying them, but who had been carried to the shore by the waves. The author of the Book of Jonah, however, once again delays this happy ending by introducing a new danger: Jonah is swallowed by the great fish which mediaeval imagination transforms into a whale. After three days, the monster vomits him out.

The parallels which the commentators have so carefully assembled make the story more rather than less obscure. People often imagined beasts who were invulnerable from the exterior. When Heracles fought against a sea monster to save Hesione, the daughter of the king of Troy, he was swallowed by his foe, but he defeated the monster from the inside by gashing its entrails with an axe. The fathers of the church sought to

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<sup>15</sup> Antiphon, V, 82. Cf. E.R. Doods, *The Greeks and the Irrational*, 1951, p. 36. On Diagoras, cf. Cicero, *De nat. deor.* 3.37, 89. The explanation by Theodore of Mopsuestia turns up again in a Hebrew collection composed in the tenth century (*Pirké R. Eliezer* 10). J. Bodin (1530–1596) parodies the biblical narrative at the beginning of his *Heptaplomeres*: an Egyptian mummy hidden in the cargo of a boat provokes the tempest.

<sup>16</sup> Thompson, p. 264, 1.

convince the unbelievers by adducing this Greek myth as a parallel to what Jonah went through,<sup>17</sup> but the Hebrew prophet did not fight against “the great fish.” On the contrary, he was saved from drowning by the monster. This means that the episode is an example of the theme of “animals who give help,” such as the Greek story that explained how Heracles, after being shipwrecked, was swallowed by a sea monster and in this way was saved from drowning on the high seas.<sup>18</sup>

Readers in the past, like Theodore of Mopsuestia, wondered whether there might not have been a more conventional way to save the life of Jonah. Jerome, no mean stylist himself, appreciated the literary effect of surprise: “You will notice that precisely at the point where you think Jonah will die, you read about his rescue.”<sup>19</sup>

The author, however, believes in the historical character of the incident. In the belly of the fish, Jonah prays; but as Jerome notes, this is not a prayer for a future deliverance, but thanksgiving for the graces which have already been bestowed on him.<sup>20</sup> This unexpected fact already bothered the ancient translator into Greek, who changed the tenses in the original text. The Jews who read this original text concluded that this prayer had been uttered by Jonah after the fish had vomited him out on to the shore: the Jewish historian Flavius Josephus, towards the end of the first century C.E., knew and accepted this interpretation. One generation earlier, the Jewish moralist Philo of Alexandria, telling the story of Jonah in Greek, replaced the biblical prayer with a more appropriate supplication. In a mediaeval Jewish paraphrase (in the Pirké R. Eliezer), Jonah prays to be restored to life.<sup>21</sup>

The discrepancy between the prayer and the situation in which Jonah finds himself when he utters it shows that the author is employing a prayer that was already in circulation under the name of Jonah. For him, as for his hero and for religious persons of every confession, it was unthinkable that a man in danger of death would neglect to pray, or

<sup>17</sup> Midrash Qoheleth on 11:1; Cyril of Alexandria, PG 71, 616. Hans Schmidt, *Jona*, 1907; J. Fontenrose, *Python*, 1959, pp. 347–350. Cf. my remarks in *Biblioth. Orientalis* 18, 1961, pp. 293ff.

<sup>18</sup> Aeneas of Gaza, *Theophrastus*, p. 33, ed. M.E. Colonna, 1958: Ἡρακλῆς ἄδεται διαρραγείσης αὐτῷ τῆς νεῶς, ἐφ’ ἧς ἐπλεῖ, ὑπὸ κήτους ἀλῶναι καὶ ἐντὸς γενόμενος διασῶζεσθαι. On animals which help human beings, cf. Thompson, F. 911,4 and B. 470.

<sup>19</sup> Theodore of Mopsuestia, PG 56, 324; Jerome *ad Jon* 2:1, *et animadvertendum quod ubi putabatur interitus, ibi custodia sit*.

<sup>20</sup> Jerome, *ad Jon* 2:3, *nec de futuro precatur, sed de praeterito gratias agit*. Cf. the prayer of Hezekiah, 2 Kg 20 (Is 38).

<sup>21</sup> Josephus, *Ant.* 11.214; (Ps.) Philo, *de Jona*, 19–25.



that he would be saved without first pleading to God. As Muhammad explained if Jonah had not praised God, he would have remained in the belly of the whale until the resurrection of the dead. The author, who is honest, neither could nor dared invent this means of salvation. In his eyes, the prayer in which Jonah invokes God – “You cast me into the deep, into the heart of the seas” (2:3) – was linked to the episode of the great fish. Perhaps, like Jerome at a later date, the author believed that since Jonah was a prophet, he was able while in the depths of the sea to envisage himself giving thanks to God in the temple. Nevertheless, this episode plays a very clear role in the unfolding of events. As the church father Irenaeus says, God permitted Jonah to be swallowed and vomited out by the sea monster in order that he would later be more submissive to the divine will.<sup>22</sup>

### III

The official teaching of the synagogue was that whoever failed to reveal a divine oracle was condemned by Heaven to death. Jonah, the son of Amittai, was quoted as an example and a warning<sup>23</sup> Miraculously saved from death, Jonah learned his lesson: when he was commanded a second time to go to Nineveh, he obeyed and revealed the oracle. Now the reader expects to be told of a rain of fire and sulphur on the new Sodom, but once again the author introduces a new reversal of the situation. Unlike Sodom, where not even ten just men could be found, the inhabitants of Nineveh repent, and God spares them. The reader thinks that the prophet ought to be happy at the success of his mission, but alas! All that Jonah experiences is a deep displeasure: “It is better for me to die than to live” (4:3). God pays no heed to this arrogant complaint nor punishes his presumptuous servant in any way. On the contrary, he makes a climbing plant grow to shelter Jonah from the sun. Next morning, however, the plant dies. When Jonah complains, God replies: “You are concerned about the bush, for which you did not labor and which you did not grow; it came into being in a night and perished in a night. And should I not be concerned about Nineveh, that great city, in which there are more than a hundred and twenty

<sup>22</sup> Irenaeus, *Adv. Haer.* 3.20.

<sup>23</sup> Mishnah Sanh. 11.5; Ginzberg, VI p. 350 n. 30.

thousand persons who do not know their right hand from their left, and also many animals?" (4:10–11). The analogy in this reasoning is rather weak, for Jonah was sad not because a plant withered up, but because the shadow which its gourd gave him had disappeared.<sup>24</sup>

In any case, the story stops at this point, and we must believe that the Lord's rebuke convinced Jonah of his second error, just as the episode of the sea monster had showed him the pointlessness of his flight. We have therefore two extraordinary miracles which provide the substantial arguments in the dialogue between God and his prophet. These miracles are the "hinges" on which the entire plot turns, and this is how readers have understood the composition of the Book of Jonah. On Christian sarcophagi, the story of Jonah is represented in two reliefs: to the left, the sea dragon which first swallows Jonah, then spits him out; to the right, Jonah lying under the plant (or gourd).<sup>25</sup>

#### IV

The structure of the book cannot however explain the psychological problem of its hero. One who is called on one single occasion to be the messenger of revelation, like the Roman farmer mentioned above, may doubt the authenticity of his mission, or question whether he possesses the gifts needed to accomplish it. But Jonah, the son of Amittai from Gath-Hepher in Galilee, who lived during the reign of Jeroboam II (i.e. in the mid-eighth century B.C.E.), is mentioned in the Second Book of Kings as the *nabi* ("prophet") who foretold the territorial expansion of Israel from the region of Hamath to the Dead Sea (2 Kg 14:25).

How could this man, the "servant of Yahweh, the God of Israel," believe that he could escape from the Eternal?<sup>26</sup> "When the lion roars, who can refrain from fearing? When the Lord, the Eternal, has spoken, who can refrain from prophesying?" (Amos 3:8). And why does

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<sup>24</sup> It seems strange that after having reproached God, Jonah should remain near Nineveh. Tanchuma proposed placing 4:5 before 4:1, but that would leave the episode of the plant suspended in mid-air. Kimchi (*ad* Jon 4:5) thought that Jonah still hoped to see his prophecy realized.

<sup>25</sup> The Christian (or Jewish) artist who was the first to sculpt Jonah drew inspiration from the sleeping Endymion of Greek art. Cf. J. Fink, *Rivista di arch. crist.* 27 (1951), p. 180.

<sup>26</sup> Cf. Ibn Ezra and Kimchi *ad* Jon 1:2; L. Ginzberg, VI p. 411; Theodore of Mopsuestia, PG 66, 331.

the manifestation of divine mercy cause such an intense suffering that Jonah desires to die? In his homily on the *Repentance of Nineveh*, Ephrem shows the Ninevites who have been spared from death asking Jonah, “What good would it have done you if we had perished? You have become famous thanks to our repentance!”<sup>27</sup>

The traditional Jewish explanation was that Jonah, being a prophet, knew in advance that Nineveh would repent and be saved. But this was profoundly troubling for Israel, that obstinate nation: “Since the nations are nearer repentance, I could condemn Israel.” Jerome writes that the prophet knew that “the repentance of the Gentiles would be the ruin of the Jews.”<sup>28</sup>

This interpretation of Jonah’s sentiments appeared, or became popular, after the destruction of the temple in Jerusalem by the Romans in 70 C.E. and the failure of the revolt of Bar Kochba against Rome in 135. The Jews understood that only God could rescue Israel; but they also knew that their transgressions, from the violation of the sabbath to their mutual hatred and extermination, prevented their prayers and lamentations from ascending to the throne of the Eternal. Interpreting scripture anew in keeping with their own hopes and needs, the religious men of that time believed that the patriarchs and prophets of old were Israel’s advocates in the presence of God and that they offered their lives to expiate the faults of Israel. Simeon Ben Azzai, a contemporary of Rabbi Aqiba, affirmed that it was solely because of the merits of Israel that God spoke to the prophets and that they prophesied. Viewed from this perspective, the mission of Jonah appeared absurd. Nineveh was the capital of the Assyrians, who – like Rome in the period of the rabbis – imposed their yoke on the Holy Land and its inhabitants. Nahum, whose words were handed on in the same scroll as Jonah, rejoiced at the destruction of Nineveh, “city of bloodshed, utterly deceitful, full of booty – no end to the plunder!” (3:1).<sup>29</sup>

In their perplexity, some Jewish commentators thought that the inhabitants of Nineveh had been spared because of the merits of their ancestor Asshur, the son of Shem (Gen 10:22). Ibn Ezra thought that

<sup>27</sup> English trans., H. Burgess, 1853.

<sup>28</sup> Mek. *ad Ex* 12:1 (I, p. 17); Jerome *ad Jon* 1:3, *scit propheta... quod paenitentia gentium ruina sit iudaeorum*. Cf. John Chrysostom, PG 64, 423; Gregory Nazianzen, *Orat.* 2.106, PG 30, 508: “Jonah knew that the grace of prophecy would pass over to the Gentiles.”

<sup>29</sup> Cf. Mek. *ad Ex* 12:1 (I, pp. 7–15). N. Glatzer, *Review of Religion* 10, 1945, p. 34.

the Ninevites had worshiped the true God.<sup>30</sup> But even if they were uncertain about what God intended, the Jews understood Jonah. In the mid-second century C.E., Rabbi Nathan (Jonathan) affirmed that Jonah was not fleeing from the face of the Eternal, but went on board the ship in order to drown himself for love of Israel.

The church fathers accepted the Jewish interpretation, but turned it against its authors. Theodore of Mopsuestia writes that Jonah was sent to Nineveh because the Jews refused to listen to the prophets, and the Book of Jonah was written as a lesson to the obdurate people. Jerome writes that Nineveh believed, but the incredulous Israel persists in its refusal to recognize Jesus. Ephrem describes the Ninevites after their rescue from death as wishing to learn the righteousness of the holy people to whom their missionary belonged; but Jerome is afraid that they did not see the iniquity of Israel. From the summit of the mountain on the border of the Holy Land, the Ninevites who accompanied the prophet back to his home saw with horror the abominations of Israel: the carved images, the high places, the adoration of the images of cows which Jeroboam had instituted (1 Kg 12:29), and the perversity – both open and hidden – which the prophets had denounced. “Perhaps this people will be exterminated instead of Nineveh which was not destroyed.”<sup>31</sup>

Perturbed by this onslaught, the Jews tried to refute the Christian accusation. They imagined that Jerusalem too – indeed, even before Nineveh – had once returned to the Eternal, thanks to the exhortations of Jonah, and they asserted that the repentance of Nineveh was not sincere. This polemic may go back to Rabbi Aqiba himself.<sup>32</sup>

On the other hand, in the liturgical act of fasting to obtain rain, the Ninevites were quoted as models of efficacious repentance. Jesus was

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<sup>30</sup> Ibn Ezra *ad* Jon 1:1 inferred from 3:3 (“Nineveh was a great city before God”) that the town had previously worshiped the true God. He also notes that the text says nothing about a destruction of altars and idols when the Ninevites repent. Cf. also Ginzberg, VI, p. 349. J. Bodin notes: “If virtue is of no avail without the true religion, why then was Jonah sent by God to Nineveh, but not commanded to proclaim the true religion?” J. Chauviré, *Colloque de Jean Bodin*, 1914, p. 30.

<sup>31</sup> R. Nathan (Jonathan), *Mek. ad* Ex 12:1 (I, p. 18); on this rabbi, cf. L. Finkelstein, *Akiba*, 1936, p. 297; Theodore of Mopsuestia, PG 66, 321; Jerome, *ad* Jon 1:1, *in condemnationem Israelis Jonas ad gentes mittitur quod Ninive agente paenitentiam, illi in malitia perseverunt*.

<sup>32</sup> Cf. *Mek. ad* Ex 12:1 (I, p. 9); *Jebam.* 98a. On the false repentance of Nineveh, cf. Simeon ben Halaphta, *yer*Taan. 2:1, 65b.

probably neither the first preacher nor the last to warn his hearers that at the last judgment, the inhabitants of Nineveh would condemn Israel, which refused to repent. An anonymous tradition in the Midrash on Lamentations posited an antithesis between Nineveh (which repented at the very first appeal) and Jerusalem (which never listened to the prophets who were sent to it “early and late”), and affirmed that this was the reason why the Jews were sent into exile. In the twelfth century, the erudite Jewish commentator David Kimchi (1160–1240) in Narbonne took up this affirmation anew and expressed the opinion that the Book of Jonah had been composed to give Israel an example to follow.<sup>33</sup>

Rupert of Deutz in Germany (d. 1129) was one of the most subtle commentators of scripture. He studied and appreciated the Jewish observations about Jonah, and declared that the prophet refused to respond to the appeal God addressed to him, not because of a lack of faith, but out of love for his people; and he cleverly remarked that this is why God did not display any great anger vis-à-vis Jonah. The erudite abbot repeats the criticisms of Jonah which had already been made in the time of Rabbi Aqiba, viz. that Jonah was full of zeal for the glory of the son (i.e. Israel), but not for the glory of the father (i.e. God).<sup>34</sup>

## V

From the end of the fourth century onward, some Christians affirmed that Jonah was cast into despondency, not because of what he feared would happen to Israel, but because he was jealous of the salvation of the Gentiles. Augustine explains that Jonah prefigures the people of Israel “according to the flesh,” saddened by the redemption and deliverance of the nations. Jerome and Cyril of Alexandria, his younger contemporary, both reject this malevolent interpretation. Since the church regards Jonah as a prefiguration of Christ, Jerome reminds his Christian readers that Jesus wept over Jerusalem (Lk 19:41) and that he said: “Let the children (i.e. Israel) be fed first, for it is not fair to take the children’s food and throw it to the dogs (i.e. the Gentiles)” (Mk 7:27).<sup>35</sup>

<sup>33</sup> Midrash Ekah Rabbati on Zeph 3:1. Cf. W. Bacher, *Die Proömien der alten jüdischen Homilie*, 1913, p. 113.

<sup>34</sup> Rupert, PL 168, 405. Aqiba, Mek. ad Ex 12:1 (I, p. 9).

<sup>35</sup> Augustine, *Ep.* 102, 6.35, comments on Jon 4:5, *Praefigurabat enim carnalem populum Israel. Nam huic erat et tristitia de salute Ninevitarum, hoc est de redemptione et liberatione gentium.* Jerome ad Jon 4:1, *Non igitur contristatur, ut quidam putant, quod gentium multitudo salvetur,*

In his German exegesis of Jonah (1526), Luther takes up and affirms the opinion which Jerome and virtually all the mediaeval commentators had condemned. He asserts that the prophet was an enemy of Nineveh and that he shared the “carnal” Jewish opinion that God was exclusively the God of the Jews. This is why Jonah refused to let the Gentiles have any share in the divine mercy. Luther deliberately translated wrongly one verse of the prayer of Jonah because, as he writes, he could see the prophet inside the whale and feel his discouragement. Nevertheless, the Reformer was a man of a generous and enthusiastic spirit, and he wrote later of the “extraordinary majesty of the prophet Jonah,” confessing that he was ashamed of his commentary on this prophet, because it had merely touched on the essential facts. Luther asked how Jonah could dare to give orders to God the Almighty: “This is a great mystery.”<sup>36</sup>

Luther’s commentary on Jonah had no influence on the exegetes, who continued to reproduce one of the two traditional views. Calvin insisted on the fact that Jonah did not want to be taken for a false prophet. Bossuet, in 1695, agrees with the father of French Protestantism. In 1651, Thomas Hobbes speaks of the “obstinacy” with which Jonah discusses the orders of God. A hundred years later, the great Lutheran exegete Carpzov does not even mention Luther’s opinion, but affirms that when God sent Jonah, he wished both to manifest his universal mercy and to chastise Israel.<sup>37</sup>

When Carpzov published his enormous textbook, the philosophical “century of lights” in France was already in full swing. However, the philosophers paid little attention to the problem of the flight of Jonah, although authors from the dictionary of Bayle (1696) to Voltaire’s *La Bible enfin expliquée* (1793) mocked his whale.<sup>38</sup> Thomas Paine, in his *Century of Reason* (1793), expresses the opinion that the Book of Jonah was written as a satire on a malevolent personage, who may have been

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*sed quod pereat Israel.* On 4:3, Jerome writes that the prophet desired to die because he despaired of the salvation of Israel. Cf. Cyril of Alexandria, PG 81, 601.

<sup>36</sup> Luther, *Gesammelte Werke* (Weimar edn.) 19, p. 201; in his *Expositio* (1524–1526), Luther still follows the traditional interpretation. Cf. his *Tischreden*, nr. 3705.

<sup>37</sup> Calvin, *Opera* 43:207. – Bossuet, *Méditations sur l’Évangile*, ch. 111. – Hobbes, *Leviathan*, ch. 33. – J.G. Carpzov, *Introductio ad libros propheticos*, V.T., 1757, p. 340.

<sup>38</sup> Cf. P. Bayle, *Dictionnaire*, s.v. “Alabaster” and s.v. “Jonas.” – For Voltaire, cf. *Taureau blanc*, 1977. – S. Parvish, *An Enquiry into the Jewish and Christian Revelation*, 1746, p. 32. – The free thinkers denied the validity of the sign of Jonah (Mt 12:38). Cf. Voltaire, *Traité sur la tolérance*, 1768: “God takes the same care of the idolatrous Ninevites as of the Jews; he threatens them and he pardons them.”

a biblical prophet or a priest who prophesied. This ardent rationalist was probably unaware that the latitudinarian J.G. Herder had already proposed a similar idea, viz. that the Book of Jonah was an invented story which intended to depict the defects of the prophetic vocation by showing a prophet who was terrified of losing his reputation.<sup>39</sup> In 1771, Shaftesbury compared the recalcitrant prophet to a pupil in a bad mood who plays truant from school; in 1746, Diderot expressed the opinion that if Jonah had been alive at that time, he would have been sent to the *Petites Maisons* (a reference to a popular comic opera first staged in 1732).

When they attacked the revealed religion, the free thinkers generally made the same objections as the pagans in antiquity. For example, the argument – which annoyed Pascal<sup>40</sup> (1660) – that the Pentateuch had been composed by Ezra, had already been proposed by the Greek philosopher Porphyry in the third century.<sup>41</sup> When the deist writers looked for new proofs, their knowledge was not the equal of their zeal. In his *Nazarenus*, Toland employs the pseudepigraphical Gospel of Barnabas, and when Antony Collins writes of the text of the New Testament and attempts to engage Richard Bentley, the foremost classical scholar of his age, in discussion, he is simply out of his depth.<sup>42</sup> The free thinkers often spoke of forgeries perpetrated by monks; they repeated the

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<sup>39</sup> J.G. Herder, *Briefe das Studium der Theologie betreffend*, Letter 9, 1780. The hypothesis of Herder and Paine was repristinated by E. Trencseny-Waldapfel in *Oriens Antiquus*, Budapest 1945, pp. 140ff.

<sup>40</sup> Pascal, *Pensées*, nr. 633, ed. Brunschwig. Cf. Voltaire, *Examen important de Milord Bolingbroke*, 1767, ch. 4: Ezra completed the composition of the Pentateuch.

<sup>41</sup> According to the rabbis, Ezra and subsequently Hillel re-established the authority of Torah (Sukk. 20a). A Jewish apocalyptic work which saw the light of day after the destruction of the Temple in 70 C.E., 2 Esdras, declares that Ezra published twenty-four revealed books, i.e. the totality of the Old testament (14:45). Irenaeus (*Adv. Haer.* 2.212), Tertullian (*De cultu fem.* 3), and Clement of Alexandria (*Strom.* 1.22:149) repeat this statement, the origin and meaning of which are not very clear. Jerome left it to his readers to decide whether Moses was the author of the Pentateuch, or Ezra had drawn up the text of the Law (*Adv. Helvidium* 7); but antinomian Christians underlined the fact that the Jewish law was a book by Ezra, not by Moses (Ps.-Clementine *Hom.* 2.47), and Porphyry (fragment 58, Harnack) elaborated the following idea: the works of Moses were lost when Jerusalem was destroyed in 587 B.C.E., and were gathered together anew by Ezra 1,180 years after Moses. Ibn Hazam, a Muslim author of works of controversy (994–1064), declared that the only genuine copy of Torah had been burnt when Nebuchadnezzar destroyed the Temple, and that Ezra had dictated the text from memory 110 years later; this latter text was destroyed by Antiochus IV. The Jewish texts currently in use went back only to the Maccabean restoration of scripture. Spinoza and Hobbes followed this antinomian tradition.

<sup>42</sup> R. Bentley, *Works*, III, 1838, pp. 288ff.

patristic affirmation that the Apocalypse, “this strange rhapsody of unintelligible revelations,” was composed, not by the evangelist John, but by the heretic Cerinthus. With few exceptions, they did not discuss the authenticity of the Gospels or of the Letters of Paul.<sup>43</sup> As far as I know, none of them ever refers to Bentley’s celebrated demonstration of the inauthenticity of the letters attributed to the Greek tyrant Phalaris (1697). The deists were always ready to seize on any objection to the authority of scripture, however childish it might be, but they were free of any *methodological* doubt. For this reason, they tended to fail (though sometimes by only a small margin) to formulate a genuinely scholarly argument.

Jerome and Chrysostom had identified the “book of the law” which the high priest Hilkiah found in the Temple in Jerusalem (2 Kg 22) as the text of Deuteronomy.<sup>44</sup> Like their pious predecessors, the deists continued to believe that this was a book which had been lost long before the reign of King Josiah.<sup>45</sup> Voltaire occasionally plays with the idea that the book found in the Temple was a forgery produced by Levites in the reign of Josiah; but despite all his anti-religious zeal, he is ready to identify this volume with the totality of the Pentateuch.<sup>46</sup> Samuel Parvish suggested in 1739 that the book of the law of Moses, placed near the ark of the covenant (Deut 31:26) and discovered under Josiah, was a counterfeit produced by Hilkiah; but no deist author paid any attention to this conjecture, which was ignored for around 130 years.<sup>47</sup> The *siècle des lumières* in France had no concept of evolution. In physics, the only alternatives were the intelligent creator or the fortuitous coming together of atoms. Either the Pentateuch had been written by one

<sup>43</sup> Bolingbroke, *Essays*, IV, 9, II, p. 421.

<sup>44</sup> Jerome, *Adv. Iovinianum* 1.5 (PL 22, 217); John Chrysostom, *Hom. Matth.* 9 (PG 57, 130); Procopius of Gaza *ad* 4 Kg 22 (PG 87, I, 1199).

<sup>45</sup> Cf. Hobbes, *Leviathan*, ch. 33. – Bolingbroke, II, p. 18. – G.E. Lessing, “Hilkias,” in *Gesammelte Schriften*, ed. F. Munker, XVI, p. 245.

<sup>46</sup> Voltaire, *La Bible enfin expliquée*, 1777, note on Deut 17:14. In his *Dictionnaire philosophique* (art. “Moïse”), he affirms à propos the same passage that Deuteronomy was written under Saul, the first king of Israel.

<sup>47</sup> S. Parvish, *An Enquiry into the Jewish and Christian Revelation*, 1746, pp. 32ff. Parvish’s conjecture did not reach a wider audience until 1872, when it was quoted by a German scholar; cf. T.K. Cheyne, *Founders of Old Testament Criticism*, 1893, p. 2. Parvish is not speaking of Deuteronomy, but like Hobbes (who was his source: *Leviathan*, ch. 33), of the “book of the law,” i.e. Deut 12–27. In 1806, M.L. de Wette suggested, independently of Parvish, that Deuteronomy dated from the reign of Josiah. He emphasized that the reform undertaken by Josiah was in conformity with the law articulated in Deuteronomy.



single author – or else it had been put together by Ezra on the basis of fragmentary elements. Bentley could write that Homer composed separate poems (the *Iliad* for men, the *Odyssey* for women) and that these were united at the time of Peisistratus; but it was only towards the end of the eighteenth century that A. Geddes (1792) and F.A. Wolf (1795), both contemporaries of Lamarck, proposed the genetic concept for the Pentateuch and the *Iliad*, respectively: this meant that both works were the result of complex literary processes and included fragments from different periods.<sup>48</sup>

The free thinkers were fighting the war against superstition, and they did not actually seek to understand the sacred scriptures. For them, the Gospel was “an oriental novel,” to quote d’Holbach’s phrase.<sup>49</sup> Nevertheless, some of their extravagant conjectures turned out to be correct, even if the positions they took often remained embryonic. They sourly proclaimed that the Phoenician cosmology of Sanchuniathon, mentioned by a Greek writer in the second century B.C.E., was older than the Mosaic revelation – and the discoveries at Ugarit subsequently confirmed this view.<sup>50</sup> Our textbooks still teach us that the Jews became merchants during the Babylonian exile – an erroneous belief which has its source in the fertile imagination of Voltaire.<sup>51</sup> In the nineteenth century and for a long time afterwards, biblical specialists spoke of the opposition between the Hebrew prophets on the one hand, and the priesthood and cultic worship on the other. Antony Collins, who classed the prophets (together with Solomon, Cicero, etc.) as his own forerunners, affirmed in 1713 that the prophets were great free thinkers who wrote very freely against the established religion of the Jews as if they were convinced that it was nothing but a sham. Voltaire compared the Hebrew prophets to the orators of Attica; Thomas Morgan (1737) discovered that they troubled the royal power and made difficulties for the rulers – he took the side of Ahab and Jezebel against Elijah

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<sup>48</sup> Cf. J.E. Sandys, *History of Classical Scholarship*, 1908, II, p. 409. In the last edition of his *Scienza Nuova* (1714), G. Vico accounted for the differences between the *Iliad* and the *Odyssey* by suggesting that there had been two Homers, separated by a long space of time. On Geddes, cf. Cheyne, *op. cit.*, p. 4.

<sup>49</sup> D’Holbach, *Textes choisis* I, 1957, p. 180. Cf. Voltaire, *Examen de Milord Bolingbroke*, ch. 4: “I regard the attempt to find out the name of the author of a preposterous book as the most futile of all investigations.”

<sup>50</sup> Cf. Bolingbroke, *Fragment 39*, IV, p. 314; each of the oriental nations had its own system of traditions, but only that of the Old Testament has come down to us intact.

<sup>51</sup> Voltaire, *Histoire de l’établissement du christianisme*, ch. 2.

and Elisha.<sup>52</sup> Since they opposed the idea of a chosen people, the deists affirmed that the foremost article of humankind's belief was the uniqueness of God.<sup>53</sup> Although it had been refuted by David Hume in 1757, the idea of an original monotheism was taken up anew in the twentieth century by Catholic anthropologists in Vienna. The Jewish monotheism annoyed the deists, who liked to portray the God of Israel as a tribal god who extended his protection only to one little group,<sup>54</sup> and this idea dominated subsequent Protestant culture. A contemporary English writer whose books are fashionable speaks of the necessity of one single and unique deity in the Syriac civilization; Lord Bolingbroke had already formulated the opinion that the "discovery of monotheism" occurred in Egypt and in all those oriental lands which were famous for their science and their knowledge.<sup>55</sup>

In his *Nazarenus* (1718), John Toland explained the history of earliest Christianity as a combat between the Judaizing party of Peter and the universalist party of Paul; other deists followed suit, and Bolingbroke spoke of a combat between the school of Christ and the school of Gamaliel. The German Enlightenment transmitted this point of view to F.C. Baur who reformulated it in 1831 in Hegelian language, thereby becoming the head of an influential school of exegesis.<sup>56</sup>

In order to become fashionable in academic circles, the ideas of the free-thinkers about the Bible had to pass through the hands of the German professors. The English and French rationalists, from Lord

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<sup>52</sup> A. Collins, *A Discourse on Free-Thinking*, 1713, p. 153. According to Bayle, Drabicius and Kötterius considered the prophets to be revolutionaries. According to H. Winkler (1903), the prophets were agents of Assyria. On the present state of the question, cf. H.J. Kraus, *Propheten und Politik*, 1952. Voltaire had already said the same about Jeremiah.

<sup>53</sup> Bolingbroke, *Essays* II, 2, II, p. 217. – D. Hume, *Natural History of Religion*, 1757.

<sup>54</sup> Chubb, p. 132; this affirmation was adopted by Bolingbroke and Voltaire.

<sup>55</sup> Bolingbroke, *Essays* II, 5, II, p. 252. – A. Toynbee, *A Study of History* VI, 1939, p. 44, gives a long quotation from E. Meyer, who sees the unique god as a reflection of the Persian king of kings. This idea is so naively simplistic that the two scholars forget to ask why the Persians themselves did not become monotheists.

<sup>56</sup> Bolingbroke, *Essays* IV, 9, II, p. 424; the religion of Paul was not that of Jesus. In 1767, J.S. Semler had affirmed that there were two parties among the disciples of Jesus, viz. the Judaizers with Peter and the gnostics or free thinkers with Paul; in the second century, the church reconciled these two points of view. Through his own teacher, J.S. Baumgarten, Semler was in touch with the deist movement in England; he also had direct contacts with them. Cf. L. Zscharnack, *Lessing und Semler*, 1905, p. 31 and 132ff. On the other hand, J.L. Mosheim published a refutation of Toland: *Vindiciae antiquae Christianorum disciplinae adversus celeberrimi viri Jo. Tolandi, Hiberni, Nazarenum* (I have consulted the second edition, published in 1722).

Herbert of Cherbury to Thomas Paine, had been freelance writers; Oxford and Cambridge (to say nothing of the Sorbonne) were absolutely opposed to biblical criticism. One Presbyterian theologian was willing to admit that even if Jesus had been born far from Jerusalem, one would have to recognize that his religion sufficed to guide people to “virtue and goodness”; but he could not tolerate irreverent criticism of the revealed books.<sup>57</sup>

In Germany, however, it was the universities that spread the message of the Enlightenment. It was Kant who gave the answer to the question: “What is Enlightenment?”

The deists affirmed that since revelation is incompatible with natural religion, it is false and must be rejected. Since natural religion must by definition be appropriate to all peoples at every time, the deists (with some few exceptions such as Toland)<sup>58</sup> disliked the revelation of Moses which was addressed to the elected people, and claimed “that no system could be more simple and more clear than that of the natural religion which one finds in the Gospel.” But their denigration of the Old Testament was a breach in the first line of defense of Christianity; they were well aware that the New Testament draws its authority from the Old and that Christianity, in a phrase coined by J. Selden which the free thinkers made their own, was merely a “reformed Judaism.” Voltaire was no less sarcastic when he spoke of Jesus and the apostles than when he spoke of Moses or Ezekiel. Bolingbroke, writing about the “cleverer conduct” of Jesus, made his own objections, asking whether people were in greater need of salvation at that time, four thousand years after the human race had made its appearance, than at any other time in history. A young disciple of the philosophers wrote in 1791: “The first Romans, the first Greeks, and the first Egyptians were Christians, since they were accustomed to practice charity, and that is what Christianity means, whereas most of those who were called Christians in the period after Constantine were nothing more than savages or madmen.”<sup>59</sup> And

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<sup>57</sup> Samuel Chandler, *An Answer to a late book entitled A Discourse of the Grounds and Reasons*, p. 195.

<sup>58</sup> On Toland, cf. M. Wiener in *Hebrew College Union Annual* 16 (1946), p. 215.

<sup>59</sup> Bolingbroke, *Essays* IV, 9, II, p. 425. — J. Selden, *De synedrüs* I, ch. 8. — D’Holbach, *Esprit du Judaïsme*, 1770, p. 1: it is obvious that Christianity is merely a reformed Judaism. — D. Hume in his *Natural History of Religions*, criticizes what he calls the narrow spirit of Judaism, the grotesque intolerance of Christianity, and the bloody principles of Mahomet. On the “Christianity” of the first Romans, cf. Saint-Just, *L’Esprit de la Révolution*, 1791, I, ch. 19. C. Middleton, *Miscellaneous Works* III, 1755, p. 56. Speaking

Conyers Middleton, a respected Anglican theologian, went so far as to write that even if Christianity was a sham, one would still have to respect it for reasons of state.

The German Enlightenment, unlike the French, was not opposed to dogmatic religion, but sought to reform and perfect a religion which already existed. Its theologians, who were as radical as possible in the domain of pure ideas, were assiduous in their attendance at public worship and docile to both secular and ecclesiastical authority.<sup>60</sup> Moses Mendelssohn identified the universal religion of reason with the faith of the synagogue. Immanuel Kant proclaimed that moral religion begins with Christianity.<sup>61</sup> But if religious doctrine was required to pass the test of reason, Lavater was correct to demand that Mendelssohn either accept or reject the truth of Christianity. Mendelssohn evaded this dilemma: in his reply, he spoke only of the Old Testament. Since the Protestant faith was based on the testimony of scripture, which comprises both the Old and the New Testaments, the Lutheran theologians had to explain before the tribunal of reason why they accepted Jesus but rejected Moses. They had to play down the Old Testament in order to shed a bright light on the new law which alone was in accord with natural religion. For about 150 years, the “enlightened” and “liberal” Protestantism of the German universities – from Semler and Eichhorn to Wellhausen and Harnack – was inherently and as it were necessarily opposed to the Old Testament, in order to save the remnants of the Evangelical faith. With the Enlightenment, the spirit of Marcion took hold of Protestant German theology.

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of Jesus, Bolingbroke, IV, p. 44, writes that he succeeded in appearing guilty in the eyes of the Jews in virtue of the very same declaration that made him appear innocent in the eyes of the Romans; Jesus' intention was that the Jews would have him crucified, bringing about the redemption of humanity without knowing what they were doing – but at their own expense (this idea had been suggested by John Locke, *The Reasonableness of Christianity*, 1696; *Works*, VII, edn. 1833, p. 38). On this objection by Bolingbroke to the doctrine of redemption, cf. W.M. Merrill, *From Statesman to Philosopher*, 1949, p. 224. It is rather odd that modern historians of biblical exegesis neglect the stimulus provided by the deist authors. Bolingbroke is not mentioned by H.J. Kraus, *Geschichte der historisch-kritischen Forschung des Alten Testaments*, 2nd edn. 1969; nor by A. Schweitzer, *Geschichte der Leben-Jesu Forschung*, 2nd edn. 1913. Cf. also the brief chapter on the deists in *The Cambridge History of the Bible III*, 1963.

<sup>60</sup> It was J.S. Semler who introduced the anti-Judaic tendency into German exegesis, but he opposed rationalism in the praxis of religion and demanded submission to the authorities; cf. G. Karo, *J.S. Semler*, 1905, pp. 92ff.

<sup>61</sup> On Mendelssohn, cf. I. Heinemann, *La Loi dans la pensée juive*, 1962, pp. 136ff.; J. Guttman, *Philosophies of Judaism*, 1964, p. 294. On Kant, cf. E.G. Kracling, *The Old Testament since the Reformation*, 1955, p. 43.

The theologians of the Enlightenment accepted the deist belief that the universal values of morality were inscribed on the spirit of all human persons, and the principle of the ethical criticism of scripture; they believed that the mark of true revelation was its usefulness in advancing the system of natural morality (a pragmatic point of view which was a characteristic of German Pietism). They declared that whereas the Old Testament was purely Jewish, the message of the Gospel was universal.

Against this background, the significance of the Book of Jonah appeared clear and simple. The prophets were wise men who defended the doctrine of nature against the superstition of the priests. Jonah was a narrow-minded sectarian, but the author of his story pleads in favor of the universal morality. For the most eminent exegetes of the Enlightenment, such as J.S. Semler (1773), J.D. Michaelis (1782), and J.D. Eichhorn (1783), Jonah was an example of the Jewish fanaticism which was very reluctant to see God show mercy to the Gentiles. The Book of Jonah was written as a warning against the intolerance of Israel.<sup>62</sup>

Seen in this light, the opinion which Jerome had refuted and Luther had put forward anew attracted the men of the Enlightenment. If it was to obtain the agreement of virtually all exegetes, however, this interpretation required a second modification. We can see this transformation in the writings of H.E.G. Paulus, who was born in 1761 in the century of tolerance, and died in the century of German nationalism. He was known for the naïve way in which he defended the miraculous narratives in the Gospels: thus, Jesus did not walk on the water (Mt 14:25), but along the shore of the lake. In 1794, Paulus expressed the opinion that the Book of Jonah had been written to explain why certain prophecies had not been fulfilled. His position was subsequently restated by German scholars, but with one significant distortion: the Book of Jonah explains to the Jews why the prophecies of the condemnation of the Gentiles have not yet been fulfilled.<sup>63</sup> Paulus himself published a pamphlet against the emancipation of the Jews in 1831, *Die jüdische Nationalabsonderung*. He is not opposed to the Jewish religion as such, but to the observance of the Law of Moses, since circumcision and

<sup>62</sup> Friedrichsen, pp. 113ff.; on Paulus, *ibid.* p. 105.

<sup>63</sup> F.B. Koester (1838) and F. Hitzig (1838), quoted by Friedrichsen, p. 105; Wellhausen, *Kleine Propheten*, 1892; K. Budde, *Jewish Encyclopedia* VII, 1906, p. 229.

sabbath observance make the Jews a people apart. (Nevertheless, he does not demand that the Catholics stop venerating angels or obeying the pope.) The Jews are rejected now, not because they refuse to see the Christian truth, but because they are second-hand dealers and merchants. Their distinctive characteristics are criticized as a national blemish. As Gabriel Riesser noted in his reply to Paulus, “religious hatred” has turned into aversion for a whole nation.<sup>64</sup> Now, baptism is seen as a guarantee, not of faith, but of national solidarity. Against this background, Jonah appears as the utterly typical Jew who is hostile to all the other nations and does not accept integration into any society. The atheist Bruno Bauer (1838), the “liberal” Protestant Bleek (1860), and the pious C.F. Keil (1866) all agree on this point.<sup>65</sup> Under the influence of the German universities, this conception – though expressed less crudely – still dominates the interpretation of the Book of Jonah today: for Jonah, the mercy of God is fine as long as it concerns his own people, but something abhorrent when it concerns his enemies.<sup>66</sup>

These scholars – learned but partisan – do a bad job of interpreting the book which they are seeking to explain. For the Jews, just as for Christians and Muslims, the unity of humanity can be brought about only in the framework of the true faith; this principle is a corollary of monotheism. Bishop John Hooper explained in a sermon that God had sent Jonah to Nineveh to proclaim that the works of the law are not necessary for salvation. Under the reign of Mary Tudor, in 1555, Hooper ended his life on the stake because he refused reconciliation with the church of the pope. For him, no redemption was possible outside his own truth.<sup>67</sup> And in fact, the expression of universal Christian fraternal love is the prayer of intercession for all human persons, already affirmed in the New Testament (1 Tim 2:4), born of the conviction

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<sup>64</sup> G. Riesser, *Gesammelte Schriften* II, 1867, p. 97.

<sup>65</sup> This is how F. Bleek, *Einleitung in das Alte Testament*, p. 574, defines the problem of the Book of Jonah: “Whether it is correct to maintain such a hostile attitude against all the other peoples, simply because they are other.” In 1920, the Protestant pastor K. Gerecke published a pamphlet entitled: *Biblischer Antisemitismus. Der Juden weltgeschichtlicher Charakter, Schuld und Ende in des Propheten Jona Judenspiegel* (“Biblical antisemitism. The character, guilt, and end of Judaism in world history in the ‘mirror of the Jews’ by the prophet Jonah”).

<sup>66</sup> G.E. Wright and R.H. Fuller, *The Book of the Acts of God*, 1960, p. 181. – Cf. A. Westphal, ed. *Dictionnaire de la bible*, p. 674: “The Book of Jonah is an explicit protest against the hostility shown by many Israelites to the pagans.” Cf. also W. Rudolph, *Joel-Amos-Obadja-Jona*, 1971, p. 368.

<sup>67</sup> John Hooper, *An Oversight and deliberacion upon the holy prophet Jonah*, 1550.

that everyone is saved through knowledge of the truth.<sup>68</sup> In the same way, the Jews believed, as Rabbi Eleazar of Modein said in the first century, that at the end of the ages Israel would be saved by God, and the pagans condemned together with their idols. But Israel bore witness to the truth before the pagan world, and no one prevented the Gentiles from adopting the true faith. Although the sailors in Jonah's boat were pagans, they offered a sacrifice to the Lord and made vows in his honor. After the destruction of the Temple in 70 made it impossible for the Jews themselves to continue offering sacrifices to God, the rabbis continued to encourage those Gentiles who feared God to offer sacrifices to the Lord outside the Holy Land. A rabbinic text, which may come from a missionary sermon, affirms that four categories of persons belong to God: the Israelites who have not sinned, the Israelites who have repented, the proselytes, and the Gentiles who fear Heaven.<sup>69</sup> The Ninevites, who believed in Jonah's words and recognized the power of his God, were among those Gentiles who feared the Eternal. In this same context, Ibn Ezra mentions the case of Jethro (Ex 18:11), who deduces from the miracle of the exodus that the God of Moses is greater than all the other gods. Modern scholars imagine, maliciously or naïvely, that the author of Jonah portrays pagans who are open to the divine truth in order to make a contrast to the narrow and vindictive spirit of the Jewish people. In fact, the author shows that even the pagans are obliged to respect the omnipotent God of Jonah and to acclaim his miracles. The author of the Book of Jonah, who repeated that those pagans who remained attached to their empty idols were abandoning the one who had shown them divine favor, neither supported nor tolerated lies – any more than did Jonah himself, Jesus, Luther, or Bishop Hooper.

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<sup>68</sup> Cyprian, *Ep.* 62.4: *Nemini salus esse nisi in ecclesia possit*, cf. *Dict. Théol. Cath.* 4, pp. 2155–2175. On the prayer of intercession, cf. A.J. McLean, *Encyclopedia of Religion and Ethics* VII, pp. 385–388.

<sup>69</sup> Eleazar of Modein, Midrash on the Song of Songs, 231. On the four classes who will be saved: Mek. on Ex 2:20; cf. Israel Lévy, *REJ* 50, 1905, p. 4; on the sacrifices of the pagans, cf. “The Altars of the Gentiles,” Vol. II of the present collection of essays.

## VI

There are three actors in the drama of Jonah: God, the prophet, and the Ninevites. As Kimchi noted to his surprise, there is nothing about Israel here. The opposition between Israel and the Gentiles was introduced into the book by commentators who imagined they found it there, although it does not exist in reality. This dichotomy was read into the text by the Jewish preachers of the second century, and the modern commentators merely added a touch of Christian hypocrisy to the nationalistic interpretation of Jonah by the Jews. But six or seven centuries separated the author of Jonah from his first rabbinic exegetes. He wrote at a time when Nineveh, the Assyrian capital from Sennacherib onward (705–681), had already been destroyed: “Nineveh was a very great city before the Eternal” (Jon 3:3).<sup>70</sup> This city fell in 602; the author was writing under Persian domination. The edict of penance for the Ninevites was published “by the king and his nobles” (Jon 3:7). The participation of the great nobles in royal legislation was unknown to either the Jews or the Assyrians, but it is characteristic of the Persians (cf. Ezra 7:14; Est 1:13; Dan 6:17).<sup>71</sup> Jonah says at 1:9 that he adores the Eternal, the God of heaven. This divine epithet was popular in the fifth century B.C.E. Approaching the question from the other side, we may note that the Book of Tobit, written in

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<sup>70</sup> Before Sennacherib, Nineveh was simply a cultic site of Ishtar. Sennacherib made it a great city, protected by walls and equipped with an irrigation system; cf. Parrot, *Ninive et l’Ancien Testament*, 1953. Ninus, who is the founder of Niniveh in the Greek tradition (Diodorus 2.1), is probably Sennacherib; cf. H. Léwy, *JNES* 11 (1952), p. 266.

<sup>71</sup> On the council and the governors of the king of Persia, cf. Herodotus 3.31, 84, 118; Xenophon, *Anabasis* 1.6; Ezra 4:9, 17 and 5:3 and 6:6; A. Cowley, *Aramaic Papyri*, 1926, nr. 6, 21, 26, and 30; G.C. Cameron, *Persepolis Treasury Tablets*, 1948, nr. 15: orders were proclaimed in the name of N.N. and his companions. Ezra was sent to Jerusalem “by the king and his seven counselors” (Ezra 5:14). The seven men who see the face of the king (Jer 52:25) are high dignitaries in the court at Jerusalem. The expression “great men” is also found at 2 Kg 10:11; cf. also Nah 3:17. – Y. Kaufmann, *The Religion of Israel*, 1962, p. 282, has recently attempted to prove that the Book of Jonah was written in the eighth century, but without adducing convincing arguments. As a matter of fact, the book mentions none of the attacks inflicted on Israel by the Assyrians, although Shalmaneser III (860–825) had already made war on Israel. On the “Black obelisk,” we see King Jehu of Israel prostrating himself and bringing tribute to the conquering king. In 734, Tiglath-Pileser deported the tribes of Naphtali and Manassch. The idolatry of Nineveh is not mentioned in the book, and historically speaking, the pagans did not convert to Judaism; conversion is not mentioned in Jewish literature anterior to 2 Maccabees. The Ninevites (and the sailors on the boat) simply acknowledged the power of the Lord.



the fourth century already quotes Jonah. This means that Jonah was written roughly in the fifth century B.C.E., or a few decades later. This means that, at least for the rabbis, although prophecy was something that belonged to the past and had ceased, as they held, with Haggai, Zechariah, and Malachi<sup>72</sup> (i.e., ca. 500 B.C.E.), the author of Jonah still sees the prophets in their hairy cloaks, their faces marked by the wounds which they had inflicted on themselves in their trances, and he listens to the message they proclaim in their delirium. In the light of their own experience and taking account of their own needs, the rabbis and the church fathers saw in Jonah a missionary who (as Jerome puts it) demanded “a repentance worthy of his preaching.”<sup>73</sup> The Gospels too portray Jonah in this way. In the ancient Greek translation of the book, Jonah is ordered to “proclaim in the city,” but the Hebrew text says that the prophet is commanded to “cry against” Nineveh, and he proclaims: “Forty days more, and Nineveh shall be overthrown!” (3:4). As Augustine says, “Jonah proclaimed not mercy, but the wrath to come” (*annuntiavit Ionas non misericordiam sed iram futuram*), and with this concise Latin phrase, the famous church father formulates the entire dialectic problem both of Jonah himself and of the story told about him. Jonah was not a missionary preacher, but a messenger of the wrath of God. Nineveh was like Sodom – Kimchi noted that the sin of Nineveh is described in the same terms as the sin of Sodom – and Jonah announced the imminent chastisement of the new Sodom.<sup>74</sup>

Predictions about the fate which awaits us may help us avoid the traps that lie on the road ahead. A common but fallacious objection,<sup>75</sup> emphasized by the skeptic Carneades (214–129 B.C.E.) and taken up anew by Cicero, is that one who believes in divination is actually claiming to modify the pre-ordained causality, the existence of which he postulates in his investigations. However, one who hears the weather forecast does not hope to modify the weather. He simply wishes to take into account future atmospheric conditions when he makes his plans for the coming day. The fatality which is prophesied is conditional: the event predicted will necessarily occur, *provided that* such and such a

<sup>72</sup> Cf. Bonsirven, *Judaïsme palestinien* I, p. 256.

<sup>73</sup> Jerome, *ad Jon* 3:4, *dignam suae praedicationis paenitentiam flagitabat*.

<sup>74</sup> Augustine, *Sermo* 361.2 (PL 39, 161); cf. Titus of Bosra, *Adv. Manich.* 3.15 (PG 18, 1245c); Kimchi, *ad Jon* 3:4, notes that the verb *hapach* (“to destroy”) occurs in other biblical texts in relation to the destiny of Sodom (Gen 19:21, 25; Deut 29:23; Jer 20:17; Amos 4:11; Lam 4:6).

<sup>75</sup> Cicero, *De divin.* 11, 19.

condition is fulfilled. Before the battle of Thermopylae (480 B.C.E.), the seer Megistias read in the entrails of the sacrificial victims that the defenders of the narrow pass would all die in battle. He sent his son back home, but remained with the Spartans. As we can read in his epitaph, although he knew for certain that a hostile fate was drawing nearer, he did not dare abandon the captains of Sparta.

Apollo warned Laius not to have any children. Trying to outwit his destiny, Laius abandoned Oedipus immediately after his birth. As the Stoic Chrysippus (280–207 B.C.E.) explained, if Apollo had not given this oracle, Oedipus would have known his parents and would not have assassinated his father or married his mother. Apollo knew that Laius would disobey, and the oracle was given to set in train the whole chain of events, in order that in this way the destinies of the various characters would be fulfilled. Nevertheless, Laius could have escaped his destiny, if he had taken heed of the prediction and had not begotten a child.<sup>76</sup>

When his diviners promise King Zakir of Hama, a contemporary of Amos, that the siege of his city will be lifted, it is clear once again that Zakir has the choice of continuing to resist his enemies, or surrendering. Transmitting an oracle to a king of Mari, his governor adds: “My lord may do whatever seems right to him.” Among the Hebrews, the questions put to a diviner or a prophet of the Lord presuppose in the same way the bifurcation of the path in the future (*duplex eventus*): “Shall I go up to attack Ramoth-Gilead, or shall I desist?” (1 Kg 22:26).<sup>77</sup> Thus, the diviner was frequently a counselor; and “counsel given by Ahithophel was respected as much as an oracle of God himself” (2 Sam 16:23).<sup>78</sup> The Hebrew prophets had recourse to *fata conditionalia* in their warnings: “Thus says the Eternal to the house of Israel: Seek me and you will live . . . but do not enter into Gilgal . . . for Gilgal shall

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<sup>76</sup> Herodotus 7.228. – W.C. Greene, *Moirai*, 1944, Index s.v. “Laius.” – The tribune C. Ateius reported ill omens presaging doom for M. Crassus, who was leaving Rome at that time for his Parthian campaign (53 B.C.E.). In 50, the censor Appius Claudius excluded Ateius from the senate on the pretext that his revelation had been the cause of a disaster for the Romans. Nevertheless, Crassus could have escaped the power of the ill omens simply by putting off his departure: Cicero, *De divin.* 1.16, 29. Cf. J. Bayet, *Croyances et rites dans la Rome antique*, 1971, p. 353.

<sup>77</sup> *ANET*, p. 623. – M. Noth, “History and the Word of God,” *Bulletin of the John Rylands Library* 1950, p. 197. Cf. Jer 37:3; 38:19.

<sup>78</sup> One who is stupid enough to look for information about the future, e.g. where and how he will die, provokes destiny and incurs punishment: cf. Plutarch, *Lys.* 29; 1 Kg 14.

surely go into exile” (Amos 5:4). “If you are willing and obedient, you shall eat the good of the land; but if you refuse and rebel, you shall be devoured by the sword; for the mouth of the Lord has spoken” (Is 1:19). A wise person could avoid the *fata condicionalia* by obeying the oracle. Philosophers in antiquity distinguished this type of pronouncement from the *fata denuntiatiua*, the declaration of destiny which worked like a magic spell.<sup>79</sup> Like it or not, Macbeth will become thane of Cawdor and king of Scotland. The Pythia had declared that Gyges, who had assassinated his king, would reign in Lydia, but she added that vengeance would fall on the fifth descendant of Gyges, and Croesus was thus condemned long before his birth. The delirious mouth of Sibyl (to borrow the expression of Heraclitus, a contemporary of the author of the Book of Jonah) uttered words which predicted and preordained events a thousand years in the future. Like the great prophets of Israel, the Sibyl, “the informative servant maid of Phoebus,” proclaimed destiny. “She prophesied the collapse of the Greek cities, the foreign invasions, and the fall of empires.”<sup>80</sup> The Hebrew prophets were not simply seers whom one visited in order to “consult God” (1 Sam 9:9), but also, like the Sibyl, proclaimers of *fata denuntiatiua*, and they spoke spontaneously, without waiting to be invited. From his village south of Bethlehem, Amos hurled curses against Damascus and the other sinful cities: “Thus says the Eternal... I will send a fire on the house of Hazael...” Such words are no mere conjectures, but sparks which rekindle destinies that have fallen asleep.

The prediction of a Babylonian seer was both “decision” and “judgment.” Agamemnon reproached the seer Calchas for never pronouncing a favorable oracle, nor any oracle that was fulfilled in reality.<sup>81</sup> King Ahab of Israel detested Micaiah, who never prophesied good, but only evil (1 Kg 22). At Jerusalem, Isaiah was asked to prophesy “smooth things,” i.e. an agreeable message (Is 30:10). The seer speaks the truth;

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<sup>79</sup> Servius *ad Vergil, Aeneid* 4.696, *Sunt fata quae dicuntur denuntiatiua, sunt alia fata quae condicionalia vocantur. Denuntiatiua sunt quae omni modo eventura decernunt... non potest aliter evenire.* As an example of the *fata condicionalia*, Servius cites Achilles (Homer, *Iliad* 18.88) and explains: *condicionem fati sub duplici eventus exspectatione pendere.* He also speaks of the *gemina auctoritas fati.*

<sup>80</sup> Herodotus, 1.13; Heraclitus *apud* Plutarch, *De Pyth. Orac.* 397a and 398–399; on the Erythraean inscription of the Sibyl of the year 162 B.C.E., cf. A. Kurfess, *Sibyllinische Weissagungen*, 1951; Cicero, *De divin.* 1.46 and 48.

<sup>81</sup> A. Haldar, *Associations of Cult Prophets among the Ancient Semites*, 1945, p. 3; Homer, *Iliad* 1.106.

an Assyrian diviner wrote, “The message which I have sent you is the truth.” Socrates affirms that his god gives him signs and that those who follow his advice meet with success. Xenophon tells us that his companions would have taken Socrates for a madman and an empty boaster if he had predicted things revealed to him by his god, but had then been refuted by events.<sup>82</sup> This is what happened to Jeremiah, who became a laughing-stock when his predictions were not immediately fulfilled, and he cursed the day of his birth (20:7). The deist Tindal declared that this biblical verse proves that the prophets were either deceived or deceivers. We read that God did not allow any of Samuel’s words to fall to the ground, and that everything he said came to pass; the false prophets, on the other hand, could only hope that their words would be confirmed by events. If a prophet speaks in the name of the Lord, but his prediction is not fulfilled, “this is a thing which the Lord has not ordained.”<sup>83</sup>

Jonah went to Nineveh, proclaiming in the name of God that the city would be destroyed in forty days’ time; but the *fata denuntiava* did not come to pass. Nevertheless, he was not a false prophet – the miracle of the great fish bears witness to his authority. God did not destroy the guilty city; and as he tells both the Lord and his reader, Jonah had suspected from the outset that God would not do so. This is why the most ancient exegetes of the Book of Jonah whose interpretation survives show him fleeing from his vocation because – since he was a prophet – he already knew that his threats against Nineveh would not be carried out in practice, and that people would mock him as a false prophet. This interpretation is attested in a homily on Jonah pronounced in 40 C.E. by Philo, one of the leaders of the Jews in Alexandria, and it was accepted by some of the church fathers and some of the rabbis. It recurs in Jewish miscellanies of the middle ages and was discussed by Ibn Ezra. It was regarded favorably by the great theologian Saadia (899–942) and by Rashi, the first Jewish commentator on scripture.

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<sup>82</sup> Waterman I, 369; Xenophon, *Memor.* 1.1,4; cf. Plutarch, *De orac. Delph.* 398; Heliodorus, *Aeth.* 11.36. The Latin noun *omen* signifies literally the declaration of the truth, cf. R. Bloch, *Le Prodige dans l’antiquité classique*, 1963, p. 80; cf. the story of the diviner who staked his life on the veracity of his predictions (Augustine, *De civitate Dei* 2.24).

<sup>83</sup> 1 Sam 3:9 and 9:6; Deut 18:22. M. Tindal, *Christianity as old as the Creation*, ch. 13. On prophetic inerrancy in Jewish philosophy, cf. C. Touati, *RHR* 174 (1968), pp. 169–173.

If we look at things in this way, Jonah seems to have been put in an embarrassing situation. Jerome formulates the prophet's problem as follows: he could indeed declare that God is merciful, but in this case the Ninevites would not have repented; or else he could declare that God is implacable. He chose the latter solution and thus told lies, but he was angry at the fact that God had made him a liar. In Philo's text, God replies to Jonah: "O prophet, you can say . . . my humiliation has brought you honor. If you are troubled by the false character of your preaching, the accusation is leveled against me, not against you, o prophet! For you preached, not what you yourself wanted to say, but what you had received."<sup>84</sup>

From very ancient times, people have firmly believed that in this sublunary world full of errors and lies, it is only the divine declarations that are true and unshakable. In the third millennium before the Common Era, a Sumerian hymn proclaims that the word of the supreme god Enlil is holy and immutable. Around two thousand years later, in the time of Deutero-Isaiah, the mother of the last Babylonian King, Nabonides (556–539), in a remarkable document of profound personal piety, invokes Enlil "whose word is not pronounced twice."<sup>85</sup> The kings imitate the gods. Asarhaddon, king of Assyria (681–669), proclaimed that his words were immutable.<sup>86</sup> The plot of the Book of Esther turns on the principle that a royal order cannot be revoked,

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<sup>84</sup> Philo 6.41, 48. Cf. Jerome, *Dial. Contra Pelag.* 3.6 (PL 23, 603): *indignabatur quondam et Jonas, cur Deo fuerit iubente mentitus, sed iniusti maeroris arguitur, malens cum pernicie innumerabilis populi verum dicere quam cum tantorum salute mentiri.* Cf. Gregory Nazianzen, PG 35, 505 and 509; Cyril of Alexandria, PG 71, 607; Theodore of Mopsuestia, PG 66, 341; Theodoret of Cyrrhus, PG 81, 1726; Theophylact, PG 126, 908; Ps.-Tertullian, *De Jona*, PL 2, 1165. The fathers of the church often combine this explanation with the traditional Jewish interpretation. For the middle ages, cf. Pirké R. Eliezer, 10; Ibn Ezra *ad* Jon 1:2; Rashi *ad* Jon 4:1; Midrash Jonah in *Beth hamidrash*, ed. Jellinek, I, p. 96; Saadia Gaon, *Book of Beliefs and Opinions*, Eng. trans. Rosenblatt, Yale Judaica Series 1, 1948, p. 154. (I am grateful to Professor J. Goldin of Yale University for these last two references.) – From Jon 4:2 ("in my own country"), the Jewish exegetes deduced that Jonah had first been sent to announce the destruction of Jerusalem, but that God had then revoked his decision, so that the Jews had called Jonah a liar. He did not want to have the same experience in Nineveh.

<sup>85</sup> On Enlil, cf. S.N. Kramer, *HTR* 49, 1956, p. 63. On the Harran inscription, cf. C.J. Gadd, *Anatolian Studies* 8 (1958), pp. 35ff.; Haldar, *op. cit.*, p. 15; L. Dürr, *Die Wertung des göttlichen Wortes*, 1938, p. 54; Furlani, "La sentenza di dīi," *Memor. Accad. Lincei*, ser. VIII, 1/5 (1950), p. 225. According to the poets of pre-Islamic Arabia, the will of Allah was immutable: C. Brockelmann, *ARW* 21, p. 110; cf. Seneca, *De benef.* 6.25: *ne unquam primi consilii deos paenitet.*

<sup>86</sup> Luckenbill, nr. 596; cf. Dan 6:16.

once it has been promulgated. And the prophets of Israel, from Isaiah to Malachi, repeat that the word which comes from the mouth of the Eternal is a word that will not be revoked (Is 45:23) and that the Lord does not change (Mal 3:6). In the name of the Lord, Ezekiel assures those who hear him: "The word that I speak will be fulfilled, says the Lord God" (12:28). Do we not know that "God is not a human being, that he should lie, or a mortal, that he should change his mind" (Num 23:19; cf. 1 Sam 15:29)?

Religiously minded readers in the past who took seriously the words of God could not believe that the word which the Eternal had addressed to Jonah would fail to come to pass. "Everything that was spoken by the prophets of Israel, whom God sent, will occur," writes the author of Tobit; "Whatever God has said will be fulfilled and will come true; not a single word of the prophecies will fail." In this passage (14:1ff.), Tobit, who dies a few decades before the fall of Nineveh (612 B.C.E.), announces the future collapse of Assyria, taking his stand upon the oracle of Jonah: "I believe the words of God that Jonah spoke about Nineveh." The Book of Tobit was written in a period when even the site of ancient Nineveh had been forgotten. When Josephus wrote, at the close of the first century C.E., there was a new (Greek) city of Nineveh. And so Josephus writes that Jonah had predicted that Assyria would lose its imperial sovereignty over Asia.<sup>87</sup>

Some rabbis held that since the repentance of Nineveh was merely simulated or temporary, the words of Jonah would be fulfilled only forty years later (equivalent to the "forty days" in his preaching). Jerome seems to know this opinion, because he affirms that the Ninevites resumed their sinful habits and were then condemned without the possibility of appeal.<sup>88</sup>

Other interpreters held that Jonah had misunderstood the true meaning of the oracle which God addressed to him. Philo says that God is not interested in pulling down stones, but in changing human hearts. Augustine develops this point of view. If we consider the words of Jonah on the material level, the prophet seems to have lied; but if we consider them on the spiritual level, the oracle was indeed fulfilled, since the *sinful* Nineveh was indeed overthrown. The rabbis too were familiar with this interpretation. Playing on the different meanings of the root

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<sup>87</sup> Tob 14:4; Josephus, *Ant.* 9.10,2, 214.

<sup>88</sup> Ginzberg, VI, 351, nr. 37; Jerome, *Prologue* to Jonah.

*haphach* which is employed in the prediction of Jonah, an anonymous exegete says that Jonah did not know whether Nineveh would turn to embrace the good (i.e., would “change”) or the bad (i.e., would then “be overthrown”).<sup>89</sup>

Some exegetes even went so far as to declare that Jonah’s oracle was given by God with the express intention that it might not be fulfilled. Origen, the greatest of the Christian commentators, follows the Platonic idea of the noble and useful lie which is employed for pedagogical reasons by a doctor who wishes to help his patient, and tells us that the oracle of Jonas was a subterfuge: the Ninevites were meant to be terrified by the proclamation of the imminent fall of their city, and so find salvation. As Jerome explains, Jonah was wrong to want to condemn an innumerable mass of persons, rather than use a useful lie to try to save them.<sup>90</sup>

The pious authors of these ingenious hypotheses were reading between the lines. Nevertheless, they clearly indicate the problem that should surely make any attentive reader of Jonah perplexed. Commentators in the past like Kimchi, who took the text seriously, were astonished at the fragmentary character of the narrative and supposed it to be a piece taken from a lost book about Jonah. However, the biblical story is not about the prophet, but about a prophecy that did not come to pass. Here, the astonishing goodness of God explains the failure of Jonah’s prediction. The structure of the book (although not its actual purpose) is that of a little treatise arguing for the precision of the divine oracles. Unfortunately, predictions often remain unfulfilled, and this is why there must always be people who criticize either the character of the divination or the seers. Given the character of the available sources, the criticism which we know best is that of the Greeks. The reputation of the oracle of Delphi was severely shaken in 546, when Apollo, admittedly in ambiguous words (“If you cross the Halys, you will overthrow a mighty kingdom”), encouraged Croesus of Lydia, a benefactor of Delphi, to make war on Cyrus, king of Persia. Croesus lost both the war and his kingdom, and the Greek god seemed to have betrayed the piety of his generous worshiper. On the other hand, the Persian King Darius (521–486) praised the god for telling the Persians

<sup>89</sup> Augustine, *Sermo* 361, PL 39, 1616; Cf. *De civitate Dei* 22.25; Sanhedrin 89b.

<sup>90</sup> Origen, *Hom.* 19 and 20 on Jeremiah; Daniélou, *Origène*, 1955, pp. 280ff.; Jerome, PL 24, 887; Philo had already affirmed (46) that God wanted to save Nineveh by terrifying it. This was the medicine he employed to save Niniveh from death.

“the entire truth”: it was Apollo who had counseled the city of Cyme to hand over a suppliant to Darius. At that time, religious exegetes explained that the oracle had been delivered in order to make the divine wrath explode against those who were presumptuous enough to ask what decision Apollo had taken with regard to this impious project. Some decades later, in an Attic tragedy, Thetis, the mother of Achilles, complains about the duplicity of Apollo: she had believed that neither lies nor deceit issued from the mouth of Phoebus. As happened later on with the Book of Jonah, some devout souls had recourse to the theory of the useful lie: “The mouth of the god, which does not lie, does not refrain from just deceit.” But Plato insists that by their nature, the gods were incapable of lying, and that the stories of lying oracles had been invented by the poets.<sup>91</sup>

Apollo was blamed for having falsely predicted success. An unfavorable prediction which failed to materialize was soon forgotten and – except in extraordinary cases – could not damage the reputation of a seer. When a sign was unfavorable, the worshiper tended rather to plead with the god whom he had offended. Rabbi Jehuda ha Nasi, in the second century C.E., advised that one who had a dream of ill omen should pray and repent.<sup>92</sup>

But let us return to the Book of Jonah. The unfavorable prediction which fortunately fails to come to pass has its parallel in religious stories or legends. In 692, Babylon revolted against Assyria, and the city was destroyed by Sennacherib in 689. In 680, however, Asarhaddon, Sennacherib’s successor, began the reconstruction of the city. In his inscriptions, he explains that the iniquity of the Babylonians who had revolted was an offense to Marduk, the divine protector of the city. Marduk “invented evils” against Babylon and decided that it should lie desolate for seventy years; but once the heart of the merciful Marduk was appeased, he felt compassion, and ordered the restoration of Babylon only eleven years later.<sup>93</sup>

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<sup>91</sup> Herodotus 1.86–91; Plato, *Rep.* II, 383a and 389; Aeschylus, fragment 31 Nauck, and Herodotus, 1.66 and 6.80; the letter of Darius I is included in N.M. Tod, *Selection of Greek Historical Inscriptions* I, 1933, nr. 10. Cf. also D. Hage and R. Merkelbach, *Vigiliae Christianae*, 1966, p. 86.

<sup>92</sup> Midrash Qoheleth 5.6.

<sup>93</sup> Luckenbill II, 643; Nabonides gives a different version, *ANET*, p. 309. Cf. W. von Soden, *Zeitschrift für Assyriologie* 51 (1935), p. 130, and 52, 1937, pp. 224ff.; R. Borger, *AfOr. Beiheft* 9, 1956, pp. 12ff. The contradiction between the length of the stay in Egypt announced in Gen 15:13 (400 years) and the sum of 215 years according to



Like Babylon, Jerusalem experienced simultaneously the just anger and the astonishing compassion of heaven. After the return from exile, Zechariah (1:6) reminded his hearers that the words of the prophets had been fulfilled, and that the Eternal of Hosts had acted in accordance with his own designs. This is why the author of the Book of Jonah cannot send his protagonist to speak in Samaria or Jerusalem. Israel did not repent in time and was pardoned only after experiencing the burden of the divine wrath.

No one in Jerusalem had ever doubted that the Lord was generous in his forgiveness. On the banks of the Euphrates, in the Nile valley, and in the mountains of Asia Minor, repentant sinners humbled themselves and entrusted themselves fervently to the mercy of Ishtar or Ammon. If the author of Jonah had visited the Greek island of Delos, he could have seen with his own eyes the idol of Apollo with the Graces in his right hand and a bow and arrows in his left hand. The traditional explanation was that the god was quick to accord his grace and slow to punish. The God of Israel and the god of the Greeks postponed the punishment of the wicked, in order to give them time to repent and change their way of life.<sup>94</sup>

A word from the god pronounced in time could annul the effect of a prophecy and change the *fata denuntiativa*. Before the Persian War, Apollo told the Athenians that their city would be condemned. When they insisted on receiving a more favorable oracle, the god acceded to this request and gave his word of honor that “a wall of wood” would not be destroyed. This seemed to be a reference to the wooden ships of the Athenian fleet, and at Salamis, in 480 B.C.E., the Athenians won the decisive naval victory. – Nathan predicted a terrible chastisement for the house of David, but when the king repented, the prophet pronounced a new oracle: David would live, but the child whom he

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Ex 12:40 and the chronology of the patriarchs is resolved by the suggestion that God had reduced the period of oppression (Pirké Rabbi Eliezer 48).

<sup>94</sup> R. Pfeiffer, *Ausgewählte Schriften*, 1950, p. 552; but the *metanoia* which Apollo demands (Gallim. Fragment 114, ed. R. Pfeiffer) is not “repentance,” which in all the oriental religions – including Judaism and Christianity – is the contrition of the heart. *Metanoia* in Greek implies “an intellectual value judgment,” as A.D. Nock notes (*Conversion*, 1933, p. 181); this decision refers to future conduct, not to the moral condemnation of the past. *Hamartia* is not a “sin,” but an “error.” – On the postponed chastisement: cf. Plutarch, *De sera numin. Vind.* 6 and *De Pyth. orac.* 304: a priest of Heracles, Mysogonos, got drunk and forgot his obligation to observe sexual continence. The Pythia declared that the deity permits what cannot be avoided. – On the mercy of the oriental gods, cf. M. Smith, *JBL* 71 (1952), p. 141.

had begotten in sin would die (2 Sam 12). – Isaiah tells King Hezekiah, who is ill, that he is going to die. When Hezekiah prays, the Lord orders the prophet to announce that fifteen years will be added to the king's life (Is 38). When Hezekiah sins anew, Isaiah announces that the Jews will be carried off to Babylon. The king accepts this oracle submissively, but makes the condition that during the days of his own life, peace should be preserved. – The divine plans must come to pass, even when the deity grants a respite. According to the rabbis, if Israel repents, the fateful decree is not annulled, but redirected against the Gentiles. In the sermon he delivered after Alaric had sacked Rome in 410, Augustine tells his hearers that a soldier had received the revelation (probably in 398) of the future destruction of Constantinople by fire from heaven; but like Nineveh, says the bishop, the city repented and was saved. Nevertheless, as if to authenticate the oracle, on the day which had been predicted, a cloud of fire drew near to the city and covered it for a certain period. – When the terrible oracles uttered by Jeremiah seemed not to be coming to pass, the prophet reproached God: “O Eternal, you have seduced me!...” (Jer 20:7).<sup>95</sup>

And yet, it was the same Jeremiah who called the determinist theology into question. When he noticed how the potters reworked clay which they had already used, he discovered that God would work in the same way. The divine decision is not inflexible, and destiny can be modified.

God can speak against a nation; but if it turns from its iniquity, God revokes his decision to do it harm. “But if a nation does evil in my sight, not listening to my voice, then I will change my mind about the good that I had intended to do to it” (Jer 18:10). This theory of conditional prophecy was taken up by other prophets later on, and became part of Jewish (and subsequently Christian) theology. The oracle is not accomplished automatically; its realization depends on human conduct. God forgives Nineveh, says Jerome, not because some intellectual mistake or error of judgment had been made when the oracle was given, but because the Ninevites had changed their manner of life.<sup>96</sup> There are

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<sup>95</sup> Herodotus 7.139: in the same way, a presage of evil can be annulled by a contradictory sign; Cicero, *De div.* 1.124; 1 Kg 21:29; Augustine, *De excidio urbis Romae*, ed. M.V. O'Reilly, *Patristic Studies* (Catholic University of Washington) 89, 1955.

<sup>96</sup> Jerome, *ad Jon* 3:10, *quin potius deus preservavit in proposito suo, misereri volens ab initio, nemo enim punire desiderans quod facturus est comminatur.* Cf. Philo, 2; Origen, *Homily* on Jer 1.1.

however few of us who recall the second part of Jeremiah's declaration: the promises of God, just like his threats, depend for their realization on human conduct. Rabbi Jonathan, quoting Rabbi Jose, affirmed that no favorable word pronounced by the word of God was ever retracted, even if it was linked to the fulfillment of certain conditions.<sup>97</sup> Even before Rabbi Jose, the author of the Letter to the Hebrews declared that God is unchanging in his promises to Abraham, because "it is impossible that God should lie" (6:18).

As a matter of fact, Jeremiah was confusing two kinds of future, and hence two kinds of prophesying. Later, these were studied and distinguished by the Greek philosophers: destiny, with the possibility of an alternative or a conditional destiny ("*If* you cross the Halys, you will overthrow a mighty kingdom"), and the declarative prophecy which is absolute.

Jeremiah hoped against hope that his people would convert at the last minute so that the ultimate condemnation could be avoided. He wrote down all his prophecies on a scroll of parchment so that the people of Judah, aware of all that God intended to do to them, would abandon their evil way. This means that he understood the words of the prophets who had spoken before him as a conditional prediction (Jer 25:4).

The anthropocentric theory of Jeremiah, which makes destiny dependent on the changing conduct of human beings, chimed in with the hopes of the people. In 609, he was threatened with the death sentence because "he preached against the city." His accusers believed in the efficacy of oracles. But some of the elders were unwilling to agree with the people; they cited the case of an oracle similar to those of Jeremiah (Mic 3:12), which had failed to come to pass because King Hezekiah pleaded with the Lord (Jer 26).

## VII

The destiny of the Ninevites demonstrated to the rabbis the conditional nature of the divine decrees of condemnation. In his commentary on Jonah, Tanchuma of Jerusalem reaffirms this principle. But he asks: if this is indeed so, why did Jonah flee, and why was he angered when the Ninevites amended their ways and God revoked their punishment?

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<sup>97</sup> Berachoth 7a.

The answer – which a thirteenth-century Jew could not imagine – is that Jonah refused to accept the perspective of Jeremiah and Ezekiel, who see the prophet no longer as the herald of God, but as the sentinel of his people who sounds the trumpet to warn them of approaching danger (Ezek 3:16; 33:1–9). As Jerome explains in his commentary on Ezekiel, this image means that the prophets predicted the punishment in order that it might not actually come to pass. Cyril of Alexandria, adopting a suggestion of Philo, pictures Jonah reproaching God: “Why have you ordered me to proclaim the catastrophe in vain?” In the same way, the rabbis refer to the two contradictory oracles about Hezekiah (Is 38) and picture Isaiah protesting to God: “First you say one thing to me, and then another!”<sup>98</sup>

Jonah, who had predicted the re-establishment of the frontiers of Israel (2 Kg 14:25), did not want to proclaim an oracle which he knew in advance would not come to pass: “for I knew that you are a gracious God and merciful, slow to anger, and abounding in steadfast love, and ready to relent from punishing” (Jon 4:2). With the exception of this last attribute, these terms are taken from a longer list in Ex 34, a passage to which scriptural authors often refer. In his affliction, a psalmist repeats only those attributes concerning the divine mercy (Ps 103:8), while Nahum insists, in his condemnation of Nineveh, that the Lord is slow to anger and does not let the guilty go unpunished. Jonah quotes the formula in exactly the same terms as Joel (2:13). Literary allusions of this kind help make clear what a biblical author meant. For Joel, an invasion of grasshoppers was the signal that the day of judgment was approaching, and he urges the people: “He is gracious and merciful . . . abounding in steadfast love, and relents from punishing.” (These last words are added by Joel to the usual list of divine attributes.) “Who knows whether he will not turn and relent?” (Joel 2:13f.). The author of the story of Jonah portrays the king of the Ninevites employing this same expression of hope: “Who knows? God may repent and change his mind” (3:9). But the prophet Jonah takes up Joel’s description of God, not to encourage those who are repenting, but in order to explain why he had fled from a mission which would have resulted in the Ninevites’ repentance, thereby averting the punishment which God wanted to inflict on the sinners. It is this almost mechanical reciprocity between

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<sup>98</sup> Jerome *ad Ezek* 33:1 (PL 25, 332); Philo, 40; Midrash Qoheleth 5:6 (on Is 38).

the human person's repentance and the changing spirit of God that kindles the wrath of the prophet Jonah.

Are sins wiped out by repentance? Citing the example of Nineveh, the rabbis declared that even if God has decided on the death of someone, he would "repent" at once if that person "repented." Nevertheless, they had also heard of people who hoped that they would be able to commit sins, then subsequently repent and be saved. Julian the Apostate was shocked by the Christian idea that baptism washed away all sins, and Jerome condemned the doctrine of Origen, who held that repentance brought a complete pardon.<sup>99</sup> Without wishing to read between the lines, we can understand why the prophet Jonah protested against an idea popular in his days, viz. that repentance re-established the sinner in the divine favor: "Return to me, and I will return to you" (Mal 3:7).

### VIII

The author of the story of Jonah draws a contrast between the thesis put forward by Jeremiah, Ezekiel, Joel, and Malachi – if you repent, God too will repent – and the antithesis put forward by Jonah, i.e. that once the Eternal has uttered a word, it must remain unshakable. In the story, God does not condescend to argue against the outbreak of anger on the part of his prophet. As Philo says, after curing the Ninevites, God then tends to the sickness of Jonah by offering him the "parable" (to use Ibn Ezra's word) of the gourd. And God says to his prophet: "You are concerned about the bush, for which you did not labor . . . And should not I be concerned about Nineveh, that great city?" (4:10f.). The story finishes with a reproach. The verb "to be concerned about" (or "to spare"; Hus translates: "to have pity on") is used here for the first time in the narrative. This has nothing to do with the ideas of pardon or repentance; it indicates a sovereign and arbitrary action by which the enemy may choose (or not) to spare the population of a captured city (Jer 21:7). The ideal king "will have pity on the weak and the poor" (Ps 72:13). Nehemiah the Just concludes his memoirs by praying God to "remember" him according to the greatness of his mercy (*chesed*).

When he employs this verb, the author of Jonah is once again drawing inspiration for his narrative from Joel, who exhorts Jerusalem

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<sup>99</sup> Yoma 8.9, Schechter, p. 328; Julian, *Caes.* 336b; Jerome, *ad Jon* 3:6–9; cf. J. Forget in *Dictionnaire de Théologie catholique*, 8/1, 980ff.

to address the following plea in the Temple: "Spare your people, O Eternal!" (2:17).

Here, the appeal is made not to the mercy of God, but to his concern for his "reputation" in the eyes of other nations.<sup>100</sup> Once again, Joel helps us here to understand the Book of Jonah. As David Kimchi rightly observes in his commentary on the conclusion to this book, God saves Nineveh for the sake of his own glory, because both human persons and animals are his own creatures.

The thesis of Jeremiah and the antithesis of Jonah are reconciled and superseded by the author in what we might call a Hegelian synthesis. As the ancient Jewish commentators noted, he was writing a parable for Jerusalem. Cyril of Alexandria wondered why Jonah had been sent to a city as distant as Nineveh, rather than to a city like Tyre; he answers that this was intended to prove that the divine mercy saves even the worst of sinners.<sup>101</sup> An Egyptian story in the demotic tongue, which was told anew in the reign of the Roman emperor Augustus, included the prophecy of an Assyrian invasion and the installation of Egyptian gods in Nineveh.<sup>102</sup> Both Jeremiah (13:14) and Ezekiel (24:14) predicted that God would not spare Jerusalem, and their oracles eventually came to pass. The author of Jonah tells his story to a city which is rebuilt, but still sinful. Since God once spared Nineveh, why should he not also take the sovereign decision to spare Jerusalem?

The Jews were not the only chosen people. As a matter of fact, there was not one single tribe that had *not* been chosen by heaven. Israel was the people of the Eternal, just as Ashur was the city of the god Ashur. The legislator Solon, a contemporary of Jeremiah, speaks of his city in language which recalls the warnings of the Hebrew prophets: our city will never be overthrown by the will of Zeus "because Pallas Athene stretches out her hands over it and protects it." But the citizens themselves threaten the existence of Athens by their cupidity and anarchy.<sup>103</sup> In exactly the same way, the Jews were sure that the Eternal would protect Jerusalem: "The Eternal is in our midst, harm cannot touch us."

<sup>100</sup> Cf. J. Lindblom, *Prophecy in Ancient Israel*, 1962, p. 380.

<sup>101</sup> Cyril of Alexandria, PG 71, 601.

<sup>102</sup> The story of Bocchoris is summarized by J. Krall in *Festschrift M. Büdinger*, 1898, pp. 1ff. Cf. Pap. Oxy., XXII, 2332, I, 34.

<sup>103</sup> Solon *apud* Demosthenes 19.255.

It was impossible to imagine Pallas without the Athenians; and, as Jeremiah pointed out, no other people had ever abandoned its gods. But Israel unceasingly committed apostasy, so that God was in fact free to abandon the nation he had chosen. In other lands, the relationship between a people and its heavenly protector belonged to the natural order of things; but the bond between the Eternal and Israel was the result of a free act of choice. Torah does not tell us why God called Abraham rather than his brother Nahor, nor why, before the twins were born, he chose Jacob rather than Esau. The Eternal had chosen Israel. This favor might seem unjustified, or even unreasonable, but God had made his choice because he loved Israel (Deut 7:8). The prophets knew that he could not continue loving Israel for long (Hos 9:15): God wanted to repudiate Jerusalem, the city he had chosen (2 Kg 23:27), and to reject Judah (Jer 14:19).

The Jews were the children of Abraham, but as John the Baptist told them (Matt 3:9), “God is able from these stones to raise up children to Abraham.” “Did I not bring Israel up from the land of Egypt, and the Philistines from Caphtor and the Arameans from Kir?” (Amos 9:7). The claim of the Christian church to be the “true Israel” which, thanks to God’s favor, has supplanted the rebellious Israel may or may not be unfounded, but it is not actually absurd – however, one cannot imagine any other people declaring that it, rather than the Assyrians, was the people of the god Ashur.<sup>104</sup> It is not by chance that the new faith was born in Palestine. There was no place outside Israel for a new religion.

The pagan gods were inseparable from their respective peoples because these gods were a part of nature, just like the landscapes where their cities stood. In all the ancient mythologies from India to Egypt and Greece, matter is antecedent to the gods, who are merely the organizers of the universe. The cosmic order and its truths are superior both to gods and to human persons, whereas the God of Abraham, Isaac, and Jacob is the creator. When the Jews began to philosophize in the period of hellenism, they recognized this essential difference between the Lord and the pagan pantheon. When the heroic mother whose seven sons are killed by Antiochus IV exhorts them to hold firmly to the faith of their ancestors, she speaks of God who created all things out of nothing,

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<sup>104</sup> M. Simon, *Verus Israel*, 1948.

and concludes that he can also refashion the human body after death. Paul takes up this argument: “God who gives life to the dead and calls into existence the things that do not exist” (Rom 4:17).<sup>105</sup>

The Christian apologists Justin, Theophilus, and Athenagoras repeatedly emphasized that the pagan gods did not exist in the beginning. As the German philosopher Hegel (1770–1831), who knew the Bible well, remarked, nature is the first and fundamental existing reality in the East, but it is reduced in scripture to the status of a simple creature. God is absolute causality.<sup>106</sup>

Although Apollo was incapable of annulling the “fatal condemnation” of Croesus, on whom the sin of his ancestor Gyges had fallen, he postponed the downfall of the king for three years, thus saving his life. Marduk could not wipe out the sentence of seventy years of desolation which he himself had decreed, but he turned over the clay tablet on which the sentence had been written, so that in the cuneiform script the number 70 now looked like the number 11.<sup>107</sup> But the God of Jonah could annul the judgment he had pronounced on Nineveh, if he so desired.

Since he is absolute causality (to use Hegel’s term), the Lord is the only one who is genuinely omnipotent. He does not even need to keep his word. In Philo’s homily, the Lord cautions Jonah: “I am the absolute autocrat, I who terrified the Ninevites. I had the authority to establish and to annul the law, to change the sentence of death.” In the same way, the rabbis contrasted a human judge, powerless to revoke the sentence he had uttered, with God for whom everything is possible. “There is no response to be given to him when ‘he spoke – and the world came into being.’ Accordingly, each one of his words is true and each one of his decisions is just.” As Calvin said, “Let us learn from the example of Jonah not to measure the judgments of God by our own wisdom.” This wise ignorance is no burden on the author or the reader of Jonah.

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<sup>105</sup> 2 Macc 7:23, Paul, Rom 4:17. Cf. Hermas, *Mand.* 1.2; Origen, *Heracl.* 1; Theophilus, *Ad Autolyicum* 1.12; Athenagoras, *Apol.* 18; etc. On Philo, cf. H. Wolfson, *Philo*, I, 1941, pp. 292ff. This truth was so obvious to the rabbis that they did not feel the need to emphasize it particularly. On cosmogonies, cf. U. Bianchi, *Teogonie e cosmogonie*, 1960, and the volume *La naissance du monde* in *Sources Orientales*, 1960.

<sup>106</sup> Cf. Hegel, *Philosophie der Geschichte*, III, Abt.: Judaea: “nature is now degraded to the status of a creature”; cf. Hegel, *Vorlesungen über die Philosophie der Weltgeschichte*, II: “Die orientalische Welt,” ed. G. Lasson, 1923.

<sup>107</sup> Herodotus, 1.91.



Heraclitus, a contemporary of this book, believed that time (which changes all things) leads us like a child playing draughts. Plato, paraphrasing Heraclitus, believed that we are puppets in the hands of the gods, invented to serve as their toys or else for some purpose of which we ourselves know nothing. But Jonah and his readers knew that their God, slow to anger and rich in mercy, is not a “puppet maker,” even if his ways are often incomprehensible to the human spirit. The story of Jonah teaches us that God is merciful, but he is merciful because he is the creator. As Kimchi puts it, quoting Ezek 43:7, God created human beings for his glory, and he grants them pardon for the love of his glory. In Augustine’s words, *gratia gratis datur*.<sup>108</sup> An interpretation of the story of Jonah in human terms will judge it in relation to the needs and the spirit of the human person, but this interpretation is erroneous. “Not to us, O Eternal, give the glory, not to us, but to your name give glory!...” (Ps 115).<sup>109</sup>

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<sup>108</sup> Philo, 46; Pesikta Rabbati, quoted by S. Lieberman, *Jewish Quarterly Review* 35, 1944, p. 34; Calvin, *Opera* 43, 1890, p. 264: *discamus Jonae exemplo non metiri proprio sensu Dei iudicium*. – Kimchi *ad* Jon 4:10; Heraclitus, fragment 52 Diels; Plato, *Laws* I, 644d. – In the Midrash on Jonah, the prophet says: “O God, govern the world in accordance with your mercy, as it is said: ‘To the Lord our God belong mercy and pardon’” (Dan 9:9). Cf. Is 37:35; 48:9; Ps 23:3; Testament of Abraham 11.

<sup>109</sup> Cf. *Four Strange Books of the Bible*, 1967, ch. 1.

## THE EDICT OF CYRUS IN EZRA<sup>1</sup>

Into the enchanted palace of Orientalism, which changes daily by the magic of new discoveries, a classicist enters with reluctance – and at his own peril. The present writer, however, was led by his investigations of the formulae of Greek and Roman state acts to examine the Persian document in Ezra 1.

### I

There are in Ezra two ordinances of Cyrus concerning the Return from the Captivity: one in Hebrew (Ezra 1, 2–4), the other in Aramaic (Ezra 6, 3–5). Some scholars regard both instruments as two versions of the same royal edict; but, since a comparison of the two texts discloses very great differences, they conclude that at least one of the two ordinances cannot be authentic.<sup>2</sup> Critics who accept as genuine the Aramaic transcripts of other Persian records in Ezra, reject the Hebrew Edict of

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<sup>1</sup> Cf. the “Introductions” to the Old Testament by R.H. Pfeiffer, 1941, by O. Eissfeldt, 1965, by G. Fohrer, 1968, and by A. Robert and A. Feuillet, 1968, who refer to the literature on the subject. In this article their works and the commentaries on the Bible, particularly on the book of Ezra, are generally referred to by the name of the author alone. Other abbreviations particular to this article are: Bacher = W. Bacher, *Die Agada der palästinischen Amoräer*, I–III, 1892–1899; Borger = R. Borger, *Die Inschriften Assarhadons* = Archiv für Orientforschung, Beiheft 9, 1956; Breasted = J.H. Breasted, *Ancient Records of Egypt* I–V, 1905–1907; Cowley = A.E. Cowley, *Aramaic Papyri*, 1923; Dandamayev = M. Dandamayev, *Iran pri pervykh Achemenidach*, Gadd = C.J. Gadd, The Harran Inscription of Nabonidus, *Anatolian Studies* VIII, 1958, pp. 35–92; Galling = K. Galling, *Studien zur Geschichte Israels im Persischen Zeitalter*, 1964; Landsberger, Brief = B. Landsberger, *Mededelingen* (of the Netherlands Academy) N.R. XXVIII, 6, 1965; Luckenbill = E.D. Luckenbill, *Ancient Records of Assyria and Babylonia*, I–II, 1926; Porten = B. Porten, *Archives from Elephantine*, 1968; Posener = G. Posener, *La première domination perse en Égypte*, 1935; RLA = *Reallexicon der Assyrologie*; Rogers = R.W. Rogers, *Cuneiform Parallels to the Old Testament*, 1912; Smith = Sidney Smith, *Isaiah, Chapters XLI–LV*, 1944; M. Smith = Morton Smith, *Palestinian Parties and Politics*, 1971; Thomas = D. Winton Thomas (ed.), *Documents from Old Testament Times* (Harper Torchbook); Torrey = C.C. Torrey, *Ezra Studies*, 1910.

<sup>2</sup> For this reasoning see e.g., Batten, *ad* Ezra 1, 4; Lods, *The Prophets and the Rise of Judaism*, 1937, p. 185; R. Kittel, *Geschichte des Volkes Israel* III, 2, 1929, p. 318; K. Galling, *Syrien in der Politik der Achaemeniden bis 448 v. Chr.* (AO XXXVI, 3–4; 1937), p. 31.

Cyrus,<sup>3</sup> which has few defenders; and, following Torrey, some regard the Aramaic instrument as unreliable.<sup>4</sup> As a matter of fact, this deductive reasoning is deceptive because it is based on a fallacy of presumption. An examination of the formulae of both documents show that they are not two variants of the same record but two independent records concerning the same case.

Let us quote first the Aramaic document (6, 3–5). It runs as follows.<sup>5</sup> “Memorandum. In the first year of Cyrus the king. Cyrus the king set down<sup>6</sup> an order concerning the house of God in Jerusalem. Let the house be built... also the vessels of the house of God... let them restore... and thou shalt put them in the house of God”.

This is an order in the form of an impersonal enactment. Such a minute recorded a single decision, given orally at a cabinet meeting or pursuant to a report presented for consideration. Accordingly, the record was put down on a separate piece of writing material and being a separate piece in the file had its own heading. The Greek name for such a draft is *hypomnematismos*, the Aramaic term a word of the same meaning, *dīcróná* (דכרונה). Ezra 6, 2), that is “Memorandum”.<sup>7</sup> Such *Memoranda* are mentioned as initiating administrative action in the day-book of the Persian arsenal at Memphis, from 484 B.C.;<sup>8</sup> specimens of that instrument have been preserved among the Aramaic papyri unearthed at Elephantine<sup>9</sup> and in cuneiform texts from the Persian treasury at Persepolis.<sup>10</sup> Such “memos” could be written on any material. While “memos” on clay tablets were arranged in “file cabinets”

<sup>3</sup> See, e.g., R. de Vaux, *RB*, 1937, p. 41 = *Id. Bible et Orient*, 1967, p. 87; H.H. Schaefer, *Ezra der Schreiber*, 1930, p. 29; S. Mowinckel, *Studien zum Buche Ezra-Nehemiah*, 1965, p. 8; Galling, pp. 61–77; M. Noth, *The History of Israel*, 2nd ed.; 1972, p. 308; M. Smith, p. 244, n. 16. Cf. also the introductions referred to in n. 1 and the authoritative commentaries, e.g., the commentaries of W. Rudolph, 1949 and of R. Bowman in *Interpreter's Bible* III, 1954.

<sup>4</sup> Batten, *l.c.*

<sup>5</sup> For the interpretation of the text cf. R. de Vaux, *RB*, 1937, p. 35 = *Id. Bible et Orient*, pp. 83–119.

<sup>6</sup> The technical expression **שִׁים טַעַם** (*sîm te'ēm*) is used likewise in the Elephantine papyri and in the day-book of the Persian arsenal at Memphis (see n. 8).

<sup>7</sup> *Aegyptus* 1933, p. 353.

<sup>8</sup> R.A. Bowman, *AJSL*, 1941, p. 302.

<sup>9</sup> Cowley, No. 32.

<sup>10</sup> G.G. Cameron, *The Persepolis Treasury Tablets*, 1946, p. 25. Cf. R.T. Hallock, *JNES*, 1960, p. 90 and, particularly, M. Dandamayev, *Festschrift W. Brandenstein = Innsbrucker Beiträge zur Kulturgeschichte*, 14, 1968, p. 237.

chronologically or according to subject matter,<sup>11</sup> “memos” on papyrus were glued together into a volume.

Cyrus’ memorandum (Ezra 6, 3) belongs to the same class of official records. Materially, it is an instruction to the royal treasury concerning the expenses for building anew the Temple in Jerusalem.<sup>12</sup> Formally, it is a *dicrona*, as its opening word says, written in the third person; although in the last sentence the treasurer is addressed directly.<sup>13</sup> Destined for the *bureaux*, the mandate was, of course, not made public. Twenty years later, in 520 B.C., the Jewish authorities in Jerusalem did not have a copy of the document and could only vaguely presume that the original might be found “in the royal treasuries” of Babylon (Ezra 5, 17).<sup>14</sup> But the document was stored at Ecbatana, where Cyrus stayed in the summer of his first year (538 B.C.).<sup>15</sup>

Let us now return to the Hebrew instrument transcribed in Ezra 1. Introducing the quotation, the Chronicler says that Cyrus “caused a voice to pass through all his kingdom . . . announcing as follows”. The hagiographer speaks of a verbal promulgation made by heralds sent throughout the Empire. In the same way, Ezra and Nehemiah issue summonses through all Judaea convening all the people at Jerusalem for gatherings.<sup>16</sup> Oral announcements of matters the authorities desired to make known to the population was the usual method of publication in the ancient world. Heralds are often mentioned in cuneiform texts;<sup>17</sup> there was an office of the Royal Herald in Egypt<sup>18</sup> as well as

<sup>11</sup> Cf. N. Schneider, *Orientalia*, 1940, p. 7.

<sup>12</sup> Cf. the list of restored sacred utensils in Ezra 1,7–11, explained by Galling, pp. 78–88.

<sup>13</sup> Such an anacoluthon, which troubles commentators (see Julius A. Bewer, *Der Text des Buches Ezra*, 1922, p. 62) often occurs in Persian documents. Cf. above n. 10; the Behistun inscription c. 4, 67ff. *ap.* R.G. Kent, *Old Persian*, 1955, p. 132; Ezra 7, 12–16. Cf. J. Friedrich, *Orientalia*, 1943, p. 32.

<sup>14</sup> On archives in royal “treasure-houses” cf. Strabo, XV, p. 735; P.J. Junge, *Klio*, 1940, p. 30.

<sup>15</sup> Ezra 6,1 Cf. Kittel (n. 2), III, 2, 312. It is difficult to say whether the *megillah* (that is, the *volumen*) mentioned here was a folded sheet of papyrus or a roll of sheets glued together to form a volume of royal “memoranda” from the first year of Cyrus’ reign.

<sup>16</sup> Ezra 10, 7; Neh. 8, 15. Cf. Exod. 36, 6; II Chr. 24, 9; 30, 5. Here, and also in 30, 1, the word *iggeret* means “the official message”.

<sup>17</sup> E. Ebeling, *RLA* I, p. 322; idem. *Neubabyl. Briefe* (*Abh. Bayer. Akad.*, N.F. 30, 1949, No. 255).

<sup>18</sup> Breasted, V (Index), p. 57, s.v.

at the court of Jerusalem.<sup>19</sup> The Prophets like to present their utterances as God's proclamations to his people:<sup>20</sup> "One says: 'Proclaim'. And he says: 'What shall I proclaim?'" (Isa. 40, 6). "Go, and cry in the ears of Jerusalem, saying: 'Thus says the Lord'" (Jer. 2, 1). The Persian law acknowledged the validity of ordinances brought into force by oral promulgation. For instance, Pseudo-Smerdis sent messengers throughout the Empire to announce his coming to the throne. When the herald dispatched to Egypt "cried" in the midst of Cambyses' camp, Cambyses merely inquired whether the messenger had received the order from his pretended brother personally or through one of the courtiers.<sup>21</sup> Whereas royal letters were always written in Aramaic (even if addressed to the Greeks)<sup>22</sup> verbal announcements were necessarily made in the local language. Thus, a Persian herald addressed the Ten Thousand in Greek.<sup>23</sup> Likewise, when Persian heralds were dispatched throughout Thrace to prepare the supply system for Xerxes' expedition<sup>24</sup> they would hardly have made the proclamations in Aramaic, a language unintelligible to the population. This difference between official correspondence and official verbal announcement explains why the Chronicler quotes Persian documents in Aramaic but reproduces Cyrus' proclamation in Hebrew.<sup>25</sup> It is also quite natural that the proclamation was read in Jerusalem where the official language was still Hebrew in the time of Nehemiah.<sup>26</sup>

The king's word allowing the return of the Jews to their ancestral homes must have taken the form of a proclamation by heralds in all

<sup>19</sup> R. de Vaux, *RB*, 1939, p. 395 = Idem, *Bible et Orient*, 1967, p. 190. Cf. T.D.N. Mettinger, *Solomonic State Officials*, 1971, pp. 52–56.

<sup>20</sup> J. Lindblom, *Die literarische Gattung der prophetischen Literatur* (Uppsala Univ. Årskrift, 1924), p. 98).

<sup>21</sup> Herod., III, 62. Cf. E. Herzfeld, *Zoroaster and his World*, 1947, p. 171, p. 224.

<sup>22</sup> Thuc., IV, 50, 2.

<sup>23</sup> Xen., *Anab.*, II, 1, 7. Cf. Herod., VII, 131; Plut., *Them.*, 6.

<sup>24</sup> Herod., VII, 119.

<sup>25</sup> Demotic correspondence between the Egyptian priests at Elephantine and the Persian satrap, Pherendates, gives "copies", i.e., translations of the original text (E. Bresciani in *Studi classici e orientali* VII, 1958, p. 133). On the other hand, Darius' proclamation, preserved in the great trilingual inscription at Behistun, was officially translated and published in Babylonian, Aramaic, Egyptian, and, probably, in many other languages. Cf. Dandamayev, pp. 83–92.

<sup>26</sup> Neh. 13, 24. In Cyrus' time, the Jews in Babylonia still used the ancestral language; see S. Daiches, *The Jews in Babylonia*, 1912, p. 30. The Eretrians deported to Persia still spoke their "old language" some fifty years later (Herod., VI, 119). Cf. E. Herzfeld, *The Persian Empire*, 1968, p. 11. The Milesians, transferred to Central Asia in 479, were still bilingual 150 years later (Curt. Ruf. VII, 5, 29).

of the Diaspora under Cyrus' sway. Second Isaiah speaks of "the messenger of good tidings", who announces salvation and God's return to Zion (Isa. 57, 7). And again: "Go you forth from Babylon... proclaim this... make it go out even to the end of the earth; say: 'The Lord has redeemed His servant Jacob'" (Isa. 48, 20).

Thus, there were (at least) two orders of Cyprus relevant to the Return from Captivity: a royal proclamation addressed to the Jews and published by the heralds everywhere and in many languages, including Hebrew (Ezra 1);<sup>27</sup> and, on the other hand, a *memorandum* to the royal treasurer, in Aramaic, which was *not* made public at the time.

## II

The restoration of the Temple and the repatriation of the Exiles go together.<sup>28</sup> Second Isaiah sees Cyrus saying to Jerusalem: "She shall be built", and to the Temple: "You shall be founded" (Is. 44, 28). Thus, if the memorandum referring to Cyrus' order to build the Temple (Ezra 6, 3-5) is genuine, and the return of the sacred vessels of the Temple by Cyrus (Ezra, 1, 7-11; 5, 14) is historical, as almost all critics assert, there must have been a Return from the Captivity under Cyrus, and, therefore, the Persian king must have issued a proclamation summoning the Exiles back to Jerusalem. Thus, the position of scholars who accept the authenticity of the Aramaic memorandum, but deny that of the Hebrew document is untenable. On the other hand, radical critics, who doubt the whole history of the Return under Cyrus and, thus, the genuineness of the related documents, have logic, if not history, on their side. Of course, to be consistent, they should also have condemned the Cyrus oracles of Second Isaiah as later fakes.<sup>29</sup>

<sup>27</sup> Cf. II Chr. 30, 6; Neh. 8, 15; Dn. 3, 4. Galling, p. 65, finds it "curious" that Cyrus' edict has no address, but he confuses oral and written messages. Galling, p. 67, also objects that for the Chronicler, Judaea remained empty before the Return (II Chr. 36, 20; a rhetorical paraphrase of II Kings 25, 11). But the edict was issued by Cyrus, and not by the hagiographer.

<sup>28</sup> Cf. Ps. 147, 2; H.L. Ginsberg, *Eretz-Israel* IX, 1969, p. 49. Further cf. Cyrus' cylinder (*ANET*, p. 315), the restoration of Sin's temple and of the city of Harran by Nabonidus (*ANET*, p. 560), or of Babylon by Esarhaddon (below, p. 100). For Greek parallels cf. L. Robert, *C.R.Ac. Inscr.*, 1969, p. 61. The other way around, gods and their worshippers were deported together. See, e.g., Is. 46, 1. Cf. A. Alt, *Kleine Schriften* II, 1953, p. 237, D. L. Wiseman, *Chronicles of the Chaldean Kings*, 1956, p. 55.

<sup>29</sup> Cf. C.C. Torrey, *The Second Isaiah*, 128, p. 40. On the history of the hypothesis denying the Restoration under Cyrus cf. W.F. Stinespring's Introduction to the reprint

It is another question, however, whether the text of the proclamation is trustworthy as given by the Chronicler or whether its original form has been more or less altered by the hagiographer. The latter opinion is held even by the exegetes who maintain the authenticity of the scriptural account.<sup>30</sup> Radical critics assume that counterfeiting of this text is manifest at first glance.<sup>31</sup>

Modern translators render the text as follows.<sup>32</sup> “Thus saith King Cyrus of Persia: ‘All the kingdoms of the earth has YHWH, the God of heaven, given me, and He has charged me to build a house for Him in Jerusalem, which is in Judah. Whosoever is among you of all His people, his God be with him, and let him go up to Jerusalem, which is in Judah, and build the house of YHWH, the God of Israel, He is the God who is in Jerusalem. And whosoever is left, in any place where he sojourns, let the men of his place support him with silver, and with gold, and with goods, and with beasts, beside the freewill-offering for the house of God which is in Jerusalem’” (Ezra 1, 2–4).

Critics discover in these three verses a flagrant anachronism, many suspect expressions, and historical nonsense. It seems to me, however, that their objections are based on misinterpretations.

All commentators regard the title of Cyrus in the proclamation as anachronistic.<sup>33</sup> They lay stress on the fact that no Achaemenid was ever styled “King of Persia” in royal inscriptions and Babylonian contracts. The argument seems decisive, but it is only delusive. We cannot infer from the official style of one type of document results valid for another. As a matter of fact, the royal style of the Achaemenian house changed with the language of the instrument and with its formula.<sup>34</sup> For instance, Darius I is called in his Persian “display” inscription, erected in Egypt: “The great king, king of kings, king of countries, containing

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of Torrey’s *Ezra Studies*, 1970, p. XIVff. Gallings’s hypothesis (above, n. 2) that the Return took place under Cambyses has been refuted by H.H. Schaeder, *OLZ*, 1938, p. 103 and by Smith, p. 145.

<sup>30</sup> See e.g., J. Goettsberger, *Die Bücher der Chronik*, 1939, ad II Chron 36, 23.

<sup>31</sup> See e.g., Ed. Meyer, *Die Entstehung des Judentums*, 1896, p. 49; Schaeder (n. 3), p. 29. Cf. Gallings, p. 61ff.

<sup>32</sup> The translation follows (with some minor changes) the version published by the Jewish Publication Society. All other translations in modern languages agree, so far as I know, with the quoted one.

<sup>33</sup> The argument has already been advanced by H. Ewald, *History of Israel* V, p. 48 and has been repeated and maintained by all critics since.

<sup>34</sup> A convenient concordance of pertinent data is presented by R.D. Wilson, in *Festschrift Edward Sachau*, 1915, p. 179.

all (kinds) of men, king of this great earth, far and wide”, etc.,<sup>35</sup> while on hieroglyphic monuments he receives the appellation of a Pharaoh: “King of Upper and Lower Egypt, Lord of the Two Lands”, etc.<sup>36</sup> In the dates of business documents, written in Egypt, in Demotic<sup>37</sup> as well as in Aramaic,<sup>38</sup> the same ruler is simply styled: “Darius, the King”. But in the dates of cuneiform contracts, drawn in Mesopotamia<sup>39</sup> or even in Syria,<sup>40</sup> Darius is designated: “King of Babylon, king of lands”. Again, in the dating clause of Elamite drafts from the royal treasury at Persepolis under the same ruler no king is mentioned but only year and month.<sup>41</sup> Since we do not have any parallel text to Cyrus’ Hebrew proclamation it is futile to argue whether the title given here to the king is trustworthy or not. But we can prove that it is not anachronistic.

Critics repeat that once Persia had been absorbed in the worldwide empire of Cyrus after his conquest of Babylon, the title “King of Persia” was no longer employed officially. In fact, Greek terminology shows that the Achaemenids were known in the West as “Kings of Persia”, and, accordingly, they did not use the Babylonian title (“king of lands”, etc.) in dealing with the Lydians and Ionians.<sup>42</sup> Likewise, the Chronicler uses the title “king of Persia” in his narrative.<sup>43</sup> However, the title “king of Babylon” appears in a passage of Nehemiah’s memoirs (Neh 16, 3), even when this appellation was no longer official since it had been abolished already in 482 B.C.<sup>44</sup> Since the Chronicler wrote under Persian domination, probably in the first half of the 4th century,<sup>45</sup> his usage shows how the Achaemenians were styled in Jerusalem. If Palestine surrendered to Cyrus before the fall of Babylon, as Berosus’ account suggests, the conqueror could hardly carry a name other than that of

<sup>35</sup> R.G. Kent, *JNES* 1942, p. 419. On his titles in Persia cf. R. Borger, W. Hinz, *ZDMG* CIX, 1959, p. 117.

<sup>36</sup> Posener, p. 37, etc.

<sup>37</sup> Wilson, *op. cit.*, p. 189.

<sup>38</sup> See, e.g., Cowley, No. 28.

<sup>39</sup> Wilson, *op. cit.*, p. 184.

<sup>40</sup> E. Dhorme, *RA*, 1928, p. 67.

<sup>41</sup> G.G. Cameron, (n. 10), p. 21.

<sup>42</sup> The Persian ruler is styled “king of kings” in an Aramaic-Lyidian bilingual inscription (C.C. Torrey, *AJS*, 1917–18, p. 185). The same title is given to Xerxes in an Aramaic dedication at Memphis (G.A. Cooke, *A Text-Book of North-Semitic Inscriptions*, No. 71). Cf. Ezra 7, 12.

<sup>43</sup> See, e.g., Ezra 1, 8; 3, 7; 4, 3, etc.

<sup>44</sup> G.G. Cameron, *AJS*, 1941, p. 327. Cyrus is styled “king of Babylon” in Ezra 5, 13 as Nebuchadnezzar’s successor.

<sup>45</sup> Cf. *From Ezra to the Last of the Maccabees*, 1962, p. 30.



“king of Persia”.<sup>46</sup> This appellation was not dropped subsequently. From 485 to 482 B.C. the name of “king of Persia and Media” preceded the Babylonian title (“king of the lands”, etc.) even in cuneiform instruments.<sup>47</sup> As for Cyrus himself, in a cuneiform inscription from the beginning of his Babylonian reign he is styled: “Cyrus, King of all, King of Anshan”.<sup>48</sup> Since Anshan could be used as a learned name for Persia,<sup>49</sup> this inscription on the bricks of Ur preserves contemporary evidence showing that in 538 Cyrus could have been designated as “King of Persia” in a document emanating from the royal chancellery.

### III

Critics discover Jewish phraseology in the titles of the Lord, Who is called in the proclamation “God of Heaven” and “God of Israel”. But the Persian administration styled the deities of the subject peoples in agreement with the phraseology used by the latter. For instance, in Persian documents Marduk is called “king of the gods”;<sup>50</sup> Sin is “the Lord of Heaven and Earth”,<sup>51</sup> Neith is “the Lady of Sais”,<sup>52</sup> and even the ram-headed Khnum is respectfully called “the Lord of Elephantine” in official correspondence.<sup>53</sup> In dealing with Persians, the Jews at Elephantine called their deity “the God of Heaven”. Accordingly, the same name is used for the Jewish divinity by the Persian authorities.<sup>54</sup> The term, “God of Heaven”, was used for all supreme divinities of the Semites, Marduk and Baal-Shamem<sup>55</sup> for instance. In 519 B.C. the Jewish authorities in Jerusalem officially designated their deity as “the God of Heaven and Earth” (Ezra 5, 11), using the name given to Him

<sup>46</sup> Berosus *ap.* Josephus, *C. Ap.* I, 150. Cf. Smith, p. 42.

<sup>47</sup> G.G. Cameron, *AJSL*, 1941, p. 324.

<sup>48</sup> C.J. Gadd, L. Legrain, *Ur Excavations I. Royal Inscriptions*, No. 194.

<sup>49</sup> Smith, p. 121. Cf. G.G. Cameron, *History of Early Iran*, 1936, p. 223; E. Herzfeld, *Iran in the Ancient East*, 1941, p. 111, Dandamayev, p. 103. Only three documents issued by Cyrus have been discovered as yet. See R. Borger, W. Hinz (n. 35), p. 127.

<sup>50</sup> *Cyrus' Cylinder* (Rogers, 380).

<sup>51</sup> Gadd, Legrain (n. 46), No. 307.

<sup>52</sup> Posener, No. 8.

<sup>53</sup> W. Spiegelberg, *S.B. Preuss. Akad.*, 1928, p. 605.

<sup>54</sup> Cowley, 31.

<sup>55</sup> O. Eissfeldt, *ZAW* 57, 1939, pp. 1–31.

in Deut. 4, 39. Darius, accordingly, employed the same appellation (“God of Heaven”) in his rescript (Ezra 6, 19).<sup>56</sup>

For the same reason the expression, “God of Israel”, to which critics also object, is not surprising in a Persian document. Since Israel was the historical name of the whole nation, the entire Twelve Tribes, it continued to refer to the people in Judah even after the end of the Northern Kingdom in 721. Ezekiel speaks of the remnant of Israel in Jerusalem (Ez 9, 8). During the Exile, the appellation “Israel”, was preferred because it designated the Remnant as the “Chosen People”.<sup>57</sup> Second Isaiah calls out to “the God of Israel, the Saviour” (Is. 45, 15), and an oracle was addressed to Cyrus on behalf of YHWH, “the God of Israel” (Is. 45, 3).<sup>58</sup>

Other expressions that commentators consider superfluous only exhibit the mark of bureaucratic style. Such are, for instance, the specifications: “Jerusalem which is in Judea”, “God who is in Jerusalem”. In a request of the Jews from Elephantine sent to the Persian governor of Judea, we read: “god Khnum who is in the fortress of Yeb”, “the temple of Yau, the god, which is in the fortress of Yeb”, etc.<sup>59</sup> Such precision was necessary.

The exegetes forget that the God of Israel was also worshipped in Samaria, at Elephantine, and in other Jewish settlements; above all in Babylonia, where He had His altars, if not temples.<sup>60</sup> As a matter of fact, the Persian insistence on the formula “God in Jerusalem”, which, as we have just seen, reappears in Darius’ and Artaxerxes’ decrees, seems to verify the authenticity of Cyrus’ edict. For a Jew, his Deity dwelt in heaven. The only passage in the Bible where the Lord is called “the God of Jerusalem” is attributed to Sennacherib’s

<sup>56</sup> The Persians did not use this title with reference to their supreme deity. J. Scheffelowitz, *Die altpersische Religion und das Judentum*, 1920, p. 124.

<sup>57</sup> H. Zucker, *Studien zur jüdischen Selbstverwaltung im Altertum*, 1936, p. 12.

<sup>58</sup> Finkelstein, *The Pharisees II* (3rd ed.), 1963, p. 875.

<sup>59</sup> Cowley, 30. Cf. Kraeling, 12. In an inscription displayed in the temple of Sin at Harran, reference is made to “the temple of Sin which (is) in Harran”. Gadd, 41, 57. In the mandate to Ezra, Artaxerxes four times repeated the formula: “God... dwelling in Jerusalem” (Ezra, 7, 15–29). Galling, p. 71, discovers an anachronism in the expression: “Jerusalem in Judah”, since he believes that the province of Judaea was not created before 445. This hypothesis is erroneous (cf. Ezra 5, 8 and M. Smith, p. 196) and, anyway, irrelevant. Cyrus here speaks of a country and not of a Persian province.

<sup>60</sup> M. Smith, pp. 88–94.

envoys, who, vainly, “spoke of the God of Jerusalem as they spoke of the gods of the peoples of the earth, who are the work of men’s hands” (II Chr. 32, 19).<sup>61</sup> Accordingly, R. Eleazar b. Pedath (c. 230 C.E.) inferred from Cyrus’ words the comforting thought that even during the Exile the Divine Presence did not leave Jerusalem. But other Sages, rightly feeling a touch of polytheism in the expression, called it foolish.<sup>62</sup>

The critics also suspect the wording of v. 3: “Whosoever is among you of all His (YHWH) people, his god be with him, and let him go up to Jerusalem”. They find here the doctrine of Israel’s election which, as they say, must have been foreign to the Persian king.<sup>63</sup> Let us begin with the examination of the second part of the passage. As a matter of fact, the words “his god be with him” already discomfited the Chronicler, and, later, displeased the rabbis<sup>64</sup> who quoted them as an illustration of Kohelet’s saying (12, 13): “His talk begins as silliness”.

As for the Chronicler, quoting the words of Cyrus at the end of his “Deeds of the Past” (*ha-Yamim*),<sup>65</sup> he alters the text transforming it into a biblical greeting:<sup>66</sup> “May YHWH his God be with him”.<sup>67</sup>

But the original wording of Cyrus’ edict, as the Chronicler and the rabbis saw, conveyed a pagan meaning. Cyrus here speaks of the attendant spirit, the “guardian-angel”, of the individual Jew. A Babylonian letter states that someone brought precious stones from Ashur to Babylon because he was accompanied by the tutelary spirit of the king.<sup>68</sup> Nabonidus’ mother wished that after her demise two genii might walk beside her son. Even a great deity could be recruited to serve as one’s protector: “Marduk is your *lamassu*”. Thus, Marduk

<sup>61</sup> A Hebrew inscription of uncertain date seems to say that YHWH, God of Jerusalem, is also “God of the whole earth”. See J. Naveh, *IEJ* XIII, 1963, p. 84.

<sup>62</sup> Bacher II, p. 36; III, p. 554. When a Jew speaks of the Lord dwelling on Zion (e.g. Is. 8, 18), in Jerusalem (e.g. Ps. 135, 21), on Sinai (e.g. Ex. 11, 11), or in the bush (Deut. 33, 16), he thinks of God’s epiphany (cf. e.g. Ezek. 8–11). But the Lord did not manifest Himself to Artaxerxes.

<sup>63</sup> Galling, p. 72.

<sup>64</sup> *Midr. Esther*, Proem. 8 (R. Hanina b. Adda).

<sup>65</sup> In this way, the Chronicler, following the practice of cuneiform scribes, binds two scrolls of his work together. Cf. L. Blau, *Encycl. Jud.* IV, 1149.

<sup>66</sup> Cf. Jud. 6, 12; Ruth 2, 4. See L. Ginzberg, *The Legends of the Jews* VI, p. 191, n. 53.

<sup>67</sup> The Greek version here omits the Name to make the text conform to the wording of Ezra 1, 3.

<sup>68</sup> Cf. B. Landsberger, *ZA* XXXVII, 1926–7, p. 218, n. 2; W. v. Soden, *Baghdader Mitteilungen*, III, 1964, p. 148; E. Ebeling, *RLA* III, 1969, p. 541.

accompanied Cyrus “like a friend” on the Persian king’s march toward Babylon. And Second Isaiah announced to the same king that the Lord will go before him to smooth his path (Is. 45, 2).<sup>69</sup>

As to the expression, “His people”, which worries the critics, it is trivial and belongs to the common theology of the Ancient Near East. For instance, we read in the Cyrus cylinder that Marduk, the great Lord, was compassionate to “his people”.<sup>70</sup> Here, we may insert an important observation made by H.L. Ginsberg, which he has kindly allowed me to publish. He notes that the Leningrad Ms. of the Bible in Ezra 7, 13 and 7, 25 reads *‘ammeh*, “His people” and not *‘amma*, “the people”, as in the vulgar text. This reading is preferable for reasons of idiom;<sup>71</sup> and in v. 25 it is preferable because Artaxerxes could hardly have meant to authorize Ezra to judge “the entire people that is in Abarnahara”. The reading, *‘ammeh*, “His people”, referring to the God of Heaven named in v. 12 and to “your (Ezra’s) God” in v. 25, solves both difficulties; and this terminological agreement between Cyrus’ proclamation and Artaxerxes’ letter is another point in favor of the authenticity of the former.

The last problem we have to deal with in explaining the first sentences of Cyrus’ edict, is the use of the Ineffable Name, which Cyrus surprisingly makes his heralds shout twice in the streets of Babylon and of Jerusalem. It is even more shocking that, far from being offended by this indiscretion, the Chronicler, writing some two centuries after Cyrus, inserts a third mention of YHWH in his quotation of the proclamation (II Chr. 36, 23). The problem is difficult to solve, since the history of the progressive disuse of the Tetragrammaton is still very obscure.<sup>72</sup> It seems that it was pronounced without scruple as late as c. 590.<sup>73</sup> On the other hand, Ben Sira already wrote *Adonai* as a substitute for YHWH, and used the word *El* instead of *Elohim*.<sup>74</sup> The

<sup>69</sup> Landsberger, *Brief*, p. 63; Gadd, p. 51; *ANET*, p. 316.

<sup>70</sup> *ANET*, p. 315; M. Smith, “Common Theology”, *JBL*. LXXI, 1952, p. 141, n. 27.

<sup>71</sup> In v. 13, *‘amma yisra’el* is difficult because idiomatic Aramaic for “the people of Israel” would be rather *‘am yisra’el* or *‘amma di yisra’el*. Cf. the Peshitta rendering: *‘amma disrael* (H.L. Ginsberg). Cf. H.L. Ginsberg, *Eretz Israel* IX, 1969, p. 45, n. 15.

<sup>72</sup> Cf. L. Finkelstein, *HTR* XXXVI, 1943, p. 296 and Idem, *New Lights from the Prophets*, 1969, pp. 8–10.

<sup>73</sup> *ANET*, p. 522, p. 568.

<sup>74</sup> See the Masada Scroll of Ben Sira, 42, 15–16; 43, 5 and 10. For *Elohim* and *El* see *ib.* 45, 5; 51, 1; 41, 8; 47, 15, etc. In the Cairo text of Ecclesiasticus, the scribe sometimes substituted YHWH for *Adonai*. See e.g. 42, 16; 43, 5.

Tetragrammaton continued to be written in Mss. of the Bible (and of the Greek version),<sup>75</sup> but persons who read the sacred text aloud used a cypher (e.g., *Adonai*), or an abbreviation of the Tetragrammaton (YH, YHW, YHH), which necessarily lacked the supernatural potency of the full Name. It appears that such was the practice of Elephantine Jews in the fifth century.<sup>76</sup> Whether Cyrus' heralds used the same contrivance, we are unable to say.

The next verse (4) is difficult. The text reads as follows:

וְכֹל הַנִּשְׁאַר מִכָּל הַמְּקוֹמוֹת אֲשֶׁר הוּא גַר שָׁם יִנְשְׂאוּהוּ אֲנָשֵׁי מְקוֹמוֹ בְּכֶסֶף  
וּבְזָהָב וּבְכֹשֶׁב וּבְבִהֵמָה עִם הַנְּדָבָה לְבֵית הָאֱלֹהִים אֲשֶׁר בִּירוּשָׁלַם׃

The meaning of the passage is clear from the context, but the wording is intricate and has been obscured by modern interpreters. They render the verse as follows: "And whoever is left... let the men of his place assist him". The rendering follows that of the Greek version, included in the Septuagint, and Rashi's paraphrase.<sup>77</sup> According to the critics, the passage means that Cyrus ordered his pagan subjects to make contributions for the benefit of the Remnant of the Chosen People, and interpreters deny that one may expect such an order from Cyrus. This time they are right, but they misunderstand the passage.

One is bound to observe, in the first place, that the reference to a purified Remnant of Israel, which will be saved, or even to the "Survivors" of the Captivity, is introduced in the text by the critics themselves.<sup>78</sup> The verb *sha'ar*, and the nouns of the same root simply refer to the residue that is "left" from a total after some deduction.<sup>79</sup> Thus, when the word should mean the godly kernel of the salvation doctrine, this particular meaning is indicated by a specification or by the context. Thus, Isaiah (17, 3) speaks of the remnant (*she'ar*) of Aram after the destruction of Damascus and of the remnant (*she'ar*) of Israel that will return to God

<sup>75</sup> P. Kahle, *The Cairo Geniza*, 2nd ed., 1959, p. 162; M. Delcor, *RHR* CXLVII, 1955, p. 147; J.P. Siegel, *HUCA*, 1971, p. 159.

<sup>76</sup> Porten, p. 105. For the use (and abuse) of the Tetragrammaton (or its substitutes) in Roman Palestine cf. S. Lieberman, *PAJR* XX, 1951, p. 400. The Tetragrammaton is wanting in the Aramaic portions of the Bible, but appears in the Hebrew prayer of Daniel (ch. II, 3ff.).

<sup>77</sup> Rashi's interpretation was transmitted to Christian scholars by Nicholas of Lyra (died ca. 1340). Cf. N. Polus, *Synopsis Criticorum* I, 1969.

<sup>78</sup> Cf. Joh. Heinr. Michaelis, *Uberiores adnotationes in Hagiographa* III, 1720, *ad loc.* who may have been the inventor of this interpretation.

<sup>79</sup> Cf. R. de Vaux, *RB* XLII, 1923, p. 527 – Id. *Bible et Orient*, 1967, p. 25. For the superabundant bibliography on the topic see G.F. Hasel, *The Remnant*, 1972.

(10, 21). The Niphal participle *nish'ar*, used in our verse, occurs some forty times in the Bible to denote a residue,<sup>80</sup> be it the people who are “remaining” in the land of Israel in contradistinction to David’s host in Hebron (I Chr. 13,2) or the “remaining” old men who had seen Solomon’s Temple (Hag. 2,3). With reference to the Chosen People, the participle is used in prophetic threats, e.g. Lev. 26,36: After the destruction of your country, those of you who “remain” will tremble before the enemy and shall fall, even if none pursues. Accordingly, the same participle is used to denote the Jews “remaining” in Judea (or Samaria) after the deportation,<sup>81</sup> or those who returned to the Holy Land (Neh. 1, 3).<sup>82</sup> For this reason alone, the same participle in v. 4 should not be taken for a reference to the Jews in Babylonia.

In fact, as Ibn Ezra and Rashi saw, in Cyrus’ proclamation the returning Jew (v. 3) is contrasted with those who “remain” in Babylonia.<sup>83</sup> The Greek version already implies this interpretation: καὶ πᾶς ὁ καταλειπόμενος... λήμψονται αὐτὸν ἄνδρες τοῦ τόπου αὐτοῦ.

Taking it for granted that all the Jews in Babylonia were eager to go back to the Holy Land,<sup>84</sup> Ibn Ezra and Rashi imagined that those “left behind” were people unable to return to Jerusalem due to lack of means, and that Cyrus commanded to help them.<sup>85</sup> But that is to introduce into the text something it does not say. In fact, Rashi’s notion

<sup>80</sup> Cf. Deut. 7, 20; Jer. 8, 321, 7; Ez. 6, 12; 9, 8; 17, 21; Zech. 11, 9.

<sup>81</sup> Cf. II Reg. 25, 11 and 22; II Chr. 30, 6; 34, 21; Jer. 24, 8; 39, 9; 4–, 6, 41, 10; 52, 15.

<sup>82</sup> Cf. Ezra 9, 8; Hag. 1, 12; Zech. 8, 11.

<sup>83</sup> In Is. 11, 11; Jer. 23, 3 the “remainder” in the Diaspora is opposed to the people in the Holy Land. In Is. 46, 32 “the house of Jacob, and the whole rest of the house of Israel” means the whole Chosen People.

<sup>84</sup> This “Zionist” image of the Return is already reflected in a saying of R. Johanan (died 297); Cyrus stopped the repatriation after discovering that gold and silver-workers had left his capital (Bacher, *TL*, p. 295). The story reflects the importance of jewellers in the late Roman Empire, and the participation of Jews in their craft. Cf. A.H.M. Jones, *The Late Roman Empire* II, 1914, p. 308; L. Ruggini, *Ebrei e orientali*. *SDHI*, 1959, p. 232.

<sup>85</sup> An exact translation of Rashi’s remark, which I owe to the kindness of Professor Saul Lieberman, follows. “And any Jew who will remain in his place and not be able to ascend (*scil.* to Jerusalem), because he has no money, I command the people of his place that they should outfit him with silver, gold, property, and cattle, to enable him to ascend to Jerusalem with the gifts for the building of the Temple offered by the people of his place, since even among the Gentiles there were people who gave gifts for the building of the Temple”. Ibn Ezra connects v. 3–4 as follows: “Those of you Jews whose God has been with them and given them means, shall go up to Jerusalem and build the Temple. All the rest, those who are poor, are to be helped by their fellow townsmen” (I owe this translation to H.L. Ginsberg).

of welfare was alien to the world of Cyrus. As Josephus explains,<sup>86</sup> many Jews stayed in Babylonia because they were unwilling to abandon their possessions. And speaking of men whose spirit God stirred to depart and who were assisted by their neighbors, the Chronicler names “the heads of the fathers’ houses”, priests and Levites, and not Rashi’s peniless laggards.

Thus, the traditional construction of the passage cannot be right. The *kol hannish’ar*, the non-departing Jews, must be the subject (and not the object) of the sentence.

The grammatical construction required by the suggested interpretation is simple. The subject “whoever remains”, having a collective meaning, is construed, as often, with the predicate in the plural. After the verb the subject is resumed by the locution “the men of his place” (that is, the inhabitants), where the pronominal subject refers to the returning Jew. Such involved sentences often occur in Hebrew, particularly in legal texts, and the place which the subject would ordinarily occupy, is filled by a noun or a nominal expression which represents this subject.<sup>87</sup> For instance, Lev. 18,29 says: “Everyone who commits any of these abominations... those souls who do it shall be cut off”. The placing of a complimentary clause between the (first) subject and the verb is a favorite construction of the Chronicler.<sup>88</sup> In the inserted clause, whoever remains “in all the places where he sojourns”, I venture to suggest that the pronoun “he”, like all the pronominal suffixes in the passage, again refers to the subject of the preceding sentence, the returning Jew.

This returning Jew was not an isolated individual. He belonged to a group which Cyrus calls “the men of his place”. The classicist here will remember Hellenistic terminology, in which a person is denoted as P. N., “of the community of the village V”. For instance, in a Palestinian document of 124 A.D. a man is described as Elaios, son of Simeon, “of the collectivity of the village of Galoda, living in the village Baitordoi.<sup>89</sup> In Hebrew (and in Jewish Aramaic) this hereditary affiliation to a place, the *origo*, to use the Latin term for this bond, was expressed by the

<sup>86</sup> Jos. *Antt.* XI, 8.

<sup>87</sup> S.R. Driver, *A Treatise on the Use of the Tenses in Hebrew*, 3rd ed., 1892, par. 123 and pp. 196–201.

<sup>88</sup> R. Corwin, *The Verb and the Sentence in Chronicles*, Diss. Univ. Chicago, 1909, p. 16.

<sup>89</sup> *DJD* II, 115, 2–3: τὼν ἀπὸ κ(ώμης) Γαλωδῶν τῆς περὶ Ἀκραβαττῶν οἰκῶν ἐν κώμῃ βαίτοαρδοῖς. Cf. Just. I. *Apol.* 26, 2 and 26, 4.

preposition, *min*. Thus, in another Palestinian document in Aramaic, of 71 A.D., a woman is described as Miriam, daughter of Jehinathan, of (*min*) Hanablata, residing in Masada.<sup>90</sup>

The Aramaic documents from Persian Elephantine likewise distinguish the nationality of a person, his *origo* and his residence. A Jew, a Chorasmian, and so on, belong to (the preposition *l*) a regiment. He, or his property, may happen to be in Elephantine, in Syene, and so on; the local connection indicated by the preposition “in” (*b*). But his *origo* is “of” (*zi*) Elephantine.

I venture to suggest that this legal style explains the seemingly strange use of the preposition, *mi(n)*, in the clause “from all (*mikkol*) places”, which all translators since Jerome render as if the wording were “in all” (*bekol*) places, an oddity recently emphasized by H.L. Ginsberg.<sup>91</sup> I believe that the scribe who drafted the edict, referred to the *origo* of a *ger*, to his affiliation with the “men of his place”. For instance, Ezra (8,16) speaks of the Jews of “the place Casiphia”. According to Cyrus’ proclamation, the men of Casiphia were invited to assist a returning Jew of their community, even if he happened to reside elsewhere. Just as a collectivity bore the responsibility for the taxes, so it had to help its needy members.

Our hypothesis has two weak points. First, I cannot support it by cuneiform evidence. The social structure of the countryside in Persian Babylonia remains unknown as yet. Secondly, as H.L. Ginsberg, to whose philological acumen I always defer, observes, “it is not natural” for the two nominal expressions in the sentence to refer to the Jews who do not depart and for all the pronominal suffixes and pronouns to refer to the departing Jew. Our text, however, was not composed by a Hebrew writer, but drafted by Cyrus’ multilingual scribes, and, then, rendered into Hebrew. In such translations, ancient bureaux deliberately disregarded the syntax in order to express the legal meaning literally.

Whatever the future solution of the textual riddle may be, the difficulty of understanding the present text of v. 4 does not disprove the genuineness of the edict. If obscurity were a solid argument against authenticity, few ancient documents would stand this objection.

On the other hand, our interpretation of the passage has the support of First Esdras and Jerome in its favor. The former translates: ὅσοι

<sup>90</sup> DJD II, 19. On *origo* cf. Rostovtzeff, *SEHHW* 1, p. 277, D. Noerr, *RE Suppl.* X, pp. 434–473.

<sup>91</sup> H.L. Ginsberg, *JBL* LXXIX, 1960, p. 167. He emends the text.



οὖν κατὰ τόπους οἰκοῦσιν, βοηθείωσαν αὐτῶ οἱ ἐν τῷ τόπῳ αὐτοῦ = (Third Esdras): *Quotquot ergo circa loca habitant adiuent eum qui sunt in loco ipsius*. And Jerome translates: *et omnes reliqui in cunctis locis ubicumque habitant adiuent eum viri de loco suo*.

Last, but not least, the Hebrew author himself, as we have seen (above p. 84), corroborates this interpretation (vv. 5–6). He distinguishes between all those who went up to Jerusalem and “all their neighbors”, who assisted them to return to the Holy Land. Thus, the whole passage may be rendered as follows: “Who is there among you of all His people? Let him go up to Jerusalem . . . and all those who remain, from all the places where he is denizen (*ger*), let them, the men of his place, assist him . . .”

## V

The expression, “in all places where he may sojourn” aroused the suspicions of some critics.<sup>92</sup> They found it hard to believe that Cyrus described the exiles as “resident aliens” (גֵּרִים), as if they were in Babylonia temporarily. As a matter of fact, the verb גָּרַר (*gār*), merely denotes the legal status of the Dispersion in an accurate manner. Among the ancients, a resident alien and his descendants retained his original nationality indefinitely, unless he was admitted among the citizens.<sup>93</sup> Ezekiel’s idea that the alien residents “who beget children among you” shall have an inheritance among the children of Israel (Ez 47, 22), the universalistic announcement of the Second Isaiah, on behalf of the Lord, “My house shall be called a house of prayer for all nations” (Is 56,7) and the principle of Jewish proselytism which admitted a stranger to the covenant, were all revolutionary innovations in the ancient world, where foreigners had no access to local worship

<sup>92</sup> See, e.g., Lods, (n. 1), p. 196, W.E.O. Oesterley, *A History of Israel* II, 1932, p. 75.

<sup>93</sup> See *Archiv für Papyrusforschung* VIII, p. 222. As a cuneiform parallel we may quote the document from Uruk (525 B.C.) translated by H.F. Lutz, *Univ. of California Public. in Semit. Philol.* X, 7, 1937. Its scribe (who is a priest) records his origin from another town because he is not a citizen of Uruk. Cf. G. Cardascia in *Recueil Société Jean Bodin* IX, 1958, pp. 105–117; Id. *Les Archives de Murašû*, 1951, p. 6. Galling, p. 74, assures his readers that the Jews as *Schutzbürger* (*sic!*) are contrasted with the native “men of his place”. This anachronistic view is refuted by the papyri of Elephantine. See, e.g., D. Sidersky, *REJ* LXVII, 1929, p. 188: several persons having Jewish names are styled “from the town Bit giral”.

and no part in the national law. Historians who repeat that postexilic Israel was characterized by rigid exclusiveness, are neither well informed about Judaism nor about pagan society.<sup>94</sup>

Let us quote some examples. The Spartan, Demaratus, fled to Persia in 491 B.C. and received from Darius a principality in Asia Minor; nevertheless, more than two hundred years later, a descendant of his is styled Lacaedemonian.<sup>95</sup> The Paeonians transported by the Persians to Phrygia, and the Milesians or the Eretrians deported to Mesopotamia, did not become Phrygians or Babylonians.<sup>96</sup> A royal privilege was necessary to reckon as Persians the children of a deported Greek nobleman and his Persian wife.<sup>97</sup> Assyrian military colonists in Palestine remained "the Susians", "the Elamites", etc. "residing"<sup>98</sup> in Samaria" (Ezra 4, 10 and 17). Some two hundred years after the establishment of the military settlement at Elephantine, one of its members was still "a Jew" or "an Aramean", and not a native of Elephantine.

Like other deportees, such as the Carians settled in a village on the Tigris,<sup>99</sup> the Exiles formed communities under their own chiefs. Of deported Paeonians, Herodotus says that they lived in a village "by themselves."<sup>100</sup> Such a Jewish *politeuma* (to use the Greek term) at Tell Abib, near Nippur, is known from Ezekiel (3,15) and cuneiform documents.<sup>101</sup> Other places are mentioned in Ezra 2, 59. Ezra forwards his orders to Iddo, "the chief in Casipha, the place" (Ezra 8, 17). There were many Jews who preferred to remain in the Dispersion, as Josephus suggests,<sup>102</sup> unwilling to leave their possessions. His idea may be sound since the Exiles were principally occupied in farming and thus attached to their immovable belongings. The modern suggestion that the Jews became money-lenders and tradesmen in the Babylonian Exile belongs to professorial mythology. Cyrus commands those who remain in the

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<sup>94</sup> See C.C. Torrey's vigorous protest (*The Second Isaiah*, 1928, p. 132) against this current misconception of postexilic Judaism; cf. Finkelstein (n. 58), p. 535. As to classical society, it is a pity that Fustel de Coulanges' *La Cité Antique*, published 1864, is so little read and known outside of France.

<sup>95</sup> G. Dittenberger, *Sylloge Inscr. Graec.* (3rd ed.), No. 381.

<sup>96</sup> Herod. V, 98; Diod. XVII, 119; Strabo XV, p. 747.

<sup>97</sup> Herod. VI, 41.

<sup>98</sup> On the exact meaning of the verb *ytb*, see Cowley, No. 9 and *Index*, p. 291, s.v.

<sup>99</sup> W. Eilers, *ZDMG* 1940, p. 220. Cf. the community of Egyptians in Babylon. M. Dandamayev, in the volume *Drevnij Egipet i Drevnjaia Afrika*, 1967, pp. 20-26.

<sup>100</sup> Herod. V, p. 98.

<sup>101</sup> Daiches (n. 26), p. 5.

<sup>102</sup> Jos. *Antt.* XI, 8.

Dispersion to assist the Return materially, each *politeuma*, “the men of his place”, outfitting its members for re-emigration and providing offerings for the Temple.

The term “the men of his place” naturally included gentile townsmen. The alternative: Jew or Gentile still did not exist in 539. Even the pious Jews reckoned with the existence (and, thus, the power) of the gods of their neighbors. The Second Isaiah, so far as we know, was the first to proclaim that “there is no god” except the Lord (Is. 45,5).<sup>103</sup> As for the Gentiles, they learned very slowly that the Jews were a peculiar people. Second Isaiah expected the conversion of the nations, an idea which presupposes that many foreigners had already come to worship the Lord together with their traditional gods. Cuneiform documents from the Nippur area show that Jews in Babylonia lived and worked side by side with the natives. Artaxerxes not only sends his and his ministers’ gifts to the Temple of Jerusalem, but also authorizes Ezra to collect such gifts “in the whole province of Babylonia” (Ezra 7, 16). Thus, Cyrus could expect that both the Jewish and the non-Jewish neighbors of a departing Jew would be ready to assist him. I do not know whether there exists any cuneiform document which attests such a kind of succour, but there is a group of Greek inscriptions which illuminate the practice of voluntary aid offered to returning exiles.

In 324, Alexander the Great announced the return of the island of Samos to the Samians who had lost it to the Athenians in 365. One of his officers wrote to Iasos, his native city, asking that the Samians who sojourned in Iasos and wanted to be repatriated should be freed from export duties and receive supplies for their journey. When the repatriation began, a man from Sestos made two ships available for the transportation of the exiles; elsewhere citizens helped the Samians going home from their respective cities.<sup>104</sup>

The Greek analogy is not advanced here anachronistically. Second Isaiah, pending the Return, never doubts the cooperation of the Gentiles. The nations, he says, will carry the children of Israel to Jerusalem (66, 20), as an offering to the Lord, “on horses and in chariots and in drays, on mules and on dromedaries”.<sup>105</sup>

<sup>103</sup> M. Smith, p. 93.

<sup>104</sup> Sylloge, 213; A. Maiuri, *Nuova Silloge epigrafica di Rodi e Cos*, 1925, no. 1; Ch. Habicht, *Ath. Mitt.* LXXII, 1957, p. 164; *Chiron*, V, 1975, p. 46.

<sup>105</sup> Sh. M. Paul, *JBL* LXXVIII, 1968, p. 84, notes the documentary style of this enumeration. Here, and below, I quote the English translation of the *Book of Isaiah*, with the introduction of H.L. Ginsberg, 1973.

Cyrus' appeal to the local and voluntary aid to the reemigrants exemplifies the contrariety between jussive deportation and permissive repatriation. The Jews going back to Jerusalem from Babylonia had been forcibly transferred there by Nebuchadnezzar. Such transplantation had a double purpose.

First, it made a future revolt of the newly conquered people risky, if not impossible.<sup>106</sup> On the other hand, the resettlement of a foreign group weakened the cohesion of the natives of its new abode, and thus strengthened the king's control in the province and reduced his dependence on native chieftains. The Jewish regiment in Elephantine or the Assyrian colonists in Memphis served the same purpose. Let us remember the Babylonian and the other settlers in Samaria and their hostility to Jerusalem.

Accordingly, the government took care of the deportees. On Assyrian reliefs we can observe their transportation. Men, of course, walk, but women and children are conveyed in carts driven by oxen.<sup>107</sup> The transplanted captives of Nebuchadnezzar, among them Jews from Jerusalem, were settled "in the most convenient places"<sup>108</sup> of Babylonia, for instance, around Nippur. On the way, and after resettlement, the government equipped the deportees with food for themselves and their cattle, with seed and various utensils, for instance clothes and skin bottles (for water), and even tried to provide them with brides.<sup>109</sup> Twelve hundred years after Shalmanasar I (1295–1274), whose correspondence we have just quoted, Mithridates of Pontus still followed the same practice; he sent "royal supplies" to the *Armenioi* settled by him near Olbia, on the northern coast of the Black Sea.<sup>110</sup>

But the kings had no reason to furnish means of transportation, supplies and money to persons who, leaving their assigned places and function, desired to return to the home of their fathers. The best that the kings could do for them was to permit them to return; even the

<sup>106</sup> H. Lewy, *JNES* XI, 1952, p. 280, n. 82. Cf. J. Lewy, *HUCA* XXVII, 1956, p. 48, p. 54, p. 56.

<sup>107</sup> *Ancient Near Eastern Pictures*, ed. J.B. Pritchard, 1954, p. 367; *Pictorial Biblical Encyclopaedia*, ed. J. Cornfeld, 1964, p. 92. Normally, even royal officers travelled on foot if they did not have their own horses or mules, R.T. Hallock, *Persepolis Fortification Tablets*, 1969, p. 6.

<sup>108</sup> Berossus *ap.* Jos., *C. Ap.* I, 138; *Antt.* X, 223.

<sup>109</sup> H.W. Saggs, *Iraq*, XVIII, 1956, pp. 42–43, nos. 25–26 (I am obliged to Prof. W.W. Hallo, Yale University for a new translation of the relevant lines in the document no. 25); G. Saporetti, *Rend. Accad. Lincei*, Ser. 8, XXV, 1970, p. 437.

<sup>110</sup> A. Wilhelm, *Klio* XXXVI, 1936, p. 50. For Rome cf. Liv. XL, 38.

exiles returning with Ezra, who went on an official mission, received no material aid from Artaxerxes, not even a military escort, though they carried gold and silver (Ezra 8,22).

## VI

The mistakes of the critics are subordinated to their basic error. They view Cyrus' proclamation as a favor bestowed on the Jews and, for this reason, regard the document as a Jewish forgery. Some attribute the invention to the Chronicler, eager to glorify his people<sup>111</sup> while others suppose that the edict was faked to prove the realization of the prophecies of a Return.<sup>112</sup>

The ancient readers, however, Josephus, Jerome and the rabbis, perceived that Cyrus here repayed (or anticipated) the favors of the God of Jerusalem. For instance, R. Tanchuma, a contemporary of Jerome, quoting Isaiah 45, 3, believed that after Cyrus' proclamation God revealed to the Persian king the hidden treasures of Nebuchadnezzar.<sup>113</sup> The wording of Cyrus' proclamation agrees with this ancient interpretation.

According to the bureaucratic style of Babylonian scribes, Cyrus gives in a preamble the reasons for his decision. "All the kingdoms of the earth has given me YHWH, the God of heaven, and He has charged me to build Him a house in Jerusalem which is in Judah". Critics misunderstand this passage as a homage paid to the God of the Jews.

For the ancients a city was the dominion of its tutelary gods.<sup>114</sup> Marduk was "the king of Babylon", Sin that of Ur, and a stranger entering Athens invoked Athena, "the mistress of this land".<sup>115</sup> And the Second Isaiah says: "YHWH, the King of Israel" (Is 44, 6). A prince was only a vice-regent of the heavenly ruler, and his priest, who looked after the public worship.

<sup>111</sup> See, e.g., Torrey, p. 153.

<sup>112</sup> See, e.g., S. Mowinckel, *Acta Orientalia*, 1937, p. 27.

<sup>113</sup> *Jos. Ant.* XI, 6; Jerome, on Is. 45, 1 (*PL.* XXIV, 442); Tanchuma: Bacher III, p. 474 (*Midr. Esther*, 2, 1).

<sup>114</sup> For Mesopotamian civilization, cf. Labat, p. 80; P. Dhorme, *La Religion Assyro-Babylonienne*, 1910, p. 121.

<sup>115</sup> Aesch. *Eumen.* 211; cf. *ib.* 400.

In order to suppress a captured city, the victorious enemy carried away its divine images. When Moab is destroyed, says an oracle (Jer 48, 7), Chemosh, the god of this nation, shall go forth into captivity with his priests and his princes. For the same reason, the conqueror of a nation had to call upon the gods of his subjects to side with him and to recognize him as their legitimate representative on earth.<sup>116</sup> Thus, when Sargon of Accad extended his sway over Southern Babylonia, he conquered this Sumerian country by the grace of Enlil.<sup>117</sup> Some sixteen centuries later, in 710 B.C., Sargon of Assyria subjugated Babylon and Borsippa. He was greeted by the gods of both capitals and “took the hands” of Marduk of Babylon and Nabu of Borsippa.<sup>118</sup> Shalmaneser III laid waste the city of the chieftain Ahuni and carried away his goods; but he offered sacrifices before Adad of Aleppo when the people of this city had embraced his feet.<sup>119</sup> When Adadnirari II brought aid to the subject city of Kumme, he offered sacrifices “before Adad of Kumme, my lord”.<sup>120</sup> When a calamity struck the subject city of Gozan (Tell Halaf), conquered in 895 B.C., the Assyrian overlord ordered to appease the local Adad.<sup>121</sup> When the Egyptians ruled over Palestine, the Pharaohs likewise cared for the local gods and built them temples, as for instance to “Mekal, the great god, the lord of Bethshan”.<sup>122</sup>

The belief in the universal dominion of a supreme god, the idea that a local deity, let us say Koshar of Ugarit, reigns also over Crete and Memphis,<sup>123</sup> changed the formula of homage, but left intact its content. A new ruler received the lordship from each universal god simultaneously, and established his relations to each god separately as before. Having entered Babylon, Cyrus announced that the Babylonian god Marduk, had “appointed him to lordship over the whole world”.<sup>124</sup> But at Ur, the Persian king proclaimed that “the great gods” of this city “had delivered all the lands into my hand”.<sup>125</sup> In the temple of Sin

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<sup>116</sup> Labat, p. 38.

<sup>117</sup> G.A. Barton, *Royal Inscriptions of Sumer and Akkad*, 1929, p. 105.

<sup>118</sup> Luckenbill, II, § 272.

<sup>119</sup> Luckenbill, II, §§ 561 and 610.

<sup>120</sup> Luckenbill, I, § 371.

<sup>121</sup> *Die Inschriften von Tell Halaf* (Archiv f. Orientforsch. Beiheft VI, 1940), No. 5.

<sup>122</sup> A. Rowe, *The Four Canaanite Temples of Beth-shan*, 1940.

<sup>123</sup> M. Smith, “The Common Theology of the Ancient Near East,” *JBL* LXXI, 1952, p. 140, n. 14.

<sup>124</sup> Cyrus Cylinder (Rogers, p. 382).

<sup>125</sup> Gadd, Legrain (n. 48), No. 307.

it was this moon-god who had established Cyrus' dominion over "the four quarters" of the earth.<sup>126</sup> Later, in a hieroglyphic text, Darius I acknowledged that "the double Nile" had given him "all the countries", the list of which includes Persia herself.<sup>127</sup> On the other hand, in Persia, the Achaemenidians naturally gave credit to Ahura-Mazda, for their success. But in each case there is always the correlation between the appointment of the ruler by a god to be his vicar and the latter's care for the worship of his god. Ashurbanipal says, for instance, that Sin of Harran, "who had created me for royalty" called him by name to restore the sanctuary of Harran.<sup>128</sup> Nebuchadnezzar II announces:<sup>129</sup> "Marduk... has given me power... Nabu and Marduk looked with favor on me and intrusted me solemnly with embellishment of the city and the restoration of the temple... I am Nebuchadnezzar who takes care of Marduk and Nabu, my lords". When under Ashurbanipal, his brother, Shamash-shum-ukin was installed as king in Babylon, the records continued to give credit to the overlord for the offerings to the gods or for the rebuilding of their shrines. On the other hand, when the brother revolted, he prevented Ashurbanipal's sacrifices from being before Bel and the others gods of Babylon and brought to an end his oblations.<sup>130</sup> Let me quote two other instances: Cleomenes I of Sparta, contemporary of Darius I, having defeated the Argives, was unable, or unwilling, to take their city. But he forced his way into the sanctuary of Hera and offered her a sacrifice, thus manifesting his lordship over the rival city.<sup>131</sup> On the other hand, the Tyrians were willing to obey Alexander the Great's orders, but they obstinately refused to admit him into Melkart's temple to sacrifice.<sup>132</sup>

The Achaemenids followed the same lines of reasoning. Xerxes destroyed shrines of the gods and carried away idols from hostile Athens.<sup>133</sup> But since Babylon had capitulated, Cyrus worshipped Marduk, who had him "graciously blessed". In his Cylinder Cyrus clearly formulates the principle of *do ut des*, which governs the relations

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<sup>126</sup> Gadd, Legrain, No. 94. Cf. C.J. Gadd, *History and Monuments of Ur*, 1928, p. 250. See now J. Lewy in *HUCA XIX*, 1946, p. 480.

<sup>127</sup> Posener, p. 17.

<sup>128</sup> Luckenbill, II, § 938.

<sup>129</sup> L. Legrain, *Royal Inscriptions from Nippur*, 1926, No. 79.

<sup>130</sup> Luckenbill, II, §§ 934ff.

<sup>131</sup> Herod. VI, 81. Cf. Xen. *Hell.* III, 4, 3; Plut. *Sol.* 9.

<sup>132</sup> Arr. II, 15, 9.

<sup>133</sup> Herod. VIII, 53; Paus. III, 16, 8. cf. Isid. Lévy, *Rev. Hist.* 1939, p. 18.

between the conqueror and a foreign god. He says: “Marduk moved the noble heart of the inhabitants of Babylonia to me, while I gave daily care to his worship”.<sup>134</sup> When Cambyses conquered Egypt, his barbarian soldiers polluted the sanctuaries of Sais, the religious capital of his Egyptian predecessors, the Saite Dynasty. But instructed by the Egyptian priests, Cambyses paid reverence to the gods of Sais, “as did every Pharaoh before him”, and took the name of “Son of Neith”, the tutelary deity of Sais. Accordingly, he was recognized by the gods and men of Egypt as the legitimate ruler of their land. When Darius succeeded him, he, too, became “Son of Neith, the mistress of Sais”, called and seated on the throne by Re, while in Coptus, in the city of the god Min, the same Persian overlord was officially styled “loved by Min, who dwells at Coptus”.<sup>135</sup>

Accordingly, the prince, who, commanded by a deity, rebuilds the latter’s temple and restores his (or her) city becomes the rightful king of that city and the legitimate vicar of that god. This is the meaning of the first clause in Cyrus’ proclamation: the Lord of Jerusalem has chosen him to take the place of the (unworthy) line of David. When, on Cyrus’ orders, his governor, Sheshbazzar, laid “the foundations of the house of God who is in Jerusalem” (Ezra 5,16), he probably deposited a cylinder like the one found in Sin’s temple at Ur, where the new ruler recorded his election by the tutelary deity of the city.<sup>136</sup>

Accordingly, a conqueror can appear as an instrument of salvation. Thus, Cyrus was called by Marduk to replace the sinful Nabonidus on the Babylonian throne. Marduk, the tutelary deity of Babylon, “scoured all the land . . . seeking an upright prince . . . to take his (Marduk’s) hand (at the procession of the New Year’s festival), Cyrus, the king of Anshan, he called by name”.<sup>137</sup>

Second Isaiah speaks the same courtly language. The prophet, who explicitly substitutes an everlasting covenant with Israel for the enduring promise of God to David and his line (55,3),<sup>138</sup> announces that the Lord called Cyrus: “My shepherd”, giving him the honorific appellation of

<sup>134</sup> Rogers, p. 382; cf. J. Lewy (n. 126), p. 485.

<sup>135</sup> Posener, p. 17, p. 58, p. 118.

<sup>136</sup> See n. 125 above. It is not certain that the king in this (damaged) text is Cyrus. See W. Hinz, R. Borger, (n. 35) p. 127, n. 33.

<sup>137</sup> *ANET*, p. 315 = Thomas, p. 92. In earlier translations, e.g., Rogers, p. 381, the passage (lines 11–12) was understood as meaning that Marduk had grasped the hand of Cyrus.

<sup>138</sup> O. Eissfeldt, *Kleine Schriften* IV, 1968, p. 50.



the ruler chosen by the Deity<sup>139</sup> (44, 28). And again the prophet proclaims (45, 1ff.): “Thus said the Lord to Cyrus, His anointed one, whose right hand He has grasped, treading down nations before him . . . I call you by name, I hail you by title, though you have not known Me”. As Jerome, commenting on the verse, correctly points out,<sup>140</sup> the title of “the Anointed” was “the mark of the royal power among the Hebrews”. Accordingly, Calvin, in his commentary on Isaiah, asserted that it was “absurd” to suppose that a prophet of the Lord had bestowed upon a pagan ruler the title that belonged to the kings of Israel.<sup>141</sup> But the Second Isaiah does just that.<sup>142</sup>

As Cyrus is installed by the Lord, who “roused him for victory” (45, 13), to fulfill God’s purposes (44, 28), the prophet in accordance with the principle *do ut des*, naturally assumes that the conqueror would invoke the name of the Lord (41, 25). After entering Babylon, Cyrus “sought daily to worship” Marduk, who had nominated him “to be ruler over all”. Since it is the God of Jerusalem who granted the empire to a “young servant” of the Median king Astyagas (as Nabonidus describes Cyrus),<sup>143</sup> the Hebrew prophet looks forward to the repayment of this debt by Cyrus: “He shall say of Jerusalem: ‘She shall be rebuilt’, and of the Temple: ‘You shall be founded again’” (44, 28). Having conquered Egypt, Saba, and Kush, Cyrus, as God says through His prophet, will bring “My sons from afar and My daughters from the ends of the earth” (45, 13). And of course Cyrus shall proclaim throughout his empire his acknowledgment of the might of YHWH. “I engird you, though you have not known Me, so that men may know, from the east to the west, that there is none but Me” (45, 5–6).

<sup>139</sup> Labat, p. 178.

<sup>140</sup> Hieron., P.L. XXIV, 411: *Iste appellatus est Christus . . . quod erat insigne apud Hebraeos regiae potestatis.*

<sup>141</sup> In Roman times some Jews misconstrued the sentence reading it: “God spoke to his Anointed (*sc.* the Messiah) about Cyrus”. Jerome attests that this reading appeared in many Mss. of the Greek and Latin versions of Isaiah: *Dicit Dominus Christo meo, Domino*; the Greek scribes transformed *Kyros* into *Kyrios*, thence the Persian king became *dominus* in Latin.

<sup>142</sup> On cuneiform parallels to the oracles of Isaiah cf. Smith, *passim*, and articles of M. Smith and Sh. M. Paul in *JAOs* LXXXIII, 1963, pp. 415–421 and LXXXVIII, 1968, pp. 180–186 respectively. In Isaiah, God grasps Cyrus’ hand to single him out. Cf. Is. 8, 11 (I owe this reference to H.L. Ginsberg). Likewise, on cylinder seals a deity seizes the hand of a worshipper to introduce him to another god.

<sup>143</sup> *ANET*, p. 306. Cf. M.-J. Seaux, *RB* LXXVI, 1969, p. 226.

Second Isaiah was not dreaming a dream. Critics who ironically ask whether Cyrus was, or was to become, a monotheist, ignore the tenets of the common theology of the Ancient Near East.

Nabonidus, like Cyrus, was an upstart, who, as he himself says, had nobody to help him, and was called to kingship by Sin, king of gods, “what from former times Sin... had not done nor granted to anybody”. To repay Sin for the promise to hand over all countries to him, Nabonidus worshipped “the great godhead” of Harran exceedingly and accomplished Sin’s commands, so that even the kings “far away... feared his great godhead”.<sup>144</sup> In his religious perspective Isaiah saw Cyrus, who defeated Nabonidus, glorifying YHWH as Nabonidus had exalted the might of the deity of Harran.

Let us quote a second example. A correspondent of the Assyrian king Esarhaddon admonishes the king that Marduk, god of Babylon, has seated him on the throne and granted him victories (Esarhaddon obtained kingship after a civil war). Thus, Esarhaddon should make a suitable offering to Marduk by freeing the Babylonians for the sake of their tutelary god.<sup>145</sup>

Accordingly, Esarhaddon, as he himself says, mobilized his people (the Assyrians) and the people of Babylonia for the restoration of Babylon, a city destroyed by his father Sennacherib. He ransomed the Babylonians sold into slavery “from Elam to the land of Hatti”, and freed them as a gift to Marduk. “I clothed the naked and made them take the road to Babylon”. He gathered in the sons of Babylon and encouraged them to settle in the city, to plant trees and to lay out canals. Likewise, Nabonidus assembled the people of Babylon and Borsippa, and kings and princes “from the border of Egypt... to the Lower Sea (Persian Gulf)”, for the rebuilding of Sin’s temple in Harran. He also reestablished that city, and made it “more than (it was) before”.<sup>146</sup>

Last, but not least, Cyrus returned the gods of Ashur, Susa, and other cities destroyed by the Babylonians, to their abodes, and “gathered together all inhabitants” of these cities “and restored (to them) their dwellings”.<sup>147</sup>

<sup>144</sup> Gadd, p. 57 = *ANET*, p. 562.

<sup>145</sup> Landsberger, *Brief*, p. 32ff. It does not matter for our purpose that Esarhaddon’s inscriptions describe the king’s actions in anticipation, as Landsberger says. Cf. Borger, p. 4. Cf. also the rebuilding of the ziggurat of the temple of Marduk by Nebuchadnezzar. Cf. F. Wetzel, F.H. Weissbach, *Das Hauptheiligtum des Marduks*, 1937, p. 47.

<sup>146</sup> Gadd, p. 49, p. 65 = *ANET*, p. 561.

<sup>147</sup> *ANET*, p. 316 = Thomas, p. 93. Here I quote the latter translation.

As Isaiah expected, Cyrus did invoke the name of the Lord: “YHWH has given me all the kingdoms of the earth” (Ezra 1, 3).

But he did so while speaking to the Jews, and, as we have seen he similarly acknowledged the might of the divine patrons of other conquered cities and peoples. (In the same way Nabonidus, who glorified Sin in Harran, attributed his success to Marduk in the texts addressed to a Babylonian audience.)<sup>148</sup> Just as Cyrus allowed Babylonian scribes to compose his cuneiform manifesto after an Assyrian model,<sup>149</sup> so he let his Jewish secretary make him speak in unison with Isaiah. He surely worshipped his ancestral gods, beginning with Ahura Mazda. But a reasonable man should not neglect other sources of energy, be it Anu, Marduk, or YHWH. Isaiah’s insistence that the Holy One of Israel was alone holy would probably appear odd to the king of Persia; and Jerome, in saying that Cyrus had declared that YHWH was the only God, misinterpreted Cyrus’ proclamation and misled modern scholars.<sup>150</sup> Cyrus, rather, included the God of Jerusalem in the endless list of his tutelary deities, ranked according to their might, and the conquests of the Persian king obviously proved that Ahura Mazda, and not Marduk or YHWH, was the king of gods. The proof of the pudding is in the eating, and the proof of divinity is the success of the true believers. After Constantine, the Christians never tired of proclaiming that the success of Christianity proves its truth. It is a paradox of the Jewish religion, ironically appreciated by Voltaire, that the Chosen People again and again were unfaithful to their Deity when the Lord protected them, and kept faith with Him through persecutions, in dispersion, and in abject misery.

This detailed examination of Cyrus’ proclamation has shown that all the arguments advanced against its authenticity are faulty and fallacious.<sup>151</sup> We may now add some general observations on the same topic.

<sup>148</sup> *ANET*, p. 306 = Thomas, p. 89.

<sup>149</sup> J. Harmatta, *Acta Antiqua* XIX, 1971, p. 217.

<sup>150</sup> Hier, *ad Is.* 45, 1 (*PL* XXIV, 442); *Scripsisse Cyrum ad omnes gentes, nullum esse Deum, nisi solum Deum Israel.*

<sup>151</sup> Speaking of the authenticity of Cyrus’ edict, Torrey, 114 says: “There is no difficulty whatever in the way, excepting the same difficulties which stand in the way of the other documents (*sc.* in the Book of Ezra)”. It would seem to follow that if the other (Aramaic) documents are accepted as genuine, it can be also argued that the edict, too, is authentic. As a matter of fact, the prevailing opinion is that the authority of the Aramaic documents “need not to be questioned”, as John Bright, *History of Israel* (2nd ed., 1972), p. 3 states.

Documents, private and public, were, of course, forged in the Ancient Near East, for some immediate gains. For instance, a privilege of King Manishutsu (23rd c.) for a temple in Sippar is now regarded as a fake concocted some seventeen centuries after his death.<sup>152</sup> But Cyrus' edict does not grant any advantage to the Temple of Jerusalem or its worshippers. It is a temporary order which could not be of any value to the Jews after the rebuilding of the Sanctuary by Darius.

Fake documents of value purely as propaganda were also circulated. But such fakes were necessarily constructed as historical narratives. Otherwise, they would be meaningless to the audience. For instance, a miracle-story of the Egyptian god Khons, which allegedly occurred under Ramesses II but which was invented many centuries later, has the form of a lengthy royal inscription of the said Pharaoh that gives a detailed account of the event.<sup>153</sup> A leaflet containing some ten lines of Cyrus' Hebrew proclamation would be unintelligible to a Gentile and of no interest to a Jew twenty years later. Yesterday's news is no longer news today, and a proclamation that deeply moved its contemporaries, is read indifferently if read at all by their sons. The letter of A. Balfour to Lord Rothschild of November 2, 1917, the so-called "Balfour Declaration", if circulated today, by itself, would be of no propaganda value to the State of Israel. Darius' Temple made Cyrus' edict an antiquarian curiosity which needed a historical frame to become relevant again as testimony of the favor God bestowed upon the Chosen People "before the kings of Persia" (Ezra 9,9. Cf. 6,14). As such, we read it now in the Book of Ezra. But the compiler of the latter did not have before his eyes an historical narrative supported by documents. He found the latter in some archives and reproduced them without understanding.

Thus, to explain the invention of Cyrus' edict, we must suppose that a Jewish scribe of a pro-Persian faction fabricated the text in order to show that the Lord had invested Cyrus with kingship in Jerusalem. We must also assume that it was this scribe's idea to present the document as a heralds' declaration (and not as a written order), that he was cognizant of the style and the formulas of Cyrus' chancellery, and, therefore, cunningly inserted expressions colored by heathenism.

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<sup>152</sup> E. Sollberger, *Ex Oriente Lux* XV, 1967–68, pp. 50–74. Cf. I. Gelb, *JNES* VIII, 1949, p. 348, n. 2; E. Ebeling, *RLA* III, 1957, p. 9; W. Speyer, *Die literarischen Fälschungen im... Allertum*, 1971, p. 116.

<sup>153</sup> G. Lefebvre, *Romans et contes égyptiens*, 1949, p. 227.

All this is possible, but a little difficult to imagine. What is even less imaginable is that this learned and astute forger should neglect to add the mention of a permanent grant to the Temple or to the Chosen People (as the author of the Greek Esdras does, for instance, when concocting an order of Cyrus),<sup>154</sup> and that the same forger should omit to mention the gathering of the exiles that was predicted by Isaiah and commanded by Cyrus for Ashur and other cities.

R. Nahman b. Hisda (c. 350), who knew his Bible but did not read modern commentaries on Ezra and Isaiah, realized the paltriness of Cyrus' favors announced by his herald. R. Nahman makes God complain: "I am displeased with Cyrus: I thought he would rebuild My Temple and gather in My people (cf. Is 44,28; 45,13), but he only permitted the Jews to go up (to Jerusalem) and build (the Temple)". Perhaps, R. Nahman was a better interpreter than Wellhausen.<sup>155</sup>

We can now consider Cyrus' Hebrew proclamation as a whole. It has the same structure as Cyrus' cuneiform manifesto to the Babylonians, the so-called Cyrus cylinder. First comes the rebuilding of the Temple, and afterwards the return of God's people. The word "His people" (*'ammô*) in Ezra 1,3 parallels the expression "their (the various gods) peoples" (*niše-šu-nu*) in the cuneiform text.<sup>156</sup> Yet, as we have stressed, Cyrus did not gather the exiles of Jerusalem, but only permitted them to return to their ancient home, and Cyrus' Temple in Jerusalem was never realized. Critics assert it is this fact which casts doubt on the story of a return under Cyrus and disproves the authenticity of Cyrus' Edict.<sup>157</sup> Now Sheshbazzar, "prince of Judah", received from Cyrus the sacred Temple vessels and carried them to Jerusalem "when the exiles were brought up from Babylonia to Jerusalem". This report by the compiler of the Book of Ezra (1, 7–11. Cf. 5,14; 6,5) is confirmed by a word of Second Isaiah (52,11), a contemporary of Cyrus:<sup>158</sup> "Turn, turn away, touch naught unclean as you depart from there, you who bear the vessels of the Lord". But these vessels, placed by Nebuchadnezzar in a Babylonian temple (Ezra 1,7), could not be sent

<sup>154</sup> I Esdr. 6. Cf. Jos. *Antt.* XI, pp. 12–18.

<sup>155</sup> Meg. 12a. Cf. W. Bacher, *Die Agada der babylonischen Amoräer*, 1913, p. 75.

<sup>156</sup> I owe this observation to my late colleague, Isaac Mendelssohn.

<sup>157</sup> The argument, clearly stated by J. Wellhausen, *GG4*, 1897, p. 90, has been repeated ever since, again and again. Josephus, *Antt.* XI, 20, thought that Cyrus was distracted from the building of the Temple by his campaign against the Massagets.

<sup>158</sup> I owe this acute observation to H.L. Ginsberg.

by Cyrus to Jerusalem except for “the house of God” in Jerusalem (Ezra 5, 15). Thus, there can be no doubt that Cyrus ordered that this temple be rebuilt (Ezra 6, 3). To ask why his command was not fulfilled is to postulate an assured harmony between commands and their execution, a postulate contrary to established historical facts.<sup>159</sup> Let us consider the restoration of the most famous shrine of Babylon, the Esaglia of Marduk.<sup>160</sup> Esarhaddon started the work with fanfare, the echo of which we still hear in his inscription. But for some reason his zeal slackened, and only Assurbanipal completed the work twelve years later. Esarhaddon’s correspondence shows that the personal intervention by a king was required at virtually every stage of the work, from the cutting of the cedar trees to the stamping of the king’s name on the bricks. As Cyrus surely took no personal interest in the Temple in Zion, the question is, rather, why the Jews did not press for the speedy restoration of their sanctuary.

The compiler of the Book of Ezra gives a very reasonable explanation of the delay (4, 1): the intervention of the Samaritans. They desired to build the Temple with the Jews. The latter, of course, declined the offer which, if accepted, would have made the Samaritan people co-beneficiary of the grace of the Lord of Jerusalem, and of the favor of the Persian king. Solon won Salamis for Athens after having propitiated the ancestral and tutelary heroes of Salamis by offering them sacrifices on the soil of Salamis.<sup>161</sup> Rejected by the Jews, the Samaritans naturally endeavored to prevent the rebuilding of a Temple that would outshine their own places of sacrifice to YHWH. Similarly, the opposition of the Babylonians, who had their own temples of Sin, delayed Nabonidus’ restoration of Sin’s temple in Harran.<sup>162</sup> Further, as we learn from Haggai (1, 2), the repatriated Jews preferred to acquire some affluence before spending time and money on bribing Persian officials and rebuilding the Temple. “The time has not yet come to rebuild the house of the Lord”.

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<sup>159</sup> In 1865, the Shah ordered the establishment of a mint after European models. The machines and the French technicians soon arrived, yet the new coinage was not issued before 1877. G.H. Curzon, *Persia and the Persian Question*, I, 1892, p. 1472.

<sup>160</sup> Landsberger, *Brief*, p. 17ff.; E. Unger, *Babylon, die heilige Stadt*, 1931, nos. 27–31. The idol of Marduk did not return to Babylon before 668. R. Borger, *BO XXIX*, 1972, p. 35.

<sup>161</sup> Plut. *Solon*. 9.

<sup>162</sup> H. Tadmor, *Anatolian Studies XVI*, 1965, p. 351.

I venture to suggest that there was also another reason for delay, a reason which Jewish authors of the Persian period could not state openly.

Cyrus could worship Sin at Ur, and the Lord at Jerusalem. But the God of Jerusalem could not choose a heathen as His vicar. When Isaiah's oracles spoke of the Lord as the true "King of Jacob" (41,21), who elected Cyrus, "whose right hand He has grasped", there were many who resented the idea of a heathen as the deputy of their God, and dared to argue about it with their Maker (45,9). Like Ezekiel and Jeremiah, they continued to expect that a shoot "shall grow out of the stump of Jesse" (Is. 11,1). At the beginning of Darius' reign, Haggai (2,4) and Zechariah (2,9) still expected that God would very soon shake all the nations, and Haggai (2,20), in a direct polemic against Jeremiah (22,24), who had predicted that no descendant of Jehoiachin would ever mount the throne of David, promised to Zerubbabel, a chosen one of the Lord of Hosts, that the God would wear him "like a seal-ring". Pious hands kept copying and preserving these oracles through centuries, and even the Chronicler, loyal and thankful as he was to the Persian monarch, repeated that God had established an everlasting kingdom of David's dynasty.<sup>163</sup>

Many centuries later, R. Johanan (died 279 C.E.) and R. Isaac, his disciple, still had scruples about Cyrus' restoration. The *Shekinah* did not dwell in the Second Temple the exiled children of Israel had built, because it was a king of Persia who was responsible for the rebuilding of the sanctuary, and the *Shekinah* would not rest upon the handiwork of Japhet's seed.<sup>164</sup> We may surmise that Jewish opposition to salvation through the agency of a pagan deputy of God had something to do with the cessation of the work which Sheshbazzar had begun in the beginning of Cyrus' reign (Ezra 5,61).

But in Darius' second year, on September 2, 521 (Hagg. 1,15), Zerubbabel, a grandson of the penultimate Jewish king, laid the founda-

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<sup>163</sup> II Chr. 21,7 (after II Kings 8,19). For the same purpose, the Chronicler inserts Ps. 132,8-9 in Solomon's prayer (II Chr. 6,41). On the other hand, when Ezra (3,10; 8,20) and Nehemiah (12,24; 12,36) mention David, he is only the organizer of the Levitic service. Nehemiah does not even call him king.

<sup>164</sup> Yoma 9b (R. Johanan); Pesikta Rabbati, 35 (tr. W. Braude). Cf. Bacher II, p. 233. The Jewish sources do not mention Julian's promise to rebuild the Temple: the sanctuary was to be restored by the Messiah, not by a heathen. S. Lieberman, *Annuaire... Bruxelles* VII, 1944, p. 414.

tions of the new Temple of the Lord; and it was dedicated four years later on March 1, 514 (Ezra 6,15).

Referring to this David, an oracle announced: "He shall build the temple of YHWH and sit upon His throne" (Zech. 6,13). Here again appears the necessary connection between the rebuilding of the Temple and the kingdom of Israel. Darius I, hard pressed by revolts which had broken out at his accession from Elam to Egypt, let the governor of the Jews and the elders of the Jews build the house of God at Jerusalem and payed the expenses from the tribute of Syria (Ezra 6,7-8). As an oracle said: "The hands of Zerubbabel have laid the foundations, his hands shall also finish it" (Zech. 4,8).<sup>165</sup> Thus, the Persian court accepted the idea that only a Jewish prince could rebuild the dwelling of the God of Israel. But the condition was that the priests in the new Temple "pray for the life of the king and his sons" (Ezra 6,10).<sup>166</sup> Thus Darius I established a compromise which served as a permanent precedent. Elsewhere the conqueror took place of the native ruler. In Egypt, the Achaemenids or the Ptolemies were vicars of Egyptian gods, built them temples, and were represented as offering them sacrifices. In the Temple of Jerusalem, the Jewish priests prayed and sacrificed on behalf of the foreign overlord. From the reign of Darius I this prayer for the welfare of the heathen ruler was the recognition of his legitimacy in Jerusalem. When the sacrifices for the Emperor offered at his own expense were stopped in 66 A.D., this was the beginning of the Jewish war.

Placed against its historical background, Cyrus' proclamation can hardly appear as a Jewish invention. After the beginning of Darius' reign, when the temple had been already rebuilt and consecrated by a prince of David's line, there was no place for an invention that would make Cyrus a second Solomon: "He shall build a house for My name, and I will establish the throne of his kingdom for ever" (II Sam 7,13).

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<sup>165</sup> The founding of a temple was a reiterative and symbolic act, and the new foundation was laid on an old one. Cf. e.g., Borger, 21. On the terms *ʾsh* (Ezra 5, 16) and *yasal* ("repair". Cf. II Chr. 24, 27) see S. Smith in *Essays in honor of ... J.H. Hertz*, 1943, pp. 385-396; C.G. Cameron, *JNES* XVII, 1958, pp. 269-275; A. Gelston, *V.T.* XVI, 1966, pp. 233-239. I shall deal elsewhere with Zerubbabel's chronology.

<sup>166</sup> For Assyrian precedents see Pfeiffer, *State Letter of Assyria* (1935), nos. 217ff.



## VII

The Chronicler says (Ezra 1,1) that Cyrus issued his edict "to fulfil the word of YHWH". But historians confidently assure us that there is no likelihood that Cyrus would have acknowledged the God of Jerusalem and His oracles.<sup>167</sup> As a matter of fact being free from the tenets of any doctrinarism, the Achaemenids eagerly and faithfully received utterances of foreign prophets. Cambyses believed in an Egyptian oracle concerning the place of his death, Darius, Xerxes and their generals inquired of all Greek oracles; Darius tells us that Apollo at Magnesia on the Maeander, "told the Persians" the truth and for that received rewards from the Achaemenids.<sup>168</sup> The Greek god probably sent favorable prophecies to Cyrus when the Persians were conquering Asia Minor.<sup>169</sup> When the Pisistratid refugees at the Persian court tried to convince Xerxes to make war on Athens, they brought along a soothsayer, Onomacritus, who, whenever he came into the king's presence, would recite the oracles of Musaios, telling of favorable presages for the expedition. As Herodotus naïvely adds, the deceitful prophet suppressed the verses announcing the fatal end of Xerxes' campaign.<sup>170</sup> There were Jewish prophecies, old and new, predicting Babylon's fall. Second Isaiah speaks of their fulfillment (Is 42,9). The Jews would hardly abstain from quoting these revelations in approaching Cyrus, nor would he neglect the divine voice. Josephus may be right when he supposes that the reading of Is 45,1 led Cyrus to restore the Holy City.<sup>171</sup> But the Chronicler refers expressly to Jeremiah's prophecies as fulfilled by Cyrus. Commentators suppose that the mention of Jeremiah there is due either to a clerical error or to a fault of memory. We should rather admit that the hagiographer intentionally avoided quotations from Second Isaiah. For the Chronicler, the Persian king is simply an instrument of Providence; like Nebuchadnezzar, who was brought upon the Jews to fulfill the menace formulated in Lev 26,34 and referred to in II Chron 36,21. In the prophecies of Second Isaiah, the Persian is addressed in person by the Lord, and the advent of Cyrus

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<sup>167</sup> See e.g., Oesterley, (n. 74), p. 15.

<sup>168</sup> Herod. III, 64; VIII, 133; IX, 42; IX, 151; Darius' letter to Gadatas *ap.* Dittenberger (n. 95), 22.

<sup>169</sup> Smith, p. 41.

<sup>170</sup> Herod. VII, 6. These oracles were ascribed to Musaios (Herod. IX, 43).

<sup>171</sup> Jos. *Antt.* XI, 6.

will establish God's everlasting kingdom as every knee shall bend to Him and every tongue shall swear only in the Lord (Is 45,24). Writing some two hundred years later, the Chronicler knew that the promise had not been fulfilled and that idolatry was still glorified in all the ends of the earth. Jerusalem herself was still under the sway of a heathen prince, and the hagiographer was still expecting a coming restoration of the house of David.<sup>172</sup> Thus, Cyrus had not fulfilled the words of Isaiah, but he had realized the oracle of Jeremiah's book that Babylon will be punished and Israel brought back to his pasture (Jer 50,18).

## VIII

Let us now return to the diplomatic viewpoint from which we began the examination of the Persian document, embedded in the First Chapter of Ezra. If the instrument is authentic, as we endeavored to show, it is of great importance for the history of ancient institutions. It is a proclamation made through herald, in the first year of Cyrus' reign, as the Chronicler says (Ezra 1,1), that is 538 B.C.<sup>173</sup> The document exhibits a bipartite structure. At the beginning there is an introductory clause in the 3rd person: "Thus says Cyrus". The formula is the same in the Aramaic translation of Darius' Behistun inscription and exactly reproduces the Persian term *θātīy*, which is also in the present.<sup>174</sup> The Hebrew even preserves the Persian collocation of words. On the other hand, the formula is exactly the same as the opening utterance of the Prophets: *ko 'amar YHWH*, "thus saith the Lord". Both wordings simply reproduce the expression used by the messenger who conveyed an oral communication. For instance, Ben-Hadad of Damascus sent messengers to Ahab of Samaria to say: "Thus says Ben-Hadad: Thy silver and thy gold is mine" (I Kings 20,3). The same was, too, the superscription of cuneiform letters in the second millenium, when the epistolary style still imitated the form of oral messages, for instance: "To Sin-idinnam speak: Thus (says) Hammurabi". But in the first millenium the letter became a form of communication all its own, introduced by a formula (still in the 3rd person) conveying salutations of the author to the addressee, as, for

<sup>172</sup> Cf. R.H. Pfeiffer, *Introduction*, p. 371.

<sup>173</sup> We are unable to say whether the author conjectured the date or knew it from the tradition. Its exactness is confirmed by the date of the memorandum Ezra 6,1.

<sup>174</sup> A.T. Olmstead, *AJSL*, 1932-33, p. 157.

instance: "To the king my lord, your servant Ashur-risua: Greetings to the king my lord".<sup>175</sup> The new epistolary style passed into Aramaic and was later borrowed by the Greeks. It is, thus, striking that the Persian royal correspondence was couched in the form of an oral message, as, for instance: "Darius... to Gadatas... thus speaks", though the Assyrian kings, whom the Persian kings regarded as their predecessors,<sup>176</sup> and the Persian grandees opened their letters with salutation.<sup>177</sup>

The oral message was authenticated by the person who transmitted it. A cuneiform tablet concerning 100 sheep to be delivered to Artysone, a wife of Darius, states as follows: "Pharnaces says: Darius the King has given me a command saying... as Darius the King has commanded me, so I am commanding you..." Whether such royal command was also entered in a roll or in a day-book, we do not know, but obviously a notice inscribed on a wall or on a wooden "white-board" (*album*) could not be authenticated afterwards.<sup>178</sup> The herald's announcement was a transitory act. Accordingly, in the time of Darius, twenty years after the passage of Cyrus' couriers through the streets of Jerusalem, the Elders of the Jews were unable to offer documentary proof of their claim that Cyrus had made a decree "that this house of the Lord should be rebuilt" (Ezra 5,13). Thus, the search for Cyrus' order had to be made in the royal archives.

The communication itself is set down in the first person of the present. The herald identifies himself with the originator of the message: "All the kingdoms... has the Lord... given me". Accordingly, the herald speaks directly to the public: "Who is there among you?" With the Septuagint and Jerome, the pronoun (*mī*) which opens this phrase is to be understood as an interrogative, rather than as an indefinite, "whoever". A proclamation beginning with an interrogative clause occurs elsewhere, for instance Judg 7,3, and equally in Greek diplomatic style. Thus, in Xenophon's *Cyropaedia*, Cyrus after the defeat of an enemy

<sup>175</sup> On the epistolary style in cuneiform texts cf. O. Schrader, *RLA* II, pp. 62-68 and the chronologically arranged specimens in Waterman IV, p. 217.

<sup>176</sup> Cf. J.W. Swain, *Cl. Ph.* XXXV, 1940, pp. 1-27; G. Goossens, *L'Antiquité classique* IX, 1940, pp. 25-45. The last Babylonian king, Nabonidus, already called the Assyrian kings his "royal predecessors". P. Garelli, *Dict. de la Bible*, Suppl. VI, 1958, p. 278.

<sup>177</sup> Cf. e.g. Waterman, nos. 1170, 1258, 1260; R.G. Driver, *The Aramaic Documents* (2nd ed., 1957).

<sup>178</sup> G.G. Cameron, *JNES* I, 1942, p. 216. Cf. R.T. Hallock, *Persepolis Fortification Tablets*, 1969, p. 52. Cf. the Hellenistic *prostagma* on which see *AHDO-RIDA* II, 1953, p. 259. On the *album* cf. G. Klaffenbach, *S.B. deutschen Akademie*, 1960, no. 6, p. 21ff.

army, ordered this proclamation: If there is any Persian, Greek, etc., enslaved by the enemy, he should declare himself.<sup>179</sup> These parallels explain the words “among you” which commentators regard as hardly admitting of interpretation.<sup>180</sup>

The Chronicler informs the reader (Ezra 1,1) that Cyrus' proclamation was published throughout his empire by the mouth of the herald “and also in writing”. It occurred sometimes that an oral message was confirmed by a letter conveyed by the same messenger. Sennacherib's herald sent to King Hezekiah in 701 B.C., first spoke the menacing communication, then Hezekiah received the Assyrian letter and read it (II Kings 19; Is. 37).<sup>181</sup> But such a procedure was impossible in the case of a general proclamation. On the other hand, the word **מכתב** (*mikhtabh*) in Ezra 1,1, which the versions render by “writing” is a technical term used in the Bible seven times only. It means, as Ex. 32,16; 39,30; Deut. 10,4 clearly show, *inscriptio*, words engraved on tables, on signets. When the Chronicler mentions David's *kethabh* and Solomon's *mikhtabh* regulating the services in the Temple (II Chron. 35,4) he refers in the first case to David's plans handed down to Solomon in written form (I Chron. 28,19), and thinks that Solomon's ordinance (II Chron. 8,4) was inscribed on a pillar in the sanctuary. Likewise, the thanksgiving psalm of Hezekiah is called a *mikhtabh* of this prince because it was inscribed on a slab.<sup>182</sup> Accordingly, the *mikhtabh* of Cyrus' edict was a poster reproducing the oral message.

## IX

These features assign to Cyrus' edict a particular place in the field of ancient diplomatic documents. In Mesopotamia the herald's proclamation had the same form, but it was never posted, even if its result was, then, registered in writing, as in the case of a sale by a public crier.<sup>183</sup>

<sup>179</sup> Xen., *Cyrop.* V, 18, 1; Herod. VII, 134. There were, of course, too, proclamations beginning with “whoever”. See e.g., Herod. VI, 126; VIII, 41; Xen., *Aban.* II, 2. 12.

<sup>180</sup> Batten, *ad ch.* 1.

<sup>181</sup> The herald could also shout a written message aloud. Cf. II Chr. II, 30, 6: the *iggerot* of Hezekiah were promulgated “by voice” of messengers throughout Israel. Cf. L. Finkelstein, *Pharisaism in the Making*, 1972, p. 390.

<sup>182</sup> H.L. Ginsberg, in *Louis Ginzberg Jubilee Volume I*, 1946, p. 169. The term is used in II Chr. 21, 12 with reference to a written message of Elijah because this message was formulated as an oracle: “Thus says the Lord...”

<sup>183</sup> See, e.g., P. Koschaker, *Zeitschr. der Savigny-Stift.* 1929, p. 291 and *Abh. Sächs. Ges.*

I am unable to ascertain whether Egyptian edicts were placarded, but they had the form of a direct commandment,<sup>184</sup> the messenger in Egypt does not identify himself with the sender of the communication. In Greece, the formulae of a written communication and of a “cry” by the herald are completely different. The herald announces in the 3rd person of a past verb a decree which has been made: “What has been approved and resolved, by the authorities of the Cadmeian city, I am to make known. It has been decreed to bury Eteocles”, etc.<sup>185</sup> There is no introductory formula,<sup>186</sup> and a *kerygma* is never promulgated in writing. We must turn to Rome to find an exact analogy to Cyrus’ proclamation.

Roman magistrates made known to the public their ruling by the way of an *edictum*, which announces the orders in the 1st or 2nd person, but which had a preamble formulated in the 3rd person and in the present. For instance: “Germanicus... says:... I command... your goodwill... I welcome”. Such proclamation was read by the herald and written on a kind of “white-board” (*album*). The latter was put up in a public place, in order that all persons might take notice of its content. Thus, the formal difference between the *edictum* and the Greek *kerygma* was striking. Accordingly, the Greeks never called the Roman instrument a *kerygma*.<sup>187</sup> Still more striking is the fact that the Roman and the Persian proclamation have the same formula and were both also promulgated by posting. How are we to explain this coincidence between *edictum* and *mikhtabh*? I must leave it to the Orientalists to follow up and ascertain the common source of the Roman *edictum* and Cyrus’ edict.

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*d. Wissensch.* XXXIX, 5, p. 66. Cf. Fr. Kraus, *Ein Edikt des Königs Ami-Saduqa*, 1958, p. 243. In Ugarit the messenger shouts: “Message (*thm*) of P.N.”. H.L. Ginsberg, *The Legend of King Keret*, 1946, A c. 6, line 305.

<sup>184</sup> See e.g., Breasted, II, Nos. 352, 925; III, 436; IV, No. 595.

<sup>185</sup> Aesch. *Septem c. Theb.* 1011. Cf. already Hom. *Iliad.* III, 245. Cf. e.g. Aristh. *Thesm.* 373: ἄκουε πᾶς ἔδοξε τῇ βουλῇ. Plut. *Timol.* 39, 3: Δημήτριος, ὅς ἦν μεγαλοφρονότατος τῶν τότε κηρύκων, γεγραμμένον ἀνεῖπε κήρυγμα τοιοῦτον· ὁ δῆμος ὁ Συρακοσίων... ἐτίμησε... Cf. also *Rev. étud. anc.* XLIII, 1940, p. 26.

<sup>186</sup> This formula appears when the messenger simply forwards a communication. See e.g., Herod. IX, 21: Μεγαρέες λέγουσι· ἡμεῖς, ἄνδρες σύμμαχοι..., etc. Cf. Thuc. I, 131, 1. On the herald in Greek papyri cf. R. Taubenschlag, *Opera Minora* II, 1959, p. 151–158.

<sup>187</sup> U. Wilcken, *ZSS*, 1921, p. 133.

## X

The results of our investigation may be summarized as follows: Ezra 1 preserves a genuine edict of Cyrus, which had the same formula and the same modes of promulgation, by herald and by poster, as the Roman *edictum*. Cyrus' edict may be rendered as follows. "Thus says Cyrus king of Persia. All the kingdoms of the earth has YHWH, the God of heaven, given me, and He commanded me to build Him a house in Jerusalem, which is in Judah. Who is there among you of all His people? May his God be with him and let him go up to Jerusalem, which is in Judah, and build the house of YHWH, the God of Israel, which is God in Jerusalem. And all those who remain, from all the places where he is a denizen, let them help him, the men of his place, with silver and with gold, and with goods, and with riding-beasts, beside the freewill-offering for the house of God which is in Jerusalem".

## THE DATING OF PSEUDO-ARISTEAS<sup>1</sup>

Ptolemy II, king of Egypt, sent his courtiers Andrew and Aristeas to Jerusalem in order to ask the high priests of the Jews for able translators of the Pentateuch, of which the library in Alexandria had no copy. Some time later, but still during the lifetime of Philadelphos (i.e. before 246 B.C.E.), Aristeas was asked by his brother Philocrates (§1, 7) to give a written account of his recollections of this memorable legation.

Thus begins a remarkable book<sup>2</sup> which first Jews and then Christians regarded for many centuries as a testimony to the *perfecta auctoritas* of the Septuagint, *credituris quandoque gentibus profutura* (Augustine, *De civitate Dei* 18.42), but was then irrevocably unmasked by scholarship as a Jewish forgery – and a crude forgery, at that. This evaluation, first expressed by J. Vives,<sup>3</sup> is undoubtedly correct. But as a matter of fact, it has not yet been demonstrated; and our increasing knowledge of ancient history generally shows that the alleged errors and distortions found in the book are actually misunderstandings and erroneous conclusions on the part of the critics themselves.<sup>4</sup>

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<sup>1</sup> O. Eissfeldt, *The Old Testament*, 1965, p. 603; S. Jellicoe, *The Septuagint and Modern Study*, 1968, pp. 29–58; G. Dellings, *Bibliographie zur jüdisch-hellenistischen Literatur* (Texte und Untersuchungen 106), 1969; A.-M. Denis, *Introduction aux pseudépigraphe grecs de l'Ancien Testament*, 1970, pp. 105–110; F. Parente, *Annali della Scuola Normale Superiore di Pisa*, 1972, pp. 177–237.

<sup>2</sup> P. Wendland, ed. *Aristeae ad Philocratem Epistula*, 1900; H. St. J. Thackeray, "The Letter of Aristeas" in H. B. Swete, *An Introduction to the Old Testament in Greek*, 1900. See also the editions by R. Tramontano, SJ (1931) and A. Pelletier (1962), both with commentary, and the commentary by H. G. Meecham, *The Letter of Aristeas*, 1935. – Quotations are taken from the translation by Herbert T. Andrews in R. H. Charles, ed. *The Apocrypha and Pseudepigrapha of the Old Testament in English*, Oxford 1913, pp. 83ff.

<sup>3</sup> Older scholarship is summarized by H. Hody, *Contra historiam Aristeae de LXX interpretibus dissertatio*, 1685. Cf. Tramontano, p. 34; Pfeiffer, p. 99.

<sup>4</sup> It is claimed that Aristeas is unaware that Arsinoe II was childless; but he simply says (§41) τὰ τέκνα, referring thereby to the children of Ptolemy II and Arsinoe I, who was adopted by the second Arsinoe (*Schol. Theocr.* 17, 128). – It is claimed that he erroneously places the philosopher Mendemos at the court of Ptolemy (§201) in the time of Philadelphos, although he came to Egypt as an ambassador under Soter (Diogenes Laertius, 2.140). As an influential politician in Eretria, he could return to Alexandria under Philadelphos. Need we refute other ideas of the critics, e.g. that Ptolemais is falsely described as a foundation of Philadelphos (§115)?

For Scaliger and his followers, the main problem was the role of Demetrius of Phaleron as initiator of the biblical translation under Philadelphos, since according to Hermippus (Diogenes Laertius, 5.78), he was banished at the beginning of Philadelphos' rule and died a mysterious death shortly afterwards. However, the authority of Hermippus is no greater than that of the Alexandrian Jewish tradition contemporary with him (Aristobulus<sup>5</sup> *apud* Eusebius, *Praeparatio Evangelica* 13.12,2), which knows Demetrius as the head of the collection of books during Philadelphos' reign. Since we have no other information, we must make up our minds whether the Gentile or the Jewish witness is more reliable; the problem was formulated in this way by scholars in the sixteenth century, and it still awaits its solution.<sup>6</sup> Another hitherto unresolved difficulty is the mention of the otherwise unknown naval victory of Philadelphos over Antigonos (§180).<sup>7</sup> I tend to believe that the current name of the adversary is the product of a textual corruption or confusion, and that Ps.-Aristeas refers here to a naval battle against Antiochus I in ca. 280.<sup>8</sup>

## II

In this search for gaffes on the part of the pseudepigraphical forger, the form and intention of the book have been the object of a fundamental misunderstanding. Unlike ancient readers,<sup>9</sup> modern scholars always

<sup>5</sup> The author of the letter quoted at 2 Macc 1.11ff., written in the second half of the first century B.C.E., already knew this Aristobulus. Cf. my essay "A Jewish festal letter" in the second volume of the present work.

<sup>6</sup> Later sources knew only vague details about the change of government in 285–283 B.C.E. The fact that Ptolemy I did not abdicate in 285, but appointed his son joint ruler, was therefore unknown until the discovery of the Ptolemaic papyri. Cf. the presentation by B. Niese, *Geschichte der griechischen und makedonischen Staaten*, I, 1893, p. 383.

<sup>7</sup> Modern explanations are highly speculative: Hody's suggestion that Ps.-Aristeas confuses Philadelphos and Keraunos is taken up again by W.W. Tarn, *Antigonos Gonatas*, p. 131. J. Beloch suggests that he transforms the defeat off Cos into a success: *Griechische Geschichte*, IV/2, p. 508.

<sup>8</sup> Cf. W. Otto, *Beiträge zur Seleukidengeschichte*, Abhandl. Bayer. Akademie 34/1 (1928), pp. 17f., 28f. In this war, Egypt conquered coastal cities in Asia Minor such as Miletus and Halicarnassus. These could be taken only in a naval battle, so we must suppose that the Egyptian fleet set out for war. – The stele of Pithom (Naville, *Z. f. ägyptische Sprache*, 1903, p. 7) likewise mentions a successful naval campaign of Philadelphos against "Persia" in the period between 278–274 B.C.E. This however probably refers only to an expedition to the Red Sea: W.W. Tarn, *J. Egypt. Arch.*, 1929, pp. 10ff.

<sup>9</sup> Josephus (*Ant. Jud.* 12.100) speaks of τὸ Ἀριστοταίου βιβλίον. Cf. Eusebius, *Praeparatio*



call it a “letter,” although Philocrates comes to Alexandria precisely at the period when the book is being composed (§5) and the *epistula inter praesentes* is a glaring stylistic error in classical literature. The address ὦ Φιλόκρατες in the first sentence of the book ought to be a sufficient demonstration of the non-epistolary character of this διήγησις (§1, 322).<sup>10</sup>

Thanks to Flavius Josephus, this book has been regarded as a testimony recording the origin of the Septuagint: as Tertullian informs the pagans, *adfirmavit haec vobis etiam Aristaeus* (*Apol.* 18). Aristeas himself did not write his book as proof of the exalted character of the Septuagint; rather, he presupposes the authority of the Septuagint, and devotes a mere two pages to the process of its translation. No further “testimony” was needed, since he was writing in Alexandria, where there was a solid Jewish tradition about the process of translation, and an annual feast commemorating this event was held on Pharos.<sup>11</sup> It was only outside Alexandria that Aristeas became a witness on behalf of the Septuagint. In other words, the author skillfully attaches his novelistic account to an undoubted and celebrated historical event – for that was how he and his contemporaries regarded the translation of the Torah at the command of Philadelphos – thus providing his own narrative with a universally known and effective historical basis. In exactly the same way, Xenophon and the Abbé Barthélemy made Cyrus and Anacharsis the heroes of their didactic novels.

As he himself says (§1), Aristeas intends to give an account of his journey to Jerusalem. Like so many other Egyptian officers and courtiers who traveled abroad on official business, e.g. Dionysios, Satyros,

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*Evangelica* 9.38; Epiphanius (p. 159 in Wendland’s edition of Aristeas) calls the work σύνταγμα. The subscription in manuscripts is: Ἀριστέας Φιλοκράτει, but one fourteenth-century manuscript (Q = Par. 950) calls the work ἐπιστολή. Thackeray *apud* Swete (*op. cit.*, p. 111, n. 2), p. 542.

<sup>10</sup> On dissertations in epistolary form, cf. H. Koskenniemi, *Studien zur Idee und Phraseologie des griechischen Briefes* (Annales Acad. Scient. Fennicae, series B 102/2), 1956, pp. 24ff. In a dissertation with an epistolary title, Epicurus addresses the recipient in the first sentence (Diogenes Laertius, 10.35: ὦ Ἡρόδοτε). Alciphron (2.31 = 3.34) makes a *hetaira* repeat the name of the addressee in the first sentence of her letter. A *hetaira* was not obliged to follow the rules of rhetoric, and Epicurus could allow himself to break these rules. Cf. U. Wilcken, *APF* III, p. 80. Aristeas, however, was writing in the style prescribed by the textbooks of his period. Cf. J. Sykutris, *RE Suppl.* 5, pp. 188, 200.

<sup>11</sup> An addition to the Megilla Taamith relates: “On Tebeth 8, the Torah was written in Greek in the days of King Ptolemy”: A. Neubauer, *Medieval Jewish Chronicles*, 1895, p. 24.

and Ariston, whom Ptolemy sent to India or to the Red Sea,<sup>12</sup> and whose memorandum Aristeas recommends to the monarch (§283), he too publishes a memoir of his mission to Jerusalem, a ὑπόμνημα τῆς ἀποδημίας (to use Strabo's phrase).<sup>13</sup> Since the Jews were no longer an exotic people in his time, he was obliged to subvert the usual structure of such works, so that this structure became meaningless – and this fact reveals his work to be later and pseudepigraphical. His description of the country and its people is very brief, and he devotes most of the text to the demonstration of the favor of the Lagides and the kindness and prudence of the Jews (i.e., the customary themes of Jewish apologetics). He skillfully transposes to the royal court in Alexandria the glorification of the wisdom of the exotic people, which is appropriate to such accounts of travel abroad. He relates a game of question and answer between Philadelphos and the Jewish translators, which permits him to have even the Greek philosophers acknowledge the superiority of their Jewish colleagues. This is not the place to offer a detailed interpretation of the composition of the book; what has been said suffices to show that even the alleged “anachronisms” of the author (which modern scholars have seized on as certain proofs that it was composed at a late date) belong to the form of the work.

According to the introduction to the book, Aristeas and Philocrates are two brothers (§7) in the service of Philadelphos. This means that they belong to the category of Jewish adventurers whom we know from the Zenon correspondence. Many men like them went to Egypt at that period in search of good fortune: μισθοδότας Πτολεμαῖος ἐλευθέρω οἷος ἄριστος (Theocritus 14.59).

While Aristeas is at the court, Philocrates has received a post on Cyprus (this is the probable meaning of ἡ νῆσος)<sup>14</sup> and hence knows little of the customs at the court and the Egyptian administrative practices. Aristeas explains to him that all administrative measures are taken with great care by the Egyptian kings (§28), that Philadelphos had appointed legal officers (§111), etc. He also writes that the king had prescribed the

<sup>12</sup> Pliny, *Natural History* 6.58; Diodorus, 3.42,1; Strabo, p. 769. Cf. W.W. Tarn, *Journ. Egypt. Arch.*, 1925, pp. 13f. G. Zuntz, *Philol.*, 1958, p. 245, holds that the words διηγήσεως... περὶ... ἐντυχίας... συνεσταμένης refer to another writing by Aristeas. The copyist of manuscript L (= T) held the same opinion, and wrote: συνισταμένης – a participle which however indicates a present state of affairs; cf. Mayser, *Grammatik* II/1, p. 194.

<sup>13</sup> Aristeas calls his text διήγησις (8; 322).

<sup>14</sup> H. Willrich, *Judaica*, 1900, pp. 119, 1.

regulations for the royal table (§182) and that these are still observed today; and §298 reminds Philocrates that “as you know,” all that the king says is recorded in writing.<sup>15</sup> All this is part of the easy-going style of Aristeas’ memoirs; at the close of the book, he promises to write other works too. He does however commit an obvious anachronism when he says that there were still twelve tribes of the Jews in the third century (§47). Philo too commits the same mistake (*De spec. leg.* 1.79); it shows with particular clarity that the Jew in the diaspora saw (and wanted to see) Palestine only as the land which the Torah described.

If however a text includes no historical errors, what entitles us to conclude that it is a forgery? The fact that the book glorifies the Jewish people and law is no proof of a forgery – for many Greeks praised the wisdom and the religion of the Egyptians. Apart from anything else, Aristeas is described as a half-proselyte, a “God-fearer” (§17: ἡμῶν κατὰ ψυχὴν πρὸς τὸν θεὸν εὐχομένων). From Scaliger onwards, it has been asserted – correctly, but as yet without any actual proof – that the book is a forgery. This claim will be established only if we succeed in demonstrating that it was written, not under Philadelphos as it alleges, but only at a much later date.

### III

Naturally enough, many attempts have been made to date this book, but the spectrum is so wide, from ca. 250 B.C.E. to ca. 75 C.E.,<sup>16</sup> that some scholars<sup>17</sup> see no other solution to the confusion than to dissect the text into various strata, which are assigned to different epochs. This consensus bears witness, not to the truth, but to a dilemma: generally speaking, the indications adduced by scholars to support a particular dating are either ambiguous or so insubstantial that they cannot be used in support of any argument at all. Two examples of the former group will suffice here.

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<sup>15</sup> Zenon, the celebrated steward of the vizier Apollonios, writes in a private letter that the dossier of an investigation is now in the hands of the “writer of memoranda,” so that the king can read it. He adds, just like Aristeas (§298): “since it is customary to act in this way” (P. Mich. Zen. 55: παρὰ τὸ ἔθος εἶναι οὕτως γένεσθαι). Jerome, *Praef. in Pentat.*, PL 28, 150 (quoted by Tramontano, p. 109, n. 2) calls Aristeas *hyperaspistēs*. One would like to know his source!

<sup>16</sup> The first date is suggested by Abrahams, *Jew. Quart. Rev.*, 1902, p. 330; the second date by Herrmann, *Latomus*, 1966, p. 65.

<sup>17</sup> Cf. Tramontano, p. 49.

In the prologue to the Greek version of Sirach, written after 116 B.C.E.,<sup>18</sup> reference is made to the incompleteness of the Septuagint. It is deduced from this<sup>19</sup> that Aristeas, who sings the praises of this translation, must be writing at a later date. It is however equally possible that this passage, the work of an immigrant from Palestine, is a polemical attack on the Alexandrian veneration of the Septuagint, or even on Aristeas itself. This means that the alleged *terminus post quem* can just as well be interpreted as a *terminus ante quem*.

At §98, the high priest is called ὁ κριθεὶς ἄξιος. This phrase may indicate the Herodian period, when the high priesthood was no longer hereditary, but it is equally appropriate to the Seleucid period (cf. Josephus, *Ant.* 12.237) and above all to the early Maccabean period, when “The people saw Simon’s faithfulness and the glory that he had resolved to win for his nation, and they made him their leader and high priest” (1 Macc 14:35).<sup>20</sup>

Most of the “proofs” adduced in support of one particular dating are so weak that they cannot prove anything. For example, a large part of Aristeas is devoted to the replies of the Jewish sages to questions put by Philadelphos, a collection of more or less sound rules for the conduct of daily life. This standard sapiential material forms a kind of “mirror for princes” which could profitably be analyzed in the light of the hellenistic treatises *περὶ βασιλείας*.<sup>21</sup> One of the recommendations of the sages is that one should treat one’s wife reasonably and avoid getting involved in conflicts with her (§250), and we are asked to believe that this is an allusion to the conflicts between Euergetes II and Cleopatra II!<sup>22</sup> Is it possible to keep a straight face, when one reads an

<sup>18</sup> U. Wilcken, *APF* III, p. 321.

<sup>19</sup> E.g. Wendland (edition, p. xxvii); P.E. Kahle, *The Cairo Geniza*, 2nd edn. 1959, p. 211.

<sup>20</sup> A. Momigliano, *Aegyptus*, 1932, p. 161, believes that Aristeas (§37) borrows a phrase from the letter of Demetrius I in 1 Macc 10:37. This assertion presupposes that Aristeas, who had been trained in rhetoric, had eagerly pored over 1 Maccabees, a book full of linguistic inconcinnities. Rather, Aristeas, the translator of 1 Maccabees, and Eupolemus all employ the customary phrases of hellenistic bureaucratic language. A scholar of the stature of J. Freudenthal, *Alexander Polyhistor*, 1875, p. 110, deduced from these similarities that Eupolemus was the author of Aristeas.

<sup>21</sup> Cf. E. Goodenough, *Yale Classical Studies* 1 (1928); W.W. Tarn, *The Greeks in Bactria and India*, 1938, p. 425; A.-J. Festugière, *Rev. Hist. Religions* 130 (1945), p. 29; A. Tcherikover, *Harvard Theol. Rev.*, 1958, p. 59; G. Zuntz, *J. of Semitic Stud.*, 1959, p. 21.

<sup>22</sup> Tramontano, pp. 48ff., discusses this and other arguments proposed by critics whose imagination is rather poor.

argument of such elusive subtlety? Or ought one perhaps to remind its excessively learned proponent of the fact that Euergetes' conflict with his sister broke out when she was no longer his wife?<sup>23</sup>

Let us take another example. The "Akra" of Jerusalem which Aristeas describes is said to be the Antonia, the citadel built by Herod.<sup>24</sup> The proof: both fortifications guarded the Temple and had towers and garrisons, and one of their functions was to react to any rebellion. Another scholar felt that this striking coincidence did not go far enough: he noted that according to Aristeas, the garrison consisted of five hundred soldiers, and that this corresponded to the Roman cohort stationed in the Antonia. According to another scholar, when Aristeas writes that the garrison never left the fortress except on feast days, and then only in turns,<sup>25</sup> it is obvious that this is a description of the shifts worked by the Roman sentries in the Temple on festival days. Here, it suffices to recall that the Temple citadel is mentioned as early as the time of Nehemiah, and that the Antonia was only the renovation of the Maccabean fortress (Josephus, *Ant.* 15.403); no further arguments need be brought against assertions of this kind. In fact, the Temple visited by Aristeas *cannot* be Herod's building, since he describes the inner forecourt, the gate (§85), the preparations for sacrifice (§92),<sup>26</sup> and even the curtain on the door of the innermost sanctuary (§86), none of which he would have been permitted to inspect. A high stone barricade would have prevented his Gentile eyes from looking at any of these things.<sup>27</sup> On the other hand, Aristeas says nothing about the first thing noticed by any visitor

<sup>23</sup> After Euergetes married Cleopatra III, documents refer to Cleopatra II only as "sister" (the oldest example available at present is P. Rylands II, 252 from 141 B.C.E.). Cf. W. Otto and H. Bengtson, *Zur Geschichte des Niederganges des ptolemäischen Reiches*, Abh. Bayer. Akad., new series 17, 1938, p. 300.

<sup>24</sup> H. Graetz, *Geschichte der Juden* III/2, note 2. Cf. the arguments against this identification proposed by Vincent, *Revue biblique*, 1908, p. 565.

<sup>25</sup> Cf. the inscription from Priene, 21: ὁ δεῖνα φρούραρχος ἀποδειχθεὶς τῆς ἄ[κρας] ὑπὸ δῆμου διέμεινέ τε πάντα τὸν Χρόνον ἐν τῷ θρουρίῳ κατὰ τὸν νόμου κ.τ.λ.

<sup>26</sup> His admiration of the speed with which the priests worked recalls Philo, *De spec. leg.* 1.83.

<sup>27</sup> In order to see the offering of the sacrifice, he must climb the "Akra" (§103). In the Roman period, this would have been considered a sacrilege (cf. Josephus, *Ant.* 20.189). 2 Macc 14:81 and 3 Macc 1:8ff. show that the "house" of the Temple of Zerubbabel, and hence also the place of sacrifice, could be seen by a Gentile visitor. A decree by Antiochus III (Josephus, *Ant.* 12.145) forbade Gentiles to enter the inner forecourt. The Temple of Zerubbabel had only two forecourts (1 Macc 9:54); it was only under Jannaeus that the priests and the laity were separated spatially (Josephus, *Ant.* 13.372).

to Herod's Temple (e.g., another Alexandrian: Philo, *De spec. leg.* 1.72), viz. the forecourt of the Gentiles with its famous porticoes where people walked up and down.<sup>28</sup>

#### IV

It would be wearisome to give further examples of erroneous interpretations and excessively subtle critical arguments. In order to date the text of Aristeas, we must bear the following in mind: this writing is a *πλάσμα* which serves to glorify the Jews. It is therefore completely beside the point to postulate that its description of an independent Jewish state would be possible only after the Maccabees and before Pompey.<sup>29</sup> No less mistaken is the assumption that the mention of Jewish courtiers of Ptolemy demands that such persons actually existed. All these hair-splitting presuppositions fail to grasp the nature of this utopian text. However, as scholars since G. Lumbroso agree, it is a *πλάσμα* written by an author who is well acquainted with the situation in Egypt, and it is set in the period of Philadelphos. The only *certain* indication of the true period in which the author wrote will therefore be some detail that did not yet exist under Philadelphos, and that ceased to exist at some later date.<sup>30</sup>

For example, when Aristeas (§12) speaks of "Syria and Phoenicia," he employs the official name of the Ptolemaic region in southern Syria; consequently, this expression tells us nothing about the date of his text. When however he mentions "Coelesyria and Phoenicia" (§12), he is employing the Seleucid name for the same region. This shows that he is writing after the Seleucid conquest of southern Syria in 200 B.C.E.

The most important indications are furnished by the formal expressions in documents. Since these are irrelevant to the contents and

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<sup>28</sup> The description of the Temple can at most lead us to postulate a date before ca. 110 B.C.E., since Aristeas knows the "Akra" only as a fortress which no one is permitted to enter. Hyrcanus I made it a royal residence (Josephus, *Ant.* 18.91), and it is occasionally mentioned as such until the reign of Herod (Josephus, *Ant.* 13.307; *Bell. Jud.* 1.72, 122, 143; *Ant.* 14.5, 7, 159; 15.403; 18.91). It remained a palace even after Herod had extended it to form the Antonia (Josephus, *Bell. Jud.* 5.241).

<sup>29</sup> Schürer III, p. 610.

<sup>30</sup> A. Momigliano, *Aegyptus*, 1932, p. 167: "The anachronism, not the absence of the anachronism, constitutes the argument" (Eng. trans.: B. McNeil). The fictional indication of the date of Aristeas is 280–279, when Arsinoe II, the sister of Ptolemy II, was his wife (Aristeas, §41).

intention of a text, forgers generally adapt them to the situation of their own period. Josephus takes over the documents in Aristeas, but changes the formula of greeting to *χαίρειν*, to which he was more accustomed,<sup>31</sup> while Epiphanius inserts into his paraphrase of Aristeas documents of his own, which contain the greeting *πλεῖστα χαίρειν*, typical of the late Roman period.<sup>32</sup> The forger of the documents in the Greek Ps.-Ezra formulates the headings and greetings in a completely arbitrary manner, although he possessed the stylistically correct models in the Hebrew Ezra.

On the other hands, although the formal phrases have their standard style, they change with the passing of time, following the fashion of letter writers; new forms are introduced in the administrative schools for writers, or else become widespread.<sup>33</sup> This allows us to date texts. A letter beginning with “Most revered lord father” and ending with “your most obedient son” was certainly not written in our own days, and we may safely assume that such a text, like a letter signed “your noble lordship’s most obedient servant,” comes from the age when men wore long wigs. (These are in fact quotations from letters by Lessing.)

The text of Aristeas includes four documents. No direct parallels exist to two of these, the memorandum by Demetrius (§§29–32) and the letter of the high priest Eleazar (§§44–51),<sup>34</sup> but comparable Greek sources do contribute something to the elucidation of these Greek documents.<sup>35</sup>

Both the style and the contents of the king’s decree (*prostagma*, §§22–25)<sup>36</sup> and the royal letter (§§35–40) are appropriate, although

<sup>31</sup> Josephus, *Ant.* 12.45 and 51.

<sup>32</sup> Epiphanius, *De mens. et pond.*, quoted in Wendland’s *Aristeas*, p. 145.

<sup>33</sup> U. Wilckens, *UPZ* 1, p. 474.

<sup>34</sup> The letter of the Jewish high priest Jonathan in 1 Macc 12:6–18 is a retranslation into Greek of the Hebrew version of the Greek original. The source on which Josephus draws at *Ant.* 13.166 altered the *praescriptio*.

<sup>35</sup> On *eisdoxis* (§§ 28 and 32), cf. U. Wilcken, *UPZ* 1, p. 169: “the memorandum which has been requested.” – The address *βασιλεῖ μεγάλῳ* (§29) is found in an *enteuxis* in the reign of Ptolemy III: PSI V, 541; cf. U. Wilcken, *APF* 6, p. 401. The concluding greeting – *Εὐτύχει διὰ πάντος* (§32) – is however completely unthinkable in an official document of this kind. Cf. the concluding greeting *εὐτύχει* in an *eisdoxis* submitted in 155 B.C.E.: P. Berol. Zilliacus, l. A Christian copyist, accustomed to see the concluding greeting *εὐτύχει* in a letter (cf. e.g. SP 1, 102, 103), “improved” the style by adding the formula *διὰ πάντος*, which often “decorated” letters in the imperial period. Cf. e.g. J. Schwartz, *Les Archives de Sarapion*, 1961, nr. 86, 89c: [διὰ] πάντος εὐτύχειν.

<sup>36</sup> The editors, following the manuscripts, begin the *prostagma* with the formula *Τοῦ βασιλέως προστάξαντος*. Here, the article *τοῦ* is a copyist’s poor attempt at improving

some formal expressions still require an explanation. For example, the official *epistula*, adapting the usage in private letters, avoided mentioning the official title of the sender and the addressee in the *praescriptio*, with the exception of the king's title, which always preceded the personal name of the sovereign. This meant that as early as the Diadochoi, it was necessary to add the ruler's title in correspondence with sovereigns. For example, the *adscriptio* in the letters of the kings of Pergamene to the prince and priest of Pessinus is: Ἄττιδι ἱερεῖ.<sup>37</sup>

Since the high priest Eleazar is presented in Aristeas' text as a priest and ruler, the *adscriptio* of the royal letter addressed to him is formulated in the correct bureaucratic terms: Ἐλεαζάρῳ ἀρχιερεῖ. We do not know whether Ptolemy II actually wrote (or would have written) to the high priest of Jerusalem in this style. The high priest prefixes his name and his official title to the letter: Ἐλεάζαρος ἀρχιερεύς, and this too is stylistically appropriate, since it was only a subject writing to his lord who began the letter reverently with the name of the king:<sup>38</sup> βασιλεῖ Πτολεμαίῳ χαίρειν Τουβίας.

We should also note the *salutatio* in both letters. The normal *praescriptio* of a Greek letter, found in 80% of all surviving papyrus letters,<sup>39</sup> consists of only three words, viz. the names of the writer and the addressee, and the greeting: Ἀπολλόδοτος Χαρμίδι χαίρειν.

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the original. On the style and contents of the *prostagma*, cf. U. Wilcken, *APF* 12 (1937), p. 222; A. Wilhelm, *ibid.* 14 (1941), p. 30; W.L. Westermann, *Amer. Journ. of Philology*, 1938, p. 1. According to Aristeas (§§20, 24), the *prostagma* was exhibited publicly. Cf. A. Wilhelm, *Beiträge zur griechischen Inschriftenkunde*, 1909, p. 285; Idem, *Griechische Königsbriefe (Klio Beiheft 43)*, 1943, p. 52; G. Klaffenbach, *Bemerkungen zum griechischen Urkundenwesen* (SB, Deutsche Akademie, 1960), nr. 6; B.-J. Müller, *Ptolemäus II. Philadelphus als Gesetzgeber* (dissertation, Cologne), pp. 77–81; M.-T. Lenger, *Corpus des ordonnances ptolémaïques* (Mémoires of the Belgian Academy 57/1), 1964. – It is probable that this is why the person who communicates the order is not named. Cf. *Revue internat. des droits de l'antiquité*, 1953, p. 26.

<sup>37</sup> Plutarch, *Pyrrh.* 6; Welles, 56 (OGIS 315).

<sup>38</sup> PCZ I, 59075 = CPJ I,5. Cf. *ibid.* the note of the chancellor: τῆς πρὸς βασιλέα ἐπιστολῆς τὸ ἀντίγραφον. Cf. U. Wilcken, *APF* 13, p. 135. The Stoic Zenon (or the author of his pseudepigraphical correspondence with Antigonos Gonatas) wrote in the same style to the king, who was the lord of Athens (Diogenes Laertius, 7.8). On the other hand, Menedemos of Eretria wrote to Demetrios Poliorketês, at a time when Eretria was apparently an autonomous state, Μενέδημος βασιλεῖ Δημητρίῳ χαίρειν (Diogenes Laertius, 2.17,141). In the published collection of the letters of Straton to Arisnoe, the philosopher demonstrates his independence in the *praescriptio*: Στράτων Ἀρσινόῃ εὖ πράττειν (Diogenes Laertius, 5.3,5).

<sup>39</sup> O. Roller, *Das Formular der paulinischen Briefe*, 1933, p. 435.



Ca. 270 B.C.E. (and probably even earlier),<sup>40</sup> it became fashionable to insert immediately after the *praescriptio* a syntactically independent declaration about the welfare of the writer and the reader of the letter: εἰ ἔρρωσαι τὸ δέον ἄν εἴη καὶ γὰρ δὲ ὑγιαίνων, or a similar formulation. The Romans imitated this *formula valetudinis*: *si vales, bene est, ego valeo*. As these two clauses show, the real desire of the writer was to say something about his own health (or illness);<sup>41</sup> but politeness leads him to begin by mentioning the welfare of his addressee: “If you are healthy and everything else is in accordance with your wishes, that would be a good thing.”<sup>42</sup>

This friendly phrase, probably initially coined for family correspondence, soon made its way into business letters too. We read in a manual for professional letter writers, composed in Ptolemaic Egypt: “Often, those in high positions have occasion to write friendly letters to those of lower rank and similar persons, even when they do not know them personally.”<sup>43</sup> When the high priest employs the *formula valetudinis* in his letter to Ptolemy Philadelphos, he is once again attesting that he is equal in rank to the king; but he changes the construction and hence also the meaning of this formula.<sup>44</sup> Although this expression of urbanity could change according to tastes and circumstances, its hypothetical structure remained stable. Eleazar, however, uses the imperative: αὐτός τε ἔρρωσω, “Be well!” This word (which was the

<sup>40</sup> Cf. F. Ziemann, *De epistularum formulis solemnibus* (Dissert. Phil. Halenses 13/4), 1910, p. 304, who refers to Epicurus fragment 179 Usener.

<sup>41</sup> Letter to King Philip V of Macedon (219 B.C.E.) *apud* J. Crampole, *Labraunda* III/1, 1969, nr. 7. Cf. e.g. a brief which forms part of Zenon’s correspondence: “If you are well, etc. For I became seriously unwell after I came down from the south, but now I am getting better” (G. Rosenberg, *P. Iandanae* VI, 1934, p. 9, following the translation of the editor.) Cf. also P. Columb. Zenon, 10:

καλῶ ἄν ἔχοι, εἰ ἔρρωσαι καὶ ὑγαί[νεις, ὑγιαίνων δὲ κα]γὰρ. Εἰς μεγάλην δὲ ἄρρωστίαν ἐνέποσον κ.τ.λ.

Cf. U. Wilcken, *APF* 11, p. 287.

<sup>42</sup> The hellenistic kings employed the *formula valetudinis* when they wrote to another ruler (Welles, 71) or prince (e.g. the Attalid kings to the high priest of Pessinus: Welles, 56, 59, 61), and sometimes even when writing to a community (Welles, 72, 2 Macc 11:28).

<sup>43</sup> A. Brinkmann, *Rh.M.* 44 (1909), p. 312.

<sup>44</sup> On the grammatical aspects, cf. R. Kühner, *Ausführliche Grammatik der griechischen Sprache* II, I<sup>3</sup>, 1904, pp. 233, 237; Maysner, II/1, 1926, pp. 185, 291. In his paraphrase (*Ant.* 12.52), Josephus avoids the asynthetic structure. Eusebius (*Praeparatio Evangelica* 8.5,1) alters the sentence in order to introduce the customary *formula valetudinis*: εἰ αὐτός τε ἔρρωσαι.

normal greeting at the close of a letter) is an imperative in the perfect tense, which was understood to signify the present tense; it signifies that an action is completed, and that its consequences endure. To lend emphasis to his words, the high priest adds paratactically the assurance in the optative mood: “My highest wishes are for your welfare... I also am well.” Where the Gentile hesitantly formulates a conditional clause (“if...”), the Jewish high priest confidently exhorts the king: “Be well!”

About one hundred years after the (alleged) date of Eleazar’s letter, a new version of the *formula valetudinis* took up his wish. The earliest datable testimony to the new formula is a letter written in 161 or 160 B.C.E., with the following *praescriptio*:<sup>45</sup> Διονύσιος Πολεμαίωι χαίρειν καὶ ἐρρῶσθαι.

The *formula valetudinis* is expressed in an affirmative form in the high priest’s letter; here, it has coalesced with the usual greeting to form a unity: *joy and health*, and this formula remained in use for about a century. It is found in letters of the *dioikêtês* of Egypt as late as 59 and 58 B.C.E.<sup>46</sup> At this period, however, another version of the greeting came into general use, using a different verb to wish *joy and health*.<sup>47</sup> The new formula, χαίρειν καὶ ὑγιαίνειν, and its variants (e.g. χαίρειν καὶ διὰ παντὸς ὑγιαίνειν) remained popular in private letters until roughly the end of the first century C.E.<sup>48</sup> By then, the Atticizing trend had swept away this remnant of Egyptian literary decoration. As early as the reign of Augustus, the simple greeting χαίρειν became the standard in Egyptian documents. The treatises on letter writing now advised that one should avoid all superfluity in the *praescriptio* and write in the classical style.

Nevertheless, the *formula valetudinis* survived the classicistic onslaught. Once again, as in the golden age of hellenism, it was placed after the *praescriptio* and before the context of the letter. The new age, with more

<sup>45</sup> UPZ I, 62 = SP I, 98. The same formula is found in P. Haun. 10 and P. Tebt. III, 754. Both these texts are older than the letter of Dionysius, but they are not datable. (On the basis of the handwriting, the editor of P. Haun. erroneously dates his text to ca. 200 B.C.E.)

<sup>46</sup> BGU VIII, 1756, 1757. For the dating, cf. T.C. Skeat, *The Reigns of the Ptolemies*, 1954, p. 39.

<sup>47</sup> The new formula appears e.g. in BGU VIII, 1871 (57/56 B.C.E.), 1873, 1874, 1878, 1880, 1881. It was very popular in the first century C.E., and disappeared ca. 100; Ziemann, *op. cit.*, pp. 313, 317.

<sup>48</sup> Roller, *ibid.* note 274. He cites *inter alia* Artemides, *Oneirocrit.* 3.44.

faith or less courtesy than the period of the Ptolemies, expressed the wish for the recipient's good health without any stylistic decorations.<sup>49</sup> People simply wrote: "Above all, I pray that..."

This brief presentation of the form-critical history of the *praescriptio* to Greek letters allows us to affirm that the book of Aristeas, allegedly a courtier of Ptolemy II, is a later forgery – since the author reproduces the alleged letter of Ptolemy II to the high priest Eleazar employing a formula in the *praescriptio*, *χαίρειν καὶ ἐρρῶσθαι*, which never occurs under Philadelphos and is first attested only about eighty years after his death. It follows that Aristeas cannot have been written before ca. 170. Coming at the question from the other angle, since this formula disappeared without trace ca. 50 B.C.E., the study of ancient documents allows us to date Aristeas with certainty to the period between ca. 170 and ca. 50 B.C.E.

This is a little imprecise, but I believe that we can attempt to use the epistolary formulae in Aristeas to date the author more exactly. We have seen that the two letters in Aristeas harmonize with one another. The king, who did not yet know the high priest, and who was naturally superior in rank to him, begins his letter with the words that expressed favor: *χαίρειν καὶ ἐρρῶσθαι*.

The high priest answers "his true friend" (§41) in a cordial tone and employs the *formula valetudinis* which was customary in private letters between persons equal in rank, and gave a letter a personal touch. This display of urbanity would however have been incomprehensible to the readers of Aristeas if he had published his book later than ca. 100 B.C.E.

Firstly, the developed *formula valetudinis* was no longer in use after ca. 100 B.C.E.<sup>50</sup> Secondly, even before 100 B.C.E., it had become

<sup>49</sup> The custom of beginning the context of letters with a pious formula begins in the second century C.E. Cf. e.g. Wilcken, Chr. 480 = SP I, 112: *πρὸ μὲν πάντων εὐχομαι*... In the hellenistic period, the motif of intercession appears only in pietistic groups; cf. e.g. UPZ I, 59 = SP I, 97 (168 B.C.E.) or the remarkable draft of an official letter from 64/63 addressed to an *ἀρχιερεὺς μαχαροφόρων*, with the following *salutatio*: *χαίρειν καὶ ἐρρωμένωι διευτυχεῖν καθάπερ εὐχομαι* (BHU VIII, 1770). Cf. *ibid.* 1835; Olsson, 1.

<sup>50</sup> The latest use of this formula is in P. Grenfell 1, 32 from 103 B.C.E. Cf. F.X.J. Exler, *A Study in Greek Epistolography*, 1934, p. 103. The *formula valetudinis* was (ungrammatically) shortened by hasty scribes in the second century. Cf. e.g. UPZ I, 61 = Witkowski, 37 (written in 171); UPZ I, 66 = SP I, 99 (written in 153). In some letters, carelessness leads to the omission of the statement about the writer's own health; cf. Ziemann, p. 305. The forger of the letter of the dying Antiochus IV to the Jews employs this

hackneyed, as we can see in a royal document. Unlike the Seleucids,<sup>51</sup> the Ptolemies never honored a subject, no matter how high his rank at court might be, by referring in a letter to his well-being. Despite this, the full *formula valetudinis* occurs in an instruction about the conduct of his office,<sup>52</sup> sent in 115 to the governor of the Thebais. Since another directive concerning the same matter was sent in the same year to another governor of the Thebais, who enjoyed the same rank at court, the obvious inference is that for once, the royal chancellery made a mistake, although the papyri attest the scrupulousness with which documents were drawn up there.<sup>53</sup> On the other hand, ancient documents show that the epistolary formulae were determined with great care.<sup>54</sup> Accordingly, the formal error of the royal chancellery in 115 shows that people were no longer sensitive to the distinctions in the degree of personal favor expressed in the *formula valetudinis*.

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deviation from the norm in order to paint a portrait of the king's state of health. His "Antiochus" begins with the usual formula concerning the addressees: εὖ ἔρρωσθε... καὶ τὰ ἴδια κατὰ γνώμην ἔστιν ὑμῖν, but instead of adding: "I am well," he speaks in the next sentence about his hopeless situation (2 Macc 9:20).

<sup>51</sup> Cf. the letter of Antiochus III to his "father" Zeuxis (Josephus, *Ant.* 12.148), who was viceroy of Asia Minor at that period: L. Robert, *Nouvelles inscriptions de Sardes*, 1964, p. 13. Naturally, the Ptolemaic chancellery employed the formula. It is found e.g. in a letter of the *Dioikētēs* written in 163 (UPZ 110).

<sup>52</sup> Lenger, 60. This letter ends with the concluding wish ἐπιμελούμενος ἴν' ὑγιαίνης-ἔρρωσῶ, which was popular in private letters of the late Ptolemaic period and decorated official correspondence too in the first century C.E. Since the royal letter was merely an unremarkable covering letter attached to a petition by the priest of Philae, the personal note here is a stylistic inconcinnity. Even in the last years of the Ptolemies, covering letters remained brief and impersonal. Cf. e.g. BGU VIII, 1741ff. In the same way, there are no formulae of personal politeness in the royal covering letter referring to the same matter, which was sent to the governor of the Thebais four months earlier; Lenger, 58.

<sup>53</sup> UPZ 14.

<sup>54</sup> In his letter to the *dioikētēs* Apollonius, Tubias mentions himself first, and employs the *formula valetudinis*, since he felt himself to be equal in rank to the minister: PCZ I, 50076 = CPJ I, 4. When the head of the Alexandrian royal mint writes to the same Apollonius, who was his superior, he employs the same *formula valetudinis*, but begins with the name of the minister: Ἀπολωνίῳ χαίρειν Δημήτριος (PCZ I, 59021 = SP II, 409). At the time of the conflict between the two royal brothers in 164, the vizier Herodes begins an official letter with the assurance that the sovereign rulers, including Queen Cleopatra and her children, are well, and that matters of state (τὰ πράγματα) are going well. The customary hypothetical statement about the health of the recipient follows ("If you too are healthy, then things would be as we wish, and we too are in good health": UPZ 10, following the translation by U. Wilcken). A third example: in a group of official directives about the transport of corn to Alexandria (probably in 64/63), the *salutatio* in the directive is χαίρειν καὶ ἔρρωσθαι. In the covering letter of the *stratēgos* to the royal scribe, however, the greeting is only χαίρειν. BCU VIII, 1741; H. Zilliacus, *Ae* 19 (1939), p. 59 = *SB* V, p. 754.

The same observation can be made with regard to the formula *χαίρειν καὶ ἐρρῶσθαι*, which had never been employed by the royal chancellery, but suddenly turns up in 99 in a banal official communication to a third-class local official.<sup>55</sup> Once again, it is obvious that the royal chancellery has made a mistake, and once again, this error shows that the personal touch in the formula *χαίρειν καὶ ἐρρῶσθαι* was no longer perceived in 99 B.C.E.

The history of this particular *formula valetudinis* confirms this view.<sup>56</sup> It makes its first appearance in personal letters, where it emphasizes a certain familiarity of the writer with the recipient. When for example a high official employs it in 131 in a letter to the local *trapezitês*, Diogenes, who was his subordinate, he does so in order to establish from the very outset the tone of the letter (in which he asks for a discreet favor).<sup>57</sup> A few lines later, he reminds Diogenes of “the favors I have shown you.” Correspondingly, this formula is not found in instructions about payment and other letters which passed between one office and another. In the next generation, this phrase – already obsolete – begins to lose its attractiveness as an expression of intimacy. In private letters, the scribes attempt to renew its exhausted vigor by means of intensifications<sup>58</sup> or alterations.<sup>59</sup> In the last two decades of the second century, the offices began to employ the formulae arbitrarily, in order to avoid the monotony of the obligatory greeting *χαίρειν*.<sup>60</sup> For example, Polemon

<sup>55</sup> UPZ I, 108 = Lenger, 63.

<sup>56</sup> Cf. e.g. UPZ I, 162 = SP I, 98 (161 or 160 B.C.E.); Wilcken, Chr. 10 = UPZ 101 (131 B.C.E.), UPZ II, 199 (131 B.C.E.), P. Tebt. 1, 12 (118); P. Tebt 1, 57 = Wilcken, Chr. 68 (114 B.C.E.); P. Tebt. 1, 20 (113); P. Tebt. 1, 55 = Witkowski, 53 (ca. 114); P. Yale, 55 (10); SB I, 326 (76/75). Cf. also the following letters, which cannot be dated precisely: BGU VIII, 1872; PSI XV, 1513; P. Tebt. 1, 34, 55.

<sup>57</sup> UPZ II, 199.

<sup>58</sup> Cf. endings such as *πολλὰ χαίρειν* or *διὰ παντὸς εὐμερεῖεν*, etc. Cf. e.g. Witkowski, 57 (103 B.C.E.), CPJ I, 141 (newer edition: SB VI, 9564), W. Schubart, *Ae* 13 (1933), p. 62 = SB V, 7530; BGU VIII, 1770. Cf. also Maysner II, 2, 421. The formula *πλεῖστα χαίρειν* occurs only under Augustus. Cf. Olsson, 9.

<sup>59</sup> The writer often added a statement about his own health. Cf. e.g. P. Witkowski, 75 (written in 103); P. Tebt. 1, 59 = Witk. 61 (99); P. Lips. 104 = Witkowski, 63 (95); P. Grenf. II, 36 = Witk. 64 = SP I, 103 (99); BGU III, 1009 = Witk. 60. The same structure is found in the pseudepigraphical royal letters in 3 Macc 3:12 and 7:1, a further piece of evidence for dating this book to ca. 100 B.C.E.

<sup>60</sup> P. Tebt. 1, 19 and 20. At this period, the address “brother” was employed as a title by officials of the same grade. Cf. U. Wilcken, UPZ I, 64, I. In the first century, it was customary to conclude a letter which began with the formula “joy and health” by writing: “Take care of yourself, so that you may remain healthy”: cf. Ziemann, 312–325. Cf. e.g. P. Tebt. 1, 55 = Witk. 53: *ἐπιμελοῦ σεαυτοῦ ἵν’ ὑγιαίνης*. Cf. e.g. SB V, 8754 = H. Zilliacus, *Ae* 19 (1939), p. 59. In 114 and 113, Polemon wrote four official letters to

wrote to his “brother” (i.e. his colleague) Menches in 114, with the greeting *χαίρειν*. In the following year, he wrote again to Menches, but although he does not now call him “brother,” his greeting is: *χαίρειν καὶ ἔρρωσθαι*.

In 88, the governor of the Thebais wrote to the inhabitants of the city of Pathyris in order to stiffen their resolve during an Egyptian uprising.<sup>61</sup> In the first letter, the greeting is: *χαίρειν καὶ ἔρρωσθαι*. Seven months later, it is only *χαίρειν*. By now, this formula is making its way into the correspondence between the various offices, once again in order to avoid the boredom of the eternal *χαίρειν*. For example, in 59, the *διοικητής* in person wrote two letters to the same *stratēgos* about current matters of business.<sup>62</sup> In the one, he employs the greeting *χαίρειν*, in the other the greeting *χαίρειν καὶ ἔρρωσθαι*.<sup>63</sup> It is obvious that in this period the latter formula was merely a cliché which meant nothing profounder than modern expressions such as “Yours sincerely” or “Yours faithfully.”

Consequently, given that Aristeas brings together the two *formulae valetudinis*, the longer and the shorter, he must be writing before these formulae lost their power, i.e. before ca. 115 B.C.E. – and naturally, after the coining of the shorter formula, i.e. after ca. 170 B.C.E.

The *terminus a quo* is confirmed by another formula, viz. the clause *ἐὰν οὖν φαίνεται* (“If then it please you...”) in the petition in Demetrius’ memorandum (§32), since this too is not older than ca. 160: the

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Menches dealing with the collection of taxes. The first two letters employ the regular opening and closing greetings: *χαίρειν* and *ἔρρωσο* (P. Tebt. 1, 17 and 18). In the third letter, which is addressed to “brother Menches,” the opening greeting is still *χαίρειν*, but the concluding greeting is now: “Take care of yourself, etc.” Finally, in the fourth letter, written two months later, Menches is no longer given the title “brother,” but the greeting is *χαίρειν καὶ ἔρρωσθαι* and the concluding greeting once again: “Take care of yourself, etc.” In P. Tebt. 1,12, Menches writes to his “brother” Herodes and then to his “brother” Ammonios. In the first letter, the greeting is: *χαίρειν καὶ ἔρρωσθαι*, in the second: *πολλὰ χαίρειν*.

<sup>61</sup> SP II, 417 and 418.

<sup>62</sup> Cf. SB V, 8754 = H. Zilliacus, *Ae* 19 (1939), p. 59, and BGU VIII, 1741 (64/63 or 97/96 B.C.E.?) ; BGU VIII, 1755–1757 (58/59), 1760, 1769, 1788. Official letters do not vary the greeting “joy and health.” Cf. however P. Tebt. 1, 36: *πολλὰ χαίρειν καὶ ἔρρωσθαι*. Cf. PS 113, 969. – It is worth noting that at the same period, this formula ceases to be common in private letters. Of eight private letters in BGU, only one displays this formula. In seven letters, the greeting is *χαίρειν καὶ ὑγιαίνειν* (1871, written in 57/56; 1873, 1874, 1878, 1880, 1881). The scribe of 1882 wrote first *χαίρειν καὶ ἔρρωσθαι*, then erased the last two words.

<sup>63</sup> BGU VIII, 1759 and 1760, 11. Cf. also 1872 and 1873.

customary formula in the third century was *ἔάν σοι φαίνηται*.<sup>64</sup> This once again shows that the author did not take the trouble to imitate the style of the official documents issued under Philadelphos, but simply employed the formulae with which he himself was familiar. This allows us to determine the *terminus ante quem* of the text as the end of the second century B.C.E. In the two official letters composed by Ps.-Aristeas, the petition is introduced by the formula *καλῶς οὖν ποιήσεις* plus a participle (§§39, 46). This polite turn of phrase (“It would be good if you were to...”), which is found in virtually every surviving letter of the third and second centuries,<sup>65</sup> disappeared from general use in the first century B.C.E.,<sup>66</sup> although some conservative bureaucratic offices (e.g. in the district of Heracleopolis) remained faithful to it.<sup>67</sup>

In the course of time, this phrase became so hackneyed that the chancelleries, doubtless following a newly fashionable manual for letter writing, replaced it by the expression *ὀρθῶς ποιήσεις*.<sup>68</sup> At the same time, the courtesy and the composition found in early Ptolemaic letters disappeared ca. 100.

Now, directives are issued in a harsh tone: “Send at once...”, etc. Where the old formula was still employed in the first century to introduce the petition, the linking particle is often missing, so that the clause stands asyndetically: *καλῶς ποιήσεις*.<sup>69</sup> It follows that the *terminus ante quem* for the regular use of the formula *καλῶς οὖν ποιήσεις* which we find in the fictitious letters in Aristeas is ca. 100 B.C.E.

<sup>64</sup> H.J. Thackeray, *Jew. Quart. Rev.* 103, p. 348; P. Collomp, *Recherches sur la chancellerie des Lagides*, 1926, pp. 95, 139, 161; Mayser, *op. cit.*, II/1, pp. 277, 284. The oldest attestation presently available is UPZ 5, 46 (163 B.C.E.).

<sup>65</sup> Mayser, *Grammatik* II/3, p. 151, calls it “a formula repeated until it becomes tiresome.” Cf. *ibid.* II/1, p. 213, n. 1.

<sup>66</sup> On the other hand, *καλῶς ποιήσεις* was commonly employed at the beginning of a letter, immediately after the *praescriptio*, throughout the entire Greco-Roman period.

<sup>67</sup> BGU VIII, 1826–1827: it is employed by the legal officers of the king.

<sup>68</sup> The oldest dated attestation known at present is P. Tebt. 1, 19 (114 B.C.E.), but see U. Wilcken, *APF* 11, p. 125 on SB V, 7524 = B. von Groningen, *Aegyptus* 13 (1933), p. 21. The formula *καλῶς ποιεῖν* is frequently attested in the last years of the second century; cf. e.g. P. Tebt. 1, 30 = Wilcken, *Chr.* 233; M.-T. Lenger, *Corpus des ordonnances*, 60; P. Tebt. 1. 31. In the official correspondence in BGU VIII, the older formula is employed once (1786); the more recent formula is attested twice (1755, 1784). One scribe begins his letter: *ὀρθῶς ποιήσως*. P. Sattler, *Griechische Papyrusurkunden... der Heidelberger Sammlung*, 1963, nr. 8.

<sup>69</sup> P. Bour. 10; SB III, 6643. The addition [*καλῶς*] in Wilcken, *Chr.* 69; SB III, 7180, and Grenf. II, 38 is dubious. Perhaps we should rather read: [*ὀρθῶς*] οὖν ποιήσεις. Cf. e.g. P. Amh. II, 38: *ὀρθῶς οὖν*.

A further piece of information supplied by the study of documents allows us to specify the *terminus post quem*. In §12, Sosibius and Andrew are called τῶν ἀρχισωματοφυλάκων. This is an appropriate term, since both are in fact officers in the king's bodyguard. In §40, in the royal brief, and hence in the official terminology, Andrew is called Ἀνδρέαν τῶν ἀρχισωματοφυλάκων.<sup>70</sup> This expression, however, which designates membership of a particular class rather than a specific office, was unknown in the reign of Philadelphos.

The class of courtiers known as "arch-bodyguards" was founded by Ptolemy VI Philometor after his return to the throne in 163. The new dignity was probably created in order to reward the king's loyal adherents in the period when rival claimants contested the throne (Ptolemy VI had been expelled from Alexandria by his brother Ptolemy VIII in 164).

The oldest presently known attestation of the new class (which was one degree lower than that of the "first friends")<sup>71</sup> is the mention of a Ptolemy "belonging to the arch-bodyguards and *stratēgoi*" in an official document written in 155 B.C.E.<sup>72</sup> His superior, the *dioikētēs* Dioscorides, bears the title ἀρχισωματοφύλαξ in the same text. For some years, the two titles coexisted, and it seems that one could be promoted from the class of arch-bodyguards to the position of "the arch-bodyguard."<sup>73</sup>

Later, probably after Ptolemy VIII ascended the throne in 145, the title of *archisōmatophylax* was abolished, or else no longer awarded.<sup>74</sup> Sometimes, as in Aristeas, the bureaucratic offices employed the two titles indiscriminately.<sup>75</sup> The courtly rank of "the class of arch-bodyguards" was devalued by being awarded too often, especially during the dynastic war of 131–124. Now the regional *stratēgos* moved up into

<sup>70</sup> This is the reading in all the authoritative manuscripts of Aristeas and of Eusebius. Josephus found this genitive incomprehensible, and replaced it with an accusative. Some manuscripts of Aristeas (which otherwise tend to make the text worse in their efforts to "improve" it) follow him here. Cf. Thackeray, *op. cit.*, p. 514; A. Pelletier, *Flavius Josèphe adapteur de la lettre d'Aristée*, 1962, p. 106. Aristeas §43 confirms that this is a partitive genitive indicating the officers' rank.

<sup>71</sup> H. Bengtson, *Die Strategie* III, 1952, p. 53.

<sup>72</sup> P. Berl. Zilliacus, 1: τῶν ἀρχι[σωματοφυλάκ]ων [καὶ] στρατηγῶν. Cf. W. Peremans and E. Van 't Dack, *Prosopographia Ptolemaica* II, 1952, nr. 4284–4324.

<sup>73</sup> Cf. the case of Dionysios: P. Teb. I, 79, 52; P. Meyer, 1. Cf. U. Wilcken, *APF* VI, p. 403. The first document is a register of land, the second a petition. It follows that their information is not reliable.

<sup>74</sup> Cf. OGIS I, 130; Bengtson, *op. cit.*, p. 103.

<sup>75</sup> For example, in ca. 130 B.C.E., the same Dionysios is called [τῶν ἀρχισω]μοτοφυλάκων in UPZ II, 224 c. 3, and *archisōmatophylax* in UPZ II, 222.



the class of the “first friends” and was addressed as the “relative” of the king after ca. 120;<sup>76</sup> at the same time, local police commissioners were given the title τῶν ἀρχισωματοφυλάκων.<sup>77</sup>

Accordingly, the description of Andrew, the king’s emissary to the high priest of Jerusalem, as τῶν ἀρχισωματοφυλάκων shows that Aristeas wrote at a period when this title was still highly respected,<sup>78</sup> i.e. before ca. 125 B.C.E.

An investigation of the “documents” reproduced in Aristeas gives us therefore a certain dating: this text was written between ca. 160 and ca. 125 B.C.E.

## V

The picture which Aristeas paints of Judea fits this period very well.

Although his picture is undeniably idealized (§6), this does not justify us in dismissing it out of hand as absurd, especially since the value of his idealized description of Jerusalem is undeniable and is in fact acknowledged by scholars.<sup>79</sup> What his picture needs is an exact interpretation. For example, it has been supposed that Aristeas envisages the Jordan as flowing around the Holy Land. What he actually says (§116)<sup>80</sup> is that the “ever-flowing” river “waters the land in abundance”; immediately after this, he writes that the Jordan flows into another river, and that this in turn flows into the sea. This sea is the Lake of Gennesareth.<sup>81</sup> Like Josephus and the rabbis, Aristeas makes a precise distinction between the source and the main river, which emerges at Paneas and is fed by two further small tributaries as it flows downstream.<sup>82</sup> We need not enquire whether Aristeas has in mind the “little Jordan” of

<sup>76</sup> T.C. Skeat, *Mizraim* II, 1936, p. 30; Bengtson, *op. cit.*, p. 54.

<sup>77</sup> Cf. e.g. UPZ I, 160; II, 106; BGU VIII, 1772; U. Wilcken, *APF* XI, p. 122.

<sup>78</sup> We owe this observation to the insight of E. Van ’t Dack, *Antidoron W. Peremans*, 1968, p. 263. This Belgian scholar has kindly informed me that his current researches are pursuing further the suggestions made in the first publication of my present essay. Dr. L. Mooren (Louvain), the author of an unpublished monograph on Ptolemaic titles, has informed me that the titles *archisōmatophylax* and τῶν ἀρχισωματοφυλάκων are attested from 155 to 130, that the title *archisōmatophylax* disappears after 130, and that the court title τῶν ἀρχισωματοφυλάκων is last attested in 110; cf. his article in *Antidoron W. Peremans*, p. 171. I should like to thank Dr Mooren here for his help.

<sup>79</sup> Cf. Vincent, *RB*, 1908, p. 520; 1909, p. 555.

<sup>80</sup> Cf. Pelletier, *ad loc.*

<sup>81</sup> The Mediterranean is ἡ θάλασσα (§§114, 301, 305).

<sup>82</sup> Cf. F.-M. Abel, *Géographie de la Palestine* I, 1933, pp. 178, 476.

Josephus,<sup>83</sup> so rich in water, i.e. the Nahr Leddan which begins at the biblical Dan, the northernmost border point of the promised land, or else the longer Nahr el Chasbani (Nahal Senit), which emerges on the north-west slope of Hermon.<sup>84</sup>

According to Aristeas, both rivers unite “opposite” the region of Ptolemais.<sup>85</sup> The Phoenician territory did in fact extend to the northernmost rift of the Jordan,<sup>86</sup> but we do not know how the border between Ptolemais and the district of Tyre, which began at the “Ladder of Tyre” (i.e. the western point of today’s border between the states of Israel and Lebanon),<sup>87</sup> ran towards the Jordan in the east in the second or third century B.C.E.

Irrespective of the answer to this question, Aristeas’ geography is neither confused nor a mere imitation of the biblical picture. This permits us to investigate whether his geographical data can give us further help to date his work.

We have seen above that only anachronisms provide reliable information about the date of a pseudonymous writing. This is why the list of the harbors of Jerusalem (§115) cannot help us identify the time at which he wrote. The author endeavors to show that Judea was excellently located for maritime trade, and he names the harbors of Ashkelon, Gaza, Jaffa, and Ptolemais, since Jerusalem is not far from any of these. This geographical affirmation was just as true in the days of Philadelphos as in the days of the later writer.

At §107, he says<sup>88</sup> that the land is beautiful and spacious; in part it is mountainous, but it also has plains. The mountainous land, with a harshness that trained the Jews well, is Judea properly speaking, ἡ ὄρεινη (Lk 1:39), *Orinen, in qua fuere Hierosolyma* (Pliny, *Natural History* 5.70). The level ground does not however refer to the plain of Galilee or of Sharon, but: καὶ τινῶν μὲν πεδινῶν [*sc. τόπων*], τῶν κατὰ τὴν Σαμαρεΐτιν λεγομένην (Mendelssohn; codices: λεγομένων) καὶ τῶν συναπόντων

<sup>83</sup> *A. J. V.* 178; 18.226.

<sup>84</sup> *Tac.* 5.6.

<sup>85</sup> κατὰ τῶν Πτολεμαίων χώρον (manuscripts: Πτολεμαίων, corrected by Wendland). On the use of the preposition κατὰ, cf. Maysers II/2, p. 430.

<sup>86</sup> Cf. A. Alt, *Kleine Schriften* II, 1953, p. 376, n. 2; p. 387, n. 2; Abel, *op. cit.*, p. 170.

<sup>87</sup> Cf. Josephus, *Bell. Jud.* 2.188; 2.459. Cf. R. Dussaud, *Topographie historique de la Syrie*, 1927, p. 20; S. Krauss, *Talmudische Archäologie* II, 1911, p. 326.

<sup>88</sup> Aristeas says λεγόμενος when the name might be unknown to his reader: cf. §§38; 67; 97; 116, and Maysers, *Grammatik* II/2, p. 53.

τῆ τῶν Ἰδουμαίων χώρα. What does the “level regions in the so-called Samaritan land” mean? The reference cannot be to Samaria itself, for it is well known that up to 70% of that region is mountainous. This phrase fits only the three regions of Samaria: Lydda, Aphairema, and Ramathaim. These had a Jewish population, and Demetrius II annexed them to Jerusalem.<sup>89</sup>

1 Macc 10:80:

ἀπὸ γῆς Ἰούδα, καὶ ἀπὸ τῶν τριῶν νομῶν τῶν προστιθεμένων αὐτῆ ἀπὸ τῆς Σαμαρίτιδος καὶ Γαλιλαίας.

1 Macc 10:88:

καὶ τοὺς τρεῖς νομοὺς, τοὺς προστεθέντας τῆ Ἰουδαία ἀπὸ τῆς χώρας Σαμαρείας.

1 Macc 11:29:

ποιῆσαι τὴν Ἰουδαίαν ἀφορολόγητον καὶ τὰς τρεῖς τοπαρχίας [καὶ τὴν Σαμαρίτιν].

1 Macc 11:24:

τά τε ὄρια τῆς Ἰουδαίας καὶ τοὺς τρεῖς νομοὺς, Ἀφαιρεμα, καὶ Λυδδα, καὶ Ραθαμιν, προσετέθησαν τῆ Ἰουδαία ἀπὸ τῆς Σαμαρίτιδος.

Lydda was (and is) the center of a fruitful plain which began behind Adida, which was in the hilly country (the “Shephelah”; 1 Macc 12:38). According to 1 Macc 13:13, Adida lies ἐν προσώποις τοῦ πεδίου. Josephus writes of Adida (*Ant.* 13.203):

ἥτις ἐπ’ ὄρους κειμένη τυγχάνει ὑφ’ ἧς ὑπόκειται τὰ τῆς Ἰουδαίας πεδία.

Along the military corridor from Jerusalem to Lydda, Judas pursues the defeated Seron “down the descent of Beth-horon to the plain” (1 Macc 3:24). The Talmud affirms: “From Beth-horon to Emmaus are the mountains, from Emmaus to Lydda is the Shephelah, from Lydda to the sea is the plain.”<sup>90</sup> After the exile, this region did not again become Jewish until 145 B.C.E.<sup>91</sup> This confirms the *terminus post quem* at which we arrived above; at the same time, it shows that Aristeas is not

<sup>89</sup> Cf. in general the fine work by G.A. Smith, *Historical Geography of the Holy Land*, 25th edn. 1931; I refer here to his descriptions and maps.

<sup>90</sup> Smith, *op. cit.*, p. 144.

<sup>91</sup> For the date, cf. 1 Macc 11:19. U. Kahrstedt, *Syrische Territorien*, 1926, p. 64, believes that the detachment of these territories took place somewhat earlier, but for our purposes this is irrelevant, since Kahrstedt’s hypothesis is based on an erroneous translation of 1 Macc 10:80, against which Grimm *ad loc.* had already warned.

describing the boundaries which existed in the reign of Philadelphos, but those of another period, namely his own. This also permits us to infer a *terminus ad quem* from his description.

Aristeas sings the praises of the promised land. The only plains he knows, however, are a small territory acquired in 145 and obscure regions which “border on the land of the Idumaeans” (107).<sup>92</sup> He says nothing about the plains of Jezreel or Sharon, the coastal plain, or that of Akko. Why is this? It is safe to assume that Aristeas knew nothing of the Maccabean conquest of these areas. Similarly, Aristeas regards the districts of Ptolemais, Azotus, and Gaza as autonomous political entities.<sup>93</sup> The Jordan flows into the Lake of Gennesareth “opposite” the territory of Ptolemais. This is precisely the situation described in a source on which Strabo draws (p. 749): “Some divide Syria as a whole into Coelesyrians, Syrians, and Phoenicians, and say that four nations (ἔθνη) are commingled with these, viz. Jews, Idumaeans, the people of Gaza, and the people of Azotus.” If Aristeas presupposes *this* political situation, he must be writing before the period of the Hasmonaean expansion, i.e. before ca. 100. At the same time, he knows the annexation of 145. He does not project a biblical image onto the territory, he does not speak of “the land from Dan to Beersheba”; his high priest Eleazar is neither a successor of Solomon nor modeled on the Maccabean ruler of the land. Considerations drawn from the study of documents have brought us to the period between 145 and 125, and geographical considerations allow us to confirm this: once again, the *terminus a quo* is 145, and the *terminus ad quem* ca. 100.<sup>94</sup>

If this is correct, then Aristeas wrote under the reign of Ptolemy VIII Euergetes II (145–116 B.C.E.), in the period when the high priests Simon Maccabeus (143–135) and his son John Hyrcanus ruled in Jerusalem. We are entitled to ask why Aristeas, who projects back into the past the territorial situation of the Jewish state at this period,

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<sup>92</sup> The “Idumaeen plain” (1 Macc 4:15; Josephus, *Ant.* 14.308) was a part of the southern coastal plain. The Jewish level regions mentioned by Aristeas lay further to the north. It is not possible to identify them precisely, as long as the Jewish western border remains unclear. Cf. Abel, *Géographie* II, p. 428; K. Galling, *Paläst. Jahrbuch*, 1940, p. 47; H.L. Ginsberg, *Alexander Marx Jubilee Volume*, 1950, p. 364; A. Alt, *Kleine Schriften* I, 1953, p. 281; II, 1953, p. 280; N.P. Müller, *Die Welt des Orients* 6 (1971), p. 189.

<sup>93</sup> We may leave open the question whether he regards “the land of the Idumaeans” (§107) as a political entity. In this passage, the reference is purely geographical. Cf. Josephus, *C. Apionem* 2, 116.

<sup>94</sup> The language of Aristeas is “late hellenistic”: cf. L. Robert, *Rev. Phil.*, 1967, p. 7.

refrains from any allusion to the Maccabees. The answer is first, that any such allusion would have revealed the author, who presents himself as a courtier of Ptolemy II, to be a forger; and secondly, that whereas the ascent of the new Jewish state naturally kindled the sympathies of the Jews in Egypt,<sup>95</sup> no reader of Aristeas was interested in knowing the borders of the Ptolemaic administrative district of Jerusalem under Philadelphos.

Thirdly, it was not advisable in the days of Aristeas to make allusions to the Hasmonaeans, and it probably went against his own feelings of loyalty. He describes the Judea and Jerusalem of the legitimate high priest Eleazar, whose ministry had been usurped by the Maccabees. With Ptolemaic help, Onias of the family of Eleazar founded a rival temple of the Eternal in Egypt. As late as 124 B.C.E., the Jews in Jerusalem felt constrained to remind their brethren in Egypt that Torah acknowledged only one sanctuary, viz. that in Jerusalem.<sup>96</sup> Given the cultic situation of the Egyptian Jews in the time of Aristeas, his panegyric of the high priest Eleazar – whose legitimate successor was exercising his ministry in Leontopolis – must have sounded like a rejection of the usurper in Jerusalem who had dared to don the splendid vestments of the high priest. And let us recall the grandson of Jesus Sirach, who came from Jerusalem to Alexandria ca. 110 B.C.E. and translated the Book of Sirach into Greek in Egypt: he omitted the passage (50:24) which promised the perennial high-priesthood to the house of Onias. It is indemonstrable, but possible, that this is the context in which we must see Aristeas' glorification of the Septuagint as the official and infallible text of Torah.

## VI

We have deduced the dating of Aristeas from the description he gives of Palestine, but he did not invent this picture of the promised land. A further examination of this picture will help confirm our dating of the work.

Like Philo, Ps.-Aristeas most probably visited Palestine in person. In both cases, however, the description of the Holy Land is fundamentally influenced by the experience of reading the Bible. Like the Psalmist,

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<sup>95</sup> Josephus, *Ant.* 13.354.

<sup>96</sup> Cf. the essay "A Jewish festal letter" in the second volume of this book.

Ps.-Aristeas locates Jerusalem “in the center” of Judea, and holds that it is situated “on the mountain” (§83).<sup>97</sup> Inspired by Deut 8:9 (γῆς ἧς οἱ λίθοι σίδηρος, καὶ ἐκ τῶν ὀρέων αὐτῆς μεταλλεύσεις χαλκόν), he speaks of mines in the “nearby mountains of Arabia” (§119). He presents the high priest in exact conformity with Ex 28 (§96), and follows Ex 12:37 when he writes about the population of the land in the earliest period, in order thereby to give the reader a vivid idea of the extent of the country (§116) – without being aware that the Palestine of biblical theory,<sup>98</sup> “from Dan to Beersheba,” was three times larger than the land he was describing. In the same way, Philo’s description of the Temple tends to adhere closely to the biblical prescriptions for the tent in the wilderness.<sup>99</sup>

In addition to the Bible, the Greek model of the ideal state influences what Aristeas sees with his own eyes; this is particularly clear in the section (108ff.) about the appropriate size of a model city. The ideal *polis* lies in the center of its territory, on a mountain crowned by the sanctuary (§84),<sup>100</sup> and this location itself offers good protection.<sup>101</sup> The land must be able to ensure the economic independence of the *polis*.<sup>102</sup> In keeping with the philosophical theory,<sup>103</sup> therefore, the soil of Judea – which is actually harsh and unproductive (Strabo, p. 761) – is described by Ps.-Aristeas (§112), like Hecataeus before him and Philo later on,<sup>104</sup> as *πάμφορος*. A varied geography is the presupposition of autonomy: this is why the *polis* of Plato’s *Laws* possesses both mountainous and level territory on Crete. Strabo explains first the pre-eminence of Europe and then the greatness of Rome as the outcome of a happy geographical situation: everywhere in Europe and Italy, mountainous regions are found alongside plains.<sup>105</sup> It is natural

<sup>97</sup> Cf. H. Gressmann, *Der Messias*, 1930, p. 164.

<sup>98</sup> On this, cf. R. Dussaud, *Topographie historique de la Syrie*, 1936, pp. 5ff.

<sup>99</sup> I. Heinemann, *Philos Bildung*, pp. 16, 40ff.

<sup>100</sup> Plato, *Critias* 116c (cf. P. Friedländer, *Platon* I, 1928, pp. 270ff.); Euhemerus *apud* Diodorus 6.1.6. In the same way, Vergil’s praise of Italy is inspired by the ideal picture of the Greek *polis*: L. Castiglioni, *Rendic. Istituto Lombardo* 65 (1931), p. 245.

<sup>101</sup> Aristotle, *Pol.* 1330b 3; Cicero, *De rep.* 2.6, 11.

<sup>102</sup> E.g. Aristotle, *Pol.* 1326b 26 and Newman *ad* 1.

<sup>103</sup> Plato, *Laws* 704d: τί δὲ περὶ αὐτὴν ἡ χώρα πότερα *πάμφορος* ἢ καὶ *τινων ἐπιδείξ.* *Σχεδὸν οὐδενὸς ἐπιδείξ.* Cf. Diodorus 2.35f. (i.e., Megasthenes) on the soil of India.

<sup>104</sup> Hecataeus *apud* Josephus, *C. Apionem* 1.195; Philo, *De spec. leg.* 2.168.

<sup>105</sup> Strabo, pp. 127 and 286. Cf. the rhetor Menander on the praise of the country (II, 345 Sp.): *τέρψις μένεται ὀρῶν πεδία περιλαμβανόντων*. Philo, *De spec. leg.* 2.35 and 151.

that the *polis* must be εὐλίμενος.<sup>106</sup> Nor does Josephus forget to specify in his description of Judea (*Bell. Jud.* 3.53):

ἀφήρηται δ' οὐδὲ τῶν ἐκ θαλάσσης τερπνῶν ἡ Ἰουδαία τοῖς παραλίοις κατατείνουσα μέχρι Πτολεμαίδος.

In the same spirit, Aristeas emphasizes Jerusalem's good links to the sea (§115). He was neither the first nor the last to see the ideal image of the *polis* realized in Jerusalem; characteristically, the list of such writers begins with the Greek Hecataeus. After Ps.-Aristeas, Philo takes up this tradition, on which Eusebius too draws when he explicitly affirms (*Praeparatio Evangelica* 12.48) that the site of Jerusalem was in accordance with the Platonic state:

τῆς παρὰ παιοσὶν Ἑβραίων πάλαι πρότερον συνεστῶσης βασιλικῆς μητροπόλεως, ἄποθεν μὲν θαλάσσης οὔσης, ἐν ὄρεσι δὲ κατωκισμένης, πάμπορόν τε γῆν κεκτημένης καὶ ὁ Πλάτων τοιαύτην τινὰ εἶναι δεῖν φησί.

The territorial preconditions for the perfect state were fulfilled in Judea under Hyrcanus I. When Alexander Jannaeus ascended the throne in 103 B.C.E., the territory under the rule of the “king and high priest” extended from Gennesareth to Gaza, between Joppa and the Jordan. In addition to the mountain ranges in the center of the country, to which they had been restricted for so long, the Jews now possessed the coastal plain. The Holy Land had once again reached its biblical borders. Ps.-Aristeas read in his Septuagint that Israel stretched “from the wilderness and Antilebanon, and from the Euphrates to the sea” (Deut 11:24), and this was fulfilled to a certain extent, now that “the land between Gaza and Lebanon was called ‘Judea’” (Strabo, p. 756) and “the whole country inland from Carmel” (Josephus, *Bell. Jud.* 1.66) belonged to the high priest.

In his description of Judea, Ps.-Aristeas knows it only as the mountainous land that the Syrians saw in 148 B.C.E. (1 Macc 10:70); he mentions neither Sharon nor Jezreel, and omits the famous biblical names, designating only two small plains as Jewish. This means that he can only be writing before the Jewish expansion.

Why then did he indicate the true situation? Why did he not project the full “biblical” possession of the land back onto the time of Philadelphos? The answer is that for him, Judea was always the land

<sup>106</sup> Aristotle, *Pol.* 1327a, 4 and 25.

of promise and Jerusalem the ideal *polis*. He took what he had seen or heard and shaped it, to some extent intentionally but also arbitrarily, in accordance with his own concepts,<sup>107</sup> so that a couple of kilometers of level ground alongside the mountain ranges sufficed to justify his claim that his dream had been fulfilled. In the same way, the rabbis<sup>108</sup> said that the mountain of the Temple was higher than the land of Israel, and the land of Israel higher than all other countries.

## VI

If the “Letter of Aristeas” was written between 145 and 125 B.C.E., it cannot be the work of a courtier of Philadelphos; it is a Jewish forgery. Its dating gives us a second precisely fixed point in the history of the development of Judaism in Alexandria, whose writings and persons – apart from Philo – cannot otherwise be dated with any precision. It would be useful, and indeed necessary, to investigate this unique witness to Alexandrian culture in a thorough commentary which paid equal attention to the language and the substance of the text. This would teach us a great deal about the history of Greek political theory (here I have in mind the “mirror of princes,” §§184ff.) and about the rabbinical interpretation<sup>109</sup> (§159 is the oldest testimony to phylacteries).<sup>110</sup> As Ps.-Aristeas’ picture of Jerusalem shows,<sup>111</sup> he belongs (like Philo, 150 years later) to both worlds at once, to Athens and to Jerusalem. He too is *Graeciae discipulus et caeli*, to borrow Tertullian’s phrase. In his own way, and making use of his own gifts, he seeks to resolve the fundamental problem of the intellectual community of the West, viz. Tertullian’s question: *quid ergo Athenis et Hierosolymis, quid Academiae et Ecclesiae?*

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<sup>107</sup> Rhetoric pays obeisance to theory (Dionysius of Halicarnassus, *Ant. Rom.* 1.37; Strabo, 286; Vergil, *Georgics* 2.136) by postulating that Italy is rich in metals, but the scientist Pliny attempts to explain the de facto lack of metals there in exactly the same way as Aristeas does for Palestine (§119): *metallorum omnium fertilitate nullis cedit terris, sed interdictum id vetere consulto patrum Italiae parci iubentium* (*Natural History* 3.138; cf. 33.78; 36.202). Modern scholars have taken such declarations too literally. Cf. A. Momigliano, *Quarto Contributo*, 1969, p. 115. Aristeas does not speak of copper mines at the Gulf of Aqaba; cf. N. Glueck, *Bibl. Archeologist*, 1865, p. 70.

<sup>108</sup> I. Heinemann, *Philons Bildung*, p. 30.

<sup>109</sup> On §209, cf. C. Albeck, *Das Buch der Jubiläen und die Halacha*, 1930, p. 35.

<sup>110</sup> They are attested in Palestine only one hundred years later: cf. M. Baillet, *Revue de Qumran* 7 (1970), p. 403.

<sup>111</sup> In a characteristic antithesis to the oriental picture of a city in the Apocalypse of John 21 (H. Gressmann, *Tower of Babel*, 1928, p. 56).



## SOME NOTES ON THE TRANSMISSION OF THE SEPTUAGINT\*

### I

We call the Greek Old Testament, as received in the Greek Church, "Septuagint". The usage comes, as it seems, from the title *Vetus Testamentum iuxta Septuaginta* of the Roman edition of 1587, which remained, more or less amended, the standard text until the end of last century. Thus, our usage comprises both the translated books and kindred works originally written in Greek, like Second Maccabees. Owing to this misconception we have now these strange amphibians, called "Septuagint Grammars", where examples are quoted pell-mell from Second Maccabees and such barbaric translations as let us say Judges. If I am not mistaken, the Church Fathers, speaking of the Septuagint, referred to the translated books only.<sup>1</sup> But even this usage is improper

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\* The following abbreviations, in addition to the familiar ones, are used in citing authorities. *Bi* = *Biblica*; *Blau* = L. Blau, *Studien zum althebräischen Buchwesen*, 1902; *Freudenthal* = J. Freudenthal, *Alexander Polyhistor*, 1975; *HThR* = *Harvard Theological Review*; *JAOS* = *Journal of the American Oriental Society*; *JBL* = *Journ. of Biblic. Literature*; *JPOS* = *Journal of the Palestine Oriental Society*; *JThS* = *Journal of Theological Studies*; *Jellicoe* = S. Jellicoe, *The Septuagint and Modern Study*, 1968; *Kahle* = P.E. Kahle, *The Cairo Geniza*, 2nd ed., 1959; *Kenyon* = F.G. Kenyon, *Book and Readers in Ancient Greece and Rome*, 1932; *Lieberman* = S. Lieberman, *Greek in Jewish Palestine*, 1942; *Lieberman, Hellenism* = S. Lieberman, *Hellenism in Jewish Palestine*, 1950; *MSU* = *Mitteilungen des Septuaginta-Unternehmens*; *RB* = *Revue Biblique*; *REL* = *Revue des études latines*; *Swete* = H.B. Swete, *Introduction to the Old Testament in Greek*, 2nd ed., 1902; *Thackeray* = H. St. J. Thackeray, *The Septuagint and Jewish Worship*, 2nd ed., 1923; *Theod. Mops.* = R. Devresse, *Le Commentaire de Théodore de Mopsueste sur les Psaumes*, 1939; *ZAW* = *Zeitschrift für die Alttestamentl. Wissenschaft.* *LXX* = Septuagint.

The manuscripts of the Septuagint and the readings of its versions are quoted as a rule from the so called larger Cambridge edition: A.E. Brooke, N. McLean, *The Old Testament in Greek*, 1906–1940. Add: *W* = H.A. Sanders, C. Schmidt, *The Minor Prophets*, 1927, a codex of the late 3rd cent.; *P Fouad* = Fr. Dunand, in *Études de Papyrologie* IX, 1971, pp. 81–150. Cf. *Id.*, *Papyrus grecs bibliques*, 1966. P. 911 = H.A. Sanders, C. Schmidt, *l.c.* (Genesis, 4th c.); P. 957 = *Catalogue of the Greek Papyri in the John Rylands Library* III, 1938, p. 458; P. 961 and P. 962 are Genesis Papyri; P. 963: Numbers and Deuteronomy; P. 964: Ecclesiasticus; P. 965: Isaiah; PP. 967–8: Ezekiel, Esther, Daniel, as published in F.G. Kenyon, *The Chester Beatty Biblical Papyri*, 1933–1937. The Ezekiel Papyrus however is quoted according to the edition of A. Ch. Johnson, H.S. Gehman, E.H. Case, Jr., *The John H. Scheide Biblical Papyri. Ezekiel*, 1938. Two new leaves from P. 965: I. Bell, *P. Merton*, 2.

<sup>1</sup> Cf. E. Nestle, in *Hasting's Dict. of the Bible* IV, p. 438.

and does not appear before the middle of the second century C.E.<sup>2</sup> Originally, as Jerome points out,<sup>3</sup> the term referred to the five books of Moses only, translated into Greek, according to Jewish tradition, by the Seventy-Two interpreters under the auspices of Ptolemy II Philadelphus of Egypt (285–246 B.C.E.). How did the name “Septuagint” come to designate the whole Greek Bible?

Written by the Jews, the Greek Bible was accepted as Scripture by the Christians. Until the third century at least, the common form of a book was that of the scroll for Jews and pagans alike.<sup>4</sup> The Christians, however, preserved the Holy Writ in the form of a codex, that is a book with leaves. The reason for this anomaly has been often discussed.<sup>5</sup> I venture to suggest that it was technical. Since the reader had to unfold the scroll and to roll it up, as he proceeded, the normal length of a roll was practically limited. Now, the Torah is a scroll of an extraordinary length. It contains about three hundred thousand letters.<sup>6</sup> For this reason, the Torah is wound on two sticks while a regular roll needed one only.<sup>7</sup> But the Greek version of a Hebrew book, owing to the use of vowels, etc., is at least twice as long as the original. For this reason, Samuel, Kings, Chronicles, Ezra-Nehemiah each became divided in two volumes in Greek, while the Torah Scroll in Greek is the “Pentateuch” or “Five Rolls”.<sup>8</sup> In this way, the Greek Old Testament of the Church consisted of some twenty-seven rolls. Add the books of the New Testament, and we are in the presence of a veritable *Bibliotheca Divina*. The Codex form gave to the ecclesiastical authorities the much desired means of bringing the Holy Writ within the compass of a few bindings.<sup>9</sup> For instance, a single papyrus codex, (Pp. 967–8) copied ca. 200 C.E., included the contents of three rolls, at least, namely Ezekiel, Daniel, Esther. Bearing in mind the cohesive importance of Scripture in the history of the

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<sup>2</sup> Justin (I *Apolog.* 31) is, probably, the first writer to ascribe the translation of the Prophets to the Seventy.

<sup>3</sup> Hieron. *ad Ezek.* V, 12–3 (*PL.* XXV, 55).

<sup>4</sup> Kenyon, p. 94. Cf. T.C. Skeat, *Cambridge History of the Bible* II, 1969, pp. 69–74. On Jewish codices see Lieberman, *Hellenism*, pp. 203–8. A new evidence as to Jewish usage in Theod. Mops. *ad Ps.* XXXIX, 8, p. 248.

<sup>5</sup> P. Katz, *JThS*, 1945, p. 63, suggests that the Christians, in using the codex, desired to separate themselves from the practice of the Synagogue. But Lieberman, *Hellenism*, p. 105 links the Christian use of *codices* to the rabbinical use of tablets for records.

<sup>6</sup> L. Blau, *Jewish Encycl.* XII, p. 196.

<sup>7</sup> TB Baba Bathra 14 a.

<sup>8</sup> *Codex multorum librorum est, liber unius voluminis* (Isid. *Etym.* VI, 13, 1).

<sup>9</sup> The term “Pentateuch” is said to be used first by the Gnostic writer Ptolemaeus, about 150 C.E. (Epiph. *Haer.* 33, 4).

ancient church,<sup>10</sup> and, on the other hand, the absence of fixed criteria by which to judge the canonicity of a book, we may easily understand the meaning of the codex as a means of unification and ecclesiastical discipline. Added to this was the fact that, unlike the Jews, the Church made no qualitative distinction between the Torah and the rest of Scripture. On the contrary, the Church was much more interested in messianic oracles of the Prophets than in Mosaic legislation.

Thus, in Christian hands, Scripture received the form of our printed books, which, of course, simply continue the medieval codex, while the Synagogue held and holds on to the Scroll. In a Roman catacomb, a reader is represented in almost the same posture as the prophet of the Dura Synagogue. But while the Jew unfolds his scroll, the Christian turns over the leaves of his codex.<sup>11</sup> Thus, behind the apparent unity of the Christian codex, there was a diversity of Jewish scrolls of the Greek Bible, each scroll having its own particular history.

## II

The capital importance of this passage from scroll to codex for the history of the Greek Bible has been obscured by the fact that the text of our printed editions has been drawn from the great parchment codices which embrace the whole Septuagint: Codex Vaticanus, Codex Alexandrinus, Codex Sinaiticus. When Cardinal Carafa and his associates prepared the Roman edition of 1587, they based it mainly on the Codex Vaticanus, since this exemplar appeared as the oldest and best of all manuscripts at their disposal. The Roman editors learned this method of selection from Jerome and other Church Fathers, who, in turn, received it from Alexandrine philology. Since the errors naturally increase in the course of successive copying, the Greek philologists attached a particular weight to the testimony of some carefully written old exemplars. Modern editors of classics followed the same rule until and into the last century.<sup>12</sup>

<sup>10</sup> Cf. F.C. Burkitt, *Church and Gnosis*, 1932, p. 21 and p. 126.

<sup>11</sup> R. Vielliaud, *Rivista di archeolog. crist.*, 1940, p. 143. The *volumen*, which often appears on Christian monuments, is a feature borrowed from pagan art.

<sup>12</sup> On the Roman edition see Swete, pp. 175–182 and now J. Ziegler, *Bi*, 1945, pp. 37–51, who shows its dependence on the Aldine text, printed in 1519. On Jerome's textual criticism see K.K. Hulley, in *Harvard Studies in Class. Philol.*, 1944, p. 87. I note, by the way, that the rule of following the *lectio difficilior* is expressed in August, *de cons. evang.* III, 7, 29.

In opposition to this practice, founded on accidental selection, classical scholars of the nineteenth century, following the lead of K.L. Lachmann (1793–1851) aimed at ensuring an objective standard in choosing between manuscripts and readings. Textual criticism became founded on a methodical “recension” of evidence. By some tests (such as the occurrence of significant common errors) the critic approaches what appears at first sight to be a confused mass of manuscripts and classifies these manuscripts into a few “families”. Each “family” is constituted by (direct or indirect) copies of the same parent manuscript. These “ancestors”, not traceable one to the other, are independent witnesses to the text of the “archtype”, their common ancestor. As far as they disagree, the testimony of majority among them decides against an exceptional variant.<sup>13</sup>

Seduced by the achievements of this objective method, Paul de Lagarde, a German theologian (1827–1891) conceived the idea of applying the same technique to the edition of the Septuagint.<sup>14</sup> Jerome states that at his time, that is about 400 C.E., three forms of the Septuagint circulated in the East: Eusebius’ edition of Origen’s revision and the recensions of Hesychius and Lucian.<sup>15</sup> Scholars had often attempted before Lagarde to classify the extant manuscripts of the Septuagint in agreement with Jerome’s statement. It was supposed, for instance, that the text of Judges in the Vaticanus represents the Hesychian recension

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<sup>13</sup> K. Lachmann, *Kleine Schriften* II, 1876, p. 253 points out that his purpose is to establish an objective standard for deciding among various readings: nach Überlieferung ohne eigenes Urteil die Lesart zu bestimmen. The best modern delineation of this “genealogical” method is P. Maass’ *Textual Criticism*, 1958. Very instructive is also E.K. Rand’s paper on the text of the Vulgate, *HThR*, 1924. On the “new” approach, based on papyrus evidence, cf. G. Murray, *Greek Studies*, 1946, p. 91; G. Pasquali, *Storia della tradizione e critica del testo*, 2nd ed., 1962; B.A. van Groningen, *Traité d’histoire et de critique des textes grecs*, 1963; E.G. Turner, *Greek Papyri*, 1968; L.D. Reynolds, N.G. Wilson, *Scribes & Scholars*, 1968. For the Greek Bible cf. F.C. Kenyon, *Recent Developments of the Textual Criticism of the Greek Bible*, 1932; H.I. Bell, *Recent Discoveries of Biblical Papyri*, 1937, and the works quoted below in Brock (p. 171, n. 11), p. 84.

<sup>14</sup> Lagarde often refers to Lachmann’s example. See e.g. *Symmicta*, 1870, p. 138. Cf. A. Rahlfs, *Paul de Lagardes... Lebenswerk*, *MSU* IV, 1, p. 41. The best evaluation of Lachmann’s method and its origins is given by S. Timpanaro, *La genesi del metodo del Lachmann*, 1963.

<sup>15</sup> Swete, 80 reprints Jerome’s statements. For their appreciation see Bardy’s work quoted below n. 118 and H. Dörrie, *Zur Geschichte der Septuaginta im Jahrhundert Konstantins*, *Zeitschrift für die Neutest. Wiss.* XXXIX, 1940, pp. 57–110. The author shows that the existence of the three principal recensions of the LXX, deduced from Jerome’s statements, is very doubtful. Cf. Jellicoe, pp. 134–171; pp. 344–358.

and the text of Job in Alexandrinus that of Lucian.<sup>16</sup> But Lagarde was the first to argue that the reconstruction of the three recensions known to Jerome may lead, by their comparison, to the archetype which lies behind them, that is the basic text of the Septuagint as it circulated about 200 C.E.<sup>17</sup> This aim of Lagarde has remained until to-day the goal, and his method the foundation, of the textual criticism of the Greek Bible.<sup>18</sup>

Now, this whole conception, as applied to the Septuagint, is based on some misunderstandings. In the first place, the method of philological "recension" was invented for dealing with medieval manuscripts. As a rule, only a unique copy of a classic chanced to survive the Dark Ages and to be transmitted to medieval clerics. For instance, common corruptions prove that some fifteen extant manuscripts of Pindar, copied in the XII–XIVth.c. all go back to the same (lost) archetype. But there are extant about fifteen hundred exemplars of the Greek Bible or of some part of it.<sup>19</sup> How can it be supposed that the manuscripts from the Vaticanus, written in the fourth century, to the copies transcribed in the fifteenth century, all derive from the same unique ancestor as the Lachmann method postulates?<sup>20</sup>

On the other hand, in the times of Jerome (and after) the whole Bible was encompassed in big volumes, like the Vaticanus, the Alexandrinus, the Sinaiticus. That became possible only by the use of vellum codices, which began ca. 300 C.E. only.<sup>21</sup> Previously, codices were written on papyrus and therefore could not comprise more than a part of the Greek Bible; and in Jewish hands, as has been said, each book of the Septuagint required a separate roll. Thus, behind the one volume of the fourth century which Jerome had in mind we must visualize not another volume which is their common source, similar to the archetype

<sup>16</sup> F.H.A. Scrivener, *Introduction to the Criticism of the New Testament*, 4th ed., II, 1894, p. 211 and p. 224. Cf. Swete, p. 488. O. Pretzl, *Bi*, 1926, pp. 233–69; pp. 357–83 and Ch. M. Kooper, *JBL*, 1948, pp. 63–68 offer new views on the relation between the two texts of Judges. L. Dieu, "Le texte de Job du Cod. Alex", *Le Muséon*, 1912, pp. 233–74. Cf. Jellicoe, pp. 280–283.

<sup>17</sup> P. de Lagarde, *Ankündigung einer neuen Ausgabe der griechischen Übersetzung des Alten Testaments*, 1882, p. 22 and p. 29.

<sup>18</sup> On the present state of textual criticism of the Septuagint see Jellicoe, pp. 343–348.

<sup>19</sup> G.G. Kenyon, *The Text of the Greek Bible*, 1937, p. 38.

<sup>20</sup> Cf. E.C. Colwell, *JBL*, 1947, p. 109; 1948, p. 1.

<sup>21</sup> Kenyon, p. 114; Skeat (*supra*, p. 2, n. 4), p. 75. The longest of the Chester Beatty papyrus codices held only the Gospels and the Acts. E.G. Turner, *o.c.*, p. 15.

of medieval copies, but a confused plurality of divergent papyrus rolls. In fact, Origen complains of the diversity of the copies he had before him.<sup>22</sup> In his time each parish and countless private persons had their exemplars of the Septuagint.<sup>23</sup> It is very remarkable that more than a tenth of all literary papyri of the third century C.E. discovered in Egypt are Bibles or other Christian books.<sup>24</sup> We may surmise that at the time of the great persecution of Diocletian at least every tenth Egyptian had already been won over to the new faith.

Nobody will hold against Lagarde that at this time he did not (and could not) realize the limitations of Lachmann's method. One wonders, however, whether the students of the Septuagint of to-day would cling to his plan and idea if they were abreast of the progress of classical studies. But by some illusion, they generally deal with the transmission of the Bible as a peculiar phenomenon, as if scribes did not use the same technique in transcribing any kind of book.<sup>25</sup>

### III

As we have stated, behind the one-volume manuscripts of the whole Septuagint lie Christian partial codices and separate Jewish rolls of each book. Among these Jewish rolls, the Pentateuch takes a particular place. According to the Jewish tradition, already recorded between 180–170 B.C.E. in Aristobulus' "Explanation of the Mosaic Writ", the Torah was rendered into Greek by command of Ptolemy II (285–246 B.C.E.).<sup>26</sup> Modern critics, wrongly, as I think, suppose that the Greek version of the Torah originated in the Jewish community of Alexandria to satisfy the needs of the Jews who had lost the knowledge of the Hebrew. In any case, almost all critics are inclined to accept two statements of Jewish tradition, that the translation of the Torah took place during the reign of Ptolemy II in Alexandria and that the version was official.<sup>27</sup>

<sup>22</sup> Orig. in *Mth.* XV, 14.

<sup>23</sup> A. Harnack, *Bible Reading in the Early Church*, 1912, p. 53.

<sup>24</sup> C.C. McCown, *Biblical Archaeologist*, 1943, p. 27.

<sup>25</sup> For instance, a copyist of Enoch, being accustomed to letter writing, carried a mannerism of his trade over in his copy of Enoch. See C. Bonner, *The Last Chapters of Enoch in Greek*, 1937, p. 14.

<sup>26</sup> Aristob. in Euseb. *Pr. ev.* XIII, 12, 2. The date of his work follows from the dedication to Ptolemy Philometor as sole ruler. See below, p. 163.

<sup>27</sup> Kahle, p. 209 argues as follows: Ps. Aristeeas makes propaganda for the LXX, hence the latter was published about his own time, that is toward the end of the II c.

According to another Jewish author, the so-called Pseudo-Aristeas, who wrote some fifty years after Aristobulus, the original “rolls” of the version entered the royal library at Alexandria while an authenticated copy was received by the Jewish community of the same Egyptian capital.<sup>28</sup> The textual history of the Septuagint starts here. Some Christian authors (Justin, Tertullian) add that the original was still accessible in the Serapeum library in Alexandria in the second century C.E. This assertion, however, is worth no more than Justin’s reference to the acts of Jesus’ trial in Roman archives.<sup>29</sup> If Origen, Tertullian’s contemporary, could have seen the autograph in his own city, he would not have hunted for trustworthy copies of the Septuagint through the whole Roman Empire. By the same token, the authenticated exemplar of the Jewish community must have been lost before Origen’s time. Probably it was destroyed during the Jewish rebellion in the reign of Trajan. However, as Ps.-Aristeas states, the Jewish community lent its approbation to the version, acknowledged it as perfect and under a curse forbade any alteration of its text. We may, thus, assume that at least the copies produced for public worship at Alexandria were controlled and collated with the official exemplar. The indirect tradition shows that on the whole the transmission of the Greek Pentateuch had long been accurate to a surprising extent. For instance, in our manuscripts we read that Jacob “approached Chabratha to come into the land Ephratha” (Gen. 35, 16). That is a grotesque distortion of the Hebrew. But the Jewish historian Demetrius, writing during the reign of Ptolemy IV (221–205 B.C.E.) already had before him the same senseless text in his Greek Genesis. As is well known, the Hebrew and the Septuagint figures differ widely with respect to the ages of the Patriarchs. Demetrius’ computations show that the whole chronological system of the Greek Pentateuch, from the Creation to the Exodus, as we have it in our codices, was already in

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B.C.E. But in the first place, Ps. Aristeas may have to defend the Authorized Version against new attacks. In his time, the grandson of Ben-Sira found fault with the existing Greek versions of the Bible. Secondly, and above all, Ps. Aristeas’ work was not written as propaganda for the LXX. He rather used the historical event of the translation as the starting point of a tale intended to glorify Jerusalem. Incidentally, Ps. Arist. 30 does not refer to a previous careless translation of the Torah, as Kahle, p. 213 repeats, although he acknowledges that this interpretation does violence to the plain meaning of the Greek. In fact *σεσήμουνται* means *notare*, mark with writing, and Ps. Aristeas refers to Hebrew Mss. See below p. 191 and Jellicoe, p. 51. I add that Aristobulus uses the term (*σεσημαγκάμεν*) in the same meaning: “note down”.

<sup>28</sup> Ps. Aristeas, 308–11 and 317. On *plethos* cf. L. Widman, *APF* 19, 1969, p. 155.

<sup>29</sup> Just. I *Apol.* 31; Tert. *Apol.* 18. Cf. I Just. *Apol.* 35 and 48.

the roll used by the same Demetrius.<sup>30</sup> One of the divergences between the Hebrew and the Septuagint noted in the Talmudic tradition is that according to Greek Genesis (2, 2), the Creation was completed in six (and not seven) days. The previously cited Jewish philosopher Aristobulus already takes this reading for the scriptural text and uses it for his discourse.<sup>31</sup> One of the strangest lexical oddities of the Septuagint is the use of the poetical term of abuse *κυνόμυια* (literally “dogflies”) to describe the fly-plague of Exodus. The tragedian Ezekiel and the historian Artapanus, in the second century B.C.E., in their re-tellings of the Exodus, confirm the reading of our manuscripts.<sup>32</sup> The last instance: all known manuscripts and all versions of the Septuagint say that God promised Abraham that he would die “nourished in a good old age”. The Hebrew text of Gen. 15, 15 says “buried”, and the error in Greek is purely graphic: *τραφείξ* for *ταφείξ*. But Philo already used the alteration due to a scribal error as a theme to preach upon.<sup>33</sup> The error goes back to the archetype of our tradition.

On the other hand, the existence of private, commercial and unrevised (or arbitrarily revised) copies resulted, as in the case of the classics, in marked divagations from the common text. A Deuteronomy fragment of the second century B.C.E. (P. 957) offers four singular readings in some thirty lines. It is important to note that while one of the “canons” of modern textual criticism is to consider as authentic Septuagint variants deviating from the Masoretic text,<sup>34</sup> the new papyrus exhibits

<sup>30</sup> Freudenthal, pp. 40–43. The reading of Vat. in Ex. 16, 17, while disagreeing with the Masoretic text, is confirmed by the quotation in LXX Is. 48, 21. Cf. I.L. Seligmann, *The Septuagint Version of Isaiah*, *Mededelingen... Voorzatisch-Egyptisch Genootschap*, #9, 1948, p. 47.

<sup>31</sup> Aristobulus *l.c.* Talmudic statements on the Septuagint are translated in H. St. J. Thackeray, *The Letter of Aristeas*, 1917, pp. 89–95. Cf. A. Geiger, *Urschrift und Übersetzungen der Bibel*, 1857, pp. 441–6. Comp. also V. Aptowitz's article in *Ha-Kedem* II, 1908, p. 11 seq. *ibid.* III, 1909, p. 4 seq.

<sup>32</sup> LXX Ex. VIII, 25; Artapanus in Eus. *Pr. ev.* IX, 27; Ezekiel, 138 in *Ezechielis... Fragmenta* ed. J. Wienecke, Diss. Munster, 1931. Hieron. *Ep.* CVI, 85 notes: *κυνόμυια iuxta Hebraicam intellegentiam... omne muscarum genus... quod Aquila πάνμικτον interpretatus est. Philo substitutes σκνίπεξ from LXX Ex. VIII, 12 while Sap. Sal. XVI, 9 simply uses the general term μυῖα. The vocable sometimes was used as a name for flies, but the question remains why the translator has chosen this particular word to express the Hebrew idea of Egyptian plague. The plague he knew in Egypt was that of mosquitos (cf. Herod. II, 95).*

<sup>33</sup> Swete, p. 478 (Philo, *Quis rex. div. heres.*, 275). A.M. Honeyman, *Transact. Glasgow University Oriental Society* IX, makes a very plausible suggestion that the unintelligible reading Ἄμαλθειάς κέρας in Job 43, 14 is a corruption of μάλθης κέρας.

<sup>34</sup> Swete, p. 485, quoting Lagarde.



singular readings which are closer to the Hebrew than the standard text. On the other hand, again as in the case of the classics, this earlier textual witness already supplies intentional corrections of supposedly wrong passages. For instance, Dt. XXIII, 25 (26) dealing with grape-eaters in the neighbor's vineyard, says: "when you enter". The common Greek text renders that exactly as follows: ἐὰν δὲ εἰσέλθῃς. A corrector, in agreement with Ptolemaic law, conceived the action as trespassing and accordingly changed the verb. The quoted papyrus reproduces this alteration: ἐὰν δὲ ἐπέλθῃς. In Ex. 4, 10 Moses says that he is "not a man of words". How to render this idiom in Greek? The Septuagint manuscripts diverge: the oldest Uncials, supported by the Old Latin version, translate: οὐξ ἰκανός εἶμι... λαλεῖν. Some minuscules (and the so called Syro-Hexaplar version) correct that into a more Greek expression: οὐκ εὐλαλος; some others into: οὐκ εὐγλωσσος. The poet Ezekiel, however, as well as Philo had before him the reading: οὐκ εὐλογος which has also been preserved in two Uncials (F and M) and in some minuscules.<sup>35</sup> Now, there is a nice question: is this reading the original one or an emendation made by a Jewish reviser in the second century B.C.E. in order to improve upon the uncouth original reading?

As in the case of the classics, the earlier quotations of the Septuagint often disagree with the standard text of later editions. For instance, at Gen. XVII, 16 the standard Septuagint, at variance with the Hebrew, refers to Sarah's son the promise that kings will descend from her. This alteration already appears in P. 961, of the third century C.E. But Philo, and P. 911 with him, go here with the Masoretes, and the same unorthodox reading has been preserved in a Byzantine manuscript (72 or m). However, in the next verse, Philo and P. 911 part company with the Masoretes. Another instance: Philo quotes Dt. VIII, 18 as follows: ἀλλὰ μνεῖα μνησθήση. His Greek text of Deuteronomy represents a Hebrew original where the so called Infinitive absolute of the verb "remember" was used. Neither the Masoretic text nor the received Greek version supports the reading. But it is indirectly attested by the minuscules 19, 108, 118 as well as both Coptic translations which exhibit the doublet: γνώση τῆ καρδία καὶ μνησθήση. The Philonic text corresponds to the

<sup>35</sup> Philo, *de sacr. Abr.* 12; *quod det. pot.* 38; *V. Mos.* I, 83. According to the Cohn-Wendland edition it is only in the last passage that manuscripts of Philo offer variant readings: εὐγλωσσον, εὐλαλον intruded from the Septuagint tradition.

first part of this composite reading.<sup>36</sup> Quoting Num. XXVIII, 2 Philo renders the Hebrew term “qorban” by προσφορά while the received text of the Septuagint says for it: δῶρον. Philo is supported by Paul’s Letter to the Ephesians (5,2). On the other hand, quoting the same passage, Philo omits the anthropomorphism (“sweet savour unto Me”), which also troubled the Rabbis. It seems that a Jewish reviser of the Septuagint dropped the objectionable clause. It is also absent from two very important minuscules (g or 54; n or 75).<sup>37</sup>

Further, mention should be made of some instances in which Philo uses different texts of the same Biblical passage. For instance, in Gen. XVIII, 17, Philo reads, in agreement with the received Septuagint, that God called Abraham “my servant”. But in another work, he comments on the same passage as if it says that God called Abraham “my friend”. The latter idea reappears in the Epistle of James (2, 23).<sup>38</sup>

Philo’s use of the Septuagint requires a new study; we also need a new critical edition of the fragments of the Jewish Hellenists. Nevertheless, it may even now be stated that in Jewish hands (ca. 200 B.C.E.–100 C.E.) the original version, although protected by the Community, had already entered upon a steady process of divergence created by blunders of scribes and particularly by conscious alterations of revisers trying to improve upon the received text. The classicists know that in the same period the texts of Greek classics did not fare much better in the hands of revisers and careless copyists.<sup>39</sup>

#### IV

The Greek version of the Torah was followed by translations of other Jewish books. It is a pity that we rarely have the evidence to date

<sup>36</sup> Philo, *de leg. all.* III, 217; *de sacr. Abeli*, 56. Cf. P. Katz, *Philo’s Bible*, 1951, p. 91, n. 2.

<sup>37</sup> Cf. H.E. Ryle, *Philo and Holy Scripture*, 1895, p. 234; Aug. Schroeder, *De Philonis... Vet. Test.* Diss. Greifswald, 1907, p. 44. On rabbinical scruples with regard to Num. XXVIII, 2 cf. A. Marmorstein, *The Old Rabbinic Doctrine of God II*, 1937, p. 77.

<sup>38</sup> Ryle, *l.c.* quotes Philo, *de leg. all.* III, 27 and *de sobr.* 56. On Philo’s deviating quotations cf. Kahle, p. 247; Katz, *o.c.*, p. 85.

<sup>39</sup> For instance, Dionysius of Halicarnassus had before him Demosthenes’ text of the same type as the Byzantine Ms. A. But Dionysius seems to be ignorant of the forged documents, interpolated in Demosthenes’ *De corona*. On the other hand, a new papyrus of Dem. *de cor.* 217–223, generally agreeing with the Ms. A, exhibits some other interpolated documents, absent from the Byzantine manuscripts. See T. Larsen, *Papyri Graecae Haunienses I*, 1942, no. 5.

these translations. Some formulae used in I (III) Esdras point to the composition of this work in the second century B.C.E.<sup>40</sup> A certain Aristeas, quoted by Alexander Polyhistor ca. 80 B.C.E., already draws heavily on the Greek Job.<sup>41</sup> First Maccabees was twice published in Greek: first about 140 B.C.E. (that is the edition used by Josephus), then toward the end of the second century. The translation of Isaiah may be dated between ca. 170–150 B.C.E.<sup>42</sup> In any case, toward the end of the second century B.C.E. the bulk of the Masoretic Bible was already rendered into Greek. For Sirach's grandson, writing some time after 116 B.C.E.,<sup>43</sup> mentions not only the Pentateuch, but also the "Prophecies" and "the rest of the books" as circulating in Greek. But Greek Esther was brought to Alexandria only in 78–77 B.C.E.<sup>44</sup> Philo quotes, (besides the Law), Joshua, Judges, Kings, Job, Chronicles, Psalms, Proverbs, Isaiah, Jeremiah and the Minor Prophets.

All these versions (perhaps except First Maccabees) were private undertakings. As has been said, according to an unwavering Jewish tradition only the Pentateuch was an authorized version.<sup>45</sup> Esther, for instance, was adapted and rendered into Greek through the initiative and skill of a certain Lysimachus at Jerusalem.

Further, the same Hebrew book may have been adapted into Greek more than once, or a first rendering may have been completely revised by a later editor. Beside I (III) Esdras there is another translation of Ezra-

<sup>40</sup> Cf. *RB.*, 1947, p. 265.

<sup>41</sup> Freudenthal, p. 139. Freudenthal, p. 119 argues that the historian Eupolemus (about 160 B.C.E.) already used the "Septuagint" of Joshua, Kings, Chronicles, but the evidence is far from convincing. G. Gerleman, *Studies in the Septuagint II Chronicles*, Lunds Univ. Arsskrift N.F. Avd. I vol. XLIII, 3, 1946, pp. 13–21 tries to date the version of Chronicles with help of Ptolemaic terms used by the translator. But his evidence is, too, unconvincing. E.g. the version employs the word *διάδοχος* in its general meaning "lieutenant", with no reference to the grades of court officials in Alexandria.

<sup>42</sup> I will deal elsewhere with the problem of Greek Maccabees. It is generally assumed that I Macc. VII, 17 quotes Ps. LXXVIII 3 according to the LXX. The new critical edition of the book (*Septuaginta IX*, 1 ed. W. Kappeler, 1936) disposes of this argument. The date of Greek Isaiah is clearly given by LXX Is. IX, 11 (terminus post quem) and XXIII, 1 (terminus ante quem). Seligmann (above n. 30), p. 90 suggests the same dating.

<sup>43</sup> U. Wilcken, *Archiv für Papyrusforsch.* III, 1906, p. 321.

<sup>44</sup> Below pp. 226–244.

<sup>45</sup> Thackeray, pp. 15–36; J. Herrmann, Fr. Baumgärtel, *Beiträge zur Entstehungsgeschichte der Septuaginta*, 1923, tried to prove that Jeremiah, Ezekiel, the Minor Prophets were each rendered into Greek by two collaborators. The hypothesis seems to be unsupported by the evidence, although it is rather probable for Jeremiah. See A. Kaminka, *Studien zur Septuaginta*, 1928, p. 9; J. Ziegler, *Untersuch. zur Septuaginta des Buches Isaiah*, 1934, p. 31; E.H. Case (in the edition of pp. 967–8), p. 63; R.B. Harwell, *Principal Versions of Baruch*, Yale Dissert., 1915, p. 63. For Isaiah cf. Seligmann (above n. 30), p. 40.

Nehemiah in the Greek Bible. A first (expurgated) version of Samuel and First Kings seems to have been filled in later, and complemented by a version of Second Kings.<sup>46</sup> Hence, the circulation of parallel editions of the same book. We still have two different recensions of Judges,<sup>47</sup> two or three editions of Daniel, two texts of Enoch,<sup>48</sup> two versions of Habakkuk's Psalm (Hab. III),<sup>49</sup> two recensions of Job, three of Tobit, going back to the same original and the same translation; many distinct recensions of Greek Esther and two or three editions of Ecclesiasticus.

While the official version of the Law, as Jerome observed,<sup>50</sup> is faithful in principle (notwithstanding divergences or alterations), the private translators of other Hebrew books were free to alter the text at pleasure. The translator of Ezekiel seems to have omitted the messianic promise announced in ch. XXXVI, 24–38.<sup>51</sup> As the unedifying story of David's sin with Bath-Sheba (II Sam. XI) was passed over in the synagogue lessons, it was also dropped by the first Greek translator of Samuel.<sup>52</sup> Some two hundred verses of the original are missing in Greek Job. The translator shortened the original avoiding the repetition of images and other stylistic peculiarities disagreeable to a Greek ear.<sup>53</sup> On the other hand, the Greek Book of Proverbs received many additional sayings.<sup>54</sup> Daniel, Esther, I (III) Esdras in Greek are greatly expanded adaptations of the original works.

Accordingly, in details the translators more often than not allowed themselves the liberty of deviating from the original. For instance, out of 1292 verses of Isaiah less than five per cent are rendered into Greek exactly.<sup>55</sup> The famous saying: *nisi credideritis non intellegitis* goes back

<sup>46</sup> Thackeray, pp. 16–27; A.T. Olmstead, *AJSL* XXX, 1913–4 pp. 1–35; XXXI, 1914–5, pp. 169–214.

<sup>47</sup> See above n. 16.

<sup>48</sup> F.C. Burkitt, *Jewish and Christian Apocalypses*, 1914, pp. 53–65; C. Bonner, *The Last Chapters of Enoch in Greek*, 1937, pp. 22–24.

<sup>49</sup> On Habakkuk's Psalm see M.L. Margolis, in *Old Testament Studies in memory of W.R. Harper* I, 1911, pp. 131–42; Thackeray, pp. 47–54; H. Bévenot, *RB.*, 1933, pp. 499–525. A second version (or recension) of Job, XXXIII–XXXIV, written on a papyrus ca. 200 C.E. is published in O. Stegmüller, *Berliner Septuaginta Fragmente*, 1939, +17.

<sup>50</sup> Hieron, *Quest. Hebr. in Genes. PL* XXIII, p. 957.

<sup>51</sup> See S.E. Johnson, *HTHR*, 1943, p. 135. However, F.V. Filson, *JBL.*, 1943, p. 29 regards the omission of the passage in P. 967 as accidental.

<sup>52</sup> Kaminka (see n. 45), p. 28.

<sup>53</sup> See G. Gerleman, *Studies in the Septuagint I. Book of Job* (Lund Univ. Arsskrift N.F. Avd. 1, XLIII, 2, 1946), pp. 22–9.

<sup>54</sup> Thackeray, *JThS*, 1912, p. 46.

<sup>55</sup> R.R. Ottley, *Isaiah* II, 1906, p. XV, n. 1.

to such a faulty rendering of a passage (Is. VII,9) by the Septuagint translator.

It is a pity that the earlier, pre-Christian, history of these private translations is hardly traceable. The Prophets and Hagiographa seem to have been little read in Ptolemaic Egypt. Philo's Therapeutes, however, studied not only the Law, but also "the oracles foretold by the Prophets" and "the hymns" (that is the Psalter), "as well as everything which may augment and perfect religious knowledge".<sup>56</sup> But while he quotes the Pentateuch about twelve hundred times, there are no more than fifty passages where he refers to the rest of the Bible. In the Mishnah the proportion is said to be only two to one between these two groups of quotations.<sup>57</sup> We may add, that, except by Ben-Sira, the Prophetic Books are hardly mentioned in the Hellenistic Age. Daniel, to be sure, was inspired by Jeremiah. But that was the time of a brief persecution. Under normal conditions, who cared for the menaces against some lost and forgotten kingdom or about some royal transgressor of the Divine Law? It is a remarkable fact that the Greek translators of the Prophets abstain from interpolating the oracles with references to the new conditions. On the other hand, when the Jewish Sibyl offers a bird's eye view of the Past, the Exile and the Dispersion appear immediately after the Exodus.<sup>58</sup> Only professional historians, Demetrius and then Eupolemus, dealt with the "Middle-Age" of the nation.

## V

Eupolemus, writing about 160 B.C.E., is the first Palestinian author we know who uses the Septuagint. Citations from the latter abound in the New Testament. Josephus also follows the Alexandrian version and it is sometimes quoted by the Rabbis.<sup>59</sup> Nevertheless, an appreciation of the recensions used in Palestine is hardly possible. Eupolemus and Josephus paraphrase; the New Testament writers were perfectly

<sup>56</sup> Philo, *de vita cont.* 25.

<sup>57</sup> F.H. Colson, *JThS*, 1940, p. 239; W.L. Knox, *ib.*, p. 31; W.L. Knox, *Some Hellenistic Elements in Primitive Christianity*, 1944, p. 51.

<sup>58</sup> *Orac. Sibyll.* III, 211-94. Note that in II Macc. (2, 1; 15, 14), Jeremiah appears not as a writer, but as a helper of his people. As the Qumran commentaries on the Prophets show, they were read in a time of "wickedness", with reference to the current events.

<sup>59</sup> Lieberman, p. 48.

capable, as Jerome suggests,<sup>60</sup> of making an independent translation of a passage they knew by heart on the spot, or of quoting the Septuagint from memory.

An examination of the Palestinian citations shows, however, that the rolls of the Greek Bible circulating in the Holy Land often disagreed with the standard text received in Egypt.<sup>61</sup> It has been argued from this that there existed Greek versions of the Bible independent of the Alexandrian translation. The candid scholar of to-day fails to take into account the perversity of ancient revisers, who had no scruples about improving the text they had before them. They were particularly prone, as Origen stressed,<sup>62</sup> to amend the proper names in a manuscript at their own sweet will. In fact, the Palestinian variants simply exemplify the tendency well known in the transmission of classics to the areal spreading of peculiar readings. First and above all, a Palestinian (Jewish) copyist, who knew the Hebrew Bible, was naturally prone to amend the Greek text in agreement with the original. The efforts of successive revisers of a translation to bring it into conformity with the current text of the original may now be studied in De Bruyne's model edition of the Latin versions of the Maccabees.<sup>63</sup> The first translation, made before 200 C.E., was revised again and again on the basis of Greek manuscripts. For instance, at I Macc. 3, 34 the original Latin

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<sup>60</sup> Jerome says that the Apostles, particularly Luke, did not follow the Septuagint, in quoting the Old Testament, *sed juxta Hebraicum ponere, nullius sequentes interpretationem, sed sensum Hebraicum cum suo sermone vertentes* (ad Is. XXXVIII, 10. *PL* XXIV, 320). Cf. also Theod. Mops., p. 85. This common sense observation disposes of the theory that the N.T. writers quoted a Greek Bible, independent from the "Septuagint". Cf. Swete, pp. 381–405. Cf. G. Gerleman, *Zeephania*, Diss. theol. Lund, 1942, p. 75; Jellicoe, pp. 353–8. A. Rahlfs, *Zeitschr. für die Neutest. Wissensch.* XX, 1921, p. 189 notes that in I Cor. 15, 55 Paul (as well as later Theodotion and Aquila) mistranslates Is. XXV, 8 (εἰς νῆκος) because they understood the root נצח in its Aramaic meaning "be victorious". On such "Aramaisms" in the LXX cf. Gerleman, *l.c.* 79. Cf. also, W. Thomas, in *Record and Revelation*, ed. H.W. Robinson, 1939, pp. 396–8.

<sup>61</sup> On Josephus' quotations cf. A. Rahlfs, *Septuaginta-Studien* III, 1911, p. 290; H. St. J. Thackeray, *Josephus, the Man and the Historian*, 1929, pp. 80–90; Gerleman (see n. 41), p. 9; Kahle, pp. 230–2. It is methodically important to note that a Greek version of the Samaritan Pentateuch although independent from Origen, often agrees with his renderings, because both translators endeavoured to render the original as exactly as possible. See P. Glee and A. Rahlfs, *MSU* I, 1913, p. 59. Cf. also, G. Ricciotti, *Flavio Giuseppe* I, 1937, pp. 110–36; Jellicoe, pp. 286–288.

<sup>62</sup> Orig. *ad Jo.* I, 29.

<sup>63</sup> D. de Bruyne, B. Sodar, *Les anciennes traductions latines des Machabées*, 1932. Cf. my review, *Theolog. Literaturzeitung*, 1933, p. 340. R. Weber, *Les anciennes versions latines du deuxième livre des Paralipomènes*, Collectanea Biblica Latina VIII, 1945, was not accessible to the present writer.

translation has preserved the Hellenistic military term *σημεῖα* by the rendering *signa*. A reviser changed that to *dimidium* in accordance with the current Greek text (τὰς ἡμίσεις).

That may teach us something about the similar activity of Palestinian revisers of the Septuagint. For instance, a reviser tried to improve upon the Greek names of the precious stones in Ex. XXVIII, 17–20. A midrashic source gives eight names out of twelve as in the Septuagint. Among four discrepant identifications one (“hyacinth”) penetrated into the manuscript tradition of the Septuagint and re-appears in the Codex d (44) as well as in the Armenian translation. Again, the same identification is given in the Apocalypse (XXI, 20), another Palestinian work.

Scraps of the Greek Pentateuch scrolls from Qumran show that the doctoring of the received LXX text began soon after its publication. As each manuscript was copied by hand, it was unique. Thus, the next scribe who copied it did not feel qualms in correcting the (to him) apparent mistakes of his predecessor. For instance, the scribe of a leather scroll of Leviticus, working in the second half of the second century B.C.E. (or one of his predecessors), noticing that in Lev. 26, God regularly says: “I shall”, altered the paraphrastic expression: “My soul shall . . .” (v. 11), writing instead: “I shall not abhor you”. Again the same scribe did not realize that the Septuagint systematically uses the poetical word *laos* with reference to the Chosen People, but says *ethnos* when speaking of the Gentiles. As the word *laoi* connoted the lower class of the natives in the Hellenistic vocabulary, the scribe substituted *ethnos* for *laos* in the expression “you shall be My people” (v. 12).

Further, the copyists who were cognizant of the Hebrew quite naturally endeavored to render the sacred text more accurately. For instance, the scribe of a Greek scroll of Numbers, written about 100 B.C.E., brought the verse 4,7 into the line with the Hebrew text (which was that of our Torah) which says that the cover spoken of was “blue”. The Septuagint, obviously following another textual tradition, states that it was “scarlet”.<sup>64</sup> In an Exodus Manuscript of about the same date Aaron is called “thy brother”, as in the Masoretic text.

A further example: the “Seventy” in Deut. 31,28 elegantly rendered the Hebrew expression “the elders of the tribes” by *phylarchoi*. A reviser,

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<sup>64</sup> P.W. Skehan, “The Qumran Manuscripts and Textual Criticism”, *VT. Suppl.* IV, 1957, pp. 157–160. Cf. Kahle, p. 223 on the approximate date of these fragments. M. Baillet, *et alii*, *Les petites Grottes de Qumran*, 1962, p. 142.

trying to adapt the Greek better to the Hebrew, wrote “your elders”. Both readings soon became conflated, and this composite reading which already appeared in P. Fouad, written ca. 50 B.C.E., is to be found in all known Mss. of the LXX and in its versions, except for Codex Vaticanus, and two minuscules.

The Greek Pentateuch was a received version of the Holy Writ. The other Hebrew Books, such as the scroll of the Twelve Prophets from Nahal Hever or the Testaments of the Twelve Patriarchs, were neither holy nor their Greek translations authoritative. Accordingly, a manuscript of the Minor Prophets, probably written around the beginning of the common era, already shows the attempt of a reviser to bring the current translation into closer agreement with the Hebrew of the manuscript(s) which he possessed.<sup>65</sup> There is no doubt that Greek versions of other Hebrew books were (or could be) revised to make them agree better with the Hebrew Ms. at the reviser’s disposal. But since each Ms. is unique, the corrections or alterations of scribe X could be received or rejected by scribe Y who consulted a different manuscript. This process, known as contamination, was repeated again and again and thereby created eclectic texts. Thus, the quotations of Daniel in the works of the Church father Justin show that the manuscript of the prophet he used now followed one, now the other of two Greek versions of Daniel which we still can read in biblical manuscripts.<sup>66</sup>

The problem is further complicated by the fact that there was no standard Hebrew text. Hebrew manuscripts may often have disagreed and may often have differed from our, “Masoretic” text. Writing toward the end of the second century B.C.E., Aristeas stated that the current copies of the Torah were penned “carelessly, and not as ought to be”. The remains of the Torah scrolls from Qumran confirm his words and show that divergent texts of the Torah circulated simultaneously. Though the majority of Bible manuscripts found among the Dead Sea scrolls generally follow the textual tradition of our Torah, other copies represent the text type with Septuagint or with Samaritan affiliation, while in some scrolls “wild” readings crop up.<sup>67</sup>

<sup>65</sup> D. Barthélémy, *Les Devanciers d’Aquila*, 1963. Cf. B. Lifshitz, *IEJ* XII, 1968, p. 202.

<sup>66</sup> Swete, p. 421. The painstaking investigation of J. Smit Sibinga, *The Old Testament Text of Justin Martyr. I. The Pentateuch*, 1963, shows the difficulty of classifying his LXX text of the Pentateuch. Quotations are slippery witnesses. Cf. G. Murray, *The Rise of the Greek Epic*, 4th ed., 1934, pp. 289–295.

<sup>67</sup> F.M. Cross Jr., *The Ancient Library of Qumran*, 1961. Id., *The History of the Biblical*



Accordingly, the Greek version, prepared in the first half of the third century B.C.E., often agrees with other species of the early Hebrew text, such as the Samaritan Pentateuch<sup>68</sup> or the Book of Jubilees,<sup>69</sup> or with variant readings attested at Qumran while disagreeing with our Torah. In the same way, Ptolemaic papyri of Homer (and other Greek classics) often exhibit readings which diverge from our text established by Byzantine editors who, in turn, followed the lead of Alexandrian critics at the Ptolemaic court.<sup>70</sup>

The “vulgate”, that is the pre-recensional text of the trade copies of Homer contained numerous divergent readings, omitted some verses and above all offered a high proportion of additional lines.<sup>71</sup> The same features mark the Samaritan Torah which, except for some intentional alterations, essentially represent the “vulgate” text current in the second century B.C.E.<sup>72</sup> Thus, in Samaritan as well as in a scroll from Qumran, after Nu. 27, 23, where Moses’ command to Joshua is mentioned, the scribes inserted Deut. 3, 21: “I command Joshua...”<sup>73</sup> Again, Ex. 22, 4 is expanded in the Samaritan Pentateuch, in LXX and in a Qumran manuscript.<sup>74</sup> The Hebrew Nash papyrus of the second century B.C.E. agrees with the Septuagint rather than with the Masorettes, and contains the LXX preface to the Shemah (LXX Deut. 4, 45) which reflects the liturgical usage of reciting the Ten Commandments before the *Shemah*.<sup>75</sup> Such extensions were frowned upon by the editors of the “Masoretic” recension. Likewise, the Alexandrian critics pruned the vulgate text of Homer.

When did the work of critics in Jerusalem begin? We do not know.

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Text in the Light of Discoveries in the Judean Desert, *HTR* LVII, 1964, pp. 281–99; S. Talmon, Aspects of the Textual Transmission of the Bible in the Light of Qumran Manuscripts, *Textus* IV, 1964, pp. 95–132; M.H. Goshen-Gottstein, Hebrew Biblical Manuscripts, *Bi* 48, 1967, pp. 243–90; Jellicoe, pp. 388–90 (bibliography).

<sup>68</sup> Swete, p. 436; C. Coppens, La critique du texte hébreu de l’A.T., *Bi* XXV, 1944, pp. 9–49; Jellicoe, pp. 243–5. M.L. Margolis, *JQH* N.S. III, 1912–3, p. 130, notes that the specific Samaritan reading “Garizim” in Dt. XXVII, 4 entered the Old Latin version.

<sup>69</sup> R. Charles, *The Book of Jubilees*, 1902, pp. XXXIII–IX.

<sup>70</sup> S. West, *The Ptolemaic Papyri of Homer*, 1967; R. Pfeiffer, *History of Classical Scholarship*, 1968, pp. 87–290. Cf. also D. Del Corno, *Rendiconti Ist Lombardo* 94, 1960, pp. 73–111; 95, 1961, pp. 3–54 on Homeric papyri written before ca. 150 B.C.E.

<sup>71</sup> G. Murray, *The Rise of the Greek Epic*, 4th ed., 1931, pp. 282–295.

<sup>72</sup> S.D. Purvis, *The Samaritan Pentateuch and the Origin of the Samaritan Sect*, 1968. On the Greek version of the Samaritan Torah see Jellicoe, p. 245 and E. Tov, *RB* 78, 1971, 355–377.

<sup>73</sup> Cross, *Library* (*supra*, p. 153, n. 67), p. 137.

<sup>74</sup> J. Allegro, *The Qumran Cave*, 4, 1968, p. 5.

<sup>75</sup> A.Z. Idelson, *Jewish Liturgy*, 1967, p. 91.

Aristeas implies that the authentic scrolls of the Torah were to be found in the Temple. According to the rabbinic tradition, book correctors were paid from the Temple funds, presumably for checking the copies to be used in the Temple. We are also told that the Temple had three master scrolls and that in the case of a divergence between them the majority reading was accepted as genuine.<sup>76</sup> This is substantially the method of Lachmann and of Nestle's New Testament. A rabbinic source also records variant readings of a Torah scroll which was captured in Jerusalem (in 70 C.E.) and preserved in the synagogue of Severus in Rome. About a half of thirty-two divergent readings are orthographical, one in Gen. 18,21 is supported by the Septuagint and the Targum Onkelos, while our reading of the same verse already stood in the Hebrew text used by Origen.<sup>77</sup> The essential fact, however, is that this Jerusalem scroll written before 70 C.E., except for a few particulars, agreed with the "authorized" Bible of the rabbis.

The "authorized" recension became the received one after the destruction of the Temple in 70 C.E. The Holy Writ was now the sole tangible link between the synagogues from the Atlantic to the Indian Ocean. The Chosen People, in order to preserve its religious unity, took recourse to the standardization of the Torah text. The Torah scrolls from the Wilderness of Judah, which were in use ca. 130 C.E. already agreed with the consonant text of our Bible.<sup>78</sup>

Similarly, after the end of Greek independence, the text of the Greek classics became essentially fixed under Roman rule. Generally speaking, buyers and users of books were rather indifferent to textual criticism. When the critical study of Homer's text began, Timon of Phlius advised Aratus to read the poet in ancient copies and not in corrected editions.<sup>79</sup> But in the Roman period, the school masters who had to preserve the spiritual patrimony of the Hellenic race, wanted to teach and to explain the genuine text of national authors as established by Alexandrine scholarship.<sup>80</sup> Likewise, from within a Roman prison, R. Akiba urged his disciple, R. Simeon: "When you teach your son, teach only from a corrected text".<sup>81</sup>

<sup>76</sup> S. Lieberman, *Hellenism*, p. 22.

<sup>77</sup> Chr. D. Ginsburg, *Introduction to... the Hebrew Bible*, 1897, pp. 413-420. Cf. Lieberman, *o.c.*, pp. 23-4.

<sup>78</sup> M. Greenberg, "The Stabilization of the Text of the Hebrew Bible", *JAO* LXXVI, 1956, pp. 157-67.

<sup>79</sup> Diog. L. IX, 113.

<sup>80</sup> West, *o.c.* (p. 154, n. 80), p. 11; E.G. Turner, *Greek Papyri*, 1968, p. 109.

<sup>81</sup> Greenberg, *o.c.*, p. 161, quoting Pescah. 112 a.

Nevertheless, remembering the axiom that each manuscript, by definition, is unique, we should not be surprised to learn that even after standardization some copies of the Torah sometimes diverged from the model. Some variants of the scroll of Severus' synagogue were "found" in a copy of the Torah penned by R. Meir, an eminent rabbi of the second century C.E.<sup>82</sup> A Palestinian Targum fragment from the Cairo Geniza, and a copy of the same Targum made as late as 1504,<sup>83</sup> understand Exodus 22, 4–5 in complete disagreement with our Torah, the LXX, the Samaritan text and the rabbinic, interpretation, but in accord with a Qumran Hebrew manuscript.<sup>84</sup> In Joshua 11, 10 our text says "before Israel", and such was also the Hebrew text read by Origen. But the LXX read: "before the sons of Israel", and a quotation in Berachot 54 b and two medieval Hebrew manuscripts support this reading.<sup>85</sup> In Micah 5, 3 (4) our Bible reads: "and he shall stand and feed". This text is translated in the Greek Scroll of Minor Prophets, written around the beginning of the common era, and found at Nahal Hever. But the current LXX text reads: "and he shall stand and see and feed". This text is conflated, ὄψεται is a doublet of the preceding word and renders a different Hebrew reading. The latter reappears in two medieval Hebrew manuscripts.<sup>86</sup>

As a matter of fact, only the printed book can produce textual uniformity. For this reason, it is rather dangerous to use the Greek version for emendation of the received recension of the Hebrew text inasmuch as the Hebrew underlying the Greek may be the reading of a pre-recensional manuscript. Of course, in some cases, this reading may have preserved the genuine text eliminated by the revisers. For instance, in Deuteronomy 32,8 our Bible reads: God established "the boundaries of peoples in relation to Israel's numbers". The LXX has: "according to the number of the angels of God". "The angels of God" is an interpretation, later abandoned by the rabbis, of the biblical

<sup>82</sup> Lieberman, *Hellenism*, p. 24.

<sup>83</sup> G. Schelbert, "Exodus XXII, 4 in the Palestinian Targum", *VT* VIII, 1958, pp. 253–263; A. Díez Macho, *Neophyti* 11, 1968, p. 57.

<sup>84</sup> See above, p. 154.

<sup>85</sup> H. Orlinsky in his Prolegomena to the 1968 reprint of the work of Ginsburg (above p. 155, n. 77), p. XX.

<sup>86</sup> Barthélémy, *o.c.* (above p. 153, n. 65), p. 180. Biblical manuscripts from the Cairo Geniza again sometimes diverge from our received text. M. Dietrich, *Neue palästinisch punktierte Bibelfragmente*, 1968, p. 17.

expression “sons of God”. A Qumran manuscript of Deuteronomy accordingly has preserved the original readings: *bene elohim*.<sup>87</sup>

Should we substitute it for the received text in our Torah? We must first decide whether we want to recover the received recension, as read by the rabbis, who never suggested a correction of the text of the Bible, or attempt to recover the autograph of Moses.<sup>88</sup> In neither case can the pre-recensional Hebrew underlying the Septuagint be of great value to the critics.

## VI

As soon as the Palestinian Jews accepted the rules of Alexandrine philology with regard to the Hebrew text of the Bible and the latter became fixed, the discrepancy between it and the Septuagint appeared flagrant. Accordingly, round about 125 C.E., perhaps in 128,<sup>89</sup> Aquila, a proselyte to Judaism, rendered into Greek this received Hebrew text, which, so far as the consonants went, was roughly identical with the later Masoretic recension.<sup>90</sup> It is natural that in the presence of a stabilized, “true” text of the Revelation, Aquila felt obliged to render it literally, word for word. Quite naturally, the new translation displaced the less accurate Septuagint in the affection of Greek-speaking Jews, although the Alexandrian version continued to be read in many synagogues as late as during the reign of Justinian (527–565).<sup>91</sup>

The literalism of Aquila, however, was jarring to the ears of Hellenized Jews, and two (at least) Jewish revisions of the Greek version followed: one by Theodotion, who worked in the reign of Commodus (180–192) and the other by Symmachus in the time of Septimius Severus, perhaps in 202 C.E. It is natural that the revisers did not attempt a new version but choose as the basis for their works Greek manuscripts which already

<sup>87</sup> P.W. Skehan, “A Fragment of the Song of Moses”, *BASOR* 136, 1954, p. 12. Cf. L. Ginzberg, *The Legends of the Jews* V, 1925, pp. 154–6.

<sup>88</sup> Lieberman, p. 47.

<sup>89</sup> Epiph. *de mens. et pond.* 14 (quoted Swete, p. 31) gives the 12th year of Hadrian (128–9 C.E.) as the date when Aquila became “known”.

<sup>90</sup> J. Reider, *Prolegomena to... Aquila*, 1915, p. 84. Cf. A. Rahlfs, *MSU* I, p. 338, who points that the same is true for Symmachus and Theodotion.

<sup>91</sup> That follows from Justinian’s Novella 146. Cf. Juster, p. 372; Kahle, pp. 39–43; V. Colorni, *Annali di storia del diritto* VIII, 1964, pp. 1–69.

exhibited a greater affinity with the now standard Hebrew text.<sup>92</sup> As we have seen, collation of the Greek version with Hebrew scrolls went on for some three centuries after the publication of the Greek Pentateuch. The already mentioned Greek scroll of the Minor Prophets shows that the systematic revision of parts of the Greek version to bring it into better conformity with the Hebrew was already attempted around the beginning of the common era. Aquila and Theodotion, sharing the same approach to the problem of translation, used this older revision.<sup>93</sup> Let us add, that we know Aquila's and Theodotion's revisions mainly through Origen. The latter did not have before him the originals of Aquila and Theodotion, but later copies.<sup>94</sup> The better scribes and, of course, revisers used to check the manuscript they transcribed against another copy of the same work,<sup>95</sup> and the affinity between both revisions facilitated repeated contamination. Let us consider two texts of Greek Daniel which widely circulated in the time of Origen: one he calls "Septuagintal", the other was Theodotion's recension. The latter, in fact, was already used in the New Testament.<sup>96</sup> On the other hand, a papyrus codex of Origen's time (P. 967) shows that the essentially "Theodotonic" text was contaminated by "Septuagintal" readings. The "Septuagintal" text, in turn, was corrected after the Hebrew.<sup>97</sup> The texts which circulated "mixed" textual traditions. Thus, a painstaking examination of Justin's quotations of the Pentateuch shows that he used an eclectic text and that it is difficult to offer a reasonable explanation for variants in his quotations.<sup>98</sup> The task of an ancient editor was Sisyphean. As soon as he published his corrected text, copyists marred it by their own emendations.<sup>99</sup> *In veteris libris reperta mutare imperiti solent*, as Quintilian (IX, 4, 39) says.

<sup>92</sup> Jellioe, pp. 76–100 discusses new hypotheses about Aquila and Theodotion.

<sup>93</sup> K.C. O'Konnel, *The Theodotonic Revision of the Book of Exodus*, 1972.

<sup>94</sup> An ancient "edition" meant that some copies were deposited in some libraries. Cf. Turner, *o.c.* (p. 140, n. 13), p. 113. According to Aristéas there were two master-copies of the Greek Pentateuch: one in the royal library and one in the hands of the Jewish community in Alexandria.

<sup>95</sup> Turner, *o.c.*, p. 93.

<sup>96</sup> Swete, p. 48.

<sup>97</sup> W. Hamm, *Der Septuaginta-Text des Buches Daniel*, 1–2, 1969, p. 46. Cf. A. Geissen, *Der Septuaginta-Text des Buches Daniel*, K. 5–12, 1968. In the same p. 967, the LXX reading ἀνομία in Ez. 33, 8 became ἀμαρτία which is nearer to the Hebrew. M.F. Galiani, *Proceed. of the XII Intern. Congress of Papyrology*, 1970, p. 137.

<sup>98</sup> J.S. Sibinga, *The Old Testament Text of Justin Martyr*, I, 1963.

<sup>99</sup> The received text of Hom. Il. I, 524, follows Aristarchus. Two papyri, copied in the first century C.E., reproduce a reading condemned by Aristarchus. W.G. Arnott, *Proceed. of the XII Intern. Cong. of Papyrology*, 1970, p. 20.

The Church, on the contrary, held on to the Septuagint, which is quoted in the New Testament. About the same time as the Septuagint was inherited by the Christians, say about 130 C.E., the papyrus codex became the standard form for the sacred books of the Church.

The Christian scribes, quite naturally, began to adapt the old text to their new needs. To begin with, they amended the orthography of the originals due to the influence of grammarians which began to be felt about the middle of the second century C.E., and they tended to stabilize the spelling. Ignoring this trend, some modern scholars erected imposing theories based on such variations as between  $\mu\eta\delta\epsilon\acute{\iota}\varsigma$  and  $\mu\eta\theta\epsilon\acute{\iota}\varsigma$  in our uncial codices. We are, for instance, invited to believe that the Law in Greek was originally written in ten rolls, each book of the Torah being mechanically divided into two nearly equal portions, and each portion transcribed by a different scribe and from a different autograph.<sup>100</sup> But the Biblical papyri of the second century C.E. exhibit desultory changes from  $\sigma\upsilon\delta\epsilon\acute{\iota}\varsigma$  to  $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$  and vice versa.<sup>101</sup> It is easy to observe that the more recent spellings ( $\sigma\upsilon\delta\epsilon\acute{\iota}\varsigma$ ,  $\acute{\epsilon}\nu\alpha\nu\tau\acute{\iota}\omicron\nu$ ,  $\acute{\omicron}\varsigma \acute{\epsilon}\acute{\alpha}\nu$ ) generally prevail in the first portion of each book of the Pentateuch, while in the second parts of each the Hellenistic orthography is more common ( $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$ ,  $\acute{\epsilon}\nu\alpha\nu\tau\iota$ ,  $\acute{\omicron}\varsigma \acute{\alpha}\nu$ ).<sup>102</sup> That simply means that when Christian revisers corrected the spelling, they became careless, as we do, about in the middle of their task.<sup>103</sup>

Another, and much more important, change, concerned the Divine Name. In our Christian manuscripts of the Septuagint, the Tetragrammaton is usually rendered by  $\text{K}\acute{\upsilon}\rho\iota\omicron\varsigma$ , at least in the Pentateuch. Elsewhere, as in Ezekiel, the rendering oscillates between  $\text{K}\acute{\upsilon}\rho\iota\omicron\varsigma$ ,  $\text{K}\acute{\upsilon}\rho\iota\omicron\varsigma \text{Th}\acute{\epsilon}\acute{\omicron}\varsigma$ , etc. Stressing these variations, a writer, in a bulky work of over 1,600 pages argued that the synagogue reading *Adonai*

<sup>100</sup> That is the theory of Herrmann and Baumgärtel (see n. 45), p. 70.

<sup>101</sup> For instance: in Ex. XXXIX, 9:  $\sigma\upsilon\delta\epsilon\acute{\iota}\varsigma$ , (Alex.)  $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$  (P. 961). Ex. XXXIX, 23:  $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$  (Alex.)  $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$  (P. 961).

<sup>102</sup> H. St. J. Thackeray, *Grammar of the Old Testament in Greek*, 1909, p. 66.

<sup>103</sup> Cf. e.g. W. Croenert, *Memoria Graeca Herculanensis*, 1903, p. 21; L.W. Hunter, *Aeneas on Siegeskraft*, 1927, p. XX; Isocrates, ed. G. Drerup, 1906, p. LXX, etc. The scribe D of Cod. Sinaiticus spells  $\kappa\rho\acute{\iota}\nu\epsilon\tau\nu$  27 times. See H.J. Milne, T.C. Skeat, *Scribes and Correctors of the Codex Sinaiticus*, 1938, p. 51. In Propertius Codex Neapolitanus, one scribe writes *historia*, the other *hystoria*. See Th. Birt, *Propertii... Codex... Neapolitanus*, 1911, p. VII and XVIII. In Polybius  $\sigma\upsilon\theta\epsilon\acute{\iota}\varsigma$  is rather rare in the first seven books, the spelling, however, occurs afterwards and even predominates in the last books. See F. Kaelker, *De elocutione Polybiana*, 1880, p. 230.

for the Tetragrammaton is a late invention while the Greek *Kyrios* was to be regarded as the cause of this substitution.<sup>104</sup> Now, Origen attests (and Jerome confirms), that “in more exact copies” of the Septuagint, the Divine Name was “transcribed in Hebrew characters” of the oldest shape (that is not in the square letters).<sup>105</sup> For the sake of modern theories, this statement was disregarded. But it is rather hazardous to contradict a testimony of Origen. In a recently published Jewish roll of the Greek Deuteronomy,<sup>106</sup> (P. Fouad, 266), the Tetragrammaton is transcribed in the (so called) Aramaic cursive amidst the Greek text. Later, Aquila (and probably Symmachus in his recension of the Septuagint) adopted the same mode of representation of the Divine Name.<sup>107</sup>

Secondly, since the fulfilment of the prophecies was a main proof of the new faith, there was an inevitable tendency to interpolate the text. The addition in Ps. XCV (XCVI), 10: the Lord reigns “from the Cross”, quoted as the genuine text by Justin, still appears in some branches of the manuscript tradition.<sup>108</sup> In Is. III, 10 many manuscripts used by the Church fathers, from Justin to Clement of Alexandria, exhibited the Christian alteration: “let us remove (LXX: bind) the Just:” while at the same time Melito of Sardis in his copy of Isaiah read the unadulterated text of the passage.<sup>109</sup> On the other hand, Melito quotes Dt. XXVIII, 66 according to a Christian alteration. No wonder that the Church Fathers complained about the falsification of God’s words by the “heretics”.<sup>110</sup>

Other revisers, Jewish as well as Christian, tried to improve upon the

<sup>104</sup> W. W. Baudissin, *Kyrios* I–IV, 1929. See against this theory the excellent paper of L. Cerfaux, *Rev. des sciences phil. et relig.*, 1931, pp. 27–51; pp. 417–452. The hypothesis of Baudissin is now disproved without appeal. Cf. Jellicoe, p. 271. But I keep the text unchanged for methodical reason.

<sup>105</sup> Orig. in Ps. II, 2 (*PG* XII, 1104); Hieron. Ep. 25 (*PL* XXVIII, 594). Cf. now Theod. Mops., p. 134. Cf. C. Mercati, *Psalteri Hexapli reliquiae* I, 1958. On Jerome’s Hebrew Mss. cf. E.F. Sutcliffe, *Bi.*, 1948, p. 195.

<sup>106</sup> F. Dunand, *Papyrus grecs bibliques*, 1966, pp. 39–50. The divine Name is transliterated in the Ms. of the Minor Prophets, published by D. Barthélémy, *Les devanciers d’Aquila*, 1963, pl. 1–2.

<sup>107</sup> Baudissin *o.c.* II, 7. Cf. *P. Oxy* IV, 656 and VII, 1107.

<sup>108</sup> The interpolation is preserved in the “Upper-Egyptian” and the “occidental” groups of Mss. See A. Rahlfs, *Psalmi*, 1931, p. 30.

<sup>109</sup> C. Bonner, *The Homily on the Passion by Melito*, 1940, p. 37. The two renderings seem to be merely different interpretations of the same Hebrew word אֱסֹר (for Masoretic אֲמָרָה) according to an oral suggestion of H. L. Ginsberg. On Christian variants in Isaiah cf. Seligmann (above n. 42), pp. 25–31.

<sup>110</sup> A. Bludau, *Die Schriftfälschungen der Häretiker*, 1925. Cf. Orig. *ad Jo.* XXXII, 32 (*Jo.* XIII, 33) on the supposed interpolation of Jesus’ word Lc. 23, 43 by copyists.

current text for purposes of harmonization. For instance, Is. XLVIII, 21 refers to Moses striking the rock as in Ex. XVII, 16. A clause from the last passage intruded into Isaiah's reference in all our manuscripts. It often happens that the Greek version of Kings is completed according to the parallel passage of Chronicles and vice versa.<sup>111</sup> In P. 967–8 (first half of the III c. C.E.), chapters V–VI of Daniel, that is the end of Belsazzar and the coming of Darius are transposed to their chronological place after ch. VIII. It is unclear why in the same codex ch. XXXVII of Ezekiel follows ch. XXXIX while in another recension ch. XL joins ch. XXXVII.

On the other hand, the reverence due to God's utterances obliged a conscientious scribe to improve his text by collation with other copies. The duplicate readings in P. 962 of Genesis (second century C.E.) show interblending of different text families.<sup>112</sup> In Codex W we can see the successive revisers at work: conflation, then deletion of variants, glossing of the exemplar on the basis of another manuscript. Such collations often depended, directly or indirectly, on Jewish scrolls: many corrections in later manuscripts are already attested by Philo.<sup>113</sup>

It is natural that, trying to render God's revelation faithfully, some Christian revisers (following Jewish scrolls) endeavoured to bring the Septuagint into a closer agreement with the Hebrew. This tendency is already apparent in P. 962 of Genesis, of the second century. Some time later, P. 967–8 exhibits forty-three variants in Ezekiel which are more accurate translations from the Hebrew. For instance, in Ez. XXXVI, 8 this papyrus alone, among all the Greek manuscripts, offers the correct translation of a Hebrew word (ἐγγίζουσι; the common reading: ἐλπίζουσι). Attested also by the Old Latin version, this improvement was due probably to a Jewish revision, perhaps to the use of Aquila's translation. The latter being a literal one must have been a boon to the revisers. It is noteworthy that this process of assimilation with the Hebrew purged from the Greek Pentateuch most of the thirteen disagreements between the Seventy and the Torah recorded in Talmudic tradition.<sup>114</sup>

<sup>111</sup> Cf. Gerleman (above n. 41), pp. 31–33. A similar interpolation in LXX Is. XLIV, 16 appears in p. 965. In another papyrus, Ex. XXXI, 12–17 is added after Ex. XXIII, 10–13, that is two texts referring to the Sabbath observance are put together. See Stegmüller (above n. 49), + 4.

<sup>112</sup> A. Allgeier, *Die Chester-Beatty Papyri zum Pentateuch*, 1938, p. 29.

<sup>113</sup> Allgeier, *ib.*, p. 42. Cf. *Duodecim Prophetæ*, ed. J. Ziegler, 1943, p. 33 and p. 84.

<sup>114</sup> The changes remained in Gen. II, 2; Ex. IV, 20; XII, 40; Num. XVI, 15. Cf. above n. 31.



The Christian codices of the Greek Bible, in the second and third centuries, thus, exhibited two contrary trends: arbitrary alterations and, on the other hand, accommodations with the better manuscripts and with the *Hebraica veritas*. The result was that substantially the Septuagint text remained sound since the eccentric tendencies were checked by the simultaneous process of contamination. The textual history of Ecclesiasticus may illustrate this force of contamination.<sup>115</sup> When a roll of the Greek Sirach was transcribed on the pages of a Christian codex, let us say about 100 C.E., a pair of leaves became transposed by accident. Since all our Greek manuscripts of Ecclesiasticus exhibit this displacement, our whole Greek tradition derives from the same archetype. On the other hand, since the moral lessons offered by Sirach pleased the reader, in another strain of Christian tradition, the book lost the personal prologue as well as the Praise of the Fathers (ch. XLIV–L) but became enriched by new maxims. This shortened and interpolated book, now attributed to Solomon himself, was translated into Latin, in Africa, about 150–200 C.E. Being independent of the archetype of our Greek codices, this Latin version (and likewise the Syriac and Armenian translations and the Hebrew Sirach from the Cairo Genizah) preserves the true order of the chapters. Thus, we have, it may seem, two completely independent currents of tradition. In fact, both currents almost immediately began to mix. Revisers completed the Latin version according to the standard Greek text, while amplifications of the interpolated recension penetrated into some Greek manuscripts and the Syriac translation.

## VII

The postulate of modern students of the Septuagint is that there was about 200 C.E. a standard text of the Greek version from which the three recensions mentioned by Jerome and our great uncials derive. In fact, about 200 C.E. the period of textual “disorder” was at its height. Unrevised or arbitrarily revised manuscripts of the Septuagint circulated. Clement of Alexandria, the head of the Christian school

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<sup>115</sup> The following paragraph resumes D. de Bruyne’s papers in *Revue Bénédictine*, 1928, pp. 5–48 and *ZAW*, 1929, p. 257. Cf. Jellicoe, pp. 306–310; Y. Yadin, *The Ben Sira Scroll from Masada*, 1965.

in this learned city, happens to quote Ez. XVIII, 23 eight times and each time his text disagrees with his other citations.<sup>116</sup>

Such unstability of the sacred text called for editorial intervention. On the other hand, the stabilization of the Hebrew text and its translation by Aquila facilitated the task by furnishing the future editor of the Septuagint with a standard of correctness. Aquila was followed by Theodotion and Symmachus (above p. 157). Other Jewish editions remained anonymous.

The Church now found herself in the presence of not only divergent copies of the Septuagint but also of different Jewish revisions of her Old Testament. To help out the Church with the true text, Origen, about 230–245 C.E. gave a new, Christian, revision of the Greek version, based on the manuscripts in ecclesiastic use. As he himself explains, in the case of disagreements among his manuscripts, he made his judgement “according to the other editions”, and “from out of the other editions” he added the passages missing in the Septuagint of the church, “in agreement with the Hebrew”, while he marked the words and sentences in the Septuagint which were not in the Hebrew.<sup>117</sup> Later, Hesychius, of whom almost nothing is known, and Lucian, who died a martyr’s death in Maximin’s persecution in 312 C.E.,<sup>118</sup> following Origen’s lead, published their own editions of the ecclesiastic Greek Old Testament. Here, we enter into the age of our great uncial codices. By that time, the types of text and “families” of manuscripts that we now know, began to take shape. We thus are able to identify, more or less accurately, Origen’s or Lucian’s recensions or readings in our manuscripts.

The Hebrew text being now acknowledged as the original, the Church editors began to purge the ecclesiastic Septuagint of the Christian interpolations. Justin insisted that the reading “bind” in Is. III, 10 was a Jewish falsification. Nevertheless his reading (“remove”)

<sup>116</sup> O. Stähelin, *Clemens Alexandrinus und die Septuaginta*, 1900, p. 9 and p. 69. The church father, of course, often adapts citations to his needs. Cf. C. Monderset, *Essai sur Clément d’Alexandrie*, 1944, p. 72. Cf. L.E. Wright, *JBL* LXVII, 1948, pp. 347–53.

<sup>117</sup> Note that Origen (*in Mth.* XV, 14, p. 388 3d. E. Klostermann) speaks of different “editions” (ἐκδόσεις) and not of different translations, as modern scholars often let him say. On Origen’s Hexapla see Kahle, pp. 239–47 and Mercati’s book quoted n. 105. Cf. Jellicoe, pp. 100–134, pp. 382–5. On important (and mostly overlooked) account of Rufinus (*H.E.* VI, 16, 3–4) cf. J.E.L. Oulton, *JThS*, XXX, 1929, p. 162.

<sup>118</sup> On Lucian see now G. Bardy, *Recherches sur S. Lucian d’Antioche* (1936), 164–78, and G. Mercati, *Bi*, 1943, 1–17; Kahle, pp. 228–35; Jellicoe, pp. 157–171.

disappeared from all known Greek manuscripts of the Septuagint.<sup>119</sup> Since in the New Testament (Rom. III, 10) some passages from other Psalms follow a quotation from Ps. 13, 1–3, the whole group of citations intruded into Christian texts of the Psalm 13. Origen's edition seems to have preserved this interpolation, Lucian removed it.<sup>120</sup> A peculiar reading in Ecclesiasticus (XXXIV, 30), quoted by Cyprian, became so forgotten two centuries later, that Augustine regarded it as new forgery of "heretical" Donatists.<sup>121</sup> Even readings attested in the New Testament, as for instance in Is. LIII, 4, were now banished from the current Septuagint editions.<sup>122</sup> When ca. 300 C.E. a poor man in Egypt copied on a potsherd a passage from Judith (XV, 1–7), his text was that of our great uncial codices.<sup>123</sup>

As in the case of the classics, however, the learned editions of Origen or Lucian did not stop the transmission of variants by some non-conformist scribes. For instance, the singular reading ὁ ἄσεβής in Dt. XXV, 2 appears in P. 957, a Jewish roll of the second century B.C.E. It re-appears in Codex W, of the fifth century, and, then, in some minuscules. Two singular readings attested in the manuscript h (55) of the eleventh century C.E. now figure in P. Fouad, another Jewish roll of Deuteronomy, written some twelve hundred years before the minusule h. In Gen. XXXIII, 18 the Septuagint, according to all manuscripts and versions made from the Greek, read: in Salem, "city of Schechemites". This reading is already attested in Jubilees (30, 1). But the historian Demetrius, writing between 221–205 B.C.E. in his copy of Greek Genesis read: "in another city of the Schechemites" (εἰς ἑτέραν πόλιν Σικκίμων).<sup>124</sup> The same strange variant suddenly pops up in a medieval Latin text which tells us that Jacob went *in alteram civitatem*. A Latin papyrus of Exodus may illustrate the transmission of variants. Here, a clause is omitted in Ex. VIII, 13. The same form

<sup>119</sup> M Cf. *Septuaginta XIV. Isaias* ed. J. Ziegler, 1939, p. 26 and p. 35; J. Ficht, *ζΑΥ* LVII, 1939, p. 180. Origen himself, however, sometimes harmonized the text with the New Testament citations. See L. Lütkeemann, *De prophetarum minorum locis ab Origene laudatis*, Diss. Greifswald, 1911, p. 85.

<sup>120</sup> *Septuaginta X, Psalmi*, ed. A. Rahlfs, 1930, p. 30.

<sup>121</sup> August, *Retract.* I (20), 21 3, quoted Bludau (see n. 110), p. 61.

<sup>122</sup> Cf. K.J. Euler, *Die Verkündigung vom leidenden Gottesknecht*, 1934, p. 61. Cf. also A. Deissmann, *Septuaginta-Papyri*, 1905, pp. 65–6.

<sup>123</sup> J. Schwartz, *RB*, 1946, p. 534. Cf. also A. Vogliano, *Papiri della R. Università di Milano* I, 22: a papyrus of Ex. XXIX, 21–24 (IVth c. C.E.) exhibiting the standard LXX text.

<sup>124</sup> A.T. Olmstead, *A7SL*, 1917–8, p. 163.

of text is exhibited in the Greek papyrus 905 and in some Byzantine minuscules.<sup>125</sup> So, again as in the case of the classics, the standard editions could not produce uniformity of manuscript tradition.<sup>126</sup> As Jerome says in regard to the manuscripts of the Latin Bible, everyone changed, added or shortened the text in his copy at will.<sup>127</sup> As in the case of the classics, the text became more or less static only when there was an authoritative or official edition: Jerome's Vulgate gradually became the Bible of the Latin West. The Alexandrine edition of Homer from ca. 150 B.C.E. on outrivalled the "eccentric" copies and became the basis of Byzantine manuscripts. Generally speaking, buyers of books naturally preferred the authoritative edition of a classic, so that its text tended to supplant eccentric copies. Later, in Byzantine universities, scholars consulted the best and standard ancient editors when preparing a new edition of a Greek classic.<sup>128</sup> That is the reason why, for instance, our Byzantine text of Thucydides is regarded as better than that quoted by Dionysius of Halicarnassus in Augustus' times.

## VIII

Let us go back to the Septuagint. Before the learned editions of Lucian, Origen, Theodotion there was no "pure" or "basic" text of the Alexandrian version, as imagined by modern scholars but a maze of manuscripts exhibiting mixed readings and arbitrary alterations. Jerome, who knew his business of editor, qualifies this "common" (κοινή) text as follows: "the old edition corrupted at various times and in various places at the pleasure of the scribes".<sup>129</sup> We may, perhaps, establish some main types of texts current in the Church before Origen, let us say for the Psalter, the "Lower Egyptian", the "Upper Egyptian" and

<sup>125</sup> A. Vaccari, *Bi*, 1941, p. 1. On the Greek Psalter used by Theodorus of Mopsuestia cf. Vaccari, *Bi*, 1942, pp. 1-8.

<sup>126</sup> Theod. Mops, quotes Ez. XXII, 11 and XXIII, 1 according to the standard LXX, but has a singular reading in Ez. XXIII, 2. See p. 287 ed. Devresse. He also notes (p. 301) that some Mss. omitted the second part of the Ps. LV, 3-4. On similar variations in Byzantine Mss. of Isaiah cf. Seligmann (above n. 30), p. 9.

<sup>127</sup> Hier. *Præf. in IV Evang. (PL. XXIX, 526)*. Cf. August, *de doct. christ.* II, 11, 6.

<sup>128</sup> Cf. L. Bréhier, *Revue d'histoire et de philos. relig.* XXI, 1941, pp. 34-69. A. Momigliano, *Riv. stor. ital.*, 1969, p. 290.

<sup>129</sup> Hieron. *Ep.* CVI, 2: κοινή pro locis et temporibus et pro voluntate scriptorum vetus corrupta editio est. To this "vulgate" text he opposes Origen's edition.

the “Occidental” groups.<sup>130</sup> But these types don’t go back to the same archetype manuscripts, as it is the case with the “families” in medieval transmission, where by comparison of later copies, we may draw inferences as to their lost common ancestor. For behind the complexity of Christian codices there is the plurality of Jewish rolls.

A capital distinction, however, must be drawn. The Pentateuch was published in an official translation of the Seventy. The copy of Esther, deposited in Alexandria in 78–77 B.C.E., and the autograph of Sirach’s grandson are the ultimate sources of Greek Esther and Ecclesiasticus respectively. In these cases, we may have as a goal, which we may hope, *Deo volente*, to attain in some measure, the recovery of the original translation, later disfigured by a mass of arbitrary variants. Here we deal with manuscripts which, at the last, derive from a common ancestor.

But what about private, anonymous, often incomplete, versions of other Jewish books such as Enoch or Jeremiah or Kings? Here the text, unprotected by any authority and unstable from the beginning, was freely amended, supplemented and altered by revisers. What is the “authentic” text in the case of such traditional works, which grow with time? Various answers are possible. The question, however, must be asked before a restoration of the “true” text of a Septuagint book is attempted.

## IX

This sketch of the history of Septuagint transmission, from the Seventy to Origen to Lucian, unfortunately cannot offer any constructive ideas. This paper only points out the limits of our knowledge, or, at least, of my ignorance. *Nemo ergo ex me scire quaerat quod me nescire scio, nisi forte ut nescire discat.*<sup>131</sup>

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<sup>130</sup> See Rahlfs’ edition quoted n. 120.

<sup>131</sup> August, *de civ. Dei* XII, 7.

## THE SEPTUAGINT AS A TRANSLATION\*

The argumentation of the present paper rests on two common sense premises which are often ignored by students of the Septuagint. First, the Greek Bible was copied and circulated under the same technical conditions of hand-made book production which determined the mode of transmission of Greek and Latin classics. Second, the translators of the Septuagint practised the traditional art of translation as it was understood in their time. In a previous paper I discussed the textual transmission of the Greek Bible.<sup>1</sup> Ancient manuscripts newly found in Egypt and in the desert of Judah confirmed my inferences from the first premise. The object of the present paper is to show that the second premise can explain some features of the Septuagint which baffle the modern reader. For the reason to be stated below our observations are limited to the Pentateuch.

### I

According to the tradition handed down among the Jews of Alexandria, the Torah was rendered into Greek under the patronage of Ptolemy II Philadelphus (285–246 B.C.E.). In his “Explanation of the Mosaic Writ”, addressed to King Ptolemy VI Philometor between 175 and 170 B.C.E., the Alexandrian writer Aristobulus states that the complete version of the whole Law was made “under King Philadelphus, your

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\* Abbreviations: CPJ = *Corpus Papyrorum Judaicarum*, ed. V. Tcherikover and V. Fuks I, 1957; Daumas, see n. 27; Geiger = A. Geiger, *Urschrift und Übersetzungen der Bibel*, 1857; Helbing, see n. 24; HTR = *Harvard Theological Review*; Huber, see n. 24; HUCA = *Hebrew Union College Annual*; JAOS = *Journal of American Oriental Sociology*; JBL = *Journal of Biblical Literature*; Maysers = E. Maysers, *Grammar der griechischen Papyri*, 2nd ed., 1926–38; Moore = G.F. Moore, *Judaism I–III*, 1927; Moulton see n. 24; PAAJR = *Proceedings of the American Academy for Jewish Research*; Taubenschlag = R. Taubenschlag, *The Law of Greco-Roman Egypt*, 2nd ed., 1955; Thackeray, see n. 24; ThW = *Theologisches Wörterbuch zum Neuen Testament*, ed. G. Kittel; UPZ = U. Wilcken, *Urkunden der Ptolemäerzeit I–II*, 1927–56; ZAW = *Zeitschrift für Alttestamentliche Wissenschaft*; ZNS = *Zeitschrift für Vergleichende Sprachwissenschaft*; VT = *Vetus Testamentum*.

<sup>1</sup> Above pp. 134–162. P. Katz, “The Recovery of the Original Septuagint”, *Actes du I<sup>er</sup> Congrès de la Fédération Internationale des Associations d’études classiques*, 1951, p. 165, independently stressed that the problems of textual criticism are identical for the LXX and classical texts.

ancestor, who displayed a great munificence (at this occasion) while Demetrius of Phalerum directed the undertaking".<sup>2</sup> Whether or not the version was made under guidance of Demetrius,<sup>3</sup> the name of a man famous as a law-giver of Athens and as an adviser of the first Ptolemy fitted the story perfectly.

Some fifty years after Aristobulus, a Jewish author used the memorable undertaking of Ptolemy II as the convenient setting for the narrative of a journey to Jerusalem and the glorification of the Jews and their wisdom. Professing to be Aristeas, a Greek courtier of Philadelphus, he relates that Demetrius of Phalerum, who here becomes the royal librarian<sup>4</sup> suggested the translation of the Torah. Accordingly, Ptolemy II

<sup>2</sup> The ancient data concerning Aristobulus can be conveniently found in E. Schürer, *Geschichte des jüdischen Volkes* (4th ed.) III, 1909, pp. 512–522. Cf. now Nic. Walter, *Der Thora-Ausleger Aristobulus*, 1964. Eusebius notes under Olymp, 151, 1 and the year 4th of Ptolemy Philometor, that is under the year 176 B.C.E.: Aristobulus, a Jewish peripatetic philosopher became known (ἐγνωρίζετο). He dedicated to Ptolemy Philometor "Interpretations of Mosaic Writ" (ἑξήγησεις τῆς Μουσαίου γραφῆς). Eusebius' synchronisms are not necessarily reliable, but this one agrees with Ptolemaic chronology. Until May of 176 B.C.E. Cleopatra I acted as queen-regent for her son, and her name preceded that of Ptolemy in documents. On the other hand, from 170 B.C.E. on, Ptolemy Philometor, his sister Cleopatra II and his brother Ptolemy Philometor reigned together. Cf. my note in *Chronique d'Égypte* XVII, 1952, pp. 396–403 and F. Übel, *APF* XIX, 1969, p. 75. The demotic document which mentions the queen in 173 is misread or mistaken. G. Botti, *L'archivio demotico* I, 1967, p. 9. Accordingly, a work addressed to Ptolemy Philometor alone could have been published only between 176 and 170 B.C.E. Note that in his work, as preserved quotations show, Aristobulus addressed the King, and him alone, directly (καὶ σὺ, βασιλεῦ, and so on).

<sup>3</sup> Whether Demetrius Phalereus could or could not have directed the translation of the Septuagint is a moot point. According to Hermippus, who wrote ca. 200 B.C.E., Demetrius was banished after the death of Ptolemy I and died in exile. Cf. Diog. Laert. V, 78. Accordingly some Church fathers and chronographers attributed the translation to the initiative of Ptolemy I. Cf. Iren. *Adv. haer.* III, 21, 2; Euseb., *Chron.* Olymp. 123. H. Hody, *De Bibliorum textibus originalibus*, 1705, pp. 92–7. But the authority of Hermippus is by no means firm. On the other hand, Alexandrian Jews could easily link Demetrius of Phaleron to the version of the Law since he was not only famous as a lawgiver of Athens but also as author of Ptolemaic laws. Ael. *VH.* III, 17. Chronological discrepancies did not jar upon the ear of an ancient reader. Cf. F. Wehrli, *Die Schule des Aristoteles*, IV, *Demetrius von Phaleron*, 1949; S. Dow, A.H. Travis, "Demetrius of Phaleron and his Lawgiving", *Hesperia* XII, 1943, pp. 153–65; F. Matz, *Gnomon* XXIX, 1957, p. 87, who places the Memphis monument containing a statue of Demetrius in the middle of the second century B.C.E. It is a further proof of popularity of the name of Demetrius among the contemporaries of Aristeas.

<sup>4</sup> Arist., *Epist. Ad Philocratem* 9–92 and 308–11. Note that there is no independent evidence for Demetrius' management of the royal library. The later Christian references to it are derived from *Aristeas*. Cf. F. Ritschl, *Opuscula* I, 1857, p. 124. Plut. *Apoth. Reg.*, 198d only reports that Demetrius advised Ptolemy I to acquire and read books on royal duties.

dispatched two envoys, one of them Aristeas, to Jerusalem. Agreeing to the royal demand, the High Priest Eleazar sent seventy-two "Elders", six from each tribe of Israel to Alexandria, together with a trustworthy copy of the Torah. The interpreters performed their task in seventy-two days. The Greek version was then read to, and approved by, Alexandrian Jewry and the King.<sup>5</sup>

In Philo's time, the Jews of Alexandria celebrated the anniversary of the translation by a festival on the beach of the island of Pharos, the traditional dwelling place of the interpreters. So goes the tradition and the guesses of Alexandrian Jews.<sup>6</sup> Christian authors and rabbis embellished the Alexandrian account,<sup>7</sup> but furnished no new information.<sup>8</sup>

The Jews always distinguished the Torah carefully from the other sacred books. In the Jewish tradition, the Greek Pentateuch alone was the authorized version, made on command of the King Ptolemy. For it alone Philo claimed divine guidance. But for the Christians the prophets and the hagiographa were much more important than the Law, obsolete

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<sup>5</sup> On the Letter of Aristeas cf. R. Tramontano, *La Lettera di Aristeo a Filocrate*, 1931; H.D. Meecham, *The Oldest Version of the Bible*, 1932; *idem*, *The Letter of Aristeas*, 1935; M. Hadas, *Aristeas to Philocrates*, 1951; V. Tcherikover, "The Ideology of the Letter of Aristeas", HTR LI, 1958, pp. 55–86. I have not seen: B.H. Stricker, "De Brief van Aristeas", *Verh. Nederl. Akad. Lett. N.R.* LXII, 4, 1955. On the date of the letter cf. my remarks above pp. 108–133.

<sup>6</sup> Philo, *V Mos.* 5–7, 33–38. The commemoration of the Law-giving at Sinai on the Feast of Weeks seems to have begun much later. Cf. Moore II, p. 48.

<sup>7</sup> Jos., *Ant.* XII, 2, 1–15, 11–119 copied Aristeas' Letter. The fathers of the Church again depended on the same source. Cf. Swete, *Introduction to the Old Testament in Greek*, 3rd ed., 1914, pp. 13–14. Epiphanius, *De ponder.* 3 groups the translators in pairs and supposes that each pair translated one book. Thackeray, pp. 63–70. Cf. *idem*. *The Septuagint and Jewish Worship*, 1921, pp. 130–6, and Huber, pp. 95–8, suggested that the autograph of each book of the Pentateuch was written by a pair of scribes. Then, J. Hermann and Fr. Baumgartel, *Beiträge zur Entstehungsgeschichte der Septuaginta*, 1923, and O.J. Baab, "A Theory of Two Translators from the Greek Genesis", *JBL* LII, 1933, pp. 229–43 supposed the bisection of books between two translators. But cf. above p. 144, n. 45. Hody (above n. 3), p. 217 already tried to ascertain the hand of different translators, and Z. Frankel, *Über den Einfluss der palest. Exegese auf die alexandrinische Hermeneutik*, 1851, p. 113, p. 68, pp. 229–31 followed his example. Cf. Jellicoe (below, p. 167, n. 11), pp. 273–4.

<sup>8</sup> Christian references to the work of translators are collected in *Artisteae... Epistola* ed. P. Wendland, 1900 and partly translated in H. St. John Thackeray, *The Letter of Aristeas*, 1917. The latter also gives a translation of relevant Talmudic passages. An appendix to the Hebrew commentary on Megillat Taanit mentions, among other commemorative fasts, that of the 8th of Tebet, a day which commemorated the writing of the Torah in Greek in the time of King Ptolemy. A. Neubauer, *Medieval Jewish Chronicles* II, 1895, p. 24. Unfortunately, we cannot say to which Egyptian (solar) date this day of the Jewish calendar may have corresponded. The notice probably refers to and denatures a yearly festival of the translation celebrated at Alexandria. Cf. above n. 6.



under the new dispensation. Accordingly, from the second century C.E. on, Christian writers began to ascribe the translation of the whole Bible into Greek to the original company of interpreters. This delusion was facilitated by a material factor. The Jews wrote on rolls. The Christians accepted codex form for their books. A codex can encompass several rolls. There could be an "Octateuch", for instance, that is a codex equaling eight rolls: the Pentateuch of Moses plus Joshua, Judges and Ruth. Thus, under the Christian pen the Law was not kept apart. It is interesting to note that by a significant association of thought, from the second century on, Christian writers likened the "Seventy-two" Elders of Aristeeus to the Seventy Elders who assisted Moses, and spoke of the "Seventy" translators of the Bible. Therefore, the name of the "Septuagint" (LXX) given to the Greek Bible. Jerome was virtually alone in asserting with Aristeeus, Josephus "and the whole Jewish school" that only the Pentateuch was translated by the "Seventy".<sup>9</sup>

The distinction, however, is of a capital importance. The rest of the Bible was rendered into Greek at different dates by private hands, and the same Hebrew book may have been translated or adapted more than once.<sup>10</sup> But the official version of the Law, as Jerome observes, must have been faithful to the original. The student of the Greek Bible must always distinguish between the Pentateuch, the Septuagint in the proper sense, and the other scriptural books rendered into Greek. Let us repeat that in this paper we are dealing with the Pentateuch.

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<sup>9</sup> The Christian usage is as old as Justin (*Apol.* I, 31). Even Origen (*in Ps.* 2, *PG.* XII, 1102) and Eusebius (*Pr. ev.* VIII, 1, 6) accepted the notion that the royal version included the whole Old Testament. From Ireneus (*Adv. haer.* III, 21, 2) on, the interpreters were called "Seventy". On the relation of this number to that of Moses' Elders c. Epiph., *De ponder.* 11. Augustine (*De civ. Dei* XVIII, 42) believed that the whole Bible was translated by the seventy-two interpreters, "whose version is customarily called Septuagint" (*quorum interpretatio ut Septuaginta vocetur, iam obtinuit consuetudo*). On the form of Christian books cf. C.H. Roberts, "The Codex", *Proceed. British Academy* XI, 1954, pp. 169–204; T.C. Skeat, *Cambridge History of the Bible* II, 1969, pp. 54–79. It is interesting to note, however, that in Christian art it is a scroll which Jesus hands to the apostles as his *lex*. J. Kollwitz, "Christus as Lehrer", *Römische Quartalschrift* XLIV, 1936, pp. 45–66. Jerome's disagreement with the commonly held view about the Greek version of the Bible was based on Jewish information: *et omnis schola Judaeorum quinque tantum libros Moysis a septuaginta translatores asserunt*. Hieron. in Ezech. 5, 12 (*PL.* XXV, 55). I wonder, however, whether Justin and the followers of his opinion did not repeat a suggestion made by some Diaspora Jews. Josephus, *Ant.* I, proem. 3, 12, already must insist that Ptolemy II had ordered the translation not of the whole Bible but of the Law solely.

<sup>10</sup> Thus Ecclesiasticus was translated by the grandson of the author. On the translation of Esther, cf. below p. 231.

## II

The Alexandrian tradition about the origins of the Septuagint became challenged after the Reformation for confessional reasons and, then, disproved by historical scepticism. The scholars generally, believe that the version was not made at command of Ptolemy II but produced by the Alexandrian Jews who no longer knew enough Hebrew in order to satisfy their religious needs.<sup>11</sup>

This hypothesis, however, is anachronistic. It is hardly necessary to argue that the Greek Torah was not intended for private reading. Nor could it be produced especially for public reading in the Alexandrian synagogues. The custom of public reading of the Law and within a cycle of lessons was not yet known in the third century B.C.E. A lectionary passage of a few verses pertaining to the day was read on Sabbaths and Festivals, say the section on the red heifer (Num. 19,1–10) or, for instance Leviticus 23, 23–25 on the New Year day. The continuous reading is not attested before the middle of the second century C.E., and the Mishnah still gives a list of short appointed lessons.<sup>12</sup>

It is most likely that in the Alexandrian synagogue a dragoman standing beside the reader translated the lesson into Greek. It is again probable that a written rendering into Greek existed for select passages,

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<sup>11</sup> Cf. the recent surveys of Septuagint research: G. Bertram, "Zur Septuaginta-Forschung", *Theologische Rundschau* III, 1931, pp. 283–96; V. 1933, pp. 177–85; X, 1938, pp. 69–80, pp. 133–59; I.L. Seeligmann, "Problemen en perspectieven in het moderne Septuagint-Onderzoek", *Jaarbericht van het Vorderasistisch-Egyptisch Gezelschap* I, 1939–42, pp. 359–90, pp. 763–6; H.M. Orlinsky, "Current Progress and Problems in Septuaginta Research" in *The Study of the Bible*, ed. R.H. Willoughby, 1947, pp. 144–67; B.J. Roberts, *The Old Testament. Text and Versions*, 1951, pp. 107–87; J.W. Wevers, *Theol. Rundschau* XXII, 1954, pp. 85–138, pp. 171–90 and XXXIII, 1968, pp. 18–76; P. Katz, "Septuagintal Studies in the Mid-Century" in *The Background of the New Testament*, ed. W.D. Davies, D. Daube, 1956, pp. 176–208; S. Jellicoe, *The Septuagint and Modern Study*, 1968. Cf. Seb. P. Brock *et alii*, *Classified Bibliography of the Septuagint*, 1973.

<sup>12</sup> Cf. I. Elbogen, *Der jüdische Gottesdienst*, 1913, pp. 155–65. Accordingly, there probably existed lectionaries in the vernacular for the use of interpreters and preachers. The halachic statement (Meg. 18a) on Bible copies in Egyptian, Median (that is the Partian dialect), Elamitic (that is Pehlevi), Hebrew and Greek languages may refer to such lectionaries. Cf. also the statement (Meg. 18a) on (oral) renderings of Esther in Egyptian, Elamitic and Greek. Cf. generally L. Blau, *Zur Einleitung in die heilige Schrift*, 1894, p. 70. Toward the end of the fourth century C.E. in Christian Jerusalem lessons from the Scripture were read in Greek and rendered in Syriac orally. *Semper stat qui sirisite interpretatur propter populum ut semper discat*, as a pilgrim notes. *Silviae vel potius Aetherae peregrinatio*, 47, ed. W. Heraeus. Yet, at this date, the Bible had been already translated into Syriac. On private reading of the Bible cf. S. Spiro, "Samaritans, etc." *PAAJR* XX, 1951, pp. 283–96.

say the section on the red heifer, to help the dragoman.<sup>13</sup> But under the conditions of book making in antiquity, it would be a fantastic waste of money and labor to translate, copy and recopy the whole Pentateuch in order to provide help for an occasional oral translation of isolated passages of the Torah.<sup>14</sup> Let us remember that though the Palestinian

<sup>13</sup> Noting similarities between the laws of Moses and the ideal constitution of Plato (cf. Jos., *C. Ap.* II, 31, 256; H. Wolfson, *Philo* I, 1947, p. 160), Aristobulus, in agreement with the Greek standard of historical criticism, concluded that Plato had borrowed from Moses. To explain this borrowing he says: διημήνευται γὰρ [πρὸ Δημητρίου τοῦ Φαληρέως] δι' ἐτέρων πρὸ τῆς Ἀλεξάνδρου <Ελλήνων> καὶ Περσῶν ἐπικρατήσεως τὰ τε κατὰ τὴν ἐξαγωγήν τὴν ἐξ Αἰγύπτου τῶν Ἑβραίων... καὶ ἡ τῶν γεγονότων ἀπάντων αὐτοῖς ἐπιφάνεια καὶ κράτησις τῆς χώρας καὶ τῆς ὅλης νομοθεσίας ἐπεξήγησις. The chronological reference to Demetrius of Phaleron is here a scribal interpolation as Valckemaer has already seen. On the other hand, καὶ before the mention of the Persians shows that the name of some other people has been lost here in the transmission of Aristobulus' work. I insert: "Hellenes". Aristobulus says that even "before Alexander's conquest of Greeks and Persians" parts of the Law were translated, namely the Departure from Egypt, the miraculous presence of God (ἐπιφάνεια) which followed the Exodus (he probably thinks of the revelation on Sinai), "the conquest of the land", that is probably of the country east of the Jordan, and "the additional explanation of the whole Law". Thus, according to Aristobulus, Exodus, parts of Numbers, and Deuteronomy were translated before the Septuagint. It is remarkable that he does not include Genesis. Aristobulus, ap. Euseb., *Pr. ev.* XIII, 12 = *ib.* IX, 6, 9 = Clem., *Strom.* I, 15. But the similarity between Moses and Plato is superficial, and therefore Aristobulus' hypothesis of a pre-Septuagint is superfluous. Cf. Walter (above p. 164, n. 2), pp. 83–103.

<sup>14</sup> Some scholars suppose that the Septuagint originated from oral translations of lectionary passages. Cf. P. Kahle, *The Cairo Geniza*, 1959, p. 214, and the criticism of this theory in P. Katz's paper quoted above n. 1. Cf. also Jellicoe (above p. 167, n. 11), pp. 61–3. Here we only note that the alleged references to such a "Greek Targum" in Greek sources are just mistranslations. On Aristobulus see above n. 13; on Aristeas, 30 see below n. 62. In Aristeas 313–4 having heard the reading of the Greek Pentateuch, Ptolemy II wonders why no Greek author had alluded to such great deeds. Demetrius answers by pointing to the awesomeness of the divine Law. The historian Theopompus was punished from heaven, μέλλων τινὰ τῶν προερμηνεύμενων ἐπισφαλέστερον ἐκ τοῦ νόμου προσιστορεῖν. Here the expression τὰ προερμηνεύμενων means "previously expounded" and refers to the reading of the Law to the King. Theopompus intended to speak of Moses and his deeds, say in the third book of his "Philippica", where the historian discussed the Pharaoh Sesostri. For this purpose, Theopompus did not need to have read a Greek version of the Torah. He spoke of Sesostri and Zoroaster without having a Greek translation of Egyptian annals and a Greek version of the Avesta before him. As Demetrius says elsewhere (Aristeas 31), the historians and poets did not mention "the aforesaid books" of the Jews and men who had lived according to these books since "there is some sacred and awesome insight in them as Hecataeus of Abdera said". This is the reason why Theopompus acted "risky" in daring to speak of Moses. Ἐπισφαλέστερον means *intutum* as Latin Glossaries rendered the word. Cf., for instance, Philodemus, *De musica* IV, 7 who condemns an opinion, λίαν ἐπισφαλές πείθουμαι καὶ ὑποπτον τὸ δίδαγμα. For Aristeas the sacred history is a mystery which should not be disclosed to "the profane men" (Arist. 213) before the appointed time, and qualified instruments of revelation. Cf. J. Leipoldt, S. Morenz, *Heilige Schriften*,

Jews, according to rabbinic tradition, had practiced the oral rendering of the Torah lessons into Aramaic since the time of Ezra, the oral targum of the Law was not reduced to writing before the Roman period.<sup>15</sup>

On reflection, the traditional account is confirmed by the intrinsic probabilities of the case. Ancient governments sometimes undertook extensive translation works. A company of Egyptian scholars went to Persia, on orders of Darius I, to produce an Egyptian law-code and its Aramaic translation. In 146 B.C.E. the Roman Senate commanded a Latin version of the Punic agronomical work of Magon in twenty-eight books. Again, the Egyptian code was quoted in Greek before Ptolemaic courts and officials. It is probable that the said Code was rendered into Greek by the Ptolemaic government.<sup>16</sup>

On the other hand, Ptolemy II was interested in books as he was in exotic animals. By hook or by crook he gathered manuscripts. A multitude of volumes purporting to report the doctrines of Zoroaster was assembled in the Alexandrian library.<sup>17</sup> Ptolemy II had every reason to add Moses' work to his collection. The Torah was the sole written

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1953, p. 100. Further cf. E.R. Goodenough, *By Light* 1935, p. 260 f.

<sup>15</sup> It is said that fragments of Aramaic Leviticus, 16, have been found at Qumran, M. McNamara, *Targum and Testament*, 1972, p. 67. A large portion of a straightforward Aramaic version of Job has also been discovered at Qumran and published by J. van der Ploeg, *Le Targum de Job*, 1971. As a matter of fact, nobody was forbidden to render any Hebrew book into Aramaic though some purists in the first century still frowned upon such profanation (see the story about Gamaliel and the Targum of Job in b. *Sanh.* 115 a). Men of Qumran read an Aramaic paraphrase of the biblical story of Abraham, the so-called Genesis Apocryphon. Yet, at Qumran the Torah continued to be read, copied and studied in Hebrew.

<sup>16</sup> A. T. Olmstead, *History of the Persian Empire*, 1948, p. 222; V. V. Struve, *Palestinski Sbornik* I, 1954, p. 8; E. Seidl, *Einführung in die ägyptische Rechtsgeschichte*, 2nd ed., 1951, pp. 20–22; E. Bresciani, “La Satrapia d’Egitto”, *Studi classici e orientali* VII, 1958, p. 15. On Greek translation of the Egyptian code cf. *UPZ* II, 162 col. 4, 13. Taubenschlag, 3; V. Arangio-Ruiz, “La codification dans l’Égypte ancienne”, *Journal of Juristic Papyrology* XI–XII, 1958, pp. 25–46. On the translation of Mago’s work cf. M. Schanz, *Geschichte der römischen Literatur* I, 4th ed., 1927, p. 247.

<sup>17</sup> On Ptolemy II and his intellectual curiosity cf. W.W. Tarn, “Ptolemy II”, *Journ. of Egypt. Archaeol.* XIV, 1928, pp. 246–60. Syncellus, p. 271 D, (p. 516, ed. G. Dindorf) following some authority of the Roman period says that Ptolemy II left 100,000 rolls in his library “having collected all Greek, Chaldean, Egyptian and Roman books and having translated the foreign ones into Greek”. It is difficult to say whether any Latin book already existed in Philadelphus’ time. For us, at least, Latin literature began with a play of Livius Andronicus produced in 240 B.C.E. Note that another Byzantine scholar, on the model of Ptolemy’s translators, imagined a committee of seventy-two charged with editing Homer by the Athenian ruler Pisistratus, ca. 550 B.C.E. Cf. P. Mazon, *Introduction à l’Iliade*, 1948, p. 271.

source of the law of his subjects in Judaea and the sole authority on their history.<sup>18</sup>

About the same time, when the “Seventy” pursued their task, a Babylonian priest composed a history of his country in Greek and a “high-priest and scribe of the sacred shrines of Egypt” compiled that of the Pharaohs. Like the “Seventy”, Manetho worked for Ptolemy II while the Babylonian Berossus dedicated his compilation to Antiochus I of Syria, contemporary and rival of Philadelphus. Thus, between roughly 280 and 260 B.C.E., under royal auspices, representatives of Oriental peoples endeavored to provide the Greek public with authentic information in order to supersede the current Greek fables about the Orient.<sup>19</sup> Three volumes of Berossus and five books of Manetho corresponded to five scrolls of the Greek Torah, the Pentateuch.<sup>20</sup> Berossus and Manetho, summarizing countless records, gave surveys taken from the sacred writings. The Jews had no other records on their origins than the Torah, in which, as Philo noted, the eternal commandments are embedded in a historical narrative. Since the Return from the Exile, Jewish life was built directly on the foundations laid by Moses. A version of the Torah, and it alone, now provided the authoritative image of the living Jewish past.

<sup>18</sup> Cf. the translation of the Torah and the Psalms, of the Gospels and of the Koran into Persian ordered by Nadir Shah in 1740, and similar undertakings of Abbas I of Persia in 1618, and of Akbar of India (1542–1605). W.J. Fischel, “The Bible in Persian Translation”, *HTR* XLV, 1952, p. 28 and p. 32. I note also that the first printing of the Koran, in 1787, was made by the Russian government.

<sup>19</sup> The remains of Berossus’ and Manetho’s works are now collected in F. Jacoby, *Die Fragmente der griechischen Historiker*, III C, 1958, nos. 680 and 609. Further cf. P. Schnabel, *Berossos und die Babylonisch-Hellenistische Literatur*, 1923, and Manetho ed. W.G. Waddel, 1940, in Loeb. Class. Library. Cf. further C.F. Lehmann-Haupt, s.v. Berossos in the *Reallexicon für Assyriologie* I, 1932, pp. 1–17; F.X. Kugler, *Sternkunde und Sterndienst in Babel* II, 2, 1924, p. 603–30. On Manetho cf. Ed. Meyer, *Ägyptische Chronologie*, *Abhandl. Preuss. Akad.*, 1904, pp. 68–80; V.V. Struve, “Manetho and his Time” (in Russian), *Записки Коллегии Востокведов* II, 1927, pp. 109–84; W. Helck, *Untersuchungen zu Manetho*, 1956. It is noteworthy that E. Havet, *Mémoire sur la date des écrits qui portent le nom de Bérosee et de Manéthon*, 1874, contested the authenticity of all three works: the Septuagint, Berossus and Manetho.

<sup>20</sup> The name “Pentateuch” for the Greek Torah is not attested before the second century C.E. (Ptolemaeus’ Letter to Flora *apud* Epiphanius, *Haer.* 33, 4), but Philo already attests the now usual titles of the five books of Moses. Cf. Swete, p. 215; L. Blau, “Studien zum althebräischen Buchwesen”, *Jahresbericht der Landes-Rabbinerschule in Budapest* 25, 1902, p. 48. Cf. E. Nachmansohn, “Der griechische Buchtitel”, *Acta Univ. Gotburgensis* XLVII, 1941, p. 29; R.P. Oliver, “The First Medicean Ms. of Tacitus”, *TAPhA* LXXXII, 1951, pp. 323–61. On the titles of Biblical books cf. Swete, pp. 215–5; J.P. Audet, “A Hebrew-Aramaic List of Books of the Old Testament”, *Journal of Theol. Stud.* N.S. I, 1950, pp. 135–54.

## III

We expect to read an official version in smooth and pleasant Greek. But the ancient critics already noted its “Hebraic character” quoting such instances as the use of υἱός (“son”) for ἄνθρωπος (“man”), σὰρξ (“flesh”) for φύσις, the redundant particles, wrong tenses and so on.<sup>21</sup> Christian apologists had a hard time in vindicating this Greek spoken by the Holy Ghost against gentile ridicule.<sup>22</sup> Accordingly, modern scholars used, and some of them still continue, to qualify the Greek of the Septuagint as a kind of Jewish Greek of the synagogue and the ghetto.<sup>23</sup> Fresh linguistic evidence brought up by discoveries of Hellenistic documents of the same age as the Septuagint has shown, however, that although offending the literary standard, the Greek Pentateuch basically agrees with the common speech of the contemporary Greeks. In orthography and accident, the patchy vocabulary and relaxation of syntax, the Pentateuch is vernacular.<sup>24</sup> Two instances picked up among hundreds

<sup>21</sup> Cf. generally the excellent work of Adrianus, written about the middle of the fifth century C.E., P.G. XCVII, 1273–1382. New edition with a German translation: Adrian’s *Eisagoge*, ed. F. Goessling, 1887. The commentary on Psalms of Theodore of Mopsuestia (died 428 C.E.) is a mine of lexical observations. Cf. R. Devresse, *Le commentaire de Théodore de Mopsuëste sur les Psaumes*, 1939; idem, *Essai sur Théodore de Mopsuëste*, 1948, pp. 59–91. Further materials are to be found in Byzantine scholias on the Greek Bible. Cf. now, R. Devresse, *Dict. de la Bible, Suppl. I*, p. 1082–1233; idem, *Introduction à l’étude des manuscrits grecs*, 1954, p. 176–9.

<sup>22</sup> Greek opinions on Biblical Greek are summarized in Ed. Norden, *Die Antike Kunstproza II*, 1898, pp. 517–9. Cf. A. v. Harnack, *The Bible Reading*, 1912, p. 70. Note that it was on account of the contents and not of the style that Christian readers liked Esther, Judith and Tobit, but shunned Leviticus and Numbers. Orig., *Homil.* 37, 1 in *Num.*, p. 258, ed. W.A. Baehrens.

<sup>23</sup> On the conception of “Jewish Greek”, for instance, cf. R. Simon, *Histoire Critique du Vieux Testament*, 1678, Livre II ch. 8. On the history of this view cf. Jan Ros, *Bijbelgrieksch van Hugo Grotius tot Adolf Deissmann*, 1940, (*non vidi*). On the history of the controversy about the language of the Septuagint cf. J. Vergote, s.v. Grec biblique in *Dict. de la Bible, Suppl. III*, pp. 1320–68. F. Buechsel, “Die griechische Sprache der Juden in der Zeit der Septuaginta”, *ZAW LX*, 1944, pp. 132–48. Yet, H.S. Gehman, “The Hebraic Character of the Septuagint Greek”, *VT I*, 1951, p. 90 writes: “If the LXX made sense to Hellenistic Jews, we may infer that there was a Jewish Greek which was understood apart from the Hebrew language”.

<sup>24</sup> The extant “Septuagint” grammars are philological monstrosities where examples are quoted indifferently from the translated books and books written in Greek. There are two excellent works dealing with grammatical particularities of the Greek Pentateuch: H.G.J. Thiersch, *De Pentateuchi versione Alexandrina*, 1841, pp. 65–118, and K. Huber, *Utersuchungen über den Sprachcharakter des griechischen Leviticus*, 1916. On the language of the Greek Bible generally cf. Z. Frankel, *Vorstudien zu der Septuaginta*, 1841, pp. 90–163, the Russian work of J. Korsunski, *The Version of the Seventy*, 1898; H. St. J. Thackeray, *A Grammar of the Old Testament in Greek*, 1909; F.M. Abel, *Grammaire du Grec biblique*, 1927.

of proofs at hand, may illustrate the linguistic situation. The adverb ἐνώπιον (“before the face”) is practically unknown in pre-Hellenistic Greek. Its use in the Septuagint as a preposition governing the genitive at first appears as an infelicitous imitation of the Hebrew *lîpnei* (“in face of”). In fact, the substitution of ἐνώπιον for the preposition πρό already occurs in papyri contemporary with the “Seventy”. The construction πεποιθέναι ἐπί τινι (“trust in”) at first sight appears to be an evident Hebraism. In fact, it was used in Greek at the time of the “Seventy” in the same “Biblical” sense conveying the idea of confidence.<sup>25</sup>

The “Seventy” knew well the rules of Greek syntax. Constructions which have no place in Hebrew, such as the absolute genitive, frequently occur in the Greek Pentateuch. The translators exactly distinguished between the tenses of the indicative in if-clauses, used the subjunctive to represent the Hebrew imperfect in the conditional sentences and alternated the tenses of the subjunctive in order to express different shades of Hebrew meaning. Nevertheless, the language of the Greek Torah is foreign and clumsy.

#### IV

The art of translation was a Roman achievement. Before the development of Roman literature the contents of a foreign work could be adapted for the readers of another language just as a fairy tale passes linguistic frontiers.<sup>26</sup> On the other hand, documents, from an

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For the syntax cf. J. Viteau, *Étude sur le Grec du Nouveau Testament comparé avec celui des Septante. Sujet, complément et attribut*, 1896; James Sternberg, *The Use of Conditional Sentences in the Alexandrian Version of the Pentateuch*, Diss. Munich, 1908; R. Helbing, *Die Kasusyntax der Verba bei den Septuaginta*, 1928; J.H. Moulton, *A Grammar of the New Testament Greek I-II*, 1909–35; A. Wilfstrand, *Die Stellung des enklitischen Personalpronomen bei den Septuagint*, 1950; D. Tabachowitz, *Die Septuagint und das Neue Testament*, 1956, (*non vidi*).

<sup>25</sup> Mayser II, 2, p. 530 and p. 257. Cf. R. Helbing, p. 197. Cf. PSI VI, p. 646; ἐπὶ σοὶ πεποιθώς.

<sup>26</sup> I am unaware of any work dealing with the problem of translation of literary works in classical Orient and by the Greeks. There were, for instance, adaptations of the Gilgamesh poem in different languages. On the other hand, the tablet XII of the same poem in an Old Babylonian recension seems to be translated exactly from the Sumerian. Cf. E.A. Speiser in *Ancient Near Eastern Texts*, ed. J. Pritchard, 1950, p. 73. On translations from Egyptian into demotic, cf. S. Schott, “Die Deutung der Geheimnisse”, *Abhandl. Mainzer Akad.*, 1954, no. 5, pp. 37–53. Again, we lack a study of the passage of Oriental materials into Greek literature while “Orientalizing” elements of Greek art have been often examined. For the earliest period of Greek literature cf. P. Walcot, *Hesiod and the Near East*, 1968. On Greek and Oriental medicine cf. J. Capart,

international treaty to a business agreement, were translated by professional dragomans who generally clung to the letter.<sup>27</sup> They learned and exercised their craft by ear and had neither the ambition nor skill required for an artistic version. At the time of the "Seventy" not only was Hebrew or, say Egyptian, grammar still unknown, but Greek grammatical knowledge, too, was in its infancy.<sup>28</sup>

The dragoman worked and continued to work into the modern times with the help of rude and elementary vocabularies which juxtaposed in parallel columns foreign words and its two or three equivalents. For

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"Hippocrate et la médecine égyptienne", *Bull. Acad. Belge*, 1939, pp. 170–74; J. Fillozat, *La doctrine de la médecine indienne*, 1949; R.O. Steuer, J.B. de C.M. Saunders, *Ancient Egyptian and Knidian Medicine*, 1958, (*non vidi*). On mathematics cf. O. Neugebauer, *The Exact Sciences in Antiquity*, 2nd ed., 1957. For Egyptian works cf. S. Morenz, in *Handbuch der Orientalistik*, ed. B. Spuler I, 2, 1952, pp. 299–2. On translation of Oriental religious books into Greek cf. Leipoldt, Morenz (above n. 14), p. 66–78. cf. M.L. West, "Near Eastern Material in Hellenistic and Roman Literature", *Harvard Studies in Class. Philol.* 73, 1969, pp. 113–114.

<sup>27</sup> There is no comprehensive work on the technique of ancient interpreters. G. Gehman, *The Interpreters Among the Ancients*, Diss. Univ. of Pennsylvania, 1914, collects some external data. Yet, our word dragoman goes back to the Babylonian term *turgman*. Cf. B. Meissner, *Babylonien und Assyrien* I, 1925, p. 132. The evidence concerning interpreters in Rome in W.I. Snellmann, *De interpretibus Romanorum* I–II, 1919, and 1914. For ancient Egypt cf. E. Otto, *Zeitschr. für ägypt. Sprache*, 1956, p. 42. For Graeco-Roman Egypt cf. R. Taubenschlag, "The Interpreters in the Papyri", *Charisteria Th. Sinko*, 1951, pp. 361–3; R. Calderini, "De interpretibus", *Aegyptus* XXXIII, 1953, pp. 341–6. On translations of Egyptian documents into Greek cf. below nn. 31 and 59. On translations from Greek into Egyptian cf. G. Plaumann, "Die demotischen Eponymdatierungen", *Zeitschr. für Ägypt. Sprache* LIX, 1912, p. 20; H. Sottas, *Papyrus demotiques de Lille*, 1921, p. 16; Spiegelberg, *Die demotischen Urkunden des Zenon Archivs*, 1929, p. 10. On Egyptian translations of synodal decrees now see Fr. Daumas, *Les moyens d'expression du grec et de l'égyptien comparés dans les décrets de Canope et de Memphis*, 1952. On translations from Punic cf. *TAPhA* LXXV, 1944, pp. 87–102. Further cf. J. Février, "Les découvertes épigraphiques puniques", *Studi orientali in onore G. Levi della Vida* I, 1956, pp. 274–86. On Roman official translations from Greek cf. P. Viereck, *Sermo graecus*, Diss. Göttingen, 1888; A. P. Meuwese, *De rerum gestarum Divi Augusti versione graeca*, Diss. Amsterdam, 1920; J. Stroux, L. Wenger, "Die Augustus Inschrift... von Kyrene", *Abhandl. Bayer. Akad.* XXXIV, 2, 1928, pp. 18–43; Taubenschlag, p. 29, n. 94; F. Zilkens, *De inscript. latin. graec. bilinguis*, Diss. Bonn. 1909; R.K. Sherck, *Roman Documents from the Greek East*, 1969.

<sup>28</sup> On the development of Greek grammatical science cf. G. Murray, *Greek Studies*, 1946, pp. 172–86; M. Pohlenz, "Die Begründung der abendlandischen Sprachlehre durch die Stoa", *Nachrichten der Götting. Gelehrt. Gesellschaft*, 1938–9, pp. 151–98; idem, *Die Stoa* I, 1948, p. 40–48; II, pp. 23–8; K. Barwick, "Problemen der stoischen Sprachlehre", *Abhandl. Sächs. Akad.* XLIX, 3, 1957. On the beginnings of Egyptian grammatical studies in the Graeco-Roman period cf. W. Erichsen, "Eine ägyptische Schulübung", *Danske Vidensk. Selskab, Hkst-Fil., Meddel.* 31, 4, 1948. As to Hebrew grammar, four centuries after the "Seventy", Aquila had no idea of Hebrew roots. Cf. J. Reider, *Prolegomena to... Aquila*, 1916, pp. 38–39.



instance, a Latin-Greek vocabulary, preserved on papyrus, taught the user as follow:<sup>29</sup>

*Viator*: ἀρχυπηρέτης καὶ ὁδοίπορος

*Valetudo*: ὑγεία καὶ νόσος

*Valeo*: ὑγιαίνω, ἔρωμαι, ἰσχύω

To avoid mistakes, the professional translator kept to such equivalents. As late as in the fourth century C.E., in Greek versions of Vergil made for students eager to learn the imperial language and the imperial poem, the Latin proposition *ad* is invariably rendered by *pros*, and *laetus* is always *hilaros*.

Cicero, indeed, needed four Latin synonyms to express the nuances of the term ἀρχή in a single passage of Plato, and Jerome employed several vocables (*aeternus*, *saeculum*, etc.) to render the various meanings of the Hebrew root *ʿōlām*.<sup>30</sup> But such masters of language were not to be found among the scribes who translated the invitations to bid for Ptolemaic taxfarming from Greek into Egyptian or demotic deeds into Greek. These interpreters, contemporary with the “Seventy”, were happy to be able to translate the foreign text “as well as possible”, as they sometimes state.<sup>31</sup> To understand the task and the achievement of the “Seventy”, it is necessary to visualize them beside the professional dragomans, the sole men who at that time exercised the craft of translation.

<sup>29</sup> P. Collart, “Glossaire latin-grec”, *Mélanges A. Ernout*, 1940, pp. 61–74. Cf. H. Moore, “Latin Exercises”, *Class. Phil.* XIX, 1924, pp. 317–28; W. Gerstringer, “Ein neues Lateinisches papyrus”, *Wiener Studien* LV, 1937, pp. 96–106; R. Rémondon, “A propos d’un papyrus de l’Énéide”, *Journ. of Jurist. Papyrology* IV, 1950, pp. 239–51. On Vergil in Greek cf. particularly W. Riechmann, *Römische Literatur in griechischer Übersetzung*, 1943, pp. 45–50 and C.H. Roberts, *Journ. of Roman Studies* XLI, 1951, p. 201.

<sup>30</sup> G. Cuedenet, “Cicéron et St. Jérôme traducteurs”, *Revue des études latines* XI, 1933, p. 394; R. Loewe, “Jerome’s rendering of Olam”, *HUCA* XXII, 1949, pp. 265–306. Cf. H. Orlinsky, “The Hebrew Root Skb”, *JBL* LXIII, 1944, p. 31.

<sup>31</sup> Cf. e.g., bilingual business documents from Zenon’s archives which are contemporary with the “Seventy”: W. Spiegelberg, *Die demotischen Urkunden des Zenon Archivs*, 1929, nos. 3 and 23. On the cautionary formula in translations of demotic documents cf. Maysner II, 3, p. 197. Further cf. *UPZ* 175 a: ἀντίγραφον συγγραφὴν Αἰγυπτίαν μεθηρημενευμένην κατὰ δόναμιν. For instance, the Egyptian legal formula: “my heart is satisfied” is rendered in Greek as ἠυδόκησάς με. These translations were made for Greek courts. *UPZ* I, p. 602. Cf. below n. 59. On the rendering of Egyptian proper names in Greek cf. *UPZ* I, p. 85 and p. 649; V. Martin, “Onomastique”, *Mitteilungen aus den Papyrussammlungen der Österreich. Nationalbibliothek* N.S. V, 1956, p. 86.

## V

The “Seventy” could have had few predecessors in translating from Hebrew into Greek, but they could not fail to use the experience and the clichés of Aramaic dragomen who for centuries before had mediated between East and West.

Generally, the dragoman rendered the original clause for clause, word for word. Accordingly, he often reproduced the sequence of the original. For instance, in a Phoenician inscription translated from Greek, and translated fairly well, the subject of a sentence suddenly follows the infinitive in agreement with Greek. The “Seventy” often followed the Hebrew word order: verb, subject, object, which is perfectly possible in certain Greek phrases. But the perpetual recurrence of this sequence is alone sufficient to make the Greek Pentateuch into an un-Greek book.<sup>32</sup>

The translator, as we have seen, had to use rudimentary equivalents of the words he met in the text to be translated. When an Egyptian scribe, contemporary with the “Seventy”, had to render the Ptolemaic title Σωτήρ into his own tongue, he used two stock equivalents quite indifferently, or just transliterated the Greek term. Again, to render the Latin temporal formula *ante diem*, Roman scribes were happy to find a Greek dialectical construction: πρὸ ἡμερῶν. For centuries the Roman chancellery used this unidiomatic Greek expression.<sup>33</sup> The “Seventy” of necessity worked in the same manner. For the preposition *lipnei*, “in sight of”, the translators of Genesis had three equivalents which they used at random: ἔμπροσθεν, ἐναντίον and ἐνώπιον. The translators of the rest of the Torah happened not to have the first of the three Greek adverbs in their mementos. Hence, except in Num. 14, 43 they never used it, although as papyri show, they must have known it. Having decided or found in his vocabulary that the Hebrew term *mishpat* corresponded to the Greek word κρίσις, the translator of Deuteronomy used this

<sup>32</sup> Cf. J. Friedrich, “Griechisches und Römisches in phönizischem und punischem Gewande”, in *Festschrift für O. Eissfeldt*, 1947, p. 112. For the Septuagint cf. J.M. Rife, “The Mechanics of Translation Greek”, *JBL* LII, 1933, pp. 244–52.

<sup>33</sup> On *ante diem* cf. W. Schulze, *Graeca Latina*, 1901, pp. 14–20; Meuwese (above n. 27), p. 48; Mayser II, p. 391. On “soter” in Egyptian cf. W. Spiegelberg, *Das Verhältnis der griech. und ägypt. Texte in den zweisprachigen Dekreten*, 1922, p. 15. It is rather amusing to learn that the Egyptian scribes had difficulty rendering the Greek term for hieroglyphs (ἱερά γράμματα) into Egyptian. Cf. Daumas, p. 187.

standard rendering without regard to the context.<sup>34</sup> The result was that in some passages (for instance, Deut. 18, 3) the version is unintelligible. A third example: the Hebrew preposition *min* corresponds to the Greek prepositions ἀπό and ἐξ; but it also serves to express the comparative. A similar Greek construction existed: παρά governing the accusative. But the “Seventy” used this locution exceptionally, with the word πῶς. Generally, they mechanically put ἀπό and ἐξ (with the genitive) as soon as they met *min*, whether the Hebrew word means “from” or is used as a comparative.<sup>35</sup>

For want of Greek equivalents, the “Seventy” also picked up any Greek locution which seemed to be handy for their version. For instance, the so called absolute infinitive of Hebrew cannot be reproduced in Greek or in English either. The next Greek thing to this Hebrew idiom would be the cognate accusative, but the “Seventy” needed this construction to represent the Hebrew cognate accusative. Therefore, they usually rendered the absolute infinitive by a finite verb with cognate dative (θανάτῳ θανατούσθω) or, less often, by a finite verb plus its participle (εὐλογῶν εὐλογήσω). Both constructions may be easily paralleled from Greek, but in Greek the emphasis would be on the complement, the dative or the participle, where in Hebrew the stress is laid on the idea expressed by the finite verb: “shall be surely put to death”. For the same reason, such Greek constructions are peculiar, and their indiscriminate usage by the “Seventy” could only offend a Greek ear. An ancient commentator understood the formula εὐλογῶν εὐλογήσω in the Greek Bible as a rhetorical figure of intensity.<sup>36</sup>

<sup>34</sup> M. Johanesson, *Der Gebrauch der Präpositionen*, 1925, p. 185 and p. 189. S.H. Blank, “The Septuagint Renderings of Old Testament Terms for Law”, *HUCA* VII, 1930, pp. 259–83.

<sup>35</sup> M. Ricardo, *De praepositione παρά*, Diss. Amsterdam, 1917. Cf. Johanesson, *ibid.*, p. 17 and p. 44; Mayser II, 2, p. 140. Theod. Mops., *Ad Ps.* 45:3, p. 302. Devreesse (above n. 21) notes that ἐν is used for οὐν. The infinitive of design, depending on a finite verb, is preceded in Hebrew by the preposition *l*. There were several parallel constructions in Hellenistic Greek, namely the infinitive with τοῦ, εἰς τὸ, ὥστε. The “Seventy”, however, used these good Greek locutions twenty-four times only against seventy-seven instances of pure infinitive. Probably they followed the general rule not to express the *lamed* which, like the English “of” in other constructions is only the sign of the case. Cf. F.H. Allen, *The Use of the Infinitive in Polybius*, thesis, Chicago, 1907.

<sup>36</sup> Adrianus, p. 118 Goessl. (*PG.* LXXXIX, 1301) quoting Gen. 22, 17 calls the construction: ἐπίτασις. Cf. generally Thiersch (above n. 3), p. 165–71; Thackeray, pp. 46–50; Moulton II, p. 444. For Greek parallels cf. H. Kühner, *Ausführliche Grammatik der griechischen Sprache* II, 2, 3rd ed., 1904, p. 99 and p. 308. On the other hand cf. Daumas, p. 54 on various translations of the Greek infinitive into Egyptian.

Having secured the precious equivalents for a Hebrew vocable or idiom, the “Seventy” depended on these crutches.<sup>37</sup> But a Greek could understand the words that Israel “saw the great hand that the Lord did to the Egyptians” (LXX Ex. 14, 31) in any sense except as a reference to the miracles of the Exodus. Again the “Seventy” did their job as well or as badly as other interpreters. The expression αἱ θανατηφόροι δίκαι in the official Greek version of a Roman document surely remained as obscure to ancient readers as it is puzzling to modern scholars.<sup>38</sup>

Later, when the art of artistic rendering of Greek literary masterpieces was created in Rome, Latin translators often coined new words for the adequate rendering of Greek terms.<sup>39</sup> *Nova novis rebus verba*. Following the illustrious example of Cicero, even the modest authors of the Old Latin versions of Scripture dared to fabricate new words. For instance, they spurned the current philosophical terms such as *aeternus* and *immortalis* as a rendering of the theological vocable ἄφθαρτος but invented the neologism *incorruptibilis*.<sup>40</sup> Accordingly, Origen and Jerome sometimes assumed that many terms in the Septuagint had

<sup>37</sup> On the “over-use” of a tolerable locution by the “Seventy” cf. Thackeray, p. 29; Moulton, Index s.v. Over-use.

<sup>38</sup> Cf. Stroux-Wenger (above n. 27), pp. 87–90; F. de Visscher, *Les édits d’Auguste découverts à Cyrène*, 1940, pp. 63–5. Aristobulus explaining the Biblical anthropomorphisms says that “hand” may mean “army”. Euseb., *Pr. ev.* VIII, p. 10.

<sup>39</sup> On literary translations from Greek into Latin cf., for instance, Cicero, *De opt. gen. orat.* 5, 14; De fin. 3, 4, 5; Horatius, *Ars Poet.* 133–5, and the numerous passages of Jerome collected in G. Hoberg, *De S. Hieronymi ratione interpretandi*, Diss. Bonn, 1886. On the role of translation in Roman education cf. H. Marrou, *Historie d’éducation dans l’antiquité*, 1948, pp. 345–58. There is as yet no major work devoted to this Roman cultural achievement: the art of translation. Cf. B. Farrington, *Primum Graius homo. An anthology of Latin Translations from Greek*, 1927. Cf. generally F. Leo, *Geschichte der römischen Literatur*, 1913, p. 62 and p. 75. Ed. Norden, “Dreieck”, *Neue Jahrbücher für class. Altertumswissenschaft* I, 1925, pp. 35–46; S. Müller, *Das Verhältnis von Apuleius’ de mundo zu seiner Vorlage*, 1939; P. Courcelle, *Les lettres grecques en Occident*, 1943, pp. 42–9; A.D. Nock, A.J. Festugière, *Hermes Trismégiste* I, 1945, pp. 278–83. On Cicero’s translations now see R. Poncelet, *Ciceron traducteur de Platon*, 1953, who gives a bibliography. On Christian translations cf. G. Bardy, *La question des langues dans l’église ancienne*, 1947, pp. 231–89; S. Lundström, *Übersetzungstechnische Untersuchungen auf dem Gebiete der christlichen lateinischen Literatur*, 1953. On Christian translations from Oriental languages cf. P. Peeters, *Le tréfonds oriental de l’hagiographie byzantine*, 1950. Jacobsen, *Translation a Traditional Craft*, *Classica et Medievalia. Dissertationes* VI, 1958, pp. 39–56 offers a compilation of data. Cf. Schwarz, below n. 65.

<sup>40</sup> W. Matzkow, *De vocabulis quibusdam Italiae et Vulgatae obvis*, Diss. Berlin, 1932, p. 42.

been invented by the “Seventy”.<sup>41</sup> This view was anachronistic.<sup>42</sup> The neologisms in the Greek Pentateuch are very few.<sup>43</sup> The dragoman rarely coins new words. In distinction from Latin, it would be difficult in Greek with its long literary tradition going back to Homer, and the “Seventy” were not sure of their Greek. Following the pattern set by professional interpreters, the “Seventy” rather forced the meaning of common Greek vocables. For instance, like the translator of Hannibal’s oath into Greek, the “Seventy” used the verb ποῖειν emphatically in the un-Greek meaning “do good” or “do ill” according to the sense of the Hebrew verb *ʿasah*.<sup>44</sup>

<sup>41</sup> Hieron., *Ad Gal.* 1, 12 (P.L. XXVI, 347): *Verbum quoque ipsum ἀποκάλυψις... a nullo sapientium saeculi apud Graecos usurpatum*. He adds that, like Cicero, the sacred authors coined new words for new ideas, *nova novis rebus verba fingentes*. But Jerome was mistaken with reference to the term “apocalypse” which was used in profane Greek in the same meaning of revealing hidden things. Beside dictionaries, for instance, cf. Ach. Tat., *Leuciph.* VI, 16, 4; ἀποκαλύψασα τοῦ δράματος τὴν ὑπόκρισιν. Orig. in *Jer. Hom.* XVIII, 6 (Origenes Werke III, p. 158, ed. Baehrens) says that the “Seventy”, having found no right word in Greek, fashioned the vocable τροποφορεῖν in Deut. 1, 31 but he is in error. The word was already used by Cicero. Incidentally, the reading τροποφορεῖν is to be preferred. The “Biblical” meaning of ἐλεημοσύνη now attested in a papyrus contemporary with the “Seventy” (P. Cairo Zen. IV, 59495) written on behalf of an Egyptian prisoner: ἐλέησον ἡμᾶς... οὐ γὰρ ἔχομεν οἴθενα κύριον ἀλλὰ σέ. Πρὸς σέ οὖν καταφυγάνο μεν ἵνα ἐλεημοσύνης τύχωμεν.

<sup>42</sup> The vocabulary of the Greek Pentateuch has never been studied thoroughly with regard to the contemporary usage. Cf. generally A. Deissmann, *Light from the Ancient East*, 1927, pp. 74–119. It is noteworthy, for instance, that the LXX, in agreement with the Ptolemaic papyri, did not use the Attic term προῖξ for dowry. They say ἐνόπνιον but not ὄναρ. Cf. Artemidorus, *Oneirocritica* 1, 1. In the list of curses Deut. 28, 22 the term ἀνεμφορία (blight by wind) appears which belongs to the vocabulary of Greek magic. Cf. L. Robert, *Hellenica* IX, 1950, p. 63, n. 1. Again, translating the Hebrew term *simha*, the “Seventy” speak of εὐφορσύνη, meaning the enjoyment of food. Cf., e.g., LXX Lev. 23, 40; Deut. 28, 37. For this Hellenistic usage cf. III Macc. 5, 36, Aristaeas 186, and, often, L. Robert, *Revue des études grecques*, 1958, p. 208.

<sup>43</sup> For instance, the verb σαββατίζω (Ex. 16, 30, etc.) is a barbarous neologism, a technical term formed after the Hebrew verb *shabat*. But the latter simply means “to rest”, and there were idiomatic Greek verbs ἀναπαύω, καταπαύω (cf. English “pause” which comes from the same root). These Greek verbs are used in the Septuagint. But in Ex. 23, 12 a lectionary written in the early Byzantine period (V–VI century) substitutes σαβατίσ[εις] for ἀνάπαυσις of our Mss. Cf. O. Stegmüller, *Berliner Septuaginta Fragmenten*, 1939, no. 4. This is an emendation to bring the Greek into closer agreement with the Hebrew. Σαββατίζω occurs in the Pentateuch only in Ex. 16, 30; Lev. 23, 32 and 26, 35 (34). These occurrences may also be hexaplaric readings. Sometimes however a corrector may have changed grammatical Hebraisms of the translators. Cf., e.g., J.W. Wevers, *JBL* LXX, 1951, p. 211. On the other hand cf. the abundance of neologisms in the Hermetic writings authored by Greeks. A.D. Nock, “Word-Coinage”, *Conjectanea Neotestamentaria* IX, 1947, pp. 169–75.

<sup>44</sup> Cf. *TAPhA* LXXV, 1944, p. 100 and Helbing, p. 3. The Egyptian source of Clem. Alex., *Str.* VI, 4, 53–57 gave a new meaning to the Greek word ἔκπεμσις in order to

In this restricted sense the “Seventy” innovated or rather violated Greek freely. In Greek μακροθύμειν means long suffering. In the language of the Greek Bible the verb serves to express God’s forbearance.<sup>45</sup> Greek derivatives from the root ἅγιος, for instance ἀγιάζω, referred to man’s action setting something apart as *sacer*. In the Septuagint the word group is used to describe the sanctification by God. Let us note that here again the “Seventy” agreed with other interpreters from Semitic languages into Greek who used the term ἅγιος where the original spoke of the “holy” (*qdsh*) gods. Another instance: the word ἱλαστήριον in Greek means propitiatory offering. The “Seventy” choose it as the name for the covering of the Ark.<sup>46</sup>

In this way they succeeded in avoiding the transliteration of foreign terms, the last expedient of ancient interpreters. They had to transliterate some technical terms, such as the names of measures: *gomo*, *oiphi* (in masoretic Bible vocalized as *’epha*), *hin*, but also *sikera* and *cherubim*. Again, the “Seventy” used the precedents set by previous interpreters. Such words as *arrabon*, *byssos*, *sakkos*, *thibis*, and so on had been transliterated and became grecized long before the “Seventy”. Again, the Aramaic form of Greek words *πάσχα*, *γειώρας* and *σάββατα* proves that the “Seventy” borrowed them from the current usage of the Greek speaking Jews. The name of the food granted during the Exodus was first transliterated as *man*. Then, in Numbers and Deuteronomy, the

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express an Egyptian religious connotation. P. Derchian, *Chron. d’Égypte* XXVI, 1951, pp. 269–79.

<sup>45</sup> Cf. J. Horts, *ThW*, IV, pp. 377–90; J. Herrmann, *ibid.*, III, p. 302; C.H. Dodd, *The Bible and the Greeks*, 1935, pp. 82–95. Again Greek words *καλοσκαγαθός* and *χρηστός* had to express the meaning of the Hebrew root *tob*. Later translators more cautiously used the rendering *ἀγαθός* (Jerome: *bonus*). Cf. J. Ziegler, *Dulcedo Dei*, 1937, p. 23. Further cf. H.S. Gehman, “Hebraisms”, *VT* III, 1953, p. 1476.

<sup>46</sup> Cf. W. Bauer, *A Greek-English Lexicon of the New Testament*, 1957, s.v. H.S. Gehman, “Hagios in the Septuagint”, *VT* IV, 1954, pp. 337–48. The essential point is that in Greek the roots ἅγιος and ἅγιος referred to the taboo aspects of holiness while *ἱερός* indicated its positive value. Cf. P. Chantraine, O. Masson, “La valeur du mot *agos*”, *Festschrift A. Debrunner*, 1954, pp. 85–107. But the Semitic root *qdsh* is ambivalent. Cf. Theodoretus Quest. 44 in Deuteronomy. *PG*. LXXX, 449: τὸ γὰρ κάδης τῷ Ἑβραίων φωνῇ τὸ ἅγιον δηλοῖ. Consequently, the “holy” deities of Syrians and Phoenicians became *Ζεὺς Ἄγιος*, and so on in Greek, so that the epithet ἅγιος clearly distinguishes an Oriental deity in Greek disguise. Cf. F. Cumont, *Les religions orientales dans le paganisme romain*, 4th ed., 1929, p. 260. A sentence like LXX Ex. 31, 13: ἐγὼ ὁ Κύριος ἀγιάζων ὑμᾶς heard by a Greek contemporary with the “Seventy” would have meant to him that the owner of the Jews had marked them off as untouchables but not that their Deity had made them holy. As so often, in the use of the word ἅγιος the “Seventy” followed the practice of dragomans. But why did these choose ἅγιος and not ἱερός to express the idea of *kdsh* in Greek?

“Seventy” found a happy translation: μαννα. The word of Semitic origin, in Greek meant powder or granules. The Latin version of the Bible in turn transcribed this Greek rendering, and “manna” became a part of the common European vocabulary.<sup>47</sup>

To be fair, we have to add that, being only human, the “Seventy” and the ancient interpreters generally, more often than not, indulged in inconsequences which would elude any systematisation but which improved the version.<sup>48</sup> Roman scribes now and then forgot the servile imitation of Latin solemn formulae in Greek. The translators of Leviticus did not always write ἀνὴρ and ἄνθρωπος when they had *’ish* in the original. From time to time they hit on sensible renderings: ἕκαστος, τις. The translator of Leviticus 26,44 had to render two infinitive constructions with the preposition *l*. He used two different Greek constructions. At times, on four occasions exactly, the “Seventy” thought of a good Greek rendering of the Hebrew salutation and wrote ὑγιαίνειν, while elsewhere they repeated the stock equivalent: εἰρήνη.<sup>49</sup>

On the other hand, nothing corresponds in Hebrew to the equipoise of Greek particles: μὲν – δέ. Accordingly, the “Seventy” had no use for μὲν, though they used δέ to express the Hebrew “and”. They did not care that the asyndetic conciseness of Hebrew cannot be imitated in Greek, as an ancient reader observed. As result, the absence of the counterbalanced clauses in the Pentateuch makes it an un-Greek book.<sup>50</sup>

<sup>47</sup> Cf. the word τὰ σάββατα in a business account contemporary with the “Seventy”: P. Cairo Zen. 59762 = *CPJ* I, p. 10. On the word manna cf. R. Meyer, *ThW* IV, pp. 466–70. Cf. generally Thackeray, pp. 32–6.

<sup>48</sup> Sometimes the vagaries of translation can be explained by cross currents of Hellenistic Greek. For instance, in good Greek the terms of parentage do not require a pronominal supplement. “Father” means “my”, “his” father, and so on. Thus, an Hellenistic prince, saying τῆς ἀδελφῆς means “my sister”. U. Wilcken, *Chrestomathie der Papyri* I, 1, p. 23. But in popular speech there was a tendency to say: “sister of mine”, and so on. Cf. Mayser II, 2, p. 46. Accordingly, in Canopus’ decree (G. Dittenberger, *Oriens graecae inscr. Selectae* 56, 5) it is said of Ptolemy III: παρέλαβεν τὴν βασιλείαν παρὰ τοῦ πατρὸς. A generation later, in the Rosetanum (*ibid.*, 90, 8) the formula is pleonastic: παρέλαβεν παρὰ τοῦ πατρὸς αὐτοῦ. The “Seventy” now used the pleonastic expression, now wrote the literary Greek, as e.g., in Gen. 23, 7, where the vocative stands alone though in the original Abraham is addressed by Isaac as “My father”.

<sup>49</sup> Cf. Huber, p. 67, p. 69, p. 89. W.S. v. Leeuwen, *Eivene in het Nieuwe Testament*, Diss. Leiden, 1940, pp. 13–117.

<sup>50</sup> Cf. Theod. Mops., *Ad Ps.* 76, 11, p. 512 Devreesse. The particle μὲν occurs twenty times in the Pentateuch. On Leviticus cf. Huber, p. 95. The opposition μὲν – δέ is expressed only in Deut. 20, 11. Cf. Daumas, p. 98, p. 110, p. 127 on Egyptian renderings of these Greek particles.

## VI

Accordingly, the tendency today is to regard the version as written in a “translation” Greek determined by the idiom of the original. Certainly, like virtually every translator, the “Seventy” from time to time succumbed to the manner of expression they found in the original.<sup>51</sup> Yet, a thorough examination of their work could discover eight verbs only which are construed wrongly. They often omitted to render the repetition of Hebrew prepositions before each noun which would be wearisome in Greek. Such Hebraisms as “and it came to pass... and”, or “it will come to pass”, or the compounding of the preposition *be* with the verb (“in passing over the Jordan”) which mark our Biblical versions were mostly avoided by the “Seventy”. For instance they improved upon the literal rendering of the first mentioned Hebrew formula: καὶ ἐγένετο... καὶ by substituting a δέ for the second καὶ in forty out of sixty instances.<sup>52</sup>

On the other hand, business documents contemporary with the “Seventy”, even if the papyrus is written in the name of an Egyptian fellah, are composed in normal Greek. Between an ignoramus and the paper, there was a professional scribe. Thus, a poor Jewish granary guard, who probably thought in Aramaic, was able to present his complaint in idiomatic Greek. Ptolemy II, or if you prefer, the Alexandrian Jews would surely be able to produce a version in accordance with the Greek style.<sup>53</sup>

Let us examine a group of Hebraisms closely. In Hebrew the interjection *hinne*, like Latin *ecce*, is often used to attract the attention of the listener.<sup>54</sup> When Abraham abandons Hagar to Sarah he says to

<sup>51</sup> Cf., for instance, on Grecisms of Ennius, W. Kroll, *Studien zum Verständnis der römischen Literatur*, 1924, p. 249, and, generally, E. Loefstedt, *Syntactica* II, 1933, p. 415. For Egyptian versions from Greek cf. Daumas, p. 58.

<sup>52</sup> Cf. Helbing, p. 324; M. Johanesson, *Der Gebrauch der Präpositionen in der Septuaginta*, 1925, p. 345; idem, “Das Biblische kai egeneto”, *Zeitschr. für vergl. Sprachforschung* LIII, 1926, pp. 101–212; idem, “Das Biblische... kai estai”, *ZAW* LIX, 1942, pp. 129–83. He notes that the “Seventy” rendered the formula *vehaiah* by a future (καὶ ἔσται), and avoided it to a greater part. Thus, it is omitted nine times out of fourteen in Exodus, for instance, Ex 4, 8. But again, it is rendered literally in legal pronouncements, as, for instance, Deut. 8, 19.

<sup>53</sup> See, for instance, C.C. Edgar, *Zenon Papyri* I, 59509 = *CPJ* I, p. 12. There are no Hebraisms in papyri written by or on behalf of Jews. On the other hand, Josephus had recourse to learned helpers when writing his history of the Jewish war in Greek. *Jos.*, *C. Ap.*, I, 50.

<sup>54</sup> Cf. generally M. Johanesson, “Das Wahrnehmungssatz bei den Verben des



the latter: “Look, thy maid is in thy hands” (Gen. 16, 6). There was a parallel expression ἰδοῦ (“look”) in every day Greek, and the “Seventy” regularly rendered *hinne* by ἰδοῦ. Modern scholars find here a Hebraism. The Gospels, where *idou* occurs more frequently than in Greek Genesis, and papyri show that it was just a vulgarism, a redundancy of every day speech naturally avoided in writing.<sup>55</sup>

Then, the Hebrew had the formula *vehinne*, “and behold” to introduce various sentences. For instance, Esau says of Jacob: “He took away my birthright, and behold, now he has taken away my blessing” (Gen. 27, 36). This construction is un-Greek, and the “Seventy” eliminated it sixty times out of some ninety in Genesis, Exodus, Numbers and Deuteronomy. Sometimes, as in Deuteronomy, *vehinne* is rendered literally as καὶ ἰδοῦ by carelessness of the translator. It is different in Genesis. When the translators of Genesis write καὶ ἰδοῦ in some twenty cases out of more than fifty occurrences of *vehinne* in the Hebrew text, they use the Hebraism to dramatize the situation.<sup>56</sup> Thus, in Greek Genesis καὶ ἰδοῦ marks the appearance of the object of vision or dream, and a sudden and providential interposition. Abraham looked toward Sodom and Gomorrah “and behold, the smoke of the land went up”. Abraham’s servant prayed to meet the predestined bride of Isaac, “and behold, Rebekah came out”. In describing Pharaoh’s dream, the Hebrew monotonously repeats the formula *vehinne* nine times. In Greek Genesis

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Sagens”, *ZVS* LXVI, 1937, pp. 179–275; idem, “Das biblische καὶ ἰδοῦ”, *ibid.*, LXVI, 1939, pp. 145–95. But the author groups his data according to grammatical categories and thus overlooks semantic reasons for use or non-use of the formulae. I compared the whole material anew, following Mandelkern’s *Concordance*. The statistical figures are only approximative because of textual variants. If my count is exact *hinne* is rendered as ἰδοῦ in the Pentateuch fifty-five times out of seventy-one. Sometimes, the Hebrew text used by the “Seventy” had *vehinne* and they translated καὶ ἰδοῦ (Ex. 8, 16). They also literally rendered the formula with the first person suffix (*hineni*), for instance, Gen. 9, 9: ἐγὼ ἰδοῦ. Cf. P. Katz, *Philo’s Bible*, 1950, p. 76, p. 153.

<sup>55</sup> On ἰδοῦ in vulgar Greek cf., for instance, *UPZ* I, p. 77 c. 2, 15; 78, 25 (dream reports); B. Olsson, *Papyrusbriefe*, 1925, p. 20 = P. Oxy X, 1291: if you send a letter, “see, an artabe (a measure of wheat) will come to you immediately”. Heliod., *Aeth.* II, 4. Cf. Hadrian, *PG* XCVIII, 1301: τὸ ἰδοῦ κατὰ περισσεῖαν πολλάκις λέγει.

<sup>56</sup> Gen. 19, 28; 24, 15; 41, 2, 5; 41, 19, 22. When Jacob sees the ladder linking the earth and heaven, the translators keep the expression “and behold” (Gen. 28, 12), but in the next verse the locution is passed over. In the story of creation, the Hebrew says, that God saw everything “and behold, it was very good” (Gen. 1, 31). Here the Greek follows the original. The next time the Hebrew locution appears in the story of Noah: God saw, “and behold, the earth was filled with corruption” (Gen. 6, 12). Here the Greek translates: “and God saw the earth”. The corruption of the earth already mentioned in the preceding verse could not be a surprise to God.

καὶ ἰδοὺ here appears four times only: when the Pharaoh sees the first seven kine and the first seven ears of grain, and when he retells the same elements of the vision to Joseph.

Speaking of dreams, let us note another Hebraism: “dream a dream”. It is contrary to the Greek idiom. The “Seventy” reproduce it in rendering Joseph’s dreams four times out of five occurrences of the formula in Hebrew text. They suppress the same formula altogether and use good Greek expressions (“saw a dream”) in dealing with the visions of the Pharaoh and of his Egyptian officers. The Hebraism is here used as a touch of exoticism.<sup>57</sup> In other words, besides involuntary misuse of Greek, which followed from the use of stock equivalents for Hebrew words, there was intentional barbarism in the Greek Pentateuch. The “Seventy” were not only often unable to give an idiomatic translation, but also often unwilling to do so.

## VII

The adherence to the letter again belonged to the traditional technique of the official interpreters. They were trained to translate legal and business documents. Accordingly, they rendered them literally, *verbum e verbo*, as Cicero qualifies their work.<sup>58</sup> The Roman scribes, customarily freedmen of Greek extraction themselves, who in 25 B.C.E. had to translate a *senatusconsultum* surely knew that in Greek the patronymic is expressed by the father’s name in the genitive alone and that the simple transcription of the Latin adjective *Palatina* cannot convey the idea of a Roman tribe in Greek. Nevertheless, lest they deduct from or add something to the solemn Latin formula: *Paulus Aemilius L. f. Palatina Lepidus*, the scribes coolly put down this monstrous phrase: Παῦλος Αἰμίλιος Λευκίου υἱὸς Παλατίνα Λέπιδος.

The outlandish character of such renderings was expected and traditional. Hannibal’s chancellor in 215 B.C.E., translating from

<sup>57</sup> Gen. 37, 5–11. In Gen. 37, 9, the “Seventy” substituted a Greek locution “saw a dream” to avoid monotony. The Hebrew expression is not imitated Gen. 40, 8; 41, 11; 41, 15; 42, 9. Cf. M. Johanessohn, (above n. 54) p. 250.

<sup>58</sup> Opposing artistic version to the work of dragomans, Cic., *De fin.* III, 4, 15 says: *nec tamen exprimi verbum e verbo necesse erit, ut interpretes indiserti solent*. On the *Senatus-Consulta Silianiana* cf. V. Arangio-Ruiz, *Riv. Di Filologia* LXX, 1942, pp. 125–30. Sherk (n. 27), 26. Echoing Origen, a Byzantine author of the fifth century states that Aquila retranslated the Bible because the rendering of the “Seventy” was not accurate enough. Jos. *Liber Memorialis*, p. 122 (*PG*. CVI, 124).

the Punic, wrote εὐνοίας καλῆς in order to reproduce a Phoenician locution exactly. Greek translations of Demotic documents similarly imitated Egyptian clauses literally: ὀρθῆ στήσομαι ἀπέναντι σου or λέγουσαι ἐξ ἑνὸς στομάτος. Surely scribes translating from Demotic into Greek knew that the formula συγγραφή τροφῆτις is un-Greek but they again wanted to duplicate the legal terminology of the original. This principle explains the paradox that the Romans while writing Greek letters perfectly, persistently and over centuries, issued barbarous Greek versions of documents composed in Latin.<sup>59</sup>

The barbarisms were committed on purpose. The literalism of the “Seventy” was neither mechanical nor arbitrary. While the use of stock equivalents necessarily affected the style of the whole Pentateuch, the intentional literalism in the main disfigured the translation of legal clauses.

The Law speaks of the husband “hating” his wife. The “Seventy” translated literally, using the verb μισοῦν, though its import is very different from that of the Hebrew term. But the latter was technical in the whole Levant with regard to intermarital conflicts and divorce. How could the translator render it otherwise without stripping it of its legal connotations? In Hebrew the word *nephesh* may mean a soul, a being, even a dead being. It may be also used in the meaning: anyone. Afraid of confusion, in translating the word in sacred regulations, the “Seventy” in Leviticus rendered *nephesh* constantly by the same Greek word ψυχή, without regard to Greek speculations on soul, or Greek grammar. In Hebrew sacral law the trespass and the sacrifice which atoned the guilt bore the same names (*hattat*, *’asham*). How could a translator neglect this terminological identity? He rather followed the Hebrew usage, as far as possible taking the risk of writing an unintelligible Greek. In Hebrew the distributive idea: “anyone” is expressed by the iteration of the word *’ish* (man). After the Hebrew manner the “Seventy” doubled

<sup>59</sup> Pol. VII, 9, 4. καλή here means “very much”. Cf. R. Gordis, *Journ. of Theol. Stud.* XXXIV, 1935, p. 186, and *TAPhA*, LXXV, 1944, p. 97. For Demotic formulae in Greek cf. *Papiri Soc. Italiana* V, 549 and *P. Giessen* I, 36. On the latter cf. O. Gradenwitz, F. Preisigke, W. Spiegelberg, *Ein Erbstreit aus dem Ptolemäischen Egypt*, 1912. Further cf. *Berliner Griech. Urkunden* IV, 1002; *UPZ* II, 118 with commentary. Taubenschlag, p. 319. A.H. Gardiner, *Journ. of Egypt. Archaeology* VI, 1920, p. 200 notes that in the Egyptian version of the treaty between Rameses II and the Hittite King, some Accadian legal expression are rendered literally.

Cf. the Latinisms in the Greek version of the Aetolian-Roman treaty of 212. H.H. Smitt, *Die Staatsverträge des Altertums* III, 1969, p. 536.

the corresponding Greek equivalent: “Man man who if he shall become unclean . . .” (Num. 9, 10). Surely, this is a strange Greek. But later the rabbis deduced legal norms from the iteration of the word *’ish* in divine enactments.<sup>60</sup>

## VIII

Philo believed that the translators of Scripture knowing that they had to present the original form of the divine Law had not added or taken away or transposed anything. The Greek text and the Hebrew are the same. Believing Philo, we would expect that the “Seventy”, who were so often very indifferent to Greek idiom, should give a faithful rendering of the sacred text. In fact, Philo was duped and mistaken, and the Greek Pentateuch is often at variance with the Hebrew Torah.

It is obvious that the Hebrew scroll used by the “Seventy” could not offer a text identical with that later construed by Hebrew philologists, who followed the methods of Alexandrian grammarians. The standard consonantal text of Scripture did not become generally accepted before *ca.* 100 C.E. Scraps of Torah Manuscripts buried before 70 C.E. in caves of the Desert of Judah exhibit singular readings which sometimes agree with the Septuagint Greek.<sup>61</sup> Toward the end of the second century B.C.E., more than a century after the work of the “Seventy”, Aristeas stated that the current copies of the Torah were penned carelessly “and not as it ought to be”.<sup>62</sup>

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<sup>60</sup> For the same reason that Hebraisms are plentiful in legal sections of the Greek Pentateuch as Thiersch (above n. 24 had already observed). Cf. S. Daniel, *Recherches sur le vocabulaire du culte dans la Septante*, 1966, pp. 302–8. For instance, the Hebrew formula “and behold” is monotonously rendered by καὶ ἰδοῦ in Lev. 14, dealing with the legal treatment of leprosy. The Hebraism “dream a dream” appears in the law against false prophets (Deut. 13. 1). Another source of Hebraisms was the poetical language. The “Seventy” generally rendered the Hebrew *shamaym* by singular. God created the heaven and the earth. But in the Song of Moses (Deut. 32, 43) to preserve the parallelism with the corresponding half-verse, speaking of “nations”, the translator using Greek poetical licence, says “heavens”. His example was followed in the Greek psalter, and the plural οὐρανοί induced some readers to imagine a series of heavens as Chrysostomos Hom. 4, 3 in Gen. 1 (*PG*. LIII, 42) and Theod. Mops. *Ad Ps.* 32, 6, p. 148, ed. Devresse complained. Cf. also Katz, *o.c.* (above p. 182, n. 54), App. 1.

<sup>61</sup> Cf. F.M. Cross, *The Ancient Library of Qumran*, 1958, p. 126–8.

<sup>62</sup> Aristeas, 30: τοῦ νόμου τῶν Ἰουδαίων βιβλία . . . τυγχάνει γὰρ Ἑβραϊκοῖς γράμμασι καὶ φωνῆς λεγόμενα, ἀμελέστερον δὲ, καὶ οὐχ ὡς ὑπάρχει σεσήμανται, καθὼς ὑπὸ τῶν εἰδότεων προσαναφέρεται.

Translators persevere in rendering the word σεσήμανται by “translate”, though the

Then, the translators sometimes blundered by reason of human frailty. Jerome notes that in Genesis 28,19 they took the adverb *ʾulam* for a part of the following word, and fabricated the town “Ulamluz”. In other instances, modern scholars blundered by ignorance of Greek or Hebrew or both in judging the accuracy of the version.<sup>63</sup>

However, for the greater part, the divergences between the Greek and the Hebrew Law of Moses are intentional. The rabbinic tradition already spoke of the changes made “for the King Ptolemy”.<sup>64</sup> Augustine,

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word does not have this meaning in Greek. In fact, the verb *σημαίνω* in this context means *notare*. Cf. Aristeas, 33; 120; 143. Aristobulus *apud* Eus., *Pr. ev.* XIII, 12, 6, referring to a preceding quotation, *καθὼς δὲ δὴ σεσημάγκαμεν*. II Macc. 2, 1 and 11, 17; the first Letter of Artaxerxes, 6 in Greek Esther, and so on. The verb is also technical in Ptolemaic papyri. Further cf. L. Robert, *Collection Froehner*, 1936, no. 52: *σημανοῦμαι τὰς συνθήκας*. The passage thus refers to the Hebrew copies of the Bible. Cf. above p. 143. As I now see, the statement of Aristeas was rightly understood by J. Fischer, *Zur Septuaginta-Vorlage in Pentateuch*, 1926, p. 39. Cf. also R. Marcus' note on Jos., *Ant.* XII, 2, 4, 37 in his edition of Josephus.

<sup>63</sup> Hieron., *Quaest. in Genes.*, P.L. XXIII, p. 1031. Z. Ben Hayyim, in *Scripta Hierosolymitana* IV, 1958, p. 213, notes that in Num. 31, 5 the rendering *ἐξηρίθμισαν* attacked by modern scholars rightly gives a meaning of the verb *massor* as “count”, “muster” which is now confirmed by the Dead Sea documents. Often the divergence between the “Seventy” and the Masoretes goes back to the different vocalization of the same consonantal text. For instance, in Num. 24, 6 the “Seventy” mechanically pronounced the letter group *ʾhlim* as *ohalim* since *ohel*, “tent” was an often occurring noun. The right pronunciation given by the Masoretes was *ʾahalim*, aloe-wood. Sometimes, the “Seventy” just did not know the meaning of a rare word, and guessed its meaning from the context. Thus, in Deut. 28, 30 they rendered *shagal* by *ἔξει* hardly for the reason of compliance (cf. Geiger, p. 386) but of ignorance, since the word does not occur elsewhere on the Torah. The same reason accounts for *παραδεγματορίζω* in Num. 25, 4 (the Hebrew here is obscure).

<sup>64</sup> The passages (Mech. *ad Exod.* 12, 40; Meg. 9a; pal. Meg. 71d; Mass. Sopher. 1. 7–10) are conveniently translated in H. St. J. Thackeray, *The Letter of Aristeas*, 1917, pp. 89–94. Cf. also M. Higger, *Seven Minor Treatises*, 1930, p. 22 and p. 6. Jerome adapts the tradition to his propaganda aims. The “Seventy” concealed some mythical meanings of Scripture, *et maxime ea quae Christi adventum pollicebantur ne viderentur Judaei et alterum deum colere* (*Hebr. quaest. in Genes.*, P.L. XXIII, p. 985). The rabbis naturally assumed that their current text of the Torah was the only authentic one. In fact, as the agreement with the Samaritan recension of the Torah shows, in Gen. 2, 2 and Ex. 12, 40; the “Seventy” followed the Hebrew vulgar text of their time. It is remarkable that to a greater part the variants noted by the rabbis disappeared from our LXX Mss. As Azaria dei Rossi already noted only in LXX Gen. 2, 2; Ex. 4, 20; 12, 40 and Num. 16, 15 these variants have been preserved. Cf. Z. Frankel, *Vorstudien zu der Septuaginta*, 1841, p. 32; idem, *Einfluss* (above n. 7), p. 218; Geiger, pp. 439–442. As the latter, pp. 309–15, pp. 331–2 observes, the LXX also agrees with the masoretic text in the passages (Gen. 18, 22; Num. 11, 15; 12, 12) where according to the rabbinic tradition copyists of the Hebrew text introduced changes for the reason of reverence. Cf. also Ch. D. Ginsburg, *Introduction to the Masoretic-Critical Edition of the Hebrew Bible*, 1897, pp. 343–63.

though a resolute defender of the Septuagint, had to concede that the "Seventy" changed the sacred text, also added to and deducted from it. With his rhetorical skill, from the fact that they neglected "the servitude which the translator owed to the words", he inferred that the "Seventy" were inspired.<sup>65</sup>

The Greek Pentateuch as an interpretation of the Torah – an adequate treatment of this great subject would require a volume. For our purpose it would be enough to produce some instances of the liberties taken by the "Seventy" with the sacred text.

Jerome was already surprised that the Biblical "Goshen" became "Heroonpolis in the land Ramesse" under the pen of the "Seventy". Working in the learned city of Alexandria, in Ptolemaic Egypt, the "Seventy" naturally scrutinized the Biblical references to Egypt. They corrected and "up-to-dated" the Biblical geography of Egypt, probably using the traditions or, better, the traditional guesses of Egyptian Jews; they harmonized different data of the Torah referring to Egypt; they substituted a new Egyptian name of Joseph for that found in the Hebrew text, and so on. Thus, in the Septuagint, Potiphar is the "chief cook" of the Pharaoh. Misunderstanding the term *saris* in the Bible as meaning "eunuch", the "Seventy" could not imagine an eunuch as the captain of the royal guard.<sup>66</sup>

The Alexandrine age, proud of its learning, was also one of polite manners. The Homeric Penelope was now censured for entering into conversation with her impudent suitors. In retelling the Babylonian story of the Deluge in Greek, the Babylonian priest Berossus, contemporary with the "Seventy", removed details which might have shocked the

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<sup>65</sup> Aug. *De civ. Dei* XVIII, p. 43. On the Septuagint controversy between Augustine and Jerome now cf. W. Schwarz, *Principles and Problems of Biblical Translation*, 1956, pp. 17–44.

<sup>66</sup> Hieron., *Quest. Hebr. in Genes. PL. XXIII*, p. 1053. Cf. J. Schwartz, "Note sur l'archéologie des LXX", *Revue d'Égyptologie* VIII, 1851, pp. 195–8. W.F. Albright, *Bull. Amer. Schools of Orient. Research* 140, 1955, p. 31 notes that in Gen. 41, 45 the Egyptian name of Joseph is different from that given in the Hebrew text. All these details are part of an intentional adaptation of the chapters dealing with Egypt. The original meaning of the term *saris* (Gen. 37, 36) was not "eunuch" but "minister". Cf. Is. Lévy, "Platon et le faux Smerdis", *Revue des études anciennes* XLII, 1940, pp. 234–41. The place *Gshn* (Masoretic: Goshen) appears in the LXX Gen. 45, 10 and 46, 34 as "Gesem of Arabia". "Arabia" was the general designation of the desert land east of the Nile. But the name "Gesem" suggests the homonymous Arab, a foe of Nehemiah who reigned in the Eastern Delta. Cf. I. Rabinowitz, *Journ. of Near Eastern Stud.* XV, 1956, p. 1. But it is difficult to say whether the changes were made by the LXX or in their Hebrew text. Cf. also D.W. Gooding, *The Account of the Tabernacle*, 1958, (*non vidi*).

Alexandrian sense of decorum, such as the terror of gods during the storm.<sup>67</sup>

In the same vein the Seventy were particular about the manners of Biblical heroes. They were not afraid of anthropomorphisms, speaking of God. Everybody knew, as an ancient critic had already observed with reference to this feature of the Septuagint, that anthropomorphisms are just figures of speech. This naive style could not offend in the epic tales of Genesis. In the Greek version, too, the Lord, like the gods of Homer, “smells” Noah’s burnt-offering after the Deluge (Gen. 8,21). But Moses and the Elders did not “behold the God of Israel” at Sinai. They only saw “the place where the God of Israel had stood”.<sup>68</sup> In the Greek Exodus (3,14) God tells Moses: “I am the one being”. By interpreting words, which obscure in the original, called for some elucidation, when rendered into Greek, the “Seventy” Platonized the Lord of Israel.<sup>69</sup>

The idea that their ancestors could sacrifice their children like the Carthaginians appeared as unseemly as unreal to the “Seventy”. They understood and translated the Biblical passage (Deut. 18, 10) as referring to a rite of purification by fire. Again, Moses enjoins Israel not to serve *Mlk*. The “Seventy” read the consonantic text as *melek*, “king”. Since the Egyptian Jews made much of their loyalty to the Ptolemies, the “Seventy” rendered the passage (Lev. 18,21. Cf. 21,2) as follows: “You should not give your seed to serve a ruler (ἄρχων)”. Further, the Jews are commanded to choose the king among the brethren, and not a foreigner. Elsewhere, in the Greek Pentateuch *melek* is, as a matter of course, rendered by βασιλεύς. Here, the “Seventy” again avoided an unpatriotic translation and *melek* again became the innocuous ἄρχων.<sup>70</sup>

<sup>67</sup> C. G. Murray, *The Rise of the Greek Epic*, 3rd ed., 1927, pp. 122–5; M. Pohlenz, “To prepon”, *Nachr. d. Gött. Gelehrt. Ges.*, 1933, pp. 532–92. For Berossus cf. E.G. Kraeling, “The Flood Tradition”, *JAOS* LXVII, 1947, pp. 173–83.

<sup>68</sup> Cf. Hadrianus, *P.G.* XCVIII, p. 1274. With reference to Ex. 24, 10 the rabbis thought that the Lawgiver had only beheld the splendor of divine glory. Cf. A. Marmorstein, *The Old Rabbinic Doctrine of God*, 1937, p. 49. Cf. LXX Num. 12. 8 and Marmorstein, *ibid.*, p. 54. It is again the sense of *decorum* which led the “Seventy” to omit the reference to the possible anger of God when Abraham addresses the Deity on behalf of men of Sodom (Gen. 18, 30 and 32). That has nothing to do with the avoidance of anthropomorphisms as scholars from Z. Frankel, *Einfluss* (above n. 7), p. 22 on repeat. In fact, the “Seventy” preserve in Greek the crude idea that the Lord must go down to Sodom to verify the extent of sinfulness in the city.

<sup>69</sup> M. Smith, “The Image of God”, *Bullet. John Rylands Library* XL, 1958, p. 474.

<sup>70</sup> Lev. 18, 21; 20, 2; Deut. 17, 14–5. Cf. also Deut. 28, 36. In Gen. 49, 20; Num.

In the Septuagint the Biblical words (Deut. 26,5): “An Aramean ready to perish was my father”, were understood as meaning: “My father forsook Aram”, by using a vocalization at variance with the masoretic reading. The sacred text now could be understood as a rebuke to the Seleucid Empire.

Following the same patterns, the “Seventy” harmonized the sacred law with the practice of Ptolemaic Egypt. For instance, in the case of a bodily injury, the assailant had to cause the healing of the injured person. The “Seventy” obliged the culprit to pay “the medical expenses”. The rabbis later interpreted the clause in the same manner. Scripture distinguishes between two kinds of dead pledge, while the Ptolemaic law knew only one form of lien for pledging of movables, the ἐνέχυρον. The “Seventy” rendered both Hebrew terms by the Greek vocable just quoted. In this way, the “Seventy”, mistranslating the Hebrew term *mohar*, interpolated the Greek institution of dowry in the Jewish legal system.<sup>71</sup>

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23, 21 and Deut. 33, 5 the translators substituted ἄρχων for the Hebrew *melek* because they did not understand these poetical texts. The verse Lev. 18, 21 was, quite naturally, generally misunderstood. Understanding the verb *'abar* in the sense “impregnate”, the Aramaic dragomen used to render the verse as forbidding sexual relations with foreign women. M. Megill, 3 (4), 9. The Syriac Peshitta followed this interpretation. The Hebrew text used by the LXX and by the Samaritan editor corrected *'abar* to *'abad*. But significantly, the LXX did not render the term, as usual, by “serve”. Only here the verb is translated *labreuein* which always refers to a ritual work. I wonder whether the “Seventy” wanted here to refer to the ruler worship. Cf. Geiger, pp. 302–3. Another contemporary allusion is in LXX Deut. 28, 25: You will be a dispersion among all the kingdoms of the earth. The word διασπορά occurs only here in the Greek Pentateuch. The Hebrew text here is obscure. On Deut. 26, 5 cf. L. Finkelstein, “The Oldest Midrash”, *HTR* XXXI, 1938, p. 300; M.A. Beck, “Das Problem des aramäi schen Stammvaters”, *Oudtest. Stud.* VIII, 1950, pp. 193–212.

<sup>71</sup> LXX Ex. 21, 19. Cf. Mekilta *ad loc.* III, p. 55, ed. Lauterbach. Jerome following the rabbis translates: *impensas in medicos restituat*. Cf. Julianus, *Dig.* 9, 2, 7, pr. quoted in B. Cohen, “The Principle of Causation”, in *Studi in onore di P. de Francisci* I, 1954, p. 328. On ἐνέχυρον in LXX Deut. 24, 6 and 10 cf. M. David, “Deux anciens termes bibliques pour le gage”, *Oudtest. Stud.* II, 1943, pp. 79–86. On dowry cf. *Revue intern. des droits de l'antiquité* III, 1956, pp. 81–104. Further cf. Frankel, p. 156 (on Lev. 19, 9); 84 on Ex. 24, 10; 93 on Ex. 21, 33, etc. The use of Greek legal and, generally, technical terms in the Septuagint needs and deserves a study. For instance, speaking of lambs generally, the “Seventy” used the common Greek word ἄρνῃν (e.g., Levit. 3, 7), but rendering the law concerning the sacrifice of a male lamb of one year, they say ἀνός (e.g., Ex. 29, 39; Num. 28, 4), in agreement with the Greek sacral usage. Cf. P. Chantraine, “Les noms de l'agneau”, *Corolla Linguistica, Festschrift F. Sommer*, 1955, pp. 12–19. Cf. below pp. 195–217.



Of course, some changes registered in the Greek Pentateuch may have been already extant in the Hebrew scroll that lay before the "Seventy". The spirit of the age blew in Jerusalem as well as in Alexandria. The crudity of Deut. 25, 11 which, did not disturb the "Seventy" offended the Samaritan editor of the Torah. The substitution of the Rhodians for the mysterious "Dodanim" among the sons of Javan (Gen. 10,4)<sup>72</sup> was an easy though wrong conjecture, which could be made independently in Jerusalem, Sichem and Alexandria.<sup>73</sup>

## IX

Such changes were only the other side of the literalism in translating. The ancient translator endeavored to convey the meaning of the text as literally as possible but according to its present connotations. Every translation was an adaptation of the original to the needs of its new readers. Apuleius, who was surely a master of both languages, Greek and Latin, in his translation of the Aristotelian work "On the World" left only nine sentences untouched. In the Greek version of an Egyptian myth, the translator avoided anthropomorphisms, such as the statement that a god "smells" a sacrifice, substituted Greek deities, such as Hermes, for the divine animals (dog-ape and cat) of the original, omitted sentences which had a special Egyptian flavor, but inserted the Sphinx, well known to the Greeks, into the version. Again, on command of his god Imhotep, a hellenized Egyptian rendered a sacred story into Greek. But as he tells us himself, in translating "the divine book", he straightened and simplified the story, "filled up defects and struck out

<sup>72</sup> Cf. LXX and Sam. Gen. 10, 4, and I Chron. 1, 7. Note that Gen. 10, 4 names cities, and the city of Rhodos was formed only in 407 B.C.E. Cf. G. Gerleman, "Synoptic Studies in the Old Testament", *Univ. Årsskrift Lund, N.F. Avd. 1*, v. XLVII, 5, 1948, p. 10. Likewise, a Hebrew and a Greek scribe could independently correct Ex. 1, 5 after Gen. 46. Cf. Cross (p. 153, n. 67), p. 185.

<sup>73</sup> Frankel (n. 7), p. 97 already underscored the modernization of biblical passages by the LXX. For instance, the sowing of a field (Lev. 19, 19) and of a vineyard (Deut. 22, 9) with two kinds of seed is forbidden in the Torah. The Halacha, however, limits the interdiction to the fields in the "Eretz-Israel," and in LXX Lev. "vineyard" is substituted for "field" (Frankel, p. 156). The LXX reading agrees with the situation in Egypt in the time of the "Seventy," when the cultivation of fields was supervised by the government, while vineyard remained private property. Cf. below pp. 209-217.

superfluities". He worked not for the sake of Egyptian literature, but, as he says, to make every Greek tongue glorify Imhotep.<sup>74</sup>

The "Seventy" approached the Torah with the same present-mindedness. As Philo later aptly remarks, when Scripture tells us that Terah left Chaldea and migrated to Haran, the sacred author intends not to state a historical fact, but to give a lesson of great service to our life. In their much maligned and rarely understood exegesis of the Bible the rabbis followed the same principle of living interpretation. For them, as for the "Seventy", Philo, the Dead Sea sectarians and church fathers, Scripture was not a monument of the dead past but a way of their own life.

It is rather the general fidelity of the "Seventy" to their Hebrew text which is amazing. For them, as later for the rabbis, no detail of expression in the Holy Writ was devoid of meaning. Probably, they would have agreed with Jerome that even the collocation of words was a divine mystery.<sup>75</sup>

Scholars are likely to assume that the unidiomatic Greek of the Septuagint made it of no use for mission work. The Hellenistic Jews learned that it was not so. Toward the end of the second century B.C.E. Aristeeus thought that the version had been made for the sake of the Egyptian Jews "and all the Jews in the world and their posterity". A hundred and fifty years later, in the age of Jewish mission to the pagans, Philo could state that the translation was made in order to give a share in divine Law to the hellenic part of mankind.<sup>76</sup>

Before the invention of printing, the work of copying and even reading a book of this bulk already presupposed a profound interest in the Mosaic revelation. The Greek Pentateuch was not a propaganda tract. When a Gentile, already attracted by the name of Moses, opened the scroll, he was rather fascinated by the strangeness of its language and

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<sup>74</sup> S. Müller, *Das Verhältnis von Apuleius de mundo zu seiner Vorlage*, 1939. On Tefnut story cf. S. West, *Journ. Egypt. Archeol.*, 1969. Imhotep's story: *P. Oxy.* XI, p. 1381 and G. Manteuffel, *De opusculis graecis Aegypti... collectis*, 1930, no. 3.

<sup>75</sup> Philo, *De somn.* I, 9, 52. On literal interpretation cf. Moore I, p. 239. Chrysostomus interprets the meaning of a δὲ in Gen. 2, 20, *PG.* LIII 119.

<sup>76</sup> Arist. 38 quoting the alleged royal letter to the High Priest. Note that in the alleged memorandum of Demetrios to the King only the needs of the royal library are given as the reason of the translation. Arist. 10 and 30. Philo, *V. Mos.* II, 6, 36: ἵνα τὸ πλείστον ἢ καὶ τὸ σύμπαν γένος ἀνθρώπων ὠφελῆθῃ χρῆσόμενον εἰς ἐπανάρθωσιν βίου φιλοσόφοις καὶ παγκάλους διατάγμασι.

the consequent obscurity of the thought. He did not seek Moses in order to find a new Plato.<sup>77</sup> It was in Greek that a man of Ethiopia who had come to worship at Jerusalem read the prophet Isaiah: "Understandst thou what thou readest".<sup>78</sup> The literary merit of the Septuagint was to express the otherness of Mosaic revelation. And one of the finest Greek literary critics quoted the beginning of Greek Genesis as expressing with dignity the majesty of God.<sup>79</sup>

## X

Yet the paradox remains that the Septuagint version is literal and free at the same time. It often follows the original slavishly as to wording, syntax and style, but changes the meaning of the original. When a Greek in India, contemporary with the "Seventy", rendered a proclamation of the Buddhist King Asoka into Greek, he introduced Greek ideas into the Indian text: from the term εὐσεβεία to the almost amusing limitation of the Buddhist doctrine. According to him, men converted by Asoka now became vegetarians "as far as possible". But the writer also uses the normal Greek in his text.<sup>80</sup> On the other hand, the barbarian translations of demotic documents into Greek reproduce the contents as well as the style of the original.

The Septuagint was exceptional because it was unique. There were innumerable works of religious propaganda of Oriental deities in Greek, but no Greek versions of the sacred books of the East. There were, it is said, Greek rolls containing together two million lines ascribed to

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<sup>77</sup> Asclepius (Thot) says that his books (allegedly translated from Egyptian) will become obscure in Greek translation. *Corpus Hermet.* XVI, p. 2. Cf. W. Scott, *Hermetica* I, 1925, p. 438; Iamblichus, *De myst.* 7, 5; R. Judah b. Ilai on Aramaic translations extempore of the Bible (Kidd. 49a). But E. Renan, *Averroés*, 3rd ed., 1866, p. 433 observes: *on ne crée rien avec un texte qu'on comprend trop exactement.*

<sup>78</sup> *Act. Apost.* 8, 26–39. Cf. A. v. Harnack, *Bible Reading*, 1912, p. 42 and p. 70; idem, *Die Mission und Ausbreitung des Christentums*, 4th ed., 1924, p. 291. Tertullian (*de test. anim.* 1, 4) observes: *tanto abest ut nostris litteris annuant homines ad quas nemo venit nisi iam Christianus.*

<sup>79</sup> Longinus, *De sublim.* 9. Cf. Ed. Norden, "Die Genesis Zitat", *Abhandl. Deutsch. Akad. Klass. für Sprachen*, 1954, no. 1. A Byzantine rhetorician quoted Ex. 3, 5 as an example of a rhetorical figure. *Rhet. Graeci* III, p. 145 ed. Spengel. I owe the reference to C.N. Smiley, *Class. Journal* XIII, 1917, p. 374.

<sup>80</sup> D. Schlumberger, L. Robert, A. Dupont-Sommer, E. Benveniste, "Une bilingue gréco-araméenne d'Asoka", *Journ. Asiatique* 158, pp. 1–48, particularly pp. 12–3.

Zoroaster, but not one line of the Avesta was rendered into Greek.<sup>81</sup> The Persian Mithra, though admitted to the Greek Olympus, never learned Greek, as Lucian sneers. The Egyptian priests, as Apuleius praisingly notes, even in the Diaspora protected their sacred books by hieroglyphic script from the curiosity of laymen.<sup>82</sup> In turn, the Greek wisdom disdained to address the barbarians in their own language. If Plato, says Origen, really had wanted to benefit Egyptians or Syrians by sound philosophical doctrines, he should have learned their languages.<sup>83</sup>

Through the Septuagint, the God of the Patriarchs spoke to a new world. A millennium separated Moses from Ptolemy II. The awe due to divine utterances imposed the literalness of translation. The needs of contemporaries of Ptolemy II dictated changes in the words of Moses.

The Greek version of the Torah was unique because the Torah was unique. The sacred books of all other religions, from the Avesta to the *commentarii* of the Roman *pontifices*, were ritual texts to be used or recited by priests. In the Mithra temple at Dura it is a Magian in his sacred dress who keeps the sacred roll closed in his hand. In the synagogue of Dura a layman, without any sign of office, is represented reading the open scroll. In Babylonian religious texts, including mathematical instructions, the injunction is often repeated not to show them to the non-initiated. The Law of Moses was to be publicly read at the

<sup>81</sup> Apul., *Meth.* XI, p. 22; Lucian, *Iupp. Traged.* 8. Apul. *Meth.* XI, p. 17 describes an Egyptian prayer meeting in the diaspora. A *grammateus* (that is probably a *hierogrammateus* of Greek terminology of Egyptian worship) mounts a pulpit and reads a prayer from a book, *de libro*. It seems that only the clergy (*pastophori*) are present. On the reading of ritual books of foreign religions in a foreign language to a Greek congregation also cf. Diod. V, 47, 3 and G. Bonfante, "A Note on Samothracian Language", *Hesperia* XXIV, 1955, pp. 100–9; Paus. V, 27, 5 and J. Bidez, F. Cumont, *Les mages hellénisés* I, 1938, p. 148.

<sup>82</sup> Hermippus *apud* Plin., *N.h.* XXX, 2. 4. Bidez, Cumont, (above n. 81) I, p. 86–8 try to understand this rather astonishing and suspect statement. On Greek works ascribed to Zoroaster cf. *ibid.*, I, pp. 85–101; M.P. Nilsson, *Geschichte der griechischen Religion* II, 1950, pp. 647–650. Dio Chrys., *Or.* XXXVI, pp. 39–60 reproduces a myth included in the divine service of the Magi. He significantly adds that the myth is a secret. Cf. Bidez-Cumont, *ibid.*, I, pp. 91–7 and II, pp. 122–133.

<sup>83</sup> Orig., *C. Cels.* VII, p. 69. Dio Chrys. *Or.* IV, p. 30 says that a man "who knows very many *grammata*" (τὸν πλείιστα γράμματα εἰδῶτα), Persian, Greek, of the Syrians and Phoenicians, and who has read very many books is regarded as very wise and excellently educated by the common people. Dio, as it seems, used the word γράμματα in the meaning of "literature" rather than with reference to the script. Elsewhere (X, 24) he refers to people who are able to make an impression by saying some Persian, Median or Assyrian (that is Syrian) words.

gathering of the whole people. There is nothing esoteric in the Torah. As R. Jeremiah says, in *aggadic* development on a scriptural passage (II Sam. 7, 19: *torath ha-'adam*). "This is Torah for man, O Lord God. And is it not written: this is the Torah for priests, Levites and Israelites".<sup>84</sup>

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<sup>84</sup> R. Jeremiah (ca. 300 C.E.) in *Sifra*, ed. I.H. Weiss, 86b. Cf. S. Schechter, *Some Aspects of Rabbinic Theology*, 1909, p. 133. On Dura paintings cf. C.H. Kraeling, *The Synagogue*, 1956, pl. LXXVII, pp. 232–8 and *The Excavations at Dura-Europos Report VII–VIII*, 1030, pl. XVII, p. 110. On the secret character of holy writings cf. J. Leipoldt, S. Morenz, *Heilige Schriften*, 1953, pp. 88–114. Greek books ascribed to the Egyptian god of wisdom Thot-Hermes were free compositions. Cf. Th. Hopfner, *Plutarch über Isis und Osiris I*, 1941, p. 245. On Greek translations from Egyptian cf. above n. 27. Add the observations of A.D. Nock, *Gnomon XXI*, 1949, p. 225 and *XXV*, 1953, p. 347, n. 1. On Amm. Marcell. XVII, p. 4, p. 17 cf. Gardiner, *Journ. of Egypt. Archaeol.* V, 1918, p. 269.

## TWO LEGAL INTERPRETATIONS OF THE SEPTUAGINT

### I. *Dos* (Gen. 34, 12; Exod. 22, 16)\*

As described in the Bible, the ancient Hebrew marriage was a transaction in which the bride-groom gave the bride-price (*mohar*) to his future father-in-law. Scholars debate endlessly about the legal nature of the *mohar* and similar compensations in other legal systems,<sup>1</sup> such as the Homeric *hedne*, the Babylonian *tirhatum*, and so on.<sup>2</sup> Was the girl really

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\* Abbreviations: *ArOr* = *Archiv Orientalni*; C = A. Cowley, *Aramaic Papyri*, 1923; Cohen, *Betrothal* = B. Cohen, "On the Theme of Betrothal in Jewish and Roman Law", *PAAJR* XVIII, 1949, pp. 67–135; Cohen, *Dowry* = B. Cohen, "Dowry in Jewish and Roman Law", *Mélanges Isidore Lévy*, 1955, pp. 57–85; Cohen, *Peculium* = B. Cohen, "Peculium in Jewish and Roman Law", *PAAJR* XX, 1951; Cohen, *Ususfructus* = B. Cohen, "Ususfructus in Jewish and Roman Law", *RIDA*, 1854, pp. 173–93 (These papers of B. Cohen are reprinted in his *Jewish and Roman Law*, 1966); Cuq = E. Cuq, *Études sur le droit babylonien*, 1929; Driver-Miles = G. Driver, J. Miles, *Babylonian Laws* I–II, 1952, and 1955; Epstein = L.M. Epstein, *The Jewish Marriage Contract*, 1927; Fischer = L. Fischer, *Die Urkunden im Talmud*, 1912, also in *Jahrbuch der Jüdisch-Literarischen Gesellschaft*, vol. IX; Gulak = Gulak, *Das Urkundenwesen im Talmud*, 1935; *JAOS* = *Journal of Amer. Oriental Society*; K = E.G. Kraeling, *The Brooklyn Museum Aramaic Papyri*, 1953; Muffs = Y. Muffs, *Studies in the Aramaic Legal Papyri from Elephantine*, 1969; *PAAJR* = *Proceedings of Amer. Academy of Jewish Research*; Rapaport = M. Rapaport, "Der Talmud und sein Recht", *ZVR* XIV, 1900; Taubenschlag = R. Taubenschlag, *The Law of Greco-Roman Egypt* (2nd ed., Warsaw, 1955); Vinogradoff = P. Vinogradoff, *Outlines of Historical Jurisprudence* II, 1922; Westermarck = E. Westermarck, *The History of Human Marriage* (5th ed., 1922); *ZSS* = *Zeitschrift der Savigny-Stiftung (Rom. Abt.)*; *ZVR* = *Zeitschrift für Vergleichende Rechtswissenschaft*.

<sup>1</sup> Westermarck, II, pp. 259–68; C.W. Westrup, "Über den sogenannten Brautkauf des Altertums", *ZVR* XLII, 1926, pp. 1–99; P. Koschaker, "Eheschliessung und Kauf", *ArOr* XVIII, 3, 1950, pp. 210–296. Further bibliography may be found in L. Wahrmund, *Das Institut der Ehe im Altertum*, 1933, pp. 133–44.

<sup>2</sup> On *mohar*, see Epstein, pp. 53–77; R. Dussaud, *CRAI*, 1935, pp. 142–51; M. Burrows, *The Basis of Israelite Marriage*, 1938, pp. 9–15. Further bibliography in Cohen, *Betrothal*, p. 71, n. 13. D.R. Mace, *Hebrew Marriage*, 1953, pp. 168–70, gives a synopsis of modern views on the topic. Further cf. W. Plautz, "Die Form der Eheschliessung im Alten Testament", *ZAW*, LXXVI, 1964, pp. 298–318. For Homeric marriage cf. M.L. Finley, "Marriage, Sale and Gift in the Homeric World", *RIDA*, 1955, pp. 167–194. On marriage in the Ancient World see the surveys of J. Gaudemet, *Institutions de l'antiquité*, 1967, and in *Reallexikon für Antike und Christentum*, VII, 1969, pp. 286–356. For cuneiform law cf. G. Cardascia, J. Klima, *Introduction bibliographique à l'histoire de droit* (J.E. Glisson, ed.), A/2, 1966. For Egyptian law cf. P.W. Pestman, *Marriage and Matrimonial Property in Ancient Egypt*, 1961; E. Seidl, in *Handbuch der Orientalistik* (B. Spuler ed.), Erg. Band III, 1964. On the term *terhatu* cf. B. Levine, "Mulugu/Melug", *JAOS*, LXXXVIII, 1968, p. 274.

sold to her husband? Or was the bride-price rather a *pretium pudicitiae*? Or just a gift in return for giving the bride in marriage? The discussion is fruitless because the debaters invariably commit a logical and a legal error. They do not realize, it seems, that the *mohar* could be at the same time purchase-price, *pretium virginitatis*, and a return gift. On the other hand, they confuse marriage with the financial arrangements related to match-making.<sup>3</sup> In any case, whatever the nature of the *mohar* or its interpretation by the Hebrew groom was, he had to give a compensation for his wife to the latter's father.

Such compensation was required because in the agricultural economy the bride leaving her family deprived the latter of a worker and transferred her operational force to her husband's family. Egyptian texts of the Ptolemaic period<sup>4</sup> clearly state this function of the "bridewealth" (to use language of anthropologists) in the complex process of exchange which constituted the ancient marriage. It is, rather, the origin of dowry that requires explanation, but here we do not need to deal with this sociological problem.

The bride, and also the bride-groom,<sup>5</sup> of course, could receive parting gifts, but though brought into her husband's house, the bride's gifts

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<sup>3</sup> Cuq, p. 25 had already stressed the fact that in Babylonia lawful marriage did not depend on the payment of purchase-price. Cf. also E. Szelechter, "L'affranchissement en droit suméro-accadien", *RIDA*, 1952, pp. 136-44. For Egypt cf. J. Pirenne, "Introduction à l'histoire du droit égyptien", *AHDO* II, 1938, p. 57. Similarly in Greek law a contract of betrothal, verbal or written, and not dowry, formed the juridical basis of marriage. Vinogradoff II, p. 236; H. J. Wolff, "Die Grundlagen des griechischen Eherechts", *Tijd. voor Rechtsgesch.* XX, 1952, pp. 1-54. For Ptolemaic Egypt cf. Wolff, *ib.*, pp. 172-3; E. Seidl, *Ptolemäische Rechtsgeschichte* (2nd ed., 1962), pp. 174-77; G. Haegel, *Ehegüterrechtliche Verhältnisse in den griechischen Papyri Ägyptens*, 1968. Further bibliography in J. Modrzejewski, *Droit hellénistique*, 1965, pp. 78-81, in the above mentioned bibliographical collection. In Rome again conclusion of marriage by the consent of the parties was different from *conventio in manum*. See e.g. F. Schulz, *Classical Roman Law*, 1951, pp. 103-17; E. Volterra, "La conception du mariage à Rome", *RIDA*, 1955, pp. 365-80; Id., *Istituzioni di diritto privato romano*, 1968, pp. 643-62.

<sup>4</sup> E. Seidl, "Die Unterhaltungspflicht der Töchter". *Atti del XI Congresso Internaz. di Papirologia*, 1966, pp. 149-55.

<sup>5</sup> An exchange of gifts on the occasion of marriage was as natural in the Homeric world or in the Bible as it is to-day. Marriage being a main mode of exchange between two groups, the principle of reciprocity is here dominant. Cf. Cl. Lévi-Strauss, *Structures élémentaires de la parenté*, 1949, pp. 373-427. Incidentally, it is difficult to understand why sociologists must go to some primitive tribes to discover that a gift compels its receiver to give some counter-gift. This is still true to-day, from economical aid in international relations to mailing of Christmas cards. The Greek root *do* refers to compensation and may express both giving and taking. E. Benveniste, *Don et échange*, *Année sociologique*, 1948-9, pp. 7-12.

were not made over to him, but remained property of her own. Jacob had no rights over Bilhah and Zilpah, slave-maids of his wives. Again, Sarah gave Hagar, her maid, to Abraham, her husband.<sup>6</sup> In biblical law, the principle of separate property governed matrimonial property relations.<sup>7</sup> Succession was strictly agnatic, and the widow had no share in her dead husband's estate.<sup>8</sup> It is possible, on the other hand, that the husband did not inherit from his wife. As some rabbis noted themselves, inheritance by a husband was a rabbinic institution.<sup>9</sup> Thus, the *mohar* was the sole financial link between families related by marriage.

A talmudic tradition informs us about the subsequent evolution of the bride-price.<sup>10</sup> This report is already interesting as a rare specimen of antiquarian interest among the rabbis. But in order to appreciate this antiquarian construction, we have first to understand its anachronistic components. The report calls the marriage settlement *ketubah* (that is a "writ") after the name of the written marriage contract of the rabbinic

<sup>6</sup> On parting gifts (called *shilluhim* in I Reg. 9, 16) see, e.g. Gen. 24, 53. Slaves of Sarah, etc.: Gen. 16, 2 and Gen. 30, 4 and 9, compared with Gen. 29, 24, and 29. Note that in talmudic law, the husband was deemed master of slaves brought in by the wife as a dotal property. Cohen, *Dowry*, p. 72. On *donatio ante (propter) nuptias*, cf. Gulak, pp. 68–75; Cohen, *Betrothal*, p. 83, n. 67.

<sup>7</sup> In the Bible (Josh. 15, 18 = Jud. 1, 15), and still according to the Mishnah (Cohen, *Peculium*, pp. 164–5), a father may bestow gifts upon his married daughter, and the property belongs to her, and not to her husband. Further cf. Exod. 35, 22 and 25; Jud. 17, 2; Prov. 31, 16. Cf. also Joh. Pedersen, *Israel I–II*, 1926, pp. 68–70, p. 551–2. S. Bialoblocki. s.v. Ehe, *Encycl. Judaica VI*, pp. 243–51.

<sup>8</sup> On the *legitima hereditas* in Mosaic law, see Num. 27, 8–11; Deut. 21, 16–17. Cf. A.-G. Barrois, *Manuel d'archéologie biblique II*, 1953, pp. 28–31; S. Bialoblocki, s.v. Erbrecht, *Encycl. Judaica VI*, pp. 701–11.

For talmudic law, see, e.g. Rapaport, pp. 33–93. Cf. D. Daube, "Inheritance in Two Lucan Pericopes", *JSJ LXXII*, 1955, pp. 326–34. Yet, according to the Book of Ruth (4, 3–4) both Ruth and her mother-in-law (Naomi) inherited land estates of their respective husbands. The commentators are unable to explain this devolution. But the Mosaic law was not always and everywhere followed; sometimes local practices admitted special dispositions in disagreement with the Pentateuch. The Book of Ruth may reflect the legal custom of Bethlehem, or of the tribe of Judah. Cf. the controversy between the Sadducees and the Pharisees on the rights of daughters as heirs: on which see L. Finkelstein, *The Pharisees I*, 1938, pp. 138–42. See also D. Daube, *JSJ LXXII*, 1955, p. 367.

<sup>9</sup> On husband's right to the wife's estate cf. the discussion in Kethub. 84 a. Cf. M. Kethub. 9, 1. His right was exegetically deducted from some biblical passages (Lev. 18, 17, 21, 2; Num. 27, 11). Cf. Rapaport, p. 61.

<sup>10</sup> The report has been transmitted in three slightly divergent variants: Kethub. 82 b; pal. Kethub. 8, 11, p. 32 b–c; and Tos. Kethub. 12, 1. Cf. Epstein, pp. 19–24, Gulak, pp. 53–5. Cf. also Finkelstein, *o.c.* I, pp. 44–5; S. Baron, *A Social and Religious History of the Jews* (2nd ed.) II, 1952, p. 409, n. 5.



period.<sup>11</sup> The talmudic antiquarians, further, imagined that the amount of this *ketubah* from the beginning was fixed at two hundred silver pieces (*zuzim*), as was the case in their time. They were of the opinion that the marriage settlement by the bride-groom was given to serve for maintenance of the bride upon termination of the marriage, a hypothesis which has been also advanced by some modern scholars.

The story, thus, goes as follows: At first man gave the *ketubah* (that is, the bride-price) to his future father-in-law. Thus, he could easily divorce his wife, telling her: "go to thy *ketubah*". This agrees with the Bible: Laban's daughters complain that their father "sold" them to Jacob, and "devoured" their price (lit. "silver").<sup>12</sup> Thereafter, according to the rabbinic antiquarian, the bridal sum was given to the husband as trustee for wife. This stage is represented in the fifth century documents from Elephantine. The bride "brings in" her *mohar*, which is returnable to her by the husband at divorce.<sup>13</sup> The third stage was that the bride, to secure the divorce settlement, transformed the nuptial price into a plate, a usual mode of thesaurization in the ancient world. For this phase confirming evidence is still lacking. At last, in the first half of the first century B.C., the famous Pharisaic teacher, Simeon ben Shetah, substituted the pledge of the husband, secured by a general lien on his property, for cash given for the bride. This arrangement figures still to-day in the Jewish marriage contract (*ketubah*).<sup>14</sup>

<sup>11</sup> On *ketubah*, besides the above named book of Epstein, cf. Fischer, pp. 66–121, and Gulak, pp. 52–63. On *zuz* cf. S. Krauss, *Talmudische Archäologie* II, 1911, p. 407.

<sup>12</sup> Gen. 31, 15. Cf. Ch. Tchernowitz, "Das Dotalsystem", *ZfV* XXIX, 1913, p. 451. The bride-price was transferred to the bride in several legal systems. Cf. Westermarck II, p. 403; Westrup, *o.c.*, pp. 68–73. Yet, still to-day, the *mohar* is retained by the father of the bride among the Bedouins of Beersheba in Palestine. Aref-el-Aref, *Bedouin Love, Law and Legend*, 1944, p. 65. On *mohar* as a provision for the wife's support in case of dissolution of marriage, cf. Burrows, *o.c.*, pp. 63–5.

<sup>13</sup> C. 15; K. 2 and 7. The transaction has been explained in H.L. Ginsberg, "The Brooklyn Museum Aramaic Papyri", *JAO* LXXIV, 1954, p. 156. Cf. Muffs, p. 60. On the marriage agreements in Elephantine cf. A. Verger, *Ricerche giuridiche sui papiri aramaici di Elephantine*, 1965, pp. 105–45; R. Yaron, *Introduction to the law of the Aramaic papyri*, 1961, pp. 44–64.

<sup>14</sup> In Kethub. 82 b, the thesaurization appears as a feature of the previous stage, but the version of Palestinian Talmud (translated into Latin in B. Ugolini, *Thesaurus antiquitatum sacrarum*, vol. XXX), rightly distinguishes this phase from the crediting of the bride-price to the husband. On Simeon's disposition see f.i. J. Derenbourg, *Essai sur l'histoire... de la Palestine*, 1867, pp. 108–110; Epstein, pp. 17–25 and pp. 238–9. Note that a general lien as security for debts already appears in the Elephantine papyri. K. 11 and 12. Cf. also Cuq, p. 215. A translation of the *ketubah* may be found f.i. in *Jewish Encyclopaedia* VII, 472.

Let us note, that this historical reconstruction of the marriage settlement, formulated by some rabbi in the first or second century A.D., deals exclusively with the development of the bride-price. The dowry, brought in by the bride, is not referred to, though the dowry, not less than the settlement made by the groom upon the bride, served as an effective restraint on a husband's propensity to divorce.<sup>15</sup>

In fact, the dowry is an extraneous and intruding element in the Jewish matrimonial system where it is superimposed on the bride-price. It is significant that though the legal obligation of the father to give a dowry was already recognized by Palestinian jurists in the second century A.D., the rabbis had no special term for this institution, but spoke of the "marriage contract" (*ketubah*), or used circumlocutions, etc. Often, it is unclear whether a talmudic text speaks of the dowry, or of the settlement made by the groom upon the bride.<sup>16</sup>

It is true that in the marriage contracts of Elephantine (fifth century B.C.), the effects which the bride brings into her new home are named and evaluated.<sup>17</sup> These documents however, though the parties are Jewish, follow the common law of Aramaic scribes and notaries, and do not necessarily represent the development of Jewish law. Secondly, and above all, the list in question enumerates the trousseau of the bride and her wedding gifts which, incidentally, were revocable by the donor.<sup>18</sup> The

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<sup>15</sup> The dowry is recorded in the contemporary *ketubah*, and in this way husband's property is a lien for the amount of the dowry. Cf. Cohen, *Dowry*, p. 74. On dowry as making divorce more difficult cf. Westermarck III, p. 368.

<sup>16</sup> Cohen, *Dowry*, pp. 62–3. Numerous talmudic passages on dowry are translated in H. L. Strack, P. Billerbeck, *Kommentar zum Neuen Testament* II, 1923, p. 389.

<sup>17</sup> Marriage contracts: C. 15; K. 2 and 7. Cf. fragmentary documents C. 18; 36; and K. 14. As K. p. 52 notes, C. 48 is a fragment of a betrothal agreement. But the very difficult subject of betrothal and its legal effects cannot be dealt with here. Cf. Cohen, *Betrothal*; Fischer, pp. 59–66 and Gulak, pp. 36–52. Note that according to the rabbis, in the earlier period (that is, say, first century A.D.) the *ketubah* was written and the *mohar* stipulated at the time of betrothal. Cohen, *Betrothal*, p. 77 and p. 83.

<sup>18</sup> K. 4, 4 and 7, 41 with Kraeling's commentary p. 221. In C. 18 the donor expressly renounces the right to reclaim "property and money" given by her to her daughter. After the first publication of C. 15, M. Lidzbarski, *Deutsche Literatur-Zeitung*, 1906, p. 3207, identified the document as a *ketubah*, and his view has been generally accepted. Yet, a marriage agreement is not necessarily a *ketubah*. The latter, properly called *sefer ketubah* (Fischer, p. 71) was an agreement between the intended spouses. The groom here addressed his bride: "when thou comest into my house". Cf. Fischer, pp. 76–103. At Elephantine, on the other hand, the contracting parties are the groom and the bride's father, and the document is formulated in the third person. It seems that some Neo-Babylonian documents offer the next parallel to this formulation. See e.g. M. San Nicolò, "Due atti matrimoniali", *Aegyptus* XXVII, 1947, pp. 118–43. These Neo-Babylonian marriage contracts, of 550 and 494 B.C., are at the same time dowry

bride-groom promises to let her take away these *ornamenta muliebria* on dissolution of the marriage. For this reason, the objects are enumerated and their fixed value set. The procedure is similar to, yet not identical with the *aestimatio* in Roman law. Functionally, this portion of the document corresponds to the *rerum libellus* of paraphernal goods, mentioned by Ulpian, and has its counterpart in Demotic marriage instruments. The husband does not need to repair or to repay the value of specific things which are on the list, but which have been destroyed or have deteriorated.<sup>19</sup> On the other hand, he has no rights over the property of his wife, described in the marriage contract. At Elephantine, a man borrows money from a woman, who may or not be his wife, and the debt bond states that the loan is given “from the portion of money and property which (are enumerated) in your marriage document”.<sup>20</sup> The listing of this property safeguarded the rights of the wife in the common household. On the other hand, the wife continued to have property “which is not written in the marriage document”. This expression is characteristic when compared with the Roman terminology (*res non in dotem datae*) or with the rabbinic distinction between the *cheptel de fer* property of the wife, for which the husband was responsible, and her separate property.<sup>21</sup> No less remarkable is the fact that at Elephantine the determination of the hereditary rights of the surviving spouse was

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stipulations. On the other hand, a marriage contract, written in Syria under Nabonidus (556–539), has no reference to property relations between the spouses E. Dhorme, “Les tablettes babyloniennes de Nerab”, *Rev. d'Assyr.* XXV, 1928, p. 63, n° 23.

<sup>19</sup> Dig. XXIII, 3, 9, 3: *mulier res quas solet in usu habere in domo mariti neque in dotem dat in libellum solet conferre eumque libellum mariti offerre ut it subscribat*. Ulpian, further, notes that these effects are not transferred to the husband, and that their inventory serves, *ut certum sit in domus eius illata, ne, si quandoque separatio fiat, negatur*. On this passage cf. G. Petropoulos, *Istoria kai eisegesis tou Romaikou dikaiou*, 1944, p. 1094; Cohen, *Peculium*, p. 140, n. 34; E. Gerner, *Beiträge zum Recht der Parapherna*, 1954, p. 58; H.J. Wolff, “Zur Geschichte der Parapherna”, *ZSS LXXII*, 1955, p. 342. After writing this paper, I see that E. Seidl, *ap. Gerner o.c.*, p. 37 has already understood C. 15 as referring to the paraphernal effects of the wife. For Demotic instruments see e.g. a marriage contract from Elephantine (918 B.C.) translated by W. Erichsen, *Abhandl. Preuss. Akad.*, 1939, n° 8. On the inventory of *ornamenta muliebria* in Demotic contracts cf. F.L. Griffith, *Catalogue of Demotic Papyri in the John Rylands Library* III, 1909, p. 116; E. Seidi, “Das... Güterrecht unter Ehegatten nach den demotischen Papyri”, *Aegyptus* XIII, 1933, pp. 73–83 who pp. 7–8 stresses the fact that these effects terminologically and juristically are essentially different from the “alimention” brought in by the bride at the time of marriage. Cf. also M.E. Matić, “Iz istorii semii”, *Vestnik Drevnei Istorii*, 1954, n° 3, pp. 74–5.

<sup>20</sup> C. 35. On the wife's property not recorded in her marriage contract see K. 10, 7. Cf. K. 6 and C. 8, 9, 13.

<sup>21</sup> On Jewish terminology cf. Cohen, *Dowry*, pp. 60–2 and *Ususfructus*, pp. 186–7. The term *nikse* (property) is also attested in G.R. Driver, *Aramaic Documents*, 1954, p. 3. line 5. On its Sumerian origin see Driver's note *ad lov*.

left to the discretion of the parties. By agreements entered into their marriage contract, the future spouses conceded the whole property of the deceased party to the survivor of the marriage. It seems, thus, that in the fifth century B.C., at least at Elephantine, the Jewish matrimony was based on the principle that the husband and the wife have separate property interests. This feature was probably a norm of the Aramaic common law. As generally in ancient jurisprudence, at least till the establishment of the Roman Empire, the development of private law owed less to statutes than to notaries. The leading principle was that whatever was agreed upon between parties bound them.<sup>22</sup> The reception and diffusion of alien or new law rules was generally left to the activity of draftsmen of documents. At Elephantine, the same scribe dealt with men of many nationalities. The Aramaic notary had Egyptian colleagues and, probably, often collaborated with them. No wonder that Demotic documents show the influence of Babylonian law,<sup>23</sup> and that the Aramaic marriage contract of Elephantine in many respects agrees with the Egyptian schema.<sup>24</sup>

<sup>22</sup> On the *lex contractus* cf. Vinogradoff II, pp. 81–4; E. Weiss, *Griechisches Privatrecht*, 1923, pp. 25–7; F. Pringsheim, *The Greek Law of Sale*, 1950, pp. 34–45; Driver-Miles I, p. 53; “The parties can make more or less what arrangements they like in any legal matter affecting them”. Though talmadic law did not grant the right of divorce to the wife, the marriage contract clause conceding this right to both spouses remained valid. Muffs, p. 193, n. 5.

<sup>23</sup> Cf. generally R. Taubenschlag, “Das babylonische Recht in griechischen Papyri”, *JJP* VII–VIII, 1953–4, pp. 169–85 and Taubenschlag, s.v. *Law, Babylonian*. For the Elephantine papyri see E. Y. Kutscher, “New Aramaic Texts”, *JAOS* LXXIV, 1954, pp. 243–8; E. Volterra, *Imra* VI, 1955, pp. 349–60. On Persian legal terms in Elephantine documents cf. also J. de Menasce, “Notes d’emprunt”, *Bibliotheca Orientalis* XI, 1954, p. 161. It is piquant that a deed of a Jewish clergyman (“*lhn* of the god Yahu” cf. C. C. Torrey, *Journ. Near East. Stud.* XIII, 1954, p. 150) is witnessed by two Persian Magi (K. 4). The evidential value of this text for Jewish-Persian cultural contacts is obvious. Cf. Muffs, pp. 173–9.

<sup>24</sup> The Aramaic term for the marriage contract: *sefer intutha*, “writ of wifehood” (C. 35, 4; K. 10, 7) apparently literally corresponds to the demotic name of the same instrument, which means “writing of wife”. Cf. W. Erichsen, *Demotisches Glossar*, 1954, p. 306. The formula “thou hast given me” in loan receipts (C. 10, 3; K. 11, 3) is again of Egyptian origin. M. Malinow, *Choix de textes juridiques*, 1953, p. 20. Further cf. Kutscher, (n. 23), pp. 240–8; R. Couoyer, “Termes égyptiens dans les papyri araméens”, *Revue Biblique* LXI, 1954, pp. 555–9; J. J. Rabinowitz, “A Legal Formula”, *Biblica* XXXVI, 1955, pp. 74–7. Id. *Journ. of Near Eastern Studies* XIV, 1955, p. 59 and *Vetus Testamentum* VI, 1956, p. 104. A Demotic marriage agreement from Elephantine almost contemporary with Jewish documents (written ca. 535 B.C.) has been published by W. Erichsen, “Zwei frühdemotische Urkunden”, *Bulletin of Byzantine Institute* (= *Coptic Studies in Honor of W.E. Crum*) II, 1950, p. 277. On the relations between Demotic and Aramaic deeds cf. Muffs, p. 174.

The marriage in a Jewish family living at the other end of the Persian Empire, at Ecbatana, is described in the Book of Tobit, written probably in the fourth century B.C. Though the author mentions the marriage contract, he does not refer to any financial settlement on this occasion. But after the consummation of marriage, Raguel, the father-in-law, transfers all his earthly goods to Tobias, his son-in-law, without even mentioning Sarah, the bride. Modern scholars perversely interpreted his action as *dotis datio*. In fact, he circumvents the biblical law of succession which limits the devolution to the agnates. He conveys a half of his estate to Tobias immediately (*dando*), and the rest *obligando*, the devising of property *post mortem* taking effect after his and his wife's death.<sup>25</sup>

Thus, as far as we know, in the fifth and in the fourth centuries B.C., the institution of the dowry was still alien to the Jewish matrimony. This peculiarity deserves attention. In fact, some kind of a settlement made by the father-in-law (or the bride) on the bride-groom for the purpose of contributing to the upkeep of the marriage was usual at this date in the Ancient Near East.<sup>26</sup> There are, for instance, cuneiform instruments of the Neo-Babylonian period spelling out the stipulations for the dowry. On the other hand, as the Mishnah shows, Palestinian jurists of the second century A.D. already regarded the dowry as a legal obligation

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<sup>25</sup> Tob. 7, 12–13 and 8, 21. On donation in talmudic law see Rapaport, pp. 94–148, particularly p. 122. The author of Tobit was interested in the happy ending of his story, and not in legal *minutiae*. Thus, many pertinent questions must remain unanswered. Did Raguel reserve the *ususfructus* of the remaining half of his property? Cf. Cohen, *Ususfructus*, pp. 183–4. Would his wife, as the next heir, have power to leave the property to some other person? Why did Raguel disinherit his daughter, who, having no brothers, would have succeeded him as *heres legitimus* according to Num. 27, 6–11? According to another text of Tobit (in Codex Sinaiticus), Raguel, however, promises to leave the rest of his estate to both, his daughter and his son-in-law, in common. What was the nature of the συγγραφή βιβλίου συνοικήσεως which has established the marriage relations between Tobias and Sarah? In (later) Hebrew and Aramaic re-translations of the book, the Greek expression is rendered: *ketubah*. Cf. generally Fischer, pp. 67–70; Gulak, p. 43.

<sup>26</sup> The so-called “dowry” in Babylonia was rather a share in father's estate paid in advance. Cf. Cuq, p. 142; Driver-Miles, I pp. 335–41; J. Klima, “La position successorale de la fille dans la Babylonie ancienne”, *ArOr* XVIII, 3, 1950, pp. 150–86. But in the Neo-Babylonian period the purchase-price disappears, and a dotal endowment is usual. Cf. E. Ebeling, s.v. Ehe in *Reallexicon der Assyrologie* II, 1938, p. 285. H. Petschow, “Der Surrogationsgedanke im neu-Babylonischen Recht”, *RIDA*, 1954, pp. 151–5. On Hittite dowry cf. V. Korošec *ib.*, pp., 295–6 and Cuq, p. 470. On bride's contribution to the upkeep of the marriage in Persian and Greek Egypt cf. Taubenschlag, p. 126 and studies quoted above n. 18. On dowry in classical Athens now cf. H.J. Wolff, s.v. *Proix*, *RE* XXIII, I, pp. 133–70; A.R.W. Harrison, *The Law of Athens* I, 1968, pps. 45–56.

of the father. This legal view was developed, as it seems, after the Fall of Jerusalem (A.D. 70). At least, the Mishnah quotes Admon, who was a judge in Jerusalem, that the stipulation of the dowry was unenforceable legally. But this statement also shows that at his time dowry was already customary. Admon even referred to a popular saying that if the bride-groom does not get the promised dowry, the betrothed bride “may sit until the hair of her head grows white” waiting for the marriage ceremony. Even earlier is another reference in Talmud, which brings us back to the beginning of the Christian era. The School of Shammai and the School of Hillel debated the question whether a betrothed woman may sell or give away the property she inherited after the betrothal. The dispute shows that at this time the husband had already acquired the right to his wife’s property and, thus, implicitly, proves the existence of the dowry. In other words, whereas in the Bible, the man purchased the bride, in Roman Palestine the bride purchased the husband.<sup>27</sup> How to understand and to date this change?

The Greek version of the Torah, the so called Septuagint, is a document of capital importance for the history of Jewish law. Since the translation was made under Ptolemy II, that is between 284–246 B.C., the Septuagint offers the interpretation of Mosaic law current among Alexandrian Jews in the second quarter of the third century B.C. Now, the Alexandrian translators used the term *pherne* where the Hebrew text speaks of the *mohar*, though the Torah in Hebrew as well as in Greek speaks of the payment made by the prospective husband. Yet, the terms used by the Seventy substitute the transfer of money from the bride (or her family) to the groom for the transfer of money from the groom to the bride (or her family) in the Hebrew text.<sup>28</sup> The rabbinic interpretation of the latter is the same. Referring to the same

<sup>27</sup> M. Kethub, 6, 5; 13, 5 and 8, 1. Cf. Cohen, *Peculium*, p. 191 and *Betrothal*, p. 111. On the opposition of the conceptions: bride-price and dowry, cf. e.g. Cuq, p. 30; E. Volterra, *RIDA*, 1955, p. 366.

<sup>28</sup> LXX Gen. 34, 12: Shechem says to the family of Dinah, Jacob’s daughter: τὴν φερνήν... δώσω καὶ δώσετε μοι τὴν παῖδα ταυτην... εἰς γυναῖκα. Ex. 22, 15: the seducer of a virgin must marry her, φερνή φερνιεῖ αὐτὴν αὐτῷ γυναῖκα. In Ex. 22, 16, if the father refuses to give his seduced daughter to the seducer, the latter ἀργύριον ἀποτείσει τῷ πατρὶ καὶ ὅσον ἐστὶν ἡ φερνή τῶν παρθένων. Exodus 18, 2 says that Moses, before returning to Egypt, sent his wife away (to his father-in-law). Some readers interpreted the passage as referring to Moses’ divorce. Accordingly, an unknown Greek translator rendered the Hebrew expression by the phrase: μετὰ τὴν προίκα. See Cohen, *Dowry*, p. 61. On the other hand, in I Reg. (I Sam.) 18, 2 *mohar* is rendered δόμα. The exact Greek rendering would be ἔδνα.

passages in the Torah, the *Mekilta* states: “*mohar*, that is *ketubah*”.<sup>29</sup> The Septuagint shows that this interpretation, at first sight surprising and surely anachronistic, was already current by 250 B.C. On the other hand, the rabbinic discussion of the *ketubah* elucidates the meaning of the *pherne* in the Septuagint. The term here means the stipulation in the marriage contract (*ketubah*, see below, p. 207) by which the husband promises a certain sum for the maintenance of the divorced wife or widow. In this way the bridegroom still pays money “in lieu of thy virginity”, as the Jewish marriage contract hopefully continues to say, but the husband credits the promised amount to his wife and secures his promise by a lien upon his whole property. Accordingly, he does not need to scramble for cash, which is always rare in an agricultural economy, before entering into marriage. It is easy to realize that this device facilitated marriage, particularly that of young people and, thus, helped the population growth of which Philo speaks so proudly.<sup>30</sup>

The fragments of marriage contracts from Roman Palestine<sup>31</sup> illustrate the post-biblical transformation of the *mohar*. The groom does not pay the bridewealth, but settles a sum on his wife. This “silver of the *ketubah*” was called *pherne* (or *proix*)<sup>32</sup> in Jewish marriage contracts of the same find written in Greek. The form of the agreement was a declaration made by husband to wife.<sup>33</sup> This agrees with the rabbinic

<sup>29</sup> *Mekilta* III, p. 131, ed. J. Lauterbach. In the rabbinic commentary on Genesis 34, 12 it is stated: “*Mohar* is *pherne* and *mattan* is *parapherne*”, the Greek terms being transliterated. *Bereshit Rabba* LXXX, 7, p. 960, ed. J. Theodor and Ch. Albeck. In fact, *mattan* is, rather, a gift made by the groom to his bride. The LXX omits to translate the word in Gen. 34, 12. In the Targumim, *mohar* is likewise rendered by *pherne*, transcribed as *prn*, *vel simile*. Cf. Cohen, *Betrothal*, p. 96, n. 159.

<sup>30</sup> Philo, *de spec. leg.* 1, 7. Cf. I. Heinemann, *Philons griechische und jüdische Bildung*, 1932, p. 267, p. 392.

<sup>31</sup> *DJD* II, pp. 20–21, p. 115–116, reprinted and commented upon in E. Koffmahn, *Die Doppelurkunden aus der Wüste Juda*, 1968, pp. 114–143. See particularly *DJD* II, p. 115, line 5; p. 116, line 6; p. 29, line 4. Cf. particularly E. Volterra, “Nuovi documenti per la conoscenza del diritto vigente nelle provincie romane”, *Iura* XIV, 1963, pp. 48–60. The marriage instruments from the Cave of Letters have not been published yet. Cf. Koffmahn, *o.c.*, pp. 143–147.

<sup>32</sup> Both terms became interchangeable in the Roman period. (J. Modrzejewski, “Zum hellenistischen Ehegüterrecht”, *ZSS* LXXXVII, 1970, p. 60), though in classical Greece *proix* referred to the dowry (in real estate and in slaves), while *pherne* meant the personal belongings of the bride. Cf. L. Gernet, “Notes de lexicographie juridique”, *Mélanges E. Boisacq*, 1938, pp. 396–8, and Modrzejewski, *o.c.*, p. 55. In Ptolemaic Egypt the dowry consisted of money and the personal belongings of the bride and accordingly was called *pherne*. The same was true for the Jewish *ketubah*. Cf., e.g., *DJD* II, p. 21, which speaks of the “silver of thy *ketubah*”.

<sup>33</sup> That the contracting parties were bridegroom and bride (and not the latter’s

rule that a girl is emancipated at the age of puberty (legally 12 years 6 months, and one day) and from this date may marry at will. The Palestinian texts written about 200 B.C. imply that this legal rule was already in force at this date,<sup>34</sup> though in practice the marriage was probably arranged by the parents.<sup>35</sup>

The rabbinic marriage instrument (*ketubah*) also included the dowry in the proper sense of the term, that is, the property given to the bride by her family and brought by her to her husband. Toward the end of the third century B.C., in the "Testaments of the Twelve Patriarchs", written in Palestine, a store of gold goes with a bride, and the author imagines that one hundred talents of gold were given to Joseph with his Egyptian bride. Some years later, for Ben Sira in Jerusalem, dowry is already used as a bait. In his Ecclesiasticus he warns men against being enticed either by a girl's beauty or by her riches, and speaks of the shame of the husband maintained by his wife.<sup>36</sup>

Thus, if the papyri of Elephantine are admitted as evidence for Palestine between 400 and 200 B.C., the Jews of Jerusalem passed from a regime of separated property in marriage to the dotal system, in which at least a great part of the wife's property was managed by the husband and served for the maintenance of the common household. The change was made possible, and almost unavoidable, by the use of money as a medium of exchange in the Greek age. Under the Persian kings barter still dominated the economical life of Palestine, and also of Egypt. The endowment of the bride here meant the transfer of immovables and cattle to the bride-groom. According to custom, a Hebrew father could hardly alienate land from his sons by settling it on a daughter. But under the Macedonian rulers, and perhaps already under the last Persian kings, with the new mobility of coined money, raising a crop for market would have secured the amount necessary

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father) is already attested for the Jews of Alexandria and, thus, implicitly attested for Jerusalem by a decision of Hillel. Cf. Heinemann (n. 30), p. 300.

<sup>34</sup> Finkelstein, p. 268.

<sup>35</sup> In a traditional Jewish society, as late as 1939, the parents choose the mates for their children. Cf. e.g., R. Dalven, "Betrothal and Marriage Customs of the Jannina Jews," *The Sephardic Scholar*, Series 2, 1972-3, p. 44.

<sup>36</sup> Test. Jud. 13, 4; Test. Jos. 18, 4; Ecclesiasticus 25, 21 and 25, 2. In the latter passage the Greek translator used the term *epichoregia*, which in Greek marriage contracts referred to the husband's duty to support and maintain his wife. Later, a famous Palestinian teacher (Rab, who died 247 A.D.) complained that men marry for dowry's sake. Kidd. 70a. But Josephus already stressed that the Mosaic law commands, in taking a wife, not to care for the dowry (*Jos. C. Apion*, II, 24, 200). Cf. Cohen, *Dowry*, p. 64.



for a dowry. On the other hand, the dissolution of the traditional clan system left the bridegroom isolated. He needed and could use monetary capital for starting a new household. To set a married son on the plot of his father was no more advisable in a new market husbandry. The quoted talmudic history of the *mohar* notes that men did not want to marry, and tells us significantly that at the end of the evolution of the purchase-price, it was used by the husband in his business.<sup>37</sup>

However, the economics alone cannot explain the new role of the dowry in Jewish society. Under the system of English common law, a wife brought property to her husband, and the Puritans of New England bargained sharply about the marriage settlement. Yet, here the husband acquired absolute power over the wife's property, while on the continent of Europe the dotal system of the Roman law prevailed.<sup>38</sup>

We may suppose that dowry entered the Jewish marriage contract in the Greek age as a borrowing from the Greek law. For the Greeks a dowry constituted an almost indispensable complement of the match. In the eyes of a layman, the dowry distinguished a legitimate wife from a kept woman.<sup>39</sup> A Jew of Alexandria, a Jewish soldier in a Ptolemaic regiment, a Hellenized Jew in Jerusalem, must have had a dowry for the sake of Greek neighbors, friends, or relatives. In an unfortunately fragmentary papyrus of 218 B.C., a certain Helladote, daughter of Philonides, sues her Jewish husband, Jonathan, in a matter of dowry (*pherne*).<sup>40</sup> In the Egyptian diaspora, the Jews, as all immigrants, were

<sup>37</sup> Cf. generally M. Rostovtzeff, *Social and Economic History of the Hellenistic World* I, 1941, p. 84 and p. 451, and III, p. 1424. The amounts of money which circulated in Elephantine were small. The bride-price, for instance, oscillated between five and ten shekels, that is 20–40 Attic drachms. The dotal portion in Athens in the same period amounted to several hundred drachms. Cf. M.J. Finley, *Studies in Law and Credit in Ancient Athens*, 1853, p. 79. The legal amount for a *ketubah* was 200 denarii. This was also the amount of a *ketubah* agreed in 124 A.D. (*DJD* II, p. 115). At this time one could buy a plot of land for 50 denarii (*DJD* II, p. 22).

<sup>38</sup> Cf. Isid. Loeb, *The Legal Property Relations of Married Parties*, 1900; G.E. Howard, *A History of Matrimonial Institutions* II, 1904, pp. 203–9.

<sup>39</sup> Plautus, *Trinummus*, 690: *me germanam meam sororem in cincubinatum tibi, si sine dote dem, dedisse magis quam in matrimonium*. Plautus' original here was Philemon's *Thesaurus*. Cf. Ph.-E. Legrand, *Daos*, 1910, p. 154 and p. 277; L. Beauchet, *Histoire du droit privé de la république athénienne* I, 1897, pp. 252–3. On the social rôle of the *mohar* cf. E. Volterra, *Iura* VI, 1955, p. 354.

<sup>40</sup> *P. Enteuxeis*, p. 23 = *Corpus Papyrol. Judaic.* 1, 128. On this difficult fragment cf. E. Volterra, "Intorno a P. Ent. 23". *Journ. Jurist. Papyrol.* XV, 1965, pp. 21–28; J. Modrzejewski, "La règle de droit dans l'Égypte ptolémaïque", in *Essays in Honor of C.B. Welles*, 1966, pp. 146–9; Id. "Zum hellenistischen Ehegüterrecht", *ZSS*, 1970, p. 76, n. 105. Cf. H.J. Wolff, *Written and Unwritten Marriages*, 1939, p. 24, n. 86.

regarded as “Hellenes” and judged by Greek courts. Here, the substitution of the dowry (*pherne*) for the bride-price, an institution unknown to the Greeks, was natural. But since the Jewish *ketubah* was being written in Aramaic even among the Alexandrian Jews<sup>41</sup> the scribes of Jerusalem would have had no difficulty in learning the new formula from the Jewish draftsmen of Alexandria or Antiochia.

Yet, the process of adoption was not so simple as it may appear at first glance. In Jewish as in Greek law, the husband enjoyed the usufruct of the bride’s portion and administered it.<sup>42</sup> But the same is also true in cuneiform law. The separate property of the wife was not considered in classical Athens and also in the Hellenistic world: a consequence of the principle that daughters provided with dowries did not inherit from their parents.<sup>43</sup> In Jewish law similarly, the development of the dotal system made the system of separation of goods obsolete. It is remarkable that Palestinian jurists of the Roman period tended to limit the wife’s property rights more and more.<sup>44</sup> Their terminology was not Greek. They used the transliterated term *pherne*, but gave this name to any settlement upon the bride, whether a dowry or a *ketubah*.<sup>45</sup> The wife’s separate property was called *mulug*, a term already used in cuneiform documents of the second millenium to designate independent property of a married woman. Dotal property was called *tson barzel*, literally “iron sheep”. The metaphor comes from cuneiform law. The expression originally designated the flock which its hirer was bound to return without impairment or loss.<sup>46</sup>

<sup>41</sup> Tos. Kethub. 4, 9. Cf. Fischer, p. 126; I. Heinemann, *Philons... Bildung*, 1932, p. 300; S. Belkin, *Philo and the Oral Law*, 1940, p. 244; Cohen, *Betrothal*, pp. 92–3.

<sup>42</sup> Cf. Cohen, *Usufructus*, p. 181. In classical Athens, the husband was the master (*kyrios*) of the dotal property, but at the dissolution of marriage he had to refund the full value of the dowry to his wife, or in the event of her death, to her heirs. H.J. Wolff, “Marriage Law and Family Organization in Ancient Athens”, *Traditio* II, 1944, pp. 53–65; M.I. Finley, *o.c.*, pp. 44–652.

<sup>43</sup> Cf. generally Gerner, *o.c.*, pp. 19–22 and pp. 42–5. Further see, H.J. Wolff, “Zur Geschichte der Parapherna”, *ΣΣ LXXII*, 1955, pp. 335–47. It is noteworthy that there is no legal term in classic and hellenistic Greek for the extra-dotal property of the wife. The term *parapherna* does not appear before Augustus, and mostly denotes personal belongings of the bride.

<sup>44</sup> Cohen, *Peculium*, pp. 163–5, pp. 172–6 and p. 184.

<sup>45</sup> Z. Frankel, *Monatsschrift für Geschichte und Wissenschaft des Judentums* X, 1961, pp. 118–9, notes that the term *pherne* is used in the Palestinian (but not in the Babylonian) Talmud. Further cf. Fischer, p. 72; Cohen, *Betrothal*, p. 83, n. 67 (further bibliography); and Cohen, *Dowry*, p. 62.

<sup>46</sup> The term *tson barsel* (*pecus ferreum*) to denote the assets of the wife for which the husband assumed responsibility, first appears, according to Gulak, p. 76, in the middle

This terminology points to a third factor in the development of Jewish, or, for this matter, any other law in the Hellenistic Orient: the activity of the Aramaic scribes. After Alexander's conquest, the Aramaic language continued to serve as a *lingua franca* of native populations from the Indus and the Oxus to the Jordan. Parthian wine-growers at the Caspian sea, and the Nabatean caravans near the Red sea, both recorded their business transactions in Aramaic as late as the first century B.C. Yet, actual law elaborated by the draftsmen of this Aramaic world under the Macedonian rule remains unknown. As long as the cumulative effect of these more or less similarly expressed Aramaic voluntary agreements is an unknown quantity, every formula describing the action of Greek law on Jewish legal system can be only a provisory approximation.<sup>47</sup>

But the question of "influences" is secondary. The essential fact which comes up into view is the role of scribes in the growth of Jewish law and in reception of foreign norms. The statutory law, the Torah, was not limitative with regard to private transactions. In this sense, the rabbis were right in holding the "tradition" (later called the "Oral Law") to be the necessary complement of the written Torah. Men lived according to custom which was changeable whereas its formulation in law-books congealed its fluid patterns. This was the intrinsic reason for the rabbinic refusal to fix, by writing it, the teacher's and lawyer's interpretation of Jewish law.<sup>48</sup>

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of the second century A.D. Cf. Driver-Miles, p. 272; Cohen, *Ususfructus*, p. 186, n. 78; A.L. Oppenheim, "A Note", *Israel Exploration Journal* V, 1955, pp. 89-92 who refers to the Neo-Babylonian contracts, written ca. 550 B.C., and dealing with flocks. On the *mulug* property (which corresponded to the *res non in dotem datae*), cf. Fischer, pp. 105-16; Epstein, p. 93 and pp. 107-20; Cohen, *Dowry*, pp. 72-3; Levine (n. 2), pp. 270-85.

<sup>47</sup> Cf. R. Bowman, "Arameans", *Journal of Near Eastern Studies* VII, 1948, pp. 65-90. On Parthian records from Nysa cf. M. Schnyzer, *Semita* XII, 1962, pp. 105-21. F.M. Cross Jr., "The Oldest Manuscripts from Qumran", *Journ. of Biblic. Liter.* LXXIV, 1955, p. 149, notes that the Aramaic chancellery script was homogenous everywhere under the Persian kings.

<sup>48</sup> On customary law and its fixing in writing cf. F.M. Powicke, *Ways of Medieval Life and Thought*, 1949, p. 142. On Oriental lawbooks cf. Gaudemet (above, n. 2) pp. 18-22; C.J. Gadd, *Cambridge Ancient History* (3rd ed.) I, 2, pp. 734-6. On oral transmission of the Mishnah see S. Lieberman, *Hellenism in Jewish Palestine*, 1950, pp. 83-100.

II. *Actio de Pastu* (Exod. 22,4)

The Biblical law dealing with damage to a field or to a vineyard caused by cattle is difficult. The law leaves open several legal questions. For instance, what does “from the best” mean? What is the mode of assessing the damages? How are the damages to be collected once they are assessed? The difficulties are aggravated by biblical terminology: the words of the same root *bʿr* seem to mean “devour”, “beast”, and “field” in verse 4, but they reappear at the end of the next verse to mean kindling of fire. An ancient reviser, presumably wishing to remove this ambiguity, substituted the verb *bʿh* for *bʿr* in the beginning of verse 4 (that is *yabʿeh* for *yabʿer*), so that the law now said: “When a man lays waste . . .” This reading is already attested to in a Ms. found at Qumran.<sup>49</sup> The emendation was also accepted by the editor of the Mishna in the classification of damages: that by the “tooth” of a beast was named *maboah* (*Baba Kamma* 1,1). But this terminological variant led some Amoraim to believe that the first clause of the law applied to any damage to agricultural property caused by a man.<sup>50</sup> Jerome in his translation followed this interpretation: “*Si laeserit quispiam agrum vel vineam*”.

On the other hand, some interpreters understood the words derived from the root *bʿr* in verse 4 in the light of verse 5. For them, both verses deal with damage by fire. This view is already attested to in the above mentioned Qumran manuscript; it reappears in some rabbinic controversies, and is followed in an Aramaic translation of Exodus.<sup>51</sup>

Yet, the prevailing opinion of Jewish jurists, connecting both clauses of the verse, maintained that the law concerned feeding one’s livestock on another’s cultivated land. This is the interpretation of the Septuagint. It was also held by the foremost Jewish commentator, Rashi (1040–1105), and his view has been followed by almost all modern translators and exegetes. Thus, the framer of the law seems to say that if a man let his beast loose, and it feeds on another man’s land, “he shall make good the best of his field and the best of his vineyard”. This view is supported by a Hittite law-book which first deals with damage by fire to an orchard or a field (§§ 105–106) and afterwards (107) with sheep

<sup>49</sup> The relevant texts are printed in the Appendix.

<sup>50</sup> B. Cohen, *Mishna and Tosefta*, 1953, pp. 21–22.

<sup>51</sup> Cf. J. Heineman, *Tarbiz* XXXVIII, 1968–9, pp. 294–296; G. Schelert, *VT* VIII, 1958, pp. 251–263; A. Diez Macho, *Neophiti 1*, vol. II, 1970.

in other man's vineyard.<sup>52</sup> But while in the Hittite law the sanctions are clear (see below, p. 212) the compensation is ambiguous in biblical law. What does "his" mean here? *Agro suo*? This is Jerome's translation: *Quidquid optimum habuerit in agro suo vel in vinea pro damni aestimatione restituet*. But the Hebrew suffix may also refer to the damagee (*agro illius*).

The question divided Palestinian jurists. According to *Mekilta*, R. Ishmael opined that the law means the property of the *damageor* (*mazik*), whereas R. Akiba held that the damagee (*nizak*) is referred to.<sup>53</sup> In the Babylonian Talmud the position of both rabbis is reversed. A *baraita* states that "our Masters" and R. Ishmael taught that the law refers to the property of the damagee (*nizak*), while R. Akiba affirmed that the Scripture here speaks of the collection of damages out of the best.<sup>54</sup> One school argued that, just as the word "field" in the beginning of the verse obviously refers to the field of the injured party, the same word in the next clause must have the same meaning. The other school asserted that the word "restitution" in the disputed clause points to the wrongdoer's possession.<sup>55</sup> Accordingly, the Amoraim repeatedly state that R. Ishmael spoke of the field of the claimant (*nizak*) and R. Akiba of the field of the defendant (*mazik*).<sup>56</sup>

Following Jerome and Rashi, modern commentators usually take the pronoun as referring to the defendant (*mazik*).<sup>57</sup> Yet, philologically,

<sup>52</sup> *ANET*, p. 193. Cf. J. Friedrich, *Die hethitischen Gesetze*, 1959, p. 63.

<sup>53</sup> *Mekilta* on Exod. 22, 4 (III, p. 110, ed. J. Lauterbach). In the edition of H.S. Horowitz and I.A. Rabin, 1931, p. 296, the text, following the reading of some Mss., says that according to R. Ishmael the law meant *mazik* in the case of a damaged field and *nizak* with regard to the vineyard. It is outside my competence to judge the value of this reading. In the original edition of this paper, at one point, I wrote *nezikin* for *nizak*. Angered by this *lapsus* a now deceased Talmudist declared that I had misunderstood the biblical text, its Greek translation and the talmudic controversy concerning the verse. See *VT* IX, pp. 40–46. I do not need, and I am not qualified, to discuss the interpretation of this controversy offered by my critic, (i.e. that R. Ishmael spoke of the assessment (*shamin*) of damage, but R. Akiba, of its collection) but my sole interest here is the understanding of the ambiguous pronoun "his" in the biblical law. And on this point the Talmud agrees with me: one party in the debate spoke of *mazik* and the other of *nizak*. See the following notes.

<sup>54</sup> Baba Kamma 6 b; 59 a; Gitt. 48 b.

<sup>55</sup> Baba Kamma 6 b.

<sup>56</sup> R. Ahi (B.K. 7 a; Gitt. 49 b); R. Aha b. Jacob (Gitt. 49 a); R. Samuel b. Abba (B.K. 7 b). In Pal. Gitt. 46, as in the *Mekilta*, R. Ishmael speaks of *mazik* and R. Akiba of *nizak*.

<sup>57</sup> Rashi: After the assessment of damages, if the defendant offers to make restitution with "land", he has to pay with the best of his own field. But the new translation of the Jewish Publication Society's Torah says: "according to the top yield from that (sc. of the plaintiff) field or vineyard". Cf. also the commentary of J.H. Hertz, 1941,

the other interpretation seems preferable. The intensive form (*Piel*) of the verb *shlm* used in our passage (and everywhere in this section of the Torah) to describe reparation for torts and damages, means “complete”, “restore”.<sup>58</sup> With object expressed, the verb denotes restoration of the subject. Thus in the next verse (Exodus 22, 5) a man burning a field has “to restore (*ishalleim*) that what has been burned”.<sup>59</sup> Thus, the meaning of the Hebrew provision may be well expressed in the words of Ulpian: *restituere videtur qui in pristinum statum reducit*.<sup>60</sup>

The Hebrew legislator left to the parties to agree on the ways of restitution. In Hammurabi’s law, for instance, the trespasser was to give a fixed amount of grain over and above the crop which the owner had collected from the damaged terrain. In classical Roman jurisprudence, the owner of the damaged object might claim its highest value, and not only the value which it actually had for him. The Hebrew law-giver chose the value of the best portion of the feeded down land as the basis for indemnification. The idea was again the same: to put the damagee in as good a position as that in which he would have been without the culprit’s interference, in other words, to “make good” the mischief.<sup>61</sup> The assessment of damages and repayment in money came

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and H. Cazelles, *Études sur le code de l’alliance*, 1945. Further see Sh.M. Paul, *Studies in the Book of Covenant*, 1970, p. 89.

<sup>58</sup> Cf. Joh. Pedersen, *Israel I–II*, 1926, pp. 311–335; Cazelles, *ib.*, p. 60 and pp. 117–8; D. Daube, *Studies in Biblical Law*, 1947, pp. 133–44 and p. 152, n. 69, who, however, on p. 136, translates the clause as follows: “the best of his field... for the land devastated”. The verb *shalamu* has the same meaning “make good” in Hammurabi’s laws with regard to lost goods, dowries, broken bones, etc. Driver-Miles II, p. 404. Cf. G. Gerleman, “Die Wurzel *šlm*”, *ZAW*, LXXXV, 1973, pp. 1–14.

<sup>59</sup> The difficulty of the current (that is R. Ishmael’s) interpretation appears clearly in Rashi’s commentary. According to him, the damage is assessed; if the tort-feasor wants to pay it with his own land, he has to give the best of his land. In fact, in the Bible, when the verb *shlm* exceptionally refers to the compensation, it is construed with the preposition *tahat*, as e.g. in Exod. 21, 36: “to restore an ox in the place of ox”.

<sup>60</sup> Ulp. D. XLIII, 8, 2, 43.

<sup>61</sup> *Cod. Hammurabi*, 57. Cf. *ib.*, 58: a man who overfloods a neighbor’s field, must make good the damage by giving the amount of grain which would have grown on the inundated parcel. Cf. also M. Baba Kamma 6, 2. According to one version of R. Akiba’s view, the damages were to be paid in compensation of “the best”, that is “the best” of either party (Baba Kamma 6 b = Gitt. 48 b, as explained to me by Prof. B. Cohen). On estimation of damages in Roman jurisprudence cf. F. Schulz, *Classical Roman Law*, 1951, pp. 587–93. Similarly, Ulpian argued that a thief has to pay the greatest value the stolen object ever possessed. D. 13, 1, 8, 1; 47, 2, 50 pr. Cf. Petropoulos, *o.c.*, p. 936. For Jewish law cf. B. Cohen, “Contractatio in Jewish and Roman Law”, *Mélanges F. De Visscher I*, 1949, pp. 143–5. Cf. E. Szlechter, *RIDA*, 1971, p. 49.

only in rabbinical jurisprudence<sup>62</sup> though the Hittite law-book already provided for compensation in silver: three shekels for each unit of the vineyard damaged by sheep. Thus, the biblical sanction may surprise a modern attorney: to give a field for a ruined crop would be a “legal monstrosity”.<sup>63</sup> Yet, the Hittite law-book states that man who sets another man’s field on fire, or cuts down another man’s vine, should take the devastated field (or vineyard) for himself and give a “good” field (or vineyard) to the injured party, to reap the field, or, in the case of vineyard, until recovery of the damaged vine.<sup>64</sup>

The Greek translator did not need to decide whether the law speaks of damageor or damagee. The Greek *autos* being as ambiguous as the Hebrew suffix, he simply rendered the clause literally: *τά βέλτιστα τοῦ ἄγρου αὐτοῦ... ἀποτείσει*. Yet, the verb created a new difficulty.

The Alexandrian translators rendered *shillam* by *apotinein* which is a perfect equivalent of the Hebrew verb in Greek.<sup>65</sup> Unfortunately, Hebrew and Greek legal minds were in disagreement on this point of doctrine. For the Greeks, to use Aristotle’s simile, injustice violates the principle of equilibrium, which the judge reestablishes by the means of the penalty he imposes.<sup>66</sup> *Apotinein*, from the same root as *poine* and Latin *poena*<sup>67</sup> is a forensic term which means to pay the penalty.<sup>68</sup> In Greek

<sup>62</sup> Cf. D. Daube, “The Civil Law of the Mishna”, *Tulane Law Review* XVIII, 1944, p. 373. Rabbinical law of compensations and restitutions is codified in Maimonides’ *Mishneh Torah* (Engl. transl. H. Klein, *The Code of Maimonides*, Book XIII, 1954). Further cf. D. Daube, “Negligence in the Early Talmudic Law”, *Festschrift Fritz Schulz*, 1951, pp. 124–47; B. Cohen, “The Principle of Causation in the Jewish and the Roman Law of Damages”, *Studi in onore di Pietro de Francisci* I, 1954, pp. 305–36. On measuring of damages and delictual liability cf. F. De Visscher, *Le régime romain de la moralité*, 1947, pp. 193–205 and pp. 538–9 (*peccatum* and *pro peccato poena*).

<sup>63</sup> J.J. Rabinowitz, *VT* IX, 1959, p. 43.

<sup>64</sup> II, pp. 105–7, p. 113. See *ANET*, p. 193.

<sup>65</sup> See LXX Exod. 21, 34–22, 14, also Lev. 5, 16 and 24, 24, 18. In Exod. 21, 19 *apotinein* corresponds to *natan* of the original.

<sup>66</sup> Arist., *Eth. Nicom.* V, p. 4. Cf. Vinogradoff II, pp. 45–51. It is remarkable how persistent the notion was in Greek thought that the aim of justice is distributive: *sum cuique* (Dig. I, 1. 10, pr.). Cf. G.V. Vlastos, “Equality and Justice in Greek Cosmologies”, *Class. Phil.* XLII, 1947, pp. 156–78 and, on the other hand *Nota de historia juris ap.* H.J. Schelema, *Florilegium iurisprudentiae graeco-romanae*, 1950, p. 61: *πῶθεν νόμος: παρὰ τὸ νέμειν ἐκάστῳ τὸ ἴδιον*.

<sup>67</sup> On etymology of the term *apotinein* see e.g. Weiss, *op. cit.*, p. 168, n. 9; E. Schwyzer, *Griechische Grammatik* I, 1939, p. 294; or J.B. Hofmann, *Etymologisches Wörterbuch des Griechischen*, 1939, p. 268. The root is supposed to express the idea of estimation, appreciation. Further cf. G. Glotz, *La solidarité de la famille dans le droit grec*, 1904, pp. 105–10.

<sup>68</sup> In Homer the expressed object of the verb *apotinein* is generally a *pretium*

legal language penalty is the object expressed by the verb *apotinein*.<sup>69</sup> For this reason, a thing is very rarely the direct object of *apotinein*, and in this case, the provision means that this thing is to be restituted.<sup>70</sup> In a passage the construction of which resembles the Septuagint clause, Plato says that the citizen who acquires wealth above the legal limit, ought not only lose the excess profit but also “render the equal part of his own property”.

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*redemptionis*. The Trojans shall give back (ἀποδοῦναι) Helen with her riches, and also “pay compensation” (*Il.* III, 285: τιμὴν δ’ Ἀργείοις ἀποτινέμεν. On the term *time* cf. L. Gernet, *Recherches sur le développement de la pensée... en Grèce*, 1917, pp. 142–4. Sometimes, the object of the verb is not the penal gift, but the act of wrongdoing which is “ransomed” by the inflicted punishment. (*Odys.* XIII, 193: μνηστήρες ὑπερβασίην ἀποτινέιν). Hesiod, *Op. et dies*, p. 260: so that people pay ransom for the wickedness of princes (ὄφρ’ ἀποτίσῃ δῆμος ἀτασθαλία βασιλέων). The metaphoric usage of the verb is rare, e.g. *Odys.* XXII, 235: εὐεργεσίας ἀποτινέιν. The verb always preserved this penal meaning Cf. Solon: the Dike, τῷ δὲ χρόνῳ πάντως ἦλθ’ ἀποτεισομένη. In Attic prose, and, then in the *Koine*, the verb generally refers to the payment of a fine. The Attic formula παθεῖν ἢ ἀποτεῖσαι which contrasts corporal and pecuniary penalty is often mentioned, e.g. Demosth. XXIV, p. 146. A forensic term, the verb is rarely used metaphorically. Thucydides does not have it, nor the Pre-Socratics. It appears seven times in Aristotle’s Athenian Constitution, but only once (Pol 1274 b 20) in the bulky rest of his writings. Demosthenes naturally employs the term in this pleadings, but avoids it in his political speeches. Lysias has it once (1, 29). K. Shorore, *Beiträge zur... Attischen Gerichtssprache*, 1904, p. 94 asserts that in Attic orators the verb often refers to any kind of payment. In fact, the notion of ransom still appears in these instances. Harpalus “paid ransom” to politicians (Hyper. c. Demosth. c. 12: ῥήτορσι ἀπέτινεν ὁ Ἄρπαλος χρυσίον). Cf. further Xen. *Anab.* VII, 6, 16; *Hell.* VI, 2, 24. Cf. also Hsrod. II, p. 65; VI, p. 101.

<sup>69</sup> The verb *apotinein* used *cum accus. rei* means that this *res* ought to be given in return as a penalty. Aristoph. *Eccles.*, 45: οἴνου τρεῖς χόας ἡμῶν ἀποτίσειν. Socrates must tell the promised story later (Plato, *Resp.* VI, 506 a): ἀποτίσεις τὴν διήγησιν. Dem. XXVIII, 17: ἵνα μὴ στερηθῶ τῶν δικῶν, ἀπέτεισα τὴν λητουργίαν ὑποθεῖς τὴν οἰκίαν. *P. Hibe* II, 108, line 167: ἀποτεῖναι τὸ ἐκκληθέν. *P. Cair. Zen.* III, 59343; ἀποτεῖσαι... τέλος. *P. Enteux.* 12: μηδὲ ἐνοίκια ἀποτινώμεν. Mitteis, *Chresth.* 280 = *UPZ* 127: ἀποτινέιν αὐτὸν τὴν φερνήν. *P. Athen.* 28: ἀποτεισάτω... παραθήκην διπλήν. LXX Exod. 21, 36–7: ἀποτεῖσαι ταῦρον... μόσχους.

<sup>70</sup> In Hellenistic documents, as O. Gradenwitz, *Einführung in die Papyruskunde*, 1900, p. 8, n. 4, already noted with regard to papyri, *apotinein* means *poenae nomine solvere*. See e.g. *Sardes* VII, n° 1, c. 2. The party shall pay a land-rent (ἀποδώσομεν), also a fine of 2650 gold coins in the case of a certain breach of the contract (ἀποτεῖσομεν... χρυσούς). Thus, the expressed object of the verb generally is a penalty. See e.g. E. Schwyzer, *Dialect. graec. exempla*, 1923, p. 668 (Stymphaleia). The witness who does not appear at the trial, ἀποτεισάτω τὰν γεγραμ (μέναν) δίκαν τῷ ἀδικημένῳ. A law of Ialysos (Ch. Michel, *Recueil d’inscr. grecques*, p. 431) prescribes that in the case of cattle trespass, ἀποτεισάτω ὑπὲρ ἐκάστου προβάτου ὄβολὸν ὃ ἐσβαλὼν. Cf. also the formula ἀποτινέιν τὸ βλάβος (*damnum praestare*), on which see A. Berger, *Die Strafklauseln in den Papyri.*, 1911, pp. 133–4.



The reader of the Septuagint could not understand the law on cattle trespass otherwise than as saying that the culprit has to give “the choicest pieces” of his land to the damagee. Philo, who was not a good jurist, but knew and understood the language of the Greek Bible, which was his Scripture, accordingly paraphrases the law as follows: the trespasser gives in return “a similar landed property of the same revenue”.<sup>71</sup>

Under the Roman régime of free enterprise, Philo could speak of the leniency of the Hebrew legislator. Working under and for Ptolemy II, the master, owner and exploiter of the planned and tightly controlled economy of his realm, the Alexandrian translators could have only misgivings on the subject. Under Ptolemy II, a Jew who would have tried to follow the biblical law on cattle trespass would have gotten into trouble. The government directed all agricultural operations from sowing to harvesting. The King regulated the choice and the amount of crops to be sown each year. The putting and standing crop was strictly supervised by “yield custodians”. None of the cultivators was allowed to touch the green stuff, no fodder was to be taken from the field for agricultural animals without authorization. Fees were to be paid for the right of using the cattle fodder or of turning cattle out on the pastures. “The superintendant of hay” was a high ranking official at Alexandria. Every year a proclamation reminded the cultivators that no one should let loose animals on the sown land. According to a law, copied on papyrus ca. 240 B.C., the seizure of the animal causing damage by the owner of the field was prohibited. According to a rule, formulated in an order of 113 B.C., the animal was confiscated to meet the land rent of the damaged proprietor. But according to the law of the third century B.C., the damageor simply paid damages to the damagee.<sup>72</sup>

<sup>71</sup> Plato, *Leg. V*, 745 a: ἄλλο τοσοῦτον μέρος ἀποτείνει τῆς αὐτοῦ κτήσεως Cf. E.B. England, *The Laws of Plato I*, 1921, p. 535. Philo, *de spec. leg. IV*, p. 22: ὅμοιον ἀποτινέτω κτήμα προσόδου τῆς ἴσης. Cf. Colson’s note (Loeb Class. Library edition vol. VII). Further cf. E.R. Goodenough, *The Jurisprudence of Jewish Courts in Egypt*, 1927, p. 157; S. Belkin, *Philo and the Oral Law*, 1940, p. 123. Josephus does not mention the matter in his paraphrase of Mosaic laws.

<sup>72</sup> Cf. generally Cl. Préaux, *L’économie royale des Lagides*, 1939, pp. 117–29; M. Rostovtzeff, *Social and Economic History of the Hellenistic World I*, 1941, pp. 126–9. Cf. particularly *P. Tebt. I*, 27 = Wilcken, *Chresth.*, p. 331. Theodoros ὁ ἐπὶ χόρτου is mentioned Athen. XIII, 583. On control of vineyards cf. *P. Revenue Law*, 24–5; Préaux, *o.c.*, pp. 173–6. On cattle trespass in Ptolemaic law cf. Taubenschlag, pp. 459–60 and Id., “Die action de pastu”, *ArOr XX*, 1952, pp. 65–8; M.-Th. Lenger, “Le fragment de loi ptolémaïque”, *Studi in onore di U.E. Paoli*, 1955, pp. 459–67. The verb ἀποβιάζεσθαι in

The translators could not abrogate the biblical law. They left it as it was, but limited its application to the rather exceptional case when “the whole field” should be eaten down by trespassing cattle. In the more common case of partial damage, the damager “will make good from his field according to its produce”.<sup>73</sup> This addition agreed with Ptolemaic conditions. After having delivered the grain to the governmental threshing-floor, where land-rent and taxes were deduced in kind, the farmer could bring the rest back home and use it. It is remarkable that the translators held to the reparation in kind. The quoted Ptolemaic law prescribes that the owner of the animal should repay to the damagee the damages “for whatever damage he may have done, according to judgment”.<sup>74</sup> But barter continued to be of a great importance in Ptolemaic economy under Ptolemy II. The government itself calculated its receipts and expenses, and paid salaries partly in money and partly in produce.<sup>75</sup> Jewish private arbitrators,<sup>76</sup> who followed the Biblical law, were free to exact penalty in kind in a land where cash was scarce.

As a matter of fact, they could allege a Ptolemaic precedent. In the case of a flooded field the damage was generally estimated in grain (for instance 20 *artabae*), and the tortfeasor was required to “make good” the loss. Yet, a certain Chrysermos, a younger contemporary of the Seventy, whose plot of two *arourae*, sown with *arakos* (a leguminous plant), became ruined because of the faulty drainage of a neighboring field, and who obviously could not calculate his loss in grain and demanded that the culprits take over the devastated field, pay his land-rent, and give him in return “the same area, as that they had flooded, from the land they themselves cultivate”.<sup>77</sup>

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this law means “appropriate” as a compensation for loss. See M. Jager, M. Reinsma, in *Papyrologica Lugduno-Batava* XIV, 1965, p. 114.

<sup>73</sup> LXX Exod. 22, 4: ἀποτείσαι ἐκ τοῦ ἀγροῦ αὐτοῦ κατὰ τὸ γένημα αὐτοῦ. Cf. e.g. *P. Tebt.* III, 772 (236 B.C.): τὰ γενήματα τοῦ κτήματος τούτου.

<sup>74</sup> P. Petrie III, 26 *ap.* Lenger, *o.c.*, p. 460: ἀποτείσάτω ὁ κύριος τῶι βλαφθέντι τὸ βλάβος ὃ ἂν καταβλάψῃ ἐκ κρίσεως.

<sup>75</sup> Rostovtzeff, *o.c.*, I, pp. 403–4.

<sup>76</sup> Cf. J. Modrzejewski, “Private Arbitration in the Law of Greco-Roman Egypt”, *JJP* VI, 1952, pp. 239–56.

<sup>77</sup> Cf. e.g. *P. Tebt.* I, 49, 50, 55; Taubenschlag, 256. Chrysermos’ petition (Wilcken, *Chresth.* 338 = *P. Enteuxis*, 60) says: ἐπαναγκασθῆνα αὐτοὺς τὸν ἐμὸν σπόρον ἀναλαβεῖν καὶ τάξασθαι αὐτοὺς τὰ ἐκφόρια, ἀπὸ δὲ τῆς αὐτοῖ γεωργοῦσιν γῆς ἀντιδοθῆναι μοι τὸ ἴσον πλῆθος ἀνθ’ ἧς κα[τ]ακεκλύκασιν.

The additional clause of the Septuagint also appears in the Samaritan Torah and in the above quoted Qumran ms. (See Appendix below, p. 217): But the agreement of these sources is not a proof of the authenticity of the reading. The Samaritan Torah, rather, represents a "vulgar" text, full of interpolations.<sup>78</sup> The secular laws of the so called Book of the Covenant are particularly affected in the Samaritan text by the tendency to replace antique (and for this reason antiquated) provisions and expressions by modern rules which sometimes agree with the rabbinical interpretation of the same passage.<sup>79</sup>

From a juristic point of view, the Septuagint clause is a clear interpolation. In the first place, the extent of damage is here immaterial, since the duty of restitution is proportional to the damage done. A man who put fire on another's field must make good the loss, whether the destruction be complete or partial.<sup>80</sup> On the other hand, the addition is either tautological or contradicts the main text. If we understand the passage as R. Akiba, the main clause already says that the damages should be in proportion to the loss. But, if, as R. Ishmael, and the Greek translators held, the law means that an equal portion of the land of the damageor should be given to the damagee, this *ius talionis* is incompatible with the principle of compensation expressed in the additional provision.<sup>81</sup>

Of course, it is impossible to say whether the Alexandrian translators invented the addition or found it in a Hebrew manuscript. In the latter case, the provision would be an ancient variant, as it usually is conflated with the traditional reading. But the translators accepted this confused text because it agreed better with the conditions of Ptolemaic Egypt.

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<sup>78</sup> Cf. Z. Frankel, *Über den Einfluss der palästinischen Exegese*, 1851, p. 108. Further, cf. M. Greenberg, *JAO* LXXVI, 1956, pp. 161–3; E.M. Cross, Jr. *The Ancient Library at Qumran*, 1961, pp. 172–3; pp. 192–3; J.D. Purvis, *The Samaritan Pentateuch and the Origin of the Samaritan Sect*, 1968, pp. 69–88.

<sup>79</sup> Ch. Heller, *The Samaritan Pentateuch*, 1923, pp. 203–8. Cf. D. Daube, "Zur früh-almudischen Rechtspraxis", *ZAW* XL, 1932, pp. 267–271.

<sup>80</sup> Exod. 22, 5. Cf. on restitution of a stolen object: Exod. 21, 37, II Sam. 12, 4; LXX Prov. 6, 231.

<sup>81</sup> On the exact meaning of the *ius talionis* (the offender suffers the same loss as the wronged party), cf. J. Weismann, "Talion und öffentliche Strafe", *Festschrift Adolf Wach*, 1913, p. 7.

## APPENDIX

Ex. 22, 4–5, in the Bible:

כִּי יִבְעַר אִישׁ שָׂדֵה אוֹ כֶּרֶם וְשָׂלַח אֶת בְּעִירָהּ וּבְעֵרָהּ בְּשָׂדֵה אֲחֵר מִיֹּטֵב שְׂדֵהוּ וּמִיֹּטֵב כֶּרְמֵוֹ יִשְׂלֹם.  
כִּי תִצָּא אִשׁ וּמִצָּאָהּ קִצִּים וְנֹאכַל נְדִישׁ אוֹ הַקָּמָה אוֹ הַשָּׂדֵה שְׁלֹם יִשְׁלֹם הַמִּבְעִיר אֶת הַבְּעִירָהּ.

Ex. 22, 4–5, in the Samaritan Pentateuch (ed. A. v. Gall):

וְכִי יִבְעַר אִישׁ שְׂדֵה אוֹ כֶּרֶם וְשָׂלַח אֶת בְּעִירוֹ וּבְעִירוֹ בְּשָׂדֵה אֲחֵר שְׁלֹם מִשְׂדֵהוּ כַּתְּבוּאָתָהּ וְאִם כָּל הַשְּׂדֵה יִבְעַר מִיֹּטֵב שְׂדֵהוּ וּמִיֹּטֵב כֶּרְמוֹ יִשְׁלֹם<sup>5</sup> כִּי תִצָּא אִשׁ וּמִצָּאָהּ קִצִּים וְנֹאכַל נְדִישׁ אוֹ הַקָּמָה אוֹ הַשְּׂדֵה שְׁלֹם יִשְׁלֹם הַמִּבְעִיר אֶת הַבְּעִירָהּ:—

Exod. 22, 4–5, in the Septuagint:

<sup>4</sup> ἐὰν δὲ καταβοσκήσῃ τις ἄγρὸν ἢ ἀμπελῶνα καὶ ἀφῆ τὸ κτήνος αὐτοῦ καταβοσκήσῃ αἴγρὸν ἕτερον, ἀποτείσει ἐκ τοῦ ἀγροῦ αὐτοῦ κατὰ τὸ γένημα αὐτοῦ· ἐὰν δὲ πάντα τὸν ἄγρὸν καταβοσκήσῃ, τὰ βέλτιστα τοῦ ἀγροῦ αὐτοῦ καὶ τὰ βέλτιστα τοῦ ἀμπελῶνος αὐτοῦ ἀποτείσει.

<sup>5</sup> ἐὰν δὲ ἐξέλθον πῦρ εὐρη ἀκάνθας καὶ προσεμπρήσῃ ἄλωνα ἢ στάχυσ ἢ πεδῖον, ἀποτείσει ὁ τὸ πῦρ ἐκκαύσας.

Exod. 22, 4–5 in a Qumran Ms. *ap.* J. Allegro, *The Qumran Cave*, 4, 1968 = *D7D* V, no. 158:<sup>82</sup>

וְכִי יִבְעַר [כת] בּוֹאָתוֹ אִם כּוֹל הַשְּׂדֵה יִבְעַר מִיֹּטֵב שְׂדֵהוּ וּמִיֹּטֵב כֶּרְמוֹ י [שעלם ש]לֹם יִשְׁלֹם הַמִּבְעִיר אֶת הַבְּעִירָהּ

Exod. 22, 4, in Targum Neophiti 1 (see above, p. 209):

אָרוֹם יִיקַד נֹבֵר חֶקֶל אוֹ כֶּרֶם וְשָׂלַח יִקְדָּהּ וְיִקְדָּהּ בַּחֶקֶל דְּהוֹרֵן בֵּית שֹׁפֵר חֶקְלֵיהּ וּבֵית שֹׁפֵר כֶּרְמֵיהּ יִשְׁלֹם:

<sup>82</sup> According to M. Baillet, *Hommages à A. Dupont-Sommer*, 1971, p. 367 this text is of Samaritan origin.

## THE COLOPHON OF THE GREEK BOOK OF ESTHER

The Book of Esther in the Septuagint exhibits a foot-note which runs as follows:<sup>1</sup>

Ἔτους τετάρου βασιλεύοντος Πτολεμαίου καὶ Κλεοπάτρας εἰσήνεγκεν Δοσίθεος ὃς ἔφη εἶναι ἱερεὺς καὶ λευεΐτης, καὶ Πτολεμαῖος ὁ υἱὸς αὐτοῦ τὴν προκειμένην ἐπιστολὴν τῶν φρουραίων, ἣν ἔφασαν εἶναι καὶ ἐρμηνευκέναι Λυσί μαχον Πτολεμαίου τῶν ἐν Ἱερουσαλήμ.

What is the meaning and the significance of this colophon<sup>2</sup> which is unique in the Bible?<sup>3</sup>

The subscriptions in Greek and Roman books were chiefly<sup>4</sup> editorial notes giving an account of the transcribed text.<sup>5</sup> Stichometric notes at

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<sup>1</sup> For the text of the Greek Esther see now the edition (prepared by the late A.E. Brooke) in the Larger Cambridge Septuagint: *The Old Testament in Greek*, III, 1, *Esther, Judith, Tobit*, 1940. The editor used the Old Latin, Coptic, and Ethiopic versions, but unfortunately overlooked the critical edition of the Old Latin by B.R. Motzo, *La versione latina di Ester secondo i LXX* (in *Annali della Facoltà di Lettere della R. Università di Cagliari*, vol. 1-2), Bologna, 1928. Cf. *Esther* edited by R. Hanhart in the *Septuaginta Gottingensis* VIII, 3 in 1968.

<sup>2</sup> The colophon is omitted in a revision of the Greek now represented by the so-called "Lucianic" recension, the Old Latin translation and Josephus' paraphrase in *Jewish Antiquities*, XI, 6. Similarly, the translator's preface to Sirach's Ecclesiasticus was abandoned in a later revision of the Greek version (D. de Bruyne, *ZAW*, 1929, p. 259). For completeness' sake we may add that the colophon of the LXX is found also in the "Lucianic" Ms. 93, which often holds a position intermediate between the "Lucianic" family and the Uncial Mss. Cf. e.g. W. Kappler, *De memoria alterius libri Maccabaeorum* (Dissertation), Goettingen, 1929, p. 41. Cf. Hanhart, *ib.*, p. 15.

<sup>3</sup> The references to the literature dealing with the colophon are given fully in B. Motzo, *Saggi di Storia e Letteratura Giudeo-Ellenistica*, 1924, p. 290. Cf. W.O.E. Oesterley, *An Introduction to the Books of the Apocrypha*, 1935, p. 192.

<sup>4</sup> As the copyists were workmen (slaves), they did not sign the Mss. executed by them in the manner of a mediaeval scribe recording the completion of his pious task. But sometimes ancient books exhibited at the end an anonymous note for the reader containing wishes, etc. (B. Olsson, *Zentralblatt für Bibliothekswesen*, 1934, p. 365). On such formulas in hieratic papyri cf. A. Erman, *Abh. Preuss. Akad.*, 1925, p. 11.

<sup>5</sup> The colophon at the end of a roll is a product of the Alexandrian school of criticism, and appears in literary papyri from the third cent. B.C. Cf. K. Ohly, *Stichometrische Untersuchungen*, 1928, p. 98. W. Schubart, *Das Buch bei den Griechen und Römern*, 1921, p. 98. Accordingly, sometimes additions at the end of a book gave particulars as to authorship, date, and place of production. See, e.g. W. Schmid, *Rhein. Mus.*, 1895, p. 308; H. v. Soden, *Die Schriften des Neuen Testaments* I, 1, p. 299; J. Bidez in *Mélanges Desrousseaux*, 1937, p. 12. Colophons occur of course much earlier on cuneiform tablets. See e.g. ANET, p. 141; H. Hunger, *Babylonian und Assyrian Kolophons*, 1968. Cf. R. Pfeiffer,

the end of a roll stated the number of standard lines contained in it – an entry which attested the completeness of the copy.<sup>6</sup> Likewise, the publisher or the editor added his name to the title of the book in the colophon in order to mark the quality of the exemplar.<sup>7</sup> For instance, the subscription to a roll says:<sup>8</sup> “Grammatical Researches on the XIVth Book of the Iliad by Apollodorus of Athens, grammarian. (Edition) of Sosios”.

Ancient scholars often quoted different editions of classics, e.g., that of Ennius by Lampadius, or those of Hippocrates by Bacchius or Dioscorides or Artemidorus, etc.<sup>9</sup> Accordingly,<sup>10</sup> subscriptions (or scholia) in mediaeval manuscripts sometimes state that the transcribed text is constituted on the authority of such an ancient editor.<sup>11</sup> For instance, footnotes to Esther and II Esdras in the *Cod. Sinaiticus* attest the use of Pamphilus’ copy of Origen’s edition by a Byzantine reviser.<sup>12</sup>

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*History of Classical Scholarship*, 1968, p. 127.

<sup>6</sup> Schubart, *l.c.*, p. 75. The primary purpose of the stichometry was, probably, to regulate the work of the copyist, but the careful entry of the computation at the end and on the margins of ancient books was destined for the reader and served practical ends important for the latter. Cf. K. Ohly, *l.c.*, p. 103; F. Zucker, in *Gnomon*, 1932, p. 386. An instance for such a practical use of a stichometrical entry by the reader is given by Galen, in *Hippocr. de natura hominis* (*Corpus Medic. Graec.* V, 9, 1), p. 7.

<sup>7</sup> Such notes appear on some rolls from Herculaneum (K. Ohly, *Archiv für Papyrusforschung*, 7, p. 201; A. Vogliano, *Epicuri... scripta*, 1928, p. 19). For the interpretation of these subscriptions, cf. D. Comparetti, in *Mélanges E. Chatelain*, 1910, p. 127.

<sup>8</sup> *Papiri della R. Università di Milano* I, No. 19: Απολλοδώρου Ἀθηναίου γραμματικοῦ Ζητήματα γραμματικὰ εἰς τὴν Ξ τῆς Ἰλιάδος Σω σουσ. According to the editor (A. Vogliano) the name of Sosius appears, also, in colophons of some still unpublished scrolls from Herculaneum. The “Sosii brothers” are mentioned as booksellers (Horat. *Ep.* I, 20, 2), *qui bonos libros emebant* (Th. Birt, *Phil. Woch.*, 1930, p. 307). Cf. the note at the beginning of a copy of the Ptolemaic regulations concerning the oil monopoly: “Year 27, Louis 10, we revised (the text: διορθώσαμεθα) in the office of Apollonius the dioecetes [vizier of Ptolemy II]” (A.S. Hunt, C.C. Edgar, *Select Papyri* II, 203).

<sup>9</sup> Gellius, *Noct. Att.* XVIII, 5, 11. Cf. Fronto, *ad Caes.* I, 7, 4, (*Epistulae*, I, p. 61 ed. C.R. Haines); Galen, *infra*, n. 17. See G. Pasquali, *Storia della tradizione* 1934, p. 237, p. 328.

<sup>10</sup> See, e.g., A. Gudeman, *Real-Enc.* (II A, 675) s.v. *Scholien*; V. Gardthausen *Griechische Paläographie* I, 1911, p. 427; E.A. Loeve, *The Beneventan Script*, 1914, p. 322; W.L. Lindsay in *Palaeographia Latina* II, p. 10. On Atticus’ editions now cf. R. Sommer, *Hermes*, 1926, p. 401.

<sup>11</sup> A subscription to Aristophanes *Clouds* in the *Cod. Venetus* states that the text is annotated according to Phainus, Symmachus, etc., while the counting of verses, etc., is given on the authority of Heliodorus. See W.G. Rutherford, *A Chapter in the History of Annotation*, 1905, p. 35.

<sup>12</sup> On the colophons claiming Pamphilus’ authority for the transcribed text cf. H.B. Sweete, *Introduction to the Old Testament in Greek*, edit. of 1914, p. 77; A. Harnack, *Geschichte der Alchrist. Literatur*, I, p. 543.

But for the most part, the books in circulation were “vulgar” editions, not based on any critical work, or copies made privately.<sup>13</sup> In both cases, the text was easily subject to alterations, as appears from the evidence of literary papyri found in Egypt.<sup>14</sup> To ascertain the value of such an irregular manuscript, the bibliophile had to have recourse to a learned grammarian.<sup>15</sup> On the other hand, many books of doubtful authenticity circulated as well. Galen vividly tells how he came across a volume at Rome’s bookmarket which falsely claimed his authorship.<sup>16</sup>

Consequently, the concern with the pedigree of a manuscript appears whenever the authorship of a book or of a reading was challenged. Let me quote some examples. The earliest commentators of Hippocrates in Alexandria collected the oldest available manuscripts of the author because the standard text was supposed to be corrupt through long transmission.<sup>17</sup> Ptolemy III borrowed for copying in Alexandria – and never returned – the official exemplar of the works of the three great tragedians made in Athens in 330 B.C. When Aulus Gellius quotes a variant reading in the *Georgics* (II, 246), he points out that his authority is a manuscript “from the home and the family of Virgil”.<sup>18</sup> Under Ptolemy IV, the sacred books of Dionysian mysteries were to be handed in by the devotees, “each inscribing thereon his own name”.<sup>19</sup> Quoting an otherwise unknown work of a heretical writer (Symmachus), Origen states the provenance of the book: he received it from a certain Juliana who inherited the volume from the author himself.<sup>20</sup> The

<sup>13</sup> For the preparation of private copies, see now *P. Oxyrh.* XVIII, 2192. On professional and private book-production cf. W. Schubart, *l.c.*, p. 148; F.G. Kenyon, *Book and Readers in Ancient Greece and Rome*, 1932, p. 67. On “vulgar” text cf. B.P. Grenfell, *JHS*, 1919, p. 16. The Greek term: δημόδεις was turned into Latin as *vulgaris*. See, e.g. Gellius (*Noct. Att.* XII, 10, 6) who opposes Cicero’s text in *exemplaribus fidelissimis* to that in *libris autem vulgaribus*. The common English rendering “vulgate” would rather answer to Greek term: κοινή ἔκδοσις.

<sup>14</sup> Cf. Pasquali, *op. cit.*, chapt. 6; W. Schubart, *Einführung in die Papyrskunde*, 1918, p. 87.

<sup>15</sup> Gellius, *Noct. Atticae*, III, 4, 1: *in libraria... expositi erant Fabii Annales bonae atque sinceræ vetustatis libri*.

<sup>16</sup> Galenus, *de libris propriis*, XIX, p. 8 (ed. Kuhn).

<sup>17</sup> Galenus, *In Hippocr. de medic. officina* XVI, 2, p. 630 (ed. Kuhn). Cf. Augustine, *de cons. evang.* II, 14, on a variant reading in Luke 3, 22: *in antiquioribus codicibus Graecis non inveniuntur*.

<sup>18</sup> Gellius, *Noct. Atticae* I, 21, 2: *a volumine qui fuerit ex domo atque familia Vergilii...* Cf. Gell. *l.c.* IX, 14, 3.

<sup>19</sup> A.S. Hunt, C.C. Edgar, *Select Papyri* II, 208.

<sup>20</sup> Eusebius *H.E.* VI, 17.

subscription to the Martyrdom of Polycarp states that this Letter of the Smyrnan church (written about 155 A.D.) was copied by Gaius, a companion of Polycarp's disciple Irenaeus, that Gaius' copy was reproduced by a certain Sostrates in Corinth, and that Pionius transcribed the text from a copy of Socrates he had recovered about 250 A.D.<sup>21</sup>

The influence of Greek philology gave rise to a desire for authentic texts among Jews as well as among Romans. The author of Pseudo-Aristeas (written about 130 B.C.)<sup>22</sup> seeks to convince that the Septuagint is trustworthy. But he does not base this claim on the inspiration of the Seventy (claimed later by Philo and others);<sup>23</sup> he proceeds rather according to the rational method of the Alexandrian school, which prescribed to investigate and to respect the manuscript tradition. Pseudo-Aristeas suggests that the current copies of the Hebrew Torah are liable to have textual corruptions, "because they did not receive attention and care from the Alexandrian librarians".<sup>24</sup> He then shows that the LXX is based on the best available copy of the Hebrew text: a parchment inscribed in gold letters and sent by the High Priest in Jerusalem himself in response to the request of Ptolemy II. The Septuagint was made by 72 Palestinian scholars, chosen by the High Priest, and done under royal supervision, and whatever 'the Seventy' agreed upon was suitably copied under the direction of the head of the Alexandrian Library, where the original exemplar of the LXX was kept with great care.<sup>25</sup> On the other hand, the completed work was also welcomed by the Jewish community of Alexandria and an authorized copy of the Septuagint was delivered by the king to the Jewish leaders who took precautions to protect the version from any alteration "for all the future time".<sup>26</sup> So Pseudo-Aristeas demonstrates the purity and reliability of copies of the LXX, when they conform to the standard text kept by the Alexandrian community, and rejects as unreliable earlier Greek translations of the

<sup>21</sup> J.B. Lightfoot, *The Apostolic Fathers*, II, p. 638.

<sup>22</sup> On the date of Ps. Aristeas cf. above pp. 109–136.

<sup>23</sup> H.B. Sweete, *Introduction to the Old Testament in Greek*, p. 13.

<sup>24</sup> Ps. Aristeas, 30: τοῦ νόμου τῶν Ἰουδαίων βιβλία... τυγχάνει γὰρ Ἑβραικοῖς γράμμασι καὶ φωνῇ λεγόμενα ἀμελέστερον δὲ καὶ οὐχ ὡς ὑπάρχει σεσήμενται. The passage is misunderstood by translators and commentators, who try to find here a hint of a previous Greek version while the author clearly speaks of the original text of the Law.

<sup>25</sup> Ps. Aristeas, 176; 302; 317.

<sup>26</sup> Ps. Aristeas, 311; 309.



Law.<sup>27</sup> But these claims for the LXX were challenged, quite naturally, in a city of carping critics as Alexandria. We know, e.g., that about 110 B.C.<sup>28</sup> Sirach's grandson charged that the Alexandrian translation does not represent the original accurately.

## II

In regard to the conditions under which a Greek manuscript text was transmitted, it seemed expedient to the librarians to record on the roll itself the provenance of irregular manuscripts. There is a subscription to a comic sketch found in Egypt, saying that the copy (or the original text) came "from the library of Praxios".<sup>29</sup> In actual fact, since the Alexandrian Library was often deceived by forged autographs, it proceeded early on to note the origin of its acquisitions on the manuscripts themselves. The manuscripts purchased from vessels entering the harbor of Alexandria bore the entry recording their provenance, as "The Third Book of Hippocrates' Epidemics. (Exemplar) out of ships, from Menon of Side".<sup>30</sup> Likewise Homer's eccentric copies were classified in Alexandria according to the place of acquisition.<sup>31</sup> In preparing his edition of the Greek Bible, Origen followed the same system. With regard to anonymous editions and translations, he indicated that one he had found at Nicopolis, and the other in another place.<sup>32</sup>

<sup>27</sup> Ps. Aristetas, 314: the historian Theopompus was punished with temporary insanity because he intended to include in his work "something from the previous misleading translations from the Law".

<sup>28</sup> This is the approximative date of the translation and not 132 B.C. as generally assumed. Cf. U. Wilcken, *Arch. für Papyrusforsch.* III, p. 321.

<sup>29</sup> H.J.M. Milne, *Literary Papyri in the British Museum*, 1927, n. 97 (cf. A. Koerte, *Arch. für Papyrusf.* VI, 2): ἐκ βιβλιοθή(κης) Πραξι(ου) Ἡρακλείδης ἀ[πέγραψε] (*vel simile*).

<sup>30</sup> Galen, *In Hippocr. Epidem.* III (*Corpus Medic. Graec.* V, 10, 2, 1, p. 79): Ptolemy II gave orders to acquire all Mss. brought in by the vessels entering the harbor of Alexandria, καὶ εἶναι τὴν ἐπιγραφὴν αὐτοῖς τῶν ἐκ πλοίων. "Ἐν δὴ τι τοιοῦτόν φασιν εὐρεθῆναι καὶ τὸ τρίτον τῶν Ἐπιδημιῶν ἐπιγγραμμένον τῶν ἐκ πλοίων κατὰ διορθωτὴν Μνήμονα Σιδήτην. "Ἐνιοὶ δ' οὐ κατὰ διορθωτὴν ἐπιγεγράφθαι φασίν, ἄλλ' ἀπλῶς τοῦνομα τοῦ Μνήμονος, ἐπειδὴ καὶ τῶν ἄλλων ἁπάντων τῶν καταπλευσάντων ἅμα βιβλίους ἐπέγραφον οἱ τοῦ βασιλέως ὑπερέται τὸ ὄνομα τοῖς ἀποτιθεμένοις εἰς τὰς ἀποθήκας.

<sup>31</sup> On these exemplars κατὰ πόλεις see Th.W. Allen, *Homer*, 1924, p. 294; W. Schmid, *Griech. Literaturgesch.* I, 1929, p. 163.

<sup>32</sup> Eusebius *H.E.* VI, 16, 2.

The importance and usefulness of such records with regard to the authority of a text<sup>33</sup> appears in the discussion (reported by Galen) concerning the authenticity and interpretation of some abbreviations in Hippocrates' treatise on Epidemics, Book III.<sup>34</sup> A critic could refute a proposed explanation of the signs in question by pointing out that they did not have the shape attributed to them in the standard exemplar of the work in the Alexandrian Library, in the copy "out of the ships", or in the authoritative edition of Bacchius.<sup>35</sup>

The postscript to Esther is just such a bibliographical record designed to clarify the provenance of a new acquisition. Jewish communities in the Diaspora possessed libraries and archives,<sup>36</sup> and we may take for granted that these were organized on the pattern of Greek collections. In the archetype of our manuscript tradition, the colophon was entered at the end of the "preceding" (τὴν προκειμένην) volume of the Greek Esther which was "deposited" in some Jewish archives in Egypt, presumably in Alexandria.<sup>37</sup>

<sup>33</sup> The recording of the volumes endowed to a library serves another purpose; cf. L. Robert, *Bull. corr. hell.*, 1935, p. 421 and *Études Épigraphiques*, 1938, p. 45.

<sup>34</sup> Cf. E. Littré, *Œuvres d'Hippocrate* III, 1841, p. 29; E. Wenkebach, *Abh. Preuss. Akad.*, 1925, p. 34; M. Wellman, *Hermes*, 1929, p. 20.

<sup>35</sup> Galenus, *l.c.*, p. 87: Ἀπολλώνιος οὕτω πεποιήται τὴν ἀντιλογίαν: οὔτε τὸ κατὰ τὴν βασιλικὴν βιβλιοθήκην εὐρεθὲν οὔτε τὸ ἐκ τῶν πλοίων οὔτε τὸ κατὰ τὴν ὑπὸ βακχείου γενομένην ἔκδοσιν ἔχειν φάσκων οὕτω τοὺς χαρακτῆρας ὡς ὁ Ζήνων ἔγραψεν. Likewise, Aulus Gellius in his grammatical discussions takes care to indicate the provenance of the quoted copy; e.g., *e bibliotheca Tiburti* (Gell. *Noct. Att.* XIX, 5, 4; IX, 14, 3).

<sup>36</sup> J. Juster, *Les Juifs dans l'Empire romain* I, 1914, p. 474.

<sup>37</sup> Εἰσφέρειν is a literary and rather technical word meaning that something is entrusted for keeping, e.g., the draft of a proposed law, a sum payed on an account (e.g., *Berl. Griech. Urkunden* VIII, 1846), an object brought into a store-house (see, e.g., U. Wilcken, *Urkunden Ptolem. Zeit* II, 151, 24; LXX Ex. 40, 21; etc.). The word is rarely used in Ptolemaic papyri; e.g., A.S. Hunt, C.C. Edgar, *Select Papyri* II, 269. It is conveniently employed *P. Columbia Zenon* II, 70 in speaking of precious stones sent to the King (τοὺς λιθοὺς οὓς ἀπέστειλαν Ἀπολλωνίω εἰσήνεγκεν τῷ βασιλεῖ). As to the books, cf. Diod. I, 87: a hawk "has delivered" (ἐνεγκεῖν) a sacred writing to the priests in Egyptian Thebes. *P. Oxyrh.* V, 237, c. V, 24: εἰσήνεκεν εἰς τὸ βιβλιοφυλάκιον περὶ τοῦτου ὑπομνήματα; LXX Esth. 6, 1. Accordingly, ἐκφέρειν is to "take out" a volume: Plato Comicus, *Comicorum Attic. Fragm.* I, p. 656, no. 194 ed. Kock; T.L. Shear, *Hesperia*, 1936, 42 (inscription from Trajan's library in Athens). Cf., too, *P. Columbia Zenon* II, 60: ἃ κατηνέχθη Ἐφαρμοστός βιβλία. In Ptolemaic official style, ἐπιφέρειν signifies: "submit" a document (U. Wilcken, *Urkunden Ptolem. Zeit* I, p. 597; II, 165 c. IV, 15).

## III

The Egyptian origin of the subscription is warranted by the date: "in the fourth year of the reign of Ptolemy and Cleopatra".

There were only three Ptolemies associated with a Cleopatra in the fourth year of their reign.<sup>38</sup> But in the fourth year of Ptolemy IX Soter II Lathyros (114–3 B.C.) and in the fourth year of the great Cleopatra (VII) and Ptolemy XIII (49–8 B.C.), the Queen acted as regent for her son or brother, respectively. Consequently, on these dates the verb "reign" was plural in the royal style (βασιλευόντων) and the name of the queen preceded that of the king in the protocols of documents. But in the postscript to Esther we find the singular number,<sup>39</sup> βασιλευόντος; and the name of Ptolemy stands before that of Cleopatra. The date of the colophon therefore cannot be 114–3<sup>40</sup> nor 49–8 B.C.,<sup>41</sup> as it has been suggested by modern commentators.<sup>42</sup>

It remains to consider the fourth year of Ptolemy XII Auletos and Cleopatra V, his sister and wife. As a matter of fact, beginning with the second year of his reign Cleopatra's name follows that of her husband in all public and private documents. Let me quote an inscription from

<sup>38</sup> T.C. Skeat, in *Mizraim* 6, 1939, p. 12; F. Stahlin, *Real-Encycl.* XI, p. 738 s.v. *Kleopatra*. In the 4th year of joint kingship of Cleopatra II and her brothers, Ptolemy VI Philometor and Ptolemy VIII Euergetes II, in 167–6 B.C., there were three rulers (cf. W. Otto, *Sitzungsber. Bayer. Akad.*, 1939, no. 3, p. 24).

<sup>39</sup> The plural (βασιλευόντων) is sometimes used, in extension, for a joint kingship, e.g. in two documents from the reign of Ptolemy XII and Cleopatra V (P. Jouguet, *Mélanges Desrousseaux*, 1937, p. 231; *P. Oxyrh.* XI, 1628), but the singular, βασιλευόντος, is never used when the queen is *collega major*.

<sup>40</sup> On the situation in 114–3 B.C., cf. W. Otto, *Abhandl. Bayer. Akad.*, 1938, no. 17, p. 149; P. Rousel, *Rev. étud. anc.*, 1939, p. 14. Cf., e.g., the preamble to a document written on July 26, 113 B.C. (U. Wilcken, *Urkunden der Ptolem. Zeit* II, 180): βασιλευόντων Κλεοπάτρας καὶ Πτολεμαίου θεῶν Φιλομητόρων Σωτήρων ἔτους τετάρτου.

<sup>41</sup> For the royal style under Cleopatra VII, cf. *P. Oxyrh.* XIV, 1629: βασιλευόντων Κλεοπάτρας καὶ Πτολεμαίου Θεῶν Φιλομητόρων ἔτους ὀγδόου. The King is Ptolemy XIV. According to ancient historians, Cleopatra was regent since the death of her father predecessor, Ptolemy XII, and tetradrachmas minted with her head in 49 B.C. in Ascalon, confirm this literary tradition (see A. Baldwin, *Amer. J. of Arch.*, 1937, p. 455; 1937, p. 455; cf. W.W. Tarn, *J. Rom. Stud.*, 1936, p. 183). Cf. A.E. Samuel, *Ptolemaic Chronology*, 1962, p. 159; H. Heinen, *Rome und Ägypten von 51 bis 47 v. Chr.*, Diss. Tübingen, 1966, p. 177; E. van 't Dack, *Ancient Society* I, 1960, p. 57.

<sup>42</sup> The date 114–3 has been proposed by B. Jacob *zAW*, 1890, p. 241. The fourth year of the great Cleopatra was suggested by H. Ewald, *History of Israel* V, 1874, p. 234, n. 5 and, again, by H. Willrich, *Judaica*, 1900, p. 15. Earlier commentators (and still H.B. Swete, *l.c.*, p. 25) identified the rulers with Ptolemy VI Philometor and Cleopatra I, but their marriage was concluded in the sixth or seventh regnal year. (See W. Otto, *Abh. Bayer. Akad.*, 1934, no. 11, p. 14 and P. Jouguet, *Rev. de Philol.*, 1937, p. 209.)

the year “4”:<sup>43</sup> ὑπὲρ βασιλέως Πτολεμαίου καὶ βασιλίσσης Κλεοπάτρας τῆς καὶ Τρυφαίνης.

The formula is the same as in the colophon, only Cleopatra’s surname (Tryphaina) is dropped in the subscription of Esther, as often happened to surnames in registers, dedications, and other shortened records.<sup>44</sup> Accordingly, the colophon was written between September 12, 78 and September 11, 77 B.C.

#### IV

At least since the time of Jerome, the clause in the colophon which follows the date has been understood as asserting that the volume was brought by Dositheus, “Priest and Lévitte”.<sup>45</sup> But such a qualification of Dositheus would be unique and rather surprising. Every priest was a Lévitte *ipso facto*, because the priestly class (“the Sons of Aaron”) was a clan of the Levitical tribe.<sup>46</sup> On the other hand, late Judaism, in Egypt<sup>47</sup> as well as in Palestine, drew a sharp demarcation between the official character of the priest and that of a non-Aaronic Lévitte.<sup>48</sup>

<sup>43</sup> F. Bilabel, *Sammelbuch*, V, 8066. We have a papyrus of the same year: *Berliner Griech. Urkunden* VIII, 1736. On other texts mentioning Cleopatra Tryphaina, cf. P. Jouguet, *Mélanges Desrousseaux*, 1937, p. 233.

<sup>44</sup> See e.g., W. Dittenberger, *Orientalis Graecae inscr.* I, p. 183; a text referring to Ptolemy XII and Cleopatra V Tryphaina: ὑπὲρ βασιλέως Πτολεμαίου καὶ βασιλίσσης Κλε[οπάτρας Θε]ῶν Φιλορατόρων καὶ [Φιλαδ ἑλφω]ν. See also two demotic documents from the same reign quoted H. Gauthier, *Le Livre des rois d’Égypte*, IV, 2, p. 394; cf., in general. W. Otto, *Abh. Bayer. Akad.*, 1938, no. 17; Index s.v. *Aktpräscripte*.

<sup>45</sup> Jerome translates: *qui se sacerdotem et levitici generis ferebat*. Coptic and Ethiopic versions give the same interpretation.

<sup>46</sup> The solemn formula of the Book of Deuteronomy: *ha-kohanim ha-lewiyim*, sometimes imitated in latter parts of the Bible, is always rendered in the LXX without the conjunctive (“the priests the Levites”) and was never used to qualify a person. So, it cannot help to explain the colophon to Esther. Cf. Clement of Alex., *Strom.* I, 22: Ἐσδρας ὁ λευίτης ὁ ἱερεύς; Irenaeus, *adv. haer.* III, 24, 1: Ἐσδρα τῷ ἱερεῖ ἐκ τῆς φυλῆς Λευί. Philo (*quod deter. potior, insid.* 132) says of Aaron: ὅτι μόνω τῷ λευίτῃ καὶ ἱερεῖ καὶ σπουδαίῳ λόγῳ κ.τ.λ.

<sup>47</sup> See, e.g., for the temple of Onias, Josephus, *Antt.* XIII, 73.

<sup>48</sup> At first I thought that formula was to be construed according to Egyptian style, like “Priest and Stolistes” where the “and” adds to a general designation a special one which is logically included in the former. But while the Jewish priesthood often received the general name of “Levites” (e.g. *Jubil.* 32, 1; *Test. Levi* 8, 3; *Test. Reuben* 6, 1; *Jos. Antt.* VIII, 101; IX, 161; L. Ginzberg, *The Legends of the Jews* V, p. 348, n. 226, etc.), it is hardly possible to find any passage where the Levites would be included in the priesthood. Neither II Macc. 1, 30 (“the priests” singing the hymns) nor Philo, *de spec. leg.* I, 156 (cf. I. Heinemann, *Philons Bildung*, 1932, p. 34 and p. 517)

We owe the solution of the riddle to Professor Saul Lieberman. The word Λευεΐτης is here not a noun but a personal name, borne also by a Palestinian rabbi of the second century A.D., Levitas of Jabne.<sup>49</sup> To understand the clause, we have only to deplace a comma of our printed text: Δωσίθεος, ὃς ἔφη εἶναι ἱερεὺς, καὶ Λευεΐτης. This interpretation is evidently the right one.<sup>50</sup>

But we note that while the statement referring to the filiation of Ptolemy, son of Levitas, is related without reservation, the sacerdotal qualification of Dositheus is only given as his claim: “who said that he is priest”. The cautious formula ὃς ἔφη with regard to personal status, belongs to the legal style, and was employed when the public officer was unable to verify the pertinent assertion of a party.<sup>51</sup> As the priesthood was a hereditary distinction with important privileges and emoluments even in the Diaspora, and as nobody could claim the sacerdotal title who failed to produce a proof of his lineage, the reserve of the author of the colophon is quite legitimate.

## V

Dositheus and his companions brought “the above letter of Phrourai”. This designation of the Scroll of Esther deserves attention.

First, the term “Phrourai”. The Greek φρουραὶ is the transliteration of an Aramaic plural<sup>52</sup> and replaces, in the Greek version of Esther, the term “Purim” of the Hebrew text. Since the language of the Jews

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have the required meaning. When Judith 11, 13 assigns to “the priests . . . in Jerusalem” the tithes allowed to the Levites by the Law, (cf. R. Marcus, *Law in the Apocrypha*, 1927, p. 108) it probably reflects the well known claims of the priests to these emoluments on the pretext that they were also Levites. Cf. R. Meyer, *ZNW*, 1939, p. 125 and L. Finkelstein, *HTR*, 1943, p. 22.

<sup>49</sup> *Pirqe Aboth*, 4, 7; cf. H.L. Strack, *Einleitung in den Talmud*, 1921, p. 124.

<sup>50</sup> For parallel instances, cf. F.W. Hall, *Companion to Classic Texts*, 1913, p. 181; Ad. Wilhelm, *Anzeiger d. Wiener Akad.*, 1937, p. 21. R.L. Marshall (*The Historical Criticism of Documents*, 1920, p. 40) tells how a displaced comma in a Latin translation of Josephus made some people argue that Aristoteles was a Jew. R. Marcus, *JBL* 64, 1945, p. 269 defended the translation: “Priest and Levite”.

<sup>51</sup> See, e.g., *P. Petrie*, III, 132, p. 322; cf. F. v. Woess, *Untersuchungen über das Urkundenwesen im römischen Ägypten*, 1924, p. 299; E. Schoenbauer, *Arch. für Papyrussforsch.* 12, p. 206; L. Robert, *Rev. de Philol.*, 1936, p. 139. Talmudic sources speak of persons claiming to be priests but are unable to produce evidence for this claim. L. Finkelstein, *The Pharisees* I, 1938, p. 512.

<sup>52</sup> See, now, J. Lewy, *HUCA*, 1939, p. 139 and on variant readings φρουραὶ and φουραῖα see now C.C. Torrey, *HThR* 37, 1944, p. 6.

in Palestine was Aramaic at this time, they used an Aramaic form to designate the feast.<sup>53</sup> But the fact that the Alexandrian author of the colophon used the Aramaic form in Greek, without any explanation, shows that the word and, consequently, the feast were already known in Alexandria in 78–77 B.C.

Secondly, for the Jews in Palestine this volume was “the scroll concerning Esther”. The Alexandrian librarian regarded it as “The Letter concerning the Feast of Purim”. The Dispersion often received dispatches from Jerusalem inviting to celebrate a holiday. Such a festal letter from Jerusalem to the Egyptian Jews, with regard to the Hanukkah of 124 B.C., is preserved as a preface to II Maccabees.<sup>54</sup> The Book of Esther quotes messages sent by Mordecai and Esther unto all the Jews in Artaxerxes’ kingdom to celebrate the festival of Purim (Esth. 9:20, 29). But precisely with reference to these quotations, the Jewish commentators distinguished such festal letters from the Scroll of Esther itself, said to have been published by the Sages of the Great Assembly.<sup>55</sup> The expression “the letter of Phrourai” is used in the Greek Esther with regard to Mordecai’s festal message (9, 29). Reproducing the same formula, the author of the colophon shows that the Book of Esther as a whole was regarded in Alexandria, in 78–77 B.C., as a festal<sup>56</sup> letter requiring common acceptance of Purim<sup>57</sup> “from India to Ethiopia” (Esth. 8,13).

But this ordinance, concerning also the Jews in Egypt and issued in the days of Artaxerxes, remained unknown; even the book itself

<sup>53</sup> Jos., *Antt.* XI, 295: οἱ Ἰουδαῖοι τὰς προειρημένας ἡμέρας ἑορτάζουσιν προσαγορεύσαντες αὐτὰς φρουρέας.

<sup>54</sup> II Macc. 1, 1–10 (cf. *ZNT*, 1933, p. 233, and now C.C. Torrey’s observations in *JAOs*, 1940, p. 110).

<sup>55</sup> L. Ginzberg, *The Legends of the Jews*, IV, p. 442; VI, p. 368, 387. Note that it is stated (*Meg* 2 a) that even the keeping of the 14th and the 15th Adar was established by the men of the Great Assembly. Later, the *Megillath Esther* is identified with Mordecai’s and Esther’s message (See L. Ginzberg, *l.c.* VI, p. 481; Jerome’s version of Esth. 9, 26 and 9, 32). On the meaning of the Hebrew passage 9, 29 cf. now C.C. Torrey, *HTHR* 37, 1944, p. 31. But in Greek “this second letter of Purim” of the Hebrew text becomes “the ratification of the letter of Purim”: the new message of Esther and Mordecai is represented as confirmation of the letter of Mordecai, already mentioned in 9, 26.

<sup>56</sup> This was written before I read C.C. Torrey’s paper, “The Older Book of Esther” in *HTHR* 37, 1944, pp. 1–40. I am glad to see that the eminent Semitist has also placed (p. 26) the Greek Esther among festal letters. F. Rozental, *Hebrew Union College Annual* 18, 1944, p. 161 notes that the Greek version of Esther (but not the Hebrew Esther) refers to Purim as a legal holiday.

<sup>57</sup> Cf. the prefatory letter of the Book of Baruch presenting this work as composed for use in public worship. Cf. H.St.J. Thackeray, *The Septuagint and Jewish Worship*, 1923.

was of unknown authorship. While the first task of a bibliographical note was to put forth the name of the author and the contents of the recorded book,<sup>58</sup> the “Letter of Purim” remains anonymous in the colophon.

This contrast between the volume’s aspirations and qualification for being a festal letter, explains the next sentence of the colophon.

## VI

The subscription runs:

εἰσήνεγκεν Δοσίθεος... καὶ Πτολεμαῖος... τὴν προκειμένην ἐπιστολὴν  
τῶν φρουραίων, ἣν ἔφασαν εἶναι καὶ ἑρμηνευκέναι Λυσίμαχον.

How are we to construe this sentence? Jerome overcame the difficulty by omitting, in his Latin version, the verb εἶναι.<sup>59</sup> Modern commentators find a way out by attributing to the same verb the meaning “to be genuine”, which it does not possess in Greek, and translate: “the letter was genuine”.<sup>60</sup> Some others<sup>61</sup> regard the genitive “Phrourai” as governed by the verb εἶναι and translate: “Letter of Purim as they called it”. But the intransitive verb εἶναι can hardly govern an objective genitive,<sup>62</sup> and the word-order decidedly suggests that the sequence εἶναι καὶ ἑρμηνευκέναι is a unity depending on ἔφασαν. In reality, that the volume concerned Purim was a fact independent of Dositheus’ saying. What was solely based on his statement was the origin of the volume he brought. This statement is quoted in *oratio indirecta* and forms a coordinate sentence consisting of two accusatives with the infinitive. The relative ἣν, being the subject of the first infinitive, is taken, then, as the object of the second one, an ellipse usual in Greek. Grammatically the verb εἶναι stands here without any predicative and consequently

<sup>58</sup> Such was the principal contents of Calimachus’ *Pinakes*. Cf. F. Schmidt, *Die Pinakes des Kallimachos*, 1922, p. 56; H. Herter, *Real-Enc. Suppl.* V, p. 397.

<sup>59</sup> Jerome translates as follows: *hanc epistulam Phurim quam dixerunt interpretatum esse Lysimachum*, etc.

<sup>60</sup> See e.g., L.B. Platon, *Esther* (ICC; 1908), p. 30; J.A.F. Gregg in R.H. Charles, *Apocrypha*, p. 684; *The Apocrypha* ed. B. Metzger (1965), p. 101.

<sup>61</sup> Cf., e.g., Swete, *op. cit.*, p. 258; H. Willrich, *Judaica*, 1900, p. 9; C.C. Torrey, *HThR* 37, 1944, p. 25.

<sup>62</sup> Cf., e.g., Maysers, *op. cit.* II, 2. p. 131 and p. 188. A parallel passage from Galen may be quoted here: Galen, in *Hippocr. de natura homin.* (*Corp. Medic. Graec.* V, 9, 1, p. 88): τὸ Περὶ διαίτης ὑγιεινῆς ὁ Πολύβου φασὶν εἶναι σύγγραμμα (“which they say, is Polybus’ work”).

means: “to exist, to really be”. I render literally: “The letter of Purim which they said exists and (which) has been translated by Lysimachus”. How are we to interpret the meaning of this statement?

The volume brought by Dositheus and his companions claimed to be a festival letter sent out in the days of Artaxerxes. But there were in circulation too many writings pretending to be the work of ancient sages or purporting to reveal divine secrets and powers. In order to determine the authenticity of such a work, the compiler used to refer to the archives where the original could be found. For example, the original of the “Miracle” of Sarapis “done to Syrion the Pilot” is stated to be “deposited in the record-office at Mercurium”.<sup>63</sup> Likewise, the Hebrew Esther closes with the reference to the Book of the Kings of Media and Persia”, where the reader may find a full account of the deeds of Artaxerxes and his Jewish Grand Vizier. This fanciful imitation of a known formula used in the biblical Book of Kings may spoil the ending of Esther’s tale to a modern reader, but in fact the seemingly valueless sentence purported to warrant the authenticity of the preceding story. With reference to sacred writings presented in a version of an otherwise unknown text, the authentication was doubly warranted. Euhemerus’ revelation of the authentic story of the gods purported to be a transcription of an antique document. The author obligingly indicated the whereabouts of the original, as in a text inscribed in gold on a great pillar in the island Panchea in the Indian Ocean.<sup>64</sup> A Praise of Isis in Greek by Demetrius, Son of Apollonius, from Magnesia on the Meander is said to be translated from Egyptian, that is “from the inscription in the temple of Hephaistos in Memphis”.<sup>65</sup> The archives of some Egyptian temple are given as the whereabouts of the original of

<sup>63</sup> *P. Oxyrh.* XI, 1382: καὶ καταχωρίζεται ἡ ἀρετὴ ἐν ταῖς Μερκουρίου βιβλιοθήκαις. These are not “the libraries of (the temple of) Mercurius” (that is the Egyptian Thot), as is generally understood. Why should this indigenous divinity have here a Roman name? But the author refers to the archives of the Roman administration of granaries: *ad Mercurium Alexandrae* (cf. U. Wilcken, *Hermes*, 1928, p. 60). As Alexandrian ships were engaged to transport grain to Italy, it is easily intelligible that a miracle concerning such a transport ship should be recorded in the pertinent archives of the Roman administration in Alexandria. A Greek author deposited four copies of his work in public libraries of four cities. Robert, *Bull. Épig.* (REG), 1969, p. 551.

<sup>64</sup> Diodorus V, 46, 7; VI, 1, 7. (Cf. F. Jacoby, *Real-Enc.* VI, p. 964.) Likewise, in the pseudo-Platonic dialogue *Axiochus* (371 a) the Underworld is described on the authority of ancient inscriptions discovered at Delos. For such pretended transcripts of antique inscriptions, cf. W. Kroll, *Real-Enc.* 8, p. 802; J. Bidez, F. Cumont, *Les Mages Hellénisés* I, 1938, p. 285, s.v. *Stèles*; P. Roussel, *Rev. étud. grecques*, 1929, p. 143.

<sup>65</sup> P. Roussel, *Rev. ét. gr.*, 1929, p. 143.



various magic or prophetic writings in Greek purporting to be translated from Egyptian.<sup>66</sup> *Ephemeris Belli Trojani* is introduced as a Latin version, by Q. Septimius, of a Greek work written in Phoenician characters by Dictys during the Trojan War and found under Nero. Accordingly, we are told that Nero had placed the original in his library.<sup>67</sup>

The most characteristic and important effect of this need of authentication with regard to a version, may be seen in the formation of the Old Testament of the Christian Church. The Church principally regarded as pseudepigraphon any text ascribed to a personage of the Old Testament if the Hebrew original was not at hand.<sup>68</sup> Divine Providence, says an Apologist, by making the Jews the keepers of the original text of the Bible frees the Christians from the suspicion of interpolation.<sup>69</sup> For Africanus, the most decisive argument against the Story of Susanna is its absence from the Hebrew Daniel.<sup>70</sup> To evade this test, Origen can only suppose that the Jews are concealing the missing original.<sup>71</sup> Accordingly, as the Church quoted in Greek the scriptural proof for the truth of Christianity, the Apologists referred the pagan reader to the Hebrew original of the LXX, and took care to indicate precisely its location. The originals of the Septuagint, says Tertullianus, "to this very day are shown at Serapeum, in Ptolemy's library, together with the Hebrew Scripture".<sup>72</sup>

<sup>66</sup> See, e.g. Iamblichus, *de myster.* 8, 5 (cf. J. Bidez, *Mélang. Desrousseaux*, 1937, p. 12); Ps. Manetho *apud* Syncellus I, p. 72 (cf. R. Reitzenstein, *Poimandres*, 1906, p. 139; and V. V. Struve, *Записки Коллегии Востокведов* III, 1928, p. 152); R. Reitzenstein, *l.c.*, p. 119ff.; *Suppl. epigr. graec.* 8, p. 551; J. Bidez, F. Cumont, *Les Mages Hellénisés* II, 1938, p. 325, n. 2 and p. 339, n. 8; W. Kroll, *Real-Enc.* 8, p. 802; Th. Hopfner, *Griech.-Ägypt. Offenbarungszauber* II, 1923, p. 12; G. Manteuffel, *De opusculis graecis Aegypti... collectis* (Travaux de la Soc. des Sciences de Varsovie, No. 12, 1930), ad No. 4. Chrysostomus refers his audience to the codices in archives of Rome which give the date of Jesus' birth (*Hom. in diem nat.* 2, PG. 49, 355).

<sup>67</sup> Dictys, *Prolog.*: *Nero annales vero nomine Dictys inscriptos in Graeca bibliotheca recepit.* On the Greek original of the story, cf. R.M. Rattenbury in *New Chapters in the History of the Greek Literature* III, 1933, p. 224. See the Preface to Dares' *De excidio Trojae: Athenis... inveni historiam Daretis Phrygi ipsius manu scriptam.*

<sup>68</sup> See, e.g. Origenes, *ap.* Euseb., *H.E.* VI, 25, 1: "it should be known that there are books of the Covenant, as the Hebrews hand them down, in the number of twenty-two", cf., too, e.g. L. Dennefeld, *Der Alttestamentliche Kanon der Antiochenischen Schule*, 1909, p. 12.

<sup>69</sup> Ps. Justin., *Cohort. Ad Graec.* 13.

<sup>70</sup> Africanus, *Epist. ad Origenem*, 2 (*Texte und Unters.* XXXIV, 3, 1909, p. 80): *πρὸ δὲ τούτων ἁπάντων.*

<sup>71</sup> Origenes, *Epist. ad African.* PG. XI, 63: *περιεῖλον ἀπὸ γνώσεως τοῦ λαοῦ.* The argument concerning the hiding of unwanted books by the Jews refers to a really existing usage. Cf. S. Zeitlin, *Proceed. Amer. Acad. for Jewish Research*, 1932, p. 113.

<sup>72</sup> Tertullian, *Apol.* 18; Cf. Justin Martyr: I, *Apol.* 31, 5.

The writer of the colophon to the Greek Esther used the same technique of verification. He noted the name of the translator and received his statement that the original “*is extant*”. The verb εἶναι is almost technical in such a connection.<sup>73</sup> When, some twenty years after Dositheus’ visit to Egypt, a forged letter of Judas Maccabeus to the Egyptian Jews quoted, as the authority for its historical account, Nehemiah’s Memoirs and other venerable sources, it significantly added: “all this is extant with us (καὶ ἔστι παρ’ ἡμῶν); if you need them, send some people to fetch them”.<sup>74</sup>

As the Book of Esther was supposed to be “the Letter of Purim”, a circular message sent out in numerous copies, it was unnecessary to be precise where the translator had found the text.<sup>75</sup> But it was necessary to state, on the authority of the persons who brought this version, that the original text really existed and was used by Lysimachus in Jerusalem.

But precisely the caution of the Alexandrian Jews with regard to the alleged original of Esther proves that the Hebrew Esther was still unknown in Alexandria in 78–77 B.C. As it is extremely improbable that this book, relating the origins of a festival and the triumph of the Chosen People should remain unnoticed for a long time, we can only conclude that the Hebrew Esther had been published shortly before the Greek translation was made, let us say about 100 B.C., an approximative date which fits with the chronological indices furnished by the internal evidence.<sup>76</sup>

<sup>73</sup> See, e.g., *P. Oxyrh.* XVII, 2192: Harpocration affirms that the wanting volumes are among Ptolion’s books: φησὶ γὰρ Ἀρμοκρατίων ἐν τοῖς Πολίωνος αὐτὰ βιβλίοις εἶναι. *P. Cairo Zenon*, 59044, 10: παρὰ τῷ βασιλεῖ ἔστι γραφή. A.S. Hunt, C.C. Edgar, *Select Papyri* II, 219: ἔαν δ’ εἰσὶν ἐν τῇ βιβλιοθήκῃ τῶν ἐπάνω χρόνων ἀπογραφαί. *P. Enteux* 55, 6: οὐδενὸς ὄντος μοι πρὸς αὐτόν συναλλαγμάτου. Cf. the Latin *exstare*: Cicero, *pro Fonteio*, 17, 39: *exstat oratio*... G. Gracchi.

<sup>74</sup> II Macc. 2, 13. cf. Plato, *Crit.* 113 b speaking of records of the lost Atlantis ἔστι δὲ παρ’ ἐμοὶ γῶν; Horapoll. *Hierogl.* 38: ἔστι δὲ παρὰ τοῖς ἱερογραμματεῦσι καὶ βίβλο ἱερά καλουμένη Ἄμβρες.

<sup>75</sup> Grammatically it is possible to regard the sentence as construed ἀπὸ κοινοῦ, where a word in the first clause to be supplied from a subsequent clause. Cf. e.g., Xenophon, *Hell.* I, 3, 9: ὄρκους ἔδοσαν (Φαρναβάζῳ) καὶ ἔλαβον παρὰ Φαρναβάζου. Then, we may construe: ἦν ἔφασαν εἶναι (Λυσισμάξῳ) or (as was suggested to me by Henri Grégoire): εἶναι (ἐν Ἱεροσολύμοις). But this may have been left intentionally vague, and the text is correct and intelligible without an ellipse. Some adequate examples of the figure ἀπὸ κοινοῦ are quoted by Ruthford, *op. cit.*, p. 321 (cf. J. Viteau, *Étude sur le Grec du Nouveau Testament*, Sujet, 1896, p. 144). H.M. Ellen, *Studies in ἀπὸ κοινοῦ in Ovid*, 1938.

<sup>76</sup> *Four Strange Books of the Bible*, 1967, p. 207.

## VII

Lysimachus is styled as τῶν ἐν Ἱερουσαλήμ. The formula is instructive. An Oriental belongs to a clan, to a class; the residence is secondary for his qualification.<sup>77</sup> A descendant of a family deported from Judea more than a century before, living in the royal citadel of Susa, Mordecai remains “the son of Jair, the son of Shinei, the son of Kish, a Benjamite” (Esth 2, 5). For the Greeks, the indication of “fatherland” was an indispensable part of any identification, and the Greek administration introduced this requirement in the East.<sup>78</sup> But the native continued to be regarded as a member of a local group to which he was bound. Accordingly he was styled in official documents: Νεφορις τῶν ἀπὸ Μέμφεως, etc. while a Greek is an “Alexandrian” (Ἀλεξανδρεὺς) or an “Athenian” (Ἀθηναῖος).

The Seleucid administration regarded Jerusalem as a κώμη and its habitants as native villagers. The Second Book of Maccabees, which is very exact in the use of official nomenclature, in 161 B.C. styles a Jerusalemite as Παζεῖς δέ τις τῶν ἀπὸ Ἱερουσαλύμων. The inhabitants of Jerusalem are accordingly styled, in 163 B.C., τῶν ἐν Ἱερουσαλύμοις.<sup>79</sup> The footnote to Esther shows that the Maccabean princes continued to consider Jerusalem as a village, of the same rank as Modein, for example. The Maccabean documents do not assign to Jerusalem any special prerogative. The centre of the Jewish nation is the Temple and not a city. For Pseudo-Aristeas, about 130 B.C., the Jews form an ecclesiastical state. The Jews “dwell around the great Temple of Salomon” says another writer of the same epoch.<sup>80</sup> The status of Jerusalem changed later, probably under Herod, when the political authority became separated from the ecclesiastical. Under Herod, and then under the Roman procurators, Jerusalem possessed a kind of Hellenic constitution.<sup>81</sup> Accordingly, for Josephus a citizen

<sup>77</sup> See, e.g., for the Egyptians the data collected by H. Grapow, *Zeitschr. für Ägypt. Sprache*, 1937, p. 50; for the Hellenistic East cf. *Institutions des Séleucides*, 1938, p. 175 and A. Aymard, *Rev. étud. anc.*, 1938, p. 77.

<sup>78</sup> Cf. *Arch. für Papyrusforsch.* 8, p. 216.

<sup>79</sup> II Macc. 14, 37; 8, 36. Privately, the Jerusalemites preferred, of course, the more dignified qualification after fashion of the Greeks. The Siracide is (Sirach 50, 27): Ἰησοῦς... ὁ Ἱεροσολυμίτης. Le Bas-Waddington, *Inscriptions* III, p. 294 (Iasos, second cent. B.C.) Νικήτας Ἰάσωνος Ἱεροσολυμίτης.

<sup>80</sup> *Orac. Sibyll.* III, 213; cf. Polybius XVI, 39, 3.

<sup>81</sup> Cf. H. Zucker, *Studien zur jüdisch. Selbstverwaltung*, 1936, p. 76.

of the Jewish capital is a "Jerusalemite",<sup>82</sup> equal of an "Athenian" or of an "Alexandrian".

The Greek Esther was composed by a Jerusalemite. Prof. S. Lieberman has proved recently<sup>83</sup> the current use of Greek in the synagogue as well as in the daily life of Jewish Palestine in Roman times. On the other hand, Pseudo-Aristeas, about 130 B.C., presupposes the existence of Jewish scholars in Palestine versed in Greek.<sup>84</sup> But the remains of the Greek works of Palestinian Jews are very scarce. Before Josephus, whose Greek was unfortunately revised by Greek literari, we have only some fragments of Eupolemus' history of the Jewish kings, written about 150 B.C.,<sup>85</sup> two letters prefixed to II Maccabees, dating from 124 B.C. and about 60 B.C. respectively,<sup>86</sup> I Maccabees, turned into Greek about 100 B.C.,<sup>87</sup> and some inscriptions.<sup>88</sup> Lysimachus' version of Esther, made sometime before 78–77 B.C., presents a remarkable specimen of Palestinian Greek, which deserves the attention of philologists as well as of students of the Septuagint.

## VIII

Let us return now to the colophon as a whole. Since such a bibliographical record is unique in the Septuagint,<sup>89</sup> the question arises why this library postscript was copied with the text of the Greek Esther. The question brings up the whole problem of the scriptural canon.<sup>90</sup>

"Canonic" means that the book is "spoken through the Holy Spirit",

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<sup>82</sup> Josephus, *Vita*, 217 (in an official letter); Claudius' Letter *apud* Jos., *Antt.* XX, 11; etc.

<sup>83</sup> S. Lieberman, *Greek in Jewish Palestine*, 1942.

<sup>84</sup> Ps. Aristeas, 39.

<sup>85</sup> J. Freudenthal, *Alexander Polyhistor*, 1875, p. 128.

<sup>86</sup> Cf. vol. II > 000 and C.C. Torrey, *ZAW* 20, 1900, pp. 225–242.

<sup>87</sup> Cf. *Der Gott der Makkabäer*, 1937, p. 145.

<sup>88</sup> See, e.g., *Suppl. epigr. graec.* VIII, 170.

<sup>89</sup> The note introducing the supplementary verses at the end of Job only precises the origin of the addition as "translated from a Syriac (that is Aramaic) book". Prov. 25, 1 (taken from the Hebrew Bible) tells that the following sayings of Solomon were "collected by the men of Hezekiah, king of Judah". Similar are the superscriptions of the Psalms, giving the name of the author, etc. Cf. R.H. Pfeiffer, *Introduction*, 1941, p. 641.

<sup>90</sup> On the subject, see R.H. Pfeiffer, *op. cit.*, p. 50ff. and R. Meyer's article in G. Kittel, *Theol. Wörterbuch* III, p. 980. Since I did not peruse the whole literature on the subject, I do not know to what extent the opinions expressed here are new, but I find them implied in pertinent remarks of G.F. Moore, *Judaism* I, 1927, p. 241.

as runs a rabbinical formula.<sup>91</sup> But there were numberless writings claiming to have come down from inspired authors, and there was no unanimity as to a catalogue of the sacred books. Simon ben Shetah quoted (about 75 B.C.) Ecclesiastes as "Scripture", but a hundred years after the death of this authority both of the most important pharisaic schools still continued to quarrel about the canonicity of this Solomonic book.<sup>92</sup> In reality, such scholastic controversies and private opinions did not matter. Of importance was only the liturgical use. Consequently, until the fall of the Temple in 70 A.D., truly "canonic" (i.e., generally and officially acknowledged as standard of faith and life) were only the Law, the Prophets, and the Psalms,<sup>93</sup> these being the books read (or sung) in the divine service. Accordingly, the Roman administration regarded as the "Holy Books" of the Jews the ones of public worship.<sup>94</sup> For the rest, anyone could use freely as authoritative "other books" which, as Sirach's grandson says (c. 110 B.C.), side by side with "the Law and the Prophets" provided Israel "with instruction and wisdom".

Turned into Greek, the last named "canonic" books did not need any authentication, being used liturgically in Hebrew and Greek. On the other hand, all other works claiming inspired authorship, like Enoch, Ecclesiastes, Sirach, etc., did not require any ecclesiastical approval because they were not used in the public worship. Only the Greek Esther was an anomaly: a non-canonical book claiming a liturgical status.

Esther belongs to a small group of Hellenistic writings designed to explain and to hallow a non-biblical festival instituted among the Jews. Such are two versions of a kind of "Purim" celebrated by the Egyptian Jews in the first cent. B.C.,<sup>95</sup> and II Maccabees which glorifies Hanukkah. But while both these holy days were established (or at least so regarded) by a public ordinance of Jewry on the occasion of a recent well known event, the Book of Esther celebrated a new spontaneous feast, and even appeared to be its festal message. When scribes

<sup>91</sup> II Tim 3, 16; Moore, *op. cit.*, I, p. 237.

<sup>92</sup> For Simon ben Shetah, cf. W. Bacher, *Die Agada der Tannaiten* I, 1903, p. 20. For polemics about the canonicity of Ecclesiastes see, e.g., H.L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament* IV, 1, p. 497.

<sup>93</sup> Luke 24, 44; Philo, *de vita contempl.*, p. 475 M; II Macc. 2, 14.

<sup>94</sup> Augustus' edict: Jos. *Antt.* 16, 164. The Pharisaic doctrine that Holy Books are "taboo" ("defile the hands") probably referred, at the start, only to the scrolls in the Temple (see R. Meyer, in Kittel's *Theol. Wörterbuch* III, p. 983).

<sup>95</sup> III Macc.; Jos. *C. Ap.* II, 52. Cf. *Real-Enc.* XIV, p. 799.

began to copy the scroll brought by Dositheus from manuscripts in the archives of the Alexandrian community, they were naturally eager to transcribe, together with the message concerning Purim, the note attesting the origin of the volume. Later copyists mechanically retained the postscript found in their sources, and eventually the authority of Origen's *Hexapla* preserved the colophon in Christian tradition. This postscript thus proves objectively that the Greek Esther descends directly in the LXX from the manuscript of Dositheus.

## IX

The preservation of the colophon makes conspicuous a very important feature of Purim as well of Esther's Scroll. Both the feast and the festal document lacked liturgical prescription and official sanction. While Hanukkah was introduced by a decision of the authorities of Jerusalem and its celebration in the Diaspora was encouraged by official messages from the holy city,<sup>96</sup> the spread of Purim appears to have been a work of private propaganda. Dositheus and his companions came to Egypt without credentials from Queen Alexandra and her *Synedrion*. As a matter of fact, there are indications that the Jewish authorities in Palestine for a long time continued to be opposed to the celebration of Purim and to the canonicity of the Book of Esther.<sup>97</sup>

Their objections were quite natural. The festival was completely secular – a day of banqueting and joy (Esth. 9, 21). Since the Jews were wont to interpret almost every feast as the memorial of an event, according to the pattern laid down in the Torah, they expected history to furnish the reasons for the new feast. The Hebrew Book of Esther offered such an historical explanation, but the author wisely refrained from introducing any prominent religious features in his story because Purim lacked all religious observances which recalled a divine intervention.<sup>98</sup> But religious minded people naturally objected to this festival

<sup>96</sup> See *ZNW*, 1933, p. 242.

<sup>97</sup> Cf. G.F. Moore, *Judaism* I, 1927, p. 244. It may be added that the recital of benedictions before and after the reading of Esther's Scroll was only introduced after the age of the Tannaim, and is not mentioned before ca. 400 A.D. (cf. I. Elbogen, *Der jüdische Gottesdienst*, 1924, p. 184 and p. 534).

<sup>98</sup> But the author emphasizes the fasting and mourning of the Jews during the crisis (4, 1 and 16). On his religious feelings, cf. C.C. Torrey, *HThR* 37, 1944, p. 10; and L. Ginzberg, *The Legends of the Jews*, VI, p. 476; *Four Books* (n. 76), p. 197.

document in which no mention of God was made<sup>99</sup> and which could excite the animosity of the Gentiles.<sup>100</sup>

Lysimachus' adaptation furnished the Book of Esther with pious formulas and rites, like Esther's prayer, as well as with rhetorical embellishments through which the terse original became more palatable to the Diaspora. But at the same time, by elaborating the motif of "antisemitism", barely mentioned in the Hebrew text (3, 8), Lysimachus made of the Greek Esther a document stressing mutual hatred between the Jews and the Gentiles.

In the Hebrew book, the conflict is between Haman and Mordecai, and the former seeks to destroy the Jews solely because his enemy is one of them. Naturally, as every people, the Jews have their haters (9, 1, 5, 16), and like every people they take pleasure in their revenge. But although their laws are different from those of every people (3, 8), there is no opposition between them and the Gentiles of the Empire in general. On the contrary, the edict against the Jews disturbs them and Mordecai's triumph over Haman rejoices the capital (3, 15; 8, 15). In Lysimachus' adaptation, the hatred is between the Gentiles and the Jews, "hostile always and now", as the King's proclamation says, toward all men. And the interpretation of Mordecai's dream at the end of the book – the key to the story – confirms Haman's idea from the Jewish standpoint: there were two lots, one for the chosen people and another "for all the nations" assembled to destroy it, but God saved his inheritance. Thus an incident arising from court intrigues became, in the Greek Esther, the symbol of an eternal conflict.

It is significant that the Greek Esther was brought to Egypt not accidentally, but by a mission of three envoys, and that it was deposited in the Jewish archives. It seems that Dositheus and his backers in Jerusalem were eager for the diffusion of Purim and of the pamphlet designated to explain to the Diaspora the anti-alien meaning of the new festival.

The very date of the mission is likewise instructive. Dositheus delivered the book in 78–77 B.C. About the same time, Apollonios Molon published the first Greek pamphlet "Against the Jews",<sup>101</sup> underlining their cruelty, effrontery, impiety, and hatred of mankind. Shortly

<sup>99</sup> L. Ginzberg, *l.c.*, VI, p. 481, n. 193.

<sup>100</sup> *Megill.* 7 a.

<sup>101</sup> Schürer III, p. 532.

before (88–7 B.C.) occurred the first anti-Jewish riots in Alexandria and Antiochia of which we have a record.<sup>102</sup> The Greek Esther was soon followed by an Egyptian parallel, the so called Third Book of the Maccabees.<sup>103</sup> While Aristobulus, Pseudo-Aristeas and other Hellenistic Jewish authors writing in the second century B.C. thought that a reasonable explanation of the Jewish Law, and exclusiveness inculcated by the Law, would destroy prejudice, the Greek Esther as well as the III Maccabees know “the inveterate hatred of the heathen against the Jews” (III Macc. 4, 1) and retaliate by promoting the aversion against Gentiles which finds unrestrained expression in Esther’s prayer in Lysimachus’ adaptation of the Book of Esther.

The historical background of this literature is the violent and implacable war between the Hasmoneans and the Greek cities in Palestine, which developed since c. 110 B.C. The Seleucids, the Ptolemies, and Rome intervened in this struggle. Both parties sought to gain the sympathy of the Hellenistic world by means of propaganda, many records of which are preserved in latter literature.<sup>104</sup> As the Jewish conquest led to the elimination of Greek, and the imposition of Jewish modes of life, the war and the hatred it provoked, necessarily placed the Jew and the Hellene as such face to face. While the Dispersion quite naturally opposed attacks on the Jewish kingdom,<sup>105</sup> the Greeks, no less naturally, strongly expressed their ill-feeling against the compatriots of Alexander Jannaeus who had laid waste the Macedonian colony of Pella because its heathen habitants resisted conversion to the Law of Moses.<sup>106</sup>

The colophon of Esther shows that the mutual dislike was fostered in Palestine and was intentionally spread out from there by such missionaries of exclusiveness as Dositheus and his companions.

In conclusion, this is the translation of the colophon. “In the fourth year of the reign of Ptolemy and Cleopatra (78–77 B.C.), Dositheus – who said he was a priest, – and Levitas, and Ptolemy his son deposited the preceding Letter of Purim, which they said really exists and had been translated by Lysimachus (son of) Ptolemy, (a member) of the Jerusalem community”.

<sup>102</sup> Jordanis, *Chron.* 81 (cf. I. Heinemann, *Real-Enc. Suppl.* V, p. 8).

<sup>103</sup> Cf. *Real-Enc.* XIV, p. 798.

<sup>104</sup> See *Der Gott der Makkabäer*, 1937, p. 23; H. Lewy, *Monatschr. für Geschichte des Judentums*, 1933, p. 84, and below pp. 270–274.

<sup>105</sup> Cf. *Jos., Antt.* XIII, 354.

<sup>106</sup> *Jos., Antt.* XIII, 397.



## NOTES ON THE GREEK BOOK OF ESTHER\*

In his version of Scripture, Jerome brought forth the Book of Esther, as he says, “from the archives of the Hebrews” and rendered it into Latin “just as it stands in Hebrew”. After the end of the Hebrew book, however, he placed six long sections that are found in Greek but not in Hebrew.<sup>1</sup> Accordingly, Luther and then the English translators gathered together these six passages, removed them from their context and relegated them to the “Apocrypha”, as “The Rest of the Chapters of the Book of Esther”. Modern scholars continue to deal with these disconnected “chapters” as if they existed independently of the Greek Book of Esther. In fact, the latter not only adds these 107 verses to the “Scroll of Esther” but also more often than not disagrees with the Hebrew in 163 verses common to both books. The Greek Esther, of which the “Rest Chapters” are integral and essential parts, is not the *Megillath Esther*, couched in Greek language and letters, but its adaptation designed for the Diaspora.

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\* Some abbreviations.

Ginzberg = L. Ginzberg, *The Legends of the Jews*.

I. S. = *Institutions des Seleucides*, 1938.

Motzo = B. Motzo, *Saggi di Storia e Letterature Giudeo-Ellenistica*, 1924.

Motzo *Versione*: see below n. 7.

Paton = L.B. Paton, *The Book of Esther*, 1908.

Pfeiffer = R.H. Pfeiffer, *History of New Testament Times*, 1949.

RE = *Realencyclopädie für class. Altertumswissenschaft*.

StM = *Studi e Materiali di Storia delle Religioni*.

Welles = C.B. Welles, *Royal Correspondence in the Hellenistic Period*.

<sup>1</sup> Hieron, *Prolog. ad Esther*. I quote Paton's (p. 24) English translation. The expression *Hebraica veritas* which Jerome often uses (e.g. *Prol. Galeat.: quamquam mihi omnino conscius non sim mutasse me quidpiam de Hebraica veritate*) does not mean that the Hebrew text alone was correct (as the expression is now understood) but the authentic Hebrew text. See e.g. Hieron. (*Praef. in Eoang. PL. XXIX*, p. 526); *sin autem veritas est quaerenda de pluribus (sc. codicibus latinis)*; Aug. *Epist. ad Hieron.* (71, 6): *si scripturam graecam... latinae veritati redderis quae in diversis codicibus ita varia est ut tolerari vix posset*, etc. The Additions are: A (before 1, 1), The Dream of Mordecai; B (after 3, 13), Artaxerxes' Edict against the Jews; C (after 4, 17), the Prayers of Mordecai and of Esther; D (after 5, 1); Esther before the King; E (after 8, 12); Artaxerxes' Edict for the Jews; F (at the end of the book), Interpretation of Mordecai's dream.

I. *Manuscript groups*

The Greek Esther was quite popular with Jewish and Christian readers. Added in the Greek Book, the prayer of Esther who was "perfect in faith" was often quoted by Church Fathers, from Clement of Rome onwards. Origen recommended the book as appropriate reading for catechumens.<sup>2</sup> Often copied, the Greek Esther circulated in a number of variant forms. Four of these recensions have come down to us.<sup>3</sup>

1. "K" This text is found in all uncial Mss. and in almost all cursives of the Greek Bible as well as in the Chester Beatty Papyrus, written about 250 C.E. Origen (ca. 240 C.E.) based his scholarly revision of the Greek Esther on the same recension.<sup>4</sup> The type K also underlies the ancient versions of the book which were made from the Greek into Oriental languages as well as Jerome's Latin rendering of the "Rest Chapters". It was obviously the standard text used in the Greek Church, *editio vulgata* as Jerome calls it. We shall denote this current text by the symbol K (= *koine ekdosis*).<sup>5</sup>

<sup>2</sup> A. v. Harnack, *Bible Reading*, 1912, p. 73 and p. 122. Cf. also Hieron. *Ep.* 102, 12. The statement that "the early Christian church made no use of" Esther (Paton, 97) is unwarranted. On the estimate of the book in the Christian Church cf. generally J. Langen, *Die Deuterocanonischen Stücke des Buches Esther*, 1962, pp. 3–11; P. Cassel, *Commentary on Esther*, 1888, pp. XXVIII–XXXI.

<sup>3</sup> See now *The Old Testament in Greek*, edited by A.E. Brooke, N. McLean and H. St. John Thackeray III, 1 (Cambr., 1940). This publication supersedes all previous editions of the Greek Esther, as well as the critical apparatus given by L.B. Paton in *Old Testament Studies in Memory of W.R. Harper*, 1908, II, pp. 1–52. But for the Old Latin Version see below n. 7. Cf. generally Paton, pp. 29–47, pp. 243–311; B. Motzo, "I testi greci di Ester", *StM* V, 1, 1930, pp. 223–231. See now the edition of R. Hanhart, 1966.

<sup>4</sup> Origen's hexaplaric text has been preserved in Codex 93 and in corrections noted in Codex Sinaiticus. See F. Field, *Origenes Hexaplorum qui supersunt* I, 1875, p. 793 ff. and now the apparatus of the new Cambridge Septuagint (n. 3). The latter edition also records the readings of 967–8 = F.C. Kenyon, *The Chester Beatty Biblical Papyri* VII, 1937.

<sup>5</sup> The Coptic version (which I am unable to read) in Herbert Thompson, *A Coptic Palimpsest Containing Joshua... and Esther*, 1911. On the character of this version cf. W. Crum's review of Thompson's edition in *Zeitsch. Deutsch. Morgenland. Ges.* LXV, 1911, p. 806. The variants of the Coptic version are also recorded in Cambridge Septuagint (see above n. 3). For the Ethiopic version (beside the Cambridge Septuagint) see P.M.E. Pereira, *Le livre d'Esther, version éthiopienne* (*Patrol. Orient.* IX, 1913). The Ethiopic text is here accompanied by a French translation. The Arabic translation was made from the Syriac Peshitto and, thus, descends from the Massoretic text. Cf. G. Graf, *Gesch. der christl. Arabischen Literatur* (*Studi e Testi* CXVIII, 1944), p. 113. The Slavonic Esther was first translated (sometime before 1474), allegedly from the Hebrew. On Armenian version see Hanhart (n. 3), p. 32.

2. “A” Four minuscules exhibit a second form of the text. Without any cogent reason this recension was attributed to Theodotion or Lucian by modern scholars.<sup>6</sup>

3. “L” This is the Greek recension used in the Old Latin translation. Owing to the lack of quotations in Latin Fathers before Jerome and Augustine, it is still impossible to date and to localize this version. The translator followed his Greek original slavishly.<sup>7</sup>

4. “J” In his “Antiquities” (XI, 183–296), Flavius Josephus gives a paraphrase of Esther’s story. He follows not the Hebrew book, but a particular recension of the Greek Esther. This was probably the edition popular among the Jews in Rome, where Josephus wrote his work, published in 93–94 C.E.<sup>8</sup>

The four recensions widely disagree in wording and also in the way of excess and defect. Since the discovery of the text A by Archbishop Ussher in 1655 the subject has been often treated by Biblical scholars.<sup>9</sup> Some hold that these Greek texts are differing versions of the same Hebrew (or Aramaic) original or that they render different Semitic originals.<sup>10</sup> Generally speaking, both alternatives are equally probable.

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<sup>6</sup> That is the text “B” in O.F. Fritzsche, *Libri Apocryphi Veteris Testamenti Graeci*, 1873, p. 30 ff., and the recension A in P.A. de Lagarde, *Librorum V.T. canonicorum pars prior graece*, 1883, and in the Cambridge Septuagint. See also, A. Scholz, *Commentar über das Buch Esther*, 1892. The recension was ascribed to Lucian by Lagarde and F. Field, *l.c.* but the postulate of their conclusions (namely that certain Mss. of the Septuagint give the Lucianic recension through the whole Bible) has been refuted, and even the existence of a Lucianic edition is now doubted. Cf. G. Bardy, *Recherches sur S. Lucien d’Antioche*, 1936, pp. 164–78; G. Mercati, “Di alcune testimonianze . . . sulle S.S. Luciano”, *Biblica*, 1943, pp. 1–17; H. Dörrie, “Zur Geschichte der Septuaginta”, *Zeitschr. für die Neutest. Wiss.* XXXIX, 1940, p. 57–110; I.L. Seeligmann, *The Septuagint Version of Isaiah*, 1948, pp. 17–22. The same recension was ascribed to Theodotion by De Rossi and A. Scholz, *o.c.*, p. XIII. In his Praef. in Esth. (and again introducing the Additions), Jerome points out that these are extant in *edizione vulgata* (*qua in sola vulgata editione reperimus*).

<sup>7</sup> Variants of L are recorded in the Cambridge Septuaginta. B.R. Motzo, “La versione latina di Ester secondo i LXX” (*Annali della Facoltà di Lettere della R. Università di Cagliari* I–II, 1928, gives a critical edition. Cf. A. Möhle’s review in *Gnomon* V, 1929, pp. 565–8 (who stresses the hexaplaric elements in L) I quote L after Motzo’s edition. The author very kindly sent me a copy of it as well as his other publications concerning Esther.

<sup>8</sup> Jos. *Antt.* XI, pp. 186–296. On J cf. I. Rozhdestvenski, *Kniga Esphir*, Moscow, 1885, pp. 84–96; B. Motzo, “Il testo di Ester in Giuseppe”, *StM* IV, 1928, pp. 84–105; L.H. Feldman, *TAPA*, 1970, pp. 141–170.

<sup>9</sup> J. Usserius, *de graeca LXX interpretum versione syntagma cum libri Estherae editione Origenica et vetere Graeca altera*, Lond., 1655. Ussher used Ms. 93, now in the British Museum.

<sup>10</sup> In supporting the canonicity of the Six Additions, Cardinal Bellarmine (died 1605) supposed that these sections are translations from the second, now lost, edition of the Hebrew Esther. Bellarmine, *de verbo Dei* I c. VII, 10. The view that the Greek Esther

The so called “Septuagintal” translation of Daniel and the version of Theodotion, particularly in Susanna, diverge no less widely than the types of the Greek Esther. On the other hand, as the two still extant, later, Targums show, the story of Purim could have circulated in Aramaic in many variant forms. Nevertheless, both conjectures about the relation of the extant Greek forms of Esther disagree with the facts.<sup>11</sup>

In the first place, the theory, referred to, lacks any clear evidence to its support. Scholars quote Semitic words which, through mistranslation, could have originated divergent readings. But while one discovers misunderstanding of Hebrew,<sup>12</sup> another finds mistranslations from the Aramaic. In fact, the method here is at fault. The four existing Greek recensions disagree not only with regard to some arbitrarily chosen readings but throughout the whole book. For instance, in Mordecai’s prayer the text K uses the word *hyperphania* (*hyperphanon*) three times. The text A substitutes for it: *philodoxia*, *aperitmetos* and *peirasmos*. How are we to believe that in the last case, as it has been claimed,<sup>13</sup> the divergence goes back to the differing understanding of the same ambiguous verb in the supposed Aramaic original?

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represents a lost Hebrew (or Aramaic) original has since been often advanced in various combinations. Cf. Pfeiffer, pp. 308–9. Accordingly, the two principal types of Greek (K and A) were regarded as two independent translations. See e.g. J. Langen, “Die beiden griechischen Texte des Buches Esther”, *Tübinger Theologische Quartalschrift* LII, 1860, pp. 270–4 and Id. *Die deuterocanonischen Stücke des Buches Esther*, 1862, pp. 30–32. Recently, C.C. Torrey declared that the two existing Greek versions (that is K and A), and also the version reproduced by Josephus (that is J) are translations from different Aramaic originals. C.C. Torrey, “The Older Book of Esther”, *HThR* XXXVII, 1944, p. 5 and p. 7.

<sup>11</sup> So far as I know the hypothesis of several distinct versions was brushed aside by authors of commentaries (e.g. Paton, p. 38), but never disproved. The right explanation of Greek variations is given by Motzo, p. 270, n. 2.

<sup>12</sup> Langen (n. 10); Scholz (n. 6), p. XXII.

<sup>13</sup> Torrey (n. 10), p. 8. The same scholar discovers a mistranslation in recension A, 7, 5 (6, 3): τί ποιήσομεν τῷ Μαρδοχαὶ τῷ σωτήρι τῶν λόγων. But this is inner Greek corruption as L shows: *quod faciemus Mardochoae salutari* (= σωτήριον) *sermonum horum*. Further, in the description of Esther’s going to the king not one word but the whole scenario is different in K and A. (L and J go with K here). A omits the second swooning of Esther but lets her perspire to explain the king’s solicitude for her. The latter detail A got from the common Greek source of all the Greek recensions. At last in 9, 30–31 K simply tries to render the parallel Hebrew text. But two inner Greek corruptions disfigure the passage (A, L and J skip it). First, the translator originally rendered the Hebrew word for “fast”, by *therapeia*. Cf. 5, 1 in Greek and 4, 16 in A and L (*sanitatem*). A later reviser substituted the more common, but here wrong synonym: ὑγείας. Then, τὴν βουλὴν in the same verse is a mistake of an ancient copyist. Read: τὴν βουή as the same word is rendered in 4, 1 (ἔβόα).

## II. *Variations of Greek Recensions*

In fact, variations of Greek recensions originated within the Greek version itself. Verbal correspondences in the parallel Greek texts are obvious and numerous.<sup>14</sup> Even discrepancies point to a common Greek groundwork. For instance, in each recension the discovery of the conspiracy by Mordecai is told differently (2, 21–3). But these variants are as many attempts at harmonizing the Hebrew text with the First Addition (Mordecai's dream).<sup>15</sup> Another instance: a considerable amount of variations appears in Esther's Prayer. Yet, the agreement between the types of the Greek text here is striking. Thus, the verse introducing the Prayer is given in almost the same wording in K, A and L and is only shortened and paraphrased by Josephus. Further, in K, Esther says that "from the hour of birth" she heard in her "ancestral tribe" about God's promises to Israel. In A and L she heard about them from an "ancestral book". The dependence here is obvious and cannot be explained by the assumption of several translators or several distinct originals.

On the other hand, each Greek form exhibits its own omissions and additions. The amplifications, it is true, are excrescences on the common stock. Nevertheless, they sometimes embody fresh haggadic material. According to L, Esther in her prayer appeals to the example of the saints, from Noah to Daniel and the Three Youths. The last two stories are also referred to in Esther's prayer in the Second Targum.<sup>16</sup>

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<sup>14</sup> Some instances must suffice here. The Addition C describes how Esther put on the mourning clothes. The author, then, notes (5, 1) that Esther put off "The garments of worship". This peculiar expression (τὰ ἱμάτια τῆς θεραπείας) appears in K, A and L. In 9, 1 the text K has preserved a Hellenistic expression προσέπεσεν γὰρ τὸ πρόσταγμα. A and L substitute a more common wording, yet they retain the characteristic vocable.

<sup>15</sup> Motzo, p. 260.

<sup>16</sup> Ginzberg IV, p. 424. In 1, 5, agreeing with an anonymous authority referred to in the First Targum, A supposes that the king celebrated a feast of deliverance. In 1, 12 and 1, 15, A and J (Jos., *Antt.* XI, p. 191) speak of the king's repeated orders to Vashti. The same amplification in the First Targum. Mordecai enjoins Esther to fear God (2, 20). Cf. Ginzberg VI, p. 460, n. 78. In 4, 17, L adds a quotation from Joel, 2, 15 (cf. Motzo, *Versions*, p. 27) and describes the fasting of the Jews in terms borrowed from the Book of Jonah. (Cf. Justin. *Dial.* 108, 1; Isr. Lévi, *REJ* XLVII, 1903, p. 161). A similar amplification in the Second Targum (Ginzberg IV, p. 418). In 4, 1, according to K, J and L, Mordecai protests that an innocent nation is condemned. Cf. Ginzberg VI, p. 469, no. 125. A and J note that it was dawn when Haman appeared before the king (6, 3–4). Cf. Ginzberg IV, p. 434. K, A and L (but not J which goes with the

But again, the mention of *libri paterni* as the source of Esther's inspiration, shows that the passage in L was invented in the transmission of the Greek text.

The diversity of the Greek texts excludes the possibility that they are divergent renderings of one and the same Semitic original. Their homogeneity is both unexplained and unexplainable if they were four versions of so many distinct originals. All Greek recensions agree in the sequence of episodes and verses. When a recension occasionally breaks the common orders, the inversion is a deliberate revision of the Greek text.<sup>17</sup> That counts for the common additions as well as for the verses extant in the Hebrew Book. As long as the Greek runs parallel to the Hebrew, at least one of the Greek forms agrees with the latter.<sup>18</sup> In relation to *Megillath Esther*, the four Greek types also exhibit the common omission of most difficult passages. It is unbelievable that the Hebrew redactor should add just such glosses which are the despair of commentators. It is hardly believable that four independent translators should coincide in eliminating the seemingly incongruous mentions of the royal *kether* (frontlet) on the head of Mordecai's horse (6, 8). Note that the Targums and the Syriac version translate the clause.<sup>19</sup>

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Hebrew) say that God kept sleep from the king (6, 1). Cf. Ginzberg IV, p. 434. A and J (as well as the Latin Cod. Complut.) describe Mordecai's fear at Haman's coming (6, 11) in general agreement with b. Meg. 16 a. Josephus (*Antt.* XI, p. 209) styles Haman "Amalekite" according to the usual Jewish interpretation. Cf. b. Meg. 13 a. The prayer of the Jews in L (after 3, 15) is a patchwork of common liturgical expressions.

<sup>17</sup> Cf. Motzo, *Testi* (n. 3), pp. 223-6. Note that although Josephus omits Mordecai's dream and its explanation (Additions A and F), both stood in J as Motzo (n. 8), pp. 86-7 has shown. Jos. *Antt.* XI, p. 208 says that the king commanded Mordecai to serve upon him in the palace. That comes from the v. 16 of the First Addition. Likewise the names of eunuchs in Jos. *Antt.* XI, p. 207 come from the same Addition.

<sup>18</sup> Some instances must suffice. In 5, 9 the types K and A omit the new refusal of Mordecai to bow before Haman. L and J preserve the detail. In 1, 4 K, A, L (and also Syriac) omit the number in the clause "seven" princes. J preserves it. In 1, 16, the Hebrew reads: Vashti sinned against "all the princes and all the peoples in all the provinces of the king Ahasverus". The first "all" is omitted in A, J, and L, but preserved in K, second clause is omitted in K, paraphrased in A and J, but preserved in L, without the word "all". This word, however, appears in Cod. M and in Cod. Complutensis. The mention of provinces is lacking in all Greek types. (Its insertion in some Mss. of K is probably of hexaplaric origin). The last two words are lacking in the paraphrase J and in A, but the word "king" has been preserved in K and the whole clause in L.

<sup>19</sup> Principal common omissions are: the last clause in 1, 22 (the rest of the verse is extant in K and L); the second name of Esther 2, 19 (where K and L preserve the mention of Mordecai); (Hadassa) in 2, 7; parts of 4, 6 and 6, 8 (on the frontlet of royal horses cf. Charit. *de Charea*, VI, 4, 2); the end of 8, 10, which was already unintelligible to the doctors of the Talmud (b. Meg. 18 a); the same words in 8, 14.

III. *Ancient Editions of the Book*

In fact, there was only a single original translation of Esther into Greek. The colophon to the Greek Esther (preserved in the group K) attests that the version was made by a certain Lysimachus of Jerusalem and that a copy of it was brought to Egypt in 78–77 B.C.E.<sup>20</sup> How, then, are the variations of the Greek groups to be explained?

A glance at the apparatus criticus to the Greek Esther indicates the answer. Scribes, copying the book, sometimes deliberately introduced variants found in another manuscript. In Codex Sinaiticus, a note appended to the book of Esther states that a reviser of this Ms. made use of the copy of Origen's edition made by the hand of Pamphilus, who was martyred in 213 C.E. An explanatory notice of Josephus (after 7, 9) found its way into some minuscules of the group K.<sup>21</sup> The scribe of a manuscript of the Old Latin version corrected his text according to a copy of the class K.<sup>22</sup> A Greek codex (93), now in the British Museum, juxtaposes recension A and the hexaplaric text of K. A manuscript of the Abbey of Grottoferata systematically amalgamates recensions K and A. For instance, at 6, 3 the scribe inserts reflexions of Artaxerxes from A in the text of K.<sup>23</sup> The classic edition of the Latin Books of the Maccabees by D. de Bruyne and D. Sodar has shown

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Sometimes an omitted word may be, of course, a later gloss in the Massoretic recension. F. i. in 3, 8 all Greek types and the Syriac version omit the adjective in the clause "single people". Likewise, the name of the king "Ahasverus" in 1, 15 or the words "who waited upon him" (2, 2), etc. lacking in Greek, may be later insertions in the Hebrew. Not counting the six additions, there are almost no interpolations common to all Greek types. Those in 2, 3 and 4, 15 are required by the spirit of the Greek; that God deprived the king of sleep (6, 1) is a haggadic embellishment which could occur independently to several people (it re-appears in the Targum). The sole common gloss to all the Greek forms is in 4, 2: Mordecai in his mourning clothes went to the gate of the palace "and stood". The corresponding Hebrew clause may have been omitted in the Massoretic recension. In 6, 11 the Greek agrees with a Hebrew variant reading found in three Mss. Cf. below n. 29.

<sup>20</sup> Cf. pp. 225–245. My dear teacher and friend Isidore Lévy until the end continued to believe that Ahasverus and Vashti of the Book of Esther were Herod and Mariamme of history. Cf. his communication in the *Actes du XXI Congrès international des Orientalistes*, 1948, p. 114. He passed away lamented by all who knew him. His learning was surpassed only by his kindness.

<sup>21</sup> Jos., *Antt.* XI, p. 266 (Josephus explains how the eunuch could know about the gallows prepared by Haman for Mordecai). The note is inserted in five minuscules.

<sup>22</sup> Cod. 356 of the library in Lyon. Cf. Motzo, *Versione 7*.

<sup>23</sup> Motzo, *Il testo greco di Ester in un ms. di Grottoferata*, 6 (offprint from *Scritti... dedicati Abate A. Ameli*, Montecassino, 1920).

how the original version was changed again and again by subsequent revisions and the independent efforts of scribes at translating the original in passages which attracted their attention. As Augustine, speaking of Latin manuscripts of Scripture, put it: *et latinis quibuslibet emendandis graeci adhibeantur*.<sup>24</sup>

Let us now extrapolate these observations into the textual history of Lysimachus' version of Esther. His book was exposed more than any other to the manipulations of copyists and revisers. In the first place, it was a hit. Now, the fate of a very popular story was to be adapted again and again to the requirements of different readers. A "best-seller" usually circulated in several more or less different forms. We still have three editions of Daniel, three of Tobit, two or three of Ecclesiasticus in Greek and two in Hebrew, and so on. The Greek Esther was no part of Scripture, nobody took pains to preserve Lysimachus' text intact, as was done by the Greek Synagogue for the Pentateuch.

Yet, unlike Tobit or Ben-Sira, the Hebrew Esther was read in the synagogal service each year, on the Feast of Purim. Before 70 C.E. there were already controversies concerning the liturgic reading of the book. Now, Megillath Esther, like the Torah, had to be translated into the vernacular at the public reading. A passage in the Palestinian Talmud even seems to refer to the Scroll of Esther written in Greek, but the text here is corrupt and its exact meaning disputed.<sup>25</sup> In any case, a Greek Jew, who kept the book of Lysimachus in his library, could hear the same story rendered differently into Greek every year by the synagogal interpreter. No wonder then, that he corrected his copy or had it corrected according to the Hebrew. The extant Greek types are often revised to bring the text into agreement with the "Scroll of Esther".<sup>26</sup>

<sup>24</sup> August. de *doct. christ.* II, 11. Cf. A. Pincherle, *StM* VI, 1930, pp. 273–81. The Ethiopic version of Esther was revised twice: after Greek and after Hebrew. See Pereira (n. 5), p. 9.

<sup>25</sup> J. Rabinowitz, *Mishnah Megillah*, 1931, p. 12 and p. 17. He refers to T. Meg. 1, 6; b. Meg. 3 a. The Scroll in Greek is referred to in Palestinian Talmud (Meg. 2, 1, p. 73 a). The passage is, unfortunately, corrupt as Prof. S. Lieberman informs me. He also refers to S. Krauss, *Griechische Lehnwörter* II, p. 171.

<sup>26</sup> On the revision of J cf. J. Scheftelowitz, "Zur Kritik des Buches Esther", *Monatschr. für Gesch. des Judentums* XLVII, 1903, p. 24; Cod. Alex. was corrected after the Hebrew text of Esther. Cf. Rozhdestvenski (n. 8), p. 10 and Motzo, *Versione*, pp. 30–34.



For instance, Lysimachus identified the Persian king with Artaxerxes. The recension A reverted to Ahasverus.<sup>27</sup> Lysimachus called Susa a city (*polis*). Josephus says Susa without further qualification. But L returned to the Hebrew text. Ignorant of the exact meaning of the Hebrew term (*habbirah*) the reviser transliterated it; the Latin translator again, transliterated the unintelligible word. Then, ignorant copyists corrupted it. Thus, according to our Mss. of Latin Esther, king Artaxerxes throned in *Susis thebari* (1, 2). Vocalizing the consonants of a Hebrew word in 2, 7 differently, Lysimachus concluded that Mordecai brought up Esther as his future wife. R. Meir suggested the same interpretation.<sup>28</sup> The clause is omitted in A, but J and L correct the passage in agreement with the Massoretic tradition. In the Hebrew, Esther is Mordecai's cousin (2, 7). That appeared incongruous to Lysimachus. He made the young virgin Mordecai's niece. But this innovation has been preserved in J (and one Latin Ms.) only. In the other recensions, the text has been changed according to the Hebrew.<sup>29</sup>

Further, being read in the Synagogue and describing the origin of a feast, the story of Esther naturally attracted haggadic embellishments. And since the Greek Esther was not part of Scripture, these outgrowths found their way into the Greek Mss.<sup>30</sup>

Then, certain revisers indulged in improving the book by rhetorical amplifications "adding on occasion whatever things can be said and heard", as Jerome put it. For instance, in 6, 3, the reviser A added the thoughts which he believed should have beset the king when Ahasverus learned that Mordecai's service had not been rewarded.<sup>31</sup>

By this process of re-writing Lysimachus' version the four extant types of the Greek Esther became distinct and acquired a more or

<sup>27</sup> Josephus identifies the king with Artaxerxes I but gives both his names: Asverus and Artaxerxes (*Antt.* XI, p. 184).

<sup>28</sup> B. Meg. 13 a (*le-bayith* for *le-bath*).

<sup>29</sup> Jos. *Antt.* XI, p. 198 (he calls Mordecai her uncle). Cod. Corbensis reads: *filia fratris sui*. Cf. Motzo, p. 262, n. 1. In the same Ms., on the other hand, the name of the king is Assuerus, as in A. The recension A is often corrected after the Hebrew text. See, e.g. 1, 3; 1, 4, etc., L is corrected after the Hebrew in 2, 3; 3, 1, etc. In 1, 5 K says that the feast continued for six days. A and J change the figure to "seven" in agreement with the Hebrew (the clause is lacking in L). In some cases, a type of the Greek agrees with a variant reading in Hebrew. See Paton's commentary *ad* 6, 6 and 8, 5. Some times Greek types reproduce different readings of Hebrew. See *ib.* *ad* 1, 6.

<sup>30</sup> See above n. 16.

<sup>31</sup> Hier. *Praef. in Esth.* Similar amplifications in A are numerous (5, 14; 6, 3; 7, 2; 7, 5; 7, 10, etc.).

less fixed and permanent form, although scribes did not care for our classification and continued to insert variants of one recension into manuscripts of another. These four recensions can be divided into two groups. First, the K type, the common edition which, being the standard text, may be assumed to represent Lysimachus' version without great adulteration. This hypothesis is confirmed by the fact that K alone has preserved the colophon which records the acquisition of the translation by a Jewish library in Egypt, probably in Alexandria. That shows that the text K goes back directly to this Alexandrian exemplar of Lysimachus' book.<sup>32</sup> Josephus naturally omitted the bibliographical record in his paraphrase, even if he found the notice in J. Neither A nor L has the colophon. It seems, further, that J, L and A are not three mutually independent revisions of Lysimachus' book, but derived from a common ancestor, an abbreviated edition of the Greek Esther.<sup>33</sup> It is impossible to determine the origin of this source of AJL. The recension J, as has been mentioned, existed in Rome in 93–4. But at about the same date, Clement of Rome seems to quote Esther after L.<sup>34</sup> At last, the type A which uses a technical term of Hellenistic administration, must be pre-Roman.<sup>35</sup> The shortened edition AJL was, thus, published in the first century B.C.E. We must realize that ancient readers, no less than up-to-date Americans, liked “digests” of best sellers. Epitomes

<sup>32</sup> The recension K, of course, has not always preserved Lysimachus' text. For instance, the authentic (because Hellenistic) reading “friends” (of the king) in 2, 2 has been preserved in J and L only; K and A are here corrected after the Hebrew “servants”. Since the feast of Purim was celebrated on the 14th (and 15th) Lysimachus substituted “14” for the “13th” (Adar) of the Hebrew. This reading has been preserved in all four recensions in the First Decree, v. 6 (cf. Jos., *Antt.* XI, p. 219) and also in 3, 7 (where J omits the whole verse). In 9, 1 it is extant in Cod. Sin. and Jos., *Antt.* XI, 286 (Codd. A and W). L alone gives this reading in 8, 12 and in the Second Edict v. 20. Yet, it must be authentic because in the latter passage the king proclaims this day as a festal one.

<sup>33</sup> For instance in 3, 7; 3, 8 and 6, 16 AJL contain the same glosses. The epithet of God in the second edict (v. 8) τὰ πάντα ἐπικρατοῦντος in K, becomes “all-seeing” in A (κατοπτέουτος), J. (XI, 280: ἐφορώντος), and L (*considerantis*).

<sup>34</sup> Clem. Roman. I *Corinth.* 55: ἡ τελεία κατὰ πίστιν Ἑσθήρ... ἠξίωσεν τὸν παντεπόπτην δεσπότην. The quotation is from the Addition D (after 5, 1). But the text of Clement agrees with L alone (*inocato Domino qui omnia conspicit*). K and A don't have the word “Lord” and A does not have the epithet *pantepoptes*.

<sup>35</sup> In 8, 18 (9, 13 in Hebrew) according to A, Esther asks for execution of Haman's sons. The king answers: γινέσθω. On this form of royal decision cf. e.g. Cl. Preaux, *L'économie royale des Lagides*, 1939, p. 487, Welles *ad* 70, 3; L. Robert, *BCH*, 1926, p. 470. Cf. also *I.S.*, p. 85.

were in vogue in the time of Lysimachus. The five volumes of Jason of Cyrene were reduced to one by the compiler of II Maccabees, “in view of the flood of lines” in the original.<sup>36</sup> When, later, Fourth Maccabees had been rendered into Latin, this book, of the same size as the Greek Esther, appeared too long to the average reader, and has been preserved in hagiographic Mss. only. But the shortened edition of the same version became included in many Mss. of the Latin Bible.<sup>37</sup> Esther, however, being a canonical work, its shortened recensions could not replace the complete text.

#### IV. *Additions of the Translators*

This brings before us a second much-debated question. How shall we explain the differences between the version of Lysimachus and the Hebrew Esther? The answer is given by Jerome, who surely knew the subject. He tells us that, except in Scripture, where “even the word order is mystic”, the ancient translators tried to express only the sense of the original, omitting, adding and changing the text. He also notes, “how much the Septuaginta translators added from their own, how much they skipped”.<sup>38</sup> That settles the question. The Hebrew Esther being no sacred writing, Lysimachus was free to adapt the original to the needs and requirements of Greek-speaking Jews.

<sup>36</sup> II Macc. 2, 24: τὸ χύμα τῶν ἀριθμῶν. The expression has been misunderstood by all translators and commentators. *Arithmos* here means the number of standard lines in the book, according to stichometry. Cf. the indications of the number of the verses at the end of each book in the Bible. Cf. S. Lieberman, *Hellenism in Jewish Palestine*, 1950, p. 24.

<sup>37</sup> H. Dörrie, *Passio SS. Machabaeorum*, p. 9 (*Abhandl. Götting. Gesellsch. der Wissensch.* III F. 22, 1938).

<sup>38</sup> Hier. *Ep.* 57, 5: *profiteor me in interpretatione Graecorum absque scripturis sanctis, ubi et verborum ordo mysterium est, non verbum e verbo, sed sensum exprimere de sensu.* He, then, refers to Cicero's translations from the Greek. *Quanta in illis praetermiserit, quanta addiderit, quanta mutaverit.* Further (*ib.* 11) he says: *longum est nunc evolere quanto Septuaginta de suo addiderint, quanta dimiserint.* It is easy to illustrate Jerome's words by examples. The Latin version of IV Macc. inserts the passage II Macc. 7, 26–29 after IV Macc. 12, 11. Cf. H. Dörrie (n. 37), p. 37. The Greek translation of Jerome's *Vita Malchi*, made, as it seems, by Sophronius, a friend of the author, omits many passages, including Jerome's preface, and adds many new sentences and ideas. Cf. H.C. Jameson, *Transact. Amer. Philol. Assoc.*, 1938, p. 411. *Historia Monachorum* became anonymous in Oriental versions and was attributed to Jerome in Latin translation. Cf. R. Reitzenstein, *Historia Monachorum*, 1916, p. 3.

Lysimachus follows his original pretty closely. That, plus the influence (and imitation) of the Septuagint, gives a “Biblical” coloring to his book. Yet, his language is idiomatic and the Greek Esther does not read like a translation. Like every dexterous Greek writer, Lysimachus fits his style to the subject. The prayers inserted in the book sound so authentic that in the opinion of many students they were translated from Hebrew.<sup>39</sup> Yet, the supplications in II and III Maccabees which surely never existed in Hebrew are no less “Biblical”. The authors of these pieces wanted precisely to produce this impression. They could not imagine that Esther, or her people, would utter any but traditional prayers in need. On the other hand, describing Esther’s dangerous going to the king, Lysimachus draws on resources of Greek rhetoric. While her face is cheerful, her heart shrinks from fear. Twice she faints during the audience. The first time, she is able to lean upon her maid, later she falls down. Lysimachus made a particularly conscious effort at fine writing in composing two royal edicts. Here, he skillfully imitates the heavy bureaucratic prose of his time, with its long sentences, use of rare words, and the high moralizing tone. Haman not only bears the title of the Seleucid grand vizir,<sup>40</sup> he also writes as one. It is a pity that the style and language of the Greek Esther have never been studied. The

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<sup>39</sup> Cf. Pfeiffer, p. 308. Against the hypothesis of translation of the Additions cf. e.g. Rozhdstvensky (n. 8), pp. 146–50. He points out, e.g., that the book uses the same terminology with regard to the royal journal in Mordecai’s dream (Add. A, v. 14), in 2, 22 and in 6, 1. The prayers of Esther and Mordecai and Mordecai’s dream which (in Aramaic) follow Megillath Esther in some Hebrew Mss. are derived from Josephus, through Josippon. Cf. Paton, p. 42; Ginzberg VI, p. 469, no. 123.

<sup>40</sup> First Edict: τοῦ τεταγμένου ἐπὶ τῶν προσόδων καὶ δευτέρου πατρὸς ἡμῶν. Cf. I.S., p. 197 and p. 43. In the Second Edict, the king says of Haman: τὸ δεύτερον τοῦ βασιλικοῦ θρόνου πρόσωπον διατελεῖν. Cf. H. Volkmann, *Philol.* CXII, 1937, pp. 235–316. It is remarkable that in the First Edict, speaking of himself, Artaxerxes uses now the singular, now the plural, the latter when referring to “the Crown”. This was the style of Hellenistic monarchs in the third century (cf. already Plato *Ep.* XIII, 361 a). Cf. Welles (n. 15) *ad* no. 1, 56. Later, the Ptolemies seem to have used the plural only in their official letters as the fictitious documents in III Maccabees show. The Seleucids may have continued the older style. See Welles, 70, 4 and Mithridates’ letters *ib.* 73–4. The Persian Kings always used the singular, even in letters fabricated by Greek rhetors. It is, on the other hand, possible that Lysimachus has re-worked some authentic royal letter of the third century, as Ps. Aristaeas did it. Cf. for the latter W. L. Westermann, “Enslaved Persons”, *AJPh* LIX, 1938, pp. 1–30. Note that in his fictitious letter, the king of Ps. Aristaeas (35–40) also uses both numbers. But it is a personal message. In schools, students learned to imitate models of style (see e.g. *Cic. ad Herenn.* 1, 2, 3), and copies of authentic documents were used as models. Cf. H.-I. Marrou, *Histoire d’éducation dans l’antiquité*, 1946, p. 179.

book gives a quite favorable impression of the Greek used in Jerusalem in the time of Alexander Jannaeus.<sup>41</sup>

In rendering the Hebrew text, Lysimachus strives for clarity, a literary quality which was regarded supreme in his time. He changes, omits, and adds short glosses for this reason. For instance, he inserts the name of Esther's father which is given in the Massoretic recension in 2, 15 only, as soon as the future queen is mentioned (2, 7). Speaking of the conspiracy of the two eunuchs, the Hebrew says briefly but obliquely: "and the matter was investigated and found (to be so) and they were both hanged on a gallows" (2, 23). Compare the Greek: "The king questioned both eunuchs and hanged them". The verse continues in Hebrew as follows: "and it was written in the book of daily records before the king". Here Lysimachus expands for the sake of lucidity since this entry into the royal journal is of decisive importance for the plot. Thus, the Greek reads: "and the king ordered to deposit for remembrance in the royal library about Mordecai's loyalty in praise of him".

Elucidation means interpretation. Lysimachus (like all commentators after him) was at a loss to understand why Vashti refused to appear before her royal husband.<sup>42</sup> But, at least, he had his idea why she

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<sup>41</sup> There is no Egyptian flavor in the Greek Esther, as commentators maintain, following B. Jacob. "Das Buch Esther", *ZAW* X, 1890, pp. 280-90. Traits and terms which are regarded as Ptolemaic are simply Hellenistic. See e.g. such words as ἀδελφή (below n. 45), ἄφεςις (2, 18). Cf. I Macc. 13, 34; *Sardis* VII, 1 # 2, etc. βιβιαφόρος (3, 13), a term which occurs in Papyri, Polybius, etc. but not elsewhere in Greek Bible; ἔκθεμα (8, 17); θεραπεία (Add. D v. 9) for the royal household. Cf. e.g. Pol. V, 56, 7 and *IS*, p. 36; κομάρχαι (2, 3). Cf. for (Ptolemaic) Syria M. Rostovtzeff, *Social History of the Hellenistic World*, 1940, p. 344; οἰκονόμοι (1, 8). Cf. *I.S.*, p. 26. Some terms such as *archisomatophylax* (2, 21) and *basiklioï grammateis* (9, 3) are, however, not attested for the present outside Egypt. But the latter term is used by Lysimachus in a meaning unknown in Egypt. On the other hand, many technical terms are positively those used in Seleucid administration, but not in Egypt. See, e.g., γαζοφυλάκιον (3, 9). Cf. *I.S.*, p. 127; διάταγμα (First Edict v. 4), a word which never occurs in Ptolemaic documents. Cf. e.g. M.-T. Lenger, "Les lois et ordonnances des Lagides", *Chron. d'Égypte*, no. 37, 1944, p. 111. Οἱ σύμβουλοι *ib.* for royal council. Cf. Antiochus Epiphanes' letter in *Jos., Antt.* XII, 263 and G. Corradi, *Studi Ellenistici*, 1929, p. 243; τοπάρχοι (in the heading of the First Edict) is used again in "Seleucid" and not "Ptolemaic" meaning. Cf. H. Bengtson, *Die Strategie in der hellenistischen Zeit* II, 1944, p. 25. The title τῶν ἀναγκαίων φίλων in *Jos., Antt.* XI, p. 254 (L: 5, 12: *necessarius inter omnes amicos eius*. Cf. Motzo, *Versione*, p. 27) is perhaps a periphrasis of the title συγγενής. Cf. *I.S.*, p. 42. On the title φίλοι ἔνδοξοι (6, 9) cf. *I.S.*, p. 42.

<sup>42</sup> But cf. Cibot, "Parallèle des mœurs... des Chinois avec... le livre d'Esther", *Mémoires concernant l'histoire... des Chinois* XIV, 1789, p. 360.

was called: "to make her queen and put the diadem around (sc. her head)". This insertion (1, 11) transforms the insolent wish of a drunken sultan into the official ceremony of *anadeixis* where a new queen was solemnly presented to the people. Accordingly, by means of another gloss, Lysimachus made the first feast into the celebration of royal marriage (1, 5).<sup>43</sup>

In the Hebrew Esther, the feast of Purim follows the day of victory. The day of joy is that on which the Jews found rest. But Lysimachus was used to Hellenic celebration of the anniversary day of a battle. He accordingly changed the date of slaughter.<sup>44</sup> For the Hebrew author (and his rabbinic commentators) Esther's fright before Ahasverus is normal. Lysimachus suppresses her tears and supplication when she approaches the king again after Haman's fall (8, 3). And if Esther faints twice when coming to the king uncalled, she has the tact to explain it to him graciously: "I saw thee, my lord, as an angel of God". The view of a divine being, super-human in terror or even in beauty, shakes the spectator with fright. Artaxerxes is not less courteous. He leaps from the throne to take Esther in his arms and comfort her: "I am thy brother". A ray of Hellenistic love-etiquette here penetrates into a seraglio.<sup>45</sup>

Mordecai's refusal to bow to Haman already perplexed rabbinical commentators of Esther. Falling down before a superior was a common custom in the Orient. Ruth fell on her face before Boaz. But the Greeks always refused this honor to a human being, even if he was the great king. When Alexander the Great, in accordance with Persian etiquette, demanded the *proskynesis*, Callisthenes retorted that this obeisance is fit to be performed before the gods alone.<sup>46</sup> Lysimachus let Mordecai say

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<sup>43</sup> On the *anadeixis* cf. *Mélanges Boisacq*, 1937, pp. 1119–22. The explanation that the feast was that of Vashti's marriage was also suggested by the rabbis. Ginzberg VI, p. 452, n. 6.

<sup>44</sup> Above n. 32.

<sup>45</sup> For swooning expressing awe cf. e.g., Charit. *de Chaerea* III, 6, 4; IV, 9, 1, etc. Jos., *Antt.* XI, p. 295 introduces another erotic motif in the tale. Cf. M. Braun, *Griechischer Roman*, 1934, p. 41. In the Midrash, Esther before the king, like Nehemiah in the same situation (Neh. 2, 2 and 4) tacitly prays. Cf. Ginzberg IV, p. 428. On the title "sister" given to the queens in Hellenistic monarchies (also by the Seleucids) cf. M. Holleaux, *Études d'épigraphie* III, p. 1942, p. 180. Note that Midr. Esth. on 5, 1 obviously depends on the Greek Book: Esther swooning places her head on the maid to the right of her; king kisses her. She explains that she was overcome by his dignity (*Kabodh*, cf. *doxa* in Greeks).

<sup>46</sup> Cf. now W. W. Tarn, *Alexander the Great* II, 1948, pp. 359–60. Cf. e.g. Herod. VII, 36; Plut. *Them.* 27.

in his prayer that he refuses to bow down to any but God. In the eyes of a Jew educated in Hellenic manner, Mordecai now appeared as another Callisthenes. His insolence, heavily put on by some Talmudic commentators, is here transformed into a defense of human dignity.

Mordecai's prayer is one of six completely new sections added by Lysimachus to his original. It is strange that the origin of these additions should have been questioned.<sup>47</sup> The two Aramaic translations of Esther in the same manner enrich the tale with numerous insertions which surely were never a part of the original.

German theologians themselves, who had a weak faith or none in Providence, pedantically discovered that the Hebrew Esther lacks the religious element because it does not expressly refer to the Lord. According to them, the translator added prayers to remedy this deficiency. In this case, however, Lysimachus would have interspersed the translated text with divine names. In point of fact, when translating, he adds a reference to God twice only, and in both cases to make the plot clearer: it was God who deprived the king of sleep in a fateful night (6, 1). Then, when Haman's wife advises him not to fight Mordecai (6, 13), Lysimachus adds the reason: "for the living God is with him". In the same way, Lysimachus inserted supplications to make it clear to himself and his readers not only how but also why the Jews were rescued from Haman. Esther's prayer: "Turn the heart of the king" is echoed by the words: "God changed the spirit of the king into mildness" which Lysimachus adds in the scene of the audience with the king.<sup>48</sup> Esther was not the first woman who had interceded for her people before God. Judith preceded her. But in order to be heard in heaven, the intercession must be uttered by a saintly person. In her situation as the spouse of a pagan sovereign, Esther was not and could not have been an observant Jewess.<sup>49</sup> To understand how, then, she could effect the rescue of the Chosen People, Lysimachus let the queen say in her

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<sup>47</sup> Cf. n. 1. Motzo, pp. 247–264, holds that the Additions cannot be parts of the translation because these interpolations contradict the Hebrew text. He supposes that they are fragments of a Hellenistic adaptation of Esther. In fact, as we shall see, the additions are an integral part of the Greek Esther.

<sup>48</sup> On God's names in the Greek Esther cf. W.W. Baudissin, *Kyrios* I, 1929, pp. 281–4. The ancient Jewish commentators clearly saw God's hand behind the human puppets acting in Esther. See e.g. Midr. Kohel, 4, 12.

<sup>49</sup> Cf. N. Johansson, *Parakletoi*, Diss. Lund, 1940, p. 68. On the question of Esther's orthodoxy cf. Ginzberg VI, p. 456, n. 55; p. 460, n. 25; b. Meg. 13 b.

prayer that she only by necessity accepted “the bed of the uncircumcised” and remained in the faith of her fathers. The theme is prepared in 2, 20 where Lysimachus construed the Hebrew text as meaning that in the seraglio Esther continued to keep the Law.

#### V. *Royal Decrees*

Two other additions are inserted to explain the conflict between Haman and the Jews. Since Timaeus (ca. 250 B.C.E.) it had become a fashion in Greek historiography to quote documents verbatim. Authors of historical novels began to use the same literary device to set forth vital points of the story. Exercises in writing letters expressing some historical situation were part of the school program.<sup>50</sup> The student, for instance, had to write a letter which Alexander the Great could have dispatched to the defeated Persian king. Inasmuch as the Jewish authors, who wrote in Greek, necessarily passed a Greek rhetorical course, they accepted this Hellenistic fad.

Two edicts of Artaxerxes in the Greek Esther belong to the same species, as Jerome has already noted. They are composed symmetrically: a blast against the Jews is answered by a counterblast against Haman. This correlation explains the divergence between the headings. The first document begins as follows: “The great king Artaxerxes . . . says thus”. This is the traditional form of a Persian edict which everybody knew from Herodotus and Thucydides. The second document is couched in the form of Hellenistic “letters patent”: “The great king Artaxerxes . . . greetings”. The variation is intentional: writing against the Jews, the king uses the style of the Persian despot. Intervening on behalf of the Jews, he employs polite language of Hellenistic chancelleries: “you shall do well not to give effect to the letters sent to you by Haman”.<sup>51</sup> This

<sup>50</sup> On the “epistolary” *prostagma* cf. Lenger (n. 41), pp. 111–2. Ignoring the intentions of Lysimachus, a reviser, whose correction has been preserved by L (and by Jerome), substituted the Greek formula for the Persian heading in the First Edict. Cf. Philo *ap.* P. Wendland, *Neu-entdeckte Fragmente Philos*, 1891, p. 55: κελεύουσι καὶ προστάττουσιν δούλοισι δεσπότεαι, ἐντέλλονται δὲ φίλοι.

<sup>51</sup> Καλῶς οὐ ποιήσετε. This Hellenistic formula lingers on in the time of Lysimachus. Cf. e.g. *Berliner Griech. Urkunden* VIII, 1786 (51–0 B.C.E.); 1826 (52–1 B.C.E.); letter from Athens to Delphes, *Hesperia*, 1940, p. 86 (ca. 37 B.C.). The Hebrew Esther says (8, 9) that the Second Letter of Artaxerxes was sent to the Jews and to royal officials. Lysimachus changed the statement according to the Hellenistic usage; the Jews receive a copy of the orders dispatched to royal officials. Accordingly, in the version 8, 11 gives the content of this communication to the Jews followed by the text of the royal edict.



device of variation in headings and style was, of course, no invention of Lysimachus. A hellenistic rhetor, for instance, fabricated a dossier concerning Hippocrates. King Artaxerxes here always uses the Greek formula of salutation in his letters. But when he is angered by Hippocrates' refusal to come to his court, and orders to seize him, the heading is changed to the Persian style: Artaxerxes "thus says".<sup>52</sup> In the First Edict, developing a hint of the Hebrew book (3, 8) Lysimachus lets the king give the reasons of persecution. They center on Jewish exclusiveness. More or less similar charges against Israel were proffered by anti-Jewish writers contemporaneous with Lysimachus.<sup>53</sup> We shall deal with these incriminations presently. A modern commentator suggested that these arguments put into the mouth of Haman reveal the permanent causes of "anti-semitism". This is not, however, the opinion of Lysimachus himself. He rather thinks that slandering of the Jews is a device of traitors. Artaxerxes explains that in his second edict and Haman, a Macedonian,<sup>54</sup> sought by destruction of the Jews to transfer the Persian kingdom to the Macedonians.

<sup>52</sup> Ps. Hippocr. *Ep.* VII. On this correspondence cf. R. Phillippon, *Rhein. Mus.* LXXVII, 1928, pp. 293–328. Cf. also the variation of headings in fictitious correspondence of Heraclitus, *Ep.* II and III, on which see I. Heinemann, *RE Suppl.* V, 228–32; the apocryphal letters in Dionys. Halic. *Hist. Rom.* XIX, (Cf. *Class. Phil.* XLII, 1947, pp. 137–40). The same device in letters in Greek romances. See e.g. Charit. *de Chaerea* IV, 4, 7; IV, 5, 8; IV, 6, 4; VIII, 4, 5; Achill. Tatius I, 3; II, 6; V, 18; V, 20.

<sup>53</sup> Cf. generally I. Heinemann, *RE Suppl.* V, p. 20; J. Juster, *Les Juifs dans l'empire romain* I, 1914, p. 46.

<sup>54</sup> Haman is called "Macedonian" in the document (and 9, 24) while he is "Bougaious" elsewhere (First Add. 16; 3, 1; 9, 10). There is no contradiction between both statements. Under certain conditions, change of nationality was possible in Hellenistic monarchies. Haman, a Macedonian became "Bougaious" in Persian service. The name is probably an attempt at understanding Haman's epithet in the Hebrew text. βουγαῖος means "bully" in Greek. In the Massoretic recension, Haman is "Agagite" and already Josephus knew this reading (above n. 16). That makes improbable the seductive hypothesis that the name is corrupted from "Gog" of Ez. 38. Cf. P. Haupt, "Notes on Esther", *Old Testament Studies... in Memory of W.R. Harper* I, 1908, p. 141. It may be the name of some Turanian tribe. But Lysimachus could well understand the unknown name as referring to the apocalyptic people from the North. Num. 24, 7 the Greek version reads: God's "Kingdom shall be higher than Gog" (Hebrew: Agog). Cf. W.F.A. Albright, "The Oracles of Balaam", *JBL* LXIII, 1944, p. 222, n. 106. Lysimachus probably wrote "Gogaious" which in transmission became "Bougaious". Similarly the name of the eunuch which the Massorets read Hege (Jerome: Egei) became Gai in the recension K (2, 8; 2, 14); Gogaious (2, 3) and Bougaious (2, 8) in the recension A. Other conjectures: J. Hoschander, *The Book of Esther*, 1923, p. 23; J. Lewy, "The Feast of the 14th Day of Adar", *Hebr. Union Coll. Ann.* XIV, 1939, p. 134.

The edicts in the Greek Esther (and in III Maccabees) introduce a new feature into Jewish historiography: the presentation of the views of both conflicting parties. There is nothing similar in the Ancient Near East. The thundering voice of Elijah deafens us to the answer of Jezebel. We hear the Maccabees but not their foes. Greek authors, however, always gave the other side a hearing. Educated in Greek rhetoric, Lysimachus works out objectively and opposes the arguments of Haman and of Mordecai. Both edicts of Artaxerxes are written by his viziers. The Targums borrowed the idea from Lysimachus and gave an admirable summary of charges advanced against the Jews by their detractors.<sup>55</sup> It is a pity that modern Jewish historiography has lost this Hellenic feature of presenting the Hamanic opinion objectively, exactly and with understanding.<sup>56</sup>

#### VI. *Mordecai's Dream*

A third pair of additions begins and concludes the Greek Esther. The book opens with a dream of Mordecai's; it ends with Mordecai's discovery that the symbols seen in the dream announced the events narrated in the book. Mantic dreams are, of course, to be met everywhere. Like Mordecai, the Nubian king Tanutamón (663 B.C.E.) saw two serpents in a dream. His soothsayers immediately interpreted the vision as promising him the dominion over both the North as well as the South of Egypt.<sup>57</sup> The retarded interpretation, given post factum, of course, nullifies the prophetic value of a vision.

In Greek literature, however, the fashion was to describe allegoric dreams, even if they remained without effect on the action. Here, the vision is only a literary device for stimulating the reader's curiosity. In the poem of Apollonius of Rhodes, Medea sees in a dream her own future in symbols. She is unable to understand their meaning but the reader recognizes the fulfillment of the prophecy in the forthcoming events. In a play of Diphilus, the slave Daemones relates his dream and its significance initially is hidden from him. The development of actions enlightens him and, like Mordecai, he is, then, able to interpret his vision.<sup>58</sup>

<sup>55</sup> Cf. Ginzberg, VI, p. 466, n. 115.

<sup>56</sup> Cf. Arist. *Aves*, p. 375: ἀλλ' ἀπ' ἐχθρῶν δῆτα πολλὰ μανθάνουσι οἱ σοφοί.

<sup>57</sup> J. Breasted, *Ancient Records of Egypt* IV, 1906, p. 320.

<sup>58</sup> Apoll. Rhod. *Argon.* III, p. 615; Plaut. *Rudens*, p. 593 and p. 774 (after Diphilus). Cf.

A new episode is attached to the dream of Mordecai. He learns of a plot of two eunuchs and informs the king about it. This is an obvious doublet of the story narrated in the Hebrew book and also translated by Lysimachus (2, 21–3). Why, then, two parallel stories in the Greek Esther? When an ancient author, particularly an Oriental historian, had before him two or more variants of the same story, he rarely ventured to make a choice. He rather supposed that the different versions were narrations of different events, and tried to co-ordinate the variants to the best of his knowledge and ability. Everybody knows how the same incidents are reported twice or three times in mutually exclusive parallel narratives in the historical parts of Scripture. In the Hellenistic East, Jews told various stories with considerable differences in detail about Queen Esther and the vizier Mordecai.<sup>59</sup> A mural in the synagogue at Dura-Europos shows the king and Esther together in a scene which seems to be unknown in the extant written sources. The author of the Hebrew Book of Esther collected and edited only a part of this lore. Lysimachus, however, also heard another version of the conspiracy of eunuchs. It seems that in this version a dream led Mordecai to discover the criminal plot. Conspiracies hatched by royal eunuchs being no rare occurrence in the East, Lysimachus conjectured that his hero had saved the king twice. Accordingly, he re-arranged his sources. Following, as we have seen, a Greek literary manner, he relegated the interpretation of the dream to the end of the book. But to him the

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J.B. Stearns, *Studies of the Dream in Latin Epic and Drama*, Thesis, Princeton, 1927, p. 40; W.S. Messer, *The Drama in Greek Tragedy*, 1918, p. 32. Cf. also e.g. Xen. *Anab.* III, 1.

<sup>59</sup> A high official in Babylonia, under Darius I, bears the name *Mar-duk-a*. A. Ungnad, *ZAW* LVIII, 1940–1, p. 244. An apocryphal tale of Esther (quoted Motzo, *Saggi*, p. 279) is referred to by Origen, *ad Roman.* IX, 2 (*ad* 12, 3): *reperimus autem nos in quadam secretiore libello scriptum quasi angelum quemdam esse gratiae... Ananehel enim dicitur, quod est interpretatum Gratia Dei. Hoc ergo scriptura illa continebat quod missus esset a Domino iste angelus ad Esther ut ei gratiam daret apud regem* (*Patr. Graec.* XI, p. 718). B. Meg. 15 b, mentions an angel who enveloped Esther's countenance with grace when she approached the king. Cf. Ginzberg IV, p. 428. It is surprising that in the painting in the synagogue of *Dura-Europos* (M. Rostovtzeff, *Dura-Europos*, 1938, pl. XXII), Mordecai is not represented in the scene depicting the dispatching of the Second Edict. See e.g. J. Leveen, *The Hebrew Bible in Art*, 1944, p. 42; R. Wischnitzer, *The Messianic Theme in the Paintings of the Dura Synagogue*, 1948, p. 29. E.C. Kraeling in *The Excavations of Dura-Europos, VI Preliminary Report*, 1936, pp. 361–2. It is remarkable that the name of the king, inscribed beside his figure, is *h-sh-h-i-r-sh* that is Xerxes (cf. A. Cowley *Aramaic Papyri*, 1923, *ad* no. 2, 1). Al-Birūni as well as a Persian Jewish poet Shahin give other variants of the story. Cf. W. Bacher, "Zwei jüdisch-persische Dichter", *Jahresbericht d. Landesrabbinierschule in Budapest* XXX, 1906–7. Al-Birūni, *Chronology* (transl. E. Sachau), p. 212.

symbols of this dream hinted at the fate of the chosen people. This interpretation thus formed a perfect conclusion to the Greek Esther and summarized its meaning. "So God remembered His people, and justified His inheritance".

### VII. *The Character of Greek Adaptation*

Even more than Megillath Esther, Lysimachus' book is a *Te Deum* of victory.<sup>60</sup> In the Hebrew work the threatened extermination of the Jews is a historical accident. We are in the world of sultans described here not less realistically than in the *Arabian Nights*. The despot who delivers a people to his vizier without even knowing its name, is the same who also puts away his wife by caprice and executes his vizier on the word of Esther. As an ancient Jewish commentator puts it: Ahasverus sacrificed his wife to his friend and later again his friend to his wife.<sup>61</sup> Haman himself plans the massacre to "save face" because a Jewish courtier has provoked him. Likewise, the spirit of revenge which German professors hypocritically blame on the book is a part of the plot. To suggest, as has been done, that Esther should have shown pity to Haman, is the same as to blame Portia for not recovering for Shylock the money lent to Antonio.

Re-moulding the tale, which would have charmed the jealous sultan of Scheherezade, to requirements of Greek logic and Greek rhetoric, Lysimachus unwittingly leads the Greek reader astray.

<sup>60</sup> Cf. E. Renan, *Histoire du peuple d'Israel* IV, p. 163.

<sup>61</sup> Ginzberg IV, p. 379. A tale of rivalry between an Armenian and a Jewish courtier of the Ottoman sultan Mahmud II which ended with the Jews' defeat in 1820 reads like a modern version of the conflict between Mordecai and Haman. Cf. M. Franco, "Les Juifs dans l'empire ottoman", *Rev. étud. Juiv.* XXVI, 1893, p. 115. Ner-Kong, a Tartar, and omnipotent minister of the Chinese Emperor K'ien-Lung (1735-1795) tried to expell the Catholic missionaries in China in the (mistaken) belief that one of them had not been courteous to him. He was executed in 1748. The imperial decree issued on this occasion reminds one of the Second Edict of Artaxerxes in the Greek Esther. Cf. Cibot (n. 42) XV, 8 and 182. In 1880 a Persian general, himself a Kurd, passed over to his tribesmen during a Kurdish raid. Later he surrendered to the Persians under promise of pardon. Nevertheless, he was shot from a cannon's mouth and his sons were cruelly executed. A Christian missionary, who was at this time in Persia, notes: "When we remember their treason, and their participation in the horrible massacre... we need not stop to condemn the manner in which death was meted out to them". S.G. Wilson, *Persian Life and Customs* (3rd ed., 1895), p. 119.

The whole Purim story hinges on Esther keeping her origin secret. Otherwise, Haman would be unable to plot against the kin of the queen.<sup>62</sup> Lysimachus translated the verses stating that Esther had not disclosed her descent (2, 10 and 20), yet, he let her say in her prayer that she had not eaten at Haman's table, nor had honored the king's feast, nor drunk the sacrificial wine. That renders the whole plot absurd. Racine has escaped the flagrant contradiction only by a subterfuge: his Esther hates the heathen feasts but does not pretend to have avoided them.

By such light touches, Lysimachus changes the features of his characters. His sultana is no less pious than Alexandra, the spouse of Alexander Jannaeus. Artaxerxes is innocently deceived by Haman who attacks the Jews in pursuit of a political plan. And insolent Mordecai explains in his prayer that he is ready to kiss Haman's feet for the salvation of Israel. Note this pathetic expression of the "minority complex". The often quoted Talmudic saying that "all Israelites are responsible for one another" refers to their responsibility before God. Mordecai speaks as a Jew of the Dispersion where the whole group is judged after the behavior of any of its members. He speaks like a metic in a Greek *polis*, who has to be in awe of the meanest of citizens.<sup>63</sup>

In the Hebrew book the authorization is given to the Jews to "stand for their life", because a royal edict, even if Haman obtained it by foul means, cannot be reversed. Taken aback by this legal paradox, Lysimachus interpreted the clause (8, 3), as meaning that no man should oppose the edict on behalf of the Jews issued in King's name by Mordecai. This new document expressly cancels Haman's orders. But now the Jewish massacre of their enemies has no justification. It becomes a pure act of revenge which punishes by death not an injury

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<sup>62</sup> Similarly, in Chariton's romance, Callirhoe, without any rational ground, conceals her marriage from Dionysius (II, 5, 11). But otherwise, the latter would have sent the heroine back to Syracuse, and Chariton would have had to invent a new plot. Likewise, if Haman does not name the condemned nation before the king (3, 8), it is a literary device so that the king may later reward "Mordecai the Jew" (6, 10). Midrashic developments, – and even Racine, – making the king aware of the anti-Jewish edict issued in his name, spoil the artistic effect of the *peripetia* in Ahasverus' bed-room. As to the possibility of Esther concealing her descent cf. N.M. Penzer. *The Harem*, 1936, pp. 179–82 and particularly Cibot (n. 42), p. 487.

<sup>63</sup> Sanh. 27 b, etc. Cf. A. Abele, *Festschrift A. Schwartz*, 1917, pp. 231–246. For psychology of metics in a Greek polis cf. Herod. *Mimambi*. II: Eurip. *Erecht*. fr. 362 Nauck; Philo *de spec. leg.* II, 168. At Cos the citizen marriage was still endogamic ca. 200 B.C.E. W. Dittenberger, *Syll. inscr. graec.* (3rd ed.) III, 1023.

but malice.<sup>64</sup> Yet, it is permissible to doubt that Lysimachus was shocked by this inconsistency. By slight adjustments he has put the Purim tale into a new focus.

The meaning which he gives to the story is expressed by Lysimachus himself and twice. In Mordecai's dream and in its interpretation, the Jew as such is opposed to the Gentiles. All the nations prepared themselves to fight "the righteous nation". God had "before him two lots, one for Israel and another for the Gentiles". In a day of judgement, the Lord has chosen the lot of Israel and saved His people. The story of Purim is now another tale of the eternal conflict between "the people of God" and "all the nations".

Lysimachus must have written under the reign of Alexander Jannaeus (103–76 B.C.E.). At this date, the simple dichotomy of his book was already out of fashion. The Jewish opposition to the Hasmonean king called in Demetrius III, a Seleucid, and the civil war lasted some six years in Judaea. Of course, Lysimachus may have been a die-hard of uncompromising nationalism. Yet, another feature of his work complicates its appreciation.

#### VIII. *Jews and Gentiles in the Greek Esther*

As has been said above, Lysimachus in two edicts of Artaxerxes presents and balances pro- and anti-Jewish arguments, such as obviously were circulated in his time, about 100 B.C.E., by adversaries and apologists of Israel. The Hellenistic rulers (and even before them the Oriental monarchs) in their edicts used to present the reasons for the king's actions. Accordingly, in his Persecution order, Artaxerxes explains that endeavouring to restore to his dominions peace "which is longed for by all men", he learned from Haman the cause of difficulties. A certain ill-willed people, scattered in all nations throughout the civilized world, follows the laws which make it hostile to all men. For the same reason, it rejects the orders of kings, so that the stabilization of the government cannot be brought about.

Jewish exclusiveness surprised and irritated the Greeks from the beginning. Hecataeus, the first Greek author to describe the chosen people, already pointed to "something inhuman and anti-alien" in their

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<sup>64</sup> Lysimachus shortened the description of the massacre (9, 2; 9, 5; 9, 16).

manner of life. According to I Maccabees, Antiochus IV Epiphanes, forbidding Jewish worship wrote "that all should be one people and that every one should give up his (peculiar) customs". The Jewish historian probably quotes from the statement of the reasons for Antiochus' decision in the latter's edict. It is possible that Lysimachus here echoed Epiphanes' edict.<sup>65</sup> It is surprising however to read Artaxerxes' deduction that the particularism makes the Jews "evil-thinking toward our State", so that, because of their machinations, the tranquillity of the kingdom cannot be attained.

In point of fact, the Jews boasted of their loyalty to their Macedonian rulers.<sup>66</sup> Of course, to blacken a group, you call it subversive. The Pharaoh of the Exodus already pointed to Jewish danger. But neither he, nor, so far as I can see, his spiritual followers in Antiquity, spoke of the revolutionary tendency of Israel and its laws.<sup>67</sup> Caligula reproached the Alexandrian Jews for their refusal to acknowledge him as God, not for their lack of fidelity to the Empire. Josephus in his treatise "Against the Greeks" refuting the prejudices against the Jews current ca. 90 C.E. does not deal with the charge developed by Haman.<sup>68</sup> The rabbis put a long arraignment of Israel in the mouth of Haman. The latter says that the Jews curse the king, pray that his rule may end, and avoid doing of his service. But here again, as in the denunciation of the Jews (of Judea) by advisers of Antiochus VII in 134 B.C.E., the singularity of the Jews which makes them odious, makes them also isolated. They are loathsome but do not endanger the state.<sup>69</sup>

Yet, Lysimachus did not fabricate Haman's accusation from pure fancy. The roughly contemporaneous author of III Maccabees made Ptolemy IV Philopator justify his measures concerning the Jews. By reason of their particularism, the Jews are illwilled against the king, "Thus, in order to prevent a revolution, these evil-disposed traitors must be exterminated, as befits the rebels, so that for the future our

<sup>65</sup> Hecat. *ap.* Diod. XL, 30; I Macc. 1, 41. Cf. above n. 53. On Hecataeus now cf. W. Jaeger, "Greek Records of Jewish Religion", *Journ. of Religion* XVIII, 1938, pp. 127-141; F. Jacoby, *Fragmente der griech. Historiker* III, 1940-3, # 264, fr. 6.

<sup>66</sup> Cf. e.g. III Macc. 3, 2; Jos. *C. Ap.* II, 4, 44.

<sup>67</sup> Cf. Exod. 1, 9; Ezr. 4, 12; Jub. 46, 13; II Macc. 14, 6.

<sup>68</sup> But cf. Jos. *C. Ap.* II, 5, 68. It appears here that Apion accused the Jews generally (not only in Alexandria) of fomenting sedition.

<sup>69</sup> Ginzberg IV, pp. 402-12; Diod. XXXIV, 1. The apprehension of a Jewish revolt if their religion is persecuted is, of course, different. See e.g. Claudius' Edict *ap.* Jos. *Antt.* XIX, 5, 2, 285; Jos. *Antt.* XVIII, 8, 6, 287. Cf. Juster (n. 54) II, p. 182.

State may be settled in the stabile and best condition". The author also refers to the people who talk about Jewish worship and food laws, saying that the Jews do not share life with the king and the Army, but are ill-disposed to them and very hostile to the State.<sup>70</sup>

Neither Lysimachus nor the author of III Maccabees denies or belittles Jewish particularism. For them it is a self-evident truth that God has chosen Israel from among all the nations as His own people. Neither does Lysimachus appeal to the general principle of tolerance as the Jews did later before the Roman authorities. With clear reference to her later co-religionists, Lysimachus has Esther confess to God: "I hate the glory of men who break the Law". His idea is that the God of the Jews is the Ruler of the world, who gives and takes away kingdoms and empires. Thus, the heathen sovereign ought, as Artaxerxes in fact does in his Second Edict, to acknowledge that the Jews are children of the "Most High, Most Mighty, Living God" who guided the kingdom "for us and our ancestors", to the most perfect condition. The point of view is the same in III Maccabees and in the stories incorporated in the Book of Daniel.

This theological argument, however, acquires a new and quite secular meaning under the pen of Lysimachus. He makes Artaxerxes in the Second Edict turn the tables against Haman. The latter is now branded as traitor who, by the destruction of the Jews, intended to deprive Artaxerxes of his crown "by default". The king not only permits the Jews to live according to their own laws (which are the most righteous), but also commands his subjects to aid the Jews in their defence "in the time of affliction", that is the 14th Adar. Further, Artaxerxes orders that the same day of gladness "for the chosen people" be observed among royal holidays, as a memorial of salvation "to us and the loyal Persians" and of destruction for his enemies.<sup>71</sup>

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<sup>70</sup> III Macc. 3, 17–25 and 3, 7. Cf. Motzo, p. 275; J. Cohen, *Judaica et Aegyptiaca*, Diss. Groningen, 1940, pp. 2–30; M. Hadas, "III Maccabees and the Tradition of Patriotic Romance", *Chr. d'Égypte*, no. 47, 1949, pp. 97–104; Id. "Aristeas and III Maccabees", *HTHR* XLII, 1949, pp. 175–84. J. Moreau, "Le Troisième livre des Maccabées", *Chr. d'Égypte* no. 31, 1941, pp. 111–22. Note III Macc. 7, 3: the advisers of the king urge him to punish the Jews. In 130 B.C. a general of Ptolemy VIII Euergetes II threatens the partisans of Cleopatra II: *χρησθαι αὐτοῖς ὡς ἀποστάταις*, U. Wilcken, *Chrestomatie*, p. 10. In a complaint, the plaintiff says that his adversary acted *ἀποστατικῶ τρόπῳ*, Rostovtzeff (n. 41) II, p. 874.

<sup>71</sup> The passage is misunderstood by modern translators (and already in the Old Latin version). Read: *καὶ ὑμεῖς οὖν ἐν τοῖς ἐπωνύμοις ἡμῶν* (Mss. *ὑμῶν*) *ἐορταῖς ἐπίσημον*



It would be difficult to push further the identification of a heathen ruler with the Jewish case. Whoever attacks the Jews is traitor because he destroys the prop of the royal throne. Again, this political theory is not peculiar to Lysimachus. In III Maccabees, Ptolemy IV also blames the persecution of the Jews on his advisers. He asserts that their anti-Jewish suggestion was a device to deprive him of his crown and life. The Jews are his most loyal subjects and most faithful soldiers. Should one harm these "children" of God, the Deity shall avenge them. The Jews, on the other hand, ask the king to deliver the apostates to them. They maintain that a man who transgresses the divine commandments cannot be faithful to the king. Accordingly, they joyfully massacre the renegades.<sup>72</sup>

Thus, the Jews and their enemies, Haman and Mordecai, say exactly the same thing about each other: the adversary is a traitor and must be punished so that the kingdom may enjoy order and peace. How is this exchange of identical indictments to be understood? Let us realize the political situation in the Levant around 100 B.C.E. From the death of Antiochus VII Sidetes in 129 B.C.E. until the end of the Seleucids (in 66 B.C.E.) civil dissensions ravaged Syria. Between 129 and 83 when Antioch was conquered by Tigranes of Armenia, twelve Seleucids mounted the throne; none of them reigned without a war against another pretender.<sup>73</sup> In Egypt a dynastic war raged, with only short interruptions, from 132 B.C.E. until the end of the century.<sup>74</sup> In this war, for the first time, so far as we know, the organized Jewry of Egypt entered into a coalition with a party. The Jews steadfastly supported Cleopatra II, then Cleopatra III. The origin and history of this alliance are irrelevant here. In the present state of our documentation, it is impossible to say whether other "nations" (*politeumata*) in Ptolemaic Egypt were also allied with this or other pretenders. But these groups were loose associations and toward 100 B.C.E., the descendants of Greek immigrants in Egypt were "Corinthians" or "Macedonians" only in name. About 150 it was a man from Cos, who, as general of Ptolemy VI Philometor, assisted Cretan visitors and Cretan mercenaries

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ἡμέραν... ἄγητε. "And you also keep a notable day among the festival dedicated to us".

<sup>72</sup> III Macc. 6, 24-7; 7, 1-16.

<sup>73</sup> Cf. A.R. Bellinger, "The End of the Seleucids", *Transactions of the Connecticut Academy* XXXVIII, 1949, pp. 51-102.

<sup>74</sup> W. Otto and H. Bengtson, "Zur Geschichte des Niederganges des Ptolemärrreiches", *Abh. Bayer. Akad. N.F.* 17, 1938.

in Egypt.<sup>75</sup> For this reason, Jewish cohesion in the Diaspora surprised and astonished the Hellenes. Strabo notes for instance that when (sometime before 103 B.C.E.) the troops of Cleopatra III went over to Ptolemy IX Soter II Lathyros, the Jewish contingent (from the military colony of Oniapolis) alone remained faithful to the queen because of her Jewish generals. On the other hand, as Josephus tells us proudly, Cleopatra II entrusted her whole realm to her Jewish captains. It is also significant that though they were Oniads, that is members of the high-priestly family deposed by the Maccabees, they prevented Cleopatra III from attacking Alexander Jannaeus (in 102 B.C.E.) by the threat that she would make all the Jews her enemies.<sup>76</sup>

It is quite natural that adversaries of both queens now hurled "Hamanic" charges against the Jews. It is also probable that Ptolemy VIII Euergetes who pitilessly punished the aristocracy of Alexandria which sided with Cleopatra II, inflicted retribution on the Jews. Writing to their co-religionists in Egypt toward the end of 124 B.C.E., the Jews of Jerusalem pray that God may "not forsake you in evil Time". Some months before, Cleopatra and Ptolemy IX had patched up a peace (broken next year again), and the military success of the king in the previous years gave him the upper hand in the new coalition government. Later, in a new dynastic strife (in 88 B.C.E.), the mob of Alexandria, which had just twice driven out Ptolemy X Alexander I, rioted also against the Jews, while Ptolemy X attacked the Alexandrins with the help of Jewish troops. At the same date (88-7) anti-Jewish disturbances occurred in Antioch. The conflict was probably related to a new outburst of dynastic strife between Philip I and Demetrius III and to the latter's intervention in the civil war in Judaea. Again at the same time, in 87-6 B.C.E. Sulla sent Lucullus to restore order in Cyrene which suffered from "continual tyrannies and wars". Lucullus had also to suppress the revolt of the Jews in Cyrene. This is the first Jewish rebellion in the Diaspora of which we have knowledge. It was, of course, a time of "unsociableness" (*amixia*), as the Greek used to say. But let us repeat, so far as we can see, the lines of separation were

<sup>75</sup> Holleaux (n. 45), pp. 77-98.

<sup>76</sup> Strabo *ap.* Jos. *Antt.* XIII, 10, 4, 287; Jos. *C. Ap.* II, 4, 49 (who antedates the Jewish influence); Jos. *Antt.* XIII, 13, 2, 354. Cf. Heinemann, *RE* Suppl. V, 6; Cohen (n. 70), pp. 30-35 and pp. 58-59. A (rather far-fetched) parallel in Herod. III, 19: the Phoenicians refuse to take part in Xerxes' campaign against Carthage, their colony.

rather social and, as traditionally in Egypt, local. The Greek colonists in Hermonthis in September 123 made war on Greek colonists in Crocodilopolis. In 88 as in 110 B.C.E. Pathyris held against Ptolemy IX Soter II.<sup>77</sup>

Ten years later Lysimachus' book was brought to Alexandria. A king and queen were murdered in 80 B.C.E. The new monarch, Ptolemy XII (Auletes), was not recognized by the Romans who, as the author of First Maccabees already knew, could depose any king they wished. In Egypt, now the mob of Alexandria, now the garrison who had learnt to rule rather than obey, exiled and recalled whom they would.<sup>78</sup> At this juncture, Lysimachus (as well as the author of III Maccabees) between the lines clearly suggests a road to success. Like Cleopatra III a generation before, like her mother Cleopatra II, like his uncle Ptolemy X Alexander, the monarch has to ally himself with his Jewish subjects, who are children of the King of Kingdoms and who never vacillate in their loyalty. As a second step, that would also suggest an entente, if not an alliance, with the court at Jerusalem. And then...

Auletes was either unable or unwilling to follow the political line

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<sup>77</sup> II Macc. 1, 5. On this document now cf. F.-M. Abel, *Les Livres des Maccabées*, 1949, pp. 299–302 and Otto-Bengtson (n. 74), p. 66, n. 4. The riots of 88–7 against the Jews: Jordanes, *Roman*. 81: *Ptolomeus, qui et Alexander, ... Quo regnante multa Judaeorum populus tum ab Alexandrinis, quam etiam ab Antiochensibus tolerabat*; Euseb. *Chron.* I, p. 166 ed. Schoene. Cf. Heinemann, *l.c.* 7; H. I. Bell, "Anti-semitism in Alexandria", *Journ. Roman. Stud.* XXXI, 1941, pp. 1–18; Cohen (n. 54), pp. 36–8. On the events in Cyrene cf. Plut. *Lucull.* 2 and *Jos. Antt.* XIV, 7, 2, 114. Cf. K. Friedmann, "Le fonti, etc.", *Miscellanea degli Studi Ebraici in memoria di A. Chajes*, 1932, p. 8. Cyrenaica at this time was in a state of anarchy between the death of Ptolemy Apion (96) and the establishment of the Roman province (74 B.C.E.). On *amixia* in Egypt see Otto-Bengtson (n. 75), p. 65, p. 107, p. 168. Cl. Préaux, "Esquisse d'une histoire des révolutions égyptiennes", *Chr. d'Ég.*, No. 22, 1936, pp. 522–552; Rostovtzeff (n. 42) II, pp. 874–878 and III, p. 1542. According to *Jos. B.7* I, 4, 3, 88 Alexander Jannaeus did not engage Syrian mercenaries because of their inborn hatred of the Jews. On the other hand, the story that Ptolemy Lathyrus ordered his soldiers not only to kill women and infants in Judaea, but even to chop them up, to put the parts in boiling cauldrons and to taste of them (*Jos. A.* XII, 12, 6, 345) is apparently a piece of war propaganda. The Abbasid propaganda warned against the Umajjads, who among other unspeakable crimes, *scieront en deux les hommes et feront bouillir leurs membres dans les marmîtes*. See H. Lammens, *Bull. Inst. Français d'archéol.*, Cairo, 1923, p. 142.

<sup>78</sup> I Macc. 8, 13. On the situation in Alexandria see Pol. XXXIV, 13, 4; Caes, *B.C.* III, 110. A letter of Ptolemy VII Euergetes II (of the end of 145 B.C.E.) testifies once more to the dependence of the later Ptolemies on the goodwill of their troops. On this text now cf. A. Rehm, "Der Brief Ptolemaios' VIII", *Philologus* XCVII, 1948, pp. 267–75. Cf. Robert, 1949, # 201. On the situation in Alexandria cf. L. Könen, *ζ. für Papyrologie und Epigraphik*, 1970, p. 61.

of his grandmother. We don't know whether Jewish officers in his service read Lysimachus' book. The king was expelled in 58 B.C.E. New troubles followed. In 55, Auletes bribed the Roman proconsul of Syria to restore him to the throne. The Jewish troops who guarded the entrances to the Delta, opened the country to him. They acted in this way on advice of the High Priest in Jerusalem. Eight years later Caesar and Cleopatra VII, the *non humilis mulier* of Horace and Shakespeare, were besieged in the royal palace in Alexandria by the nationalist party which supported Ptolemy XIII. A relieving army marched from Syria. Jewish troops in Egypt joined the Romans. They were persuaded by Antipater (Herod's father) who commanded a Jewish contingent from Jerusalem. He referred to their common nationality and showed a letter from the High Priest Hyrcanus urging the Jews in Egypt to side with Caesar.<sup>79</sup>

Modern scholars class this work as pro-gentile and that as anti-gentile. With the same disarming naiveté they can discuss whether some Greek author, say Poseidonios, was "anti-semitic". The Greek Esther shows that this lazy dichotomy is not sufficient. Lysimachus firmly believed that the Creator and Ruler of the Universe protects His chosen people. Yet, for him, as for Ps. Aristeas or the author of III Maccabees, there is no immanent conflict between the chosen people and the Greeks. The latter disapprove the persecution of Jews.<sup>80</sup> Only traitors create hostility and suspicion between the saints and their pagan sovereign. The Jews are ready to fight for the latter, but for a price. The fact that the Jewries in the Eastern Diaspora, owing to certain historic developments toward 100 B.C.E., became separate political bodies with bargaining power and an appetite for power explains Jewish ascendancy and also both Greek reactions to it: anti-Jewish feelings and conversions to the Jewish faith.

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<sup>79</sup> Jos. *Antt.*, XIV, 6, 2, 99; XIV, 8, 1, 131.

<sup>80</sup> III Macc. 3, 8.

## THE DATE OF FOURTH MACCABEES

The so called Fourth Book of Maccabees is a lecture on the power of Reason, guided by Torah, over the weakness of flesh.<sup>1</sup> To illustrate the thesis, the writer uses the martyrdom of the wise Eleazar, and an unnamed mother with her seven sons, who were tortured and put to death by Antiochus Epiphanes because they had refused to forsake the commandments of the Torah. Among the legends of the Jews, to which Louis Ginzberg has dedicated so important a part of his scholarly work, none, perhaps, had a more extraordinary destiny than this story of the Maccabean martyrs.

It was invented or, at least, embellished by a certain Jason of Cyrene, who, about 125 B.C.E., wrote a history of the first generation of the Hasmoneans. After the fashion of Greek historiography of his time, he produced a work which endeavoured, like a tragedy, to strike the reader with astonishment or with terror. Accordingly, historians emulated each other in painting scenes of misery and horror to force the reader to feel the sufferings related by the writer. Jason followed the pattern and adorned his history with a minute description of horrible tortures suffered by Eleazar and his consorts during the persecution of Antiochus Epiphanes, and with fierce and wise answers given by the martyrs to the tyrannic king.<sup>2</sup>

The literary success of this narrative surpassed, probably, even the hopes of the author. Owing to the story of the martyrs, Second Maccabees, an epitome of Jason's work, gained immortality and saved from oblivion, by attraction, the other Books of Maccabees. The Church received and preserved these books, says Augustinus,<sup>3</sup> on "account of the extreme and wonderful suffering" of the martyrs told herein. Both

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<sup>1</sup> The latest commentary on the book is by A. Dupont-Sommer, *Le Quatrième Livre des Machabées*, 1939. Good English translations by C.W. Emmet, 1918, and (with notes) by R.B. Townshend, in R.H. Charles, *Apocrypha of the Old Testament* II, 1913, and by M. Hadas, 1953. The Greek text is accessible in H. B. Sweete's and A. Rahlfs' editions of the Septuagint. An Old Latin adaptation (from the end of the IV c.) is published by H. Dörrie, *Abhandl. Götting. Gesellsch. der Wissensch.*, 1938, no. 22. A summary but good exposition of the subject may be found in J. Heinemann's article. s.v. in the *Real-Encycl. für Altertumswiss.* XIV, p. 800.

<sup>2</sup> II Macc. 6-7.

<sup>3</sup> August. *de civ. Dei* XVIII, 36.

legitimate offsprings and heirs of Hellenistic Judaism, the Catholic Church and the Pharisaic Synagogue, alike delighted in the legend. In the Rabbinic milieu the story was transferred to victims of Hadrian's persecution.<sup>4</sup> The Church transformed the Maccabean martyrs into Christian saints who had suffered for Christ before Christ came to the flesh.<sup>5</sup> The memory of the martyrs was praised many centuries later in the synagogues of remote Bochara,<sup>6</sup> and, as the supreme triumph for a writer, the creation of Jason became clothed with a body: in Antioch, in Constantinople, in Rome, in Cologne there were to be seen the relics of the Maccabean martyrs.<sup>7</sup>

The first Christian and Talmudic mentions of the legend belong to the IIIth cent., four hundred years, at least, after the publication of the work of Jason. But between Jason and Origen the story was recounted in Fourth Maccabees.<sup>8</sup> Eleazar, only a distinguished "student of the Scripture" in II Macc. (6, 18), became in IV Macc. (5, 4) a priest and a "jurisconsult", known, too, for his skill in philosophy.<sup>9</sup> The heroic mother whose end is simply mentioned in II Macc. (7, 41), in IV Macc. (17, 1) puts herself an end to her life in order that no one should touch her body. The Martyrdom of Eleazar, not connected in II Macc. with that of seven youths, forms in IV Macc. (8, 1) only the first part of a

<sup>4</sup> Gittin 57 b. Cf. J. Freudenthal, *Die Flavius Josephus beigelegte Schrift über die Herrschaft der Vernunft*, 1868, p. 84; W. Bacher, in *Jahrbuch für jüdische Geschichte und Literatur*, 1901, p. 70; M. Gaster, *The Exemplars of the Rabbis*, 1924, p. 196, no. 57. Cf. Isr. Lévy, *REJ*, IV, 1907, p. 138; H. Dörrie, *Abhandl. Göttinger Gesellschaft der Wissenschaft*, 1938, n. 22, p. 9. On "Abraham's bosom" (IV Macc. 13, 17) cf. S. Lieberman, *Annuaire VII*, p. 444. Cf. *Acta Mariani et Jacobi*, 13, 1 (in R. Knopf, *Ausgew. Martyrerakten*): *Machabaico gaudio Mariani mater exultans*. The author of *Barlaam and Ioasaph*, quoting (ch. 23) IV Macc., regards the Maccabean martyrs as the crown and model of martyrdom (Johann. Damasc. in *Patrol. Gr.* XCVI, p. 203). The proposed identification of "Taxo" in the "Assumption of Moses" with Eleazar is without foundation. Cf. C.C. Torrey, *JBL*, 1943, p. 4.

<sup>5</sup> See Nic. Serarius, *In... Machabeos commentarius* (1610) ad II Macc. 6, *Acta Sanctor.* August. I, ad 1 Aug.

<sup>6</sup> W. Bacher, *l.c.*, p. 83.

<sup>7</sup> Cf. Cardinal's Ramoplla study in the *Revue de l'Art Chrétien*, 1899 and 1900; J. Obermann, *JBL*, 1937, p. 250. Cf. « Les Maccabées de Malalas » in vol. II.

<sup>8</sup> Cf. H.W. Surkau, *Martyrien in jüdisch. und christl. Literatur*, 1938, p. 9. But his hypothesis (p. 29) that II and IV Macc. independently draw upon a popular tradition about the martyrs is, of course, without foundation. IV Macc. copies II Macc.

<sup>9</sup> The change from γραμματεύς (II Macc. 6, 18) to νομικός (IV Macc. 5, 4) is noteworthy. Under the Roman Empire the Jews styled their men learned in the Torah with the term used in Greek for Roman jurists. Neither Philo nor Josephus use the term *grammateus* for the Jewish sages. Cf. J. Jeremias, in G. Kittel's *Theolog. Wörterbuch* I, p. 740.

common trial. Eleazar became here the "protomartyr".<sup>10</sup> In IV Macc. the words of the martyrs are developed into long harangues and receive a stoic coloring. Their sufferings are presented as a vicarious expiation for the sins of the people, while their reward is to know that the men dying for God live unto God (16, 25).

Remodeled as to its leading ideas according to the currents of a new period, the story of the martyrs became the main subject of IV Macc. Written in the choicest "Asiatic" Greek of the period.<sup>11</sup> IV Macc., answered, too, to the new stylistic taste. Its plan follows the rules of the Greek rhetoric.<sup>12</sup> The gruesome delineation of "the earthquake of the tortures" (17, 3) borne unshaken by the martyrs is hardly surpassed even by the writers of Christian martyrologies. It is quite natural to emphasize that even the tormentors have been impressed by the courage of the victims (1, 11), but IV Macc. (17, 23) tells us that Antiochus held up the virtue of the martyrs to his own soldiers as an example and so overcame his foes. A touch which scored a point for the story with every contemporaneous reader educated in rhetoric and taking pleasure in declamations.

Unfortunately, the date of this influential book still remains uncertain and disputed. On general grounds of style and matter it has been assigned to almost every generation between Pompey and Hadrian.<sup>13</sup> But to begin with, we may dispose of both ends of the computation. Every unprejudiced reader of IV Macc. cannot but be impressed by the fact that the Temple and its service are regarded as existent in the book.<sup>14</sup> On the other hand, Louis Robert has shown that the term *θησκαία* ("religion") was never used in the Hellenistic age but became modish from Augustus onward. Accordingly, as he pointed out,<sup>15</sup> Fourth Maccabees (as well as the Wisdom of Solomon) using the word (IV Macc. 5, 7 and 12) could not have been written before the beginning of the Christian era.

Can we narrow the indicated *termini inter quos* for the composition

<sup>10</sup> Gregor. Nazian. *Orat.* XV (*Patr. Graec.* XXXV, p. 913). Eleazar appears here as the teacher and spiritual father of the seven brothers. On the other hand, the Jewish development of the tale completely drops the figure of Eleazar.

<sup>11</sup> Ed. Norden, *Antike Kunstprosa* I, p. 418.

<sup>12</sup> Freudenthal, *l.c.*, p. 19.

<sup>13</sup> See A. Dupont-Sommer, *Le Quatrième Livre des Machabées*, 1939, p. 75.

<sup>14</sup> See, e.g. IV Macc. 4, 20; 14, 9. Cf. J. Heinemann, *Real-En cycl. für Altertumswiss.* XIV, p. 802.

<sup>15</sup> L. Robert, *Études épigraphiques et philologiques*, 1938, p. 234.

of IV Macc.? It seems, a passage in the book may serve for this purpose.

Second Maccabees tells of the attempt of Heliodorus, a minister of Seleucus IV, to take possession of the Temple treasures. IV Macc. recounts the episode. But in order to simplify the narrative and to render it clearer to the reader, the writer replaces Heliodorus, according to the conditions of the Roman imperial administration, by Apollonius, governor of Syria, who plays a secondary role in II Macc. Here (II Macc. 3, 5), Apollonius is styled “*strategos* of Coele-Syria and Phoenicia”, which was his rightful title in the Seleucid administration. But in IV Macc. (4, 9) he is styled *strategos* of “Syria, Phoenicia and Cilicia”. Why this change?

It often happens that an author changes an antiquated title found in his source in order to modernize the narration and to make it clearer to the reader. For instance, in the Book of Esra a message is said to have been sent to the King Artaxerxes of Persia by his “slaves” (that is agents) in the province “Beyond the River”. A Greek adaptation of the Biblical text styles the senders of the letter “judges” and substitutes the antiquated and no more understandable name of the province Syria by the current one: “Coele-Syria and Phoenicia”. But when Josephus Flavius had to retell the same events, the name “Coele Syria and Phoenicia” became itself antiquated and misleading. Accordingly, he replaced it by the term “Syria and Phoenicia” which was the official name of the Roman province of Syria.<sup>16</sup> Accordingly, we may take for granted that when the writer of IV Macc. uses the term “Syria, Phoenicia, Cilicia” to designate the province of Apollonius, he employs the official nomenclature of his own time.

There are some indications that Cilicia was really joint with Syria for some time in the 1st century. Firstly, there is an inscription making mention of the common festival given in Antioch in the name of “Syria, Cilicia, Phoenicia”.<sup>17</sup> Then, three literary passages mention the union.

In Galatians, the Apostle Paul tells us how after his first visit to Jerusalem, he went “to the regions of Syria and Cilicia”.<sup>18</sup> The

<sup>16</sup> Esdr. 4, 5; LXX I Esdr. 2, 13; Jos. *Antt.* XI, 22. Philo, *V Mos.* 1, 163, says that Moses led the Hebrews to “Phoenicia, and Coele-Syria and Palestine”. Cf. *RB* 54, 1947, pp. 256–68.

<sup>17</sup> *Inscr. Graecae* XIV, 746. Cf. *AJP* 68, 1947, p. 361.

<sup>18</sup> Galat. 1, 21: τὰ κλίματα τῆς Συρίας καὶ Κιλικίας. Cf. *Act. Apost.* 15, 41: Paul



expression shows that both countries formed at this date a double province. The date is about 35–40 C.E.<sup>19</sup>

In the same manner, a Roman agricultural writer, Columella, who was in Syria about 36 C.E. as officer,<sup>20</sup> says that he has seen a certain plant (the sesame) sown in June and July “in some regions of Syria and Cilicia”.<sup>21</sup>

A dozen years later, the Christian community of Jerusalem sent a letter to the brothers “in Antioch, Syria and Cilicia”.<sup>22</sup> The address implies that Antioch, the capital of Syria was, also, the capital of Cilicia.

The title given in IV Macc. to Apollodorus answers, as we have seen, to an administrative situation existing in the Roman East under Tiberius and Claudius. To date IV Macc. we have now to define the period during which Cilicia was united with Syria.

A still prevailing hypothesis, advanced by Baronius (1582) places the union under Augustus (27 B.C.E.). It is generally held, too, that the provinces were again separated by Vespasian, in 72 C.E.<sup>23</sup> But new finds have shown, firstly, that there is no evidence that in the reign of

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διήρχετο δὲ τὴν Συρίαν καὶ Κιλικίαν. Cf. W.M. Ramsay, *Historical Commentary on St. Paul's Epistle to the Galatians*, 1902, p. 277. I accept the reading of Cod. Sinait. The other Uncials insert a second article before “Cilicia” and this variant is generally accepted by the editors and commentators. The reading of Sin, although corrected by a contemporary reviser (on this corrector “A” cf. H.J.M. Milne and T.C. Skeat, *Scribes and Correctors of the Codex Sinaiticus*, 1938, p. 40) is not due to a clerical error, but presents really a variant, as it appears, too, in the most valuable Minuscule 33. Between the two readings, I choose the *lectio difficilior*, which was, of course, corrected by every later reviser who did not and could not know of the temporary union between Cilicia and Syria. That explains the universal acceptance of the reading with both articles, a phenomenon which seems to puzzle some commentators (see e.g. E.D. Burton *ad. l.* in *Internat. Critical Commentary*).

<sup>19</sup> A. v. Harnack, *Mission und Ausbreitung des Christentums* 4th ed. 1924, p. 553; F. Prat, in *Dictionn. de la Bible, Suppl.* I, 1287; K. Lake, in *The Beginnings of Christianity* V, 1933, p. 473; C.J. Cadoux, *JBL*, 1938, p. 188; J. Knox, *JBL* 1939, p. 23.

<sup>20</sup> C. Cichorius, *Römische Studien*, 1922, p. 418.

<sup>21</sup> Columella II, 10, 16: *sed hoc idem semen Ciliciae Syriaeque regionibus ipse vidi mense Iunio Iulioque conseri*. Cf. on the other hand XI, 2, 56: *quibusdam regionibus sicut in Cilicia et Pamphylia*. Plin. *Natur. Hist.* XVIII, 122: *fabae... nascitur et in Syria Ciliciaeque*. For the term *regio* cf. T.R.S. Broughton, in *Quantulacumque, present. To K. Lake*, 1937, p. 134.

<sup>22</sup> Act. Apost. 15, 23: τοῖς κατὰ τὴν Ἀντιοχείαν καὶ Συρίαν καὶ Κιλικίαν ἀδελφοῖς. Cf. Act. Apost. 11, 19, among the Christians driven from Jerusalem, “some men of Cyprus and Cyrene” came to Antioch, etc. At this date both countries were united under the same governor.

<sup>23</sup> Cf. e.g. J.G.C. Anderson in *Cambr. Anc. Hist.* X, p. 279 and J. Keil, *ib.* XI, p. 602.

Augustus Cilicia did belong to Syria<sup>24</sup> and, secondly, that it was already separated from Syria under Nero.<sup>25</sup>

It seems that two passages in Tacitus may allow us to ascertain the chronology. In 18 C.E. the Parthian king asked that Vonones, a pretendent who had taken refuge in Antioch, "might not be kept in Syria". Accordingly Vonones was removed to Soli, a Cilician town. Tacitus adds that the measure was taken with intention to offend Piso, governor of Syria and friend of Vonones. Consequently, Soli, and therefore Cilicia, was in 18 C.E. still beyond the jurisdiction of governor of Syria.<sup>26</sup>

On the other hand, when, early in 55 C.E., Q. Ummidius Quadratus, the imperial representative "in Syria", was ordered to transfer half of his troops to Corbulo, who was charged with the conduct of the war against the Parthians. The governor, fearing a loss of prestige, transported the troops to Aegae, a Cilician town, lest Corbulo entering Syria would draw all eyes on himself.<sup>27</sup> Accordingly, in 55 C.E. Aegae, and therefore Cilicia, was no more a part of the province Syria.

For some historical reasons, I am inclined to think that Cilicia was joined with Syria between 20–54 C.E.<sup>28</sup> In any case, the quoted passages of Tacitus place the composition of IV Macc. between 18 and 55 C.E., that is about 35 C.E. with a scope of fifteen years or so in either direction.<sup>29</sup> Fourth Maccabees is contemporaneous with the last writings of Philo and the first letters of Paul who perhaps was influenced<sup>30</sup> by the story of the Maccabean martyrs as told in this new best-seller.

<sup>24</sup> The last author who has treated the subject, and who follows the *opinio communis*, says: "the state of Cilicia Pedias under the early Principate is nowhere expressly stated" (R. Syme, in *Anatolian Studies presented to W. H. Buckler*, 1939, p. 326). Cf. T.R.S. Broughton, *Amer. Journ. of Phil.*, 1933, p. 141; R. Syme, *Klio*, 1934, p. 134. See above n. 17.

<sup>25</sup> W.M. Calder, *Journ. Roman Stud.*, 1912, p. 99. Cf. W.E. Gwatkin, *Cappadocia (Univ. of Missouri Stud. V, 1930, no. 4)*, p. 50 and J.G.C. Anderson, *Class. Rev.*, 1931, p. 191. To the period after Nero must belong the inscription in H. Dessau, *Inscr. Lat. Sel.* 5197.

<sup>26</sup> Tac. *Ann.* II, 58. The passage is explained by Lily R. Taylor, *Amer. Journ. of Phil.*, 1933, p. 125.

<sup>27</sup> Tacit. *Annal.* XIII, 8. Cf. *ib.* XIV, 26 and Gwatkin (n. 25), p. 51. Quadratus is styled as *legatus* of Nero in Syria. H. Dessau, *Inscr. Latinae Select.* I, 927.

<sup>28</sup> Cf. *AJPh* 68, 1947, pp. 353–62.

<sup>29</sup> The absence of any allusion to the persecution of Caligula suggests the date before 38 C.E., that is in the twenties or thirties.

<sup>30</sup> A. Deissman, *Paul*, 1926, p. 95, n. 9.

## THE DATE OF THE TESTAMENTS OF THE TWELVE PATRIARCHS

### I

The book called by Byzantine scribes “The Testaments of the Twelve Patriarchs” has come down to us through the channel of the Greek church, although there it ranged among the apocrypha. It is extant in Greek only (and in subsidiary translations into Armenian and Slavonic, made from the Greek). No Old Latin version seems to have existed, and no Occidental author refers to the Testaments, except Jerome, the unwearying reader of Greek.<sup>1</sup>

The book consists of twelve discourses, each made by a son of Jacob, as he sees his end approaching, to his own sons, urging them to live righteously and to flee wickedness. As Byzantine copyists already observed, Reuben speaks about (unchaste) thoughts, Simeon warns against envy, Judah against greed and fornication, Issachar offers a pattern of simplicity, Zebulun preaches compassion, Dan attacks anger and lying, Naphtali praises natural goodness, Asher upholds uprightness, Joseph recommends self-control and Benjamin purity of mind, while Levi’s address concerns the priesthood.<sup>2</sup>

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<sup>1</sup> See R.H. Charles, *The Testaments of the Twelve Patriarchs*, 1908, subsequently referred to as Charles, *Testaments*, and R.H. Charles, *The Greek Versions of the Testaments of the Twelve Patriarchs*, 1908, further referred to as Charles, *Versions*. Since I have to disagree on some points with the great investigator of the Apocrypha, it is only fair to point out that without the admirable edition of Charles, which presents and classes all the variant readings, and without his commentary, which collects parallel materials, this study could not have been written. His classification of MSS., however, has been challenged rightly. Cf. H.J. de Jonge, *ZNW* 63, 1972, pp. 27–42 and the new critical edition of the Greek text of the “Testaments” by M. de Jonge (1978). Cf. also various studies collected in M. de Jonge (ed.), *Studies on the Testaments of the Twelve Patriarchs* (1975), pp. 45–179). For interpretation of the “Testaments”, cf. Chr. Burchard, J. Jewell, J. Thomas, *Studien zu den Testamenten der zwölf Patriarchen* (1969); Jürgen Becker, *Untersuchungen zur Entstehungsgeschichte der Testamente der zwölf Patriarchen* (1970), who also surveys scholarly discussion, and A. Hultgård, *L’eschatologie des Testaments des Douze Patriarches I* (1977). Further bibliography: A.-M. Denis, *Introduction aux pseudépigraphe grecs de l’Ancien Testament*, 1970 and J. Charlesworth, *The Pseudepigrapha and Modern Research* (1976), pp. 215–220.

<sup>2</sup> Likewise, in his “Testament” Abraham stresses the virtue of hospitality, and that of Job (4, 1) praises almsgiving and urges patience. Cf. Becker, pp. 129–154.

Each patriarch fortells the future transgressions of his progeny; Simeon, Levi, Judah, Zebulon, Dan, and Joseph develop these predictions into revelations about the Last Things and the World to come. All conclude with the last appeal to preserve innocence. "Editorial" notices, redacted in the third person, introduce and end the address. The preliminary remark states the occasion of the exhortation, while the final one records the death and the burial of the patriarch.

Long unknown in the Occident, the book was heard of by Robert Grosseteste, bishop of Lincoln, who, having procured a manuscript (which is now in the University Library at Cambridge) from Greece, rendered the text into Latin shortly before 1242 A.D. Numerous manuscript copies, printings and translations into modern languages attest the success of Grosseteste's version. For, while the Greek church prudently refused to acknowledge the authority of the Testaments, the Occidental clergy was in no doubt as to their authenticity. They blamed the malice of the Jews, of course, for concealing the Testaments from them "on account of the evident prophecies about Christ, which are clearly seen therein".<sup>3</sup> But precisely these unexpected references to the redemption through Christ in a pre-Mosaic work led critics to look upon the Testaments as a Christian forgery. The whole cast of phraseology and argumentation, however, betrays the Jewish origins of the Testaments. To account for this discrepancy, scholars used to attribute the book to a Judaeo-Christian author, although as early as in 1698, J.E. Grabe, the first editor of the Greek text of the Testaments and the first who treated the work at length, suggested that originally written by a Jew, it had been interpolated later by Christian revisers.<sup>4</sup> Within the last decades, Grabe's view has become accepted by all critics, so that is no longer necessary to argue the matter, although the hypothesis of the Christian origin of the Testaments was abandoned rather than disproved.<sup>5</sup>

<sup>3</sup> Mathias Paris *sub ann.* 1242 and 1252 quoted by R. Sinker, *Testamenta XII Patriarcharum*, 1869, p. 1.

<sup>4</sup> Grabe's introduction to his edition is reprinted in J.A. Fabricius, *Codex Pseudepigraphus Veteris Testamenti*, I, 1712, pp. 496–517. Fabricius himself, p. 759, advocated Christian authorship of the work. For the history of the controversy see, besides Charles, *Testaments*, p. xxxviii ff., Sinker, *op. cit.*, pp. 16–34.

<sup>5</sup> N. Messel has justly pointed to this omission. See his paper in *Abhandlungen... WW v. Baudissin überreicht*, *BZAW*, 33, 1918, pp. 355–374. He is, probably, the last, in any case the latest, advocate of the Christian origin of the Testaments. A recent attempt to establish Christian authorship of the Testaments has been abandoned by its author who now, rather, speaks of a "throughgoing Christian redaction" of a Jewish work. See M. de Jonge in M. de Jonge, *Studies* (above n. 1), p. 184.

Clerics who believed in the authenticity of these dying utterances of Jacob's sons naturally assumed that the Greek book was a translation from the sacred language spoken by the patriarchs. A Byzantine reviser states that the Testaments were "rendered into Greek from the Jewish tongue".<sup>6</sup> Unimpressed by such claims, critics, until the end of the last century, held that the book had been composed in Greek. Again Grabe alone advocated a Hebrew original and again his opinion is now unanimously accepted. Many sentences in the Testaments are of a form which no one writing in Greek could have penned but which become clear on retranslation into Hebrew.<sup>7</sup> Further, new manuscript discoveries have shown that there existed Hebrew works cognate to the Testaments. For instance, the pre-Roman "Zadokite" document quotes a saying of the Patriarch Levi which is paralleled in his Testament.<sup>8</sup> The Hebrew original of the work, of course, did not speak of the "Testaments" of Jacob's sons. The Greek manuscript tradition reveals the late origin of this title. Originally, in the Greek version, each discourse began as follows: "Copy of the words of Simeon (or Levi, etc.), which he has spoken to his sons".<sup>9</sup> This formula exactly reproduces a Hebrew original.

Like every popular book which grows with time, these "Words" received many additions. Hebrew and Greek scribes added variants of the same episode from another copy or source,<sup>10</sup> in the same way that they inserted dittographic renderings of a Hebrew clause found in some collated manuscript. Thus, two recensions of the description of heavens are combined in the present T. Levi (c. 2–3). Two discourses of Joseph, one about chastity (1, 3–10, 4), the other concerning brotherly love (10, 5ff.) are juxtaposed in the Testament of Joseph. Then, revisers added developments appropriated from other sources to the original

<sup>6</sup> Charles, *Versions*, p. xi.

<sup>7</sup> Charles, *Testaments*, pp. XLII–XLVII. Cf. F. Perles, *OLZ, Beih.* II, 1908, pp. 8–16.

<sup>8</sup> R.H. Charles, *The Apocrypha and Pseudepigrapha*, II, 1913, p. 809, on CD 6.10. Cf. Ch. Rabin, *The Zadokite Documents*, 1958, p. 4, line 15.

<sup>9</sup> T. Sim. 1, 1: ἀντίγραφον λόγων Σιμεὼν ἃ ἐλάλησε τοῖς υἱοῖς αὐτοῦ. The original title has also been preserved in T. Levi, Judah, Issachar, Zebulon, Dan and Benjamin; it appears as variants in T. Reub. and is attested in T. Gad and Asher by the strange phrasing: διαθήκης...ἃ ἐλάλησε. See below p. 23.

<sup>10</sup> For instance, T. Jud. 12, 6–10, the manuscript family *a* substitutes an abbreviated version of Gen 38, 10 for the original narrative. As Charles, *ad loc.*, has pointed out, T. Jud. 17, 2–18, 1 is a parallel to Jud. 23, etc. Two visions are combined in T. Jos. 19 (v. 1–4 and 5–17). Cf. H. Gressman, *Der Messias*, 1929, pp. 370–3.

work. For instance, T. Zebul, 3, 1–3, in pure midrashic style, combines Gen 37, 28 and Amos 2, 6. The author tells us that the price received for Joseph was used by his brethren to buy sandals for themselves.<sup>11</sup> A Jewish reviser added a super-Midrash: For this reason, he says (T. Zebul, 3, 4–8), when a brother refuses to conclude a Levirate marriage (and so shows his lack of brotherly love), his sandal should be unloosed, according to Deut 25. The interpolator betrays himself here by using the third person with reference to Joseph's brethren.<sup>12</sup>

Copyists were particularly prone to add apocalyptic texts. A Messianic hymn, which now appears as c. 24 of the Testament of Judah is an obvious interpolation. For in the present context, the Messiah appears after God Himself had already redeemed Israel (T. Jud. 23, 5). In the Testament of Levi the mention of the "Seventy Weeks" in an inserted passage (16, 1) attracted a second interpolation about jubilees (17, 1–9) and even a third one, a fragment of some piece, which divided history into seven weeks (17, 10–11). But so far as I can ascertain the book contains no tendentious Jewish insertions with well-defined political objectives. Critics today unanimously regard the virulent charges against the priestly caste in T. Levi 10 and 14–16 as interpolations because the author elsewhere glorifies Levi. As a matter of fact, c. 10 is a doublet of c. 14–15, a variation on the same theme. Since c. 10, 2–5, the text of which has been gravely altered by Christian scribes, interrupts the sequence of the narrative (11, 1 continues 10, 1), it must be an interpolation. On the other hand, c. 14–15 occupy the place usually allotted to predictions concerning future transgressions in the Testaments. There is no more reason to regard this invective as directed against the Hellenized pontiffs of 180–70 B.C.,<sup>13</sup> or the later Maccabees,<sup>14</sup> than to put Robert Grosseteste, the Latin translator of the Testaments, in the time of the Reformation simply because the bishop of Lincoln violently attacked the Roman curia and priestly abuses. According to the outline of his work, the author of the Testaments had to predict the sins of the progeny of each patriarch. For instance, "the fornication of Sodom" is foretold for the tribe of Benjamin (T. Benj. 9, 1).

<sup>11</sup> Cf. L. Ginzberg, *The Legends of the Jews*, V, p. 330, n. 51.

<sup>12</sup> A long prayer of Levi is inserted in his Testament (after 2, 3) in the manuscript *e*. A Qumran Ms. (4 Q 213) parallels T. Levi 14, 1. Cf. below p. 19ff.

<sup>13</sup> Ed. Meyer, *Ursprung des Chriantums*, II, 1922, p. 166.

<sup>14</sup> Charles, *ad loc.*

Besides, in his charge against the priestly tribe the author speaks of the period before the Babylonian captivity and, as in the case of almost all the patriarchs, he carries the prophecy down to the Exile (T. Levi 15, 4). For this reason c. 16, which depends on Daniel, and rehearses the foretelling of the future, cannot belong to the original work.

## II

The Hebrew original has been assigned by various scholars now to the end of the third or the beginning of the second century B.C.,<sup>15</sup> now to the end of the second century,<sup>16</sup> or placed in the first century B.C.<sup>17</sup> But, except R.H. Charles, no critic took the trouble to present evidence for the suggested dating.

Charles places the composition of the Testaments in the last years of John Hyrcanus I (135–104 B.C.) because of two alleged references to the future kingship of Levi's seed, and, except the Maccabees, there were no kings of Levi's tribe. Let us observe at the outset that this reasoning is invalidated by an oversight: John Hyrcanus I never claimed the royal title, which Aristobulus (104–3 B.C.) or Alexander Jannaeus (103–76 B.C.) assumed after his death. But the passages pointed out by Charles require a fresh examination.

First, with regard to T. Reub. 6, where the patriarch admonishes his sons to hold Levi in great respect because of his dignity both as high-priest and king,<sup>18</sup> it is sufficient to print both prophecies in parallel columns to discover that two variants are here juxtaposed.

<sup>15</sup> Ed. Meyer, *op. cit.*, II, p. 44; Eppel, *Le piétisme juif dans les Testaments des Douze Patriarches*, 1930, p. 32.

<sup>16</sup> So Charles, following W. Bousset, *ZNW*, 1900, p. 165; O. Eissfeldt, *Einleitung in das A. T.*, 1934, p. 690.

<sup>17</sup> E. Schürer, *Geschichte des jüdischen Volkes*, 3rd ed. III, p. 648. C. Torrey, *The Apocryphal Literature*, 1945, p. 131. Both refer to such vague signs as the slight attention paid to legal observances, the rôle of priests as teachers of the Law, etc. Why should the emphasis on ethical instruction in the Testaments point to a late date? A. Smirnoff in his Russian translation of the Testaments, p. 70, assigns the work to the Seleucid-Maccabean period (203–65 B.C.). Hultgård's (above n. 1) date (p. 323): ca. 100–63 B.C. is excluded by Qumran evidence. See below.

<sup>18</sup> Cf. Becker, p. 199.

## T. Reub.

(6, 8) διὰ τοῦτο ἐντέλλομαι ὑμῖν ἀκούειν τοῦ Λεὐὶ ὅτι αὐτὸς γινώσεται νόμου Κυρίου καὶ διαστελεῖ εἰς κρίσιν, καὶ θυσιάσει ὑπὲρ τοῦ Ἰσραὴλ μέχρι τελειώσεως χρόνων [ἀρχιερέως χριστοῦ ὃν εἶπεν ὁ Κύριος]

(6, 9) Ὁρκῶ ὑμᾶς τὸν θεὸν τοῦ οὐρανοῦ τοῦ ποιεῖν ἀλήθειαν ἕκαστος πρὸς τὸν πλησίον αὐτοῦ καὶ ἀγάπην ἔχειν ἕκαστος πρὸς τὸν ἀδελφὸν αὐτοῦ.

(7, 1) καὶ ἀπέθανε Ρουβὴμ κ.τ.λ.

(6, 10) Καὶ πρὸς τὸν Λεὐὶ ἐγγίσατε ἐν ταπεινώσει καρδίας ὑμῶν ἵνα δέξησθε εὐλογίαν ἐκ τοῦ στόματος αὐτοῦ

(6, 11) Αὐτὸς γὰρ εὐλογήσει τὸν Ἰσραὴλ καὶ τὸν Ἰούδαν [ὅτι ἐν αὐτῷ ἐξελέξατο Κύριος βασιλεύειν ἐνώπιον πάντων τῶν λαῶν (12) καὶ προσκυνήσατε τὸ σπέρμα αὐτοῦ ὅτι ὑπὲρ ὑμῶν ἀποθανεῖται ἐν πολέμοις ὄρατοῖς καὶ ἀοράτοις, καὶ ἐν ὑμῖν ἔσται βασιλεὺς αἰώνιος]

We note in the first place that verses 6, 10–11 disrupt the composition of the work. In all the Testaments but that of Benjamin, the statement about the death and the burial of the patriarch immediately follows the general admonition, which ends and summarizes the discourse. In Benjamin's Testament this sequence is interrupted by a long Christian interpolation (c. 11). In Reuben's Testament, likewise, c. 7, 1 originally must have followed c. 6, 9. Secondly, vv. 10–12 deal with the priestly quality of Levi who will bless Israel and Judah. They are a variant of v. 8, added to the text from some extravagant copy of the Testaments. The whole passage, then, was altered by Christian scribes; their additions are bracketed in our reprint of the text. As the redactor of the Slavonic recension says, "the anointed High-Priest" in v. 8 and "the eternal king" in v. 12 both are Christ. A Christian reviser added the clause about the kingdom of the High Priest Christ, since for him the Redeemer was both priest and king: "because through Him the Lord has chosen to reign before all the peoples".<sup>19</sup>

<sup>19</sup> Charles translates: "because him hath the Lord chosen to be king" (T. Reub. 6, 11) and finds a Hebraism (כֹּהֵן מֶלֶךְ) in this expression. But elsewhere in the work the verb ἐκλέγω, as always in Greek, takes an Accusative. See T. Levi 10, 5; 15, 1; 19, 1; T. Iss. 2, 1; T. Zeb. 9, 8 and particularly T. Jud. 21, 5: αὐτὸν... ἐξελέξατο Κύριος προσεγγίξεν αὐτῷ. In fact, in T. Reub. 6, 11, the clause ἐν αὐτῷ is a dative of instrument or agent, depending on the verb βασιλεύω. Thomas, p. 117, n. 115 believes that the bracketed passage is authentic. But the term "archiereus" appears in the Testaments only in Christian interpolations (T. Sim. 7, 2; T. Levi 14, 2. In T. Levi 8, 17 the word appears only in some MSS.). Again, the expression "the anointed high priest" comes from the Septuagint (LXX Lev. 4, 3) and, thus, could not have been used by the Hebrew author of the Testaments. Cf. Becker, p. 201; Hultgård, p. 298.



There is, further, a prophecy that Levi's seed will have three lots: one which is great, the second is priesthood, "and the third shall be called by a new name, because a king shall arise from Judah, and shall establish a new priesthood, after the fashion of the Gentiles (or for all the Gentiles). And his apparition is marvellous (or, beloved), as the prophet of the Most High, of the seed of Abraham, our father".<sup>20</sup> I am not prepared to interpret this prediction, although it seems rather difficult to quarrel with the Byzantine scribes who referred it to Christ. But I note, in the first place, that the whole passage is an interpolation. In a vision, Levi sees seven men (angels) who put high-priestly vestments on him (T. Levi 8, 2–10) and tell him that his seed shall produce priests, judges and scribes (T. Levi 8, 16–17). The prophecy about the three lots (T. Levi, 8, 11–15) disagrees with this context and breaks the connection between the action of the angels and their words. In any case, the prophecy concerns a king from Judah and so cannot refer to the Maccabees. As a matter of fact, the Testaments state again and again that the kingdom belongs to Judah, but that his dignity is surpassed by Levi's priesthood. One is like the moon, the other like the sun, or, in another image, their relation is that of the heaven to the earth.<sup>21</sup> The author is so remote from the idea of a Levitic, that is Maccabean, kingship, that with reference to Gen. 49, 10, he quotes God's oath not to root out the kingdom from Judah's seed for ever. In the meantime, God Himself guards the power of Judah's kingdom until the coming of the Messianic age (T. Jud. 22, 2–3).

Likewise, the doctrine of the coming Messiah from the tribe of Levi, allegedly professed by the author, is a figment created by modern readers of the work.<sup>22</sup> The author of the Testaments often asserts that the

<sup>20</sup> T. Levi 8, 11–15. Although all MSS (and versions) agree in the reading βασιλεὺς ἐκ τοῦ Ἰούδα ἀναστήσεται, Charles, for the sake of his Levitical kingship, changes the text into ἐν τῷ Ἰούδα, a conjecture which, by the way, is meaningless, for there was never a king "in" Judah. Cf. Becker, p. 201.

<sup>21</sup> T. Jud. 21, 4; T. Napht. 5, 3; T. Sim. 7, 2; T. Reub. 6, 8; T. Levi 2, 10; T. Naph. 8, 2; T. Jud. 12, 4; 17, 6; T. Iss. 5, 7. Cf. also R. Meyer, *OLZ* XLI, 1938, pp. 720–7.

<sup>22</sup> The phantom created by W. Bousset, *ZNW*, 1900, p. 166, seduced many scholars, above all Charles; see also, e.g., V. Aptowitz, *Die Parteipolitik der Hasmonäerzeit*, 1927, pp. 89–95; P. Volz, *Die Eschatologie der jüdischen Gemeinde*, 1934, pp. 190–92, etc. The view that Miriam, Moses' sister and, consequently, of Levi's tribe, was an ancestress of David (L. Ginzberg, *The Legends of the Jews*, V, p. 393, n. 19) cannot be brought in as a proof for the belief in a Levitical Messiah, for a man belonged to the tribe of his father. In the meantime, G.R. Beasley-Murray, *JTS* 48, 1947, pp. 1–12, has disproved all alleged references to a sacerdotal Messiah in the Testaments, except in T. Reub. 6, 5–12, where he continues to recognize a clear allusion to a Messiah descended from

salvation of Israel will come from Levi and Judah.<sup>23</sup> But *salvatio* is not *salvator*. The Greek words σωτηρία, σωτήριον, used by the translator, here, as often in the Septuagint, represent the Hebrew term, *shalom*. It is “happiness” that is here promised to the offspring of Jacob. As Simeon (T. Sim. 7) puts it: Obey Levi and Judah, for from them the “salvation” shall come, because the Lord shall raise up a High Priest from Levi and a king from Judah.

The farrago of additions in the last part of Levi’s Testament contains a hymn, which begins as follows:<sup>24</sup> “And after the punishment of them will have taken place...” This shows that the piece is intrusive, for the preceding lines do not mention any punishment. Perhaps the poem continued the prophecy of seven jubilees and priesthood in c. 17, 1–9 which is a very obscure fragment of some later apocalypse. In any case, the second verse of the hymn continues as follows: After the punishment from the Lord “the priesthood shall cease. Then shall the Lord raise up a new priest”. Whatever the meaning of this passage may be, it states explicitly that the new priest will be different from the ancient, Levitic, order of priesthood.

### III

To date a pseudepigraphon, we may sometimes use the historical predictions it offers. In this way the Neo-Platonist Porphyrius discovered the date of Daniel’s apocalypse. In the Testaments all Jacob’s sons, in a short sentence<sup>25</sup> or in a long revelation,<sup>26</sup> foretell the future, sometimes in explaining their dreams.<sup>27</sup> As a rule, however, their intuition does not penetrate the future beyond the end of Samaria (722 B.C.) and Jerusalem (586 B.C.). The destruction of the Temple is mentioned,<sup>28</sup>

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Levi. But on this passage see above § 2. Further cf. A.J.H. Higgins *New Testament Studies* XIII, 1966–7, p. 229, and A. Hultgård, *Croyances messianiques des Test. XII Patr.* (diss. Upsala, 1971), p. 184 who both agree that in the original redaction of the Testaments God Himself was regarded as the Saviour of His people.

<sup>23</sup> T. Levi 2, 11; T. Jud. 22, 2; T. Sim. 7, 11; T. Dan 5, 10; T. Gad 8, 1; T. Napht. 8, 2; T. Jos. 19, 11.

<sup>24</sup> T. Levi 18, 1: καὶ μετὰ τὸ γενέσθαι τὴν ἐκδίκησιν αὐτῶν παρὰ Κυρίου, ἐκλείψει ἡ ἱερωσύνη, καὶ τότε ἔγερει Κύριος ἱερέα καινόν. Cf. Hultgård (above n. 1), p. 323 who regards the piece as a Jewish addition to the original text of the Testaments.

<sup>25</sup> T. Sim. 5, 4; T. Reub. 6, 5–7; T. Gad 8, 2; T. Ash. 7, 5–7.

<sup>26</sup> T. Levi 14–15; T. Jud. 21, 6–24; T. Iss. 6; T. Zeb. 9; T. Dan 5, 4–13; T. Benj. 9.

<sup>27</sup> T. Napht. 6; T. Jos. 19.

<sup>28</sup> T. Levi 15, 1; T. Jud. 23, 3.

but not its rebuilding under Darius I. The whole history of the chosen people after the fall of Jerusalem in 586 B.C. appears to them as the time of captivity, which will not be ended before the end of this world.

To understand this outlook, we have to remember that these revealers of future things are the twelve ancestors of the twelve tribes of Israel, and that the catastrophes of 722 and 586 B.C. have submerged the greatest part of their progeny. In his dream Naphtali saw the ship of Jacob, broken up by a tempest. Joseph fled away upon a little boat, Levi and Judah remained together, the other brethren were divided on nine planks, "and we were all scattered unto the ends of the earth" (T. Napht. 6). In his dream Joseph saw twelve harts, but first nine stags were dispersed, and then the three others (T. Jos. 19, 1–2). The restoration of the Temple and the return from the Exile concerned a small portion of this flock; even from Judah, Levi and Benjamin only a part came back. Where are the rest of Jacob's sons? As Asher announces to his sons (T. Ash. 7, 4–7): For your disobedience you shall be scattered, as Gad and Dan, and you shall know not your own land, tribe and tongue; so, for the patriarchs, the calamity began with the end of Samaria (722 B.C.) and the Captivity will not end before the Lord in His mercy shall gather together all descendants of all Jacob's sons, for the sake of Abraham, Isaac and Jacob.<sup>29</sup>

Two patriarchs, however, refer to the post-exilic history. In a vision, Naphtali beholds a holy writing that says: "Assyrians, Medes, Persians, Chaldeans, Syrians, shall dominate the twelve tribes of Israel".<sup>30</sup> The enumeration of five empires, instead of four, in this list is anomalous, and the place assigned to the Chaldeans after Persia surprises us. A suggestion of H.L. Ginsberg offers an adequate solution of these difficulties. The original read *kasdie Ashur* (כַּשְׂדֵי אַשּׁוּר). The translator, to whom the formula was unintelligible, misunderstood the status constructus. The original meant: "the Chaldeans of Syria". In the same way, in the Qumran "Scroll of the War of the Children of Light with the Children of Darkness", the "Kittites of Assyria", that is, the Seleucid monarchy, is mentioned. The identification of the fourth, Greek,

<sup>29</sup> On rabbinic views concerning the Ten Tribes cf. L. Ginzberg, *op. cit.*, VI, p. 408.

<sup>30</sup> T. Napht. 5, 8. A reviser misunderstood the word *αἰχμαλωσία* as referring to the Babylonian Captivity and, accordingly, inserted the names of the Elamites (Dan. 8, 2) and of Halach (II Kings 17, 6). (I owe this explanation to the late Isidore Lévi.). The Mss. of the group *a* do not have this interpolation.

kingdom with that of Babylon, is a product of the Maccabean period, when Antiochus IV Epiphanes appeared as a Second Nebuchadnezzar. It is implied in Daniel's revelations and is expressly stated in the Qumran Midrash on Habbakuk, where the "Chaldeans" of the prophet (Hab. 1, 6) are explained as "Kittites" (Greeks).

The list of empires in Naphtali's Testament is a later addition, for it is manifestly at variance with its present context. We are not even told where the script appeared. Besides, T. Napht. 7, 1 refers to two previous dreams of Naphtali while, if the quoted fragment is included, there would be three different visions. In any case, the prophecy could not be written before 200 B.C., when Antiochus III of Syria conquered Jerusalem, nor after "the yoke of the heathen was taken away from Israel" (I Macc. 13, 41) in 141 B.C. The interpolation being made between ca. 170 and 140 B.C., the intruded passage proves that the Testaments were already in circulation before the latter date.

The second historical allusion is given in Simeon's Testament. The particular theme of his discourse being envy, the patriarch concludes that if the people abandon this sin "and all stiffneckedness", God's kingdom will come. Then, he says, the Canaanites, Amalekites, "Cappadocians" (the Septuagint rendering of *Kaphthorim* = Philistines), all "Hettaioi", and the whole people of Ham shall be destroyed".<sup>31</sup> Then shall all the earth rest from trouble, and all the world under heaven from war.

Such lists of hostile nations imitated and updated the enumeration of six (or seven) accursed peoples of pre-Hebrew Canaan that repeatedly recurs in the Torah.<sup>32</sup> For instance, the author of Psalm 83 in his list included Tyre and Assyria. Again Ezra (9, 1), searching for scriptural authority to justify his campaign against mixed marriages, retains five obsolete names from Deuteronomy 7, 1, but adds the Ammonites, the Moabites, and the Egyptians after Deuteronomy 23, 3 and 7. In the War Scroll of the Qumran sect, the host of Belial also includes the "Kittim of Ashur", that is the Seleucid army.

The catalogue is likewise modernized in the Testament of Simeon. "The seed of Canaan" are the Samaritans.<sup>33</sup> Amalek is Edom,<sup>34</sup> and

<sup>31</sup> T. Sim. 6, 3–4. Becker, p. 330, rejects the passage as interpolated. But v. 7, and the antiphonal v. 2, postulate a restoration of the Chosen People before the arising of the Patriarchs. Again, v. 2b–c, refers to Ps. 80, 10, the author of which asks the Lord of Hosts, how long? The revival of dead heroes is a motif borrowed from Is. 26, 19.

<sup>32</sup> Ex. 3, 8 and parallel passages.

<sup>33</sup> Susanna, v. 56.

<sup>34</sup> I Chr. 4, 43; 1.36; Gen. 36, 12.

the “Cappadocians” are the inhabitants of the seacoast of Palestine (cf. Jer. 47, 4). But the term  $\text{Χετταῖοι}$  is more difficult to decipher. Of course, it refers to Hittites. But in the Septuagint  $\text{Χετταῖν}$ ,  $\text{Κιτιᾶοι}$ ,  $\text{Κιτιεῖς}$ ,  $\text{Κιτίοι}$  *vel simile* are the transliterations of the Hebrew name of “Kittim”.<sup>35</sup> The author of the Testaments does not think of the long forgotten people of the Torah list, but, rather, speaks of the “Kittim” of his time, that is of the Greeks.

He also predicts that “the land of Ham shall disappear, and all the people shall perish”. Thus, he thinks of a land and of a people outside the Holy Land. In the next sentence he opposes Ham to Shem. This allusion to the Table of Nations in Genesis 10 shows that he does not have in mind Egypt, which, of course, was a land of Ham. Rather, he thinks of the region that was the share of Ham’s race after the Flood. Re-interpreting Genesis, Jewish authors of the Hellenistic age assigned to the portion of Ham not only Africa but also a large part of Asia south and east of the Promised Land, from Rhinocura, the biblical “River of Egypt” (Gen. 15, 18), to “the land of the Bactrians”.<sup>36</sup> Nimrod, a grandson of Ham, was the ruler of Babylon and Assyria (Gen. 10, 10), and Micah (5, 6) calls Assyria “the land of Nimrod”. By his biblical allusions the author of the Testaments shows that when he spoke of Ham he had in mind the Seleucid empire, the heir of Assyria and of Nimrod.

Now a man before whose eyes the Maccabees conquered these enemies of Israel, could not have set these contemporary events in apocalyptic future. Conquering nations do not indulge in messianic dreams. If Daniel visualizes the end of Epiphanes as a part of the final consummation of Divine judgment, that historical error betrays his date: he wrote before Antiochus’ death, amidst the persecution, for which no termination but that brought through Last Judgment seemed possible. Therefore, the prophecy of Simeon cannot be dated later than the beginning of Maccabean expansion, ca. 125–110 B.C., although an earlier date is not ruled out. The reference to Greeks, on the other hand, excludes a date before 330 B.C. Now we have to look for indices that will allow us to reduce the distance between these two chronological termini.

<sup>35</sup> Of. LXX Gen. 10, 4 (Symmachus); I Chr. 7, 1; Jer. 2, 10; Ez. 27, 6; Dan. (Theod.) 11,30; I Macc. 11, 1; 8, 5.

<sup>36</sup> Epiph., *adv. haer.*, 66, 84; Jos. *Ant.* 1, 130.

## IV

A pseudonymous author sometimes indicates his real date by unconscious reference to the institutions of his own time. The compiler of the apocryphal (First or Third) Book of Esdras, for instance, must have written in the second century B.C., because he has King Darius use the Seleucid term, "Coele-Syria and Phoenicia".<sup>37</sup> A similar anachronism was committed by the author of the Testaments. He tells us that to acquire Joseph from the Ishmaelites, Potiphar's wife was prepared to give up to two minae of gold. Her eunuch disbursed eighty gold pieces (χρυσοί) but, cheating his mistress, counted her a hundred gold coins as the price paid for Joseph.<sup>38</sup> The term χρυσός in our passage represents a Hebrew expression of the same meaning, perhaps "gold" (כֶּהָן) or "darkon" (Daric), or, probably, "shekel of gold".<sup>39</sup> In any case, for the author fifty gold pieces made a mina. Like the Septuagint, and like the Talmud,<sup>40</sup> he ascribes the use of coined money to the patriarchs. But while the Jews had weights and measures of their own, the currency they used was royal.

Thus, referring to a gold coin that was 1/50 of a mina, the author of the Testaments had the currency of his own time in mind. That means that for him the standard gold piece was a didrachma. But, after ca. 300 the Ptolemies practically never struck gold didrachmas.<sup>41</sup> Taking in account the rigid exclusion of foreign currency from circulation in

<sup>37</sup> See *R.B.* 54, 1947, 264.

<sup>38</sup> T. Jos. 16, 4–5: (Potiphar's Wife says): ἐὰν καὶ δύο μνᾶς χρυσοῦ ζητοῦσι παρέχετε, μὴ φείσασθε χρυσοῦ... ἐλθὼν οὖν ὁ εὐνοῦχος καὶ δοὺς αὐτοῖς ὀγδοήκοντα χρυσοὺς ἀντ' ἐμοῦ ἑκάτὸν εἶπεν τῇ Αἰγυπτίᾳ δεδόσθαι. The payment in gold coins was not usual, but the author wanted to underscore the exceptional desirability of Joseph. Cf. T. Jos. 11, 4. Queen Arsinoe promises two minae of gold to each soldier (*III Macc.* 1, 4). In a demotic novel the hero offers ten (units) of gold to a beauty as the price of assignation. E. Bresciani, *Letteratura e poesia nell'antico Egitto*, 1969, p. 622.

<sup>39</sup> For *zahabh*, cf. B. Zuckermann, *Über talmudische Gewichte und Münzen*, 1862, p. 17; for "darics" (besides the Bible), Zuckermann, p. 16. The Septuagint often renders the shekel of gold, mentioned in the Bible (as a unit of weight, of course) by "gold coin" (χρυσοῖς χρυσόν). See, e.g., Gen 24, 22; Nu 7, 26, etc. A thousand gold pieces in II Esd. 17, 70 corresponds to 1000 darics in the original (Neh. 7, 20). The biblical mina of 50 shekels (Ex. 30, 10; 38, 26) reappears in a version of T. Levi *ap.* Charles, *Testaments*, p. 251, and in a Qumran text *ap.* J.M. Allegro, *JSS* 6, 1961, p. 71. But it is a unit of weight. One drachma gold pieces were struck only exceptionally.

<sup>40</sup> Zuckermann, *op. cit.*, p. 10.

<sup>41</sup> W. Giesecke, *Das Ptolemärgeld*, 1930, p. 88. Even the exceptional issue of gold coins of "Attic" weight by Ptolemy III contained no didrachmas. E.T. Newell, *Two Recent Egyptian Hoards*, *Numism. Notes and Monographs* 33, 1927, p. 10.

the Ptolemaic Empire,<sup>42</sup> we conclude that the Testaments could not have been written in Palestine under Ptolemaic domination after 300 B.C. to 200 B.C. On the other hand, the stater (2 dr.) was the common denomination of Seleucid gold currency.<sup>43</sup> That places the composition of the Testaments before 300 or after 200. Further, as the price of their support given to various Seleucid pretenders, the Ptolemies obtained the re-introduction of the Egyptian monetary standard in Palestine (and the whole of Coele-Syria) about 150 B.C.<sup>44</sup> Now, the Ptolemaic drachma of 3,6 gr., being 5/6 of the Seleucid (Attic) drachma of 4,3 gr., one hundred Seleucid staters, or 860 gr. of gold, would largely exceed the weight and the value of two minae (720 gr.) of the Egyptian system. Thus, the equation between one hundred gold staters and two minae would be impossible after the re-introduction of the Ptolemaic standard in Palestine.<sup>45</sup> From these numismatic data we infer that the Testaments could be written (in Palestine) only before 300 or between 200–150 B.C. On the other hand, since the daric was a sixtieth part of the mina,<sup>46</sup> Alexander's conquest of Asia is the upper limit for the composition of the Testaments.<sup>47</sup> Now, considerable evidence of deep and extensive Greek influence on the Testaments,<sup>48</sup> practically rules out

<sup>42</sup> Rostovtzeff, *SEHHW* II, p. 1242.

<sup>43</sup> *IS*, p. 214. Cf. the essential works on Seleucid numismatics: E.T. Newell, *The Coinage of Eastern Seleucid Mints*, 1938; *The Coinage of Western Seleucid Mints*, 1941; G. Le Rider, *Suse sous les Séleucides et les Parthes*, 1965, and for Palestine see the paper of O. Mørkholm in the volume *International Numismatic Convention, Jerusalem*, ed. by A. Kindler, 1967. It is true that the Seleucids rarely struck gold after 200. Cf. O. Mørkholm, *Studies in the Coinage of Antiochus IV of Syria, Hist.-fil. Meddelelser* (of the Danish Academy) 40, 3, 1968, p. 30, but foreign coins of the same "Attic" standard freely circulated in the Seleucid Empire. See H. Seyrig, in *Essays presented to E.S. Robinson*, 1968, p. 188; Id. *Revue Numismatique*, 1969, p. 36; N. Olcay, H. Seyrig, *La trésor de Mektipini en Phrygie*, 1965, p. 30.

<sup>44</sup> *IS*, p. 213.

<sup>45</sup> No Ptolemaic coins circulated in the Seleucid Empire. Rostovtzeff, *SEHHW* III, p. 1416, n. 207, and no Phoenician coin of Ptolemaic standard has been found outside Phoenicia and Palestine. Mørkholm, *Convention* (above n. 39), p. 81. Silver of "Attic" weight continued to be used in Palestine after 150 (Mørkholm *l.c.*), but it was, probably, treated as bullion.

<sup>46</sup> Sixty darics equalled c. 504 gms. Cf. the Tyrian silver mina of 60 shekels and c. 416 gms. C.W. Kray, *Greek Coins and History*, 1969, p. 46.

<sup>47</sup> Our numismatic argument, however, is valid only for Palestine and the Egyptian monetary zone. An author writing in the Seleucid Empire could equate 50 pieces of gold with a mina at any time between 330 and 63. Yet, the absence of any allusion to the Eastern dispersion, even when the author mentions "Abraham, the Chaldean" (T. Napht. 1, 10), and the thematic affinity with such works as Jubilees, virtually exclude the composition of the Testaments outside the Holy Land.

<sup>48</sup> It is sufficient here to mention the Aristotelian conception that the body is made

a date around 300 B.C. On the other hand, since the work contains no allusion to the persecution under Antiochus IV or to Maccabean struggles, it is rather improbable (although not impossible) that it was written between 175–150 B.C. Thus, we would place the composition of the Testaments in the first quarter of the second century B.C.

## V

Our argumentation is, however, still incomplete. For, as it has been stated, the Testament of Joseph combines two independent discourses by the Patriarch. It seems that the address on brotherly love, to which the above discussed passage belongs, is the original one, for the same motif of trickery again appears in Gad's Testament (2, 3). Gad and Simeon, having sold Joseph to the Ishmaelites for thirty pieces of gold, showed twenty coins to the other brothers and pocketed ten for themselves.<sup>49</sup> Should, however, the other discourse of Joseph (on chastity) belong to the original work, that would not affect our dating to any considerable extent.<sup>50</sup> For in speaking of snares used by the Egyptian woman to seduce him, Joseph displays such detailed knowledge of Euripides' *Phaedra* and similar works of Greek literature,<sup>51</sup> that the Hebrew author of the discourse must have had behind him a long period of assimilation. He could hardly have written before the last decades of the third century.

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after the likeness of the spirit (T. Napht. 2, 6) or the argumentation from the order of heavenly bodies (*ib.* 3, 2). In T. Jos. 13, the Egyptian Potiphar punishes the Ishmaelite merchant for stealing a free person (Joseph) out of Canaan and selling him as slave. Is that a reflex of the ordinance of Ptolemy II? (cf. Rostovtzeff, *op. cit.*, p. 342) or of some similar edict?

<sup>49</sup> Charles, *ad loc.*, regards the passage as a Christian interpolation since nowhere is the price for Joseph given as 30 pieces. In the Testament, the "official" price is the same as that given in Gen. 37, 28, namely 20 pieces, but the author imagines that Simeon and Gad pocketed 10 pieces. The authenticity of the passage is confirmed by the reference in T. Zeb. 3, 2. That the payment was in gold is stated (in disagreement with the Hebrew text) in LXX Gen. 37, 28. T. Jos. 16 proves that the Alexandrian translators here followed a traditional interpretation. For if in the Hebrew original of the Testament, the payments were in silver (a "shekel" being a tetradrachma) 100 pieces would have amounted to four (and not two) minae.

<sup>50</sup> Becker, p. 228 has keenly observed that T. Jos. 10, 5 continues T. Jos. 1, 2 and that T. Jos. 1, 3–10, 4 is an interpolation. Thomas, p. 92, however, argues that both discourses are original and complete one another.

<sup>51</sup> M. Braun, *History and Romance in Graeco-Oriental Literature*, 1938, p. 70ff.



## VI

Let us recapitulate the results of our investigation. Historical references in the Testaments show that the work was composed after 330 and before ca. 120 B.C. Numismatic evidence proves that it could have been written only between 330–300 and 200–150 B.C. Since some features of the work seem to rule out a date around 300 B.C. or the period after the persecution of Antiochus Epiphanes, the probable date of the Testaments would be the first quarter of the second century (or, according to § V, perhaps the last decades of the third century). The Testaments were written by a contemporary of Jesus, the son of Sirach, the author of Ecclesiasticus.

*Appendix*  
*The Death-bed Speech*

Though used by Christian copyists,<sup>52</sup> the term “testament” is a misnomer for the admonitions of the sons of Jacob, or of other worthies of old. In fact, the preamble of the Testament of Job, as well as chaps. 45ff. of the same book, clearly distinguish between the division of property by the Patriarch in contemplation of death and the advice he gives to his children on this occasion.<sup>53</sup> The original title of these pious addresses was “Book of the words”, “Copy of the words”, spoken on the death-bed, as the Aramaic “Testament” of Amram proves.

The usage of such injunctions was already biblical. The dying man charges his sons as to the place and manner of his burial, or commands his heir to avenge him, and he can on this most solemn occasion adjure his children to keep the way of the Lord.<sup>54</sup>

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<sup>52</sup> Despite the allegation in G. Kittel’s *TWNT* II, p. 127, the word *diatheke* was not used in Greek for a “spiritual bequest”, except by Christian writers who probably were influenced by the meaning of the term in the Greek Bible. The history and the meaning of Christian works called “Testaments” deserve an investigation. In our context it is sufficient to note that the form of these “Testaments” (of Adam, Solomon, Christ, the Forty Martyrs, and so on) is not that of death-bed speeches, but that of written instruments of last will of ancient worthies.

<sup>53</sup> *Test. Jobi*, ed. S.P. Brock, 1967. These death-bed admonitions should not be confused with the paternal blessing *in articulo mortis*. See e.g. Jub. 36, 1–16: Isaac first directs his sons as to his burial, then exhorts them, then divides his possessions between Jacob and Esau and, lastly, blesses his sons. Cf. Jub. 21, 25; 22, 16; I Macc. 2, 70.

<sup>54</sup> Cf. Gen. 49, 29; 50, 25; I Kings 2, 5–9 etc.

The dying speeches of Mattathias in First Maccabees (2, 70), and of the Patriarchs in their Testaments, in the Book of Jubilees, and in other pseudepigrapha attest to the continuation of the custom in the Hellenistic age.<sup>55</sup> The same is true for the talmudic period. A rabbinic statement warns against giving the unrequested advice "except when a man admonishes on his death-bed".<sup>56</sup> Later, Hebrew "ethical wills", the extant specimens of which cover the period from the middle of the eleventh to the middle of the nineteenth century, served the same purpose. Of course, the Jews were not alone in cultivating the art of paternal advice. Before Laertes sails from Denmark, Polonius gives him his blessing and a "few precepts".

As long as the patriarchal family existed, the father dispensed advice to his progeny on appropriate occasions.<sup>57</sup> This was the fountainhead of sapiential literature, the earliest extant specimen of which was written, or was allegedly written, by Ptahotep, a vizir of a Pharaoh of the Vth dynasty (c. 2450 B.C.). His purpose was to enlighten his son who was appointed to be his successor, upon the father's retirement. Homeric kings, as did the Hebrew patriarchs, "commanded" their sons to practice uprightness.<sup>58</sup> On the Attic scene, Erechtheus, the legendary King of Athens, in his farewell address, charged his son to live in righteousness: "Short is the enjoyment of evil pleasure". In Xenophon, the Persian king Cyrus, on his death-bed, tends sapiential advice to his sons.<sup>59</sup>

Yet, Greek didactic works were rarely addressed by a father to his son.<sup>60</sup> The gnomic book studied by Athenian boys as early as c. 500 B.C. was ascribed to Cheiron,<sup>61</sup> the wise centaur and preceptor of Achilles, and not to the latter's father, Peleus, who, in Homer, commands his son to be the bravest and overtop all. In Athens, where, as Plato says, the

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<sup>55</sup> Cf. e.g. En. 91; Tob. 4, 19; IV Esdr. 14. In the Slavonic Book of Enoch the Patriarch delivers two farewell addresses: one to Methusalem (14) and the other to the people (18-19). Cf. A. Vaillant. *Livre des secrets d'Hénoch*, 1952.

<sup>56</sup> Sifre Deut. 2, p. 10, ed. L. Finkelstein (I owe this reference to S. Lieberman). Cf. I. Abrahams, *JQR* III, 1891, pp. 436-84; Id., *Hebrew Ethical Wills* I, 1926, pp. 3-29.

<sup>57</sup> Cf. Louis B. Wright, *Advice to a Son*, 1962.

<sup>58</sup> Hom. *Il.* VI, 207; 254; XI, 783.

<sup>59</sup> Eurip. *Erechth.* fr. 53 (fr. 360 N.) *ap.* C. Austin, *Nova Fragmenta Euripidea*, 1968. Cf. Soph. *Trach.* 1218; Xen. *Cyrop.* VIII, 7, 6; Menand., *Dysc.* 710.

<sup>60</sup> Cf. the precepts of Amphiaraus to Amphilochus. C. Robert, *Oedipus* I, 1915, p. 219. Hesiod addressed his brother *in loco parentis*. Cf. also Isocr., *ad Demonicum*.

<sup>61</sup> K. Bielowlawek, 'Hypotheke and Gnome', *Suppl. Philol.* 32, 3, 1940, p. 7; C. Robert, *Griechische Heldensage*, 1920, p. 23.

fathers were too busy to educate their sons, the teacher formed the latter. Reporting the last conversations between Socrates and his disciples, the same Plato did not find it worthwhile to state what Socrates had said when taking leave of his family before the execution. In fact, in the age of Socrates, the father even on his death-bed, no longer charged his son, but "counselled" him, repeating "heirlooms" of wisdom that were "noble and useful for young men".<sup>62</sup>

Later, the ethical works of philosophers made the farewell advice obsolete as a literary genre. The fashion now was for the "last word", a punch-line, spoken in the instant of dying:<sup>63</sup> "*Et tu Brute?* Then fall Caesar", as Shakespeare so well renders the meaning of Caesar's last words. Among the Jews, however, the Sage gave a last lesson to his disciples as well as the last admonition to his sons, before his demise. For instance, the rabbinic tradition has preserved fragments of both of Akiba's farewell addresses.<sup>64</sup>

Let us now return to the literary form of the ethical wills. All the advice is given on the authority of the speaker. The latter can strengthen his opinion by appealing to experience. Moses and Joshua remind Israel of the miracle of the Exodus. Mattathias quotes the example of the heroes of Israel, from Abraham to Daniel.<sup>65</sup> Example may be furnished from the personal experience of the speaker. The successful Joshua in his dying address tells the people to cleave to God or perish. The wretched Oedipus learned the same lesson from his life: shun impiety which is always punished by gods.<sup>66</sup>

Last but not least, the dying man may publicly confess his hidden transgressions in order to warn his audience. In Herodotus, the Persian King Cambyses reveals that he put his brother Smerdis to death on false suspicion of disloyalty. Then, Cambyses alludes to the rebellion of Pseudo-Smerdis, and calls for the union to preserve the Persian

<sup>62</sup> Plato, *Laches*, 179c; *Phaedo* 116b and 60a; Eurip., *Erechtheus* fr. 57. Cf. H. Marrou, *Histoire de l'éducation dans l'antiquité*, 1948, p. 61.

<sup>63</sup> Willibaldus Schmidt, *De ultimis verbis*, Diss. Marburg, 1914.

<sup>64</sup> *Pesach*. 112a-b.

<sup>65</sup> Deut. 1-4; 5, 1-5; Josh. 23; I Macc. 2, 49f.

<sup>66</sup> Josh. 23; Soph. *Oed. Col.* 1535. Cf., e.g., Ps. 37, 25 (Sir. 2, 25); Ps. 78; Tob. 14; Jub. 21. An Egyptian priest begins his "Teaching" in his funerary inscription as follows: "I cause you to know all that happened to me since my birth". A.H. Gardiner, *Zeitschr. für äg. Sprache* XLVII, 1910, p. 92. Late Egyptian funerary inscriptions often present the deceased as a model and tell the reader to learn from his life. E. Otto, *Die biographischen Inschriften der ägyptischen Spätzeit*, 1954, p. 65.

Empire. He offers his blessing, if his appeal is heard, and his curse if it is disregarded.<sup>67</sup>

The death-bed confessions of the Twelve Patriarchs exhibit the same scheme: Hidden Sin-Manifest Retribution-Warning to beware. But taking a cue from the words of Jacob (Gen. 49, 28), who, when he blessed his sons predicted the future of each of the Twelve Tribes, his twelve sons, in turn, over the heads of their immediate relatives assembled around the death-bed, address a message to the far off generations to come.

As we have mentioned each patriarch foretells the future transgressions of his own tribe, but, for the reasons we have already stated, they do not mention historical events that occur after the Exile and Return. They do not write history, but offer a paradigm, by adapting the scheme of sin-punishment-salvation to the destiny of the Chosen People: Sin-Exile-Return.<sup>68</sup>

Modern scholars somewhat puzzled by this use of history, speak of a later (Jewish) interpolator, and, accordingly, look for (and naturally find) clues to the identification of the author and his time in this apocalyptic vision. The Ancients, however, knew that man is a sinful creature. Salvation therefore can come only after the end of the old Adam. When an Egyptian Sage composed his "Look to the Future", he first saw the utter destruction, and the Consummation only afterwards.<sup>69</sup> The Hebrew Prophets visualized the Day of the Lord, and the Christians the *dies irae* as prerequisites of the gracious deliverance by the Almighty, Who is both merciful and just. Likewise, in Zoroastrian theology, the destruction of Iran and the disappearance of the true religion will precede the Renewal. The same triadic order of happenings: corruption – utter ruin – a new beginning was also known and understandable to the Greeks.<sup>70</sup>

Where modern scholars discover criticism of transitory events, ancient readers found solace and hope. If even the Patriarchs were tempted and failed, and yet were saved, no sinner need despair: the tribulations of the present, caused by man's frailty, prepare the glorious future of God's

<sup>67</sup> Herod. III, 65.

<sup>68</sup> M. de Jonge, *The Testaments of the Twelve Patriarchs*, 1953, p. 83; Becker, p. 172.

<sup>69</sup> Cf. H. Brunner, *Grundzüge einer Geschichte der altägyptischen Literatur*, 1966, p. 40.

<sup>70</sup> I. Trenczeny-Waldapfel, *Untersuchungen zur Religionsgeschichte*, 1962, p. 232. For an Iranian view see M. Molé, *La légende de Zoroastre selon les textes pehlevi*, 1967, p. 77.

Kingdom by His grace. Ancient readers handed down the Testaments of pious men of old as lessons to return to the compassionate Lord. To meditate on the Testaments, to copy them, or just listen to their reading, brought forgiveness of sin.<sup>71</sup> These ancient readers, perhaps, understood the reading of the testamentary books better than the learned doctors of today.

### *Postscript*

The present paper was first published in 1950. Thus, it needs reconsideration in the light of the Qumran texts.

1. Fragments of three Aramaic scrolls dealing with the life of the Patriarch Levi have been found at Qumran. The shreds of one MS. are almost useless.<sup>72</sup> The scroll 4 Q 214 is unpublished as yet, but is said to parallel T. Levi.<sup>73</sup> But a fragment of the MS. 4 Q 213 has been published, and three other pieces of the same scroll have been described by the future editor.<sup>74</sup> The published fragment corresponds to the Greek prayer of Levi which is inserted in T. Levi after the verse 2, 3, in the manuscript *e*. Further, the described fragments of MS. 4 Q 213 correspond to vv. 4–9, 25–30, and 82–95 of an Aramaic MS. from the Cairo Geniza. Vv. 33–65 of the Geniza text are lost, but a Greek interpolation after T. Levi 18, 2 in the just mentioned Greek MS. *e* corresponds to vv. 11–65 of the Geniza MS. Let us now use the following signs: G = the Geniza MS.; TL = T. Levi in Greek, Q = the scroll 4 Q 213, and TP = The Testaments of the Twelve Patriarchs. We can now give a schema of interrelation between the extant texts of Levi's story.

Q = interpolation after TL. 2, 3

Q = G vv. 4–9; 25–30; 82–95 = TL chs. 8–9; 11–13

G vv. 33–36 = interpolation after TL. 18, 2

2. G and Q show that the Aramaic Levi story was not a tendentious rewriting of Genesis, like the Book of Jubilees, nor a novel in the style of the Book of Genesis, like the Genesis Apocryphon. The authors

<sup>71</sup> G.H. Box, *The Testament of Abraham*, 1927, pp. 71, 79, 87.

<sup>72</sup> *DJD* 1, No. 21. Cf. Becker, p. 70.

<sup>73</sup> J.T. Milik, *RB* 73, 1966, p. 95.

<sup>74</sup> Appendix III in Charles' edition and in his translation of the Testaments. On Aramaic fragments see J.T. Milik, *RB* 63, 1955, pp. 398–405 and *RB* 73, 1966, p. 95, n. 2.

of these para-biblical works, imitating Scripture, give accounts in the third person, as if they were reported by eye-witnesses.<sup>75</sup> But in Q and G, Levi narrates his life in the first person, and his story leads to the last year of his life (G. v. 81; TL 12, 6). Such first-person narratives were composed in contemplation of death, for the simple reason that nobody can evaluate his life before approaching his end. Accordingly, the earliest extant autobiographic narrative, that of Sinuhe, has the form of the Egyptian funerary inscription. The story of Levi in Q is his dying speech to his children, who are addressed directly in G, 83. Hence, the Aramaic story of Levi was a “Testament” of the same genre as TL.<sup>76</sup>

3. TL translates some Aramaic (Hebrew) MS. of the same group as Q. This statement is proved by the simple fact that G parallels TL verse for verse from 8, 16 (= G, 4) to 9, 12, and 11, 1 to 13, 9 (G. 89).

4. Of course, parallelism does not mean identity. Matthew and Luke follow Mark, as the order of pericopes in the synoptic gospels shows, yet, Luke and Matthew add, omit, and rephrase their common source, each according to his needs; they also sometimes disturb the sequence in Mark. The same is true with reference to G (Q) and TL.

5. For instance, according to the traditional view (Jub. 32, 3–8; G., 9), Levi was installed as a priest by Jacob. Yet he was instructed in the duties of priesthood by Isaac (G., 13ff.). To eliminate this incongruity, TL, 8, 4 leaves out the ceremony of installation by Jacob. The omission of Levi’s prayer at Abelmain, attested in Q, and the shortening of the description of sacrificial ritual in TL 9, 11–14 (cf. G, 14–17) however, are due to a (Christian) reviser, who, probably, became bored with the ritual minutiae and with a run-of-the-mill prayer. As a matter of fact, both missing portions were translated into Greek, and a Byzantine copyist inserted the lacking passages in his MS. of TP. In a similar way, all but two extant Latin MSS. of Second Esdras derive from the archetype, where after 7.35 c. 70 verses were lost or cut out.

6. The disagreements between Q (G) and TL are not surprising. A popular and edifying tale was exposed to revision by successive copyists. Such alterations abound in passional books.<sup>77</sup> The various versions of the Ahikar story, two redactions of the Testament of Abraham, several diverging recensions of the Apocryphon of John, as well as the so-called

<sup>75</sup> Cf. my paper *Faux littéraires*, below.

<sup>76</sup> P. Grelot, *RB* LXIII, 1956, p. 393.

<sup>77</sup> H. Delahaye, *Les passions des martyrs*, 1921, p. 366.

“Damascus” document can illustrate the alterations which traditional books undergo in the course of time.<sup>78</sup> Two additional examples are offered by the manuscript tradition of TP. The above-mentioned prayer of Levi is enlarged in its Greek version. In TL 2, 77ff. the change from the vision of the three heavens, to that of seven heavens occurred within the Greek manuscript tradition.<sup>79</sup>

7. Of course, the Levi Midrash is very old, as the Book of Jubilees shows. But TL is derived from the branch of tradition represented by Q (G). This is proved by the existence of rudimentary motifs. When an ancient author, for his own reasons, deviated from his predecessor, he often tried to reconcile both versions by keeping a trace of the rejected one in his own tale.<sup>80</sup> The author of TL does likewise.<sup>81</sup> As we have mentioned, he omits the appointment of Levi as the priest by his father. But in 9, 3–4 he preserves two vestiges of this tradition: Jacob sees in dream that Levi shall be priest, and (as in G) Jacob tithes unto God through Levi.<sup>82</sup> Again, shortening his original = Q, TL, 2, 3 places Levi’s vision at Abelmain (Abelmaul), that is Tel Abil, north of the Lake of Hulah, while in Q Levi leaves Abelmain, probably for the sources of the Jordan. Yet, TL in this context twice (2, 5; 6, 1) refers to the Mount Hermon from which the Jordan flows.<sup>83</sup>

8. We can even prove that TL translates a Semitic text which belonged to the same manuscript tradition as Q (G). In chs. 11–12 the Patriarch sketches his life addressing his audience: “And see, my children, you are a third generation” (12, 6). Then, he starts to “command” his progeny: fear God (13, 1). But before giving his charge, he unexpectedly goes back to his past: “In my 118th year Joseph died”. (12, 7). Why this mention of Joseph? Q (= G., 81ff.) gives the answer. Here, Levi, reaching the 127th and last year of his life, also begins to exhort his children. But on this point, Q [G] from some other source introduces the mention of Joseph’s death in the 118th year of the life of Levi, and quotes the eulogy of Joseph delivered by Levi to his

<sup>78</sup> M.R. James, *The Testament of Abraham*, 1892, p. 35; Martin Krause, P. Labib, *Die drei Versionen des Apocryphon des Johannes*, 1962, p. 37; J.T. Milik, *RB LXXIII*, 1966, p. 105; M. Baillet, *RB LXII*, 1955, p. 623.

<sup>79</sup> Charles on *TL*, 2, 7.

<sup>80</sup> Th. Zielinski, *Iresione*, 1931, p. 425.

<sup>81</sup> P. Grelot *ib.*, p. 398, but his over-interpretation of the passage has been demolished by Becker, p. 78.

<sup>82</sup> Grelot, *ib.* p. 405. Cf. En. 32:4–9.

<sup>83</sup> Cf. J.T. Milik, *RB LXII*, 1955, p. 402.

children on this occasion.<sup>84</sup> TL (or the Semitic original of it) somewhat disentangles the two conflated speeches, and subtly changes the theme from the praise of a shrewd and successful man (cf. Sir. 39, 9–11) to that of the lover of the Torah.

9. Q is dated to *c.* 100 B.C. by its editor. This, of course, is only an informed guess, since no Qumran MS. bears a date, and, thus, the chronology of Qumran MSS. is conjectural. But we may with some confidence assume that Q was written before the beginning of the Christian era. Now, Q, as we have just seen, already offers a contaminated text. Therefore, the original of TL must have been written not later than the first century B.C.

10. Levi's Testament, as well as the Testaments of Judah and Joseph, could exist as separate works, as edifying examples of the saintly life and instructions to godliness. But it is hard to believe that, say, the Testament of Naphtali or of Asher, could circulate separately, since their presumed authors are just ciphers in the biblical narrative. Neither TP nor the Book of Jubilees has anything to say about these obscure ancestors. TP had to invent Gad's hatred of Joseph in order to be able to say something about the ninth son of Jacob. As a matter of fact, the Patriarchs, except Issachar and Asher, speak so often of Joseph for the simple reason that the Bible tells so much about him. Joseph's life could serve for cross-references (T. Reub. 1, 1; T. Sim. 1, 1; T. Jud. 12, 11; 25, 1; T. Zeb. 1, 1). He could be represented as a model of chastity (T. Reub. 4, 8) and of forgiveness (T. Sim. 4, 4; T. Zeb. 8, 4), and his adventures offered traits to enliven the dull stories of his brothers (T. Sim. 2, 6–14; 8, 3; T. Zeb. 1, 5; T. Dan 1, 4–8; T. Naph. 1, 8; 5, 6; 6, 6; 7, 2–4; T. Gad 1, 2–5; 6, 2; T. Ben. *passim*). The lesser Testaments receive their meanings only as components of the TP. Therefore, the discovery of a Hebrew fragment of the Testament of Naphtali (1, 6–12) at Qumran<sup>85</sup> offers indisputable proof that the Hebrew book of TP circulated in Palestine before 70.

11. Recently published finds from Qumran confirm our inference.<sup>86</sup> First, the Aramaic "Testament" of Amram of which no less than five (fragmentary) copies have been discovered. Its heading is as follows: "Copy of the writing of vision of Amram, son of Kohat, son of Levi,

<sup>84</sup> G likewise offers two sets of priestly instructions. Cf. Becker, p. 87.

<sup>85</sup> J.T. Milik, *RB* LXIII, 1956, p. 407, n. 1.

<sup>86</sup> J.T. Milik, *RB* LXXIX, 1972, pp. 77–97.



all that what he told to his sons, what he commanded them on the day of his death, in the year 136th of his life (which was the year of his death), that is the year 152 of the exile of Israel in Egypt". As we have already noted this is essentially the heading of each of the TP. Further, the Testament of Amram re-works the themes also used in TP: a dream vision, the war between the Egyptians and the Canaanites, etc.

Last but not least: a shred of the "Testament" of Kohat, the father of Amram, has also been found at Qumram. Now it is obvious that compilers turned to writing the death-bed discourses of such obscure biblical personages as Kohat and Amram only after the success of TP, and following this model. As one of the MSS. of "the Testament" of Amram is assigned to the second century by its future editor, this date, tentative as it is, confirms our hypothesis that TP's Hebrew original was written in the Hellenistic Age.

## A QUESTION OF AUTHENTICITY: THE JEWISH PRIVILEGES

In the two first Books of the Maccabees and the *Antiquities* of Flavius Josephus, we find the texts of roughly sixty public documents, Greek and Roman, concerning the Jews. The historical importance of this series, which begins in the reign of Antiochus III (223–187 B.C.E.) and concludes with a rescript issued by the Emperor Claudius in 45 C.E., is obvious.<sup>1</sup> However, the authenticity of these documents, or at least of a large number of them, has often been called into question.<sup>2</sup> My dear teacher and friend, to whom this volume is dedicated, is one of those who refuse to admit the authenticity of the privileges granted to the Jews by the Seleucid sovereigns. I know of no better means of expressing my gratitude to Mr Isidore Lévy than to attempt to convince him that this time, his negative opinion is unjustified.

### I

It was not the historians who first questioned the authenticity of the Jewish privileges. The great scholars of the sixteenth and seventeenth centuries – a Drusius, a Grotius, a Gronovius – accepted them without any hesitation. It was the Protestant theologians who shook the credibility of the “apocryphal” Books of the Maccabees. This was a good chance to annoy the “papists,” by discovering historical errors in these so-called “infallible” books. The dossier of the controversy can be inspected in the celebrated work by Cardinal Bellarmine (1542–1621), *Disputationes de controversiis christianae fidei*, and in the Protestant replies; the only one of these I have consulted is the voluminous treatise by

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<sup>1</sup> For a chronological list of the Roman documents, cf. J. Juster, *Les Juifs dans l'empire romain* I, 1914, pp. 158–159. For the documents in 1 and 2 Maccabees, cf. Abel, pp. xxvii and xlii; J. Goldstein, *I Maccabees*, 1976; C. Habicht, 2. *Makkabäerbuch* (Jüdische Schriften aus hellenistisch-römischer Zeit I, 3), 1976, pp. 179–183.

<sup>2</sup> Cf. e.g. H. Willrich, *Urkundenfälschungen in der hellenistisch-jüdischen Literatur*, 1924; R.H. Pfeiffer, *History of New Testament Times*, 1949, pp. 489–491. Cf. also the bibliographies by R. Marcus in his edition of Josephus, *Ant. Jud.* VII (Loeb Classical Library, 1942), and in *PAAJR* 16 (1947); L. Feldman, *Scholarship on Philo and Josephus, 1937–1962*, 1963; H. Schreckenburg, *Bibliographie zu Flavius Josephus*, 1968.

John Rainolds (1549–1607), *Censura librorum apocryphorum*. This Oxford theologian seems to have been the first to deny the authenticity of a document concerning the Jews. When he attacked the letter of the king of Sparta to the high priest Onias I (1 Mac 12) as a forgery, he compared it to the apocryphal letter of King Abgar of Edessa to Jesus.<sup>3</sup>

The controversy broke out anew in the eighteenth century. Making good use of the treasures of erudition which had piled up since the time of Bellarmine, and relying primarily on the testimony of the Seleucid coinage, the Jesuit Erasmus Froehlich, in his *Annales compendiarum regum et rerum Syriae* (1734), attempted to demonstrate the perfect agreement between the inspired Books of Maccabees and the secular evidence from the past. The Protestant reply came quickly: in his *Commentatio historico-critica de fide librorum Maccabaicorum* (1747), Gottlieb Wernsdorf did not hide the confessional reason which had prompted his work: *multum interest ut ne libri illi canonici putentur*. This book has remained the arsenal from which even today weapons are supplied to the critics of the Books of Maccabees. Wernsdorf examines the official documents which are reproduced in these books and remarks, not without malice: *doleo apocryphorum tot ineptis epistulis fuisse deceptum; doleo non saniore iudicio fuisse praeditum ad eas repudiandas*.<sup>4</sup>

Wernsdorf believes that he can show the existence of crude mistakes in these “inept letters.” But the main reason for his critical suspicion lies elsewhere. As he writes, the literary tricks of the Jews are familiar to everyone – just think of the apocryphal literature! Accordingly, we cannot trust in any way these public documents which are presented

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<sup>3</sup> Cf. e.g. the notes by Drusius and Grotius in *Critici Sacri* (I quote the folio edition of 1660). These scholars hold that the Roman document at 1 Mac. 8:23 displays some strange forms because the Jewish author has adapted it to the usage of his Hebrew readers. On the polemic about the authority of the Books of Maccabees, cf. R. Bellarminus, *Disputationes* I, ch. 15 (I quote the edition of 1581), J. Rainaldus, *Censura*, pp. 1226, 1303, 1328 (I quote the edition of 1611); H. Hoody, *De bibliorum textibus originalibus*, 1705, Pars I, ch. 9, §4. There is a striking contrast between the boldness of the Protestant polemicists such as Rainolds and the timidity of the Protestant commentators (cf. e.g. the commentary by Claude Baduel, published in 1557). The classical scholars were not yet sure about how to employ the critical methodology. Albericus Gentilis (1551–1611) warned his coreligionists that the attack on the historical veracity of the “apocrypha” could become a threat to the authority of the Bible itself (*Critici Sacri* V, col. 8089). In this context, we should note that even the celebrated modern debate on the influence of Calvinism on economic history began as a confessional controversy: cf. A.-E. Saxoux, *Annal. d’hist. écon. et soc.*, 1935, p. 225. Like so many of our popular ideas, it too goes back to the “siècle des lumières.” Cf. e.g. F. Venturi, *Settecento riformatore* II, 1976, p. 267.

<sup>4</sup> G. Wernsdorf, *Commentatio*, 1747, pp. 178–179.

by Jewish authors. This reasoning remains the basis of all the modern arguments against the Jewish privileges.

In the meantime, another current of opinion has undermined confidence in the veracity of Flavius Josephus, whom less anxious generations took to be a witness to the Christian truth. This time, Protestants and Catholics, including even the great Baronius (1538–1607), joined in chorus to condemn this Jewish writer who had said nothing about the most spectacular facts of the Gospel history, e.g. the massacre of the Holy Innocents. Once again, the theologians disagreed with the scholars of antiquity, e.g. Casaubon (1559–1614) or Scaliger (1540–1609), who lavished praise on the Jewish historian. But the theologians had the best reasons in the world to attack Josephus. For soon, the free thinkers joined in the fray: does not Josephus give an account of sacred history which diverges from that of Moses? Well then, argued Bayle (1647–1706), this means that Josephus did not believe in the inspiration of scripture. “And today, we take this for genuine history.”<sup>5</sup>

## II

Similarly, the Roman privileges reproduced by Josephus did not go unchallenged. One eighteenth-century scholar found everything in these texts disturbing: Jews who possess Roman citizenship, Romans who send ambassadors to a people who were of no real importance at that period, emperors who grant favors to the sons of Jacob. All this smacks of Jewish fabrication. And this critical spirit is based on a theological condemnation: “The spirit of error can be sensed in virtually everything that the Jews have written since the death of Christ.”

This viewpoint continued to dominate scholarship until the mid-nineteenth century. In a dissertation on the veracity of Josephus, defended

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<sup>5</sup> On the authority of Josephus, cf. the studies by T. Ittig and P. Brinck, reprinted in the edition of Havercamp, II, 1726. D. Calmet, in his note on 3 Kg 5, accuses Josephus of having fabricated the correspondence of Solomon quoted at Josephus, *Ant.* 8.55. For the opinion of the free thinkers, cf. Bayle, *Dictionnaire philosophique*, s.v. *Abimelech*, and Voltaire, *Dieu et les hommes*, ch. 14. Note that J. Gronovius, *Decreta Romana et Asiatica pro Judaeis*, 1712, does not doubt the authenticity of these texts. Krebs, *Decreta Romanorum*, 1768, p. 15, thinks that Josephus had adapted the original documents. In the same way, when Krebs explains the Athenian document in Josephus, *Ant.* 14.8,5, he does not doubt the authenticity of the decree. See Io. Tob. Krebs, *Decretum Atheniensium in honorem Hyrcani*, Leipzig 1751.

at the Sorbonne in 1841, we read of a “falsification with an audacity which seems quite extraordinary.” In 1844, a history of Augustus denies that the Romans could have displayed such solicitude “towards a shameful and despised people.” Twenty years later, the same author reverses his own judgment and writes that there cannot be the slightest doubt about the authenticity of the Roman documents in Josephus.<sup>6</sup> This time, he gives a very good explanation of the psychological reason which had long prevented him from recognizing the veracity of these texts: “It was thought that such an underrated people could not have obtained from the Romans all the attention of which it boasts.” We see here very vividly how the evolution of society influences even the most austere scholarly researches. Despite the edict of emancipation (1791), a large sector of French public opinion continued to look on the Jews as a race of beggars who reproduced like rabbits (to quote the expression of a well-intentioned pamphleteer of the eighteenth century).<sup>7</sup> In the meantime, however, the Rothschilds and Foulds had risen to the heights of the social ladder. In 1847, A. Toussenel, of the school of Fourier, published his brilliant pamphlet: *Les Juifs, rois de l'époque. Histoire de la féodalité financière*. And scholars understood that it was indeed possible that the government of the Caesars had granted privileges to the Jews.

On the other hand, we should not forget that a better knowledge of Roman antiquity allows us to rebut objections based on the phraseology of the disputed documents. In his epoch-making study of Roman archives (1858), T. Mommsen quotes the Jewish privileges alongside documents preserved on stone. Since then, as far as I know, no one has contested *en bloc* the authenticity of the Roman documents cited by Josephus and the Books of Maccabees. Nevertheless, paradoxically enough, scholars continue to deny the authenticity of the Seleucid privileges which the same witnesses attest.<sup>8</sup>

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<sup>6</sup> Gillet, *Nouvelle traduction de l'historien Josèphe*, II, 1757, p. 104; III, p. 594; Philippe Chasles, *De l'autorité historique de Flavius Josèphe*, dissertation, Paris 1841, p. 41 (this author cannot accept the authenticity of the edicts by the Emperor Claudius which Josephus quotes in *Ant.* 20, because these texts favor the Jews “who were so despised at that period”); A.E. Egger, *Examen critique des historiens anciens d'Auguste*, 1844, pp. 193 and 196; A.E. Egger, *Études sur les traités publics*, 1866, p. 163.

<sup>7</sup> Cf. de Bielfeld, *Institutions Politiques*, 1762, Index *s.v.* *Juifs*. In conformity to the spirit of the age of Voltaire, the author, Baron J.F. de Bielfeld (1717–1770), combats the persecution of the Jews; but he too is opposed to their immigration.

<sup>8</sup> T. Mommsen, *Annali dell'istituto di corrisp. archeol.* 30 (1858), pp. 181–212 (reprinted

## III

One might well say that the modern critics are merely following in the footsteps of the Greek enemies of the Jews. When he inserts a collection of Roman public documents in favor of the Jews in Book 14 of his *Antiquities*, Josephus affirms that their incontestable authenticity guarantees (by analogy) the veracity of the Persian and Macedonian privileges; but he says that many people maliciously refuse to believe in these documents. In another passage, Josephus speaks of the steles on which were inscribed the charters granted to the Jews of Antioch and Alexandria, and he appeals to letters of Alexander the Great and of the Ptolemies in favor of the Jews.<sup>9</sup> In a trial before a Roman magistrate, evidence adduced from an official document could be very important. When he re-established the rights of the Jews in Alexandria, which had lost their guarantees under Caligula, the Emperor Claudius referred to documents issued by the Ptolemies, to which the Jews had appealed. Thus, if they contested the rights of the diaspora Jews, the Greek cities were challenging the constitutions of the Achemenid rulers or of the successors to Alexander who had conquered them in war. These decrees enjoyed authority in the diaspora because in Asia Minor, in Syria, and in Egypt, the Romans were the heirs of the Seleucids, the Attalids, and the Ptolemies. But at Jerusalem, the Jews were on their own. The successors of the Jewish princes were the procurators of the Caesars. Here, the *praeiudicium* was a decision of the Maccabees or of the dynasty of Herod. In protecting the ritual purity of the Temple in Jerusalem, the Roman administration accepted the statute laid down by its Jewish predecessors; it did not observe the regulations of Antiochus

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in his *Gesammelte Schriften* III). Today, scholars discuss only the authenticity of one or other document, e.g. the text of the treaty made between the Jews and the Romans (1 Mac. 8:17). Cf. Abel, *ad loc.*, and Goldstein, *ad loc.*

<sup>9</sup> Josephus, *Ant.* 14.186: ἔδοξε δ' ἀναγκαῖον εἶναί μοι πάσας ἐκθέσθαι τὰς γεγενημένας Ῥωμαίοις καὶ τοῖς αὐτοκράτορσιν αὐτῶν τιμὰς καὶ συμμαχίας πρὸς τὸ ἔθνος ἡμῶν ἵνα μὴ λανθάνῃ τοὺς ἄλλους ἅπαντας, ὅτι καὶ οἱ τῆς Ἀσίας καὶ οἱ τῆς Εὐρώπης βασιλεῖς διὰ σπουδῆς ἔσχον ἡμᾶς τὴν τε ἀνδρείαν ἡμῶν καὶ τὴν πίστιν ἀγαπήσαντες. (187) Ἐπεὶ δὲ πολλοὶ διὰ τὴν πρὸς ἡμᾶς δυσμένειαν ἀπιστοῦσι τοῖς ὑπὸ Περσῶν καὶ Μακεδόνων ἀναγεγραμμένοις περὶ ἡμῶν, τῷ μηκέτ' αὐτὰ πανταχοῦ μὴδ' ἐν τοῖς δημοσίοις ἀποκεῖσθαι τόποις, ἀλλὰ παρ' ἡμῖν τε αὐτοῖς καὶ τισὶν ἄλλοις τῶν βαρβάρων, πρὸς δὲ τὰ ὑπὸ Ῥωμαίων δόγματα οὐκ ἔστιν ἀντειπεῖν. Cf. *Ant.* 12.119 and 125. On the ancient privileges of the Jews of Alexandria and Antioch, cf. Josephus, *Ant.* 16.174; *Bell. Jud.* 7.110; *C. Ap.* 2.37.

III. Privileges are fabricated in order to obtain an illegitimate benefit. What would be the point of drawing up forged Seleucid documents for Jerusalem which were not convincing and had no practical effects? Who would benefit?<sup>10</sup>

#### IV

When we examine the public documents which refer to the Jews, the first step must be to separate the documents referring to Jerusalem and the privileges of the diaspora. Josephus does not reproduce any documents from the latter category which, as we have seen, were challenged by the Greeks. Taken as a whole, he mentions only two hellenistic documents in favor of the diaspora. No text from this category appears in 1 and 2 Maccabees. The two privileges which are suspect *a priori* are the letter of Antiochus III to Zeuxis about the Jews of Lydia and Phrygia, and the correspondence about the temple of Onias in Egypt.

One might legitimately ask whether the letter in which King Antiochus III establishes Jewish colonies in Lydia and Phrygia is not a specimen of the royal documents which the Greeks refused to accept; but it seems that this idea must be abandoned. An invented document ascribed to King Dagobert might make an impression on the chancellery of the Capetians and ensure the immunity of its author, but forged charters are virtually unknown in classical antiquity.<sup>11</sup> This was because

<sup>10</sup> The edict of Claudius (Josephus, *Ant.* 19.281): Ἰουδαίους... ἴσης πολιτείας παρὰ τῶν βασιλέων τετευχότας καθὼς φανερόν ἐγένετο ἐκ τῶν γραμμάτων τῶν παρ' αὐτοῖς καὶ τῶν διαταγμάτων. Cf. Josephus, *Ant.* 16.48 and 60; *Bell. Jud.* 7.110–111. On the way in which legal questions were put to the proof, cf. e.g. M.N. Tod, *Greek International Arbitration*, 1913, pp. 132ff.; M. Lemosse, *Cognitio*, 1944, *passim*. On the protection of the Temple, cf. my essay "A Seleucid Proclamation" below. On the attitude of the Romans to rights which already existed, cf. *REG* 50 (1937), pp. 225–226. Cf. Asconius, *In Cic. div. in Caecil.* 12 (= *Ciceronis orationum scholiastae*, ed. T. Stangl, II, 1912, p. 190): *Praejudicium dicitur res quae cum statuta fuerit, affert iudicaturis exemplum quod sequantur*. Cf. H. Sieber, "Praejudicium als Beweismittel," in: *Festschrift L. Wenger* I, 1944, pp. 46–82.

<sup>11</sup> The letter of Antiochus: Josephus, *Ant.* 12.148. Cf. A. Schalit, *ḤQR* new ser. 50 (1960), pp. 289–318, reprinted in Idem, ed. *zur Josephus-Forschung*, 1973, pp. 337–366; L. Robert, *Nouvelles Inscriptions de Sardes*, 1963, p. 12. In the course of their interminable territorial disputes, the Greek cities often refer to mythical heroes, but they never produce apocryphal documents. The privileges of Cyrus and Darius to which Hierocaesarea and Miletus appealed in 22 B.C.E. (Tacitus, *Ann.* 3.62–63) may perfectly well be genuine. The forgeries produced by the Egyptian clergy in the Greek period had no practical effects. Cf. the stele of the god Chons in G. Lefebvre, *Romans et contes égyptiens*, 1949, pp. 221–232; on the stele known as "the stele of famine," alleging a privilege by Pharaoh Jeser, cf. P. Barguet, *La Stèle de la famine à Séhel*, 1953, p. 33. Mr Isidore Lévý,

the Greek and Roman chancelleries demanded proof of uninterrupted possession. Valerian and Gallianus confirmed the temple of Baetokeke *regum antiqua beneficia consuetudine etiam insecuri temporis adprobata*. When he confirms the privileges of the “Dionysiac” corporation of the artists, Claudius refers to official acts by the Caesars and the senate, but he says nothing of earlier concessions by the Macedonian kings. The rights which those kings had bestowed constituted only precedents, and were taken into consideration only in a secondary sense. This is why the inscriptions perpetuating the rights of a community or a temple reproduce the most ancient documents in a dossier which finally obtains a decision in favor of the one who holds possession today.<sup>12</sup>

The letter of Antiochus to Zeuxis is an isolated text; this means that it shows that the Jews enjoyed specific rights in Phrygia and Lydia only under the Attalids, the direct successors of Antiochus III in Asia Minor. In other words, if this letter is a forgery, it must have been written before the end of the Attalid period, i.e. before 133 B.C.E. But once again – even in the case of a forgery – it would have been attached to a public document issued by the kings of Pergamum.

## V

At the same time, we should not forget that forged charters were only one genre of fraudulent texts. It suffices here to recall the innumerable

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in *Bull. Inst. Français du Caire* 30 (1931), p. 539, considers the stele known as that of the Satrap to be a forgery, but Egyptologists do not appear to agree with this view. Cf. E. Drioton and J. Vandier, *L'Égypte*, 3rd edn. 1952, p. 621. On fraudulent documents in the East in the classical period, cf. J. Gelb, “The Date of the Cruciform Monument,” *Journal of Near Eastern Studies* 8 (1949), pp. 346–348, and G.R. Driver and J.C. Miles, *The Babylonian Laws*, 1952, p. 78. But the Iliaans surreptitiously obtained the favor of the Emperor Claudius when they produced an apocryphal letter of the senate and the Roman people to King “Seleucus” (Suetonius, *Claudius* 25). Cf. M. Holleaux, *Rome, la Grèce, et les monarchies hellénistiques*, 1923, pp. 46–60. In a trial before the senate in 25 B.C.E., the Messenians thought they had a strong card to play when they appealed to the document of partition between the Heraclides (Tacitus, *Ann.* 4.43: *monimenta quae eius rei sculpta saxis et aere prisco manere*). The question is whether the alleged document of the ancient Cretan confederation about the foundation of Magnesia on the Meander was in fact meant by its author to protect his compatriots from the Cretan pirates in the third century B.C.E. See n. 15 below.

<sup>12</sup> On the rights of asylum in Baetokeke, cf. esp. H. Seyrig, *Syria* 28 (1951), pp. 191ff. Cf. Welles, nr. 70. The edict of Claudius: *Milet*, I, 3, nr. 156, 6–7: Τὰ ὑπὸ τῶν πρὸ ἔμοῦ Σεβαστῶν καὶ τῆς Συνκλήτου δεδόμενα δίκαια. Cf. the argumentation of Claudius in his letter to the Alexandrians on the subject of the *Boulé* (SP II, nr. 212) and his reference in his edict to the praxis of the procurators of Egypt: Josephus, *Ant.* 19.282.



documents that have been fabricated to denigrate an adversary, e.g. the bull *Time Deum* which Philip the Fair caused to be circulated under the name of Pope Boniface VIII, or the “Protocols of the Elders of Zion.” In the classical period, even philosophers did not disdain to produce fraudulent texts with the express intention of ruining the reputation of a rival sect.<sup>13</sup> A detailed examination demonstrates the authenticity of the Samaritan dossier of 166 B.C.E. which Josephus reproduces, but it would certainly be legitimate to suspect the authenticity of these texts, in which the “schismatics” disown their Hebrew origin.<sup>14</sup>

It may be that most of the forgeries served only to flatter their authors’ *amour propre*. The inauthentic acts concerning the foundation of Cyrene or of Magnesia on the Meander, the apocryphal letter of Pilate, false inscriptions “proving” the antiquity of one or other mediaeval town, the letter of Sarpedon of Troy preserved in the temple of Lycia, and the ex-voto gift of Cadmus at Lindus – *quaeque alia laetum antiquitatibus Graecorum genus incertae vetustati adfingit* (Tacitus, *Hist.* 2.4) – are nothing more than the material forms taken by perennial human vanity.<sup>15</sup>

<sup>13</sup> The Stoic Didymus fabricated fifty indecent letters under the name of Epicurus (Diogenes Laertius, 10.1,3). On the *logos hieros* attributed to the Pythagoreans, cf. Jamblichus, *Vita Pyth.* 259–260. Cf. Isidore Lévy, *Recherches sur les sources de la légende de Pythagore*, 1926, p. 104. Christians falsified the works of Mani: cf. P. Alfarc, *Écritures manichéennes*, II, 1918, pp. 74ff. Cf. also G. Bardy, *Rev. hist. eccl.* (1936), pp. 5–23 and 275–302.

<sup>14</sup> Cf. my essay “A document concerning the persecution...” below. The Persian documents which Josephus cites following 1(3) Esdras are interpolated in a manner prejudicial to the Samaritans (*Ant.* 11.17 and 61). Cf. B. Motzo, *Saggi di storia e letteratura giudeo-ellenistica*, 1924, p. 196. The Jews liked to affirm that “all the kings of Asia” had honored the Temple in Jerusalem, whereas no one had bothered to take care of the sanctuary on Garizim (Josephus, *Ant.* 13.78). But the public documents from the hellenistic and Roman periods reproduced in Josephus and 1 and 2 Maccabees do not in the least show the kings “glorifying the Temple with the finest presents” (2 Mac. 3:2).

<sup>15</sup> The stele of Cyrene: SEG IX, nr. 3; the foundation of Magnesia: Michel, nr. 438. Cf. U. von Wilamowitz-Moellendorf, *Hermes* 30 (1895), pp. 117ff. (= *Kleine Schriften*, V/1, pp. 90ff.); M. Guarducci, *Inscriptiones Creticae*, I, 1932, p. 49. The letter of Pilate: A. Harnack, *Geschichte der altchristlichen Literatur*, II/1, 1897, pp. 605ff. (I note here that Justin, 1 *Apol.* 35 and 48, does not refer to this pseudepigraphical work. On the meaning of his phrase ἐκ τῶν ἐπὶ Ποντίου Πιλάτου γενομένων ἔκτων, cf. *Aegyptus* 13 [1933], p. 342.) On modern falsifications of inscriptions intended to glorify a city, cf. R. Cagnat, *Cours d'épigraphie latine*, 4th edn. 1914, pp. 390–392; L. Robert, *RPh* 65 (1939), pp. 136–138. The letter of Sarpedon: Pliny, *Natural History* 13.88. Plutarch, *Thes.* 20.7, cites a letter from Theseus to Ariadne. The gifts of Lindos: FGH 532. CIG I, p. 63, has a list of mythical ex-voto gifts mentioned by Greek authors. When he questions the authenticity of the peace of Callias and of the vow taken before the battle of Plataiai (cf. Tod, II, nr. 204), Theopompus (FGH 115, fragment 153) writes:

However, the documents relating to the Jews do not in the least merit suspicion. Under the Maccabees and under the Roman protectorate, while Jerusalem was “the most famous of the cities of the East,”<sup>16</sup> who would have wanted to boast of the favors bestowed by Alexander Balas or Antiochus? It is only after the destruction of the Temple that Josephus emphasizes the respect which sovereigns in the past had shown the chosen people.

Above all, the “pious frauds” celebrate miracles. It was thanks to divine intervention that the priest won the legal case involving the temple of Sarapis on Delos. Datis, the admiral of Darius I, and Heliodorus, the minister of Seleucus IV, are compelled by the heavenly power to proclaim the omnipotence of the god whom they have offended. Alexander the Great prostrates himself before the Jewish high priest; according to Pseudo-Aristeas, Ptolemy II treats the high priest Eleazar as his equal and admires the law of Moses.<sup>17</sup> But far from flattering the *amour propre* of the Jews, the Seleucid and Roman documents proclaim the dependence of Jerusalem. These texts show the Seleucid king speaking “the language of an acknowledged sovereign” and prove that the Maccabees “were always regarded as subjects.” This observation by Voltaire concerning the privilege of Demetrius I suffices to destroy all the arguments (including those of Voltaire himself) which have been brought against the authenticity of the documents concerning Jerusalem.<sup>18</sup>

Precisely this reason, however, makes one text highly suspicious, viz. the letter of the Spartan king Arius to the high priest Onias which alleges that the Hebrews and the Spartans are related. False genealogies of this kind, associating one or other barbarian people with a city in Greece, were common in the period of Greek domination; but the author of the letter of Arius is exaggerating. In this text, which

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καὶ ὅσα ἄλλα ἡ Ἀθηναίων πόλις ἀλαζονεύεται καὶ παρακρούεται τοῦς Ἕλληνας. Cf. C. Habicht, *Hermes* 89 (1961), pp. 1–35.

<sup>16</sup> Pliny, *Natural History* 5.14.70: *Hierosolyma, longe clarissima urbium Orientis, non Iudaeae modo*. The letters of the Attalids to the priest of Pessinus were engraved on stone only a long time after the end of the dynasty (Welles, p. 247), but this is because of the confidential character of these documents.

<sup>17</sup> Sarapis on Delos: P. Roussel, *Les cultes égyptiens à Délos*, 1916, pp. 71–75 (= IG XI, 1299). On Datis at Rhodes, cf. FGH, nr. 532; cf. T. Faure, *Rev. Hist.* 182 (1941), pp. 236–241. On Heliodorus (2 Mac 3), cf. my essay “Heliodorus in the Temple...” below.

<sup>18</sup> Voltaire, *Sommaire d'histoire juive*, in: *La Bible enfin expliquée* (VI, p. 462, ed. Didot).

adopts the “laconic” style, the Lacedaemonians present themselves as descendants of Abraham. This is surely a little too much flattery of Jewish pride.<sup>19</sup>

## VI

But how can one establish the authenticity of a letter like this, or alternatively prove that it is a forgery? Josephus tells us that suspicion was cast on the ancient privileges to which the Jews appealed because the only witness to these was in copies with a Jewish provenance. In order to neutralize any such objection, the authors who quoted a suspect document tended to refer their readers to the archives where the original would be found. When he cites the apocryphal correspondence between Solomon and the king of Tyre, which is not mentioned in scripture, Josephus assures his reader that one would find these documents in the archives of Tyre. – Similarly, a letter with Monophysite tendencies attributed to Pope Julius I (337–352) was refused credence at Rome after the “ancient books” had been consulted. – Our texts, however, are not even copies. All we have are quotations inserted in an historical work. This does not make the task of verification any easier.<sup>20</sup>

The Greek critics tended to condemn a suspect text for linguistic

<sup>19</sup> 1 Mac 12:20–30. On this text, cf. Abel, *ad loc.* and pp. 231–234; S. Žebelev, *Bull. Acad. des Sciences de l'U.R.S.S.*, 1928, pp. 65ff. Cf. Goldstein (n. 1 above), pp. 447–460. None of the commentators seems to note the inversion of roles in the letter of Arius, whereby the Greeks attribute to themselves a barbarian origin. Cf. my book *The Maccabees*, 1947, p. 88 (= *From Ezra to the Last of the Maccabees*, 1962, p. 156); *Class. Phil.* 47 (1952), p. 74. The acceptance by Sparta of the request of Cos to be taken under its protection ca. 240 B.C.E. is formulated in the same laconic style. Cf. R. Herzog and G. Klaffenbach, “Asylierkunden aus Kos,” *Abh. der Deutschen Akad.*, 1952, nr. 1, p. 11. On the “relatedness” between cities and the political uses to which this concept was put, cf. L. Robert, *Hellenica* 8 (1950), pp. 90–91, and *BE*, 1953, nr. 152. The importance of this motif can be seen e.g. in the falsified document Demosthenes 18.186. On false genealogies, cf. e.g. Strabo 10.457 and 5.250; the Greek inscriptions cited in n. 35 below; etc. Cf. *Mélanges R. Dussaud* I, 1938, pp. 91–99.

<sup>20</sup> For Josephus, cf. n. 9 above, and *Ant.* 8.55. For the letter of Julius I, cf. Leontius, PG 86, 1865. In the case of the letter of Abgar, Eusebius (*Hist. Eccl.* 1.13,5) refers to the δημοσίους χάρτας of Edessa and says that his source is ἐκ τῶν κατὰ Ἐδεσσαν... γραμματοφυλακείων. Cf. also e.g. Theon of Smyrna, p. 104, 20 ed. Hiller (I quote from R. Reitzenstein, *Studien zum antiken Synkretismus*, 1926, p. 73): ἐν δὲ Αἰγυπτιακῇ στήλῃ φησὶν Εὐάνδρος εὕρισκεσθαι γραφὴν βασιλέως Κρόνου καὶ βασιλίσης Ῥέας. On such “documentary” references, cf. J. Bidez and F. Cumont, *Les Mages Hellénistes*, 1938, Index s.v. *Stèles*.

reasons. For example, Demetrius of Magnesia declared a letter attributed to Epimenides of Crete to be apocryphal, because it was written “in the Attic tongue, and indeed in modern Attic.”<sup>21</sup> In the same way, it is argued that the occurrence in the correspondence between Ptolemy VII and Onias of the term *θηρσκειά*, which did not enter common usage until the reign of Augustus, suffices to prove the inauthenticity of this dossier. Unfortunately, this correspondence is transmitted only by Josephus, who often adapts and modernizes the texts he quotes. He interpolates the term *θηρσκειά* into a document which he borrows from Pseudo-Aristeas. Can we be sure that this same noun in the alleged petition by Onias does not come likewise from the pen of the compiler?<sup>22</sup> The letter of Antiochus III to Zeuxis in Josephus is

<sup>21</sup> Diogenes Laertius, 1.10.8. It is amusing to note that this compiler earlier cites a letter of Epimenides to Solon – this time written in poor Dorian – which he is proud to have found. Demetrius of Magnesia was a contemporary of Cicero. – The author of an imaginary decree of the Lacedaemonians against the poet Timothy employs rare forms which he attributes to the ancient dialect. Cf. E. Bourget, *Le dialecte laconien*, 1927, pp. 154–156. On anachronistic forms in the works attributed to the ancient Pythagoreans, cf. L. Delatte, *Les Traités de la Royauté*, 1942, pp. 83 and 103. Apollonius Molon denied the authenticity of the oracle of Apollo about Socrates, quoted by one of the comic poets, because this revelation was (naturally enough) formulated in trimeters rather than hexameters (Schol. Arist., *Nubes* 144, quoted by K. Latte, *Mnemosyne*, 1942, p. 86). Theopompus denied the authenticity of the peace of Callias for paleographic reasons: cf. Theopompus, FGH 115 fragment 154, and G.F. Hill, *Sources of Greek History*, 2nd edn. 1952, p. 271. Cf. H. Bengtson, *Griechische Geschichte*, 5th edn. 1977, p. 212. Theopompus, *loc. cit.*, also denied the authenticity of the vow taken by the Greeks before the battle of Plataiai in 479 B.C.E. This vow was in fact invented in the fourth century B.C.E.: cf. L. Robert, *Études épigraphiques*, 1938, pp. 307–316.

<sup>22</sup> L. Robert, *Études épigraphiques*, 1938, p. 234, who cites the interpolation of Josephus (*Ant.* 12.22) in the text of Pseudo-Aristeas 16. Cf. Idem, *Hellenica*, II, p. 132. In reality, nothing is more common than the adaptation of a quoted text to the style of the author who reproduces it. See e.g. the letter of Lentulus in Cicero, *In Catilinam* 3.2, and the same text in Sallust, *Cat.* 44. The decree of Augustus in Josephus, *Ant.* 16.141, is given in an abbreviated and slightly altered form in Philo, *Legatio ad Gaium* 40. Even public documents engraved on stone sometimes have additions, or are slightly altered by the chancellery which publishes the decree. See e.g. L. Robert, *RPh* 65 (1939), p. 164 n. 1; A. Wilhelm, *Beiträge zur griechischen Inschriftenkunde*, 1909, p. 274, and *Jahreshefte des Österr. Arch. Inst.*, 1914, p. 17; SIG, 810. This praxis may explain the irregularity of some inscriptions, e.g. those of Chios which reproduce an order by Alexander the Great (Tod, II, p. 192) or of the letter of Darius to Gadatas (Tod, I, p. 10), the authenticity of which has recently been contested anew. Cf. M. v.d. Hout, *Mnemosyne* 4th series 2 (1949), pp. 145–152. It is tempting to understand the anomalies of the royal titles on a number of stones in the same way; cf. A. Aymard, *Rev. ét. anc.*, 1948, p. 241, and *Rev. Internat. des Droits de l'Antiquité* 4 (1950), p. 67. For example, it is possible that the strange formula “king of the Bithynians” which is attached to the name of Ziaeles in his letter addressed to Cos (Welles, nr. 25) was added by the chancellery of that

formulated in the first person singular, whereas the Seleucids employed the royal plural (“we”) when speaking of themselves. Is the use of the first person singular here proof that the letter to Zeuxis is a forgery? It is possible that Josephus, his secretary, or his source modernized the style of this document.<sup>23</sup>

For the same reason, even irregularities in the style of a document do not always provide a certain indication that a text quoted in an historical work is a forgery. Pyrrhus recognized the inauthenticity of a letter circulated in the name of Ptolemy I, because the title employed in its opening address was incorrect. But Josephus deliberately alters the dossier of Ptolemaic documents which he quotes from Pseudo-Aristeas. If the latter work had not survived, it would be difficult to prove that these texts had been composed in the second century B.C.E. In 2 Maccabees, we read a letter of Antiochus IV, which is quoted in order to demonstrate the persecutor’s repentance. This indubitably authentic document does not say a word about repentance or about the Jews; but in order to press it into the service of Jewish propaganda, the opening address of the letter was altered.<sup>24</sup>

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city, in order make clear to the reader the identity of this barbarian prince. Naturally, none of these remarks diminishes in any way the value of the chronological criterion derived from the usage of the term *thréskeia* in literary works (e.g. 4 Maccabees) or e.g. in the oracle quoted by L. Robert, *Hellenica* 7 (1946), p. 132.

<sup>23</sup> When he reproduces the four documents from Pseudo-Aristeas, Josephus purifies the language of the original texts, avoiding hellenistic expressions and terms. For example, ἡ κατ’ ἀξίαν ἀργυρική τιμή (Ps.-Aristeas 37) becomes λύτρα in Josephus, *Ant.* 12.46, and “the high priest at Jerusalem” (Ps.-Aristeas 32) is transformed into “the high priest of the Jews” in *Ant.* 12.39, etc. The hellenistic formula ἐὰν οὖν φαίνεται (Ps.-Aristeas 32) becomes ἐὰν οὖν σοι δοκῆ in *Ant.* 12.39. Some of the royal plurals are omitted, and Josephus interpolates singular forms, etc. Cf. A. Pelletier, *Flavius Josèphe adaptateur de la Lettre d’Aristée*, 1962. Likewise, Epiphanius in his *De mens. et ponder.* draws on the data supplied by Pseudo-Aristeas and fabricates two letters of Ptolemy to the rabbis in Jerusalem which employ the titles of the imperial period (PG 43, 252 and 253): βασιλεὺς Πτολεμαῖος τοῖς ἐν Ἱεροσολύμοις τῶν Ἰουδαίων διδασκάλοις πλεῖστα χείρειν. In the same way, Josephus modernizes the phraseology of the Persian decrees which he borrows from 1(3) Esdras, and retouches the style of the documents quoted in 1 Maccabees. On the criticism of Pyrrhus, based on the formal language of documents, cf. Plutarch, *Pyrrh.* 6.7. Cyprian sent back to Rome the letter which he had received in the name of the Roman clergy, asking that the authenticity of the signatures be verified: *Ep.* 9.2 (*subscriptio* here means the list of signatures; cf. Cyprian, *Ep.* 49.1). Cf. G. Bardy, *Rev. hist. ecl.* 32 (1936), p. 276, who cites other examples of the criticism of documents in the early church.

<sup>24</sup> The reworkings of the opening address can still be seen in the manuscript tradition; cf. Abel *ad* 2 Mac 9:19–21, and Habicht (n. 1 above), p. 246. What most disturbs me in this text is that the name of the presumed author of the letter (King Antiochus) follows the address and the greeting. This violation of the rules of precedence takes

It is precisely this care taken in modernizing texts and this readiness to adapt them that permit us to identify two strong indications of the veracity of a document which is quoted by an author whose credibility is doubtful. The most important criterion is the exact wording of the formulae employed. Forgers in antiquity were ignorant of the historical evolution of the style used in official documents, and were not interested in this question; the same applies to the readers of their forgeries.<sup>25</sup>

Sometimes, the forgers imitated (more or less clumsily) the authentic formulae. On the model of the Persian missives quoted by Herodotus, rhetors fabricated letters by Amasis, Artaxerxes, and Darius.<sup>26</sup> But they spoiled their work with anachronisms. In the dossier of fictitious letters concerning Hippocrates, Artaxerxes refers to himself in the manner of the Parthian sovereigns: “King of kings, the great Artaxerxes.”<sup>27</sup> The rhetors who inserted the spurious texts in the discourses of Demosthenes

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place only when the author is inferior to the one he is addressing; cf. e.g. PCZ I, 59021 = SP II, nr. 409; PCZ II, 59483; PSI, IV, nr. 382; Diogenes Laertius, 7.8. It was a sign of arrogance to omit the formulae of greeting in a letter; cf. Philodemus, *De vitiiis* 17.15, p. 30 ed. C. Jensen, 1911: ἀνθάδης... καὶ γράφων ἐπιστολὴν τὸ χαίρειν μὴ προσγράψαι μηδ’ ἐρῶσθαι τελευταῖον. We are told that one of the signs of the change wrought in Alexander the Great after his victory over Darius was the omission of the formula χαίρειν in his letters, with the exception of those addressed to Phocion and to Antipatros (Plutarch, *Phoc.* 17; cf. Aelian, *VH.* 1.25). Naturally enough, the Jewish author (Jason of Cyrene?) could have retouched the opening address in order to underline the persecutor’s repentance. Cf. also Lucian, *Pro lapsu in salutem* 10–11; Plautus, *Bacch.* 735; Lucian, *op. cit.* 5 (on the formula ὑγαίνειν, which the Pythagoreans employed). Plato, *Ep.* 7, 339b, omits the formula of greeting in his quotation from a letter of Dionysius the Younger.

<sup>25</sup> Cf. *Class. Phil.* 42 (1947), pp. 137–140, and my essay on “A document concerning the persecution...” below.

<sup>26</sup> Cf. e.g. Plutarch, *Conv. Sept. Sap.*, p. 151b: βασιλεὺς Αἰγυπτίων Ἀμασις λέγει Βίαντι σοφωτάτῳ Ἑλλήνων. The rhetor who fabricated this letter was imitating the formulae used in Herodotus, 3.40, and Thucydides, 1.129,3. Cf. Diogenes Laertius, 9.13: Βασιλεὺς Δαρεῖος πατὴρ Ὑστάσπεω Ἡράκλειτον Ἐφέσιον σοφὸν ἄνδρα προσαγορεύει χαίρειν. Heliodorus wrote an historical novel set in the fourth century B.C.E., and took care to give his characters Egyptian and Persian names; he even introduces an interpreter when his hero has a conversation with a Persian lady (7.19,3). Nevertheless, when he composes the report of a Persian officer to his commander, he uses the formula of the epoch of the Caesars (5.9,2): Ὀρονδάτη σατράπῃ Μιτράνης φρουάρχος. The edict attributed to Diocletian in the *Passio sancti Procopii* uses a formula in its opening greeting which is a work of the imagination. E. Goodspeed, *Amer. Journ. of Philology* 23 (1902), p. 70; cf. *Anal. Bolland.* 22 (1903), p. 409.

<sup>27</sup> Ps.-Hippocrates, *Ep.* 8: Βασιλεὺς βασιλέων μέγας Ἀρταξέρξης Κῶοις τάδε λέγει. The letter of Croesus in the *Vita Aesopi Westermanniana* 92 imitates the initial salutations of the Roman epoch (*Aesopica* I, ed. B.E. Perry, pp. 98–99): Κροῖσος βασιλεὺς Λυδῶν Σαμίον ἄρχουσι βουλῇ καὶ δημοῦ χαίρειν. On the form of the letters of Artaxerxes in the Greek Book of Esther, cf. my essay on the Greek Book of Esther above.

did not take the trouble to reproduce the Attic formulae. They introduced anachronistic terms and linguistic errors which the Atticist vocabularies explicitly forbade. None of this prevented these texts from being accepted into the standard editions of Demosthenes precisely in the period of Atticism at its most intransigent. Plutarch quotes one of these forgeries without expressing any doubts about it.<sup>28</sup>

In general, however, the forger employed the formulae which were current in his own epoch, and this permits us to identify the approximate date of the falsification. For example, the opening salutation in the letter of Ptolemy II in Pseudo-Aristeas proves that this work was composed a century after the death of Philadelphos. The formulae employed in the correspondence between Pyrrhus and the Roman consul P. Valerius Laevinus, reproduced by Dionysius of Halicarnassus, shows that these letters were not written in 280 B.C.E., as Dionysius claims; however, they are not inventions by Dionysius himself. They were fabricated by a Roman annalist between 170 and 120 B.C.E.<sup>29</sup>

It follows that if a text does not offend in any way against the rules of the official style in documents, but is drawn up in keeping with the style which was employed only in the epoch of its alleged author, this precision in the use of formulae establishes a presumption in favor of its authenticity. Let us look at the beginning of the letter from Antiochus III to Zeuxis, mentioned above: βασιλεὺς Ἀντίοχος Ζεύξιδι τῷ πατρὶ χαίρειν· εἰ ἔρρωσαι, εὖ ἂν ἔχοι· ὑγιαίνω δὲ καὶ αὐτός. The title “father” seems to have been employed only by the Seleucid hierarchy. The developed formula of greetings in the letter to Zeuxis was current in the epoch of Antiochus III (223–187 B.C.E.), but fell into desuetude in the generation after his death.<sup>30</sup> This suggests that the text is either authentic or a forgery by a contemporary of Antiochus III.<sup>31</sup>

<sup>28</sup> Plutarch, *Demosthenes* 24. On the language of these texts, cf. R. Koch, *Observationes grammaticae*, dissertation, Münster 1909; on the formulae which they employ, cf. Wortmann, *De decretis, etc.*, dissertation, Marburg 1877, esp. pp. 57–58. On the anachronisms, cf. P. Treves, *Les études classiques* 9 (1940), pp. 138–174.

<sup>29</sup> For Pseudo-Aristeas, cf. the relevant essay above. On the apocryphal correspondence of Pyrrhus, cf. *Class. Phil.* 42 (1947), pp. 136–146.

<sup>30</sup> Josephus, *Ant.* 12.148. Cf. e.g. PSI IV, 361 (251 B.C.E.): Εἰ ἔρρωσαι, εὖ ἂν ἔχοι· ὑγιαίνομεν δὲ καὶ ἡμεῖς. After 150 B.C.E., this formula was replaced by another, which united the greeting and the wish. Cf. e.g. U. Wilcken, UPZ, I, nr. 62.1–2 (161 B.C.E.): Διονύσιος Πτολεμαίῳ χαίρειν καὶ ἐρῶσθαι.

<sup>31</sup> Phlegon, *Mirab.* 1 (FGH, 257 fragment 36, c. 1,12), relates a ghost story (on which Schiller based his poem *Die Braut von Korinth*). He dates this episode to the reign of Philip V of Macedon (221–179) and quotes official reports as his source. The begin-

## VII

Another indication of authenticity is chronological in character. Since no generally accepted era existed, and the calendar varied from one city to another, it was easy to miss the mark by a wide margin in the attempt to date an ancient text. Greek scholars in antiquity committed chronological blunders when they debated the dating of the orations of Demosthenes; and when Augustine wishes to demonstrate the usefulness of chronology for the explanation of scripture, he writes that Plato met Jeremiah in Egypt. Let us also recall that as late as 1693, a scholar of the stature of Étienne Baluze made an error in his calculation of the dates of the pontificate of Clement V and mixed up the order of the official documents of this pope. And since the ancient forgers and their readers had no more interest in chronology than in the stylistic rules in official documents, the disputed documents are full of anachronisms.

For example, a document interpolated into the discourse *On the Crown* gives a fictitious name to the archon of the year 339–338 B.C.E. and states that a financial magistracy was functioning in this year, although it was not established in Athens until after the death of Demosthenes.<sup>32</sup>

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ning of the narrative is missing in our only manuscript, but at the close, the author of the letter which Phlegon reproduces employs the formula: ἐὼν οὖν σοι φαίνεται περὶ τούτων γράφειν τῷ βασιλεῖ. This expression is typical of the epoch of Philip V; after the mid-second century B.C.E., the pronoun disappeared from this polite phrase. Cf. H.J. Thackeray, *JQR* 16 (1903), p. 348; P. Collomp, *Recherches sur la chancellerie des Lagides*, 1926, p. 95. Accordingly, Phlegon was using a text written in the period of Philip V.

<sup>32</sup> On the error of Baluze, cf. the preface by G. Mollat to his edition of the *Vitae Papporum Avenionensium* by Baluze, III, 1921. Ancient authors committed innumerable errors of chronology. On the document from 339–338 B.C.E. in a newly discovered papyrus text of Demosthenes, cf. T. Larsen, *Papyri Gr. Haunienses* I, 1942, nr. 5, p. 18. The author of the letters of Aeschinus thinks that Thebes was still standing in 331 B.C.E. (Ps.-Aeschinus, *Epist.* 12.2); in Ps.-Plato, II *Alcib.* 141e, Socrates speaks to the young Alcibiades of the death of Archelaus of Macedonia, who was assassinated in 400–399. There are anachronisms in Ps.-Plato, *Axiochus* (36c); cf. W. Ferguson, *Hellenistic Athens*, 1911, p. 129, n. 1. Tertullian gets entangled in mistakes when he attempts to compute the years of the domination of the kings of Persia (*Adv. Jud.* 8), and his most recent editor, A. Kroymann, attempts in vain to rehabilitate him by supposing that chronological interpolations have been made in the text. Sulpicius Severus, 2.18,8, dates the desecration of the temple in Jerusalem by Antiochus IV by means of three separate computations; but he is unaware that these are mutually contradictory. Athenaeus (V, 217d) notes that six historians give five divergent chronologies of the reign of Perdiccas II of Macedonia (ca. 450–413 B.C.E.). Some Christian authors dated the crucifixion to the reign of Claudius; cf. Chapman, *JTS* 7 (1907), p. 591. Diogenes Laertius, 3.6, relates that Euripides (who died in 406) accompanied Plato to Egypt after the death of Socrates (who died in 399 B.C.E.). For Jeremiah and Plato, cf. Augustine, *De doct. christ.* 2.28,43. Augustine corrects this gaffe in *De civ. Dei* 8.11. On



Unless there is definite evidence to the contrary, we are justified in accepting the authenticity of a document which gives information that is chronologically exact. For example, in the Samaritan dossier presented by Josephus, the petition of the Samaritans calls the king *Theos Epiphanês*. Antiochus IV used this title only between the summer of 169 and the summer of 166. For reasons connected with the king's itinerary, this petition could only have been submitted to him in 166 B.C.E. The dossier dates it to the 146th year of the Seleucids, i.e. 167–166 B.C.E. Such a correspondence in dating would be extraordinary in a forgery.<sup>33</sup>

## VIII

A third criterion carries a high degree of conviction and helps distinguish genuine from spurious documents. Irrespective of whether a text is forged or authentic, its contemporaries need no commentary. The famous "Letter of Zinoviev," published in the English newspapers during the electoral campaign of 1924, made a profound impression on the public. If it were republished without any explanation, it would not be immediately intelligible today; in one hundred years, no one would understand it at all, without an historical commentary. This is why disputed documents are diligently embedded in the narrative in a work of propaganda, a "fictionalized" historical narrative, or a novel:

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a chronological error in a declamation against Demosthenes, cf. A. Körte, *Archiv für Papyrusforschung* 7 (1924), p. 227. Polycrates (ca. 390) fabricated a speech by the prosecution at the trial of Socrates (which took place in 399), but he mentions the repair of the walls of Athens (which took place six years later, in 393); the first to note this error was Favorinus, five hundred years later; Diogenes Laertius, 2.39. The author of the letters of Chion imagines that his hero met Xenophon at Heraclea, i.e. during the *anabasis* in 400 or 399 B.C.E.; but the novelist dates this episode to ca. 358. Cf. I. Düring, *Chion of Heraclea*, 1951.

<sup>33</sup> Cf. below, "A document concerning the persecution..." The criticism of documents in the classical period recognized the importance of the chronological criterion. For example, Eusebius, *Hist. Eccl.* 1.9,3, demonstrates the spurious character of the "Acts of Pilate" which were employed in anti-Christian propaganda by pointing out that this document is dated to the seventh year of the reign of Tiberius, whereas Pilate became governor of Judea only five years later. Apollodorus seems to have demonstrated the falsification of the alleged letter sent by Antigonus Gonatas to Zenon by means of a chronological calculation. Cf. A. Mayer, *Philol.* 71 (1912), p. 226, and FGH, note on 244 fragment 44–45. Herodicus, *apud Athenaeus* V, 216c–218e, discovers anachronisms in the Dialogues of Plato. Cf. I. Düring, *Herodicus the Crataean*, 1941, p. 46. Cf. also Pliny, *Natural History* 18.107, on the mention of bakers in Plautus, *Aul.* 400. Cf. F. Leo, *Plautinische Forschungen* I, 1912, p. 53.

they make the narrative more vivid, and the narrative explains the meaning of the documents. In an Alexandrian narrative, the fictitious letter of Caligula serves to prepare the reader for a new episode in the struggle between the imperial government and the Egyptian capital. When there is no narrative framework, the fictitious documents form an ensemble in which the individual texts support and complete each other. This may take the form of an epistolary novel such as the apocryphal correspondence between Alexander the Great and Darius. Sometimes, however, an isolated text was transmitted under the authority of some great figure. The supposed letter of Demosthenes in which he praises the teaching of Plato was originally read on its own. But in general, a document was not transmitted separately and copied on one detached page, for centuries on end; sooner or later, as with this letter attributed to Demosthenes, it was incorporated in a collection of documents.<sup>34</sup>

The documents concerning the Jews float freely; they are not anchored in the narratives of the Books of Maccabees or the history of Josephus, and they often contradict the author who cites them. This applies to all the documents in 2 Maccabees. If the Jewish authors had in fact forged them, they would not have inserted any passages which failed to agree with their own ideas about history. – It is also true that these documents never formed one single collection. Josephus does not know the documents cited in 2 Maccabees, and he knows those in 1 Maccabees only thanks to the intermediary of this book itself. Similarly, each of the Books of Maccabees is unaware of the official documents inserted in the other book or of those quoted by Josephus. – Furthermore, these documents came to Jewish authors as isolated texts. For example, Josephus reproduces the letter of Antiochus to Zeuxis, but he knows neither the background to this ordinance nor its results. – The theory of falsification must therefore suppose the existence of a number of Jewish forgers who were unaware of each other's activities and who circulated their spurious texts on isolated papyrus leaves. This hypothesis does not seem particularly probable.

Nevertheless, the transmission of three documents can legitimately

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<sup>34</sup> A. von Premerstein, *Alexandrinische Gesandten*, 1939, p. 9, col. 111. On the fictitious correspondence of Alexander the Great, cf. R. Merkelbach, *Aegyptus* 27 (1947), pp. 144–158 (cf. C. Préaux, *Chron. d'Égypte*, 1948, p. 197), and PSI XII, 1285. Ps.-Demosthenes, *Epist.* 5; cf. *RPh* 63 (1937), p. 54; J. Goldstein, *The Letters of Demosthenes*, 1968, p. 261. The fictitious correspondence of Apollonius of Tyana was originally part of an historical narrative; cf. E. Meyer, *Kleine Schriften* II, 1924, p. 77, n. 1.

awaken our suspicions. These are the letter of King Arius, which is an appendix to the message of Jonathan to the Spartans and is commented upon in the latter document; the dossier about the temple of Onias; and the Samaritan dossier about which we have already spoken. The correspondence between Onias IV and Ptolemy VII forms part of an account of the history of the schismatic temple. The letter of Arius was probably “invented” in the chancellery of the high priest Jonathan himself.<sup>35</sup>

## IX

The author of 1 Maccabees found the documents which he quotes in the archives of the Hasmoneans, as we see from the fact that his series of public documents begins with the nomination of Jonathan to the dignity of high priest in 152 B.C.E. The only earlier document which he cites is the treaty between the Romans and the Jews under Judas Maccabeus in 161 B.C.E. The author of 2 Maccabees probably borrowed from private copies the four documents concerning the negotiations between the Jews and the royal government; the diaspora was certainly interested in these discussions in 163 and 162 B.C.E. He could have found the letter of the dying Antiochus Epiphanes in a history of this king.

Josephus presents two groups of Roman documents, the first of which (in *Antiquities* 16) contains six texts from the period of Augustus concerning freedom of worship. This dossier was compiled for a Jewish community in Asia Minor around the beginning of the Common Era: this group of *dikaiômata* opens with an edict of Augustus which was promulgated in Asia Minor between 2 B.C.E. and 2 C.E.

A second collection of supporting documents was compiled during

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<sup>35</sup> The letter of Arius: 1 Macc 12:6–23. The chancellery in Jerusalem followed the Greek usage. A city which claimed a relationship had to furnish proof: for example, in the second century B.C.E., the Milesians recognized the city of Apollonia in Rhynadacus as its relative, ἐπισκεψάμενοι τὰς περὶ τούτων ἱστορίας καὶ τὰλλα ἔγγραφα (*Milet*, I, 3, nr. 155, 9–10). Cf. a royal letter discovered at Cos, in Herzog and Klaffenbuch, *op. cit.* (n. 19 above), nr. 3, 23–27: τὴν συγγένειαν οὖσαν ἀληθινὴν... προσδεδέμεθα μαρτυρίας μεγίστης τῆς παρὰ το[ῦ ἡμ]ετέρου πατρὸς προσγενημένης, ἣν ἀπ[...]ατε αὐτοῦ ἐκείνου ποιησαμένου. Even the phraseology of the letter in which Jonathan speaks of the sacrifices and prayers offered at Jerusalem for the brethren in Sparta follows the Greek model. Cf. the decrees of Camarina and of Gela, in Herzog and Klaffenbuch, *op. cit.*, nr. 12–13.

the civil wars, between 40 and 31 B.C.E. The letters of Mark Antony, dated to 41 B.C.E., which Josephus cites in their correct chronological position, probably formed part of this collection, and this would mean that it was completed before the battle of Actium. The Jewish lawyer added all the Roman documents with which he was familiar, so that these might serve as precedents. This explains the lack of order in this dossier.<sup>36</sup>

It is not surprising that Josephus knew four contemporary documents concerning the Jews, viz. three documents promulgated by the Emperor Claudius and the edict of the consul Petronius. As we have seen, the correspondence between Ptolemy VII and Onias IV comes from a separate source. Josephus may owe his knowledge of the Samaritan dossier to his Samaritan friends. I do not know how he may have acquired the three documents of Antiochus III; it is possible that one of his correspondents found the letter to Zeuxis engraved on a stone. One wonders how Josephus was able to identify this “King Antiochus”; presumably, he argued by analogy. The charter of Jerusalem which mentions the expulsion of “the Egyptian garrison” can only be the work of Antiochus III, and Josephus attributes to the same king the proclamation about the purity of the Temple and the letter to Zeuxis. This time, Josephus made a lucky guess – but when Jason of Cyrene (in 2 Maccabees) followed a similar line of argument, he attributed to Antiochus V a letter of Antiochus IV. It is precisely such errors that prove the authenticity of the official documents which an author quotes.<sup>37</sup>

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<sup>36</sup> Josephus, *Ant.* 16.162–165. Here we find the letter of Augustus to Norbanus Flaccus, two letters of Agrippa, and two proconsular letters. The edicts of Mark Antony are found in Josephus, *Ant.* 14.306–323. The triumvir was declared an enemy of Rome during the war against Cleopatra, and this means that his edicts could not be cited as precedents in the reign of Augustus, before the rehabilitation of his memory by Caligula (or Claudius); cf. Suetonius, *Caligula* 23; *Claudius*, 11; and Tacitus, *Ann.* 3.18. Cf. T. Mommsen, *Römische Forschungen* II, 1879, pp. 68ff.; F. Vittinghof, *Der Staatsfeind in der römischen Kaiserzeit*, dissertation, Bonn 1936, pp. 25–27. After the *restitutio in integrum*, the ordinances of Mark Antony were once again copied and quoted. Cf. Josephus, *Ant.* 14.323; F. Preisigke, *Sammelbuch* I, 4424; *L'Année épigr.*, 1913, nr. 58; S. Riccobono, *Fontes juris Romani*, 2nd edn. 1941, nr. 54. Philo took with him to Rome a dossier of documents concerning the rights of the Jews in Alexandria: Philo, *Leg. ad Gaium* 45. We do not read much about these documents in modern studies of the sources of Josephus. Cf. Juster (n. 1 above), pp. 154–158; G. Hölscher, in *RE* IX, 1976; R. Laqueur, *Der jüdische Historiker Flavius Josephus*, 1920, pp. 221–230.

<sup>37</sup> The contemporary documents: Josephus, *Ant.* 19.280; 287; 303; 20.11 (41–45 C.E.). The Samaritan friends of Josephus: *Vita* 269.

## X

We conclude that there is no reason to reject out of hand every document which refers to the Jews. Like everyone else in the hellenistic world, the Jews enjoyed literary tricks, and like everyone else, they fabricated spurious documents. This is merely one further indication of their hellenization.<sup>38</sup> But this does not necessarily mean that the Seleucid charter in Josephus or the rights of the temple of Nysa engraved on a stone by a citizen of this city in the year 1 B.C.E. are merely monuments to priestly trickery.<sup>39</sup> Among the Jewish documents, it is only the letter of King Arius, and the exchange of letters between Ptolemy VII and Onias IV (thanks to the mode of their transmission), that deservedly awaken our suspicion.<sup>40</sup> In any case, the internal critique of a document is necessary, if we are to identify a forgery or demonstrate authenticity. My only intention here has been to dispose of the objection based on the assumption that the Jewish privileges are not genuine.<sup>41</sup> It is not only trust in the authenticity of these texts, but also a refusal to trust this, that must be justified.

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<sup>38</sup> This observation is made by U. von Wilamowitz-Moellendorf, *Hermes* 30 (1895), p. 192.

<sup>39</sup> The documents from Nysa: Welles, p. 56.

<sup>40</sup> Cf. n. 11 and n. 19 above. On literary forgeries, cf. *Riv. di filologia* 101 (1973), pp. 22–41.

<sup>41</sup> The “decree of Themistocles,” engraved on a stone at Trezene, confirms my arguments. This is a forgery, and an isolated forgery; but it refers to the battle of Salamis, i.e. to a universally known event, and it glorifies the mighty deeds of the Athenians. This meant that people gladly believed this patriotic forgery. Cf. C. Habicht, *Hermes* 89 (1961), pp. 1–35, and *BE*, 1962, nr. 137–142. – However, the Greek documents cited by the Jewish authors portray the chosen people at the mercy of obscure and ephemeral pagan princes. Cf. section V of the present article.

## THE SELEUCID CHARTER FOR JERUSALEM

In Book 12 of his *Antiquities*, Josephus presents his reader with the following document (12.3,3, §138–144):<sup>1</sup>

(138) Βασιλεὺς Ἀντίοχος Πτολεμαίῳ χαίρειν. τῶν Ἰουδαίων καὶ παραυτίκα μὲν, ἡνίκα τῆς χώρας ἐπέβημεν αὐτῶν, ἐπιδειξαμένων τὸ πρὸς ἡμᾶς φιλότιμον καὶ παραγενομένους δ' εἰς τὴν πόλιν λαμπρῶς ἐκδεξαμένων καὶ μετὰ τῆς γερουσίας ἀπαντησάντων, ἄφθονον δὲ τὴν χορηγίαν τοῖς στρατιώταις καὶ τοῖς ἐλέφασι παρεσχημένων, συνεξελόντων δὲ καὶ τοὺς ἐν τῇ ἄκρᾳ φρουροὺς τῶν Αἰγυπτίων, (139) ἠξιώσαμεν καὶ αὐτοὶ τούτων αὐτοὺς ἀμείψασθαι καὶ τὴν πόλιν αὐτῶν ἀναλαβεῖν κατεφθαρμένην ὑπὸ τῶν περὶ τοὺς πολέμους συμπεσόντων καὶ συνοικίσαι τῶν διεσπαρμένων εἰς αὐτὴν πάλιν συνελθόντων. (140) πρῶτον δ' αὐτοῖς ἐκρίναμεν διὰ τὴν εὐσέβειαν παρασχεῖν εἰς τὰς θυσίας σύνταξιν κτηνῶν τε θυσίμων καὶ οἴνου καὶ ἐλαίου καὶ λιβάνου ἀργυρίου μυριάδας δύο καὶ σεμιδάλεως ἀρτάβας ἱερᾶς κατὰ τὸν ἐπιχώριον νόμον πυρῶν μεδίμνους χιλίους τετρακοσίους ἐξήκοντα καὶ ἄλῶν μεδίμνους τριακοσίους ἐβδομηκονταπέντε. (141) τελεῖσθαι δ' αὐτοῖς ταῦτα βούλομαι, καθὼς ἐπέσταλκα, καὶ τὸ περὶ τὸ ἱερὸν ἀπαρτισθῆναι ἔργον τὰς τε στοὰς κἂν εἴ τι ἕτερον οἰκοδομῆσαι δέοι· ἢ δὲ τῶν ξύλων ὕλη κατακομιζέσθω ἐξ αὐτῆς τε τῆς Ἰουδαίας καὶ ἐκ τῶν ἄλλων ἐθνῶν καὶ ἐκ τοῦ Λιβάνου μηδενὸς πρασσομένου τέλος. ὁμοίως δὲ καὶ τοῖς ἄλλοις, ἐν οἷς ἂν ἐπιφανεστέραν γίνεσθαι τὴν τοῦ ἱεροῦ ἐπισκευὴν δέη. (142) πολιτευέσθωσαν δὲ πάντες οἱ ἐκ τοῦ ἔθνους κατὰ τοὺς πατρίους νόμους, ἀπολυέσθω δ' ἡ γερουσία καὶ οἱ ἱερεῖς καὶ γραμματεῖς τοῦ ἱεροῦ καὶ ἱεροψάλται ὧν ὑπὲρ τῆς κεφαλῆς τελοῦσιν καὶ τοῦ στεφανιτικοῦ φόρου καὶ τοῦ περὶ τῶν ἄλῶν. (143) ἵνα δὲ θαπτον ἡ πόλις κατοικισθῆ, δίδωμι τοῖς τε νῦν κατοικοῦσιν καὶ κατελευσομένοις ἕως τοῦ Ὑπερβερεταίου μηνὸς ἀτελέσιν εἶναι μέχρι τριῶν ἐτῶν. (144) ἀπολύομεν δὲ καὶ εἰς τὸ λοιπὸν αὐτοὺς τοῦ τρίτου μέρους τῶν φόρων, ὥστε αὐτῶν ἐπανορθωθῆναι τὴν βλάβην. καὶ ὅσοι

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<sup>1</sup> In general, the Greek text is that of the edition by B. Niese; divergences are justified in my commentary. There seems no point in presenting a bibliography of this subject, since the text has never been fully expounded, and the occasional notes and remarks on this document which one finds in a few modern scholars tend to be either full of errors or insignificant. I quote only those secondary works which have been helpful to some extent. [Translation from the Greek: Brian McNeil.]

ἐκ τῆς πόλεως ἀρπαγέντες δουλεύουσιν, αὐτούς τε τούτους καὶ τοὺς ὑπ' αὐτῶν γεννηθέντας ἐλευθέρους ἀφίεμεν καὶ τὰς οὐσίας αὐτοῖς ἀποδίδοσθαι κελεύομεν.

(138) King Antiochus to Ptolemy: Greetings. As soon as we entered their territory, the Jews gave proof of their devotion to us: when we arrived in their city, they gave us a magnificent reception and came to meet us with the senate, providing abundant food for the soldiers and the elephants. They also helped us take the garrison of the Egyptians in the citadel. (139) We have therefore judged it right on our part to acknowledge all these good services and to raise up again their city which has been devastated by the events during the wars, bringing back to the city its inhabitants who have been scattered far and wide. (140) First of all, we have decided in our piety to give them a contribution of sacrificial victims for the sacrifices, of wine, oil, and incense, to the value of twenty thousand silver coins, and fine flour in sacred artabes measured according to the law of the country, one thousand four hundred medimni of barley and three hundred and seventy-five medimni of salt. (141) I wish that all these things be given them, as I have ordained, and that the work on the temple be completed, that is to say the porticoes and whatever else may need to be rebuilt. The wood is to be taken both in Judea itself and among the other peoples and in Lebanon, without any tax being imposed. The same applies to the other materials which are needed to add splendor to the restoration of the temple. (142) All who belong to the people are to be governed in accordance with their ancestral laws. The senate, the priests and scribes of the temple, and the temple singers are to be exempt from the poll tax, the crown tax, and the tax on salt. (143) In order that the city may more speedily be repopulated, I grant an exemption from tax for three years to those who live there at present and to those who will return to live there; this exemption is valid until the month of Hyperberetaios. (144) We also grant them remission of one third of their tribute, in order to make good their losses. As for those who have been carried off from the city and reduced to slavery, and to the children who have been born to them, we grant them freedom and command that their goods be restored to them.

## I

According to Josephus, the “King Antiochus” who wrote this letter was Antiochus III, king of Syria from 222 to 187 B.C.E. In 200 B.C.E., he wrested Palestine once and for all from the control of the Ptolemies of Egypt.<sup>2</sup> There is no reason to dispute this identification, for no other Antiochus took “the garrison of the Egyptians” in Jerusalem, and Ptolemy son of Thraseas, to whom the king’s letter is addressed, was the Seleucid governor and high priest “in Syria and Palestine” from 201 to 195 B.C.E., i.e. at the period when Antiochus III conquered Jerusalem. A Greek inscription found near Scythopolis (Bethshan) in Palestine reproduces another letter sent by the same king to this governor in the fall of 200 B.C.E.<sup>3</sup> The two letters of Antiochus to Ptolemy are thus contemporary.

The ordinance which Josephus quotes is thus the oldest official Greek document concerning Jerusalem which has survived, and the only document still available about Seleucid politics vis-à-vis the Jews of Palestine before the Maccabean uprising. (The proclamation of the same king which Josephus also quotes concerns the protection of the ritual purity of the temple: see the following essay in this book.) This ordinance deserves a closer examination. We begin with a commentary of the text, phrase by phrase;<sup>4</sup> then we will consider the edict as a document of Seleucid politics and as testimony to the history of Jerusalem in the hellenistic period.

As is customary in the edicts of hellenistic monarchs,<sup>5</sup> the ordinance of Antiochus III is divided into two parts: the considerations and the disposition. The considerations (§138–139) are expressed in a well composed period which begins with several subordinate participles which express the merits of the Jews (§138); this is followed by the principal

<sup>2</sup> M. Holleaux, *Klio*, 1908, pp. 267ff. (= Holleaux, III, p. 32). The inscription cited in n. 3 confirms the chronology established by Holleaux.

<sup>3</sup> Polybius 5.65,3; *OGIS*, 230. Cf. Holleaux, III, p. 161. The inscription of Hephzibah *apud* Y.H. Landau, *IEJ* 16 (1966), p. 34. Cf. *BE*, 1970, nr. 627. In this inscription, the conquered province still bears its Ptolemaic name. It was only at a later date (but before 188) that it was given the name “Coelesyria and Phoenicia.” Cf. *RB*, 1947, p. 260.

<sup>4</sup> However, I intentionally prescind from a specifically philological study of the document. It is possible that Josephus has altered the hellenistic phraseology here and there, since his readers might have found this somewhat strange; but since we know little as yet about the style of the Seleucid chancellery, it will be prudent to suspend judgment on this difficult question.

<sup>5</sup> Cf. Welles, p. xliv.



clause (§139), signaling the king's intention, which is itself reinforced by two subordinate participles. The sentence begins with the subject of the letter: "the Jews," a stylistic device much favored in the hellenistic chancellery to give a kind of "title" to a document.<sup>6</sup> The entire construction of this opening sentence can be found for example in a letter of Seleucus IV, written roughly thirteen years later than the edict of Antiochus III: "Aristolochus . . . having undertaken . . . having given . . ., we provide, etc."<sup>7</sup>

The five subordinate participles which form the ascending part of the period are all genitive absolutes depending on the same subject, "the Jews." They indicate five merits of this people in the eyes of the sovereign and are listed in chronological order (§138).

The first point refers to the time when (in the king's words) "we entered their territory." The expression ἐπιβαίνειν τῆς χώρας, which strictly speaking means merely "to enter a country," had come to mean in hellenistic Greek: "to occupy by force."<sup>8</sup> At that time, says the king, the Jews – who could have mounted a resistance – "gave proof of their devotion to us." We are not told specifically what the Jews did; the expression φιλότιμον is rather vague. Strictly speaking, it signifies an effort undertaken with the desire of winning renown, but sometimes it merely means "kindness, generosity," etc.<sup>9</sup>

After the king had entered "the city," the Jews welcomed him "magnificently" and came to meet him, with the "senate" at their head. The *hysteron próton* which is so striking in this phrase in the letter of Antiochus is employed here in conformity with good Greek usage: without regard for the actual chronological order of the events, the principal event is

<sup>6</sup> For example, a brief letter of Antiochus IV on the subject of a *hypomnēma* begins with the words: Τοῦ ὑπομνήματος. *BE*, 1970, nr. 627. Cf. Welles, nr. 66 (= *OGIS* 331 = Michel, 46); Welles, 71 (= *OGIS* 257 = Michel, 49); P. Halensis I, 166 (cf. W. Schubart, *Arch. f. Papyrusforschung* 6, 324). In the same way, the letters written in response to legations usually begin with the names of the members of the diplomatic mission. Cf. e.g. Welles, 31–34; the letter of Antiochus III *apud* P. Herrmann, *Anadolu* 9 (1965), p. 45, etc.

<sup>7</sup> Welles, 45 = Holleaux, *BCH*, 1933, 6; cf. also e.g. a letter of Seleucus II (Welles, 22 = *OGIS* 227), or another letter of Antiochus III (Welles, 44 = *OGIS* 244).

<sup>8</sup> Mauersberger I, p. 808; G. Schmidt, in *Jahrbücher für klass. Philologie, Suppl.* 20, 374.

<sup>9</sup> Cf. G.F. Schoemann, *Plutarchus, Agis et Cleomenes*, 1839, p. 193. Some examples: Josephus (*Ant.* 12.9) writes that many Jews were attracted to go to Egypt by the zeal of King Ptolemy: τῆς τοῦ Πτολεμαίου φιλοτιμίας προκαλουμένης. *BGU* VIII, nr. 1770, 8–9 (64/63 B.C.E.): ἐνεργῶς (καὶ) φιλοτίμως διακείμενος εἰς πᾶν τό σοι χρήσιμον. For the construction φιλοτιμία πρὸς τινα, cf. W. Larfeld, *Griechische Epigraphik*, 1913, p. 369; Polybius, 3.65,7; 3.70,1.

mentioned first, and only then that which is accidental.<sup>10</sup> The “senate,” the “council of the elders,” is the political assembly in Jerusalem. We do not know the rules governing its membership. The Greeks called it *gêrouσία*, the “council of the elders,”<sup>11</sup> the name which they had earlier given to the senates of Carthage and of the Phoenician cities.<sup>12</sup> In the Roman period, the council of Jerusalem tended rather to be designated by the terms *sunedrion* (which passed into Hebrew as “Sanhedrin”) and *boulê*.<sup>13</sup> Space does not allow us to pursue here the interrelations of these Greek terms (or terms derived from Greek),<sup>14</sup> nor their relationship to the “elders” (*zeqenîm*) of the Bible.<sup>15</sup> Let us add that we know nothing whatever about the organization and the sphere of competence of the *gêrouσία* in Jerusalem.

It was normal practice for the population of a city, with the officials at their head, to go out to meet the monarch or those persons to whom they wished to render royal honors.<sup>16</sup> Everyone knows the delightful

<sup>10</sup> Cf. R. Kühner and B. Gerth, *Grammatik der griechischen Sprache* II/2, p. 603. In order to avoid this illogical order of words, a reviser (whose correction was transmitted to all the manuscripts – FLAVW – with the exception of *Palatinus*) inserted a μέν (μετά μὲν τῆς γερουσίας) which makes a distinction between the welcome by the senate and the furnishing of food for the army, and separates the latter from the king’s visit to the city.

<sup>11</sup> Cf. the letter of Antiochus IV in 2 Macc. 11:27. This official usage was followed by Jewish authors of the hellenistic period who wrote in Greek: cf. 2 Macc. 1:10; 4:44; 3 Macc. 1:8. The *presbuteroi* at 2 Macc. 13:13 and 14:33 are not necessarily members of the *gêrouσία*.

<sup>12</sup> Cf. Aristotle, *Pol.* II, 1272b.

<sup>13</sup> Schürer II, p. 228; Juster I, pp. 401, 440; H. Zucker, *Studien zur jüdischen Selbstverwaltung im Altertum*, 1936, pp. 43, 88, 153. On the *boulê* of Jerusalem, cf. A. Momigliano, *Ricerche sull’organizzazione della Giudea sotto il dominio romano*, 1967 (= *Annali della R. Scuola Normale Superiore di Pisa*, 1934, p. 370).

<sup>14</sup> In Acts of the Apostles 5:21, “the *gêrouσία* of the sons of Israel” is a pompous amplification of the term *sunedrion*. The disappearance of the term *gêrouσία* from the political vocabulary of Jerusalem encouraged the diaspora communities to apply this term to their own councils. Thus, Aristéas (§310) speaks of the *presbuteroi* of the Jews in Alexandria; Philo (*In Flacc.* 74) speaks of their *gêrouσία*. Cf. M. Schwabe and B. Lifshitz, *Bet She’arim* II, 1967, p. 143.

<sup>15</sup> On the *zeqenîm*, cf. de Vaux I, pp. 108, 212; Zucker, *op. cit.*, p. 32; Hengel, p. 48. The Septuagint uses the term *gêrouσία* to designate the national council, either of Israel (e.g. Ex. 3:16) or of Moab (Num. 22:7), but employs the noun *presbuteroi* for the “elders” of a city or a tribe; cf. e.g. Ex. 18:12. However, some translators do not follow this rule: cf. Deut. 19–21. Apart from Jos. 23:2, the term *gêrouσία* is not found in the Greek version of the other books of the Hebrew Bible. The Book of Judith takes up the rule followed in the Pentateuch: cf. 4:8; 11:14; 15:8; and compare 6:16; 8:10; 10:6; 13:12 on the *presbuteroi* of Bethulia. The translator of 1 Maccabees employs both terms indiscriminately for the council in Jerusalem: 1 Macc. 12:6 and 14:20.

<sup>16</sup> Holleaux, III, p. 309; N. Svenson, *BCH*, 1926, p. 534; Josephus, *Ant.* 11.327; 16.14.

passage in Plutarch<sup>17</sup> which describes how Cato of Utica arrived at Antioch and found the authorities and the populace assembled on both sides of the road outside the city gates. The Stoic was on the point of declining this pomp, when he learned that this splendid reception was not in the least meant for him, but wished to honor a slave of Pompey.

The fourth reason for the king's gratitude to the Jews is that they furnished food<sup>18</sup> for the army "in abundance."<sup>19</sup> The problems of supply were even more urgent for a body of Greek troops than for a modern army, since the inadequate means of transport meant that they had to live off the resources of the land. In these conditions, aid from the cities was extremely precious. Polybius writes that when Scythopolis and Philoteria in Palestine surrendered to Antiochus III in 218, this encouraged the king to hope for success in the offensive he planned to undertake, since the rural districts under the control of these cities could easily supply his whole army with food and furnish him with everything he needed.<sup>20</sup>

But the aid given by the Jews was even more efficacious: they "helped" the royal troops to "take<sup>21</sup> the garrison of the Egyptians in the citadel. The *Akra* is the citadel, first Persian and later Greek, situated to the north-west (?) of the temple. It is mentioned in texts from Nehemiah onward.<sup>22</sup>

<sup>17</sup> Plutarch, *Cato Junior* 13.

<sup>18</sup> For this meaning of the word *χορηγία*, cf. P. Roussel, *BCH*, 1931, 86 *ad* I.6; A. Wilhelm, *Sitzungsberichte Wiener Akad.* 214/4 (1932), p. 46.

<sup>19</sup> The word *ἄφθόνως* specifies that these contributions were made voluntarily: Josephus, *Ant.* 13.224: Simon supplied provisions to the army of Antiochus VII, *ἄφθόνως ἐχορήγησεν*. Josephus, *Ant.* 13.250: Hyrcanus receives Antiochus VII at Jerusalem, *ἄφθόνως πάντα τῇ στρατίᾳ καὶ φιλοτίμως παρέσχε*. Livy 37.27,3: *Teios regiae classi (sc. Antiochi III) commeatus benigne praebuisset*. Cf. A. Wilhelm, *Sitzungsberichte Wiener Akademie* 208/5 (1926), p. 37. Seleucus I writes to his governors in Cilicia *ὅπως αὐτῶ τε τῷ Δημητρίῳ χορηγίαν βασιλικὴν καὶ τῇ δυνάμει τροφὴν ἄφθονον παρέχωσιν*: Plutarch, *Demetr.* 47.

<sup>20</sup> Polybius, 5.70,5.

<sup>21</sup> Parallels make the meaning of the verb *συνεξαίρειν* clear. Polybius, 18.4,7: Philip V says, *Κιανοῖς δ' ἐγὼ μὲν οὐκ ἐπολέμησα, Προυσίῳ δὲ πολεμούντος βοηθῶν ἐκέλευσεν*. Plutarch, *Thes.* 29: Theseus aids Meleager to capture the wild boar of Calydon: *Μελέαγρῳ συνεξελεῖν τὸν κάπρον*. *SIG* I, nr. 196, 45–46 = Michel, nr. 1456, 45–46: *καὶ Κρηνίδ[α]ς συνε[ξ]αι[ρή]σω μετὰ Κεττρι[ό]ρ[ι]ος*. Dionysius of Halicarnassus, *Ant. Rom.* 10.16,3: The men of Tusculum aided the Romans to take fortresses, *συνεξείλον τὰ φρούρια*.

<sup>22</sup> L.H. Vincent, *Jérusalem de l'Ancien Testament* II, 1964, p. 75; W.A. Shotwell, *BASOR* 176 (1964), p. 10; Y. Tsafir in Y. Yadin, *Jerusalem Revealed*, 1975, p. 85.

The Jewish collaboration in the capture of this fortress in 200 B.C.E. was noted by Gentile historians. We read in a fragment of Porphyry: “Aided by the Jews, Antiochus III conducted a lengthy siege of the garrison which had been established by Scopas [the general of Ptolemy IV] in Jerusalem.”<sup>23</sup>

These are the reasons for the king’s gratitude toward the Jews, presented with great art by a secretary with extensive experience of writing in the Greek chancery style. Here, the chronological sequence of events<sup>24</sup> takes the form of a crescendo of the Jewish endeavors, starting with their zeal for the king and going so far as the military aid which they gave him.

The efforts made by Jews in support of King Antiochus require a response from him: according to the official style employed in their proclamations, the hellenistic sovereigns regarded it as a point of honor to pay their debt of gratitude, and the charters bestowed on various cities tend to explain the royal decision by reasons of this kind. For example, a letter of Antiochus VIII<sup>25</sup> states that the people of Seleucia had taken the side of his father and remained faithful to him to the very end, and that they have demonstrated their devotion to the king by several fine actions in extremely difficult circumstances: accordingly, the king judges them worthy of the greatest favors. This is exactly what Antiochus III writes to the Jews: he “has judged it right”<sup>26</sup> to reward them.<sup>27</sup> The royal gratitude will take the form of two actions. The king will restore the city<sup>28</sup>

<sup>23</sup> Porphyry *apud* Jerome, *In Daniel*, ch. 11.15: *quodque ait* [sc. Daniel], *comportabit aggerem illud significat quod praesidium Scopae in arce Hierosolymorum annitentibus Iudaeis multo tempore oppugnaverit.*

<sup>24</sup> The same structure is found for example in the letter of Seleucus II to Miletus (Welles, nr. 22 = *OGIS* I nr. 227) and in the letter of Antiochus VIII (Welles, nr. 71 = *OGIS* I, nr. 257 = Michel, nr. 49).

<sup>25</sup> Welles, nr. 71 = *OGIS* I, nr. 257 = Michel, nr. 49.

<sup>26</sup> The construction ἀξιῶ + infinitive is classical. This is the only example I know in the surviving royal letters where the verb ἀξιῶ is employed in its primitive meaning of “judging worthy.” In every other context, it conforms to the hellenistic usage and means: “to seek or appeal.” Cf. Welles, p. 314 *s.v.*, and Mayser II/2, p. 308, for the papyri.

<sup>27</sup> The construction ἀμείψασθαι τινά τινος is hellenistic. Cf. G. Schmidt, *Jahrbuch für klassische Philologie, Suppl.* 20, p. 377. Cf. e.g. Michel, nr. 185 = *IG*, V/1, 1144, 9–13 (Laconia): δίκαιον δέ ἐστιν καὶ τὸν ἀμέτερον δῶμον... χάριτι τὰν προθυμίαν αὐτῶν ἀμειβομένους. Mauersberger I, p. 75.

<sup>28</sup> The verb ἀναλαμβάνειν, meaning “to repair,” tended to be used primarily in a moral sense: G.F. Schoemann (n. 9 above), p. 93; Mauersberger I, p. 102. In the papyri and (as L. Robert has kindly informed me) in inscriptions, we find expressions such as ἀναλαμβάνειν τὸν νόον, but this seems to be limited to the Roman epoch. Cf. Preisigke, *Wörterbuch*, *s.v.*; *SEG* VI, 672; *Inscriptiones graecae ad res romanas pertinentes* III, nr. 66, 10–11; *BCH*, 1887, p. 63; *SEG*, III, 537. In point of fact, Antiochus does

and repopulate it<sup>29</sup> with its former inhabitants, who are at present dispersed.<sup>30</sup> These two dispositions are parallel, but not identical; the king could certainly have brought back the citizens without raising up Jerusalem from its ruins, and he could have reconstructed the city<sup>31</sup> without coming to the aid of its citizens. He could even have settled new colonists there. The measures undertaken by the king for Jerusalem are exactly the same as those he undertook at Lysimachia in Thrace in 195, after this city had been destroyed by barbarians. The king repopulated it, summoning back those citizens who had fled and ransoming those who had been enslaved; he also invited new colonists to come. He gave large and small livestock and implements for the cultivation of the soil. In short, he neglected nothing that could help accelerate the construction of the city.<sup>32</sup>

The paragraph of the ordinance also informs us that Jerusalem had suffered under the adverse circumstances of “the wars.” The city had been the theater of military operations from 202 to 200.<sup>33</sup> Antiochus III captured it from the Lagids in summer 202. In the winter of 201–200, the Egyptians returned, and their new offensive in Syria led to the successful capture of the city. In the following summer, Antiochus dislodged them once again from Jerusalem. This makes it easy to understand why many of the citizens had fled from the city, which had not escaped unscathed under these three campaigns.<sup>34</sup>

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not speak in his letter of damage suffered by the city (e.g. to its buildings or walls). He wishes to restore the *polis*, the “city,” which has suffered on his behalf. In this precise sense, he is using the verb in conformity with good usage. Cf. e.g. Ps.-Demosthenes, 11.21, τὰ πράγματα . . . τὰ τῆς πόλεως . . . ἀναλήψεσθαι. Isocrates, 7.16: τὴν δημοκρατίαν ἀναλαβεῖν ἢν Σόλων . . . ἐνομοθέτησε. Isocrates 8.6: τὴν δύναμιν ἀναληψόμεθα πάλιν ἢν πρότερον ἐτυγγάνομεν ἔχοντες. Polybius, 3.60,2; 2.85,5.

<sup>29</sup> Συνοικίζειν in the sense of “repopulate” is a technical term; cf. Polybius, 18.51,7, where Antiochus replies to the Romans: Λυσιμαχεῖς δὲ παραλόγως ἀναστάτους γεγονότας ὑπὸ Θρακῶν . . . κατὰγων καὶ συνοικίζων. Polybius, 2.55,7: Clemeones destroyed the city of Mantinea ὥστε μηδ’ ἐλπῖσαι μηδένα διότι δύναται ἂν συνοικισθῆναι πάλιν.

<sup>30</sup> For συνέρχομαι, cf. e.g. Wilcken, *Chrestomathie*, nr. 11, 55–56 (123 B.C.E.): καὶ τούτων συ[v]ελθόντων [εἰ]ς τὴν Ἐρμώνθιν.

<sup>31</sup> Cf. Polybius, 4.65,6.

<sup>32</sup> Appian, *Syr.* 1.

<sup>33</sup> Holleaux, III, p. 317.

<sup>34</sup> M. Holleaux, II, p. 100, has collected a number of texts concerning the state of public distress resulting from a war.

## II

The second part of the letter (§140–144) contains the measures ordained by the king to help the Jews. They are not enumerated in the order indicated in §139. The king speaks “first”<sup>35</sup> (§140) of the sanctuary of Zion. Following the style of the Greek chancelleries, when one speaks of a holy city – e.g., Delos or Hieropolis in Castabala – the sanctuary is always mentioned first. A king calls himself the benefactor “of the temple and of the people of Delos.”<sup>36</sup> Polybius tells us that the Greeks spoke of the Jews as living “around the temple called Jerusalem.”<sup>37</sup> Accordingly, when he speaks of his benevolence to the Jews, the king begins by mentioning the subsidies accorded to Jerusalem “in our piety.” This expression deserves a closer look. Like the Latin noun *pietas*, the Greek εὐσέβεια means primarily “veneration”; and since the gods of polytheism are innumerable, it is usually specified which particular *eusebeia* is involved. For example, we read in a letter of Antiochus III: “because of our piety towards the divinity,” and the same king speaks à propos the Jewish colonists of their “piety towards their god.”<sup>38</sup> In the present text, the king motivates his decision by his “piety” in general, without specifying his relationship to the God of Jerusalem. His reserve in this instance may be due to the Jewish belief in the uniqueness of their God.<sup>39</sup>

In his “piety,” the king decides to give the Jews a “contribution” (σύνταξις). In the Greek administrative vocabulary, this noun took on the meaning of “contribution,” whether that due to the sovereign<sup>40</sup> or the

<sup>35</sup> Cf. Welles, index, s.v. πρῶτος. We should note that we do not find the corresponding division “and then” (e.g. ἔπειτα) in our text. This has led to the inference that Josephus is combining two documents, §138–139 + 143–144, and 140–142 (ZAW 57 [1939], p. 283). But πρῶτον does not necessarily demand a correlative adverbial expression. It can also mean: “primarily, before all else.”

<sup>36</sup> F. Durrbach, *Choix d'inscriptions de Délos*, 1921, p. 48; L. Robert, *RPh*, 1967, p. 34.

<sup>37</sup> Polybius, 16.39.4 (Josephus, *Ant.* 12.136).

<sup>38</sup> Welles, nr. 44, 27–28 = *OGIS* I, nr. 244, 27–28: τῆς ἐξ ἡμῶν πρὸς τὸ θεῖον εὐσεβείας. Josephus, *Ant.* 12.150: διὰ τὴν πρὸς τὸν θεὸν αὐτῶν εὐσεβείαν. For this formula, cf. M. Holleaux, *Archiv f. Papyrusforschung* 6, p. 22 = Holleaux, III, p. 97.

<sup>39</sup> We may note that in Ps.-Aristeas, King Ptolemy motivates his decision in favor of the Jews τὴν κατὰ πάντων εὐσεβείαν (§24), whereas the high priest speaks of the piety of the king “towards our God” (§42: ἣν ἔχεις πρὸς τὸν θεὸν ἡμῶν εὐσεβείαν).

<sup>40</sup> Cf. e.g. Herrmann (n. 6 above), p. 103; G. Pugliese Carratelli, *Annuario della Scuola archeologica di Atene* 45–46 (1969), p. 439, and *BE*, 1971, nr. 620. For Ptolemaic Egypt, cf. Préaux, p. 34.

aid which he gave his subjects. Thus, the decree of the Egyptian priests in 196 B.C.E., preserved on the Rosetta Stone,<sup>41</sup> juxtaposes the revenues of the temples (τὰς προσόδους τῶν ἱερῶν) and the annual subsidies of the king (τὰς διδομένας εἰς αὐτὰ κατ' ἐνιαυτὸν συντάξεις). Here, as is generally the case in the Ptolemaic documents, the allocation given by the king to a temple served to pay the salaries of its personnel.<sup>42</sup> In the Seleucid sources, however, the *syntaxis* paid to a temple covers the expenditure of the sanctuary. We read in 2 Macc 9:16 that when the persecutor Antiochus IV repented, he promised to pay from his own revenues “the *syntaxeis* due for the sacrifices.”<sup>43</sup> We may note briefly that this terminological difference suffices to refute the hypothesis that this document was fabricated by the Jews of Egypt.<sup>44</sup>

The contribution to the sacrifices is expressed partly in kind and partly in money. The king does not furnish animals, wine, oil, and incense for the sacrifices, but provides a cash sum to cover these expenditures.<sup>45</sup> This *adaeratio* is hellenistic.<sup>46</sup> We find it in this form in the fictitious edict of Cyrus in Josephus,<sup>47</sup> whereas the authentic ordinances of Darius and of Artaxerxes (Ezra 6:9; 7:22) know only contributions in kind.

The meaning of the passage is indisputable, but its expression in the present text of Josephus is inaccurate. Let us first look at the manuscript tradition:

- (1) *Cod. Palatinus*: παρασχεῖν... τὴν... σύνταξιν... ἀργυρίου μυριάδας δύο.
- (2) *Codd. FLAW*: ἀργυρίου τιμὴν μυριάδας δύο.

This reading is corrected in *Cod. V*: ἀργυρίου τιμὴν μυριάδων β, and was changed a little in the Greek original of the sixth-century C.E.

<sup>41</sup> *OGIS* I, nr. 90, 14. Cf. Préaux, p. 40.

<sup>42</sup> U. Wilcken, *UPZ* I, p. 178; II, p. 299; C. Préaux, *op. cit.*, p. 481, and *Proceedings of the IXth Congress of Papyrology*, 1961, p. 203.

<sup>43</sup> Recasting the Persian edict which is cited at Ezra 6:9, 1 Esdras 6:28 writes: σύνταξιν δίδουθαι... εἰς θυσίας τῷ Κυρίῳ. Ps.-Ezra was writing in the Seleucid period. Cf. *RB* 54 (1947), p. 264.

<sup>44</sup> T. Reinach, in *Œuvres de Josephé*, III, *ad Ant.* 12.140.

<sup>45</sup> Cf. e.g. *Griechische Dialektinschriften* II, nr. 2642, 14: εἰς δὲ τὰς τιμὰς καὶ θυσίας δραχμὰς τρισχιλίας. *IG VII*, 43–911 (Megara, third century B.C.E.): τὸ ἀργύριον τὸ εἰς τὴν θυσίαν ἀναλισκόμενον.

<sup>46</sup> Cf. e.g. U. Wilcken, *UPZ* I, p. 164.

<sup>47</sup> Josephus, *Ant.* 11.16: τιμὴν κτηνῶν καὶ οἴνου καὶ ἐλαίου δραχμὰς εἴκοσιν μυριάδας καὶ πεντακισχιλίας πεντακοσίας.

Latin translation of the *Antiquities* of Josephus:<sup>48</sup> *constituimus... praestare ad immolationes victimarum et vini et olei et libaminis precium argenteorum viginti milia* (in Greek, this would be: *τιμὴν ἀργυρίων μυριάδας δύο*).

Reading (2) is obviously incorrect: what does “the price of the silver” mean? In context, this appears meaningless; nevertheless, the idea of the reviser who interpolated Josephus’ text is clear. He wanted to make the sentence (1) more intelligible by inserting the phrase “at the price of” (*τιμὴν*).<sup>49</sup> The strange position of this interpolation – after the indication of the value (“of the silver”) and before the indication of the sum (“20,000”) – suggests that the word “the price of” (*τιμὴν*) was originally nothing more than a marginal note which careless copyists subsequently introduced into the body of the text itself (as happened frequently).

An intentional change of this kind usually shows that the genuine reading presents difficulties, and that the textual modification was intended to eliminate these.

It is in fact possible that reading (1) is also defective, since the denomination of the money seems missing. We read in a Seleucid letter: “We have sold...for thirty talents of silver.”<sup>50</sup> Certainly, the word “drachma” may be omitted in bills, accounts, etc.,<sup>51</sup> but I must admit that I know of no example of this abbreviation in public documents. Since the word “drachma” was generally expressed by means of the symbol |, it is possible that a copyist of the edict of Antiochus III, before or after Josephus, omitted this sign and thus made the passage difficult to understand.<sup>52</sup> Accordingly, the editor of the Greek text which

<sup>48</sup> I quote this translation from the 1524 Basle edition.

<sup>49</sup> The formula of the Delphic manumissions shows the normal type of construction: ἀπέδοτο ὁ δεῖνα ἀνδρεῖον... τιμᾶς ἀργυρίου μνᾶν δύο.

<sup>50</sup> Welles, nr. 18, 1-2, 10-11: πεπράκαμεν Λαοδίκῃ Πάννου κόμην... ἀργυρίων παλάντων τριάκοντα.

<sup>51</sup> Cf. e.g. J.G. Tait, *Greek Ostraca* I, 1930, p. 8, nr. 47: χα(λκοῦ) ἰσονόμου διακοσίας τριάκοντα. Cf. W. Larfeld, *Handbuch der griechischen Epigraphik* II, 1902, p. 545; p. 557; Mayser II 1, 25; II, 3, 37. I am of course aware that one says in Greek: “a thousand,” “ten thousand,” etc., without specifying the denomination of the money in question, but in these cases we do not find any mention of the metal of the money either. Cf. e.g. Herodas, *Mim.* 2.52-53: χιλίας τὸ τίμημα ἔνευε. See however Acts of the Apostles 19:9.

<sup>52</sup> This hypothesis becomes more credible if we recall that the numbers in Josephus’ archetype were indicated by numerical signs (A. von Gutschmid, *Kleine Schriften* IV, p. 552) and that it is easier to hop over letters than words in the *scriptio continua*. B.A. van Groningen, *Traité d’histoire et de critique des textes grecs*, 1963, p. 94. Cf. *Nouveau choix d’inscriptions grecques* (Institut Fernand-Courby), nr. 34, 10-12 = G. Mihailov, *Inscr. graec. Bulg.* IV, 2265: ἐπέδωκεν Ἀττικὰς μυρίας εἰς ἄλλυμμα.



was used by the Latin translator replaced the word “silver” with the expression “silver pieces.” It is better to restore the sign for “drachmas” to Josephus’ text: “twenty thousand (drachmas) of silver.”

The flour and salt<sup>53</sup> for the sacrifices are furnished in kind by the king: καὶ σεμιδάλεως ἀρτάβας ἱερῶς κατὰ τὸν ἐπιχώριον νόμον, πυρῶν μεδίμνους χιλίους τετρακοσίους ἐξήκοντα, καὶ ἄλῶν μεδίμνους τετρακοσίους ἑβδομηκονταπέντε (Latin: *et ad similia secundum provincialem legen tritici modios 1475 et salis modios 375*). T. Reinach comments on this passage:<sup>54</sup> “The text has been changed; the distinction between flour and barley is highly improbable; the two numbers ought to agree; the number of artabes is missing.” The reading in the manuscripts is however correct. The passage simply demonstrates that the Seleucid administration applied the same system of accounts as the Lagid offices. In calculations in Ptolemaic Egypt, the artabe of barley was substituted for all other kinds of cereals, in accordance with a table which fixed the relative value of the various products in relation to the value of barley. The calculation was always made in terms of volume, not of weight.<sup>55</sup> The state undertook to supply the temple with a constant number of “ephahs” of fine flour,<sup>56</sup> in keeping with the prescriptions of the Jewish law. The edict employs the term “artabe” for the Hebrew measure “ephah,” as is common in Greek.<sup>57</sup> The decree specifies the number of units of value in barley, the “medimni,” which corresponded to the number of “artabes” (i.e., “ephahs”) of flour required for worship in Jerusalem.

The *Akra* dominated the sanctuary, and it is perfectly natural that the buildings of the temple should have been damaged during the lengthy siege of the fortress.<sup>58</sup> The king ordains (§141) that the damage inflicted on the sanctuary be repaired, and in order “to add splendor to the restoration of the temple,” he exempts from taxes all the materials

<sup>53</sup> On salt in the Jewish sacrifices, cf. Josephus, *Ant.* 3.227; Strack-Billerbeck II, p. 21.

<sup>54</sup> T. Reinach, in *Œuvres de Josephé, ad loc.*

<sup>55</sup> Cf. U. Wilcken, *UPZ* I, p. 178; A. Bouché-Leclercq, *Histoire des Lagides* III, p. 183. Cf. *BE*, 1970, nr. 471. The reviser of *Cod. Palatinus* has not understood this passage; this is why he corrects the grammatical case (ἱερῶς ἀρταβᾶς).

<sup>56</sup> For σεμιδάλις, cf. LXX Ex 29:2; Sir 39:26. Cf. N. Jasny, *Amer. Histor. Review* 48 (1941), p. 762; A. Moritz, *Grain-Mills and Flours in Classical Antiquity*, 1958, p. xxi.

<sup>57</sup> O. Viedebant, *Philologus*, 1928, p. 209; Idem, *RE*, XV, 86. On the Jewish measures, cf. de Vaux, I, p. 309.

<sup>58</sup> We may recall the description of the citadel in Ps.-Aristeas (§100ff.): no one who enters the precincts of the sanctuary can escape surveillance by the garrison of the fortress, which is equipped with machines for launching projectiles, etc.

necessary for beautifying the temple, especially the wood for building.<sup>59</sup> This probably concerns taxation rights over transport within the kingdom: each province formed a customs district, and transit taxes were paid when merchandise was brought into or out of a district.<sup>60</sup> Finally, the king allowed imports to be brought in at the gate of Jerusalem:<sup>61</sup> the edict specifies that this exemption covers wood from Judea or imported from another *ethnos* (we shall return to this expression below) or from Lebanon. This distinction is not fortuitous: the forests of Lebanon were a private domain of the monarch.<sup>62</sup> Among the various works which were to be carried out,<sup>63</sup> the edict mentions specifically only the completion<sup>64</sup> of the “porticoes,” an obvious reference to the “gallery in front of the temple” which is mentioned several times in the Bible and in Josephus.<sup>65</sup>

After dealing with sacred matters, the edict goes on to speak of the people of Jerusalem. First of all, the king regulates the institutions of the city (§142); we shall comment on this paragraph in the next section of this essay.

Finally, in keeping with the ideas set out in the considerations, the king prescribes measures for the repopulation of the city (§143–144); these were the most common measures in the hellenistic administrative praxis.<sup>66</sup> First he mentions the perpetual and temporary fiscal exemptions. Those who live in the city at present, as well as those who return<sup>67</sup>

<sup>59</sup> Cf. Ezra 3:7; Ps.-Ezra (1 Esdras) 3:48; Josephus, *Ant.* 11.60. For the expression ξύλων ὕλη, cf. e.g. *PCZ* nr. 59112, 1–4: λ[όγος] παρὰ Ἀμολήτ[ος] ξύλων ὧν ἠγόρακεν ἐκ τῆς ὕλης. *IG XIII*, 3, 324, 10–11 (Thera): τὴν τῶν ξύλων... ὕλην. Cf. A. Wilhelm, *Jahreshefte Österr. Inst.* 8, p. 112.

<sup>60</sup> 1 Macc. 10:31; 11. Cf. *SEHHW I*, p. 464.

<sup>61</sup> *IS* 116; Antiochus IV granted an exemption from taxation for “all the products” of the territory of Miletus which were imported into his kingdom. P. Herrmann, *Istanbuler Mitteilungen* 15 (1965), p. 71.

<sup>62</sup> U. Kahrstedt, *Syrische Territorien*, 1926, p. 40; M. Rostowzew, *Klio*, 1911, p. 387.

<sup>63</sup> Cf. *PCZ* nr. 59200, 1–2: οἰκοδόμησον [στοὰν]; *SIG I*, nr. 204, 26–27: εἰς οἰκοδομίαν τοῦ προστώου καὶ ἐπισκευὴν τοῦ ἱεροῦ. Οἰκοδομεῖν in the sense of “rebuilding” is found e.g. in the Jerusalem inscription, *Syria*, 1920, p. 170 = *REJ* 71, p. 46: Οἰκοδόμησε τὴν συναγωγὴν... ἣν ἐθεμελ[ίω]σαν οἱ πατέρες αὐτοῦ. For the noun οἰκοδομή in this sense, cf. e.g. Michel 992, 27 = *IG V*, 2, 265, 25–26: προενοήθη δὲ καὶ ἄς προσεδεῖτο ὁ ναὸς οἰκοδομᾶς. For ἐπισκευή, cf. Welles, *op. cit.*, s.v.

<sup>64</sup> Cf. Josephus, *Ant.* 8.130: Solomon completed his palace after thirteen years of work: οἰκοδομὴν... ἀπήρτισεν.

<sup>65</sup> 2 Chron 3:4; Josephus, *Ant.* 11.89; 108; 15.401. Cf. A. Büchler, *Tobiaden und Oniaden*, 1899, p. 146.

<sup>66</sup> It suffices here to refer to the magisterial commentary by M. Holleaux on an “Inscription trouvée à Brousse,” *BCH*, 1924, pp. 1ff. (esp. pp. 21, 40, 43).

<sup>67</sup> The verb κατέρχομαι is used here in this technical sense.

up to the month of Hyperberetaios (Elul),<sup>68</sup> which was the last month in the Seleucid year,<sup>69</sup> are exempted<sup>70</sup> from all the taxes they would owe for the space of three years. This was the normal period of exemption in the hellenistic period;<sup>71</sup> it was granted so that a people in economic need could regain prosperity.<sup>72</sup> The king adds that the same persons will enjoy exemption from one third of their “tribute” in future, in order to make good what they have lost during the war.

In the same way, in 240, Ptolemy the son of Lysimachus suppressed or reduced a number of taxes when he learned that the city of Telmessus in Lycia was “in a state of distress thanks to the wars.”<sup>73</sup> Towards 160, Attalus reduced by a quarter the tribute due from the citizens of Amladia.<sup>74</sup>

The document mentions two kinds of taxes: personal taxation and tribute. The personal taxes are the poll tax, the “crown tax,” and the tax on salt.<sup>75</sup>

I know of no other evidence of a poll tax in the Seleucid empire, but this is mentioned among the satraps’ taxes in the second Book of the *Economics* attributed to Aristotle, which reflects the fiscal situation in Asia under the Diadochoi;<sup>76</sup> the same situation was found at a later date in the kingdom of Pergamum.<sup>77</sup> The ordinance describes this tax

<sup>68</sup> Cf. my *Chronology*, 1968, p. 25.

<sup>69</sup> The invitation to the refugees and fugitives to return to their official place of residence is customary in the administrative praxis of the hellenistic period. Cf. 2 Macc. 11:30 and U. Wilcken, *Grundzüge der Papyrskunde*, p. 26. A fixed period of time within which they were requested to return is also found in 2 Macc. 11:30; U. Wilcken, *Chrestomathie*, nr. 9, c. 2, 18.

<sup>70</sup> For ἀπέλυσσα in this sense, cf. e.g. A. Wilhelm, *Wiener Sitzungsberichte* 214,4,24. L. Robert, *Documents de l'Asie Mineure méridionale*, 1964, p. 46.

<sup>71</sup> Holleaux, II, p. 93.

<sup>72</sup> On the noun ἐπανόρθωσις employed in the material sense, cf. L. Robert, *Hellenica* 11–12 (1960), p. 518. Polybius too juxtaposes the nouns ἐπανόρθωσις and βλάβη by way of contrast. Mauersberger I, p. 864. Cf. also Plutarch, *Pericles* 11.6: ἐπανορθούμενος δὲ τὰς ἀπορίας τοῦ δήμου.

<sup>73</sup> *OGIS* I, nr. 55.

<sup>74</sup> *OGIS* II, nr. 751 = Welles, nr. 54 = H. Swoboda and J. Keil, *Denkmäler aus Lykaonien*, 1935, nr. 74.

<sup>75</sup> The manuscripts have the reading τῶν ἄλλων (cf. the Latin translation: *a tributis quae pro suo capite dabunt... vel ab aliis cunctis oneribus*). We should follow Niese in reading: τῶν ἄλων.

<sup>76</sup> Ps.-Aristotle, *Oecon.* 1346 a 4; B.A. van Groningen, *Le deuxième livre de l'Économie d'Aristote*, 1934, *ad loc.* Cf. A.M. Andreades, *A History of Greek Public Finance* I, 1933, p. 105; *SEHHW* I, p. 40.

<sup>77</sup> *SEHHW* II, p. 45; D. Magie, *Roman Rule in Asia Minor* I, 1950, p. 763; D. Musti, *Studi Classici e Orientali* 15 (1966), p. 182.

somewhat oddly, in an indirect manner (§142): ὧν ὑπὲρ τῆς κεφαλῆς τελοῦσι.<sup>78</sup>

In principle, the “crown tax” was a voluntary gift on the joyful occasion of the accession of the king to the throne, but this became a levy (mentioned at 1 Macc. 10:29 and 13:39) which seems to have been exacted annually. We do not know how it was exacted.<sup>79</sup>

The tax on salt known as ἀλική (*sc.* ὠνή) is well attested in the Seleucid empire and in Ptolemaic Egypt. It seems that this was originally an obligation to purchase a certain quantity of salt from the royal stores at a price laid down by the king, but the surviving documents speak of this indirect tax as something imposed on persons. However, the royal letter speaks not of ἀλική, but of τῶν ἀλῶν. Similarly, in the privilege accorded by Demetrius I (1 Macc. 10:29), the term is τιμὴ τοῦ ἀλός. There is as yet no scholarly consensus about the nature of this indirect tax under the Seleucids.<sup>80</sup>

The contribution called φόροι (“the tributes”) in the edict was a fixed sum paid directly to the royal treasuries by the community.<sup>81</sup> The tribute was owed by all the political bodies which were subjects of the king, whether a Greek city or a barbarian people, and this obligation to pay tribute was regarded as a mark of subjection. After he defeated John Hyrcanus, Antiochus VII demanded that he pay the outstanding annual payments of the *phoros*.<sup>82</sup> Under Antiochus III, the sum owed by Jerusalem rose to the probable level of 300 talents.<sup>83</sup> The tribute was assigned once for all to all the municipalities of a district. When Demetrius II granted three Samaritan “toparchies” to the Jews, he

<sup>78</sup> Josephus, *Ant.* 13.50 (letter of Demetrius I to the Jews): the tax ὑπὲρ κεφαλῆς (these words are missing in the text of the same letter reproduced at 1 Macc. 10:29). Plutarch, *De liber. Educ.* 14 (11b) speaks of τῶν ἐθνῶν κατὰ κεφαλὴν εισφερόντων ἀργύριον (at the time of Alexander the Great). Eumenes II reduced a personal tax: ἐκάστου σώματος ἐνηλικίου. M. Sègre, *Clara Rhodos* 9 (1938), p. 199. In the fourth century, the amphictyonic cities exacted a poll tax, ὁ ἐπικέφαλος ὀβολός, for the reconstruction of the temple of Delphi. J. Pouilloux, *BCH*, 1949, p. 177. For the Roman period, cf. *SEHHW* II, 1957, Index, p. 815; L. Robert, *La Carie* II, 1954, p. 175; *BE*, 1956, nr. 159.

<sup>79</sup> *IS*, p. 111; *SEHHW* I, p. 469.

<sup>80</sup> Cf. *IS*, p. 112; *SEHHW* I, p. 470; and on the taxation of salt in Ptolemaic Egypt, cf. Préaux, pp. 250ff.; H. Cadell, *Atti del XI Congresso Internazionale di Papirologia*, 1966, p. 324; F. Übel, *ibid.*, p. 272, and *Archiv für Papyrusforschung* 19 (1969), p. 62. J. Shelton, *ZPE* 20 (1976), p. 35.

<sup>81</sup> *IS*, p. 106; *SEHHW* I, p. 164; P. Herrmann (n. 6 above), pp. 103, 138.

<sup>82</sup> Josephus, *Ant.* 12.246.

<sup>83</sup> This is at any rate the sum of the *annuum stipendium* of the Jews indicated by Sulpicius Severus (2.17,5) for the epoch of Seleucus “Nicator” (read Philopator).

retained for himself the rights of tribute from these cantons (1 Macc. 10:30). We should note that Antiochus III grants a reduction in the tribute only to the inhabitants of Jerusalem (§144), not to the Jewish people in general.

Perpetual immunity is granted to the senate, the priests, the scribes of the temple, and the sacred singers. We have already spoken of the *gêrousia*. The privileged position of the native priests is not surprising in a Seleucid document. After the lay aristocracy of the native population had lost their possessions to the conquerors, the clergy became the elite and the spokesmen of the oriental populations. The remarkable thing in Jerusalem, given that it is a sacred city, is to see the clergy yielding precedence in rank to the senate of the nation.<sup>84</sup>

It is not easy to define the class of the γραμματεῖς τοῦ ἱεροῦ. We find the same term in an altered Greek document quoted by Josephus (*Ant.* 11.128), in which Xerxes remits the taxes imposed on the priests, levites, etc., and the γραμματεῦσιν τοῦ ἱεροῦ. The interpolated phrase comes from 1 Esdras 8:22, but the persons in question are called there πραγματικοὶ τοῦ ἱεροῦ. 1 Esdras in turn borrows the document from the canonical Book of Ezra (7:24), where this category of ministers is called (in the Septuagint translation) λειτουργοὶ οἴκου θεοῦ (an exact translation of the original Aramaic); the Vulgate calls them *ministri*, “servants.” The version of 1 Esdras is less general, and this makes it more interesting. The *pragmatikoi* are “businessmen,” either in the service of the state or of a municipality, or self-employed.<sup>85</sup> It is remarkable to see a Jewish writer in the second century noting their presence among the temple personnel. At a later date, when Josephus (*Ant.* 11.128) draws on 1 Esdras and reproduces the Persian privilege mentioned in that text, he substitutes the term “scribes of the temple” for the noun *pragmatikoi* in his source.

<sup>84</sup> On the clergy, cf. *SEHHW*, Index *s.v.* “priests”; for Lagid Egypt, cf. *Archiv für Papyrusforschung* 8, p. 235; Préaux, Index *s.v.* “clergé.”

<sup>85</sup> The word does not occur elsewhere in the Septuagint. Cf. e.g. *OGIS* I, nr. 139, 7 = M.-T. Lenger, *Corpus des ordonnances des Ptolémées*, 1964, nr. 52, 35. This is a petition concerning the exactions made by the royal officials καὶ οἱ ἄλλοι πραγματικοὶ πάντες. Cf. Wilcken, *Chrestomathie*, nr. 287, 18; *UPZ* II, nr. 196, c. II, 59; *P. Tebt.* III, 739. Consequently, as an adjective, this word designates a skillful and clever man. Cf. e.g. Polybius, 8.11.2; *BGU* VIII, 1871, 9. For the Roman period, cf. L. Robert, *Hellenica* 11–12 (1960), p. 416: “a man of law and business.”

The Chronicler mentions at 2 Chron 34:13 the following three groups among the levites: “scribes,” *śōterīm* (“attendants”?),<sup>86</sup> and “porters” (policemen).<sup>87</sup>

Naturally, the sanctuary had offices and clerks, etc.<sup>88</sup> For example, levites assisted the priests who received the gifts brought by Ezra, and an exact list of these contributions was drawn up at once (Ezra 8:33). But we know very little about the internal organization of the temple, and the information given by our sources on this subject has never been collected and explained by scholars. The passages cited above show that the “scribes of the sanctuary” were the officers in charge of the administration of temple business.

The letter of Antiochus III demonstrates that these secretaries and accountants had arrived at the head of the tribe of Levi around 200 B.C.E. Nothing better illustrates the ascent of the bureaucracy in the hellenistic period and, in consequence, the hellenization of Jerusalem on the eve of the Maccabean period.

Let us make two observations on the mention of the singers of Zion whom the king calls *hieropsaltai*. This term is very rarely attested, and the letter of Antiochus is the oldest evidence of its use. The word later appears in 1 Esdras, an author of the Seleucid period, as a designation of the same singers in the sanctuary of Jerusalem.<sup>89</sup> In the first century, this term is employed for the musicians of the Idumaeen cult in Egypt.<sup>90</sup> The same name was given to the singers (or to one class of singers) in the Egyptian temples.<sup>91</sup> However, the decree which the

<sup>86</sup> The translation κριταί (“judges”) in the Septuagint is not actually impossible (cf. the following note), but it is certainly erroneous here.

<sup>87</sup> The *grammateis* (*śōterīm*) in 1 Chron. 23:4 and 2 Chron. 19:11 are the clerks of the tribunals (cf. 2 Chron. 19:6). Cf. de Vaux, II, p. 262. The *grammateis* (*śōterīm*) in 1 Chron. 27:1 are in the service of the king. The Greek version of Kings (4 Kg. 22:3) mentions Shaphan τὸν γραμματέα οἴκου Κυρίου, but this is merely an error by the translator; Shaphan is a secretary of the king who is sent “to the house of the Lord.”

<sup>88</sup> Cf. e.g. Neh. 11:16; 1 Chron. 23:27–29; 27:20–29; 2 Chron 31:11–13. On the higher administration of the Herodian temple, cf. Jeremias, p. 166. Cf. also M. Delcor, *VT* 12 (1962), p. 53; J.C. Greenfield, in *W.B. Henning Memorial Volume*, 1970.

<sup>89</sup> 1 Esdras 1:15; 5:27 and 46; 8:5 and 22; 9:24. On the date of this book, cf. *RB* 54 (1947), p. 264.

<sup>90</sup> *OGIS* II, nr. 737, 16; F. Zucker, *Doppelinschrift... von Hermupolis Magna* (Abhandl. Preuss. Akademie, 1937, nr. 6), p. 29; Idem, *Aegyptus* 18 (1938), p. 279. Cf. F. Preisigke, *Sammelbuch griech. Urkunden* I, nr. 4206, 166.

<sup>91</sup> Josephus, *Liber Memorialis* 144.51 (PG 106, 161); *BGU* IV, 630 c. 4; C. Wessely, *Studien zur Paläographie und Papyruskunde* 22, p. 57. An inventory of Delos (from 146–145 B.C.E.) mentions an offering in the temple of Anubis πρὸς τῷ ψαλτηρίῳ. P. Roussel, *Les cultes égyptiens à Délos*, 1916, pp. 232, 287.

Egyptian priests promulgated in 239 calls these sacred singers ᾠδοί.<sup>92</sup> With the exception of Ps.-Esdras, the translators of the Hebrew Bible never employ the term *hieropsaltai* (nor even the noun *psaltês*); they speak rather of ψαλτωδοί (e.g. 1 Chron. 9:33; Sir. 47:9; 50:18), of ᾠδοί (2 Chron. 9:11), of ᾄδοντες (Ezra 2:70), of ὑμνωδοῦντες (1 Chron. 25:6), etc. Similarly, the term *hieropsaltai* is not found in Philo or Josephus<sup>93</sup> or in any other Jewish text written in Greek, as far as I know; nor is it employed by pagan authors when they speak of the Jews.<sup>94</sup>

The term first appears in Christian texts towards the middle of the fourth century.<sup>95</sup> Before this, the church fathers spoke of *psalmôdoi*.<sup>96</sup> But since the name *psaltai* was beginning to be applied to the singers of the church,<sup>97</sup> the biblical singers were now given the name *hieropsaltai* which later on,<sup>98</sup> and subsequently in modern Greek, was also applied to the musicians of the Greek church.

Why then did the chancellery of Antiochus III call the singers of Zion ἱεροψάλται?

To understand this, we must recall that the Greek singers did not normally form part of the personnel of the sanctuary, and that worship in the temples was the work of choirs, supported by professional musicians.<sup>99</sup> Here, the singer was distinct from the instrumentalist. In Zion, however, the music was normally performed by levites,<sup>100</sup> who sang the psalms to

<sup>92</sup> *OGIS I*, nr. 56, 69. Cf. F. Daumas, *Les moyens d'expression du Grec et de l'Égyptien*, 1952, p. 187. Clement of Alexandria (*Strom.* 6.4,3) employs the same term, while Porphyry (*De abst.* 4.9) speaks of the Egyptian *hymnodoi*. Cf. W. Otto, *Priester und Tempel im hellenistischen Ägypten I*, 1905, p. 90.

<sup>93</sup> Josephus, *Ant.* 11.128, is copying 1 Esdras 8:22.

<sup>94</sup> Plutarch, *Q. conviv.* 4.6,2: Κιθαρίζοντες... οὓς αὐτοὶ Λευίτας προσονομάζουσιν.

<sup>95</sup> I have consulted the *Thesaurus* (ed. Dindorf); E. Sophocles, *Greek Lexicon*; G.W.H. Lampe, *A Patristic Greek Lexicon*, 1961; and the indexes in the editions of Christian authors published by the Academy of Berlin. According to these sources, the earliest example of this usage is in the treatise of Serapion against the Manicheans, written ca. 350: David ἱεροψάλτης. Cf. *C. Manich.* 50, ed. R.P. Casey.

<sup>96</sup> This term is still employed by Methodius, *Symposion* 4.4.

<sup>97</sup> Canons of the Council of Laodicea 15; Gelasius, *Hist. Eccl.* 2.33,4; Palladius, *Historia Lausiaca* 140; Sozomen, *Hist. Eccl.* 4.3; *BE*, 1956, nr. 230.

<sup>98</sup> Lampe, *op. cit.*, *s.v.* quotes the Canons of the Council in Trullo (held in 692).

<sup>99</sup> Cf. e.g. L. Robert, *Études anatoliennes*, 1937, p. 29. The works on Greek music which I have been able to consult neglect the liturgy and are unaware of the documentation in inscriptions and papyri, with the exception of a few texts which contain musical notation or refer to aesthetic questions.

<sup>100</sup> The normal orchestra in the Herodian temple consisted of eleven singers who accompanied themselves on stringed instruments, and a percussionist who directed the singing by beating cymbals. *M. Tamid* 7.3; *M. Arak.* 2.3 and 5. Cf. H. Grätz, *MGWJ* 30 (1881), p. 248. On certain occasions, the regular performers were joined by flautists and "harpists" and extra singers, who were levites but might even be lay persons.

the accompaniment of stringed instruments:<sup>101</sup> ἐπέψαλλον τοὺς ὕμνους (2 Macc. 1:30). During their captivity, they hung up their harps on the willow trees along the banks of the rivers of the Babylon, in order to avoid singing the hymns of Zion in a foreign land (Ps 137). When we see them for the last time, in 66 C.E. on the eve of the rebellion against Rome, they are described by an eyewitness as “singers of hymns with their instruments.”<sup>102</sup> Thus, for the Greeks, they were *psaltai* who sang while playing the psaltery.<sup>103</sup> In the same way, we speak of a “guitarist” even when the artist sings a song.

Our second observation concerns the rank of the singers in the hierarchy of the Second Temple. In the fifth century, they are inferior to the levites, but they have acquired an equal rank by the time of the Chronicler. Later, they succeeded in rising to the highest level of the levitical order.<sup>104</sup> Thus, in the edict of Artaxerxes, the temple singers follow the levites in the list of those ministers of the sanctuary who receive fiscal privileges (Ezra 7:24). In the edict of Antiochus III, the singers (and the temple scribes) are the only levites whose taxation burden is reduced. Finally, towards 60 C.E., Agrippa II gave them permission to wear “the linen robe” like the priests, while the levites who served in the temple were authorized to learn the Psalms.<sup>105</sup>

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Cf. *M. Arak*. 2.3–6; *T. Arak*. 1.15. Cf. Grätz, *op. cit.*, p. 250; A. Büchler, *Die Priester und der Kultus*, 1895, p. 127. For the restored temple in the post-exilic period, cf. 1 Chron 25:7. Cf. in general A. Sendrey, *Music in Ancient Israel*, 1969, p. 72 (biblical passages) and p. 169 (music in the temple); E. Gerson-Kiwi, *Dictionnaire de la Bible, Supplément V*, 1957, s.v. “Musique.” On the instruments, cf. Sendrey, *op. cit.*, p. 266; A.-C. Barrois, *Manuel d’archéologie biblique II*, 1953, p. 127.

<sup>101</sup> Cf. e.g. 1 Chron. 15:16, τοὺς ψαλτῶδους ἐν ὀργάνοις ᾠδῶν, νάβλαις καὶ κινύραις καὶ κυμβάλοις. 2 Chron. 23:13; 1 Chron. 16:5; 2 Chron. 5:22; 29:2. For the Herodian temple, cf. Josephus, *Ant.* 7.305; 9.269; *M. Sukka* 5.4: the levites with instruments of music sang the hymns. Maimonides makes a distinction between the singers and the instrumentalists in the temple. Cf. the notes on *Arak*. 2.3–6 in *Mischnaiot V*, 1921, ed. J. Cohn, and Maimonides, *Book of the Temple Service* 2.3,3, trans. M. Lewittes, 1957. 1 Esdras 5:4 mentions ψάλται καὶ ψαλτῶδοί among the Jews who returned from Babylon to Jerusalem after the captivity, but the text this author is adapting (Ezra 2:65) speaks of “men and women singers.” In the ancient Latin translation and in the Vulgate, 1 Esdras follows Ezra here. The commentaries on 1 Esdras, and even scholarly studies of the text of this book, remain silent about this little problem.

<sup>102</sup> Josephus, *Bell. Jud.* 2.31: οἱ ὕμνοδοὶ μετὰ τῶν ὀργάνων.

<sup>103</sup> One may ask why Antiochus speaks of *psaltai* rather than using a term such as the *kitharistai* of the temple. In the Septuagint, *kithara* usually translates the Hebrew term *kinnoṯ*, while *psaltērion* is usually the equivalent of the Hebrew term *nebel*.

<sup>104</sup> de Vaux, II, pp. 256, 259; Schürer, II, p. 333.

<sup>105</sup> Josephus, *Ant.* 20.216: φορεῖν αὐτοῖς ἐπίσης τοῖς ἱερεῦσιν... λινῆν στολήν. The meaning of this privilege is far from clear, since the singers had worn some kind of linen vestment for centuries: 2 Chron. 5:12; Josephus, *Ant.* 8.94. As for the authorization



How do we explain this promotion of the musicians to a higher place than the levites who performed various functions in worship? Two reasons for this success may be suggested. First, the work of the other levites is clearly subordinate: they serve the sons of Aaron (Num. 18:28). For example, they prepare the showbread week by week, but it is the priests who eat these loaves (Lev. 24:9; 1 Chron. 9:32).<sup>106</sup> The musicians formed a separate body alongside the priestly order, and were subject to the same genealogical controls as the priests.<sup>107</sup> The latter played the trumpet during the liturgical ceremonies (e.g. 1 Chron. 15:24). The singers had instruments to support their vocal music, and they sang “with all their voice” (1 Chron. 15:16). The evolution of religious sentiments favored vocal music.

Jesus Ben Sirach, a contemporary and subject of Antiochus III, tells us that “The flute and the harp make pleasant melody, but a pleasant voice is better than both.”<sup>108</sup> At a later date, the author of the Psalms of Solomon writes that a hymn is an offering made by the lips, coming from a pious and righteous heart. Later still, in the second century of the Common Era, the rabbis insisted on the importance of song in the liturgy. Singing is an indispensable part of the sacrificial ritual; the instruments serve only as an accompaniment.<sup>109</sup>

This question was purely speculative for the rabbis, but it was of practical importance in the Herodian temple. The laity were not admitted to the courtyard of the sacrifices, and they did not take part in the music which was performed by the priests. They prostrated themselves when they heard the sound of the priestly trumpets (2 Chron.

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granted to “the fraction of the tribe who served the sanctuary to learn the hymns” (Josephus, *Ant.* 8.218: τοὺς ὕμνους ἐκμαθεῖν), this doubtless means permission to take part in the choir of singers; we might add the words “*ad infinitum*.” *M. Arak.* 2.6.

<sup>106</sup> Cf. e.g. *M. Tamid* 5.3: the ministering levites helped the priests to put on and take off their sacerdotal vestments, which they wore only during the sacrifice. Josephus, *Bell. Jud.* 5.229. Cf. Jeremiah, p. 209.

<sup>107</sup> Jeremiah, p. 215.

<sup>108</sup> Sir 40:21, Καὶ ὑπὲρ ἀμφοτέρα γλῶσσα ἤδεῖα. We should not be surprised to find “tongue” used here as a metonym for the “melody.” Cf. Philo, *Vit. Mos.* 2.239. My friend H.L. Ginsberg thinks that Jesus Ben Sirach is inspired in this passage by Ps 71:22–24. Cf. Psalms of Solomon 15.3, where the hymn is called καρπὸν χειλέων ἐν ὄργανῳ ἡρμωσμένῳ γλώσσης, ἀπαρχὴν χειλέω ἀπὸ καρδίας ὁσίας καὶ δικαίας.

<sup>109</sup> Cf. e.g. *b. Arak.* 11a; *b. Sukk.* 51a; *Tos. Taan.* 3.3; S. Liebermann, *Tosefta Kī-Fsutah*, II, pp. 337 and 1104. We should note that in the course of the same century, foreign cities were frequently invited to send choirs to honor and give thanks to Apollo in the sanctuary of Claros. L. and J. Robert, *La Carie*, II, 1954, p. 214; L. Robert, *Studia classica* 16 (1974), pp. 75–77.

29:29; Sir. 50:17). But when the levites sang, the whole people joined in, taking up the refrain, or at least saying “Amen!” or praising God (“Hallelujah!”).<sup>110</sup> The singing was the intermediary link between the sacrificial liturgy and the faithful.

Finally, the king restores their liberty and their property to those who had been forcibly removed from the city, and to their children.<sup>111</sup> These were not prisoners taken in a regular battle; the soldiers of both armies may well have carried off a large number of the inhabitants of Jerusalem during the three campaigns in 202–200 B.C.E., especially those who belonged to the enemy (or suspect) party, reducing them to slavery or selling them.<sup>112</sup> A cluster of slave traders always followed in the wake of hellenistic armies.<sup>113</sup> Naturally enough, the property of the unfortunate victims was plundered by the soldiers and by their own neighbors.

### III

When Josephus published his *Jewish Antiquities* in 93–94, the smoke of the burning of the temple in Jerusalem still covered the historical horizon. Poets celebrated this exploit of the Flavian dynasty which was currently ruling in Rome. All the Jews were obliged to pay an annual tax in favor of Jupiter Capitolinus, which replaced their yearly contribution to the God of Zion. Had not this God himself abandoned the place where he was worshiped? “The gates of the sanctuary opened by themselves and a voice stronger than any human voice announced that the gods were leaving. At the same time, a great commotion of departure was heard.”<sup>114</sup> Josephus does not spare any effort to show to this hostile Gentile world the perfection of the Jewish religion, which has been abandoned by its own divinity. His readers believed that this God no longer existed, and this makes the praises he lavishes on the worship of this God highly paradoxical. In order to tone down this paradox,

<sup>110</sup> Cf. 1 Chron. 15:36; Neh. 5:13; 8:6.

<sup>111</sup> Michel, 158 = *SIG*, 454 (Salamina, ca. 250 B.C.E.): καὶ σώματος ἀρπασθέντος ἐκ τῆς νήσου. A. Wilhelm, *Anzeiger Wiener Akademie*, 1921, 77 (Istros, third century B.C.E.): [σωμάτων] τε τινῶν πολιτικῶν [ἀρπασθέντων] καὶ ἀπαχθέντων.

<sup>112</sup> Ps.-Aristeas, 23. Cf. W.L. Westermann, *The Slave Systems of Greek and Roman Antiquity*, 1955, p. 28; cf. e.g. *BE*, 1968, nr. 247.

<sup>113</sup> Cf. e.g. 1 Macc. 3:41.

<sup>114</sup> Tacitus, *Hist.* 5.13. Cf. Josephus, *Bell. Jud.* 6.299.

Josephus carefully underlines, in season and out of season, the respect shown by the pagan authorities of an earlier period to the holy city and to its God. Accordingly, he quotes the letter we have been studying here, with two other documents, “to demonstrate the friendliness of Antiochus the Great with regard to the Jews” (*Ant.* 12.153).

I am not sure whether Josephus’ first readers were much influenced by these literary devices; but they certainly make an impression on many modern historians, who are anxious not to be taken in by Josephus’ stratagem, and this is why they refuse to believe in the authenticity of the texts he presents. Here, however, they are simply being led astray by Josephus in another manner – for it is the apologetic use he makes of the document that is false, not the document itself! We find this phenomenon a thousand times in Josephus. For example, in the same book (*Ant.* 12.133), he quotes Polybius and says that “he confirms our account.” The fragment of the Greek historian is authentic, but it does not in the least “confirm” the apologetic elaborations of the Jewish author. In the same way, Josephus inserts a number of Roman documents in his work, as “testimony to the concern shown by the Romans for our people” (*Ant.* 14.323). But no one doubts the authenticity of these texts.

Let us therefore examine the ordinance of Antiochus III, prescinding from the tendentious interpretation which Josephus gives. The order is drawn up in the form of a letter which begins with the customary formula: “Greetings.” The epistolary form of the edict is in complete accordance with the praxis of the Seleucid chancellery, but we are initially disconcerted to find the first person singular employed in §§141 and 143: βούλωμαι, καθὼς ἐπέσταλκα, δίδωμι. In principle, the Seleucids spoke of themselves in the royal plural: “We.” The singular is however used alongside the plural in some royal decrees which have been preserved on stone. We do not know the significance of this grammatical change. Perhaps the sovereign made additions to the rough draft produced by his chancellery, and these were for some reason reproduced word for word in the definitive text.<sup>115</sup> At any rate, the clauses in the singular interrupt the flow of ideas in the edict of Antiochus III.

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<sup>115</sup> Welles, *ad* nr. 1, 65; cf. e.g. *BE*, 1971, nr. 620. Ps.-Aristeas, 26. Cf. R. Laqueur, *Histor. Zeitschrift* 136, p. 250; Idem, *Epigraphische Untersuchungen*, 1927. Cf. also E. Norden, *Agnostos Theos*, 1913, p. 313; S. Mowinckel, *Studien zu dem Buche Ezra-Nehemiah*, III, 1965, pp. 81–88.

We may wonder why this edict for Jerusalem is addressed to the governor of the province rather than to the Jews. Mostly, the kings wrote directly to the cities which enjoyed their favor. For example, a decision of Antiochus II in favor of Samos was sent to this city, and also communicated to the royal commandant and to the “director of finances.”<sup>116</sup> However, sometimes a document was sent to the appropriate officers of the king, not to the interested party.<sup>117</sup> It would be good to know why the king chose one or other method; it seems to have depended on circumstances. For example, King Demetrius I wrote to “the nation of the Jews” in 152, bestowing numerous favors on them (1 Macc. 10:26); but in 145, King Demetrius II announced to his minister Lasthenes the privileges granted to the Jews, and sent the high priest Jonathan and “the nation of the Jews” only a copy of his decision, appended to a brief and purely formal letter (1 Macc. 11:30). We may suppose that Antiochus III sent Jerusalem a copy of his letter to Ptolemy in 200, and this hypothesis is confirmed by an observation drawn from the study of official documents: in the official copies of a letter, the final greeting (ἔρρωσο, “Enjoy good health!”), which validated the original, was usually omitted, and even the date which immediately followed the autograph formula of greetings was normally omitted by the copyist in the offices which dispatched the texts. Since both these concluding elements are missing in the text of the letter to Ptolemy which Josephus reproduces, we may infer that this text goes back to an official copy of the letter, which was kept at Jerusalem. Doubtless, the Jewish authorities ensured that the royal decree was transcribed on a pillar which was exposed to public view at Jerusalem. Josephus (or his source) has omitted the covering letter, since this was superfluous to his purpose.<sup>118</sup>

Let us now look more closely at the contents of the letter of Antiochus III. Obviously, the first question is whether Antiochus III could really have sent an order to his governor Ptolemy ca. 200 B.C.E. in confirmation of the privileges of Jerusalem. There can be no doubt about the answer: the king was obliged to promulgate such an edict,

<sup>116</sup> *SEG* I, nr. 366, 15–17: *περὶ τούτων ἐκόμισεν ἐπιστολὰς [π]αρ’ Ἀντίοχου πρὸς τε τὴν πόλιν ἡμῶν καὶ πρὸς τὸν ἐν Ἀναίσις ὑπ’ αὐτο[ῦ] τεταγμένου φρούραρχον καὶ πρὸς τὸν διοικητήν.* On the Seleucid *dioikêtês*, cf. L. and J. Robert, *op. cit.* (n. 109 above), p. 299.

<sup>117</sup> Cf. e.g. Welles, 9; 1 Macc. 11:30; 2 Macc. 11:22.

<sup>118</sup> Cf. e.g. 2 Macc. 11:22; Josephus, *Ant.*, 12.148; and in general, cf. the following essay in this book.

and even if the text had not survived, we could still reconstruct the broad lines of his decree.

The ancient empires were formed by agglomeration. Each city was united to the state only by some special link: the right of inheritance, the right of conquest, etc. This meant that the situation of each city in the empire was specifically regulated. Just as in modern Europe until 1789, each change of sovereignty, even a legitimate succession to the crown, demanded a regulation of the statutes of the city (although this may have been a pure formality in some cases). This instability *de jure* masked a *de facto* continuity: in general, each successor, each heir to the throne simply confirmed the rights which already existed in his empire, and in this way a number of cities preserved under the Caesars the statutes which they had been granted in the days of Croesus.

In keeping with these principles of Greek public law, Antiochus III regulated the statutes of the annexed cities after the reconquest of the Seleucid empire of his fathers. In 197, he subjugated the coastal districts of Asia Minor, but lost them again six years later. Nevertheless, tradition informs us that he determined the rights of each of the cities which he had newly conquered,<sup>119</sup> and inscriptions show us the details of this process.

One decree praises him “for having maintained the democratic constitution and the peace of the city of Alabanda in conformity with the intentions of his ancestors”; another praises him for having preserved “the democratic construction and autonomy” of the city of Iasos in 197.<sup>120</sup> In 203, the king wrote to the city of Amyzon, promising to respect the form of government which the city had enjoyed under Egyptian domination.<sup>121</sup>

When Antiochus III took possession of Jerusalem, this meant that according to customary praxis, he was obliged to stipulate the rights enjoyed by this city. The definitive status of the conquered was determined by the manner of their submission: those cities which surrendered in time, especially the cities which had taken the victor’s side at an early stage in the campaign, were treated better and received favors from their new master.<sup>122</sup> This was the case with Jerusalem in 200.

<sup>119</sup> Cf. *Hermes*, 1932, pp. 56ff.

<sup>120</sup> *OGIS*, 234 and 237. Cf. *BE*, 1971, nr. 621.

<sup>121</sup> Welles, 38.

<sup>122</sup> Cf. *REG*, 1934, 356ff. Cf. e.g. the case of Teos. When this city went over to

Coelesyria, of which the Jewish state formed a part, lay between Antioch and Alexandria, and the two rival courts fought over this territory for a century. In the space of one hundred years, the Seleucids and the Lagids fought five wars to gain or reconquer this disputed territory. In each city, there was a Seleucid party who opposed the friends of Egypt. When he announces the epoch of the fifth Coelesyrian war, which began in 202 B.C.E., Daniel writes: "In those times, many shall rise against the king of the south; and the men of violence among your own people shall lift themselves up in order to fulfill the vision; but they shall fail" (11:14). Saint Jerome explains this passage as follows:<sup>123</sup> "When Antiochus the Great was fighting against the generals of Ptolemy, Judea, situated between the two parties, was torn asunder by conflicting tendencies: some were partisans of Antiochus, others of Ptolemy." Towards the end of the third century, the Seleucid party was the dominant group in Jerusalem. When the Egyptians, who had been driven out of Palestine in the summer of 201, reconquered this territory in the following winter, the Jews resisted their attempt at reoccupation. According to Polybius, Scopas, the general of Ptolemy V, "subjugated the Jewish people by force."<sup>124</sup> When the Egyptians left Palestine for good, the leaders of the Ptolemaic party among the Jews followed them.<sup>125</sup> Finally, the Jews helped Antiochus to wrest the citadel of Jerusalem from Egyptian control.

Let us first note that this conflict between parties, which we have described on the basis of independent sources, corresponds perfectly to the picture sketched in the introduction of Antiochus' letter: the Jews support the military operations of the Syrians and give a magnificent welcome to the Seleucid king.

Let us next note that according to hellenistic praxis, this behavior by the Jews imposed a moral obligation on the king. Their spontaneous attachment to the interests of his kingdom – known as εὐνοία in the language of the period<sup>126</sup> – entitled them to recompense by the king. For example, King Lysimachus "restored liberty to Lampsacus and Parion,

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Antiochus III ca. 203, he declared it to be "sacred, a place of asylum, and exempt from tribute." Herrmann, *op. cit.* (n. 6 above), and *BE*, 1969, 495.

<sup>123</sup> Jerome, *In Daniëlem* 11.14.

<sup>124</sup> Polybius, 16.39,1: Σκόπας...κατεστρέψατο ἐν τῷ χειμῶνι τὸ Ἰουδαίων ἔθνος.

<sup>125</sup> Jerome, *loc. cit.*: Scopas...cepitque Iudaeam et optimates Ptolomaei partium secum adducens in Aegypto reversus est.

<sup>126</sup> Cf. M. Holleaux, *BCH*, 1933, p. 36 = Holleaux, III, p. 225.

because the citizens of these cities had spontaneously taken his side, and after he had taken Sigeion, he placed a garrison there.”<sup>127</sup> In the dynastic war between Demetrius II and Alexander Balas, the Jews took the side of the former; Demetrius II granted them privileges “because of the good will they show toward us” (1 Macc. 11:33). Antiochus III indicates the same motive for gratitude in his ordinance. It is worth emphasizing that the kings of Persia were led by religious motives to grant favors to foreign temples such as that in Jerusalem or the temple of Apollo: “lest his wrath be against the realm of the king and his sons” (Ezra 7:23).

The first favor bestowed by a hellenistic king on a conquered city – and the basis of all other favors – was the re-establishment of the municipal statutes. In virtue of the conquest, the subjugated city was no longer entitled to its institutions and laws, and it regained these only by means of an act promulgated by its new master.<sup>128</sup> Thus, John Hyrcanus besought Antiochus VII, after the capitulation of Jerusalem, “to restore to the Jews their ancestral constitution.”<sup>129</sup> An unnamed city in Asia Minor voted to bestow honors on its governor ca. 188, because, when the king took possession of the city, he “asked the king to restore to it its own laws and its traditional government.”<sup>130</sup> We have already cited texts which praise Antiochus III for restoring the right of self-government to cities which he had conquered. In the same way, in §142, Antiochus says with reference to Jerusalem: “All who belong to the people are to be governed in accordance with their ancestral laws.” It is important to grasp the precise meaning and impact of this ordinance.<sup>131</sup> The edict concerns “those who belong to the people.” What is the exact meaning of the noun ἔθνος (“people”) in this sentence? Does it apply to all the Jews under the authority of Antiochus III? This interpretation prompts

<sup>127</sup> Diodorus 20.107,2: Λυσίμαχος... Λαμψακηνοῦς μὲν καὶ Παριανοῦς ἐκουσίως προσθεμένους ἀφῆκεν ἐλευθέρους. Σίγειον δὲ ἐκπολιορκήσας φρουρὰν παρεισήγαγε.

<sup>128</sup> Cf. *REG*, 1934, p. 343. For example, Queen Laodice writes to the city of Iasos that Antiochus III, her husband, τὴν τε ἐλευθερίαν ὑμῖν ἀπέδωκεν καὶ τοὺς νόμους. G. Pugliese Carratelli, *op. cit.* (n. 40 above), p. 445. On the term ἀποδιδόναι in this context, cf. L. Robert, *Hellenica* 11–12 (1960), p. 510.

<sup>129</sup> Josephus, *Ant.* 13.245: ἀξιῶν τὴν πάτριον αὐτοῖς πολιτείαν ἀποδοῦναι.

<sup>130</sup> M. Holleaux, *BCH* 1924, p. 21 = Holleaux, II, p. 92.

<sup>131</sup> It is amusing to see how some critics have not hesitated to call this declaration of Antiochus proof that the document in question has been tampered with (A. Büchler, *Die Tobitiden und Oniaden*, 1899, p. 163; H. Willrich, *Urkundenfälschungen in der hellenistisch-jüdischen Literatur*, 1924, p. 23).

an obvious objection: since he was lord of Babylon and of a number of cities in Asia where Israelites lived, Antiochus III could scarcely afford to wait for the capture of Jerusalem before he regulated the status of the Jews in his empire. Besides this, the government of Coele Syria, to whom this order was sent, was not in the least authorized to deal with the Jews in other regions. The rights of the diaspora community were established *de facto* by the special decrees relevant to the individual cities. Five years later, the same Antiochus III transplanted Jewish colonists from Babylon to Asia Minor “with the promise that they would be permitted to live in accordance with their own laws.”<sup>132</sup>

The exact sense of the term *ethnos* is clearly indicated in the edict itself (§141): “The wood is to be taken both in Judea itself and among the other peoples (*ethnē*).” These are not the Israelites; it is Judea that is an *ethnos*. At this period, political bodies were classified according to three categories: the *polis*, the Greek form of social life; the *dynasty*, i.e. government by a prince; and the *ethnos*, the people which lived in accordance with the oriental traditions.<sup>133</sup>

Thus, “the nation of the Jews” (τὸ ἔθνος τῶν Ἰουδαίων) appears in several public documents of the period as the official designation of the Jews of Jerusalem and the surrounding countryside.<sup>134</sup> The edict of Antiochus III concerns only those Palestinian Jews who had become his subjects in 200 B.C.E.

The king decrees that these Jews are to be subject to the authority of their traditional laws. We find a similar or analogous ordinance in many texts which announce the confirmation of the statutes of a city by its conqueror.<sup>135</sup> When Philip V of Macedon became lord of the island of Nisyros in 201 (a position he retained for four years), he sent one of his courtiers to proclaim to the inhabitants of the island that “The king has re-established among us the use of the ancestral laws which are currently in force.”<sup>136</sup>

In a Greek *polis*, this kind of confirmation of the constitution entailed the possession of a greater or lesser degree of autonomy. At Jerusalem, the approbation of the “ancestral laws” by the sovereign meant even

<sup>132</sup> Josephus, *Ant.* 12.150: ὑποσχομένους νόμοις αὐτοὺς χρησθαι τοῖς ἰδίοις.

<sup>133</sup> *IS*, p. 164.

<sup>134</sup> 1 Macc. 8:23; 10:25; 11:30; 11:33; 13:36; 19:2; Josephus, *Ant.* 14.248.

<sup>135</sup> Holleaux, *BCH* 1924, p. 21 = Holleaux, II, p. 92.

<sup>136</sup> *SIG*, 572 = Michel, 43 (cf. M. Holleaux, *REG* 1917, p. 102 = Holleaux, IV, p. 175): δέδωκεν βασιλῆ ἀμὶν τοῖς πατρίοις καὶ ὑπάρχουσιν χρησθαι.



more: and above all, it meant something different, since here the political constitution was only one part of a religious system, and the right of self-government was only one of the consequences drawn from the principles which regulated this system. For both the Jews and the Gentile authorities (when they spoke about Jewish matters), the expression “the ancestral laws” meant the law of Moses.<sup>137</sup> What was “the book of the Jewish laws” (Ps.-Aristeas 30), if not the Pentateuch? For the citizens of Nisyros, the official act of Philip V announced that they now had the right to vote on decrees; for the Jews of Jerusalem, the edict of Antiochus III covered such matters as their duty to observe the sabbath. I say “duty,” because the king prescribes that this people is to live according to the laws of its ancestors.<sup>138</sup>

Thus, Antiochus III guarantees in 200 B.C.E. the inviolability of the precepts of Torah. Accordingly, he commands *inter alia* that access to the enclosure of the sanctuary of Zion be forbidden to everyone except those Jews who are purified “in accordance with their ancestral laws” and that only “the traditional victims” are authorized in the temple.<sup>139</sup> Undoubtedly, the Seleucid is following here the examples of the Lagids and of Alexander, who (according to Josephus)<sup>140</sup> had granted the Jews “the liberty to live in conformity with the laws of their fathers.” This concession by Alexander merely renewed the edict promulgated by Artaxerxes II and brought to Jerusalem by Ezra in 459.

Although the *form* of the privilege granted by Antiochus III when he became ruler of Jerusalem was precarious, in practice it was the Seleucid charter for the city, since the kings of this dynasty constantly referred to the example of their ancestors and their predecessors. Seleucus IV and Antiochus IV Epiphanes doubtless renewed the privileges bestowed by their father, Antiochus III. This was why the pious Jews regarded the introduction of Greek customs such as gymnasia for sport in Jerusalem under Epiphanes not only as a violation of the divine law, but also as

<sup>137</sup> Cf. the texts collected by Juster, I, p. 252.

<sup>138</sup> Cf. e.g. the ordinance of Polyperchon (Diodorus 18.56,4): τὸς ὑφ’ ἡμῶν κατελθόντας . . . ἀστασιάστοις . . . πολιτεύεσθαι. The late I. Heinemann failed to recognize the imperative value of such infinitives (*MGWJ* 82 [1938], p. 156).

<sup>139</sup> On this, cf. the following essay in this book.

<sup>140</sup> Josephus, *Ant.* 11.338: τοῦ δ’ ἀρχιερέως αἰτησαμένου χρήσασθαι τοῖς πατρίοις νόμοις . . . συνεχώρησεν πάντα. Cf. e.g. the letter of Antiochus III to Teos, in which he promises συντηρ[εῖν τὰ ὑπο]κείμενα. Herrmann, *op. cit.* (n. 6 above), p. 42. A king writes to the city of Nysa that he confirms the privilege of asylum καὶ τὰ ἄλλα δὲ πάντα φιλόανθρωπα καὶ τεῖμα ὅσα οἱ πρὸ ἡμῶν βασιλεῖς συνεχώρησαν. Welles, nr. 64. Cf. L. Robert, *RPh*, 1958, p. 30.

a contradiction of the royal edicts which guaranteed that Torah would be followed: they said that the gracious privileges which the kings in the past had granted to the Jews were now being “set aside.”<sup>141</sup>

While Nisyros and other Greek cities were “democracies,” Jerusalem was a theocracy. The “first” matter to which the king devotes his attention (§141) is the situation of the temple, and in his “piety” he ordains a perpetual contribution to the sacrifices of the sanctuary (§140). It was natural for kings, just as much as for individual citizens, to send offerings to various temples and to make foundations destined to support worship in one sanctuary or another.<sup>142</sup> For example, one Seleucid granted a village to Zeus of Baitokake, on condition that the revenues be used for the sacrifices and for the upkeep of the sanctuary.<sup>143</sup> In the same way, the system of royal allocations “destined for the expenses of the worship” of a subject city, though rare, was not unknown at the period when Antiochus III issued his edict.<sup>144</sup> At Jerusalem, however, Antiochus III does not provide subsidies for the budget of a city to help cover its cultic expenditure; rather, he assumes immediate responsibility for the regular public sacrifices in the temple. Let us add that he does not offer anything for the upkeep of the sanctuary, the salaries of the clergy, or other cultic expenses. All he promises is an allocation in cash and in kind for the animals and other elements of the sacrifices. Why is this?

To answer this question, we must consider the specific economic position of the temple of Zion. To begin with, the Hebrew legislator, who is generous in providing revenues to the clergy, does not provide any financial resources for the sanctuary itself.<sup>145</sup> All he assigns to it is the “redemption” of adult males after the census of the people (Ex. 30:12) and the money which was paid on the occasion of certain vows (Lev. 27); and even these revenues sometimes found their way into the priests’ pockets.<sup>146</sup>

<sup>141</sup> 2 Macc. 4:11: καὶ τὰ κείμενα τοῖς Ἰουδαίοις φιλόανθρωπα βασιλικά... παρώσας.

<sup>142</sup> Cf. B. Laum, *Stiftungen in der griechischen und römischen Antike* I, 1914, p. 61; L. Robert, *BCH* 1930, p. 350.

<sup>143</sup> Welles, 70 = *OGIS*, 262 = J.P. Rey-Coquais, *Inscriptions grecques et latines de la Syrie* VII, 1970, 4028. This Seleucid was most probably Antiochus I or Antiochus II. H. Seyrig, *Syria* 28 (1961), p. 193.

<sup>144</sup> Holleaux, II, pp. 95, 101.

<sup>145</sup> Cf. de Vaux, II, p. 274.

<sup>146</sup> 2 Kg. 12:4; this is the money for the “redemption” of a consecrated person. Cf. Lev. 27:2 and D. Hoffmann, *Das Buch Leviticus* II, 1906, p. 392. The priests in the Herodian temple continued to profit from this revenue: Josephus, *Ant.* 4.73. Cf. M.O. Olitzki, *Mag. d. Wissenschaft des Judentums* 16 (1889), p. 181.

Secondly, and more seriously still, the temple had none of the extensive domains from which other celebrated sanctuaries in the Orient in classical antiquity drew their wealth.<sup>147</sup> Although Ezekiel was himself a priest, when he sketches the picture of the future “house of Israel” at Jerusalem, he grants a portion of the holy land to those priests and levites who serve in the sanctuary, but he assigns to the sanctuary itself only the space necessary for the sacred building (45:2). None of the kings of the house of David, none of the later foreign sovereigns in Jerusalem, none of the rich benefactors such as the princes of Adiabene, ever thought of bestowing land on the temple, so that its revenues might cover the expenses of worship. Thus, the temple possessed only “pockets of land,” as Philo says, i.e. land which had been consecrated to the sanctuary and had not been bought back by its owners.<sup>148</sup>

Its lack of property meant that the temple was spared worries. Elsewhere, the city coveted the sacred domains and meddled in the financial affairs of the sanctuary. For example, the priest of Zeus of Labraunda in Caria sometimes clashed with the city of Mylasa on the subject of the lands which belonged to the temple, and sometimes he was obliged to submit the “accounts of income” to examination by the city.<sup>149</sup>

But the privileged situation of the temple of Zion was not the invention of crafty priests: unlike other great sanctuaries in the Orient in classical times, “before the exile, the temple was a state sanctuary, and the king paid the expenses of public worship.”<sup>150</sup> This explains why, during the exile, Ezekiel envisaged the future prince of Israel “providing” the holocausts, oblations, and libations which were offered for the house of Israel after the restoration of the chosen people (Ezek. 45:17).<sup>151</sup>

The new sovereign of Israel was called Cyrus. He and his heirs – the Achemenids, Alexander, the Ptolemies, and then Antiochus III – were the successors of David and assumed the government of Jerusalem and

<sup>147</sup> On the domain (ἱερὰ χωρά) of Zeus of Labraunda, cf. J. Crampa, *Labraunda* III/1, and *BE*, 1970, nr. 542. On sacred territories in the Seleucid empire, cf. Rostovtzeff, *Index s.v. Temple and Temple lands*; J. and L. Robert, *La Carie* II, 1954, p. 294; *BE*, 1962, nr. 322; D. Musti, *Studi classici e orientali* 15 (1966), p. 191; U. Laffi, *Athenaeum* new series 49 (1971), pp. 9–53. Cf. also the monograph in Russian by A. Perikhanian, *Khramovye Ob'edineniia M. Asii i Armenii*, 1959.

<sup>148</sup> Philo, *De Spec. Leg.* 1.76. Cf. Finkelstein, pp. 39, 66.

<sup>149</sup> Crampa, *op. cit.*, pp. 1, 5. Cf. e.g. C.B. Welles, *American Journal of Archaeology*, 1938, p. 249; L. Robert, *RPh*, 1967, p. 39.

<sup>150</sup> De Vaux, II, p. 274. Cf. 2 Chron. 29:3ff.

<sup>151</sup> Cf. the commentaries by G.A. Cooke, 1936, and G. Fohrer, 1955.

of the temple of Zion. Consequently, the Gentile sovereign covered the ordinary expenses of the Jewish sanctuary. This was both his legal obligation and a sign of his sovereignty over the chosen people.<sup>152</sup> In the same way, and for the same reason, the Ptolemies – who were portrayed as Pharaohs on the walls of the Egyptian temples – continued the Pharaonic system of administration of the Egyptian cults.<sup>153</sup> In other words, as in the Greek *polis*, the state subsidized the expenses of public worship and consequently controlled the budget of the liturgy.

A number of texts allow us to see how the system of cultic allocations functioned at Jerusalem. In 515, Darius I prescribed that sacrificial victims and quantities of salt, barley, wine, and oil “for holocausts to the God of heaven” should be supplied by the royal administration on a daily basis, in order that the priests “may offer pleasing sacrifices to the God of heaven, and pray for the life of the king and his sons” (Ezra 6:10). At a later date, Artaxerxes confirmed this order, “lest the wrath of the God of heaven be against the realm of the king and his sons” (Ezra 7:23). After Antiochus III, his son and heir Seleucus IV “furnished from his own revenues all the expenses necessary for the service of the sacrifices of the temple.” We read in 2 Maccabees that Antiochus IV, the royal persecutor, repented on his deathbed and promised to provide from his own revenues “the allocations necessary for the sacrifices.”<sup>154</sup> The authenticity of this promise is irrelevant in the present context; what counts here is that a contemporary Jewish writer believed that it was incumbent upon the Gentile ruler of Jerusalem to pay the expenses of the regular sacrifice in Zion. And as a matter of fact, Demetrius I promised to endow the temple with a special revenue allocated to the expenses incurred by the sacrificial cult. When Antiochus VII besieged Jerusalem ca. 132 in order to re-establish his sovereign rights over the holy city, he granted the Jews a truce in order that they might observe their greatest feast (that of Tabernacles); he also furnished victims and incense for the sacrifices.<sup>155</sup> By means of this gesture, he demonstrated that he was sovereign.

<sup>152</sup> Cf. my essay on “Heliodorus in the temple,” below.

<sup>153</sup> Préaux, p. 47; *SEHWW* I, p. 266.

<sup>154</sup> 2 Macc. 3:3; Σέλευκον . . . χορηγείν ἐκ τῶν ἰδίων προσόδων πάντα τὰ πρὸς τὰς λειτουργίας τῶν θυσιῶν ἐπιβάλλοντα δαπανήματα. 2 Macc. 9:16, τὰς δὲ ἐπιβαλλούσας πρὸς τὰς θυσίας συντάξεις ἐκ τῶν ἰδίων προσόδων χορηγήσειν.

<sup>155</sup> 1 Macc 10:40; Josephus, *Ant.* 13.242; Plutarch, *Reg. Apoth.* 184d. On the peace between Antiochus VII and John Hyrcanus, cf. T. Fischer, *Untersuchungen zum Partherkrieg Antiochos' VII.*, dissertation, Munich 1970, p. 68.

Our sources never mention the obligation undertaken by the Jews of Judea, at the prompting of Nehemiah (Neh. 10:39), to make contributions to support the daily sacrifice and the service of the temple. No doubt the Jews forgot their promise to pay a third of a shekel yearly, as soon as this pious and importunate governor had left the country. It is only in the Hasmonaean period that we hear of the Jews making a contribution to the costs of public worship.

This annual contribution of one shekel per person – the *didrachma* of the evangelist (Matt. 17:24) and of Flavius Josephus – was to be paid by each male Israelite from the age of twenty upwards, irrespective of where he lived, according to the standard of the temple. It was paid in the form of a silver didrachma of Tyre.<sup>156</sup> Some explanations of these terms may be necessary.

The shekel was the fundamental unit of weight employed by the Jews and by other peoples in the Levant.<sup>157</sup> But like the coinage in pre-Revolution France, the weight of the shekel was subject to local variations. Two series of weights were in use simultaneously, the “heavy” and the “light.” A “heavy” mina (or shekel, etc.) was worth twice as much as the same “light” unit. The shekel of the sanctuary, which is often mentioned in Torah (e.g. Ex. 30:13), belonged to the heavy system. “All the shekels mentioned in Torah are *selaim* (= tetradrachmas, staters).” The ordinary shekel was “light.” “The mina of the sanctuary is twice as much as the mina of the land.”<sup>158</sup> The temple asked only for a half-shekel, but this half-shekel was “heavy”: it was the equivalent of one “light” shekel of two drachmas. Thus, in a contract drawn up in 134 B.C.E., two *zuzim* (drachmas) make one “light” shekel. This is why people usually spoke of the tax of the (“light”) shekel or of the didrachma.

Just like the shekel, the drachma was also, and primarily, a unit of weight, and its exact value varied. For example, the Athenian drachma

<sup>156</sup> Josephus, *Ant.* 18.312. Cf. Schürer, II, p. 314; Juster, I, p. 317; Strack-Billerbeck, I, p. 760.

<sup>157</sup> De Vaux I, pp. 309–313. For example, an official stone weight from the thirty-first year of Herod’s reign (probably 9 B.C.E.) bears the Greek inscription “3 minas.” It weighs 1,233 grams, a value which exceeds 3 “Attic” minas (1,210 grams). Y. Meshorer, *IEJ* 20 (1970), p. 97. Cf. A. Ben David, *PEQ* 101-102 (1970), p. 102, and Idem, *IEJ* 19 (1969), pp. 258–269.

<sup>158</sup> *Pal. Kadd.* 1.3 (59d) *apud* E. Lambert, *REJ* 51 (1906), p. 223. A *sela* was worth two *sheqels*. Cf. e.g. *M. Sheq.* 1.6. A document from 134 B.C.E. confirms this rule. We read there that one *sela* was worth two *sheqels* and that one *sheqel* is worth two *zuzim* (or drachmas), 2 Q 30. The “light” weight was used in Galilee, the “heavy” weight in Jerusalem. S. Krauss, *Talmudische Archäologie* III, 1911, p. 406.

weighed ca. 4.3 grams, whereas the Phoenician drachma weighed only ca. 3.8 grams. This is why the treasuries of the Herodian temple specified that the shekel be paid in coins of Tyre which were struck in keeping with the “Phoenician” standard, which was also used in the temple.<sup>159</sup> This requirement permits us to date the introduction of the tax of the didrachma weighing ca. 7.3 grams.

Before the conquest of Alexander, the Jerusalem economy was not yet monetary.<sup>160</sup> Under the Achemenids, the mint in Sidon was more important than that in Tyre.<sup>161</sup> Subsequently, Alexander and his Macedonian successors reserved to themselves the exclusive right to mint silver coins, and the cities in the hellenistic kingdoms ceased minting silver coins.<sup>162</sup> The kings (with the exception of the Ptolemies) minted coins following the Attic standard; the Ptolemies preferred the “Phoenician” standard, and the mint in Tyre struck silver coins in the “Phoenician” weight for the Ptolemies from ca. 280 to 241.<sup>163</sup> But it was always the same royal coinage, whether minted at Tyre or at Acco-Ptolemais or at Alexandria, or elsewhere; only the mark of the mint was different. Archaeological discoveries show that these coins circulated indiscriminately, irrespective of where they had been minted, in Ptolemaic Palestine and other regions of the Ptolemies’ empire. We should also note that the Greek version of the Torah, which was made at the same period, translates the Hebrew expression “the half of the shekel” by “the half of the didrachma” even in the passage (Ex. 30:13) which became the biblical foundation of the shekel tax. This means that the contribution of the didrachma was still unknown at that date.

Later, in 150, the Seleucids began to mint silver money following the Ptolemaic (Phoenician) standard in several Palestinian and Phoenician mints. But once again, this was royal money with the same value,

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<sup>159</sup> Josephus, *Ant.* 3.195; *Bell. Jud.* 2.592. Cf. *SEHHW* III, p. 1534, n. 126; H. Seyrig, *Numismatic Notes and Monographs* 119 (1950).

<sup>160</sup> Hengel, p. 63. The coins which circulated in Judea under Persian rule were only divisionary money. Cf. e.g. L.I. Rahmani, *IEJ* 21 (1971), p. 258. Far more coins have been discovered in the other provinces of the Achemenid empire. Cf. D. Schlumberger, *L'argent grec dans l'empire achéménide*, 1953.

<sup>161</sup> P. Naster, in A. Kindler, ed. *International Numismatic Convention (Jerusalem)*, 1967, p. 19. It was probably with the intention of surpassing Sidon that Tyre began to mint a series of coins following the Attic standard as early as the Persian period. Naster, *ibid.*, p. 16; F.M. Cross, *The Biblical Archeologist* 26 (1963), p. 116; E. Stern, *IEJ* 18 (1968), p. 216; H. Seyrig, *Revue Numismatique* 13 (1971), p. 12.

<sup>162</sup> *IS*, p. 211.

<sup>163</sup> G.K. Jenkins, in *International Numismatic Convention* (n. 61 above), pp. 65, 68.

irrespective of whether a coin came from the mint in Tyre, Sidon, Acco-Ptolemais, Ashkelon, or Berytus.<sup>164</sup> All these identical didrachmas rightly bore the image of the Seleucid sovereign and the Ptolemaic symbol of the eagle on the reverse; why then choose and demand coins issued by the royal mint in Tyre?

The situation changed in 129, after the defeat and death of Antiochus VII in the Parthian War. As Josephus writes, John Hyrcanus, the Jewish prince, no longer recognized the Seleucid suzerainty.<sup>165</sup> Another factor was the quick devaluation of the Seleucid and Ptolemaic coins, which had remained excellent until ca. 140: by ca. 117, the Ptolemaic coins contained only ca. 50% silver.<sup>166</sup> After the city of Tyre had gained its independence, it too began minting coins following the Phoenician standard in 125. Their weight was constant (the tetradrachma weighed ca. 14.5 grams, the didrachma ca. 7.27 grams), and they consisted of ca. 90% pure silver. The city altered neither the weight nor the alloy of its coins. Financial probity pays off, and the silver coinage of Tyre quickly established a good reputation in the Levantine countries, and even further afield. For example, a treasure of 178 silver coins buried in Armenia ca. 30 CE contained 26 Phoenician tetradrachmas, 24 of which had been minted in Tyre.<sup>167</sup>

Hasmonaean Jerusalem, too poor to mint its own coinage, chose the coinage of Tyre as its national currency. Three centuries later, the rabbis could still affirm: “Wherever Torah speaks of silver coins, we must understand this to refer to the silver of Tyre.”<sup>168</sup>

These metrological and historical facts mean that the shekel tax, payable in didrachmas of Tyre, cannot have been introduced before 125 B.C.E. The earliest explicit attestation of this tax is in 62, but a

<sup>164</sup> Cf. E.T. Newell, *Numismatic Notes and Monographs* 84 (1939), on the Seleucid money of the Ptolemaic standard which was minted at Acco-Ptolemais from 128 to 107/106; A.B. Brett, *Amer. Numism. Society, Museum Notes* 1 (1945), p. 29; 4 (1950), p. 50.

<sup>165</sup> Josephus, *Ant.* 13.272.

<sup>166</sup> J. Hammer, *Zeitschrift für Numismatik* 26 (1908), p. 85: under Antiochus VI (145–141), the pure silver in the coins still amounted to 94.6%. F. Heichelheim, *Wirtschaftliche Schwankungen der Zeit von Alexander bis Augustus*, 1930, pp. 24, 26.

<sup>167</sup> A. Ben-David, *Jerusalem und Tyros*, 1969, p. 11; G. Le Rider, *Congresso internazionale di numismatica* I, 1961, p. 70. Cf. Rostovtzeff, III, p. 1534, n. 126; E. Koffmahn, *Die Doppelurkunden aus der Wüste Juda*, 1968, p. 111.

<sup>168</sup> *Tos. Keth.* 13.3, quoted by E. Lambert, *REJ* 51 (1906), p. 223. The text continues: “What is the silver of Tyre? It is that of Jerusalem [i.e., that which is the currency in Jerusalem].”

passage in Strabo (at least according to the interpretation by Josephus) may indicate that this tax was collected in 88.<sup>169</sup>

The Hasmonaeans, Herod, and later the high priests in Jerusalem could tax the Jews of Palestine, but persuasion was required, if they were to obtain the annual shekel from the Jews of the diaspora. This meant that they must find a text in Torah which imposed this contribution. The lawyers in Jerusalem attached the "sacred silver" of the contribution to the "half shekel, according to the weight of the sanctuary," which the children of Israel "from the age of twenty years and upward" were obliged to pay, according to the law of Moses (Ex. 30:12).<sup>170</sup>

This linkage is erroneous, historically speaking. The tribute due to the Eternal One, of which Moses speaks here, is a means of purification, a "redemption" after the census of the people in the desert, and the sum thus realized is used for the construction of the tabernacle.<sup>171</sup> The Chronicler still understands the law of Moses in this sense.<sup>172</sup> More than three hundred years later, the sectarians of the Dead Sea continued to hold that the "redemption" prescribed by Moses was to be paid only once in the course of one's life.<sup>173</sup> It was the lawyers' task to furnish an ancient law with an interpretation demanded by the circumstances of a new historical period, and they were successful in this delicate undertaking: Philo has no doubt at all that the shekel tax was ordained by Moses.<sup>174</sup>

In effect, these skilful lawyers of whom we have just spoken established a new conception of public sacrifice, and this explains the account in the rabbinic tradition of a controversy about the payment of the expenses

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<sup>169</sup> Cicero, *Pro Flacco*, 28, 66; Strabo *apud* Josephus, *Ant.* 14.112. Cf. T. Reinach, *REJ* 16 (1888), p. 204. The recognition of the money of Tyre as legal currency in Jerusalem is doubtless linked both to the conquest of the Palestinian coastal region by Hyrcanus and to Egyptian commerce. Cf. Josephus, *Ant.* 14.250. Jerusalem probably began minting bronze coins towards the end of the second century. Cf. Y. Meshorer, *Jewish Coins*, 1967, p. 59.

<sup>170</sup> Cf. Finkelstein, pp. 709–716.

<sup>171</sup> Ex 30:16; 38:25. Cf. E. Speiser, *BASOR* 149 (1958), p. 17; J. Liver, *HTR* 56 (1963), p. 174; Y. Cassuto, *A Commentary on the Book of Exodus*, 1967, p. 393.

<sup>172</sup> 2 Chron 24:6. The interpretation of the Chronicler, who is commenting here on the passage 2 Kg. 12:5 (cf. *ibid.* 22:4), must be treated with caution. But the interesting point for us in his account is precisely the view held by a fourth-century writer, not the exact meaning of a measure taken by a ninth-century king.

<sup>173</sup> Liver, *op. cit.*, p. 174; cf. J. Allegro, *DJD* V, 1968, p. 47. Nachmanides (died 1270), commenting on Ex. 30:12, writes that David did not demand payment of the half shekel after his census (2 Sam. 24) because he thought that the law referred only to the census ordered by Moses. (I owe this reference to the late Boaz Cohen.)

<sup>174</sup> Philo, *De spec. leg.* 1.186.



of the daily sacrifice (*tamid*).<sup>175</sup> We are told that the “Boethusians” held that the price of the victims of the perpetual sacrifice ought to be paid for by means of individual gifts, whereas “the wise” required this sacrifice to be paid for by means of the cash contributions to the temple.<sup>176</sup> We may disregard the names of the parties involved here, which are probably anachronistic; it is more important to note the recollection of a praxis whereby the expenses incurred in the public sacrifices were covered by individual contributions, in the same way as the Greek *leitourgia*. This praxis is found in the covenant of Nehemiah (10:35): lots are drawn, and the priests, the levites, and the laity are charged to bring an offering of wood on a yearly basis for the fire on the altar. (We may note that neither the Achemenids nor Antiochus promise to provide the wood for burning.) Thus, in the Herodian temple, certain families made a contribution from the wood they possessed, and supplied this to the community.<sup>177</sup>

Individuals were always allowed to supply sacrificial victims (or vestments for the priests, etc.), provided that they made their gift available to the community.<sup>178</sup> This condition is based on the principle that the public sacrifices ought to be paid for by the community; if we are to believe the rabbinic story, this principle was accepted at Jerusalem after the rhetorical jousting between the “Boethusians” and “the wise.”<sup>179</sup> This may or may not be legendary; but it is a fact that the worship in the Herodian temple (and doubtless already under the Hasmonaean kings) was paid for by the temple treasury, which received the income from the shekel tax.<sup>180</sup> In the same way, the Greek *polis* subsidized the expenses of the public cult, because it wished to benefit from the favor of the gods.<sup>181</sup> But the magistrate who presided at the sacrifices

<sup>175</sup> Cf. H. Grätz, *Geschichte der Juden*, 5th edn. III/2, 1905, note 1; H. Lichtenstein, *HUCA* 8–9 (1931–1932), p. 323; Finkelstein, *op. cit.*, I, p. 281; II, p. 682, n. 4; p. 710.

<sup>176</sup> On the literary structure of such debates in the rabbinic tradition, cf. J. Neusner, *Development of a legend*, 1970, p. 280.

<sup>177</sup> *M. Ta'an*. 4.5. Cf. Jeremias, p. 226; Finkelstein, pp. 277, 582.

<sup>178</sup> Maimonides, *op. cit.* (n. 101 above), II, 8, 7 (p. 71 of the translation).

<sup>179</sup> The scholion on *Meg. Ta'anith* 1 says that after the victory of “the wise” in this debate, “they decreed the payment of the shekels” and ordained that “the offering of the perpetual sacrifices was incumbent upon the community.” Cf. J. Derenbourg, *Essai sur l'histoire ... de la Palestine*, 1867, p. 135; and my essay on “Heliodorus,” below.

<sup>180</sup> Josephus, *Ant.* 3.221; *M. Sheq.* 4.1; *Sifre Num.* 28.1; and other texts cited in Strack-Billerbeck, I, p. 760.

<sup>181</sup> Fustel de Coulanges, *La Cité antique* III, ch. 6: “in order that its gods might watch over this city alone, it was necessary that they receive public worship only in this city.”

in Athens still bore the title of *basileus*, because in this function he was the successor of the kings of the past, who had represented their people vis-à-vis its gods.<sup>182</sup>

At Jerusalem, as we have seen, the king – initially David and his dynasty, and the Gentile sovereign after the exile – was the intermediary between God and the chosen people as far as sacrifices were concerned. It was the king who paid for the public sacrifices of Israel. But it was the “children of Israel” who were commanded to offer public sacrifices. According to the rabbinic story, “the wise” appealed to this commandment when they demanded the “nationalization” of the perpetual sacrifice (*tamid*). It is no longer a monarch or only a few rich men, but the entire people who, thanks to an annual payment of a uniform sum, assume the task of providing the daily sacrifice and share thereby in the offering which purifies the sins of Israel and reconciles it with its God.<sup>183</sup> For this reason, the obligation of the shekel was imposed on every adult Israelite with the exception of the priests; women, children, and slaves of Israelites could make a voluntary offering of a didrachma, but Gentiles were not permitted to contribute.<sup>184</sup> This is also why representatives of “the children of Israel” went up to Jerusalem (or assembled in their own towns) to be present at each offering of the perpetual sacrifice in the Herodian temple (and doubtless at an earlier date too).<sup>185</sup> For, as the Mishnah says, how can one fail to be present, when a sacrifice is offered on one’s behalf?<sup>186</sup>

Later, however, in 6 C.E., Jerusalem fell once again into the hands of an uncircumcised sovereign. For this reason, from the reign of Augustus

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On the cultic budget of the Greek city, cf. A. Andreades, *History of Greek Public Finances* I, 1933, p. 229; G. Busolt and H. Swoboda, *Griechische Staatskunde* I, 1920, p. 521; A. Wilhelm, *JRS*, 1937, p. 148. For example, the sacrifice which marked the dedication of a public building constructed by a benefactor of the city was offered at his expense. But when the same city gave thanks for the healing of this benefactor, it was the municipal treasury that paid the expenses. *BE*, 1968, nr. 444. When the city of Anactorion handed over the sanctuary of Apollo Aktios to the Achaean confederation, the latter assumed responsibility for cultic expenditure. C. Habicht, *Hermes* 85 (1957), p. 86.

<sup>182</sup> Busolt and Swoboda, *op. cit.*, I, p. 521; II, p. 1089.

<sup>183</sup> Bonsirven, II, p. 134 (*T. Sheq.* 1.6).

<sup>184</sup> *M. Sheq.* 1.5. Cf. Fustel de Coulanges, *loc. cit.* (n. 181 above): “a city which possessed a deity of its own did not want this god to protect foreigners, nor did it permit them to adore him.” On the privilege of the priests, cf. *M. Sheq.* 1.3 and Finkelstein, II, p. 710.

<sup>185</sup> I. Elbogen, *Der jüdische Gottesdienst*, 2nd edn. 1924, p. 237.

<sup>186</sup> *M. Taan.* 4.2. Cf. J. Rudhart, *Notions fondamentales... du culte dans la Grèce classique*, 1958, p. 257.

onwards, the daily sacrifices in the temple were offered twice: first came the *tamid*, prescribed by Torah and paid for by the sacred money of the Jewish nation, and then the holocaust which was burnt twice a day and offered in the name of the Roman emperor and “from his own revenues.”<sup>187</sup> From the perspective of the Jewish *ius sacrum*, this was only a private sacrifice; but this imitation of the *tamid* was a symbol of Roman dominion. This is why the abolition of this rite at the beginning of the great revolt in 66 “laid the foundations of the war against the Romans,” in Josephus’ phrase. Four years later, during the siege of Jerusalem, the *tamid* was celebrated for the last time...

#### IV

It is impossible to analyze in greater detail here the political structure of Seleucid Jerusalem. We can touch only on a few points which are important, if we are to understand the edict issued by Antiochus III.

The Jews form an *ethnos*. This means that their government is aristocratic. In general, it was thought that after the restoration of the temple, a prince of the Jews would be the central figure in sacrificial worship, but he is never mentioned in any public documents prior to the Maccabean period. Neither the Persian edicts in the Book of Ezra nor their reworkings in 1 Esdras and Josephus speak of him; the only exception is *Ant.* 12.62, quoting an inauthentic document. Even as late as 164 and 163 B.C.E., and ten years later still in 153/152, official letters

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<sup>187</sup> Philo, *Leg. ad Gaium* 23, 157: προστάξας καὶ διαιονίους ἀνάγεσθαι θυσίας ἐντελεχεῖς ὀλοκαύτους καθ’ ἐκάστην ἡμέραν ἐκ τῶν ἰδίων προσόδων. In his *Contra Apionem*, Josephus claims that the sacrifices for the emperor were paid *ex impensa communi omnium Iudaeorum*, but the account he gives of the abolition of this rite contradicts this apologetic passage: the holocaust “for the emperor and the Roman people” was abolished in 66 on the pretext that one ought not to accept “any present or sacrifice” from a foreigner. Josephus, *Bell. Jud.* 2.409: Eleazar ἀναπέθει μηδενὸς ἀλλοτρίου δῶρον ἢ θυσίαν προσδέχεσθαι. τοῦτο δ’ ἦν τοῦ πρὸς Ῥωμαίους πολέμου κατάβολή. τὴν γὰρ ὑπὲρ τούτων θυσίαν Καίσαρος ἀπέρριψαν. The public sacrifices amounted to 113 bulls, 37 rams, 32 goats, and 1,093 lambs annually (B. Stade and A. Bertholet, *Theologie des Alten Testaments*, II, 1911, p. 30). Two lambs and a bull were offered daily in the name of the emperor (Philo, *loc. cit.*); in the course of a normal lunar year, this amounted to ca. 354 bulls and 708 lambs. Since the price of a bull was roughly ten times that of a small animal, it is obvious that at least under the Caesars, the expenditure on sacrifices in the name of the monarch was higher than that required by the public sacrifices. It is not difficult to grasp the importance of this imperial largesse for the economy of Judea under the Romans, even if the cattle came from the imperial domains.

addressed to the Jews do not mention the high priest.<sup>188</sup> The oldest public document which recognizes the high priest as the prince of the people is the letter written by Demetrius II “to his brother Jonathan and to the Jewish people” in 145/144.<sup>189</sup> It is therefore not surprising that the edict of 200 says nothing about the high priest.<sup>190</sup>

The “nation of the Jews” is represented by the *gérousia*, the council of elders. Even under the first Maccabees, the texts still mention it alongside the high priest.<sup>191</sup> For example, in the preamble of the letter of Jonathan to the Spartans, we read: “Jonathan the high priest, the senate of the nation, the priests, and the rest of the Jewish people to their brethren the Spartans, greeting.”<sup>192</sup> We note that this text (just like contemporary Egyptian papyri) makes a distinction between the clergy and the rest of the people. The priestly aristocracy takes its place alongside the secular aristocracy. Under the Maccabees, it is “the elders and the priests” who speak in the name of the Jewish people.<sup>193</sup> As early as 200, the Seleucid state recognized the privileged situation of these two classes when it granted them immunity from personal taxes.

This favor began in the Persian period; but whereas all the clergy, including the “servants of the temple,” had enjoyed exemption under the Achemenids, the Seleucid king limits the privilege to the priests and to two categories of levites, viz. the singers and musicians. This is perfectly in keeping with the well known tendency of hellenistic governments to limit the prerogatives of the oriental clergy.

This royal concession of a privilege in the sphere of taxation proves that in general, the inhabitants of Jerusalem were obliged to pay various taxes to the crown; we have explained the nature of these obligations above. Here, let us emphasize that not only did Jerusalem pay a fixed tribute to the king; the inhabitants of the city also paid annual personal taxes of various kinds to the sovereign. Some modern scholars dislike this double taxation and do not accept the idea that the Jews were obliged to pay direct taxes before the Roman period. This leads

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<sup>188</sup> 2 Macc. 11:17, following 1 Macc. 10:25.

<sup>189</sup> 1 Macc. 11:30.

<sup>190</sup> It is therefore amusing to read the comment by a *soi-disant* critic of the document: “The fact that the high priest is not mentioned suffices to prove its inauthenticity” (H. Willrich, *op. cit.*, pp. 23, 84).

<sup>191</sup> 1 Macc. 14:28; 11:23; 12:35; 7:33; 2 Macc. 1:20; 4:24. Cf. Josephus, *Ant.* 13.428.

<sup>192</sup> 1 Macc. 12:6.

<sup>193</sup> 1 Macc. 11:22; 12:35; 7:33.

them to reject the authenticity of our document.<sup>194</sup> Even in the Greek cities, however, the state collected direct taxes which were distinct from the municipal taxes and from the tribute which the city paid to the king.<sup>195</sup> For example, we have evidence from Seleucia on the Tigris of the royal taxes, e.g. on salt, slaves, and the harbor.<sup>196</sup> There is no reason to believe that Jerusalem received better treatment from Antiochus III than a Greek *polis* which had been founded by the father of the ruling dynasty.

We may sum up as follows. The edict of Antiochus III shows us that the situation of Jerusalem in the Seleucid empire was that of *any* dependent city. The privileges granted to the Jews are rather mediocre. Two recently published inscriptions give information about the content of charters bestowed on Greek cities at the same period. In the Seleucid decree (probably by Antiochus III) discovered at Sardis, the king confirms the constitution of an unnamed city. In consideration of the losses incurred by the city during the war through fire and depopulation, the king remits all the payments due to the crown for a period of seven years; from the eighth year onward, they will have to pay only a fixed sum of 8,000 silver drachmas; no garrison will be quartered in their city, and they are exempted from forced labor, “as they were in the past.”<sup>197</sup>

Another inscription informs us that an unnamed city in Asia Minor which had suffered greatly under war ca. 188 B.C.E. found favor in

<sup>194</sup> H. Willrich, *op. cit.*, pp. 23, 84ff.

<sup>195</sup> Holleaux, II, p. 31.

<sup>196</sup> *IS*, p. 115; cf. Herrmann, *op. cit.* (n. 61 above), p. 109.

<sup>197</sup> *Sardis VII*, I, nr. 2. Palaeographic considerations indicate that the inscription was engraved between 225 and 175 B.C.E., and this leads the editors to attribute it to the Attalids. However, line 2 of the text speaks of “the kings Antiochus (and Antiochus?).” The decrees drawn up in a subject city avoided giving the solemn title of “king” to foreign and rival monarchs, and this means that the anonymous city which reproduced this decree must have been situated in the empire of the Seleucids. In this case, the king in question will have been Antiochus III. Cf. L. Robert, *Nouvelles inscriptions de Sardes*, 1964, p. 20. Unfortunately, the text is poorly preserved, but I quote some of its ordinances, following the edition by W.H. Buckler. I reproduce only those editorial supplements which seem to be more or less certain. Lines 7ff.: καὶ ἐπεὶ ἀπέ[δειξ]αν... τὴν τε πόλιν αὐτῶν ἐνεπυρ[ῶσθ]αι καὶ [ἐξ]ηρημ[ῶσθ]αι ἐν τῷ πολέμῳ, καὶ τὰ ἴδια ἀπολωλεκ[ότας τῶν πολι]τῶν τοὺς πλείστους διαπεφωνηκέ[ναι] κ.τ.λ. Lines 11ff.: καὶ ἤξισαν... καὶ τῶν [φ]όρων ἀπολύ[σαι καὶ ἐ]ποικίσαι τὸν τόπο[ν], συνεχώρησεν... ἕως μὲν ἐτῶν ἑπτὰ μῆθ' ἐν αὐτοῖς διορθοῦ[σθ]αι εἰς τὸ βασιλι[κ]όν, ἀλλὰ ἀπολε[λύσθ]αι [ἀ]πὸ δὲ τοῦ ὀγδοῦ ἐτοῦς διδόναι... παρ' ἕκαστον ἐνιαυτὸν ἀργυ[ρ]ίου μῶδας εἴκοσι καὶ ἄλλ[ως μὴ ἐν]οχλεῖσθαι εἰν[α]ι δὲ αὐτοῖς ἀ[φ]ρουρή[τους ὡς καὶ πρ]ότερον ἦσαν, εἰν[α]ι δὲ αὐτοῖς καὶ ἂν [...] τοὺς καὶ ἀλητου[ρ]γήτους.

the eyes of its new master. The king restored to the city its ancestral laws and its sacred domains, renewed the subsidies for the municipal budget and the cultic expenses, supplied the oil which was indispensable in antiquity for running a gymnasium, gave barley for sowing and as food for the citizens, granted land to those who needed it, and exempted the city from all taxation for a period of five years.<sup>198</sup>

These two inscriptions demonstrate by a process of induction the authenticity of the edict of Antiochus III; and this is better than any kind of deductive “apology” for the text. The ordinance of Antiochus III corresponds perfectly to the type of edict which a hellenistic king was obliged to promulgate after the annexation of a city. Specific regulations for the holy city of Jerusalem are inserted into this common framework. In the second inscription cited above, the king supplies oil for the city gymnasium; in Jerusalem, he provides money to buy the oil which was indispensable for worship in the temple. The hellenistic monarchs frequently granted various bodies exemption from taxes; we read in an Egyptian ordinance that the king has ruled that the winners and trainers in certain athletic competitions are to be exempted from the tax on salt.<sup>199</sup> In Jerusalem, the ministers of divine worship are exempted from the same tax. This official document thus permits us to glimpse the sociological structure of the holy city of the Jews, which was strange in Greek eyes. Historically speaking, the most important affirmation which we may infer on the basis of this document is that the Seleucid king confirmed the Mosaic law shortly after his conquest, following the example of Artaxerxes (and certainly also of Alexander and the Lagids). Accordingly, Torah was a royal law on the eve of the Maccabean period. It seems that this affirmation allows us to envisage the persecution by Epiphanes and the story of the Maccabees from a new perspective; but this vast subject cannot be discussed in the present essay. Ours has been a simpler and less ambitious task, viz. the attempt to give a straightforward interpretation of an ancient document which is not well known.

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<sup>198</sup> Holleaux, *BCH* 1924, 1ff. = Holleaux, II, p. 73 = *SEG*, II, 669.

<sup>199</sup> Préaux, p. 252.

*Conclusion*

An important document is preserved in the *Antiquities* of Josephus (12.140ff.), viz. the edict of Antiochus III, promulgated between 200 and 197, which regulates the situation of Jerusalem in the Seleucid empire. An examination of this document shows that it is authentic and that its ordinances correspond perfectly to the measures taken by the hellenistic kings in similar circumstances. The contents of the decree reflect the special political structure of Jerusalem, the holy city which surrounded the temple, where the clergy had a privileged status and Torah took the place of a written constitution.

## A SELEUCID PROCLAMATION CONCERNING THE TEMPLE IN JERUSALEM

In the twelfth Book of his *Antiquities* (12.3, 4, §145–146), Flavius Josephus quotes an ordinance of Antiochus III of Syria (223–187 B.C.E.) concerning the sanctuary in Jerusalem. This Seleucid document has never been expounded, nor even properly translated. The present essay will therefore offer a translation and commentary. We begin with Josephus’ text. After quoting the letter of Antiochus III on Jerusalem and the “Jewish nation,”<sup>1</sup> the historian continues:<sup>2</sup>

(145) ἡ μὲν οὖν ἐπιστολὴ ταῦτα περιεῖχεν. σεμνύνων δὲ καὶ τὸ ἱερόν πρόγραμμα κατὰ πᾶσαν τὴν βασιλείαν ἐξέθηκε περιέχον τάδε· μηδενὶ ἐξεῖναι ἀλλοφύλῳ εἰς τὸν περίβολον εἰσιέναι τοῦ ἱεροῦ τὸν ἀπηγορευμένον τοῖς Ἰουδαίοις, εἰ μὴ οἷς ἂν ἀγνισθεῖσιν ἔστιν ἔθιμον κατὰ τὸν πάτριον νόμον. (146) μηδ’ εἰς τὴν πόλιν εἰσφερέσθω ἵππεια κρέα μηδὲ ἡμιόνεια μηδὲ ἀγρίων ὄνων καὶ ἡμέρων παρδάλεων τε καὶ ἀλωπέκων καὶ λαγῶν, καὶ καθόλου δὲ πάντων τῶν ἀπηγορευμένων ζῴων τοῖς Ἰουδαίοις. μηδὲ τὰς δωρὰς εἰσφέρειν ἐξεῖναι, ἀλλὰ μηδὲ τρέφειν τι τούτων ἐν τῇ πόλει· μόνοις δὲ τοῖς προγονικοῖς θύμασιν, ἀφ’ ὧν καὶ τῷ θεῷ δεῖ καλλιερεῖν, ἐπιτετράφθαι χρῆσθαι. ὁ δὲ τι τούτων παραβὰς ἀποτινύτω τοῖς ἱερεῦσιν ἀργυρίου δραχμὰς τρισχιλίας.

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<sup>1</sup> See the previous essay in this book.

<sup>2</sup> The Greek text is that of the edition by S.A. Naber, but I have restored the reading of the manuscripts in the passage εἰ μὴ οἷς ἂν ἀγνίσθαι, where all the editors since Dindorf (1845) have erroneously suppressed the particle. The aorist participle with ἂν (which is the equivalent of the optative + ἂν in an independent proposition) shows here that the exercise of the Jews’ privilege of entering the temple is, naturally enough, a matter of their free choice. We should note that this classical expression disappeared in the *koinè*. In the late period, the construction ὡς ἂν was preferred. Cf. F.M. Abel, *Grammaire du grec biblique*, 1927, p. 297; J.H. Moulton, *Grammar of New Testament Greek* I, 1906. [Translation of the Greek text: Brian McNeil.]



## I

In order to understand a document, one must first take note of the term used to designate it.<sup>3</sup> Josephus calls this Seleucid text a πρόγραμμα.<sup>4</sup> When applied to an official document, this Greek noun means a “placard,” either written in an easily readable manner on wooden tablets which were covered with a white coating,<sup>5</sup> transcribed on papyrus, or engraved on stone. The placard communicated official regulations and information of every kind: e.g., the prohibition of entry,<sup>6</sup> an ordinance ending a sequestration, or a summons to believers to attend worship in a temple.<sup>7</sup> The notice derived its validity from the decision of a public authority, which was recorded in an official protocol.<sup>8</sup> For the public, the place where it was exhibited and the contents of the notice were a sufficient guarantee of its authority, and this is why the *programma* mostly lacked a preamble: it began abruptly with an order.<sup>9</sup> For example, a notice posted in the village of Tebtunis in Egypt in 111 B.C.E. begins: “Those who buy myrrh... are not to pay more than 40 silver drachmas per mina.” Two steles placed at the entrance to a sacred place on the island of Delos announced: “Women are forbidden to enter. The same applies to men wearing woolen garments.” The famous inscription in the Herodian temple stated: “No stranger is to go further than

<sup>3</sup> The most recent scholarly discussion of the rules here is by R. Marcus, *Josephus VII* (Loeb Classical Library), 1942, pp. 761–764. For relevant bibliography, cf. p. 743.

<sup>4</sup> On the πρόγραμμα, cf. *UPZ I*, p. 458; D. Schaefer, *Aegyptus*, 1933, p. 612; M.-T. Lenger, *Chron. d'Égypte*, nr. 57, 1944, p. 141; R. Taubenschlag, *The Law of Graeco-Roman Egypt*, 1955, s.v. Cf. also F. Dölger, *Sol Salutis*, 1925, p. 287 (on the *praefatio*).

<sup>5</sup> Cf. A. Wilhelm, *Beiträge zur griechischen Inschriftenkunde*, 1909, p. 285; *UPZ I*, nr. 108, 29.

<sup>6</sup> Cf. e.g. Lucian, *De sacrif.* 13: καὶ τὸ μὲν πρόγραμμά φησι μὴ παριέναι εἰς τὸ εἶσω τῶν περιρραντηρίων ὅστις μὴ καθαρὸς ἔστι χεῖρας. Cf. Lucian, *Hermot.* 11: πινάκιον γὰρ τι ἐκρέματο ὑπὲρ τοῦ πυλῶνος μεγάλοις γράμμασι λέγον τήμερον οὐ συμφιλοσοφεῖν. Proclus, *Opera* (col. 288, 2–6, ed. V. Cousin): εἰς τὸ τῶν Ἐλευσινίων τέμενος εἰσιούσιν ἐδηλοῦτο τὸ πρόγραμμα, μὴ χωρεῖν εἶσω τῶν ἀδύτων ἀμήτοις οὐσι καὶ ἀτελέστοις.

<sup>7</sup> U. Wilcken, *Chrestomathie*, nr. 331, 62. Cf. Theophrastus *apud* Stobaeus, *Florilegium* 44.22(20): *BCH*, 1891, 198 (Panamara): διὰ προγράματος παρακαλέσαντες ἐπὶ τὰς θυσίας. Cf. *BE*, 1966, nr. 167.

<sup>8</sup> The central administration communicated the text of the *programma* to the local authorities and ordered them to publish it. Cf. e.g. Wilcken, *op. cit.*, nr. 249.

<sup>9</sup> There were of course also placards which began with an introductory formula. Cf. e.g. the regulations concerning a wood which was consecrated to Apollo (Michel, nr. 686). On the beginning *ex abrupto*, cf. A. Wilhelm, *Sitzungsberichte der Wiener Akademie* 179, nr. 6, 23; and my remarks in *RPh*, 1938, p. 303.

the railing.”<sup>10</sup> In a similar manner, the Seleucid ordinance begins with a prohibition, formulated in the infinitive absolute which functions as an imperative.

## II

The first article of the regulation states: *All foreigners are forbidden to enter the precinct of the sanctuary which is off limits to the Jews themselves, with the exception of those who have purified themselves according to the ancestral law.*<sup>11</sup> This warning was not in the least superfluous: in the Greek (or hellenized) world, foreigners were often excluded from *participatio in sacris*,<sup>12</sup> but they were not prevented from entering a temple.<sup>13</sup> When Diogenes was at Sinope, he sought refuge from the heat in the Parthenon, which he found “pleasantly airy.”<sup>14</sup> Since they did not have any sacred caste, the Greeks required only ritual purity on the part of those persons who wished to take part in public worship: one sprinkled lustral water on oneself as one crossed the threshold of a sanctuary. And since impurity was accidental – resulting for example from contact with a corpse – it was the same for both citizen and foreigner. In the Orient, the laity were constitutionally impure, or at any rate less pure than the clergy, and they were therefore excluded from consecrated places. An Egyptian priest who was a contemporary of Saint Paul informs us that according to a

<sup>10</sup> Wilcken, *Chrestomathie*, 309; *Inscriptions de Délos*, 2529 and 2530. Cf. P. Roussel, *Mélanges Holleaux*, 1913, p. 265; on the inscription in Jerusalem, cf. the following essay in this book.

<sup>11</sup> The structure of this sentence has proved a stumbling stone for the translators, beginning with the ancient Latin version which translates it imprecisely: *nec Iudaeos nisi quibus mos est purificatos secundum patriam legem*. The logical subject of the proposition, which is implicit (cf. E. Mayser, *Grammatik der Papyri* II, 3, pp. 6 and 206), is the verb εἰσιέναι in the apodosis. As frequently happens in Greek, the relative pronoun οἷς is placed at the beginning of the clause, although its logical position would be after the verb ἀγνισθεῖσι. We should note that the negation εἰ μὴ refers to the protasis as a whole. Cf. J.M. Stahl, *Syntax des griechischen Verbuns*, 1907, p. 419.

<sup>12</sup> Fustel de Coulanges, *La cité antique* III, ch. 12; L. Gernet and A. Boulanger, *Le génie grec dans la religion*, 1932, p. 302; S. Eitrem, *Beiträge zur Religionsgeschichte* II, p. 30 (in *Videnskapsselskapets Skrifter* of the Oslo Academy, 1919, nr. 2); P. Amandry, *BCH*, 1939, p. 211; R. Martin, *BCH*, 1940–1941, p. 194; P. Roussel, *ibid.*, p. 289.

<sup>13</sup> Cf. Ps.-Demosthenes, 19.85; Plato, *Laws* 12, 953a. Cf. my essay “The Warning Inscriptions of Herod’s Temple,” below.

<sup>14</sup> Teles, *Reliquiae*, p. 8 (ed. O. Hense). Elatea thanks the Stymphalians for welcoming its refugees in 198, καὶ ἱερῶν καὶ θυσιαῶν ἐκοινώησαν νομιζάντες ἰδίους [πολίτας εἶναι]. L. Moretti, *Iscrizioni storiche ellenistiche* I, 1967, nr. 55, 5–6. Cf. *BE*, 1969, nr. 265.

law which applied to all the temples in Egypt, these were off limits to secular persons except at the seasons of great feasts, “because one may enter only in a state of purity, after observing numerous abstinences.”<sup>15</sup> Where this was the rule, a foreigner was allowed to enter the temple to the same extent as a native secular person, i.e., in the public part of the sanctuary. In Egypt, this was the great courtyard with porticoes.<sup>16</sup> It was there that the crowd of believers waited on festival days for the sacred procession. A tourist could mingle with this crowd and admire at his leisure the reliefs engraved on the walls.<sup>17</sup>

At Jerusalem, a double precinct of courtyards surrounded the house of God, which had been rebuilt by Zerubbabel.<sup>18</sup> First came a parapet of stone<sup>19</sup> with double doors giving onto the “exterior” esplanade which surrounded the “interior” courtyard where the temple building, the altar of holocausts, etc. were located.<sup>20</sup> Everyone was permitted to enter the first courtyard,<sup>21</sup> but only Jews in a state of levitical purity were allowed to enter the interior courtyard.<sup>22</sup> Unlike the situation in Greek temples, in Jerusalem the boundary between the sacred and the profane was drawn *inside* the sanctuary.<sup>23</sup> This explains the Seleucid formula: “the sanctuary which is off limits to the Jews themselves, with

<sup>15</sup> Chaereon *apud* Porphyry, *De abstinence* 4.6. Cf. H.-R. Schwyzer, *Chairemon*, 1932, p. 41, and A.-J. Festugière, *La révélation d'Hermès Trismégiste* I, 1944, p. 28. In Babylon, the generic name for priests is: “he who enters the temple.” Cf. E. Dhorme, *Les religions de Babylone et d'Assyrie*, 1945, p. 205.

<sup>16</sup> J. Vandier, *La religion égyptienne*, 1944, p. 156; A. Moret, *Le Nil et la civilisation égyptienne*, 1926, p. 274. Cf. G. Sourdille, *La durée... du voyage d'Hérodote en Égypte*, 1910, p. 193.

<sup>17</sup> A.D. Nock, *HTR*, 1934, p. 58 = Idem, *Essays on Religion* I, 1972, p. 359; J. Goldstein, *I Maccabees*, 1976, p. 391. Cf. Lucian, *De dea syria*, 31.

<sup>18</sup> Aristaeus, *Epistula* 84: οἱ περίβολοι τρεῖς. Cf. 1 Macc 4:38, 48; 2 Macc 6:4.

<sup>19</sup> Hecataeus *apud* Josephus, *Contra Apionem* 1.198: περίβολος λίθινος... ἔχων διπλᾶς πύλας. On this description, cf. H. Lewy, *ZNW*, 1932, p. 117; W. Jaeger, *Journal of Religion*, 1938, p. 127; J. Jeremias, *ZAW*, 1934, p. 109.

<sup>20</sup> On the “exterior” courtyard (τῆς ἐξωτερῆρας), cf. 1 Macc 9:54 and C.L.W. Grimm, *ad loc.* On the interior doors, cf. 1 Macc. 4:38. These were placed on the axis of the altar and allowed those in the exterior courtyard to observe the sacrifices (1 Macc. 7:33).

<sup>21</sup> On the exceptions, connected with certain kinds of impurity, cf. Lev 12 and 15; Josephus, *Contra Apionem* 2.103; *M. Kélim* 1.8.

<sup>22</sup> Bonsirven II, p. 113. Cf. S. Mowinkel, *Le Décalogue*, 1927, p. 145; J. Neusner, *The Idea of Purity in Ancient Judaism*, 1973.

<sup>23</sup> Cf. e.g. the important regulation of the temple of Athene at Lindos: C. Blinkenberg, *Lindos. Inscriptions* II, Copenhagen 1941, nr. 487, 1-2: [κα]θαρο[ὺ]ς παρίναι κατὰ ὑποκείμενα [π]εριραντηρίων εἴσω καὶ τῶν τοῦ ναοῦ [πυλῶν]. (I am grateful to my friend Louis Robert for drawing my attention to this text.)

the exception of those who have purified themselves.”<sup>24</sup> This restriction corresponds to the praxis in the Herodian temple.<sup>25</sup> Philo writes that one is permitted to enter the sanctuary only after an ablution,<sup>26</sup> and the Talmud specifies that every Israelite who leaves the exterior courtyard (“the courtyard of the women”) to enter the interior courtyard had first to take a ritual bath there.<sup>27</sup> In an apocryphal gospel, the Pharisees criticize Jesus for violating this rule.<sup>28</sup> The Seleucid ordinance attests the existence of this observance in the temple of Zerubbabel as early as the third century B.C.E.<sup>29</sup>

It is this observance which explains why foreigners are excluded from the forbidden precinct: for a foreigner is not subject to the laws concerning purity. Thanks to its observance of these laws, Israel had become the holy people; and this meant that the secular person was not the layman (as was the case throughout the Orient), but the foreigner. In order to preserve their ritual purity, the Egyptian priests avoided all contact “with the crowd outside, who have nothing to do with divine worship.”<sup>30</sup> In the same way, the exclusion of foreigners was the correlative of the admission of the lay Israelites, of all the sons of the covenant; for the foreigner was excluded because he remained an idolater, not because he did not belong to the progeny of Abraham. At the period of the Seleucid ordinance, the citizens and the resident aliens in Athens always formed separate brotherhoods, even when they were venerating the same foreign god (e.g. Bendis of Thrace).<sup>31</sup> A devotee of Pallas on the Acropolis had first to become an Athenian, if he was to be allowed to serve the goddess; but a foreigner who had

<sup>24</sup> The passive participle ἀγνισθεῖσι has a reflexive meaning here. For this usage, cf. 2 Macc. 12:8; 1 Esdras 7:11; Acts of the Apostles 21:26; Josephus, *Ant.* 18.94.

<sup>25</sup> A. Buecheler, *JQR* 20 (1908), p. 330.

<sup>26</sup> Philo, *Quod Deus immut. sit.* 8; *De spec. leg.* 3.89: the temple is off limits even to those who have not committed sin, ἕως ἂν ἀπολούσωνται καὶ περιρρανόμενοι καθαρθῶσι τοῖς εἰωθόσι καθαρίοις. Cf. *ibid.*, 1.261 and 274. On *De spec. leg.* 3.205, cf. I. Heinemann, *Philons... Bildung*, 1932, p. 25.

<sup>27</sup> *Tos. Nega'im* 8.9, cited by Buecheler, *op. cit.*, p. 335.

<sup>28</sup> P. Oxyrh. V, 840; M.-J. Lagrange, *RB*, 1908, p. 539.

<sup>29</sup> In all ancient religions, the passage from one area of holiness to another was accompanied by purifications. Cf. e.g. the fine passage in Hippocrates, *De morbo sacro* 2 (VI, 364, Littré).

<sup>30</sup> Chaeremon (n. 15 above). Cf. F. Thureau-Dangin, *Rituel Accadiens*, 1921, p. 17. Foreigners were excluded from the Hittite temples under pain of death. A. Goetze, *Kleinasiens*, 1933, p. 159.

<sup>31</sup> W.S. Ferguson, *HTR*, 1944, p. 98. Cf. S. Dow, *ibid.*, 1937, p. 197; P. Roussel, *Rev. étud. anc.*, 1943, p. 182.

accepted the faith of Israel had all the rights and all the obligations of one who was an Israelite by birth.<sup>32</sup> In this respect, the term ἀλλόφυλος in the ordinance of Antiochus III is somewhat remarkable. This is the usual antonym of the words which denote a native of the land.<sup>33</sup> In Diodorus' description of Egyptian society, the natives are called Egyptians, while the foreigners are called ἀλλόφυλοι.<sup>34</sup> When used in connection with the sanctuary in Jerusalem, it covers all non-Jews. This means that its use in the present document could be equivocal, were it not for the fact – obvious to every proselyte – that he had become a legitimate member of the chosen people by his own choice.

However, the Greeks were shocked by the fact that Gentiles were forbidden to enter the sanctuary, and the author of the placard is careful to explain to the Greek visitors why they are excluded: he explains that this intolerance is invariable praxis<sup>35</sup> and is in conformity with the ancestral law of the Jews.<sup>36</sup> Since the Greeks were traditionalists, the antiquity of this precept justified it in their eyes, even if they found the custom shocking.<sup>37</sup>

<sup>32</sup> Bonsirven I, p. 30; Moore I, p. 327.

<sup>33</sup> Cf. e.g. Polybius, 6.13,9; 9.39,3. In his work *On the gods* (ed. H. Diels, *Abhandl. Preuss. Akad.*, 1916, nr. 6; index, s.v.), Philodemus applies the term ἀλλόφυλος to all that is foreign to the nature of the gods.

<sup>34</sup> Diodorus, 1.35.6. Speaking of the Jews, Dio Cassius (37.17,1) calls non-Jews ἀλλοεθνεῖς. Examples like these show how we should evaluate the assertion by H. Willrich, *Urkundenfälschungen in der hellenistisch-jüdischen Literatur*, 1924, p. 19, that the adjective ἀλλόφυλοι could not have been used by a Jewish author to designate non-Jews.

<sup>35</sup> For the formula ἐστὶν ἔθιμον (*sollemne est*), cf. e.g. Antigonus Carystius, *Mirab.* 15: the arms of the city were engraved on the decree: καθάπερ ἐστὶν ἔθιμον πᾶσι προσπαρατιθέναί. In the law of Minoa of Amorgos which regulates how the money of a foundation was to be used, a number of payments to the priestess are prescribed, and the text adds: τὰ δὲ ἄλλα ἔστω τῆς ἱε[ρείας] κατὰ τὰ ἔθιμα (L. Robert, *REG*, 1933, p. 438). The word indicates only the praxis; it does not specify whether this was legally binding, since this quality depended on the implicit or explicit recognition by a written law. Cf. L. Gernet, *Archives d'histoire du droit oriental*, 1938, p. 285. This is why the evangelist notes that the parents of Jesus presented him in the temple κατὰ τὸ εἰθισμένον τοῦ νόμου (Lk. 2:27); and this is also why the Seleucid placard cites the "ancestral law."

<sup>36</sup> This is the meaning of the expression κατὰ τὸν νόμον (in the singular). Cf., e.g. *SEG* IV, nr. 664, 24–25 (Ilion, 77 B.C.E.): [θυέσθαι] ... [κατὰ τὸν πάτριον] [νόμ]ον. *IG* XII, 9, 189, 29–30 (Euboea, ca. 340): τοὺς δὲ τῶν ἱερῶν ἐπιστάτας κρίνειν τὰ ἱερέα κατὰ τὸν νόμον. *BE*, 1960, nr. 346 (Ephesus): κεφάλαιον νόμου πατρίου (cultic regulations). *BE*, 1963, nr. 211, and 19675, nr. 342: Ephesus sends sacrificial victims to the temple of Artemis which was founded at Sardis by their ancestors κατὰ τὸν νόμον τὸν πάτριον. Cf. Josephus, *Ant.* 20.281: πάτριον νόμοι (relating to the cult).

<sup>37</sup> Cf. e.g. Plato, *Laus* V, 759a; X, 886c; Isocrates, 7.30. Cf. Tacitus, *Hist.* 5.5 on the legislation of Moses: *hi ritus, quoquo modo inducti, antiquitate defenduntur*. Cf. Strabo, 10.3, p. 467; the secrecy which surrounds the rites increases respect for sacred things.

As a matter of fact, this precept is not found in the law of Moses. It was probably deduced from the rule (Ex. 30:20) that purification is necessary before one may take part in the sacrifices.<sup>38</sup> The legislator charged the priests with the interpretation of the legal norms, and they still enjoyed this prerogative in the reign of Antiochus III.<sup>39</sup> Their decisions are the origins of the "oral law" which was to occupy such an important place in rabbinic Judaism. The rabbis attributed the same authority to their interpretations as to the sacred text itself.<sup>40</sup> In declaring that the instruction about ablution is established "according to the ancestral law," the ordinance of Antiochus III shows that the rabbinic dogma about the authority of biblical interpretation goes back at least to the third century B.C.E., and that it has a priestly provenance. The Chronicler (2 Chron. 23:19) speaks of gatekeepers at the doors of the temple who forbade access to anyone who had incurred impurity for whatever reason. It is difficult to date the exclusion of foreigners from the interior courtyard. As late as the fourth century, the Chronicler does not hesitate to speak of "a foreigner" who comes to pray in the house of God.<sup>41</sup> But in 161 B.C.E., the priests come down to the external courtyard to meet the Seleucid general Bacchides.<sup>42</sup> Subsequently, this rule was strictly observed; the ordinance of Antiochus III is the oldest explicit testimony which we have.

### III

The prohibitions which now follow on the Seleucid placard are concerned with the city of Jerusalem. First, we have a list of forbidden animals:

*It is forbidden to bring into the city the flesh of horses or of mules, of asses whether wild or tame, of panthers, of foxes, of hares, or in general of any of the animals which are forbidden to the Jews.*

This prohibition is based on the regulations in the law of Moses about impure animals, which forbids not only their consumption, but even

<sup>38</sup> Cf. L. Finkelstein, *The Pharisees* I, 3rd edn. 1963, 274.

<sup>39</sup> Deut. 17:12; Lev. 10:10. Cf. Bonsirven I, p. 263. For the hellenistic period, cf. Hecataeus *apud* Diodorus, 40.3, and Sir. 45:17.

<sup>40</sup> Bonsirven I, p. 270; Moore I, p. 254.

<sup>41</sup> 2 Chron. 6:32 (following 1 Kg. 8:41). Cf. Lev. 17:8; 22:17; Num. 15:29.

<sup>42</sup> 1 Macc. 7:33; cf. the commentary by C.W.L. Grimm. Cf. Aristeeas, *Epistula* 103.

touching their corpses, if one wishes to avoid ritual contamination.<sup>43</sup> However, the choice of animals in the ordinance seems bizarre: why do we find the panther, but not the pig?

In order to understand this, we must recall that the placard is not addressed to the Jews, who were legally subject to the Mosaic regulations. After the conquest of Jerusalem, Antiochus III confirmed the validity of Torah, and it was up to the Jewish authorities to ensure that it was observed.<sup>44</sup> The Seleucid ordinance has the Gentiles in mind. Since pagan cults were not tolerated in the territory of the pontifical state of Jerusalem,<sup>45</sup> there were very few foreigners in Judea at this time. With the exceptions of the Seleucid garrison of the citadel in Jerusalem and a few merchants who resided in the suburbs of the holy city, the Gentiles who came there were only passing travelers: tourists, government agents, or caravans making their way up to Jerusalem.<sup>46</sup> It is obvious that such visitors did not bring herds of swine with them, and this is why the placard begins by mentioning beasts of burden: the horse, mule, and ass.<sup>47</sup> Finally, the text mentions four wild animals that were hunted. The Greeks loved hunting foxes and hares, and these were abundant in Judea.<sup>48</sup> One of the decorations on a tomb at Marissa, contemporary with our text, portrays a panther hunt, and a wild ass is depicted on another relief found in the same place.<sup>49</sup> In 257/256, Tobias the Ammonite sent Ptolemy II a gift consisting of horses, dogs, and colts of wild asses.<sup>50</sup> This means that if we examine it more closely, the list of illicit animals no longer seems strange. Although the flesh of the panther is inedible,<sup>51</sup> its skin was much sought after, and it was

<sup>43</sup> Lev 11; Deut. 14. Cf. R. Dussaud, *Les origines cananéennes du sacrifice israélite*, 1921, p. 30.

<sup>44</sup> Josephus, *Ant.* 12.142. Cf. the preceding essay in this book.

<sup>45</sup> Cf. Hecataeus *apud* Josephus, *Contra Apionem* 1.193.

<sup>46</sup> Cf. F.M. Abel, *RB*, 1923, p. 410; 1927, pp. 145 and 175; *SEHHW* I, 1941, p. 347, and III, p. 1400. In 259, the celebrated Zeno visited Jerusalem and Jericho (*PCZ* I, 59004). On visitors to Judea, cf. Hecataeus *apud* Josephus, *Contra Apionem* 1.191. The foreigners resided "in the gates" (i.e., the suburbs), and the markets were held around the city gate. Cf. A. Barrois, *Manuel d'archéol. biblique* I, 1939, p. 292.

<sup>47</sup> We note that the camel is not mentioned. A contemporary bill for barley supplied to beasts of burden in Palestine mentions horses, asses, mules, and camels. Cf. *PCZ* V, 59807.

<sup>48</sup> A. Reinach in *Dict. des Antiquités, s.v. Venatio* (V, p. 690); F.M. Abel, *Géographie de la Palestine* I, 1938, p. 222; A.-G. Barrois, *op. cit.*, p. 343.

<sup>49</sup> T. Peters and H. Tiersch, *Painted Tombs of Marissa*, 1905, plates VI and XII. Cf. Josephus, *Bell. Jud.* 1.429.

<sup>50</sup> *PCZ* I, 59076.

<sup>51</sup> But cf. Philo, *De spec. leg.* 4.103. I may note here that I (like everyone else) translate

exported from Palestine by Greek merchants.<sup>52</sup> The economic importance of animal skins explains the next paragraph in the ordinance.

#### IV

*Similarly, it is forbidden to bring in their skins.*

According to the law of Moses, the skin of an animal which one is not allowed to eat makes one impure: anyone who touches it is impure until the evening.<sup>53</sup> The idea that the hide of an animal shares the impurity of a corpse is often found in ancient religions.<sup>54</sup> At Jerusalem, the priests celebrated the cult with bare feet, and it was in general forbidden to ascend the mount of the temple in shoes.<sup>55</sup> The priests themselves wore only vestments of linen in the sanctuary. A prohibition of using the skins of illicit animals is less common; one example is the rule that the priestesses of the mysteries of Andania should wear shoes only of wool, or else made of the hides of sacrificed animals.<sup>56</sup> My friend Mr Saul Lieberman has kindly explained a text which informs us about an analogous praxis among the Samaritans. The Talmudic treatise about the Samaritans states that it is forbidden to sell to the Samaritans "sandals made of the skin of impure animals," since the seller would thereby be cheating the purchaser by offering him a valueless article. The Jews themselves were permitted "to use tanned skins of impure animals to make sandals."<sup>57</sup> The interpretation in the

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πάρδαλις as "panther." It has recently been maintained that it ought to be translated as "cheetah." Cf. F. Préchac, *Rev. étud. lat.*, 1936, p. 105.

<sup>52</sup> C. Préaux, *L'économie royale des Lagides*, 1938, p. 363.

<sup>53</sup> Lev. 5:2; 7:21 and 24; 11 *passim*; 22:8; Deut. 14:21. Cf. É. Dhorme, *Religion des Hébreux nomades*, 1937, p. 303.

<sup>54</sup> Cf. F.J. Dölger, *Antike und Christentum* V, 1936, p. 95; F. Cumont, *Fouilles de Doura*, 1926, p. 630; L. Durr, *Orient. Literaturzeitung*, 1938, p. 412; S. Eitrem, *Opferritus und Vorpfer* (*Skrifter* of the Academy of Christiania [Oslo], 1914), p. 393.

<sup>55</sup> *M. Ber.* 9.5. On the sacred vestments, cf. Philo, *De spec. leg.* 1.84.

<sup>56</sup> *LS*, nr. 58.

<sup>57</sup> Mr Lieberman writes: "According to the minor tractate *Kutim* 1.12, Jews are not allowed to sell sandals made of skins of 'unclean' animals to the Samaritans. So the text in *ed. Kirchheim* and in *Cod. Epstein*. The word *unclean* is omitted here by a scribal error. In *Halachoth Kézuboth*, ed. M. Margulies (Jerusalem, 1942), p. 136, it is stated that the Jews 'are allowed to use for sandals any tanned skin of unclean animals.' The editor remarks: 'This law surprises us as self-evident.' Since, however, later Palestinian literature (6th to 8th centuries) frequently alludes to Samaritan practices not to be followed by the Jews (see *Methiboth*, ed. B.M. Lewin, Jerusalem, 1933, pp. 108-113), it is natural that the Rabbis explicitly permitted the use of skins of unclean animals in order to prevent Jews from following the Samaritan observance."



Mishnah established the rule that, once detached from the body, the skin of an animal is not impure.<sup>58</sup> Are we to understand the Seleucid ordinance as confirming the antiquity of the Samaritan observance?<sup>59</sup> We should bear in mind that the noun *δοραί*, which the Seleucid text employs, does not designate skins in general, but rather the membrane of the animal.<sup>60</sup> All that the ordinance prohibits is the skins which were stripped off impure animals, and this fact may permit another explanation: foreigner hunters or merchants would surely not remove every trace of flesh from the skin they stripped off an animal which they had killed, or which had died; they would leave this work to the tanner. But the Talmudic rules declare a skin impure as long as even the tiniest quantity of flesh remains attached to it.<sup>61</sup> May not this be the reason for the prohibition? – But I leave it to experts on the Talmud to resolve this little problem in the history of rites.

## V

The next prohibition concerns living animals: *It is not even permitted to keep them in the city.*

In the ancient cults, it was forbidden to bring impure animals into the sacred precinct.<sup>62</sup> The sacred law of Ialysos, more or less contemporary with the ordinance of Antiochus III, decrees: “The horse, the ass, the male mule, the little mule, and any other animal whose tail is furnished with long hairs, may not enter the sacred enclosure of Aletrone.”<sup>63</sup> It was forbidden to keep dogs on Delos. A Roman ordinance decrees

<sup>58</sup> *M. Hullin* 10.1.

<sup>59</sup> Without mentioning the Seleucid ordinance, A. Geiger (*Zeitschr. Deutsch. Morgenl. Ges.*, 1862, p. 718) suggested that the Samaritan praxis was a continuation of the Sadducean observance; his hypothesis has not been accepted by other scholars. Cf. S. Kohn, *ibid.*, 1893, p. 677, and Finkelstein, *op. cit.* (n. 38 above) I, p. 643. S. Kohn, *loc. cit.*, draws attention to a surprising variant reading at LXX Lev 11:40 which he has noted in the Codex Coislinianus (E. Field, *Origenis Hexapla* 1.187, according to Montfaucon). The text speaks of the impurity incurred by one who eats the corpse of an impure animal. The variant speaks of one who “removes its skin” (ἐκβυρσεύων).

<sup>60</sup> Cf. e.g. Aristotle *apud* Athenaeus, IX, 390c; Theophrastus *apud* Porphyry, *De Abstinentia* 2.30; Plutarch, *Mor.* 330b; Diodorus, 1.43,3; Arrian, *Ind.* 7; Diogenes of Oenoanda, fragment 10 (ed. William); Josephus, *Ant.* 2.337; Philo, *De spec. leg.* 1.151; *LS*, 49 (Michel, nr. 988); Lucian *De sacrif.* 13; 82 (*IG IX*, 2, 1110); Michel, nr. 724.

<sup>61</sup> *M. Hullin* 9.4.

<sup>62</sup> Wächter, p. 136.

<sup>63</sup> Michel, nr. 434 (*LS*, nr. 145).

that all the pigs are to be removed from an Egyptian village “in order that the sacred rites may be celebrated in conformity with customary practice.”<sup>64</sup>

This prohibition is a little surprising in Jerusalem, since the law of Moses did not reject any living animal; indeed, it prescribes that one is to help an ass which is stumbling under a heavy burden. It is only the corpse of an ass that makes one impure. Thus, it is not only the introduction, but also the raising of illicit animals that is forbidden in the holy city. Farmyards and small livestock were in fact common in Jerusalem.<sup>65</sup> The ordinance excludes from Jerusalem forbidden animals such as the pig or the rabbit, whose meat was greatly prized by the Greeks, but which could not be slaughtered ritually. Their dead bodies would besmirch the purity of the city of God. The previous paragraphs forbid the communication of this impurity, and the present article prevents the creation of such an impurity inside Jerusalem itself.

## VI

The last of the prohibitions in the placard has always been badly translated, and hence misunderstood. The text states: Μόνους δὲ τοῖς προγονικοῖς θύμασιν, ἀφ’ ὧν καὶ τῷ θεῷ δεῖ καλλιερεῖν, ἐπιτετράφθαι χρῆσθαι.

The ancient Latin version translates as follows: *sed solitis parentum victimis ex quibus et deo oportet sacrificari uti permissum est*, and all the modern translators follow this interpretation. But the victims cannot “also” (καί) be offered to God. In order to avoid this absurdity, others follow Hudson by taking the noun θύματα to mean “sacrifices,” and translate: “the sacrifices offered according to the traditional rites.” However, outside a poetic figure of speech, the word θύματα cannot be used to designate the action of the one who offers sacrifice. Besides this, the verb χρῆσθαι in the middle means “to use for one’s own profit.” Finally (and most importantly), the inserted clause introduced by the partitive ἀφ’ ὧν makes a contrast between a totality (τα θύματα) and that part of this totality which is agreeable “also” to God. The noun θύματα thus has a wider meaning here than “the sacrificial victims.”

<sup>64</sup> Strabo, 486; 575; *OGIS*, 210.

<sup>65</sup> A. Buecheler, *REJ* 62 (1911), p. 202. On the difference between εἰσάγειν and τρέφειν, cf. L. Robert, *Hellenica* VII, p. 162.

Like other words which originally designate the “victim,”<sup>66</sup> the noun *θύματα* came to mean livestock in general. It is used in this sense in the Septuagint and in two household notes preserved among the papyri of Zeno (third century B.C.E.); the lexicographers also mention this usage.<sup>67</sup>

Accordingly, I offer the following translation: *One may use only the traditional animals sold in the butcher’s shop, and the law prescribes that one must choose the victims for God from among these animals.*<sup>68</sup>

We must make a distinction here between the precept and its interpretation. The law of Moses has a very brief list of sacrificial animals. With the exception of pigeons, it includes only bovine, caprine, or ovine domestic beasts. In Greece, dietary prohibitions corresponded to the sacrificial doctrine. For example, horses were not offered in communion sacrifices, and the Greeks did not eat horse meat. Indeed, such correspondences led Greek scientists to conclude that it was the praxis of bloody sacrifices that had made human beings carnivorous.<sup>69</sup> Following the same reasoning, the rabbis accepted that before Moses, all pure animals could be offered in sacrifice.<sup>70</sup> In order to help the Greek visitor understand the system practiced in Jerusalem, the author of the ordinance declares that the only meat consumed there was that of animals which could legitimately be used in the temple sacrifices.<sup>71</sup>

<sup>66</sup> For example, the noun *ιερεῖον* is commonly used to designate sheep. *Δεῖτά* are strictly speaking victims which are flayed, but this term comes to designate the animals which can be sacrificed – bull, sheep, and goat – but not pigs, since their skin was not flayed. Cf. P. Stengel, *Opferbräuche der Griechen*, 1910, p. 131. Cf. also the use of the noun *κῆμα* as a designation for livestock.

<sup>67</sup> LXX: Gen. 43:6; 1 Kg. 25:11; Prov. 9:2; *PCZ* III, 59683 and 59693; Nicholas of Damascus, *FGH* 90, fragment 66.18; Hesychius, *s.v.* *θμα*, *ιερεῖον*, *σφάγιον*, *όλοκάτωμα*. Cf. Josephus, *Ant.* 8.398, where the noun *θύματα* (Vetus Latina: *pecuda*) corresponds to the words *πρόβατα καὶ μόσχους* of the biblical text (2 Chron. 18:2). The word *θυσία* can mean “a meal” (e.g. Plato, *Ion* 535d); *θύτης* is the “butcher”: Papyrus Fouad, nr. 68, 11. Cf. also Posidippus *apud* Athenaeus, IX, 377a.

<sup>68</sup> Strictly speaking, the verb *καλλιερῆν* signifies that the victim has been found acceptable by the divinity (Demosthenes, *Prooem.* 54); this is the origin of the phrase *θύειν καὶ καλλιερῆν*. Cf. e.g. Michel, nr. 714, 20; nr. 992, 17; *IG* IX, 1, 1109; XII, 5, 818; Josephus, *Ant.* 8.108; 9.268; 271. But in the hellenistic period, the verb *καλλιερῆν* was used on its own to express the meaning of this phrase. Cf. e.g. Polybius, 3.11.6; *OGIS*, 532, 17; 339.65. The present passage seems to be the oldest witness to this semantic evolution.

<sup>69</sup> J. Bernays, *Theophrastos’ Schrift über Frömmigkeit*, 1866, pp. 87 and 120.

<sup>70</sup> *Sebach.* 115a, quoted in Hoffmann, p. 313. Cf. Testament of Levi 9.13: *καὶ ἐκ παντὸς ζώου καθαρῶ καὶ πετεινοῦ πρόσφερε θυσίαν τῷ κυρίῳ*.

<sup>71</sup> Josephus, *Ant.* 4.70, and Philo, *De spec. leg.* 1.135, use similar formulations in order to make the dietary prohibitions more comprehensible to the Greeks. Some

But the real meaning of this regulation is that only “traditional livestock,” i.e. “pure” animals which had been slaughtered according to the Jewish rite, should be eaten in the holy city. It is well known that the law absolutely prohibited the consumption of blood by human beings, and this rule applied also to the resident aliens who settled among the holy people.<sup>72</sup> At a later date, the hellenistic Jews held that the commandment to Noah not to eat blood (Gen. 9:4) applied to all the races descended from this common ancestor.<sup>73</sup> Accordingly, when they drew up moral admonitions for the Gentiles, these included the duty of abstaining from blood.<sup>74</sup> The Seleucid ordinance shows that as early as 200 B.C.E., only ritual slaughter was tolerated in Jerusalem and that even Gentile visitors to the holy city were obliged to abstain from consuming blood (and from illicit animals).

We note that the ordinance refers explicitly only to four-footed animals. The other prohibited animals are either birds of prey or “reptiles,” or else aquatic animals. Obviously, there was no point in taking precautions against the possibility that someone might want to bring into Jerusalem a rat, or the bearded vulture that flies over the rocks of Moab. Besides this, according to the rabbinic interpretation, one does not become impure by touching dead fish or illicit birds.<sup>75</sup>

## VII

The placard closes with a penalty: *Whoever transgresses any of these (prohibitions) will pay to the priests a fine of 3.000 silver drachmas.*

Police fines are often envisaged in the regulations for Greek sanctuaries.<sup>76</sup> But these mostly refer to cases where failure to observe the regulations disturbs the good order of the ceremonies; in general, purely

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Pythagoreans declared that the only meat one should eat was that of animals which could be offered in sacrifice: P. Boyancé, *REG*, 1939, p. 39. This is no doubt the reason why an Anatolian cult forbade the eating of ἄθωρα. P. Herrmann and K.Z. Polatkan, *Sitzungsber. Österr. Akademie* 265/1 (1969), p. 58; but cf. *BE*, 1970, nr. 511.

<sup>72</sup> Lev. 17:10 and 13.

<sup>73</sup> Gen. 9:3 is interpreted in this sense in the Septuagint; at a later period, cf. Jubilees 7.27; 1 Enoch, 98.11; Josephus, *Ant.* 1.102. The rabbis saw this precept only as the prohibition of eating raw flesh. Cf. M. Guttman, *Das Judentum und seine Umwelt*, 1927, p. 100.

<sup>74</sup> J. Bernays, *Gesammelte Abhandlungen* I, 1885, pp. 224 and 239.

<sup>75</sup> Hoffmann, *ad* Lev. 11:24 and p. 333. On the bearded vulture, cf. I. Aharoni, *RB*, 1939, p. 237.

<sup>76</sup> Cf. e.g. M. Segré, *Il mondo classico*, 1933, p. 136.

ritual prescriptions are not accompanied by a penalty.<sup>77</sup> *Deorum iniuriae diis curae*. If a female devotee enters a sacred precinct improperly dressed, it is up to the offended divinity to punish her.<sup>78</sup> When the community itself intervenes to remove an occasion of pollution, the delinquent is killed on the spot by the crowd,<sup>79</sup> or else faces an accusation of impiety. For example, the regulations for Ialysos, which I have already mentioned, forbid people to enter wearing shoes of pig's leather or to bring in anything that comes from a pig; the delinquent must purify the sacred precinct and also offer sacrifice, for otherwise "he will be accused of impiety."<sup>80</sup> The Jewish law shared these Greek ideas. It is God who will "cut off" the person who eats blood.<sup>81</sup> The state punishes only a demonstrable provocation: for example, it sentences to death one who works on the sabbath. Later, the rabbinic codification laid down a civil penalty of scourging for those who infringed the ritual commandments.<sup>82</sup> How then are we to understand the pecuniary sanction which is envisaged in the Seleucid placard?

Let us first note that the sum of the fine is to paid here not to the royal treasury, nor even to the temple treasury,<sup>83</sup> but to the priests. This allocation explains the sanction. In the Mosaic ritual, it is the priest who by means of an expiatory sacrifice atones for sins committed accidentally or thoughtlessly.<sup>84</sup> In recompense, the priest who offered a sacrifice received the meat of the victim, or else a fine. The money of these fines *pro peccato* and *pro delicto* belonged to the priests.<sup>85</sup> The law explicitly includes among these faults for which atonement can be made all infractions of the rules of ritual purity – for example, a case

<sup>77</sup> Cf. e.g. *LS*, nr. 18; 63; 79; 90; 105; 109; 117; *Inscriptions de Délos*, 2529; 2530; *SEG IX*, nr. 68.

<sup>78</sup> W.M. Ramsay, *Journ. of Hellenic Studies*, 1889, p. 226.

<sup>79</sup> <sup>79</sup> I have discussed this in my essay on "The warning inscriptions of Herod's temple," below.

<sup>80</sup> Michel, nr. 434 (*LS*, 145). Cf. *LS*, 97; 102; Pseudo-Domesthenes, 49.116.

<sup>81</sup> Lev 17:10; 15:31; 17:17. According to the rabbinic interpretation, *kaeth* signifies the punishment inflicted by God. Cf. J. Bornstein in *Encycl. Judaica IX*, p. 956; O. Daube in *Symbolae in honorem O. Lenel*, 1931, p. 250.

<sup>82</sup> Ex. 31:14; *M. Maccoth* 3.

<sup>83</sup> This was Greek practice. Cf. K. Latte, *Heiliges Recht*, 1920, p. 50. Cf. e.g. R. Martin, *BCH*, 1940–1941, p. 163.

<sup>84</sup> Lev 4:26; 31:35; 6:22; 7:6. Cf. Dussaud, *op. cit.* (n. 43 above), pp. 77 and 117; A. Loisy, *Essai sur le sacrifice*, 1920, p. 351; Moore I, p. 498.

<sup>85</sup> 2 Kg. 12:17; Lev. 5:14; Num. 5:5–16. The sectarians of the "new covenant" protested against the acquisition by the priests of this "impure money from vows and prohibitions" (I. Lévy, *REJ* 61 [1911], p. 184).

where someone has touched an impure object.<sup>86</sup> It is interesting to see that the clergy in Jerusalem extended this regulation about expiation to the Gentiles too. The Talmud states explicitly that the rites of expiation for involuntary sins (*hattat*) are reserved for the Jews alone.<sup>87</sup>

## VIII

According to the law of Moses, there are three principal sources (apart from leprosy) of ritual impurity: animal carcasses, dead bodies, and sexual phenomena.<sup>88</sup> The Seleucid ordinance mentions only animal carcasses, mainly because Jerusalem was a city, and it was impossible to forbid birth and death there; in this context, the law protects only the sanctuary. Those who had had contact with a corpse could enter the exterior courtyard of the temple of Herod.<sup>89</sup> Besides this, the Greek observances with regard to the pollution caused by death and sexual impurity were no less rigorous than those of the Jews.<sup>90</sup> Nevertheless, these varied according to local custom, and were not exactly the same as those in the law of Moses. For example, according to the ritual regulations of her native land, if a woman of Cyrene gave birth at Jerusalem, she contaminated both her "roof" and all that was under that roof; a man who was inside his house while she was in labor was impure for three days, although he did not himself transmit the impurity to others.<sup>91</sup> According to the Bible, however, a mother remained impure for forty days or (if she gave birth to a son) for eighty days, and the power of her impurity was such that she was forbidden to set foot on the temple mount during the whole of this period.<sup>92</sup> Why then does the Seleucid ordinance not inform the woman of Cyrene about this? It is because the purity laws in Torah are addressed only to the

<sup>86</sup> Lev. 5:2 and 7:7. The sum of 3,000 drachmas is the penalty imposed on anyone who seeks to enslave again a slave who has been set free by his consecration to Artemis of Susa: L. Robert, *RPh*, 1936, p. 138.

<sup>87</sup> Moore I, p. 504.

<sup>88</sup> Cf. e.g. A. Lods, *Les prophètes d'Israël*, 1935, p. 335.

<sup>89</sup> *M. Kelim* 1.8.

<sup>90</sup> Cf. e.g. Wächter, pp. 25, 39, and 43; P. Collart, *C.R. Ac. Inscr.*, 1944, p. 189; H. Bolkestein, *Theophrastos' Charakter der Deisdaimonia*, 1929, pp. 16 and 42. At Cos, just as at Jerusalem (Josephus, *Ant.* 18.30), one single bone of a corpse sufficed to infect the temple (R. Herzog, *Abh. Preuss. Akademie*, 1928, nr. 6, p. 55).

<sup>91</sup> *SEG IX*, 68. cf. G.L. Luzzato, *La Lex Cathartica di Cirene*, 1936, p. 20.

<sup>92</sup> Lev 12; *M. Kelim* 1.8.

Israelites.<sup>93</sup> The rigorist who wrote the Book of Jubilees in the Seleucid period regards all Gentiles as impure, and consequently forbids the Jews to eat with them. But he regards the biblical prescriptions concerning the pollution emanating from a woman in labor – who is forbidden to touch “anything of that which is consecrated” – as applying only to the Israelites.<sup>94</sup> It was only under the Hasmoneans that a *beth din* declared the Gentiles perpetually impure (on the basis of Lev. 15:19); the intention was to prevent sexual relations with an unbelieving woman.<sup>95</sup> Later again, under Herod, the Gentiles began to be regarded as contaminated by the impurity of a corpse; the rabbinic controversy on this subject lasted until the second century of the Common Era.<sup>96</sup> Ca. 200 B.C.E., the rule was that Gentiles could neither incur nor transmit the levitical impurity. On this point, there is a striking difference between the Jewish concept and the Gentile understanding, which saw impurity as a miasma which had the same effect on every person. For the Jews, something was impure *only* because God wished it to be so. Giving birth makes an Israelite mother impure *only* because that is what the law says. In the words of Johanan ben Zakkai: “As you live, it is not the corpse that makes impure nor the water that purifies: it is the decree of the King of kings. As the Holy One, blessed be He, says: I have prescribed my prescriptions, I have decreed my decrees, and the human person may not violate my decree.”<sup>97</sup>

## IX

Critics have had their doubts about the Seleucid document which Josephus presents, and it must be admitted that he cites it in a manner which may well invite suspicion. To begin with, the historian assures us that this document was promulgated “throughout the kingdom”; but here he is mistaken. Under the Caesars, the noun *πρόγραμμα* also (indeed, primarily) designated the Roman *edictum*.<sup>98</sup> When he found

<sup>93</sup> Cf. D. Hoffmann *ad* Lev. 12:1 and 15:2.

<sup>94</sup> Jubilees 3.14. On the date of this book, cf. L. Finkelstein, *HTR*, 1943, p. 24.

<sup>95</sup> J. Derenbourg, *Essa sur l'histoire... de la Palestine*, 1867, p. 84.

<sup>96</sup> A. Buecheler, *JQR*, 1926–1927, p. 19, and *REJ* 63 (1912), p. 48; S. Zeitlin, *HUCA* 1 (1925), p. 363.

<sup>97</sup> Bonsirven II, p. 74. The rabbis made a distinction between ritual and physical impurity: S. Lieberman, *JQR* 37 (1946), p. 45.

<sup>98</sup> U. Wilcken, *Zeitschrift der Savigny-Stiftung*, 1921, p. 133; L. Wenger, *Abhandl. Bayer. Akad.* 34/2, p. 68.

this term in his source, Josephus thought that this royal edict must have been published everywhere in the empire of Antiochus III (in conformity with Roman praxis). In fact, however, such ordinances were simply displayed at the entrance to a town – in this case, at the gate of Jerusalem. Josephus' error shows, however, that he found the document in a hellenistic text which identified Antiochus III as the author of the ordinance. Josephus himself reads this document as evidence that the king had a special veneration of the Jews, but his apologetic zeal in the period after the destruction of the temple ought not to lead us to misunderstand a text written almost three centuries before the end of Jerusalem. Empires, whether ancient or modern, necessarily protect the beliefs and the superstitions of their subject peoples. A Ptolemaic ordinance forbade under pain of death the fishing of a species of fish which was sacred to the Egyptians. A pilgrim who entered Hierapolis (Bambyce), the holy city of the Syrian goddess, had to cut off his hair and shave off his eyebrows. It was absolutely forbidden to bring swine or to eat pork in Comana Pontica, the holy city of the Great Goddess of Anatolia.<sup>99</sup> The Roman government saw to it that the Egyptian priest did not wear vestments of wool in public, and imposed an exorbitant fine on anyone who cut down the sacred cedars of Smyrna.<sup>100</sup> In the period when Josephus wrote his work, a Roman proconsul proclaimed a prohibition on “catching, raising, or purchasing” pigeons in the city of Aphrodisias in Caria “because of the cult of the goddess.”<sup>101</sup>

It must however be said that neither the language nor the wording nor the contents of the text suggest in any way that it might be a forgery. In the Herodian temple, steles in Greek and Latin forbade foreigners to enter the sanctuary, “since this will lead to death”;<sup>102</sup> in this case, the Romans acknowledged that one who transgressed this precept was outlawed. Since the Seleucid ordinance only imposes a financial penalty, we must date it earlier than Herod. No one will entertain the idea that a forgery which subjected the purity of the holy city to the protection of a Seleucid was produced in the Maccabean period. It follows that we must agree with Josephus in attributing the document

<sup>99</sup> P. Yale, 56; Lucian, *De dea syria* 55; Strabo, 575. Cf. G. Goosens, *Hierapolis de Syrie*, 1943, p. 77.

<sup>100</sup> Cf. the *Gnomon of the Idilogus*, §76. Cf. Papyrus Fouad, 10; Philostratus, *V. Soph.* 2.26.

<sup>101</sup> L. Robert, *J. des Savants*, 1971, p. 95. This “Aphrodite” is an oriental goddess (Ninoc). Cf. A. Reinach, *REJ* 65 (1913), p. 167.

<sup>102</sup> Cf. my essay on “The warning inscriptions of Herod’s temple,” below.



to the Seleucid dynasty. When he became master of Palestine in 200 B.C.E., Antiochus III regulated the status of the conquered territories. He granted a charter to the “Jewish nation,”<sup>103</sup> and he was also obliged to promulgate measures to protect the holy city of this nation. Like the Lagids in Egypt, the Seleucids based their domination on the consent of the native clergy. When the conqueror controls and even imposes taxes on the property of the temple, he is thereby manifesting his deference to the local gods, and showing respect for the authority of the priests.<sup>104</sup>

## X

Dictated by the priests of Jerusalem, the ordinance of Antiochus III was meant to safeguard the ritual purity of the holy city; for the potential of holiness at Jerusalem was so great that the entire city was loaded with it. Before the Maccabean expansion, Jerusalem was in fact merely an annex to the sanctuary. When he speaks of the expedition in which Antiochus III won possession of Judea, Polybius writes: “Shortly afterwards, the Jews who lived around the sanctuary called ‘Jerusalem’ surrendered to him.”<sup>105</sup> Since all the inhabitants there derived their income from the sanctuary, it was in everyone’s interest to keep himself from pollution. For example, the flesh of the victims, which was given to the worshippers, was not allowed to touch anything impure, for otherwise it had to be consumed by fire. The “second tithe” could be spent only in the precinct of Jerusalem; but this necessarily presupposed that it was free from any kind of impurity.<sup>106</sup> Later on, when Jerusalem had become a great city, the interpretation by the Pharisees toned down the ritual rigors. For example, it was laid down that a bath sufficed to get rid of the contagious character of impure things.<sup>107</sup> But ca. 200 B.C.E., one who had accidentally come into contact with a piece of forbidden

<sup>103</sup> Cf. the previous essay in this book.

<sup>104</sup> Cf. *BE*, 1970, nr. 553.

<sup>105</sup> Polybius 16.39,4; Sibylline Oracles 3.702. Cf. K. Galling, *Palästina-Jahrbuch*, 1936, p. 73.

<sup>106</sup> Lev. 7:19; 10:14. On the “second tithe,” cf. Deut. 14:22; Lev. 27:30; Num. 18:20. On the interpretation of these prescriptions, cf. L. Finkelstein, *HTR*, 1923, p. 52; C. Albeck, *Das Buch der Jubiläen und die Halacha* (47. Bericht der Hochschule für die Wissenschaft des Judentums, Berlin 1930), p. 30. The rabbinic interpretation of these rules is already attested in the Septuagint version of Deut. 26:12.

<sup>107</sup> Finkelstein, *op. cit.* (n. 38 above) I, p. 132.

meat was impure until evening, and nothing that he touched could be employed in any ritual function.<sup>108</sup>

This meant that contagion was avoided like the plague in this holy city. Aristeas evokes the picture of the people of Jerusalem in their flowing robes, going up and down the narrow staircases that lead from their houses on the hill to the alleyways that wind through the valley: “Each one takes care above all to keep his distance from other people as he walks, in such a way that those who are in a state of purity may not touch anything forbidden.”<sup>109</sup> It was for this ancient Jerusalem, which lived in constant fear of pollution, that Antiochus III published the regulations which Josephus has transmitted to us.

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<sup>108</sup> Lev. 11 and 22:4. Philo, *De spec. leg.* 1.119: a priest who touches something impure must abstain from the sacred food throughout the entire day.

<sup>109</sup> Aristeas, *Epistula* 106.

## A DOCUMENT CONCERNING THE PERSECUTION BY ANTIOCHUS IV EPIPHANES

In his *Antiquities* (12.5,5, §258–264), Flavius Josephus relates that during the persecution of the Jews which Antiochus IV Epiphanes, king of Syria, ordered in 167 B.C.E., the Samaritans presented the following petition to the royal oppressor:

(258) βασιλεῖ Ἀντιόχῳ Θεῷ Ἐπιφανεῖ ὑπόμνημα παρὰ τῶν ἐν Σικίμοις Σιδωνίων. (259) Οἱ ἡμέτεροι πρόγονοι διὰ τινας ἀύχμους τῆς χώρας<sup>1</sup> παρακολουθήσαντες ἀρχαία τινὶ δεισιδαιμονία<sup>2</sup> ἔθος ἐποίησαν σέβειν τὴν παρὰ τοῖς Ἰουδαίοις λεγομένην Σαββάτων<sup>3</sup> ἡμέραν, ἰδρυσάμενοι δ' ἀνώνυμον ἐν τῷ Γαριζεῖν λεγομένῳ ὄρει ἱερὸν ἔθνον ἐπ' αὐτοῦ τὰς καθηκούσας θυσίας. (260) Σοῦ δὲ τοῖς Ἰουδαίοις τῆς πονηρίας αὐτῶν ἀξίως χρησαμένου, οἱ τὰ βασιλικά διοικοῦντες<sup>4</sup> οἰόμενοι κατὰ συγγένειαν ἡμᾶς ταῦτα ποιεῖν ἐκείνοις ταῖς ὁμοίαις αἰτίαις<sup>5</sup> περιάπτουσιν, ὄντων ἡμῶν τὸ ἀνέκαθεν Σιδωνίων, καὶ τοῦτο φανερόν ἐστιν ἐκ τῶν πολιτικῶν ἀναγραφῶν.<sup>6</sup> (261) Ἀξιοῦμεν οὖν σε τὸν εὐεργέτην καὶ σωτῆρα<sup>7</sup> προστάξαι Ἀπολλωνίῳ τῷ μεριδάρχη<sup>8</sup> καὶ Νικάνορι τῷ τὰ βασιλικά πράττοντι μηδὲν ἡμῖν ἐνοχλεῖν προσάπτουσ

<sup>1</sup> The reading of Mss. FLV, *συχνοὺς τῆς χώρας λοιμούς*, is due to influence from the text at *Ant.* 9.289.

<sup>2</sup> It may not be irrelevant to recall that the noun *deisidaimonia* does not mean “superstition” in the sense that we give to this term. Cf. Josephus, *Ant.* 19.290; 14.232; and Bolkestein, *Theophrastos' Charakter der Deisidaimonia*, 1929, p. 72.

<sup>3</sup> The plural τὰ *σάββατα* as a designation of the sabbath day is customary in the hellenistic period. Cf. e.g. LXX Num. 15:32: ἡ ἡμέρα τῶν Σαββάτων.

<sup>4</sup> Cf. U. Wilcken, *Chrestomathie*, 258, c. 15: ὅσοι τι τῶν βασιλικῶν διοικοῦσι.

<sup>5</sup> Cf. e.g. P. Tebtunis I, nr. 14,4: φόνωι καὶ ἄλλαις αἰτίαις. Mitteis, *Chrestomathie*, nr. 31, VII, 13–14: ἀπολελυκότων (*sc.* τῶν βασιλέων) τοὺς ὑπὸ τὴν βασιλείαν πάντας αἰτιῶν *πασῶν*. Athenodorus, XII, 547b (a Seleucid ordinance): καὶ οἱ πατέρες αὐτῶν ἐν αἰτίαις ἔσονται ταῖς μεγίσταις. Polybius, 25.3,3: Persaeus ἀφήκε δὲ καὶ τοὺς ἐν ταῖς φυλακαῖς ἐγκεκλεισμένους ἐπὶ βασιλικῆς αἰτίας.

<sup>6</sup> Cf. e.g. 1 Macc. 12:21; Plutarch, *Adv. Colot.* 17 (116f.).

<sup>7</sup> On this formula, cf. P. Collomp, *Recherches sur la chancellerie des Lagides*, 1926, p. 96.

<sup>8</sup> Cf. 1 Macc. 10:65: καὶ ἔθετο αὐτὸν (*sc.* Jonathan) στρατηγὸν καὶ μεριδάρχη. The same Apollonius is mentioned as governor of Samaria at 1 Macc 3:10 and by Josephus, *Ant.* 12.287. Cf. U. Wilcken, *UPZ* I, nr. 106, 1–5: βασιλεὺς Πτολεμαῖος... τῷ στρατηγῷ... καὶ τοῖς ἄλλοις τοῖς τὰ βασιλικά πραγματευομένοις χαίρειν.

τὰς τῶν Ἰουδαίων αἰτίας, ἡμῶν καὶ τῷ γένει καὶ τοῖς ἔθεσιν ἀλλοτρίων ὑπαρχόντων, προσαγορευθῆναι δὲ τὸ ἀνώνυμον ἱερὸν Διός...<sup>9</sup> Γενομένου γὰρ τούτου<sup>10</sup> παυσόμεθα μὲν ἐνοχλούμενοι, τοῖς δ' ἔργοις μετὰ ἀδείας προσανέχοντες μείζονάς σοι ποιήσομεν τὰς προσόδους.<sup>11</sup>

(262) Ταῦτα τῶν Σαμαρέων δεηθέντων ἀντέγραψεν αὐτοῖς ὁ βασιλεὺς τάδε·

Βασιλεὺς Ἀντίοχος Νικάνορι. Οἱ ἐν Σικίμοις Σιδώνιοι ἐπέδωκαν τὸ κατακεχωρισμένον ὑπόμνημα.<sup>12</sup>

(263) ἐπεὶ οὖν συμβουλευομένοις ἡμῖν μετὰ τῶν φίλων<sup>13</sup> παρέστησαν οἱ πεμφθέντες ὑπ' αὐτῶν, ὅτι μηδὲν τοῖς τῶν Ἰουδαίων ἐγκλήμασι<sup>14</sup> προσήκουσιν, ἀλλὰ τοῖς Ἑλληνικοῖς ἔθεσιν αἰροῦνται χρώμενοι ζῆν, ἀπολύομέν τε αὐτοὺς τῶν αἰτιῶν, καὶ τὸ παρ' αὐτοῖς ἱερὸν, καθάπερ ἠξιῶκασι, προσαγορευθῆτω Διός...

(264) Ταῦτα δὲ καὶ Ἀπολλωνίῳ τῷ μεριδάρχη ἐπέστειλεν ἕκτω ἔτει καὶ τεσσαρακοστῷ<sup>15</sup> μηνὸς<sup>16</sup>... ὀκτωκαιδεκάτη.

(258) Memorandum of the Sidonians of Shechem to King Antiochus Theos Epiphanes: (259) "After a succession of droughts had devastated their country, our ancestors obeyed an ancient religious scruple and adopted the custom of celebrating that day which the Jews call "sabbath." On the mountain called Garizim, they built an anonymous

<sup>9</sup> Mss.: Διὸς Ἑλληνίου. Latin: *templum vero aedificatum quod adhuc sine cuiusquam dei nomine constat, Cretaei Iovis illud appellatione petimus dedicare*. The epithet of Zeus was not preserved correctly by the manuscript tradition of Josephus, and the editors corrected it differently. According to 2 Macc. 6:1, Epiphanes gave the god of Garizim the name "Zeus the Friend of Strangers."

<sup>10</sup> On this formula, cf. Collomp, *op. cit.*, p. 116.

<sup>11</sup> On this formula, cf. *ibid.*, p. 119.

<sup>12</sup> Cf. e.g. *OGIS* 224, 6; 262, 1; etc.

<sup>13</sup> Cf. G. Corradi, *Studi ellenistici*, 1929, p. 243.

<sup>14</sup> Cf. e.g. Diodorus, 34.1.5; Antiochus, VI: λαβὼν ὀμήρους ἀπέλυσε τῶν ἐγκλημάτων τοὺς Ἰουδαίους. *SIG* II, nr. 633, 36–37: εἶναι δὲ καὶ ἀμνηστῖαν ὡς ἑκατέρους τῶν προγεγεννημένων ἐγκλημάτων κατὰ πόλεμον καὶ ἰδίᾳ καὶ δημοσίᾳ. Josephus, *Ant.* 11.117; *OGIS* 90, 12 and 50; 229, 41 and 54; Wilcken, *Chrestomathie*, nr. 331, 66; etc. Cf. R. Taubenschlag, *Das Strafrecht der Papyri*, 1916, p. 5.

<sup>15</sup> We must read "146." The cipher for "100" is omitted in the manuscripts of Josephus; this also occurs at 2 Macc. 1:9.

<sup>16</sup> Mss.: Ἑκατομβαιῶνος Ὑρκανίου. The second name is not attested elsewhere. Did Epiphanes give this name to one of the months of the Seleucid calendar? (Cf. B. Niese, *Hermes*, 1900, p. 483, and the name of the month Dioscorinthius in the Seleucid documents in 2 Macc. 11.) "Hecatombaion" is the name of an Attic month, which a reviser of Josephus' text has identified, rightly or wrongly, with the enigmatic "Hyrcanios." Analogous identifications are found frequently in the manuscript tradition of Josephus. Cf. e.g. Vol. VI, p. viii of the edition by Niese *ad Bell. Jud.* 4.63.

temple where they offered the appropriate sacrifices. (260) Today you are treating the Jews as their wickedness deserved. The royal officers, believing that we follow the same practices because we are related to the Jews, cover us with the same accusations, although in terms of our origins we are Sidonians, as the public documents clearly show. (261) We therefore beseech you, the benefactor and savior, to give orders to Apollonius, the chief of the district, and to Nicanor who carries out the royal business, not to molest us by bringing the same accusations against us as against the Jews, who are foreigners to us both by race and by their customs, and to allow our anonymous temple to be given the name: 'Zeus...' Thus we shall no longer be molested, and will be able to devote ourselves in complete safety to our work, thus increasing your revenues."

(262) The king replied as follows to this request of the Samaritans: "King Antiochus to Nicanor: The Sidonians of Shechem have presented the following memorandum to us. (263) Since their envoys have made it clear before Ourselves and Our friends, assembled in council, that they have done nothing of those things with which the Jews are reproached, but desire to live according to the customs of the Greeks, We acquit them of every accusation and prescribe that their temple, as they have requested, be called: 'Zeus...'"

(264) He also sent this letter to Apollonius, the chief of the district, in the [1]46th year, on the 18th day of the month...<sup>17</sup>

## I

Is this text, which claims to have been drawn up in 166 B.C.E., authentic? This is usually denied, and at first sight, it does seem highly suspect.<sup>18</sup> Although the Samaritans boasted that they were the true Israel<sup>19</sup> and were proud of their fidelity to the law, in this text they disavow their Hebrew origin. Their petition even claims that their sab-

<sup>17</sup> The Greek text is that of the edition by S.A. Naber [English translation: Brian McNeil]. I know of no specialist study of this subject.

<sup>18</sup> Cf. e.g. T. Reinach, *ad loc.* in *Œuvres complètes de Flavius Josèphe*, translated under the direction of R. Reinach, Vol. III, 1904; E. Meyer, *Ursprung und Anfänge des Christentums* II; 1921, p. 154 n. 3; H. Willrich, *Urkundenfälschung in der hellenistisch-jüdischen Literatur*, 1924, p. 14. B. Niese, *Hermes*, 1900, p. 520, accepts the authenticity of the document.

<sup>19</sup> Cf. M. Gaster, *The Samaritans*, 1925, pp. 5 and 8; J.A. Montgomery, *The Samaritans*, 1907; Josephus, *Ant.* 9.291; P. Billerbeck, *Kommentar zum Neuen Testament* I, p. 559; H.G. Kippenberg, *Garizim und Synagoge*, 1971, pp. 33–60.

bath is a superstitious innovation. Besides this, they constantly affirmed that the temple built according to the precepts of Moses was that on Mount Garizim;<sup>20</sup> but in this document, they attribute a completely different origin to their sanctuary. On the other hand, the Jews liked to reproach the Samaritans for their versatility, as Josephus himself tells us:<sup>21</sup> “When they see that the Jews are suffering misfortune, they deny that they belong to the same race. But when they see that the same Jews enjoy good fortune, they immediately boast of being related to them.” Josephus quotes these documents as illustrations of the spirit of treachery which their brothers – and enemies – attributed to the Samaritans. Is not the alleged document of 166 simply a forgery fabricated by Jews who were filled with hatred for “the stupid people that dwell in Shechem” (Sir. 50:25)?

## II

In order to give a document (even an apocryphal text) a fair judgment, we must first examine its form precisely as a *document*.

Josephus reproduces the text of two documents: first, the request of the Samaritans, then the letter in which the king communicates his order. But when the royal decision speaks of the “following” memorandum by the Samaritans (§262), this shows that in the document which Josephus copied, the petition formed part of the letter of Antiochus IV and was attached to it. When a hellenistic king granted the favors requested by a petitioner, he sent an order drawn up in the form of a letter to the subordinate who was competent to act on the matter, and this letter included a copy of the request which he was granting.<sup>22</sup> In the same way, in Josephus’ source, the letter of Antiochus IV to Nicanor preceded the copy of the Samaritan petition; to make things more convenient for his readers, the historian has restored the chronological order of the two documents, which he presents separately. But only one document was available to Josephus, viz. a letter of Antiochus IV which included the text of the Samaritan request.

<sup>20</sup> Cf. Josephus, *Ant.* 13.74.

<sup>21</sup> Josephus, *Ant.* 11.341; cf. 9.291.

<sup>22</sup> *Archiv für Papyrusforschung* 9, p. 173.

Let us also note that Josephus possessed only a copy of the letter of Epiphanes to Nicanor, for the text which he presents lacks precisely those clauses which distinguished the original from copies in classical antiquity. These are, first of all, the formulae of greeting in the royal letter (the word *χαίρειν* in the opening address and the closing *ἔρωσο*), as well as the polite expression *εὐτύχει* which ought to conclude the Samaritan memorandum. It is well known that the final salutation was the sign of validation in ancient times which corresponded to the signature we put to our documents today. Finally, the original order of Epiphanes would certainly have had a date, but here the royal letter is undated. We see in the Egyptian papyri that scribes often dispensed themselves from reproducing the formulae dictated by official protocol, where these were not essential to the understanding of the text. Accordingly, Josephus is drawing on such a copy of the letter of Epiphanes to Nicanor.

But if this is the case, where did Josephus find the information he gives in §264, that the same letter was also sent to another royal official on a specific date? Although he reproduces the entire text of the letter of Antiochus IV to Nicanor, Josephus does not know its date. He does know the year, the month, and the day when an identical order was sent to Apollonius, but he does not quote this latter text. Irrespective of whether the document in Josephus is forged or authentic, this fact seems strange at first sight, and it requires a reasonable explanation. We find this in the study of the history of official documents.

As often happened,<sup>23</sup> the Samaritans requested that the royal order be sent to more than one person: specifically, two persons were to receive it, and Josephus informs us that the same order was sent to Nicanor and to Apollonius. In such cases, the chancellery could send two magistrates an identical letter where only the address differed.<sup>24</sup> This procedure was employed when the intention was to communicate the same order to several royal officers, without however coordinating their actions. In these circumstances, the copy which each one received had the same contents; only the address was personal. But precisely for this reason, the letter did not state that it had been sent to the other addressees. In order to know that the order was sent both to Nicanor

<sup>23</sup> Cf. e.g. *PCZ* 59.236 = *SP* II, nr. 265.

<sup>24</sup> Cf. P. Collomp, *Recherches sur la chancellerie des Lagides*, 1926, p. 184; *UPZ* I, p. 457.

and to Apollonius, Josephus must have had access to copies of the two royal letters, both of that sent to Nicanor and of that sent to Apollonius. But even if we accepted this highly improbable conjecture, it would not explain the remarkable fact which we are investigating: viz., that although Josephus reproduces the letter to Nicanor, he gives the *date* on which the same letter was sent to Apollonius.

This difficulty can be resolved when we recall that another procedure was also employed when sending the same order to several addressees, in cases where it seemed desirable to coordinate the steps taken by various magistrates in one and the same matter. In such cases, the chancellor sent the decision itself to only one of the royal officers, but it sent all the other officials involved in the matter a copy of the decision appended to a letter which ran as follows: "I bring to your notice the order given to So-and-so." For example, in 112 B.C.E., the Roman senator L. Memmius visited Egypt, and a high official in Alexandria sent instructions concerning this visit to Asclepiades, a royal officer of the Arsinoe district. At the same time, he wrote to Horus, the "royal secretary" of the same district, the following letter: "Hermias to Horus: Greetings. You will find appended to this letter a copy of the letter sent to Asclepiades. See to it that the instructions contained therein are carried out. Greetings. The date."<sup>25</sup>

This Egyptian example shows how Josephus can have learned that the order addressed to Nicanor was also sent to Apollonius: one of these two documents quoted the other. In this instance, it was the letter to Apollonius that quoted the instructions given to Nicanor, and this at once clears up the question why Josephus does not know the date of the letter to Nicanor: as was customary, the scribe who copied this missive in the letter sent to Apollonius omitted the standard clauses. In the same way, the copy of the letter to Asclepiades which was appended to the letter to Horus (which we have just quoted) retained only the initial address: "To Asclepiades."

Josephus is therefore drawing on a source which contained both the letter to Apollonius and the letter to Nicanor, which reproduces the Samaritan petition. To clarify the relationship between these three texts, let us have recourse once again to the papyri.

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<sup>25</sup> P. Tebtunis, 33 = U. Wilcken, *Chrestomathie*, nr. 3 = *SP* II, nr. 416. Cf. A. Wilhelm, *JRS*, 1937, p. 145.



The original of a letter written in 63 B.C.E. by Dionysos, *stratêgos* of the *nomê* Heracleopolitis, to Paniscos, "the royal secretary" of the same district, has survived.<sup>26</sup> This document consists of four texts: (a) the letter of Dionysos to Paniscos, properly speaking; (b) the letter of Dionysos to Heraclides; (c) the epistolary order of Athenaeus to Dionysos; (d) the request presented to Athenaeus which prompted this administrative correspondence, asking him to give "the necessary orders to the *stratêgos* and to the other subordinates who have authority in this matter." How are the three last texts related to the letter of Dionysos to Paniscos? The request (d) is appended to the order (c), which in turn is reproduced (including the appendage d) as an appendage to letter b. Letter b is transmitted (including the appendages c and d) as an appendix to letter a, which reads as follows: "Dionysos to Paniscos: Greetings. You will find appended to this letter a copy of the order given to the *sitologos* Heraclides. Greetings. Year 18, Epiphi 9." We should note that the formulae demanded by protocol are omitted in the copy of letter b which is appended to this letter to Paniscos.

This Ptolemaic papyrus is surely sufficient explanation of the structure of the Seleucid (or *soi-disant* Seleucid) document which Josephus quotes. He too is drawing on a composite source which was, properly speaking, a letter of Antiochus IV to Apollonius. But this letter (a) brought to the notice of Apollonius the royal order sent to Nicanor (b), to which the Samaritan petition (c) was appended. The two last documents are reproduced by Josephus as he finds them in the copy which was sent to Apollonius. In keeping with scribal praxis, this copy omitted the standard clauses and the date of the letter to Nicanor. Only letter a was dated; but the date of *this* covering letter was completely uninteresting to the readers of Josephus. He reproduced the texts only of documents b and c, but he borrowed from letter a its date (the only date which was present in his source) and the information that Apollonius had received a copy of the letter to Nicanor.

Such a procedure is perfectly legitimate, and we often find it in historians when they quote the texts of documents. The author of 1 Maccabees knew the letter of the Roman consul L. Caecilius Metellus to Ptolemy VII only from the copy addressed by the Romans to Simon Maccabeus, and he tells us so; but all he reproduces is the letter to

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<sup>26</sup> BGU VIII, 1747.

the king of Egypt, without quoting the covering letter to Simon.<sup>27</sup> The Roman *senatus consultus* were communicated to those concerned, appended to a covering letter.<sup>28</sup> Both historians and inscriptions often quote only the text of the *senatus consultus*, without reproducing the introductory letter. The priests of Zeus Baitokakê learned the contents of a Seleucid letter by the intermediary of the local authorities, but all they reproduced on stone was the royal letter itself.<sup>29</sup> The concessions of the right of asylum were granted in Ptolemaic Egypt by means of a royal postscript appended to the text of the petition. This was then sent by the royal chancellery to the *stratêgos*, who in turn communicated it in a letter to the *epistatês*. When Egyptian priests had the privilege of asylum engraved on stone, they did not reproduce the introductory letter which was sent by the *stratêgos* to the *epistatês*.<sup>30</sup> It is highly probable that a letter of the Seleucid government notified the Jews of the "Seleucid charter for Jerusalem" (cf. 1 Macc. 11:30, and my essay with this title, above), and that the copy reproduced by Josephus did not quote this introductory letter.

### III

The second question we must ask with regard to a document, whether authentic or apocryphal, is the date at which it was drawn up. The document itself fixes the *terminus post quem* for the text quoted by Josephus, viz. 166 B.C.E. But where is the *terminus ante quem*?

The structure of the document, which we have explained above, suggests that it was composed in the hellenistic period, and this is why

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<sup>27</sup> 1 Macc. 15:16. Cf. *Gnomon*, 1930, p. 357; and A. Momigliano, *Annali della R. Scuola Normale Superiore di Pisa*, 1934, p. 30.

<sup>28</sup> Cf. M. Holleaux, *BCH*, 1930, p. 12.

<sup>29</sup> Welles, nr. 70.

<sup>30</sup> Cf. *Archiv für Papyrusforschung* 9, p. 175. Our argumentation in the first publication of this essay was based on the Ptolemaic evidence; it has since been confirmed by the publication of Seleucid documents. We need only add that the date of the original of an administrative missive which was communicated to a subordinate could be either omitted or reproduced in the copy, depending on the praxis in the chancellery in question. For example, a letter of Antiochus III was transcribed together with its date in the copies sent by the governor general of the Upper Provinces (of Iran), while the offices of the governor of Phrygia omitted this date in their copies. Cf. L. Robert, *Hellenica* VII, 1949, p. 7, and Idem, *C.R.Ac.Inscr.*, 1967, p. 286. Cf. also the Seleucid documents copied on a stele discovered in Israel: Y.H. Landau, *IEJ* 16 (1966), p. 54, and better: *BE*, 1970, nr. 627.

Josephus failed to understand the formulae used in the text. He was writing ca. 93 C.E., in the reign of the Emperor Domitian, and he tells us that the Samaritans sent ambassadors to Antiochus “with the following letter” (§258). It was indeed normal under the Caesars for the communities to send letters to the monarch. But the Samaritan petition does not take the form of a letter: it is a *hupomnêma*, the term by which Antiochus IV himself designates it (§262). In the Roman epoch, the *hupomnêma* (“memorandum”)<sup>31</sup> no longer took the form which the Samaritan text has. In the hellenistic epoch, the noun *hupomnêma* was put at the beginning of the petition, as in the case of the Samaritan request of 166, in the “memoranda” addressed to Antiochus III by Ptolemy, his governor of “Coelesyria and Palestine,” or in a petition presented to Philip V of Macedon in 180 B.C.E.<sup>32</sup> But this term has disappeared from the preamble of petitions presented in the Roman epoch. Before quoting Epiphanes’ letter, Josephus writes (§262): “The king replied as follows to this request of the Samaritans.” This interpretation is likewise mistaken, since the royal decision is addressed to the local authorities – as the petitioners wish (§261) – not to the petitioners themselves. This was the constant praxis in the hellenistic civil services, whereas the Roman chancellery addressed the reply directly to the petitioners by means of a postscript appended to the text of the request.<sup>33</sup> This is why Josephus gets things wrong: he imagines that the Samaritan matter was expedited according to the rules of the Roman imperial bureaucracy.

We should note one significant detail: the letter of Antiochus IV mentions the advice of “Our friends, assembled in council” to discuss the Samaritan request with the king. These words would be incomprehensible in an administrative letter written under the Caesars, but they were perfectly natural in a Seleucid text.<sup>34</sup> Besides this, the two documents, both the Samaritan request and the royal decision, are drawn up in the style of the hellenistic civil service.

Whether or not the document quoted by Josephus is authentic, it was certainly composed in the hellenistic period. We can even determine

<sup>31</sup> On the *hupomnêma*, cf. *Archiv für Papyrusforschung* 9, pp. 165ff.

<sup>32</sup> Cf. n. 30 above; C.B. Welles, *AJA* 43 (1938), p. 246.

<sup>33</sup> *Archiv für Papyrusforschung* 9, p. 177.

<sup>34</sup> *IS*, p. 48.

its provenance. According to the information which has survived,<sup>35</sup> a Samaritan population was found in the hellenistic period only in Palestine and in Egypt (on which Palestine was politically dependent in third century, and economically dependent even after that date). The form of the Samaritan request excludes the hypothesis that it was composed in Egypt, for the term *hupomnēma* had disappeared from the preamble to memoranda at the end of the third century, and the “memorandum form” was not employed in Egypt for petitions addressed to the sovereign. Accordingly, the document has a Syrian – or more precisely, a Palestinian – origin. Syria became a Roman province in 63 B.C.E. In Palestine, the hellenistic age ended with the deposition of Archelaus, the son of Herod, in 4 C.E., when the Romans assumed the direct government of his kingdom (i.e., Judea and Samaria). It follows that 4 C.E. is the *terminus ante quem* for the composition of the document.

Can we identify the date with greater precision, between the two extremes of 166 B.C.E. and 4 C.E.? If I am not mistaken, one detail in the formulation permits us to affirm with certainty that the text must have been written shortly after the *terminus post quem* (i.e., 166 B.C.E.). The Samaritan petition is addressed to “King Antiochus Theos Epiphanes.” According to the testimony of coinage, the king assumed this title after his first expedition to Egypt, in 169 B.C.E. Since coins show that he was already calling himself “King Antiochus Theos Epiphanes Nicephorus” by summer of 166,<sup>36</sup> he could have been called “King Antiochus Theos Epiphanes” *only* in a petition presented between summer of 169 and summer of 166. And since the Samaritan request is in fact dated to the year 167/166 B.C.E., this agreement on an important point of detail obliges us to date the composition of the document to a period where his subjects were still well aware of the evolution of the titles borne by Antiochus IV. His coins (mentioned above) do not bear a date, and the divine epithets of the king are not indicated in his letters and ordinances; in general, everyone simply called the sovereign “King Antiochus” or “Antiochus Epiphanes.” Designations

<sup>35</sup> On the Samaritan diaspora, cf. Schürer III, p. 51; *BE*, 1954, nr. 229; 1968, nr. 561; 1969, nr. 369.

<sup>36</sup> E.T. Newell, *Amer. Journ. of Numismatics* 51 (1917), pp. 23 and 30; *JS*, p. 51. According to O. Mørkholm, *Studies in the Coinage of Antiochus IV of Syria* (Hist.-fil. Meddelelser of the Danish Academy), 1963, p. 37, the king assumed the title “Theos Epiphanes” before the war of 169.

such as “Theos” were employed only where dictated by protocol. It is exceedingly improbable that someone would have remembered the exact changes in these official designations, or would have paid any attention to it after the extinction of the royal line of Epiphanes in 162 B.C.E. and the arrival of the dynasty of Demetrius I. Even if this document is not authentic – in other words, even if it was not actually written in 166 – its composition cannot be much later than this date. The *terminus ante quem* must be ca. 160 B.C.E.

A chronological consideration strengthens this conclusion. Antiochus IV ordered the persecution of the Jews in December, 167. In the following year, he was in Syria, and he presided at the festival of Daphne near Antioch in summer of 166.<sup>37</sup> In the year 147 of the Seleucids (i.e. after October 14, 166 B.C.E., and at the latest in the spring of 165), he set out on his Parthian expedition, leaving his general Lysias as viceroy of the territory “from the Euphrates to the Egyptian border.”<sup>38</sup> This means that the Samaritan deputation can have presented its petition to Epiphanes (§263) *only* in 166 B.C.E. The royal decision in response to this request was sent in the year 146 of the Seleucid era; unfortunately, the name of the month has been changed in the manuscripts, and cannot be restored.<sup>39</sup> In any case, year 146 of the Seleucids ended on October 13, 166.<sup>40</sup> This means that the Samaritan petition was presented to the king *before* this date but *after* the beginning of the Jewish persecution, i.e., during the first eight months of 166 B.C.E. The date of the document quoted by Josephus is thus in complete agreement with the itinerary of Antiochus IV. How could a later forger have achieved such an exact agreement – which was utterly unimportant for himself and for his readers?

One might perhaps object that a clever forger could well have obtained information, even as late as the Roman period, about the formulae used in the chancelleries of Antiochus IV and about the chronology of his reign.

This objection does not hold water. Before the scientific study of official documents began, it was extremely difficult to falsify an ancient official document in a truly plausible manner. Although the Egyptian priests only had to look attentively at the walls of their temples in order

<sup>37</sup> On the date of this festival, cf. B. Niese, *Geschichte* III, p. 215.

<sup>38</sup> 1 Macc. 3:37 and Josephus, *Ant.* 12.293 and 297.

<sup>39</sup> Cf. n. 16 above.

<sup>40</sup> On the Seleucid dates, I follow D. Sidérsky, *Revue d'Assyriologie*, 1933, p. 57.

to see the exact titles employed by one or other illustrious Pharaoh, when the priests of Chonson under the Lagids fabricated a document of the epoch of Rameses II, they confused the sculpted cartridges of Rameses II with those of Thoutmosis IV.<sup>41</sup> When a decree of the ancient Cretan confederation about the foundation of the city of Magnesia on the Meander was fabricated there ca. 200 C.E.,<sup>42</sup> great pains were taken to imitate the style and language of official Cretan documents; yet this alleged decree is full of stylistic and linguistic errors. When the attempt was made in Cyrene, which had been colonized by people from Thera, to fabricate an ancient decree about this island, several grammatical and stylistic errors were committed.<sup>43</sup> Almost half of the Merovingian decrees which have come down to us are forgeries;<sup>44</sup> their style and the formulae they employ bear the external signs of late fabrications. But the mediaeval forgers did not know how to do any better, and the mediaeval chancelleries which included these apocryphal texts in the official records did not recognize them as forgeries.

Chronology too posed grave difficulties to a forger. Since there was no generally recognized reckoning of eras, and the beginning of the year differed from one city to another, there were grave risks of error in the attempt to date an ancient text. The grammarians disagreed about the dates of the discourses of Demosthenes. The Seleucid year began among the Jews, and among the oriental peoples in general, in spring; but according to the Macedonian calendar which was used at the royal court, it began in the fall. According to the official computation, the Jewish persecution was decreed in year 146 of the Seleucid era, but according to the Jews, it began in year 145 of the same era. The summer of 166 B.C.E. – i.e., the probable date of the Samaritan request – fell in year 146 of the era according to the computation at court, but it already belonged to year 147 according to the Jewish computation. A Jewish forger would have to have been exceptionally clever in order not to fall into this chronological trap, into which both Josephus and the author of 1 Maccabees fell.

Let us for the sake of argument admit that a forger was skilful enough to fabricate, one or two hundred years later, an impeccable document

<sup>41</sup> P. Tresson, *RB*, 1933, p. 64.

<sup>42</sup> O. Kern, *Inscripfen von Magnesia*, nr. 20 = Michel, nr. 438. On this text, cf. U. von Wilamowitz, *Hermes*, 1895, p. 177.

<sup>43</sup> A. Ferrabino, *Riv. di filologia*, 1928, p. 250.

<sup>44</sup> A. de Bouïard, *Manuel de diplomatique*, 1929, p. 14.

dated to 166 B.C.E. His diligence would not have done him any good; indeed, it would actually have detracted from the plausibility of his work, because if his readers were to be tricked into accepting it, they needed a document drawn up in the terms with which they were familiar, i.e. in the style of their own historical period. This explains the remarkable fact that forgers in antiquity normally employed the official formulae of their own period when they produced their texts.<sup>45</sup>

Since Ps.-Aristeas was writing under the Ptolemies, it would not have been difficult for him to discover which formulae were customary under Ptolemy Philadelphos; nevertheless, he has this king express himself in terms which were employed a century after Philadelphos' death. When Josephus, and later Epiphanius, quote the documents which were fabricated by Ps.-Aristeas, they change these formulae to bring them into line with the standard usage of their own periods. The author of 3 Maccabees was writing in Egypt, under the Ptolemies. When he forged alleged ordinances of Ptolemy IV for his book, it never occurred to him to imitate exactly the official language of the documents issued by this king; he simply used the form current ca. 100 B.C.E., thereby betraying the date of his work.<sup>46</sup> The Second Book of Chronicles quotes the correspondence between Solomon and Hiram. When Eupolemus, and later Josephus, reproduce these oriental letters, they give them the flavor of Greek epistles. Eupolemus even goes one step further by fabricating a preamble full of imaginative fantasy.<sup>47</sup> Here, the Jewish writers were following the example of the Greek grammarians. In the second century B.C.E., the documents mentioned by Demosthenes were inserted into some of his discourses; the forger did not take genuine public Attic documents from the fourth century as his model, but simply employed formulae which were current in his own time and country. Nevertheless, no ancient critic or editor of Demosthenes drew attention to these clumsy forgeries, and they found some credulous defenders even in the nineteenth century.<sup>48</sup>

We may therefore safely affirm that, unless and until fresh evidence to the contrary emerges, an ancient public document which is drawn

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<sup>45</sup> Cf. my essay on "The Dating of Pseudo-Aristeas" in Vol. I of the present work.

<sup>46</sup> *RE*, 14, 798.

<sup>47</sup> 2 Chron. 2:3; Josephus, *Ant.* 8.51; Eupolemus *apud* Eusebius, *Praep. Evang.* 9.30, 448.

<sup>48</sup> On these false documents, cf. Drerup, *Jahrbücher f. klass. Philologie, Supplement* 24 (1898), pp. 223ff. Cf. H. Wankel, *ZPE* 16 (1975), p. 151.

up without any errors in keeping with the formulae in use at a specific date ought to be regarded as a composition from that period. According to this principle, the document quoted by Josephus was written either in 166 B.C.E. or a very few years later. If it is not authentic, it must be a contemporary forgery. But whether it be genuine or spurious, a text concerning the Jewish persecution which was written in the reign of Antiochus IV deserves a closer examination.

#### IV

Since they were molested by the royal officers, who regarded them as Jews, the Samaritans sent a deputation to the king in 166. They submitted a memorandum to Antiochus IV and pleaded their case in the presence of the king and his "friends, assembled in council." Convinced by what they said, the king ordered that no more harm should be done to the Samaritans. One might say that the subject of the administrative correspondence which Josephus quotes is banal; what makes it noteworthy is the arguments put forward by the Samaritans and the considerations which lead the king to reach his decision.

The Samaritans affirm: (1) that they do not have the same origin as the Jews, but are "Sidonians of Shechem"; (2) that the celebration of the sabbath was introduced by their ancestors on a specific occasion; (3) that they themselves founded the cult on Mount Garizim in the same circumstances; and (4) that the temple of Garizim is anonymous. The Samaritans ask that their temple be given the name of Zeus. Let us examine each of these elements in the petition.

There is nothing surprising in the Samaritan denial that they are related to the Jews. The Jews themselves obstinately denied the Israelite provenance of their northern neighbors,<sup>49</sup> and the Samaritans, who always kept themselves apart from the Jews, had certainly no reason to boast of such a relationship at a time when the inhabitants of Jerusalem were suffering persecution. The strange point which must elucidate is their claim to be "Sidonians."

First of all, we must grasp the meaning of this term in the Samaritan petition. Naturally enough, the "Sidonians" are primarily the people who live in Sidon; but even a brief look at the *Odyssey* will remind

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<sup>49</sup> Cf. Josephus, *Ant.* 9.288. Cf. however G. Dellings, *Jüdische Lehre und Frömmigkeit in den Paralipomena Jeremiae*, 1967, p. 52.



us that this term was a synonym of “Phoenicians.” On this point, the Bible agrees with Homer. In Genesis, the “Sidonians” are all the southern Phoenicians. According to the Book of Joshua, the country “which belongs to the Sidonians” lies between “Mearah and Aphek,” i.e., roughly between Tyre and Byblos.<sup>50</sup> The term “Sidonian” was in fact applied to the entire southern Phoenician population,<sup>51</sup> so that the king of Sidon bore the official title: “king of the Sidonians of Sidon.”<sup>52</sup> On coins minted under Antiochus IV, Tyre calls itself “metropolis of the Sidonians.”<sup>53</sup> Ca. 100 B.C.E., the Syrian poet Meleager calls a noble Tyrian a “Sidonian.”<sup>54</sup> Thus, the Samaritans were claiming to be Phoenicians. However, the people whom the Greeks called “Phoenicians” called themselves “Canaanites” in their own language.<sup>55</sup> The terminology of the Bible is identical: the passage which we have quoted from Joshua speaks of “all the land of the Canaanites, and Mearah which belongs to the Sidonians.” Under the Seleucids, the coins of one city call it “Laodicea in Phoenicia” in Greek and “Laodicea which is in Canaan” in Phoenician.<sup>56</sup> In the same period, Eupolemus, the Greco-Samaritan historian, relates that Abraham obeyed the divine command and went from Ur of the Chaldees to “Phoenicia, where he lived.”<sup>57</sup> The biblical narrative which Eupolemus is summarizing speaks in this passage of the “land of Canaan” (Gen 12:5); but since he is writing in Greek, the Samaritan historian replaces the native name of the country with that used by Greek speakers. For Eupolemus, Canaan was “the father of the Phoenicians.”

Thus, when they call themselves “Sidonians of Shechem,” the Samaritans are asserting that they are Canaanites and more specifi-

<sup>50</sup> Gen. 10:5; Jos. 1:4. On the latter text, cf. R. Dussaud, *Topographie historique de la Syrie antique*, 1927, p. 13.

<sup>51</sup> Cf. F.C. Movers, *Die Phönizier* II, 1849, pp. 92ff.; E. Meyer, *Geschichte des Altertums* II/2, p. 61.

<sup>52</sup> The Phoenician inscription in M. Lidzbarski, *Ephemeris für semitische Epigraphik* II, p. 54, runs: “King Bodastar, king of the Sidonians, son of the son of King Esmounasar, king of the Sidonians at Sidon on the sea, etc.” Cf. J.T. Milik, *Biblica* 48 (1967), p. 597. Cf. G.A. Cooke, *Textbook of north-semitic inscriptions*, 1903, nr. 5, 1.18: “for the god of the Sidonians of Sidon.”

<sup>53</sup> Head, *Historia Nummorum*, 1911, p. 800.

<sup>54</sup> *Anthol. Palat.* 7.428.

<sup>55</sup> Cf. Movers, *op. cit.*, II, p. 4ff.; H. Lewy, *MGWJ*, 1933, p. 93.

<sup>56</sup> On this reading, cf. R. Dussaud, *op. cit.*, p. 59. The coins of this city bear the Greek legend Λα(οδικεῖα) Φοι(νίκης).

<sup>57</sup> Eupolemus *apud* Eusebius, *Praef. Evang.* 9.17,418c. On this author, cf. J. Freudenthal, *Alexander Polyhistor*, 1875, pp. 82ff.

cally, southern Canaanites known as "Sidonians." Although very little of Greco-Samaritan literature survives, we can still see traces of the same attempt to link the past of this people to Phoenician history. The poet Theodotus relates that Shechem was founded by Sicimios, "the son of Hermes,"<sup>58</sup> i.e. of Thoth. Eupolemus relates that Abraham taught the Phoenicians (Canaanites) astronomy and helped them in their war against the Armenians.<sup>59</sup> This is a transposition of the biblical narrative of the help which the patriarch gave the people of Sodom (Gen. 14); Eupolemus regards the latter as Phoenicians, since scripture says that at that period, the Canaanites dwelt in this land (Gen. 12:6; 13:7), but it is remarkable that the Samaritans should have combined the biblical data in precisely this way.<sup>60</sup> It is no less remarkable that where the Bible speaks of "Canaanites," the Samaritan speaks of "Phoenicians." The Septuagint and later Greco-Jewish authors conserve the original term in Greek (which meant nothing to a hellenistic reader). For the Jews, Canaan was "the country now known as Judea."<sup>61</sup> The Bible relates that Abraham "sent eastward to the east country" the sons whom he had by Keturah (Gen. 25:6). Cleodemus, another Greco-Samaritan historian, tells us that the sons of the patriarch accompanied Heracles in his conquest of Libya.<sup>62</sup> In other words, he has the descendants of Abraham take part in the Phoenician colonization of Africa.<sup>63</sup> The Bible speaks of Melchisedek, king of Salem, who visits Abraham; it is easy to understand that the Samaritan tradition localized Salem in the vicinity of Shechem,<sup>64</sup> but it is much less natural that the same tradition should have made this ancient king the son of Hermes and Astarte,<sup>65</sup> the "goddess of the Sidonians" (1 Kg. 11:5). The Jews identified Melchisedek with Shem,<sup>66</sup> and one may ask why the Samaritans, although they

<sup>58</sup> Theodotus *apud* Eusebius, *ibid.* 9.22,426 (*Fragmenta histor. Graecorum* III, p. 217).

<sup>59</sup> Eupolemus *apud* Eusebius, *ibid.* 9.17,418.

<sup>60</sup> Ps.-Philo, *Antiquit. Biblicae* 4.8 also calls the people of Sodom "Canaanites." A. Schalit, *Annual of the Swedish Theological Institute* 8 (1972), p. 153, suggests that Samaritan traditions lie behind Epiphanius, *De gemmis* (PG 43, 359).

<sup>61</sup> Josephus, *Ant.* 1.134. Cf. Nicholas of Damascus *apud* Josephus, *Ant.* 1.160; Philo, *Vita Mosis* 2, p. 108 Mang.

<sup>62</sup> Cleodemus *apud* Josephus, *Ant.* 1.240. On this historian, cf. J. Freudenthal, *op. cit.*, p. 130.

<sup>63</sup> On this Phoenician legend, cf. Movers, *op. cit.* III, p. 109.

<sup>64</sup> Africanus in *Chronicon Paschale*, PG 92, 177b; Epiphanius, *Panarion* 55.2,1.

<sup>65</sup> Epiphanius, *Panarion* 55.2,1.

<sup>66</sup> Cf. G. Bardy, *RB*, 1926, p. 507; J. Freudenthal, *op. cit.*, p. 136. On the meaning of this identification, cf. H. Lewy, *MGWJ*, 1933, p. 91 n. 2.

were Israelites, ascribed a Canaanite origin to the king of Salem. For the Samaritan tradition insisted on the “fact” that Melchisedek was of “native” provenance, of the race “of Sidon and of Canaan.”<sup>67</sup>

In order to understand these Samaritan claims, we must remember the other half of the phrase which we are seeking to interpret. The Samaritans call themselves “Sidonians of Shechem.” They are “Sidonians,” i.e. Canaanites, thanks to the fact that they are Shechemites. We do not know whether Shechem ever belonged in reality to the confederation of Phoenician towns which bore the name “Sidonians.” Let us only note that in the Persian period, Ashkelon was under the dominion of Sidon and that the Achemenids granted Kadesh (of Naphtali) and “Dora and Joppa in the plain of Sharon” to the same city.<sup>68</sup> But even if the Sidonian dominion never reached the country of Ephraim, Shechem was certainly a Canaanite city, according to the testimony of the Bible itself, and its inhabitants could justifiably call themselves “Sidonians.” In the same way, at the same period, the citizens of Marissa, a town in Idumea, officially called themselves: “Sidonians of Marissa.”<sup>69</sup>

After Alexander the Great transformed the Samaritan city into a Macedonian colony,<sup>70</sup> Shechem became the center of the Samaritans, their “metropolis.”<sup>71</sup> The Samaritans were given the name of their city: “Shechemites”; Sir. 50:26 calls them “the people that dwell in Shechem.” It was fully in accordance with the mentality in classical antiquity that the Samaritans, having become “the people of Shechem,” should feel themselves heirs to the ancient inhabitants of the city and to its traditions, and that this was how they presented themselves to the world. Everyone knew that Troy had been destroyed by the Achaeans and that the survivors had been led off into captivity, but no one contested the right of the inhabitants of hellenistic Ilion to represent the ancient city of Priam and to call themselves relatives of the Romans (whose ancestor was Aeneas, the son of Priam). As heirs to the glory

<sup>67</sup> Epiphanius, *loc. cit.*

<sup>68</sup> Cf. G. Hölscher, *Palästina in der persischen und hellenistischen Zeit*, 1903, p. 14; Honigmann, *RE* II A, 2221.

<sup>69</sup> *OGIS* II, nr. 593, 1: Ἀπολλοφάνης Σεσμαίου ἄρχας τῶν ἐν Μαρίσῃ Σιδωνίων κ.τ.λ. This inscription, like all those found in the hypogeums of Marissa, is from the second century B.C.E. The dated texts cover the period between 196 and 103 (Abel, *RB*, 1925, p. 275). Cf. *BE*, 1963, nr. 183 on the term “Phoenician” in the Greek inscriptions. Cf. also *ibid.*, 1969, 206: Θεόδωρος Θεοδώρου Μαρισηνός.

<sup>70</sup> Cf. V. Tschirikower, *Die hellenistischen Städtegründungen*, 1927, p. 73.

<sup>71</sup> Josephus, *Ant.* 11.340; cf. 13.255 = *Bell. Jud.* 1.63.

which Homer's epic had bestowed on Troy, the citizens of the new Ilium received a great many favors from the hellenistic kings, and later from the Romans.<sup>72</sup> Another example: Lampsacus near Troy was, like Marseilles, a colony of Phocaea. It sent an embassy to Rome in 198 to ask for Roman protection. In support of this claim, the ambassadors recalled that the people of Lampsacus were the brothers of the people of Marseilles, who enjoyed the preferential friendship of Rome; but at the same time, since they lived in the region of Troy, the people of Lampsacus described themselves as "relatives" of the Roman people.<sup>73</sup> We may find the two titles adduced by the ambassadors of Lampsacus incompatible, but to a classical mind, the contradiction is merely apparent. They held that a nation was defined equally by soil and by blood. For example, Caesar established a Roman colony on the ruins of Greek Corinth; but when a Greek orator addressed these "Latin" Corinthians in the second century, he spoke of Periander and other ancient Corinthians as their ancestors.<sup>74</sup> When Vespasian founded the Roman colony of Neapolis in the place of Shechem, this "new city" accepted and continued the Samaritan traditions. In the second century B.C.E., the Samaritans regarded themselves as the heirs of the ancient Shechemites and hence called themselves Canaanite-Sidonians. It is possible that the most ancient trace of this claim is preserved in the Septuagint. The Bible mentions among the children of Canaan the "Zemarites," i.e. the inhabitants of the city of Simyra in northern Phoenicia.<sup>75</sup> Instead of using the correct Greek noun Σίμυρα, the Septuagint transcribes and vocalizes the biblical form ΖΜΡ as Σαμαράϊον, i.e. Samaria. Although the city of Simyra still existed in the period of the Septuagint translation (third century B.C.E.), it is very likely that the translator did not succeed in identifying the city of the Bible with the Phoenician city. And it is remarkable that he should have identified ΖΜΡ, a Canaanite city, with Samaria.<sup>76</sup>

What the Samaritans lacked was a name that would have characterized them as a specific nation. The name which we give them, following

<sup>72</sup> Cf. e.g. G. Colin, *Rome et la Grèce*, 1905, p. 158.

<sup>73</sup> Cf. M. Holleaux, *Rome, la Grèce, et les monarchies hellénistiques*, 1921, p. 54.

<sup>74</sup> Dio Chrysostom, *Or.* 37. Scholars today attribute this discourse to Favorinus. For similar cases, cf. L. Robert, *Études anatoliennes*, 1937, pp. 247 and 352; Idem, *RPh*, 1939, p. 168; Idem, *Monnaies grecques*, 1967, p. 126.

<sup>75</sup> On this city, cf. R. Dussaud, *op. cit.*, p. 118; Honigmann, *RE* III, A, 217.

<sup>76</sup> A. Díez Macho, *Neophyti* 1, I, 1968, *ad loc.*, identifies the city with Hamah-Emesa (Homs).

the Greeks, designated the inhabitants of the country of Samaria in general.<sup>77</sup> From the time of Alexander onwards, it also became the ethnic designation of the Macedonian colonists of the city of Samaria. The Jews called the dissidents “Kutheans,”<sup>78</sup> from the name of one of the peoples who had been transplanted by the Assyrians to the land of Israel. From that period onward, there existed officially a province “of Samaria.”<sup>79</sup> This, however, was inhabited by various peoples: “Dinians, Apharsathians, Tarpelians, etc., and the other peoples who were transplanted to the city of Samaria and to the province Beyond the Euphrates,” as a document of the Persian epoch says.<sup>80</sup> The descendants of these Assyrian colonists mingled with the remnant of Israel to form a new people, whose sanctuary was on Garizim; they became “the people who dwell around the temple which was built in imitation of the temple in Jerusalem,” as Josephus writes.<sup>81</sup> But since this new nation lacked a name, it took that of the metropolis. According to a Jewish narrative which Josephus reproduces, the “Shechemites” told Alexander the Great that they were “Hebrews by race, but bore officially the name ‘Sidonians of Shechem’.”<sup>82</sup> Our document proves that this was their official name under the Seleucids.

In this way, they were accepted as Phoenicians, and this increased their prestige in the eyes of the Greeks: in classical antiquity, a nation which had emerged from a mixture of various foreign peoples was viewed with contempt, and the enemies of the Romans denigrated them by claiming that they were the descendants “of a mob of foreigners who came from all directions.”<sup>83</sup> And Aristotle tells us that “the title of nobility for a people is to be autochthonous.”<sup>84</sup> In order to refute

<sup>77</sup> Josephus, *Ant.* 4.290; 10:184. Cf. L. Haefeli, *Samaritanen bei Flavius Josephus*, 1913, p. 10.

<sup>78</sup> Josephus, *Ant.* 2.288. Cf. P. Billerbeck, *Kommentar zum Neuen Testament* I, p. 559.

<sup>79</sup> This term is found in the Aramaic papyri of Elephantine and is frequently used by Greek authors. Cf. U. Kahrstedt, *Syrische Territorien*, 1926, s.v.

<sup>80</sup> Ezra 4:9.

<sup>81</sup> Josephus, *Ant.* 13.256: τό τε Κυθαίων γένος, ὃ περιφύκει εἰκοσθέντα τὸν τῷ ἐν Ἱεροσολύμοις ἱερῷ ναόν.

<sup>82</sup> Josephus, *Ant.* 11.344: τῶν δ' εἰπόντων Ἑβραῖοι μὲν εἶναι, χρηματίζειν δ' οἱ ἐν Σιχίμοις Σιδώνιοι.

<sup>83</sup> Cf. G. Schnayder, *Quibus conviciis alienigenae Romanos carpsere* (Archivum filologiczne Polskiej Akademji Umiecg, nr. 7), 1928; E.A. Baumann, *Beiträge zur Beurteilung der Römer in der antiken Literatur*, dissertation, Rostock 1930.

<sup>84</sup> W. Buckler, *Sardis* VII, 1, 63; Aristotle, *Rhetor.* 1360b.

writers who denigrated them, it was claimed that the Romans were the descendants of the original inhabitants of Italy.<sup>85</sup>

The Jews despised the Samaritans as a “mongrel” people; as Sirach puts it, they were “a nation that is no nation” (50:25). As “Sidonians of Shechem,” regarded as heirs to the most ancient population of Palestine, the Samaritans outshone the Jews – who were merely immigrants in the land of Canaan.

## V

Once we realize what the Samaritans were claiming, two other elements in their petition cease to strike us as strange. We will recall their affirmation that the sabbath celebration was initiated by their ancestors on the occasion of a drought (i.e., of a famine caused by drought). In the ancient religions, a catastrophe was a “prodigy” that naturally led peoples to seek protection under a new god and to adopt a rite that they had not practiced hitherto. According to the Bible, the Assyrian colonists who had been transplanted to Samaria turned to the God of Israel when he sent lions against them, and the beasts killed them. An oracle of Apollo laid down that the Cyrenians were to sacrifice a red she-goat in front of the city gates in cases of malady, plague, or famine.<sup>86</sup> The Athenians founded the feast of the “Bouphonia” in order to put an end to a persistent drought.<sup>87</sup> In their petition, the Samaritans affirm that their ancestors, i.e. the Shechemites, adopted for the same reason the practice of celebrating the day “which the Jews call ‘sabbath’.” We should note the nuance: it is not a question of imitating a Jewish custom, but of a rite parallel to that of the Jews. On the one hand, according to Jewish ideas current at that time, the law which was proclaimed to Moses was already known to the patriarchs, especially Abraham, who had practiced it beforehand;<sup>88</sup> on the other hand, the Greeks regarded the celebration of the sabbath as a variant (or an imitation) of the feasts of Chronos, or of the Saturnalia, during

<sup>85</sup> Dionysius of Halicarnassus, *Antiq. Roman.* 1.10,1.

<sup>86</sup> G. de Sanctis, *Riv. di filologia*, 1927, p. 188.

<sup>87</sup> Theophrastus, *apud* Porphyry, *De abstinentia* 2.29.

<sup>88</sup> Cf. Bonsirven II, p. 11; C. Albeck, *Das Buch der Jubiläen und die Halacha*, p. 4.

which all work ceased.<sup>89</sup> The seventh day was dedicated to Chronos, and the god of the Jews was identified with Chronos. In the spirit of these speculations, the Samaritans could not implausibly attribute to the ancient inhabitants of Shechem the custom of celebrating the seventh day. We may note in this context that according to Philo of Byblos, the Phoenicians were moved by droughts to worship the “Lord of heaven,” Ba‘al-shamein “or Zeus in Greek.”<sup>90</sup>

In the present state of our knowledge, this explanation of the passage necessarily remains hypothetical. However, the material available does permit us to compare one other point of the argumentation by the “Sidonians of Shechem” with contemporary Samaritan literature.

The Samaritans obeyed the oracle which was delivered on the occasion of a drought, and founded the temple of Garizim. In other words, the petition attributes a pre-Mosaic, Canaanite origin to this Samaritan cultic center; and this is in fact what the Samaritans believed in the hellenistic period. According to Eupolemus, the Greco-Samaritan historian, “Abraham was welcomed in a friendly manner in the sanctuary of Argarizin (which means: the mountain of the Most High) and he received there gifts offered by Melchisedek, who was the priest of the god and reigned as king.”<sup>91</sup> This narrative, which regards the Canaanite Melchisedek as priest of the Most High of Garizim, and explicitly declares that the Most High was already venerated there at the time of Abraham, long before the Israelites invaded the land of Canaan, is perfectly in accord with the argumentation of the Samaritan petition. When our text states that worship on Garizim goes back to the Canaanite epoch, it simply reproduces the current opinion among the Samaritans.

<sup>89</sup> Tacitus, *Hist.* 5.4. Cf. F. Cumont, *Antiquité classique*, 1935, p. 33; A. Bouché-Leclercq, *Astrologie grecque*, 1899, p. 93; A. Jacoby, *Archiv für Religionswissenschaft* 25, p. 268; Gundel, *apud* F. Boll, *Sternnglaube und Sterndeutung*, 3rd edn., p. 172.

<sup>90</sup> Philo of Byblos, *FGH* 790 fragment 2 (Eusebius, *Praep. Evang.* 1.10,7); the late Isidore Lévy drew my attention to this text. Nothing supports the hypothesis of Shalit (n. 60 above) that the Samaritans are speaking here of the sabbatical year. Besides this, the Greek text speaks explicitly of “the day of the sabbath.”

<sup>91</sup> Eupolemus *apud* Eusebius, *Praep. Evang.* 9.17,5–6: ξενισθηναί τε αὐτὸν ὑπὸ πόλεως ἱερὸν Ἀργαριζίν, ὃ εἶναι μεθερμηνεύομενον ὄρος Ὑψίστου, παρὰ δὲ τοῦ Μελχισεδέκ ἱερέως ὄντος τοῦ Θεοῦ καὶ βασιλεύοντος λαβεῖν δῶρα. On Eupolemus, cf. N. Walter, *Klio* 43–45 (1965), pp. 282–290; M. Hengel, *Judentum und Hellenismus*, 1969, pp. 162–168; B.Z. Wacholder, *Eupolemus*, 1974. According to a Jewish tradition which Josephus reproduces (*Bell. Jud.* 6.438; cf. Isidore Lévy, *REJ* 51 [1906], p. 178), Melchisedek, a Canaanite prince, was the priest of God in Jerusalem. According to a Jewish tradition which Jerome relates, until the priesthood of Aaron, all the first-born in the family of Noah were priests of God (G. Bardy, *RB*, 1927, p. 92).

In the Samaritan request, this temple on Garizim is called “anonymous.” The petitioners ask to be allowed to place this sanctuary under the invocation of Zeus (an alteration to Josephus’ text means that we do not know the title which qualified the god).

The name of a sanctuary is the name of the god who is venerated there: the “Serapeion” is the temple of Sarapis, the “Nanaion” is the sanctuary of Nanaia. “I have built for you this temple which bears your name,” says Solomon to the Lord when he consecrates to him the temple of Zion.<sup>92</sup> But the God of the Jews and of the Samaritans had been anonymous to his believers at least since the Persian period.<sup>93</sup> He was invoked by means of periphrases: the Most High, Heaven, the Eternal, etc. He was never addressed by his own name, which is found so frequently in scripture. At this period, the tetragrammaton was only a mystic and sacred appellation. We read in the Septuagint: “Whoever names the name of God shall be put to death” (Lev. 24:16). This prohibition applied both to Jews and to Samaritans. Greco-Samaritan literature and Greco-Jewish literature both simply say “God” instead of using the hieratic names. Eupolemus declares that the divinity venerated on Garizim is the “Most High.” In this way, the God of Abraham, Isaac, and Jacob could not be invoked by any one personal name. *Nec nomen deo quaeras: deus nomen est*, according to the felicitous formulation of Minucius Felix. But polytheists found it difficult to understand this attitude of strictest monotheism: a Greek wanted to know the personal name of the divinity, which would allow him to address it correctly and to ensure that his invocations and prayers reached it safely. “The god” or the “Most High” were appellations common to all the gods, or at any rate to a large number of divinities, and this meant that the “anonymous” gods seemed rather imperfect in Greek eyes. In Herodotus, the Greek read that in the period when his own distant ancestors, the mythical descendants of Pelasgos, were still barbarians, they did not know the divine names (which were subsequently refined by the Egyptians), and they simply invoked “the gods.” When an oracle commanded Alexander to offer sacrifice to an unknown divinity in order to protect Alexandria, the king took no rest until, with the help of a miracle, he discovered the name of this god: and this was how Sarapis was revealed. As a commentary on this hellenistic legend, let

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<sup>92</sup> 1 Kg. 8:17; cf. Josephus, *Ant.* 8.108.

<sup>93</sup> Cf. Bonsirven I, p. 116.



us note the remark of a great scholar of that period: after he had explored Egypt, Posidonius observed that among the savage peoples of that country, some did not know any god, while others adored “an anonymous divinity.”<sup>94</sup>

These quotations suffice to show that the designation of the Samaritan god as the “Most High” would have been a sign of barbarity in Greek eyes. By giving their god a personal name – and more to the point, a Greek name – the Samaritans give proof of their “Europeanization”: they have risen to the same cultural level as the Hellenes. And the king himself certifies that they “desire to live according to the customs of the Greeks.”

We must be clear about what this action means. In principle, the introduction or abandonment of a divine name expresses a change in the attitude of the believers. When it gave up using the proper name of the God of Israel, the Judaism of the Persian and Greek periods was emphasizing the universal and ineffable nature of the Creator. When the idol of Artemis, which Ptolemy III had removed, was restored by the goddess herself to Antioch, she received her ancient temple, “but the name of the goddess was changed: from then on, she was called ‘The one who returned’.”<sup>95</sup> The substitution of the name of Zeus for the proper name of the God of the Samaritans would have meant a religious transformation of Garizim. However, the name of the God of Garizim was not in fact changed in 166. All that happened was that in Greek, and for the sake of the Greeks, this divinity was no longer designated in an imprecise, “anonymous” manner. From now on, he had an unambiguous name: Zeus. In this way, in 166, the Samaritans followed the example which the Phoenicians had given long before.

The names of the Phoenician gods are very numerous in the texts from ca. 1300 found at Ugarit, but they too had become anonymous for their believers by the Persian and Greek period. Mostly, they were referred to as the group of “masters” (*baalim*): the protector god of Byblos was “Baal of Byblos” and that of Sidon “Baal of Sidon.” Hadad of Bambyke had likewise become “Baal.”<sup>96</sup> Although the Lord

<sup>94</sup> Herodotus, 2.52; *Historia Alexandri Magni* I, p. 33, ed. W. Kroll; Strabo, p. 164. Cf. my short essay on “Anonymous gods” below.

<sup>95</sup> Libanius, *Antioch*. (9.109, ed. Foerster): the statue of Artemis returns from Egypt, καὶ τὸν μὲν νεῶν τὸν ἀρχαῖον κομίζεται, τοῦνομα δὲ αὐτῇ πρὸς τὸ ἔργον μεταβάλλεται καὶ Ἐλευσίνα προσαγορεύεται.

<sup>96</sup> On the word *baal*, cf. R. Dussaud, *RHR* 93 (1936), p. 6.

of Tyre received a specific title, this too remained indeterminate: he was called “Melquart,” i.e. “King of the city.” The Greeks sought proper names for these divinities, and since they had no indigenous names, the Greeks simply gave them the names of the hellenic gods. In an ancient description of the Phoenician mythology, we read: “Beelsamen, who is the Lord of heaven for the Phoenicians and Zeus for the Greeks.”<sup>97</sup> Similarly, Melquart of Tyre was called Heracles, while the “Baalim” venerated on the mountains were called “Zeus” by the Greeks and those venerated in the coastal towns were called “Poseidon.”<sup>98</sup> The Phoenicians in turn took over the hellenic terminology and spoke to the Greeks of their “ancestral gods,” whom they now called Poseidon, Heracles, etc. But this did not alter the Phoenician religion in any way. At Delos, the Phoenicians used Greek names for their gods only in the Greek inscriptions; otherwise, the sanctuaries and the rites remained Phoenician. When some merchants of Jamnia consecrated an altar at Delos “to the gods who possess Jamnia,” they simply translated into Greek the term “Baalim.” But when they wrote in Greek, they added the names of these Baalim, viz. Heracles and Auron. Since they did not know the current Greek equivalent for the latter, they simply transcribed his indigenous name. But the “Heracles” of this inscription is no less a Phoenician god than Auron-Horon.<sup>99</sup>

Thus, when they asked for their god to be called “Zeus,” the Samaritans neither introduced a Greek cult into the temple of Garizim nor changed their traditional religion. When the minister of a Nabatean king invokes in Greek “Zeus Dusarês,”<sup>100</sup> this does not in the least signify an abandonment of the national religion: it is simply a sort of translation of a title into Greek. And such translations were not standardized: mostly, Dusarês was called “Dionysos” in Greek. This Greek interpretation of an indigenous appellation had no influence on the ancestral cult: whether Dionysos or Zeus, Dusarês always remained the same formless fetish. “Baal of Sidon” always bore this name in Phoenician, even among those Sidonians who lived at Athens;<sup>101</sup> but he was called “Zeus” in Greek and when speaking to Greeks. In the

<sup>97</sup> Philo of Byblos *apud* Eusebius, *Praef. Evang.* 1.10,7: Βεελσάμην... ὃ ἐστὶ παρὰ Φοίνιξι κύριος οὐρανοῦ, Ζεὺς δὲ παρ’ Ἑλλησι.

<sup>98</sup> G.F. Hill, *Journ. of hell. Studies*, 1911, p. 56.

<sup>99</sup> *Exploration de Délos* XI, p. 279: Ἡρακλῆ καὶ Ἀυρωνά θεοῖς Ἰάμνιαν κατέχουσιν. Cf. Isidore Lévy, *Recherches esséniennes*, 1964, p. 124.

<sup>100</sup> *Milet* III, 387. On this fetish, cf. G.F. Hill, *JRS*, 1916, p. 135.

<sup>101</sup> *Répert. épigr. sémit.* III, nr. 1215.

same way, when the anonymous "El," "the god," of Garizim received the name "Zeus" in 166, this was intended for Greek use.

It is at first sight surprising that this act of giving a name should have required royal authorization. But we know that the hellenistic state exercised strict control over the indigenous cults and reserved the right to invigilate all religious affairs. In Ptolemaic Egypt, it was forbidden to undertake any work of rebuilding, even of a private chapel in danger of collapse, without presenting a petition to the king about the matter.<sup>102</sup> The government also attached great importance to the accuracy of the civil registers, and it was forbidden under pain of death in Ptolemaic Egypt to change one's proper name without authorization.<sup>103</sup> We read in a cuneiform inscription of 244 B.C.E.: "Anuballit, son of Anuqsur, descendant of Ahuutu, on whom Antiochus, the king of the country, has bestowed Nicarchos as his second name."<sup>104</sup> It is in this way that Antiochus IV gives the anonymous god of Garizim the name Zeus.<sup>105</sup>

## VI

If understood correctly, the petition presented in 166 nowhere expresses Samaritan disavowal of their paternal religion. On the contrary, they continued to observe Torah; they celebrated the sabbath festival as they had always done, and followed the rites of Moses in the sacrifices they offered to the Most High on Garizim.<sup>106</sup> In the petition, they certainly do not ascribe a Mosaic origin to their institutions, and they deny that their religion is identical to that of the Jews; but is this surprising, when a raging persecution was devastating Judea? Let us recall, by way of example, how, in order to obtain certain rights which were withheld from the Jews, the Russian Karaites in the mid-nineteenth century denied that they were related to the Jews, and declared that they were

<sup>102</sup> O. Guéraud, *P. Enteuxis*, nr. 6 and 7.

<sup>103</sup> U. Wilcken, *Chrestomathie*, nr. 258, 7; *BGU* VI, nr. 1213 and 1250.

<sup>104</sup> M. Rutten, *Contrats de l'époque séleucide*, 1935, p. 70.

<sup>105</sup> In the Roman colony of Flavia Neapolis, the god of Garizim, doubtless from the time of Hadrian onward, bore the title "Zeus Olympios." *BE*, 1969, nr. 592. Cf. G.F. Hill, *Proceedings of the British Academy* 5 (1911-1912), p. 415, and Idem, *British Museum Coins, Palestine*, 1914, pp. 45-49.

<sup>106</sup> Origen, *ad Matt* 17:29 (p. 666, Klostermann), calls them νομομαθεῖς.

the descendants of colonists transplanted to Crimea by the Persians in the sixth century B.C.E.<sup>107</sup>

I do not really see any plausible reason to deny the authenticity of the document from the year 166 which Josephus reproduces. Above all, it seems to me impossible that it could be a Jewish fabrication. Let us note, first of all, that the document has not been translated: Greek is the language of the original composition, as its style incontrovertibly shows. In the hellenistic period, however, the language of the Jews and the Samaritans was Aramaic. This means that the document was certainly not written in the context of the Palestinian controversy. Was it then composed to provide false information for the Greeks or for the hellenized Jews of the diaspora? Surely not: for it is impossible to imagine a Jewish forger who wished to *blacken* the Samaritans in the eyes of the Greeks inventing this document in which the Samaritans present themselves as friends of Greek civilization, and in which a Greek king acknowledges that this Samaritan claim is correct. The charge which the Gentiles laid at the door of the Jews, and which Jewish apologetic continually tried to defuse, was precisely Jewish particularism.<sup>108</sup> If a Jewish forger, writing for a Gentile readership, had wished to portray the Samaritans in an unfavorable light, would he have shown them taking a positive attitude to the nations of the world? Besides this, as we have seen above, even if the Samaritan document is apocryphal, it must have been composed as early as the second half of the second century B.C.E. At this period of the Maccabean expansion, the Phoenicians vehemently accused the Jews of being mere intruders in the land of Canaan, who had arrived at a late date under Joshua to rob the sons of Ham of their native territory. Jewish apologetics replied that on the contrary, Palestine was one of the lands bestowed on Shem, and that the Canaanite occupation had flouted every divine and human law.<sup>109</sup> Since this controversy was still pending, how could a Jewish forger have called the Samaritans – whom he saw as “foreign colonists”<sup>110</sup> – “Sidonians” (i.e. Canaanites), thereby acknowledging their right to proclaim themselves the original inhabitants of the region which the Maccabees had conquered?

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<sup>107</sup> A. Harkavy, “Altjüdische Denkmäler aus der Krim,” *Mémoires de l'Académie de Saint-Petersbourg* 24/1 (1876), p. 212.

<sup>108</sup> Cf. Heinemann, *RE, Suppl.* VI, 6.

<sup>109</sup> H. Lewy, *MGWJ*, 1933, p. 84.

<sup>110</sup> Josephus, *Ant.* 9.291.

Why then does Josephus think it important to reproduce a document which shed a favorable light on the Samaritans? By his time, the controversy about the right to the possession of Canaan had died down.<sup>111</sup> While the surviving Samaritan literature in Greek has a strikingly syncretistic character, the Samaritans had become more rigorist than the Jews themselves under the Roman empire, and it was the contemporary relevance of the petition that interested Josephus. Roman legislation treated the Jews and the Samaritans indiscriminately: the Romans regarded anyone who was circumcised as a Jew.<sup>112</sup> The Jews, however, abhorred the “schismatics” and sought to make it clear to Roman public opinion that they were distinct from them. The document from 166 B.C.E. furnished Josephus with direct proof that the Samaritans were not Jews, since they themselves had presented themselves as non-Jews. This testimony was of inestimable value in the eyes of the Jewish historian, and this is why Josephus introduces the document with these words: “They call themselves descendants of the Medes and Persians, and that is indeed what they are.”

We shall ask in vain where Josephus found the letter of Antiochus IV to Apollonius. When he was collecting materials for a book, an historian in classical times asked his friends for help. Everyone knows the celebrated letter of Pliny in which he gives an eyewitness account of the eruption of Vesuvius in 79 C.E. This letter is addressed to Tacitus, to serve as a source for his historical work. In the same way, the Samaritan friends of Josephus<sup>113</sup> may well have given him a copy of this interesting document of Samaritan history.

May not the document therefore be a *Samaritan* forgery?<sup>114</sup> No, for a Jewish work, drawing on Greek information, confirms the veracity of our document. We read in 2 Maccabees that Antiochus IV “sent an

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<sup>111</sup> In the reign of Hadrian, Philo of Byblos attributed a Phoenician origin to the Jews.

<sup>112</sup> Jerome, *ad Gal* 6:12, writes: *Caius Caesar et Octavianus Augustus et Tiberius successor Augusti leges promulgaverunt, ut Iudaei, qui erant in toto Romani imperii orbe dispersi, proprio ritu viverent et patriis caeremoniis deservirent; quicumque igitur circumciscus erat, licet in Christum crederet, quasi Iudaeus habebatur a gentilibus.* Here, Jerome is following Origen (A. von Harnack, *Texte und Untersuchungen* 42/4, p. 153). – Roman legislation made no distinction between Samaritans and Jews before 390 C.E. (H. Dessau, in *Festschrift C.F. Lehmann-Haupt*, 1921, p. 125).

<sup>113</sup> On these Samaritan friends, cf. Josephus, *Vita* 269. The hypothesis that Josephus is reproducing here and elsewhere a written source with an anti-Samaritan tendency has been refuted by A. Momigliano, *Prime linee di storia della tradizione maccabaica*, 1930, p. 20.

<sup>114</sup> This is the hypothesis of T. Reinach, *ad loc.*, in his translation of Josephus.

Athenian senator... to pollute the temple of Jerusalem and call it the temple of Olympian Zeus, and to call the one in Garizim the temple of Zeus the Friend of Strangers, as did the people who dwelt in that place.”<sup>115</sup> This information is in complete agreement with the contents of the document of 166, and proves its authenticity.

Finally, one might perhaps suppose that the document was fabricated in the second century B.C.E. to illustrate the historical situation in 166. But what forger would have presented the central text, i.e. the Samaritan petition, in the form of an appendage to a royal letter which itself is the appendage to another royal letter?

## VII

The letter of Antiochus IV to Apollonius and three letters of 164, transcribed in 2 Macc. 11:17ff., are the only surviving official documents related to the religious persecution by Epiphanes.<sup>116</sup> Whereas the documents quoted in 2 Maccabees mark the end of the oppression, the order addressed to Apollonius was issued while it was still raging. This unique piece of testimony deserves an attentive study.

It is commonly held that Epiphanes undertook the persecution in order to hellenize the Jews, and the Samaritan document appears to supply direct confirmation of this theory, since the king himself praises the Samaritans “for making it clear that they have done nothing of those things with which the Jews are reproached, and that they desire to live according to the customs of the Greeks.” It is clear, then, that Epiphanes desired to hellenize the Jews. But this explanation of the problem at once poses another problem: why does hellenization take the form here – and only here – of a religious persecution? Μεταβαίνειν ἐπὶ τὰ Ἑλληνικά, “to change over to Greek customs,” the phrase used by the author of 2 Maccabees when he speaks of idolatry (6:9), also entailed the veneration of the hellenic gods.<sup>117</sup> But elsewhere, the Greeks never imposed this veneration by force. It is of course true that the Greek gods were not worshiped at Jerusalem; but the Babylonian

<sup>115</sup> 2 Macc. 6:1f. Verse 2: μολῶναι δὲ καὶ τὸν ἐν Ἱεροσολύμοις νεὸν καὶ προσονομάσαι Διὸς Ὀλυμπίου καὶ τὸν ἐν Γαρίζιν, καθὼς ἐνετύγχανον (Mss.: ἐτύγχανον, corr. Niese, *Hermes*, 1900, p. 519) οἱ τὸν τόπον οἰκοῦντες Διὸς Ξενίου.

<sup>116</sup> It may not be beside the point to recall here that the letter at 2 Macc. 11:22ff. was written by Antiochus V, not by Antiochus IV. It was probably written in the summer of 162.

<sup>117</sup> Cf. Plutarch, *De Alex. fortuna* 328d.

pantheon in the Seleucid period did not include any hellenic divinities either. Under Epiphanes, the Chaldean priests continued to make copies of their ancient liturgical texts without being molested in any way, whereas in Palestine, the scrolls of scripture were burnt on the royal orders. Is the explanation that the Jewish cult was strange and repugnant to the Greeks? That may be so; but pigs were just as abominable in the eyes of the Syrians as in the eyes of the Jews. The gods of Ashkelon rejected them as sacrificial victims<sup>118</sup> no less vigorously than the Most High in Jerusalem. And yet, Epiphanes had the altar on Zion defiled with the blood of pigs – but spared the altars of Ashkelon. The Greeks found circumcision disgusting – yet in some Syrian cults, the priests castrated themselves. Yet neither Antiochus nor any other Greek king forbade these practices.

The modern explanation of the persecution by Epiphanes in terms of his desire to hellenize the Jews does not hold water. It is in fact merely the illogical deformation of an explanation already given in classical antiquity. This is cited by Posidonius and repeated by Tacitus.<sup>119</sup> This view regarded the law of Moses as inhuman and misanthropic, and saw the persecution by Epiphanes as an attempt to impose the customs of the civilized world on the Jews. This ancient theory posited an antithesis not between the Jews and the Hellenes, but between the Jews and the rest of the human race, and held that the Jewish rites were incompatible with those of all other peoples: “Moses, in the attempt to ensure that his dominion over this nation would last for ever, gave it new rites which were in complete contrast to those of everyone else. Among them, everything we hold to be sacred is thought profane; and everything that we find abominable is permitted among them.”<sup>120</sup>

By replacing the absolute contrast (the Jews – all other peoples) with a relative contrast (the Jews – the Hellenes), the modern theory offends logic and shows an utter disregard for historical fact. Let us return to the explanation given by Tacitus: Antiochus IV “endeavored to take away their fanaticism from the Jews and to give them Greek customs, in order to civilize this abominable race.” Is this interpretation of the actions of Epiphanes authentic? The letter of Epiphanes to Apollonius, which Josephus quotes, suggests that it is incorrect. For the Samaritans

<sup>118</sup> *Exploration de Délos* XI, p. 282.

<sup>119</sup> Posidonius *apud* Diodorus, 34.1; Tacitus, *Hist.* 5.9.

<sup>120</sup> Tacitus, *Hist.* 5.4.

were no less subject than the Jews to the “inhuman” law of Moses; indeed, they proudly called themselves the “guardians” or “observers” of Torah.<sup>121</sup> Every reproach that the Gentiles addressed to the Jews fell equally on the Samaritans. Let us look once again at the epic poem consecrated by Theodotus to the glory of the city of Shechem.<sup>122</sup> This hellenized Samaritan who wrote in Greek declares that circumcision is a divine commandment, proclaims with pride in the language of Homer that the law of the Hebrews does not permit any of them to take a foreigner as his son-in-law, and glorifies in hexameters the exploit of the sons of Jacob when they exterminated the entire population of a Gentile city for religious reasons.

And yet it was only in Jerusalem, not at Shechem, that Epiphanes abolished the inhuman law of Moses. Circumcision became a crime punishable by death in Judea, not in the Samaritan territory. Since both these regions formed one single province, whose governor had his residence in the city of Samaria (i.e., Apollonius, to whom the document quoted by Josephus was addressed), the royal officers began to trouble the Samaritans – those other faithful guardians of Torah – and they complained to the king. We might have thought that Epiphanes would immediately seize this opportunity to force the Samaritans too to abandon the law of Moses, but he did not do so. As soon as the Samaritans demonstrated that they were not Jews (i.e., not subject to the authority of the Sanhedrin in Jerusalem), the king forbade his officers to trouble them, and implicitly recognized their right to practice all those singular customs (e.g. the sabbath rest) which remained forbidden under pain of death in Jerusalem.

Nevertheless, there is nothing strange about this attitude on the part of the government. The Samaritan document never mentions a civilizing mission undertaken by Epiphanes. According to these administrative documents, the conflict between the empire and the Jews is not

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<sup>121</sup> The Samaritans called themselves *shômerîm*, i.e. “observers” or “guardians” of the law (J.W. Nutt, *Fragments of a Samaritan Targum*, 1874, p. 9). It is significant that the Jewish tradition on which Origen is dependent understands this term in the sense that the Samaritans were the “guardians” of Palestine, installed in this position by the Assyrians (Origen, *In Johannem* 20, §321 ed. Preuschen; quoted by A. von Harnack, *Texte und Untersuchungen* 42/4, p. 86).

<sup>122</sup> Eusebius, *Praep. Evang.* 9.22,426b = *Fragmenta histor. graecorum* III, p. 217. Cf. a piece of glass of the hellenistic period with the tetragrammaton found at Samaria (E.L. Sukenik, *Palestine Expl. Fund Quarterly Statement*, 1936, p. 34, and W.E. Stap, *ibid.*, p. 153).



ideological, but concerns police investigations. These documents speak of “accusations” and “charges” laid against the Jews. The Greek terms used here have a technical meaning. The ἐγκλήματα are the “points of accusation,” the specific crimes which the accused is alleged to have committed. Αἱ αἰτίαι are the procedures undertaken in order to punish the ἐγκλήματα. On the Rosetta Stone, the Egyptian priests praise Ptolemy V for having acquitted of every accusation (τῶν ἐνκεκλημένων) those who had long been the object of criminal proceedings (τοὺς ἐν αἰτίαις ὄντας) (*OGIS* I, nr. 90, 14). The ἐγκλήματα of which the Jews were accused cannot have been their misanthropy or their spirit of particularism.<sup>123</sup> It must have been a question of concrete facts, of specific acts of disobedience.

In 200, Antiochus III confirmed the legal validity of Torah at Jerusalem. The law of Moses was now a royal law, and from then on, penalties imposed by the government were inflicted on all who violated it.<sup>124</sup> In 167, Antiochus IV abolished the privilege bestowed by his grandfather and imposed another legal code on the Jews. Once again, penalties were inflicted on those who did not conform. This means that what the Jews called “persecution” was regarded by the Seleucid administration as merely the punishment of those who violated a royal law. This in turn meant that converts to paganism were *ipso facto* loyalists. The apostates declare to Antiochus: “We were happy to serve your father, to live by what he said and to follow his commands” (1 Macc. 6:23). In the time of persecution, the Seleucid government did not reproach the Jews for following the law of Moses as such, but for remaining faithful to this law *after* a royal edict had abolished it in December, 167. Since the Samaritans were not Jews, neither this royal edict nor the legal proceedings which ensued were applicable to them.

Why then was the edict of 167 issued? Conscious of the superiority of the hellenic civilization, Epiphanes praises those Samaritans who desire to live in accordance with Greek customs. But “the hellenic customs” here cover only the Greek name of the god of the Samaritans. Why does the king demand more of the Jews? He gives Greek names to the god of Zion, just as he does to the god of Garizim (2 Macc. 6:2), but he leaves the law of Moses intact in Shechem and forbids it in Jerusalem. How do we explain this difference?

<sup>123</sup> Cf. the parallels in the notes to our transcription of the document, above.

<sup>124</sup> Cf. my essay on “The Seleucid charter for Jerusalem,” above.

The Samaritan document does not indicate any reasons, but it does at least permit us to formulate correctly the problem involved in Epiphanes' persecution: why did the king abolish Torah and impose a new religion only in Judea, but not in Samaria (nor, we may add, in the diaspora)? We shall not attempt here to give an answer to this problem, which far exceeds the boundaries of one essay. Let it suffice at present to have attempted to demonstrate that the Seleucid document of 166 which Josephus reproduces in *Ant.* 12.257 is authentic, and that this testimony obliges us to reflect anew and more deeply on the problem posed by Epiphanes' persecution.

## A JEWISH FESTAL LETTER OF 124 B.C.E. (2 MACC 1:1–9)

2 Maccabees begins with the following letter addressed by the Jews in Palestine to those in Egypt:

(1) Τοῖς ἀδελφοῖς τοῖς κατ' Αἴγυπτον Ἰουδαίοις χαίρειν οἱ ἀδελφοὶ οἱ ἐν Ἱεροσολύμοις Ἰουδαῖοι καὶ οἱ ἐν τῇ χώρᾳ τῆς Ἰουδαίας εἰρήνην ἀγαθὴν. (2) Καὶ ἀγαθοποιήσαι ὑμῖν ὁ θεὸς καὶ μνησθεῖη τῆς διαθήκης αὐτοῦ τῆς πρὸς Ἀβραὰμ καὶ Ἰσαὰκ καὶ Ἰακώβ τῶν δούλων αὐτοῦ τῶν πιστῶν (3) καὶ δῶῃ ὑμῖν καρδίαν πᾶσιν εἰς τὸ σέβεσθαι αὐτὸν καὶ ποιεῖν αὐτοῦ τὰ θελήματα καρδίᾳ μεγάλῃ καὶ ψυχῇ βουλομένη (4) καὶ διανοίξει τὴν καρδίαν ὑμῶν ἐν τῷ νόμῳ αὐτοῦ καὶ ἐν τοῖς προστάγμασι, καὶ εἰρήνην ποιήσαι, (5) καὶ ἐπακούσαι ὑμῶν τῶν δεήσεων, καὶ καταλλαγήη ὑμῖν καὶ μὴ ὑμᾶς ἐγκαταλίποι ἐν καιρῷ πονηρῷ. (6) Καὶ νῦν ὧδέ ἐσμεν προσευχόμενοι περὶ ὑμῶν. (7) βασιλεύοντος Δημητρίου ἔτους ἑκατοστοῦ ἑξηκοστοῦ ἐνάτου ἡμεῖς οἱ Ἰουδαῖοι γεγράφαμεν ὑμῖν ἐν τῇ θλίψει καὶ ἐν τῇ ἀκμῇ τῇ ἐπελθούσῃ ἡμῖν ἐν τοῖς ἔτεσι τούτοις ἀφ' οὗ ἀπέστη Ἰάσων καὶ οἱ μετ' αὐτοῦ ἀπὸ τῆς ἁγίας γῆς καὶ τῆς βασιλείας (8) καὶ ἐνεπύρισαν τὸν πυλῶνα καὶ ἐξέχεαν αἷμα ἀθῶον καὶ ἐδεήθημεν τοῦ Κυρίου καὶ εἰσηκούσθημεν καὶ προσηνέγκαμεν θυσίαν καὶ σεμίδαλιν καὶ ἐξήψαμεν τοὺς λύχνους καὶ προεθήκαμεν τοὺς ἄρτους. (9) Καὶ νῦν ἵνα ἄγητε τὰς ἡμέρας τῆς σκηνοπηγίας τοῦ Χασελεύ μηνὸς ἔτους ἑκατοστοῦ ὀγδοηκοστοῦ καὶ ὀγδόου.

(1) The Jewish brethren in Jerusalem and those in the land of Judea, To their Jewish brethren in Egypt, Greeting, and good peace. (2) May God do good to you, and may he remember his covenant with Abraham and Isaac and Jacob, his faithful servants. (3) May he give you all a heart to worship him and to do his will with a strong heart and a willing spirit. (4) May he open your heart to his law and his commandments, and may he bring peace. (5) May he hear your prayers and be reconciled to you, and may he not forsake you in time of evil. (6) We are now praying for you here. (7) In the reign of Demetrius, in the one hundred and sixty-ninth year, we Jews wrote to you, in the critical distress which came upon us in those years after Jason and his company revolted from the holy land and the kingdom (8) and shed innocent blood. We besought the Lord and we were heard, and we offered sacrifice and cereal offering, and we lighted the lamps and we set out the loaves. (9) And now see that you keep the feast of booths in the month of Chislev, in the one hundred and eighty-eighth year.

[Translation: Revised Standard Version.]

## I

This exhortation to celebrate the feast of Hanukkah in the year 188 of the Seleucid era (hereafter: Sel.) is followed in the manuscripts by a second letter from Jerusalem to Egypt (1:10–2:18), which likewise invites the Jews there to celebrate the days of the dedication of the temple. As its *praescriptio* shows, it claims to have been written immediately before the cleansing of the temple (1:18), i.e. in Chislew of 148 Sel. (cf. 1 Macc 4:52), by Judas Maccabaeus himself: “Those in Jerusalem and those in Judea and the senate and Judas, To Aristobulus... and to the Jews in Egypt, Greeting, and good health” (2 Macc 1:10). However, this greeting in the *praescriptio* betrays the text as a forgery, since the greetings formula *χαίρειν καὶ ὑγιαίνειν* did not come into use until about 100 years after the death of the Jewish hero, ca. 60 B.C.E. It seems to have become particularly common under Augustus, and it remained in sporadic use until the last quarter of the first century C.E.<sup>1</sup> This means that this “letter” must have been fabricated within this period. Since Judas’ alleged high-priesthood<sup>2</sup> is not yet mentioned in this text, and it does not make use of Jewish versions of the death of Antiochus IV (cf. 1:13), it is probable that we assign this apocryphon as early a date as possible, viz. ca. 60 B.C.E.

Since the documentary form of the *first letter* is unique and we have no parallels for this kind of correspondence between the Jews in the mother country and the diaspora in this period, we cannot employ evidence drawn from the history of documents either to dispute or to confirm its authenticity. Only the interpretation of the letter can establish this – but if we are to understand it, we must first be sure of the Greek text. In addition to copyists’ errors, either in reading or in writing, the manuscripts<sup>3</sup> have a number of variants which alter the meaning. These show that ancient scholars found these passages

<sup>1</sup> Cf. the material in F.X.J. Exler, *The Form of the Ancient Greek Letter*, dissertation, Catholic University of Washington, 1923, pp. 22f. The best known examples at present are Berlin. griech. Urkund. VIII, 1871 (57/56 B.C.E.): *π[λείστα] χαίρειν καὶ διὰ παντὸς ὑγιαί[νειν]*, and 1873 (from roughly the same date): *χαίρει[ν] καὶ ὑγιαίνειν*.

<sup>2</sup> Josephus, *Ant.* 12.414 and 434. Cf. B. Motzo, *Saggi di storia giudeo-ellenistica*, 1924, p. 187; Hölscher, *RE* XII, 2194.

<sup>3</sup> W. Kappler, who will edit the Books of Maccabees for the Göttingen edition of the Septuagint, has kindly made available to me a copy of his *apparatus criticus*. I should like here to express my indebtedness to him.

difficult; and quite independently of them, modern scholars too have found exactly the same features of the text difficult.<sup>4</sup> The problems are the dates in verses 7 and 9.

## II

These two chronological difficulties are not altogether unconnected. According to the Books of Maccabees, the feast of the dedication of the temple was introduced for the whole people in 148 Sel. (1 Macc. 4:59; 2 Macc. 10:8). Why then are the Egyptian Jews exhorted to do so in 188 Sel., and what is the meaning of the date "169 Sel." in verse 7? The incomprehensible character of these data is worsened by the letter of Judas Maccabeus which follows the first letter in the manuscripts, and which clearly claims to have been written in 148 Sel.

In order to make the text comprehensible, ancient Jewish or Christian editors altered it. One editor, whose variants have survived in two mutually independent codices (55 and 62), simply replaced the date "188" by "148." This Alexandrian incision, which cut the knot in order to avoid the trouble of untying it, has been repeated more than once by scholars in the modern period, and even in very recent years. The corrector who was followed by Codex Alexandrinus did not alter the date of the letter, but altered its conclusion, so that the letter included the additional demand that the celebration (like the three pilgrimage feasts) be held in Jerusalem: ἄγητε τὰς ἡμέρας... ἔτους 188 ἐν Ἱεροσολύμοις.

Other ancient scholars were confused by the dating in verse 7, since this apparently contradicts the date in verse 9. This led to the solution found in the Vulgate and elsewhere: the latter date becomes part of the second letter, which now begins: "In the year 188, the people in Jerusalem, etc." We find the same alteration in other revisions of the Old Latin translation (B, M, P),<sup>5</sup> and it was doubtless found in the

<sup>4</sup> On the *status questionis*, cf. W. Kolbe, *Beiträge zur syrischen und jüdischen Geschichte* (Beiträge zur Wissenschaft des AT, 35 = new series, 10), 1926, pp. 108ff.; B. Motzo, *op. cit.* (n. 2 above), pp. 66ff.; U. Kahrstedt, *Syrische Territorien* (Abhandl. Gött. Ges. d. Wiss., new series 19/2), 1926, pp. 132ff.; A. Momigliano, *Prime linee di storia della tradizione maccabaica*, 1930, p. 21. The commentary by C.L.W. Grimm, *Kurzgefaßtes exegetisches Handbuch zu den Apokryphen des Alten Testaments* IV, 1857, still remains valuable. Cf. now the commentary by C. Habicht (Jüdische Schriften aus hellenistisch-römischer Zeit, ed. W.G. Kümmel, I/3), 1976.

<sup>5</sup> I cite the Old Latin versions according to D. de Bruyne and B. Sodar, *Les anciennes traductions latines des Machabées* (Anecdota Maredsolana IV), 1932.

Greek text on the basis of which the common source of B and M was corrected. This source seems to have been known in Africa as early as 400 C.E.<sup>6</sup> It is impossible to begin a letter in the classical period with a date; but this correction may well have been suggested by the fact that from ca. 300 B.C.E. onward, some groups of documents with a *praescriptio* resembling a letter do in fact begin with their date.<sup>7</sup> This suggests that the correction transmitted in the Vulgate and elsewhere was made in the fourth century. Since however Judas Maccabeus was no longer alive in 188 Sel., he cannot have been one of the authors of a letter sent in that year. Consequently, the Syriac translation has altered the *praescriptio* in verse 10: "In 188, those who are in Jerusalem and in Judah, and all the elders of Judah, To Aristobulus, etc."<sup>8</sup> The names of persons have been replaced by names of territories, thus removing the chronological difficulty.

Another reviser (who is followed by the Latin text X) related the clause *anno 169 nos Iudaei scripsimus vobis* to the preceding letter. Accordingly, he changed the date "188" in verse 9 to "169," and in order to eliminate all the difficulties at a single stroke, joined the letter to the second epistle (which follows it in the manuscripts) to form one single letter. And since he knew from 1 Macc. 9:2 that Judas had already fallen in battle in 152 Sel., he omitted his name in verse 10.<sup>9</sup>

Without realizing the continuity, modern scholars who encountered these difficulties had recourse to the same solutions as their predecessors in antiquity. In 1857, C.W.L. Grimm mentioned "merely as a curiosity" the view that the section 1:10–2:18 was a continuation of the preceding letter, and that the salutation in 1:10 was repeated only *ad maiorem benevolentiam significandam*; but a whole number of more recent scholars have given their support to this thesis. Just as one ancient corrector omitted the name "Judas" in verse 10, since he could not make sense of it, so too a number of modern scholars have attempted to explain this name away. Like the African reviser of the fourth century, numerous commentators up to the present day, from Luther and Grotius onwards, have attached the date in verse 9 to the second letter; in the case of scholars such as Luther and Grotius, it must of course be remembered

<sup>6</sup> De Bruyne and Sodar, lvii.

<sup>7</sup> An example is Berl. griech. Urkund. III, 941.

<sup>8</sup> I thank H.J. Polotsky for his German translation of this text.

<sup>9</sup> In a similar manner, Luther replaces the date in verse 9 by the dating in verse 7. He omits any dating in verse 7, and changes the name Judas to "John."

that they knew nothing of the rules followed in the drafting of ancient documents. And just as one ancient corrector changed the date in verse 9 so that it would agree with the date in verse 7, so too modern scholars recommend that we achieve the same harmony by expunging the date in verse 7 as an interpolation. – On the other hand, it did not occur to any ancient scholar to cut up 1:1–9 into two distinct letters; and even the supporters of this solution to the chronological difficulty have to admit that the resulting texts “look very much like a scissors-and-paste job.”

We need not mention other modern suggestions of how the double dating is to be resolved. Instead, we must concentrate on the real difficulty presented by verse 7, viz. that the affirmation – “in 169 Sel., we wrote to you, in the critical distress which came upon us in those years...” – contradicts the context of the letter. The “distress” had come to an end with the dedication of the temple, i.e. in 148 Sel., and the entire passage which begins with these words refers not to the situation under King Demetrius II, but to the persecution by Antiochus IV. Accordingly, when the celebrated Nicholas of Lyra suggested that this passage contains an error of translation,<sup>10</sup> his hypothesis was perfectly reasonable: the Hebrew כַּחֲבוֹ ב would have been translated to mean: “we wrote *in* the distress,” rather than: “we wrote *about* the distress.” However, Grimm assures us that there is no evidence for the Hebrew construction which this hypothesis would necessarily presuppose.<sup>11</sup> Nor is it easy to explain how this error came to be made, since the Septuagint renders כ either as περί or ἐνώπιον, depending on the meaning,<sup>12</sup> and we can see no reason why the translator should have chosen a translation which contradicts the context.

The only viable solution is therefore an emendation of the Greek text – though not of the manuscript text, but of the printed text: *mutanda distinctio*.

<sup>10</sup> Grimm, *ad loc.*

<sup>11</sup> Grimm, *ad loc.* The Hebrew phrase presupposed by this hypothesis would actually mean: “to write on” some material (Ex. 17:14).

<sup>12</sup> A. Jacob, *Septuaginta-Studien zu Esra*, dissertation, Breslau 1912, pp. 38f.; M. Johansson, *Präpositionen in der Septuaginta* (Beiheft zu *Gött. Gel. Nachr.*, 1925), s.v.

## III

As the perfect form shows,<sup>13</sup> the words βασιλεύοντος... γεγράφαμεν ὑμῖν “point to a letter written in 169 Sel.” (Grimm).

It is well known that quotations were introduced in ancient writings by a link-word or an introductory phrase;<sup>14</sup> in the hellenistic vernacular, ὅτι was commonly used for this purpose. The chancelleries liked to use a formula which confirmed the exactness of the quotation, e.g. περιέχων κατὰ λέξιν οὕτως (Mitteis, *Chrestomathie* 85).

Besides this, the elliptic form of citation was introduced into the language of the bureaucracy. This was employed alongside the introductory formulae, and the link-word could be omitted after it. For example, in a petition of 167 (U. Wilcken, *Urkund. ptol. Zeit* I, 39, 13), we read: παρεπιγεγραφότος τοῦ σου οὕτως· ὥστε τοὺς παρ’ ἡμῶν (γραμματεῖς) μὴ γινώσκειν κ.τ.λ., but we also find a quotation introduced as follows in a bill from the same period (Wilcken, *op. cit.*, 38, 14): ὑπέγραψε ὁ δεῖνα· ὥστε τοὺς παρ’ ἡμῶν γραμματεῖς μὴ γινώσκειν κ.τ.λ. Similarly,<sup>15</sup> we read in an internal account of an Egyptian bureaucrat in 162 B.C.E. (Wilcken, *op. cit.*, 23): τοῦ ὑπομνήματος – ἔχοντος ὑπογραφὴν· Μεννίδει κ.τ.λ. – παρὰ δὲ σοῦ· τοῖς γραμματεῦσι κ.τ.λ. – ἐπεὶ οὖν γέγραφεν ὁ διοικητὴς· τὰ ἡμίση τῶν ὑποκειμένων εἰς τὰ ἱερὰ διδόναι. Ὁ δὲ βασιλεύς – προστέταχεν· εἰ καὶ πρότερον εἴληφان καὶ νῦν δοῦναι. Καὶ Σαραπῖνων – ἐπέσταλκεν ἡμῖν διὰ τοῦ προκειμένου ὑπομνήματος· ἐπισκεννάμενον ὅσα καθήκει ἀποδοῦναι. In the original, a space is left to indicate quotations.

This elliptical mode of quotation is also employed occasionally in literary works, where a document is cited. At Dan. 6:25 in the LXX, the letter of Darius is introduced with the words: Δαρείος ἔγραψε – λέγων. Theodotion, following the Masoretic text, translates elliptically: Δαρείος – ἔγραψε – τοῖς οἰκοῦσιν ἐν πάσῃ τῇ γῆ· εἰρήνη ὑμῖν

<sup>13</sup> E. Mayer, *Grammatik der Papyri* II/1, 1926, p. 183.

<sup>14</sup> Cf. E. Kieckers, *Indogermanische Forschungen*, 1916, p. 24; K. Huber, *Untersuchungen zum griechischen Leviticus*, 1916, p. 88; H. Ljungvik, *Studien zur Sprache der apokryphen Apostelgeschichten*, dissertation, Uppsala 1926, p. 8.

<sup>15</sup> Cf. also e.g. P. Oxyg. II 298 (a private letter): περὶ Ἐρμοδώρου γράφεις μοι· λίαν αὐτὸν βαρύνομαι, πάλι γὰρ πάντα ταρασσει. Cf. Eusebius, *Hist. Eccl.* 7.11,6: Αἰμιλιανός – εἶπεν· καὶ ἀγράφως ὑμῖν διελέχθη κ.τ.λ. Cf. W. Schubart, *Griechische Papyri*, 1928, 4A: ἔγγραφας δέ μοι· θαυμάζεις, εἰ μὴ κατέχω, ὅτι τούτοις πᾶσι τέλος ἀκ[ολουθεῖ]. The *subscriptio* of the prefect Turranius (under Augustus) is quoted as follows: Ἀσκληᾶτι τῷ γραμματεῖ· διακοῦσαι (U. Wilcken, *Archiv für Papyrusforschung* XI, p. 28).



πληθυνθείη, ἐκ προσώπου μου ἐτέθη δόγμα κ.τ.λ. The introduction of the quotation at Dan. 4:37b in the LXX (which is not present in the Aramaic text) is likewise elliptic: ἔγραψε δὲ ὁ βασιλεὺς Ναβουχοδοноσορ ἐπιστολὴν ἐγκύκλιον πάσαις – γενεαῖς· κυρίῳ τῷ θεῷ τοῦ οὐρανοῦ αἰνεῖτε κ.τ.λ. Similarly, we read at Ezra 4:17 LXX: καὶ ἀπέστειλεν ὁ βασιλεὺς πρὸς – τοὺς καταλοίπους – πέραν τοῦ ποταμοῦ· εἰρήνην καὶ φήσιν ὁ φορολόγος ὃν ἀπεστείλατε πρὸς ἡμᾶς κ.τ.λ. Acts 15:22: ἔδοξε τοῖς ἀποστόλοις – πέμψαι – γράψαντες διὰ χειρὸς αὐτῶν· οἱ ἀπόστολοι κ.τ.λ.

If we suppose that the letter of 169 Sel. was introduced elliptically into the letter of 188 Sel., and change the punctuation at this point accordingly, the apparent difficulty in verse 7 is removed without any need for an alteration which would do violence to the text, and with no need for daring hypotheses: βασιλεύοντος Δημητρίου – ἡμεῖς οἱ Ἰουδαῖοι γεγράφαμεν ὑμῖν· ἐν τῇ θλίψει καὶ ἐν τῇ ἀκμῇ τῇ ἐπελθούσῃ ὑμῖν κ.τ.λ.: “Under King Demetrius, in the year 169, we Jews wrote to you: ‘In the critical distress which came upon us in those years after Jason, etc... And<sup>16</sup> we prayed to the Lord and were heard... and we set out the loaves’.”<sup>17</sup>

#### IV

The letter of 188 Sel. quotes a letter which the people of Jerusalem wrote “under King Demetrius in year 169.” This double dating allows us to establish both the chronology and the authenticity of this missive.

The subjects of the Seleucid empire adopted the system of dating both according to the reigning king and according to the year of the Seleucid era, which we know from Babylonian documents of that period. In their own letters, the kings themselves mention only the year (e.g. Dittenberger, *OGIS*, 224, 257; 2 Macc. 11; etc.). Autonomous states, however, mentioned their own rulers when they gave a date: “In the

<sup>16</sup> On this καὶ in the juxtaposed clause, cf. L. Radermacher, *Neutestamentliche Grammatik*, 2nd edn. 1925, p. 218; J.H. Moulton, *Einleitung in die Sprache des NT*, 1911, p. 106. Cf. the similar construction of the sentence at Lk 2:21: καὶ ὅτε ἐπλήσθησαν ἡμέραι – καὶ ἐκλήθη τὸ ὄνομα.

<sup>17</sup> The punctuation in verse 9 must also be altered. The year mentioned here is not the date of the letter, but indicates the date when the feast is to be celebrated. [The Revised Standard Version translation suggests this interpretation.] Cf. Neh. 1:1, ἐν μηνὶ Χασελεὺ ἔτους εἰκοστοῦ.

one hundred and seventy-second year, which is the third year of Simon the high priest” (1 Macc. 14:27). This means that when the Jews wrote the letter of 169, they were not autonomous; in other words, this letter was composed before Demetrius II granted the Jews freedom in 170 (1 Macc. 13:41).

We must now ask to which year of the Julian calendar these Seleucid dates correspond. The official Seleucid year ran from autumn to autumn, with the *epoché* (the year from which the era began) in 312 B.C.E. When this computation was adopted by communities where the year began in spring, the *epoché* was changed accordingly, so that there were two forms of the Seleucid era, one beginning in the fall of 312 and the other in the spring of 311 B.C.E. Thus, 169 Sel. corresponds either to the fall of 144/143 B.C.E. or to the spring of 143/142 B.C.E.; we must choose between these two alternatives.

The Jews could date events by the reign of Demetrius II only after they had deserted his rival, Antiochus VI. The first Book of Maccabees gives the following account of how this happened.<sup>18</sup> Trypho, the vizier of Antiochus VI, drew with his army to Scythopolis. Jonathan the Maccabee marched with his troops against Trypho, but fell into a trap after he entered Ptolemais, and was taken captive (1 Macc. 12:40ff.). Simon, Jonathan’s brother, took over the government in Jerusalem and occupied Joppa. Trypho left Ptolemais with his army, but he was unable to reach Jerusalem, since Simon blocked his path at Adida. Trypho took the alternative route via Adora, but a sudden heavy snowfall prevented him from advancing (1 Macc. 13:22). Accordingly, he left for Transjordan, where he had Jonathan executed. He then returned to Syria and overthrew Antiochus VI (1 Macc. 13:24).<sup>19</sup>

The way in which the events in this narrative are assembled seeks to justify the conduct of the Maccabees (and especially of Simon: cf. 13:17), since they changed sides so often and switched support from Demetrius II to Antiochus VI and back again. The text explains Jonathan’s capture by saying that Trypho feared that the Maccabee’s loyalty to Antiochus VI would prevent him from carrying out his plans to overthrow the king (12:39). In keeping with this narrative aim, the desertion of the Jews to Demetrius II is not mentioned at all; it is only

<sup>18</sup> Cf. Abel, *RB*, 1926, p. 511.

<sup>19</sup> The chronicler speaks in this context of the murder of Antiochus VI, but this did not in fact take place until 138 B.C.E.: Kolbe, *op. cit.* (n. 4 above), p. 64.

after we hear of the overthrow of Antiochus VI that we realize that this change of allegiance had taken place at some earlier date (cf. 13:34); and this means that we do not in fact know precisely when Simon changed sides. We can however infer from the events related in 1 Maccabees that the Jews were still subject to Antiochus VI at the beginning of Trypho's campaign against Jerusalem (Simon handed over hostages to Trypho at Adida: cf. 13:14ff.); that this military campaign took place at the beginning of winter (cf. the reference to the snowfall in 13:22);<sup>20</sup> and that Antiochus VI was deposed only after Trypho returned from this campaign (13:31). This observation allows us to replace the relative chronology with an absolute chronology, since the last Antiochene coins of Antiochus VI<sup>21</sup> were minted in 170 Sel. (roughly: October, 143/142). Since these survive in numerous different forms, he must have been overthrown only in the course of that year, e.g. in the spring of 142. This means that Trypho's campaign against Jerusalem and the Jews' desertion to Demetrius II can be dated to the late fall of 143.

In "169" Sel., the Jews dated the year according to the reign of Demetrius II; such a dating was not possible before the end of 143. Where however the Seleucid era was calculated from the fall of 312 onward, the end of 143 B.C.E. is already reckoned as 170 Sel. The date "169 Sel." for the end of 143 B.C.E. is possible only if the Seleucid era was computed from the spring of 311 B.C.E.

The first result of this chronological investigation is that the Jews (like the Babylonians) began the computation of the Seleucid era from the *epoché* on Nisan 1, 311.<sup>22</sup> The second point we can establish is that the letter of "169" Sel. was composed in the period between the beginning of winter in 143/142 and Nisan 1, 142 B.C.E. Thirdly, the letter of 188 Sel., which quotes the letter of 143 B.C.E. and exhorts the addressees to celebrate the feast of Hanukkah, was written before this feast in 124 B.C.E.

These chronological observations make the authenticity of the letter certain. It quotes a letter written "under King Demetrius in the one hundred and sixty-ninth year [Sel.]"; but in 170 Sel., and most likely

<sup>20</sup> Cf. H. Klein, *ZDPV*, 1914, p. 297.

<sup>21</sup> Cf. E.T. Newell, *American Journal of Numismatics*, 1917, p. 68; H. Seyrig, *Notes on Syrian Coins* (*NMN* 119), 1950, p. 13.

<sup>22</sup> See now my *Chronology of the Ancient World*, 1967, p. 71.

already by May<sup>23</sup> of 142 B.C.E., the Jews no longer dated according to the reign of this king. After gaining their autonomy, they dated according to the government of Simon (1 Macc. 13:42). We need not spell out in detail how far-fetched it would be to suppose that a forger hit on the idea of fabricating a letter of 124 B.C.E. which quotes another letter dated precisely to those six months when the Jews dated their official documents according to the reign of Demetrius II.

## V

This explanation of the chronological data in verse 7 leads to the conclusion that the letter is genuine and must have been written in the last months of 124 B.C.E. We must now turn to the question that disturbed the ancient revisers of the text: why do the people in Jerusalem exhort their brethren in Egypt to celebrate the feast of the dedication of the temple precisely in this year?

A strikingly obvious parallel ought really to have made clear the literary genre of this letter long ago, viz. the encyclical Easter letters sent out by Christian bishops.<sup>24</sup> According to an old custom which is attested from the end of the second century to the ninth century, the bishops of Alexandria made public in good time the date of the coming Easter feast, and took this opportunity to give the believers instruction in these pastoral letters on matters of contemporary importance. This announcement was necessary because the position of the Easter celebration depends on the spring full moon and therefore changes each year, whereas other feasts (unless they are calculated in accordance with the date of Easter, e.g. the Ascension) remain immovably anchored in the solar year.

The Jews, however, calculated for the most part according to the moon rather than the sun,<sup>25</sup> and each month began when the new light became visible. The month had 29 or 30 days, depending on whether the new crescent was observed on the evening of the 29th day of the month, or remained unseen. Correspondingly, there was a variation in

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<sup>23</sup> The festival date "27 Iyar" in the *Megill. Taanith* is now associated with this event (H. Lichtenstein, *HUCA*, 1931/1932, p. 336).

<sup>24</sup> Cf. K. Schmidt and W. Schubart, *Altchristliche Texte*, 1910, pp. 85f.

<sup>25</sup> Cf. now my account of the Jewish calculation of time in the *Cambridge History of Judaism* I.

the determination of those feasts which were assigned to specific days in the month. Another factor was the intercalation which had to be carried out in particular circumstances; this altered the position of the months themselves in the annual cycle. Thus the beginning of each feast was calculated in reference to the start of the lunar month and the first day of each lunar month (also known as the feast of the new moon) was determined and proclaimed only in Jerusalem.

The proclamation of each new month only in Jerusalem made the observation of the festival periods outside the holy city an exceedingly difficult task: people in the diaspora could not know whether for example (Mar)Cheschvan had been assigned 29 or 30 days in Jerusalem, and whether the feast of Hanukkah, which falls on Chislev 25, was to be celebrated 25 or 26 days after (Mar)Cheschvan 29. This is why the doubling of feast days was introduced in the diaspora (where it is still common practice today); thus, come what might, they would certainly be celebrated at the same time as in Jerusalem. The attempt was made as far as possible to inform the neighboring regions as soon as the feast of the new moon had been celebrated in Jerusalem. This was done partly by blazing beacons, and partly by means of messengers.

“Messengers set out in six months: in Nisan because of the Passover feast, in Av because of the fast, in Tishri because of the dating of the feasts, in Chislev because of the Hanukkah feast, and in Adar because of the Purim feast. As long as the temple stood, they also set out in Iyar because of the little [cf. Num. 9:10] Passover” (*Rosh-Hash.* 1.3). We are explicitly told that these messengers were sent out not only to the towns in Palestine, but also to the diaspora, e.g. to Syria (*Rosh-Hash.* 1.4) and Babylon.<sup>26</sup> Taking the route through the desert, they could reach Mesopotamia in roughly one week, i.e. in the middle of the month, in good time before the celebration of the feasts.<sup>27</sup> We may take it as certain that messengers were also sent to Egypt, which had such close links to Palestine.

The messengers – שְׁלִיחֵי יָדַי (which Jerome transcribes as *silai*) – were called in Greek ἀπόστολοι.<sup>28</sup> Eusebius writes (*In Jes.* 18.1): “According to ancient custom, the Jews even today give the name ‘apostle’ to those who bring encyclical letters from their superiors.” The information in the Talmud and the church fathers is thus complementary on this point.<sup>29</sup>

<sup>26</sup> J. Obermeyer, *Die Landschaft Babylonien im Zeitalter des Talmuds*, 1929, pp. 16f.

<sup>27</sup> *Ibid.*, pp. 42f. and 48.

<sup>28</sup> Cf. A. von Harnack, *Mission* I, 4th edn. p. 340.

<sup>29</sup> This was already pointed out by H. Vogelstein, *MGWJ*, 1905, p. 428; cf. Idem in *HUCA*, 1925, p. 103.

And we should assume that the messengers who were regularly sent out six times in the year served as contact persons between Jerusalem and the communities in the diaspora.

This does not mean that these messengers invariably carried pastoral letters on their journeys; but a passage by the Chronicler shows that this was at least possible. In 2 Chron. 30:1ff., he projects the situation of his own period (i.e., roughly the beginning of the fourth century B.C.E.) back into the past, and relates that King Hezekiah sent out messengers with letters to visit all the towns “from Beersheba to Dan” and exhort the Israelites to celebrate the Passover feast in Jerusalem. The letter quoted in this chapter is a fictitious *epistola festalis* containing edificatory instruction on the occasion of the feast: “O people of Israel, return to the Lord, the God of Abraham, Isaac, and Israel, that he may turn again to the remnant of you . . . Do not be like your fathers and your brethren, who were faithless to the Lord God of their fathers, so that he made them a desolation, as you see. Do not be stiff-necked as your fathers were . . . serve the Lord your God, that his fierce anger may turn away from you . . . For the Lord your God is gracious and merciful, and will not turn away his face from you, if you return to him.”

The letter of the people in Jerusalem to Egypt in 124 B.C.E. is a festal letter of this kind, sent on the occasion of the coming feast of Hanukkah.

This hypothesis explains the feature which has puzzled so many scholars in antiquity and in the modern period, viz. the fact that forty years after the institution of Hanukkah, the people in Jerusalem urge the brethren in Egypt to celebrate this feast. It also explains the documentary and linguistic form of the letter, which would otherwise be very strange.

## VI

The letter of 124 B.C.E. is the only surviving specimen of this genre. In order to understand it better, a helpful first step is a comparison with similar letters, viz. the encyclical letters of the Sanhedrin about the intercalation of the month in the course of the year. Excerpts from these texts are transmitted in the Talmud.<sup>30</sup>

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<sup>30</sup> *Sanhedrin* 11b (P. Billerbeck, *Kommentar zum NT I*, p. 154).

In keeping with the contents of these missives, in both cases the addressee is the collective of the believers: “the brethren who live in Media,” etc. But whereas the letters of the Sanhedrin are sent by the president “and my colleagues,” the letter of 124 B.C.E. is sent by “the Jewish brethren in Jerusalem and those in the land of Judea.” This is because intercalation was the responsibility of the Sanhedrin, but the determination of the new moons and festal periods was incumbent upon the “holy community” as such; it was said that God himself had to obey their decision. A text based on Lev. 23:4 says: “When you have proclaimed them, they are God’s festal periods. Otherwise, they are not God’s festal periods.”<sup>31</sup> The statement by two laymen that they had seen the new moon was necessary and sufficient; after this testimony had been examined by the competent commission, the president declared: “Consecrated,” and “the entire people repeated after him, ‘Consecrated, consecrated’” (*Rosh-Hash. 2.7*).

The letter in 2 Maccabees differs in another way too from the letters about intercalation, which naturally contain the relevant information about the month which is to be inserted into the calendar. In the letter of 124 B.C.E., we do not find the kind of information about the calendar which we find in the Christian Easter letters; in other words, we are not told precisely *when* the feast is to be celebrated. The text contains only a general exhortation to celebrate the month of Chislew, because the information about whether (Mar)Cheschvan had 29 or 30 days that particular year – information essential for the correct celebration of Hanukkah – was delivered orally by messengers who were provided with a password for purposes of identification.<sup>32</sup> This made it unnecessary to include the information in the Jewish festal letter itself.

The hypothesis that the text in 2 Macc. 1 is a Jewish festal letter also explains the style employed. The un-Greek character of this Greek letter was displeasing to the early Christian correctors, who tried to improve it in the usual manner. In verses 1 and 4, Lucian inserted the pronoun to make the text “more Greek”: εἰρήμην ὑμῶν ἀγαθήν. In verse 3, Ms. 46 alters the un-Greek order of the words, and in verse 2 it removes an anacoluthon in the subordinate clause.

<sup>31</sup> Billerbeck I, p. 740.

<sup>32</sup> B. Zuckermann, “Materialien zur Entwicklung der altjüdischen Zeitrechnung,” *Jahresbericht des jüd.-theol. Seminars Breslau*, 1881, p. 32.

The semitic style of the letter can be attributed to the clumsiness of its translator, although it could also be explained on the hypothesis that the letter was written in Greek by a Palestinian who thought in Hebrew. However, the formulation of the *praescriptio* shows that the first of these suggestions is correct; for when they composed a text in Greek, Palestinian Jews employed the Greek epistolary formulae as a matter of course. I would refer those who are unconvinced by this argument to the letters of Tubias<sup>33</sup> or to 1 Macc. 12:6 and 2 Macc. 1:10. It is impossible, in a Greek correspondence between persons of equal standing, to begin with the name of the addressee; in the hellenistic period, this is found only in the exchange of letters between monarchs. It is however an expression of politeness in the semitic world: "To my brother A: Your brother B wishes peace."<sup>34</sup>

The formula of greeting is likewise un-Greek: τοῖς ἀδελφοῖς... χαίρειν οἱ ἀδελφοί... εἰρήνην ἀγαθήν. In Greek, the greeting follows the names of the correspondents and forms one single sentence together with these names: ὁ δεῖνα τῷ δεῖνι χαίρειν. In the semitic linguistic sphere, it was customary to formulate a specific sentence of greeting:<sup>35</sup> "To our brethren from Rome. May your peace be increased." As parallel Christian formulations show (χάρις ὑμῖν καὶ εἰρήνη, Rom. 1:7; 1 and 2 Peter; Revelation of John 1:4; 1 Clement; and χαίρετε... ἐν εἰρήνῃ, Letter of Barnabas), a similar sentence underlies the greeting in the letter in 2 Macc. 1:1ff.; but it deviates from the semitic praxis by weaving together the names of the sender and the addressee in the Greek manner. Thus, the *praescriptio* is formulated in a way that is neither Greek nor purely semitic. It is best understood as the attempt of a translator to reproduce in a Greek form the complete contents of the Jewish formula of blessing. The Greek translations of *senatus consulta* which were produced by the chancellery of the Roman senate display similar aberrations when they render special Latin turns of phrase.<sup>36</sup>

We should note that the translation of the letter in 2 Macc. 1 is an official version produced in Jerusalem. This is shown by the fact that the forthcoming feast is dated according to the Seleucid era (verse 9); for a translation made in Egypt would have added the local dating,<sup>37</sup>

<sup>33</sup> C.C. Edgar, *PCZ* I, 59075, 76.

<sup>34</sup> M. Lidzbarski, *Altaramäische Urkunden aus Assur*, 1921, nr. 1.

<sup>35</sup> Cf. E. Lohmeyer, *ZNW* 26 (1927), p. 160.

<sup>36</sup> Cf. P. Viereck, *Sermo graecus*, etc., dissertation, Göttingen 1888.

<sup>37</sup> Cf. Arthur Stein, *Untersuchungen zur Geschichte Ägyptens*, 1915, pp. 153f.



indicating which Egyptian month of the year of the reigning king corresponded to Chislev of 188 Sel. We should therefore suppose that the letters from Jerusalem to the diaspora were written in Hebrew or Aramaic, and that where appropriate a Greek translation accompanied the text. The letters of divorce concerning persons in the city of Alexandria and the synagogue receipts from the Ptolemaic period which have been discovered in Egypt<sup>38</sup> show that the administrative language of the Jewish community was semitic, even in the diaspora.

## VII

The composition of the letter is structured by the formula καὶ νῦν (i.e.,<sup>39</sup> ַעַדְּנָה) in verses 6 and 9: it contains two principal ideas, each summarized in a concluding sentence which begins with the word “Accordingly” (literally: “and now”). The first part presents a παραμυθία, a word of consolation, which has taken on the form of a list of wishes: (1) may God remember the covenant with the patriarchs; (2) may he give you a heart “to do his will”; (3) may he hear your prayers and be reconciled to you. “Accordingly, we too are praying for you here.”<sup>40</sup>

Commentators have seen nothing more in this list of wishes than formulae of greeting and blessing without any tangible substance, but they do in fact contain a number of closely interconnected ideas which are central to Jewish piety. First, we have the idea of the covenant which God made with the ancestors, and which remains perpetually binding on both parties. Through this covenant, Israel is assured of abiding for ever: in other words, the covenant guarantees that all the terrible experiences will be only temporary.<sup>41</sup> “The Lord your God is a merciful God; he will not fail you or destroy you or forget the covenant with your fathers which he swore to them” (Deut. 4:31). When they appealed to God for rescue in danger and catastrophe, they appealed to this covenant: “And now let us cry to Heaven, to see whether he will favor us and remember his covenant with our fathers” (1 Macc. 4:10). In the heat of battle (2 Macc. 8:15) or in the torment of persecution

<sup>38</sup> L. Fuchs, *Die Juden Ägyptens*, 1924, pp. 115f.

<sup>39</sup> Cf. e.g. Ezra 5:17. This is frequent in the Elephantine papyri; cf. E. Meyer, *Entstehung des Judentums*, 1896, p. 9.

<sup>40</sup> ὁδε has surely a local meaning here. Cf. E. Maysner, *Grammatik der ptolemäischen Papyri* II/1, p. 75.

<sup>41</sup> Cf. A. Büchler, *Studies in Sin and Atonement*, 1928, pp. 1ff.

(LXX Dan. 3:33), the Jews never lost their faith that they were united to God in this way. "As regards election they are beloved for the sake of their forefathers" (Rom. 11:28). This idea of the covenant gave the Jews an immense power of self-confidence and an unbreakable hope. Even in the days of trial, they retained their proud confidence; Tertullian calls them *fiducia patrum inflati* (*Apol.* 21.5).<sup>42</sup> The first blessing which the people of Jerusalem invoke on their brethren in Egypt reminds the latter of this pledge of salvation.

For Israel, however, the covenant entailed an obligation to keep the law. For the Jews of the hellenistic period, διαθήκη is synonymous with Torah.<sup>43</sup> It is only the observance of Torah that ensures that the God of Jacob will come to their aid: "O Lord, the great and terrible God, who keeps covenant and steadfast love with those who love him and keep his commandments" (Dan. 9:4). We would therefore expect the sentence expressing hope in the divine aid to be followed in the letter of 124 B.C.E. by another sentence exhorting the addressees to observe the law to the full. An exhortation does indeed follow; and the most interesting problem in this letter, theologically speaking, is the fact that this exhortation takes the form of the wish that God may enable the Egyptian brethren to fear him.

A Catholic commentator on this passage writes that God "must contribute through his grace" to the Israelites' fidelity to the law;<sup>44</sup> but such a conception seems utterly un-Jewish, since the Jew, as a subject of his God, is *obligated* to fulfill his law.<sup>45</sup> Twice a day, he repeats in his prayer the biblical commandment: "And you shall love the Eternal, your God, with all your heart and with all your soul." Sin is understood here as apostasy and rebellion, and each individual is required to choose the path of good, not the path of evil: "If you will, you can keep the commandments" (Sir. 15:15). It is well known that this "Pelagian" understanding of the freedom of the human will was the standard view in Judaism:<sup>46</sup> "Everything lies in the hand of Heaven – with the exception of the fear of God."<sup>47</sup>

<sup>42</sup> Cf. Moore, I, pp. 536f.; A. Marmorstein, *The doctrine of merits in old rabbinical literature*, 1920, p. 149.

<sup>43</sup> A. Buechler, *op. cit.*, pp. 14f. (1 Macc 1:15; 2:20; Psalms of Solomon 10.5).

<sup>44</sup> H. Herkenne, *Die Briefe zu Beginn des II. Makkabäerbuches*, 1904, p. 38.

<sup>45</sup> Cf. S. Schechter, *Some Aspects of Rabbinic Theology*, 1910, pp. 219ff.

<sup>46</sup> Moore, I, p. 454.

<sup>47</sup> W. Bacher, *Agada der palästin. Amoräer* I, p. 9.

But here, we find the Jews in Jerusalem writing to their brethren in Egypt in 124: “May he give you all a heart to worship him and to do his will with a strong heart and a willing spirit. May he open your heart to his law and his commandments, and may he bring peace.” Does not this sound almost Augustinian? *Gratia praevēnit voluntatem, facit ex nolentibus volentes.*

“Augustinian” ideas of sin and grace were in fact not unknown in ancient Judaism; indeed, without such conceptions, the entire phenomenon of Paul would have been impossible. Judaism was vividly aware of the weakness of the flesh, to which even a man like Aqiba would have succumbed without the grace of God,<sup>48</sup> and it implored this grace in the daily struggle with the “evil instinct,” i.e., with its own heart.<sup>49</sup> “Circumcise our heart, that it may fear you”; “May it be your will that I never commit sin”; “Open my heart to your Torah, and let my soul pursue your commandments.”<sup>50</sup> And just as the psalmist prays: “Create in me a clean heart, O God” (51:12),<sup>51</sup> a prayer which is still repeated every day and which may even go back to the temple liturgy<sup>52</sup> says: “Our Father and King, for the sake of our fathers... be gracious to us and teach us... have mercy on us, and inspire our heart to understand and to know... all the words of instruction from your Torah... let our heart hold fast to your commandments, and unite<sup>53</sup> our heart to love and to fear your name.”

The fact that grace is necessary in addition to naturally good conduct does not in the least contradict the fundamental principle that the human will is free, for one prays for a strengthening of the will, not for enlightenment; and for help to follow the path that is good, without deviating from it. And this is the only kind of assistance that is granted: Heaven guides a person along the path which his will is inclined to take; if a person listens to one commandment, God allows

<sup>48</sup> W. Bacher, *Die Agada der Tannaiten* I, 2nd edn., p. 284.

<sup>49</sup> S. Schechter, *op. cit.* (n. 45 above), pp. 242ff.

<sup>50</sup> These formulae of prayer: *Ber.* 29a, 17a; cf. Psalms of Solomon 16. – P. Billerbeck, *Kommentar zum NT IV/1*, pp. 476 and 478.

<sup>51</sup> Cf. E. Sellin, *Theologie des AT*, 1933, p. 70.

<sup>52</sup> שְׁמַעֲךָ (before “Shema”). On this prayer, cf. J. Elbogen, *Geschichte des jüdischen Gottesdienstes*, 1913, p. 20; W.E. Oesterley, *The Jewish Background of the Christian Liturgy*, 1923, p. 47.

<sup>53</sup> On this, cf. Schechter, p. 257: the human person has two hearts, one good and one evil.

him to fulfill many commandments; to those who repent, he grants repentance.<sup>54</sup>

This constellation of ideas provides the background against which the blessings invoked in our letter should be understood. The fact that they are formulated for third parties is exceptional, for requests for God's assistance against the "sour yeast" of the evil instinct were otherwise presented only in the first person.<sup>55</sup> The letter of 124 B.C.E. does not request the cooperation of Heaven in fighting the temptations to which its authors are exposed; it asks that its addressees be enlightened, and that their heart may be open to the law. This recalls, not the humble words of the rabbis in their struggle against Satan, but a very different prayer:<sup>56</sup> *oremus et pro infidelibus Iudaeis ut Deus et Dominus noster auferat velamen de cordibus eorum*. Two formulaic phrases in the letter permit us to see how these ideas are connected.

## VIII

The formula in verse 3 about fearing God καρδιά μεγάλη καὶ ψυχῇ βουλομένη imitates 1 Chron 28:9, ἐν καρδίᾳ τελείᾳ καὶ ψυχῇ θελούσῃ, where David instructs Solomon to serve God "with a full heart and a willing soul." Ancient Jewish prayers adopted this biblical phrase:<sup>57</sup> Israel competes with the heavenly hosts in praising God day and night ἐν καρδίᾳ πλήρει καὶ ψυχῇ θελούσῃ. In the letter, however, the authors wish that an "Israelite" heart of this kind may be bestowed on the Egyptian Jews; and this is the prayer which was adopted in the early church (the "new Israel"), apparently following the Jewish custom, in the prayer for the catechumens in Apostolic Constitutions 8.6: δὸς αὐτοῖς τὴν καρδίαν καινὴν... πρὸς τὸ εἰδέναι σε καὶ ποιεῖν τὸ θέλημά σου ἐν καρδίᾳ πλήρει καὶ ψυχῇ θελούσῃ.

Another blessing says: "May he open your heart." This phrase is a figurative (and somewhat clumsy) rendering of the well known biblical

<sup>54</sup> W. Bacher, *Die Agada der babylonischen Amoräer*, p. 57; Billerbeck IV, p. 7; Sir. 17:24.

<sup>55</sup> Cf. 1 Clement 59.3: ἀνοίξας τοὺς ὀφθαλμοὺς τῆς καρδίας ἡμῶν εἰς τὸ γινώσκειν σε τὸν μόνον ὕψιστον.

<sup>56</sup> J. Juster, *Les Juifs dans l'empire romain* I, 1914, p. 383.

<sup>57</sup> Apostolic Constitutions 8.35; on this, cf. W. Bousset, *Göttinger Gel. Nachr.*, 1915, p. 439.

affirmation that God opens the eyes or ears of a human being. This expression is not found in the Old Testament or the Apocrypha; but we find it in the writings of Luke. When a proselyte heard the preaching of Paul, “the Lord opened her heart” and she became a Christian (Acts 16:14); and when the risen Jesus demonstrated to his disciples that the scriptures had been fulfilled, he thereby “opened their minds to understand the scripture” (Lk. 24:45). In the prayer for catechumens in Apostolic Constitutions 8.6, which is probably an adaptation of the Jewish prayer for proselytes, we read: “Teach them the commandments and laws, plant in them the sacred and saving fear, open the ears of their hearts, so that they may abide in your law day and night.” The teachers<sup>58</sup> said that when one saw an idol that had been thrown down to the ground, one ought to pray that God “may bring the heart of the worshipers of this idol to devote themselves to your service.”

In 124 B.C.E., therefore, the people in Jerusalem address the Egyptians in terms appropriate to those still to be converted. They do not ask that they may receive love for the Creator – that love which the genuine Israelite retains even in times of tribulation – but that they may learn to fear God (verse 3: *σέβεσθαι*), and this means primarily that they may be faithful to the law.<sup>59</sup> Nevertheless, their fellow Jews in Egypt are not apostates or unbelievers; rather, they are invited to celebrate Hanukkah, the feast of the temple in Jerusalem.

This apparent contradiction finds its explanation in the particular cultic situation of the Egyptian Jews at that period. In fulfillment of the prophecy of Isaiah (19:19), a place of sacrifice to the Lord, the temple of Onias, had been erected on Egyptian soil several decades previously, at Leontopolis. The favors shown by the Egyptian sovereigns, the prophecy in the Book of *Sibylline Oracles* (6.501) that this temple would last for ever,<sup>60</sup> and Jewish inscriptions found at Leontopolis<sup>61</sup> all bear witness to the fact that this temple had its worshipers; but the Jews in Egypt did not turn their backs on Zion. Rather, they recognized the pre-eminent holiness of the temple, paid the didrachma tax, went on

<sup>58</sup> *Ber.* 57b. The dominant view is presented in the Talmud as the opinion of the “learned” (*rabbanan*): W. Bacher, *Rabbanan*, 1914, p. 4.

<sup>59</sup> Buechler, *Studies in Sin* (n. 41 above), pp. 140ff.

<sup>60</sup> U. Kahrstedt, *op. cit.* (n. 4 above), p. 143; he correctly emphasizes the importance of this temple for the Jews in Egypt.

<sup>61</sup> *CPJ* III, nr. 451ff.

pilgrimage to Jerusalem for the great feasts, and glorified the mountain of God in the literature they produced; it suffices here to recall the Letter of Ps.-Aristeas, which was written in Egypt one or two decades before the letter of 124.<sup>62</sup>

In Jerusalem, everything was done to avoid a schism, and the breach with Samaria was not repeated in this case. On the contrary, the justification (even if only partial) of the cultic site in Egypt was recognized, as was the validity (even if only partial) of the vows, sacrifices, and priests of Leontopolis.<sup>63</sup> Nevertheless, Jerusalem regarded the existence of this sanctuary as an offense against the law, which centralized worship in Jerusalem. In the Palestinian view, another place of sacrifice (even the “high places”) could be justified and legitimate only if (and as long as) worship on Zion was suspended. In the case of Leontopolis, this would apply only to the three years between 70 C.E., when Herod’s temple was destroyed, and 73 C.E., when the Egyptian temple was closed down.<sup>64</sup> The foundation itself was viewed in Palestine as the “sick idea” of a priest who had been driven out of Jerusalem and was bent on revenge.<sup>65</sup>

This state of affairs between Jerusalem and Leontopolis makes it easy to understand that Jerusalem gladly took the opportunity to address an exhortation to the Jews in Egypt who were “limping on both their knees.” Without using wounding language or undiplomatically explicit formulations, the letter reminds them of the law, which recognizes only the sanctuary in Jerusalem, and makes a connection between disregard for this law and the distress that the Egyptians are experiencing.<sup>66</sup> A central idea of the Jewish religion, which was taken for granted both on the banks of the Jordan and on the banks of the Nile, was that every distress was a sign of the divine wrath which castigated human guilt.<sup>67</sup> This led to the teaching:<sup>68</sup> “One who sees that castigations come upon him should examine his conduct.” In their letter, the men

<sup>62</sup> Cf. my essay on “The dating of Pseudo-Aristeas” above.

<sup>63</sup> Menach. XIII, 10.

<sup>64</sup> S. Krauß, *Synagogale Altertümer*, 1922, p. 29.

<sup>65</sup> Josephus, *Bell. Jud.* 7.431.

<sup>66</sup> Rupert of Deutz (PL 169, 1427) offered this explanation of the strange blessings in the letter as long ago as ca. 1130. – It is also noteworthy that this passage of the letter was quoted in a sixteenth-century Protestant tractate about France’s return to Catholicism (N. Serarius, *Commentarius... in Machabeos, ad 1*).

<sup>67</sup> Buechler, *Studies in Sin* (n. 41), pp. 189ff. On the passages in the Apocrypha, cf. L. Couard, *Religiöse Anschauungen der Apokryphen*, 1907, p. 121.

<sup>68</sup> *Ber.* 5a.

of Jerusalem indicate to the brethren in Egypt the direction that this self-examination ought to take.

The Egyptians were indeed experiencing a time of distress: as the letter, quoting the Septuagint,<sup>69</sup> says, they were ἐν καιρῷ πονηρῷ. Civil war had raged in the country since 145 B.C.E., initiated by Ptolemy VII and then continued by his sister and wife Cleopatra II. Everywhere there was ἀμιξία, a situation where everyone fought against everyone else (P. Soc. Ital. III, 177). For example, we hear of a full-scale war between Hermonthis and Krokodilopolis in September, 123 B.C.E., which ended in a formal peace treaty (Wilcken, *Chrestomathie* 111). It was only in 118 that a royal proclamation declared a general amnesty and the re-establishment of peace. This decree (P. Tebtun. 1)<sup>70</sup> gives us a good picture of the extensive devastations, breaches of law, and destructions which had occurred during the previous period of revolution.

We know of these disturbances<sup>71</sup> only from scattered references in a few papyri, so we do not know what befell the Jews in particular. Even if their distress was no graver than the distress of the country as a whole, this would provide a sufficient explanation for the letter of 124: revolution, failed harvests, famine, etc. Since however we know that the Jews in Egypt played a not unimportant role in this dynastic struggle, and that an agreement was reached between Ptolemy VII and Cleopatra II precisely in the summer of 124 B.C.E.,<sup>72</sup> it is perfectly possible that the new political constellation posed a real (or even only apparent) danger to the Jews.

Whether the evils of the time were understood in political or economic or other terms, the Jews had only one means at their disposal to avert distress, viz. prayer to God,<sup>73</sup> since prayer can alter the sentence pronounced by God “just as a fork turns a heap of grain upside down.”<sup>74</sup> Accordingly, the third blessing invoked by the men of Jerusalem on the Egyptian Jews is that the prayer of the latter may be heard. It is well known that intercessory prayer for others was widespread in Judaism;

<sup>69</sup> Ps 36:19. This is why the article is not used.

<sup>70</sup> On this, cf. F. Preisigke, *Archiv für Papyrusforschung* 5, p. 301.

<sup>71</sup> W. Otto and H. Bengtson, *Zur Geschichte des Niederganges des Ptolemäerreiches* (Abh. Bayer. Akad., new series 17), 1938, p. 66.

<sup>72</sup> H. Volkmann, *RE* 32/2, col. 1733.

<sup>73</sup> Cf. F. Abrahams, *Studies in Pharisaism* II, 1924, p. 74.

<sup>74</sup> Billerbeck, I, p. 454; cf. Psalms of Solomon 6.8, and the fine affirmation in *Ber. 7a* that God himself prays with his people: “May it be my will that my mercy get the better of my wrath.”

there is no more characteristic testimony to this than the naïve words in which Jonathan assures the Spartans, whom he considers brethren in Abraham, “We remember you constantly . . . in our prayers, as it is right and proper to remember brethren” (1 Macc. 12:11). Intercession is especially appropriate in times of tribulation (Baruch 1:13). Fittingly, therefore, the men of Jerusalem conclude their exhortation with the assurance that they too continuously pray for their brethren in Egypt.

## IX

The paraenesis is followed by a paradigm.<sup>75</sup> The men of Jerusalem say: when we wrote to you in the reign of King Demetrius, we too were undergoing great distress, “after Jason and his company revolted . . . We besought the Lord and we were heard.” “And now” – this passage closes with the same summarizing formula as the paraenesis – see that you celebrate the days of the temple feast.

The composition of the letter has a clear structure. The Palestinian Jews tell their brethren in Egypt: You are in distress, so pray to the Lord, for we too were saved from distress thanks to our prayers; and join with us now in celebrating our thanksgiving feast. But it is precisely this harmonious structure that poses the question: Why do the people of Jerusalem in 124 B.C.E. allude to the letter of 143 B.C.E., which seems likewise to have been a letter on the occasion of Hanukkah and (as the quotation shows) gave a brief account of the origin of the feast and of the end of Epiphanes’ persecution? If I am not mistaken, this can be explained on the hypothesis that the letter of 143 B.C.E. was the very first exhortation addressed by Jerusalem to Egypt to celebrate Hanukkah.

According to tradition, the Hanukkah feast was instituted by Judas Maccabeus at the rededication of the temple in Chislev of 148 Sel., i.e. (cf. section IV above) in 164 B.C.E. In the following December, however, it was no longer the Maccabees, but once again the Seleucids who were masters in the temple, and one may justifiably wonder whether they, and the high priest Alcimus whom they appointed in 163 B.C.E., celebrated the Maccabean feast, and whether they wished it to be

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<sup>75</sup> The paradigm is very rare in the Old Testament, but was popular in the apocryphal literature: E. König, *Stilistik*, 1900, p. 78.



celebrated throughout the Jewish world. The situation changed only in October, 152, when Jonathan the Maccabee became high priest. Even after this, however, propaganda for the temple feast did not accord with the spirit of the times in Egypt. Like his sovereigns, the Seleucids Alexander Balas and Demetrius II, Jonathan was completely dependent on the favor of the Egyptian king, Ptolemy VI Philometor, who allowed a rival temple to Zion to be built in Egypt itself, at Leontopolis. The chief priests of this temple, the clan of Onias who belonged to the legitimate high priestly dynasty, enjoyed the king's full favor, and doubtless felt no inclination to tolerate propaganda for the triumphal feast of the Maccabean usurpers. After Ptolemy VI died in the spring of 145, the clan of Onias supported Queen Cleopatra II in her struggle against her brother and husband, Ptolemy VII, with whom she reigned jointly for a time. Soon, however, she fell out with her husband, who made her daughter, Cleopatra III, queen. The marriage was held ca. February, 142,<sup>76</sup> so Cleopatra II must have been overthrown several months earlier. Her fall from power meant that the clan of Onias lost their great influence. This auspicious situation was recognized in Jerusalem, and a letter was sent to Egypt in December, 143, with the exhortation to celebrate the Hanukkah feast and a brief account of how this feast had been instituted. The letter sent by Jerusalem in 124 recalls this first letter.

The account in the festal letter of 143 of the persecution and rescue of the Jews deserves special attention for the simple fact that its testimony is so old. Although it was composed under Simon the Maccabee, the letter mentions neither his deeds nor his brothers: it is through *prayer* that the Jews were rescued. In keeping with this perspective, Epiphanes too is unnamed. It was Jewish apostates who shed innocent blood and set the sanctuary on fire. We must recall here that 1 Maccabees, the epic narrative of the struggle of the Hasmoneans against the Gentile kings, was composed only a few decades later as the official chronicle of the dynasty. This allows us to grasp the uniqueness of the historical conception of our letter, which makes the suffering of believers under Antiochus IV a purely inner-Jewish matter. It would however be wrong to suppose that this conception is based on a particular historical tradition. Rather, the letter speaks the language of theology, not of history. It breathes the spirit of Jewish theodicy, which held that every distress that befalls

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<sup>76</sup> H. Gauthier, *Le livre des rois d'Égypte* IV, 1916, p. 309, n. 2.

mankind in the course of history is merely the righteous punishment for one's own sin. Both distress and rescue come from within, not from the interplay of external forces. "Many times he delivered them, but they were rebellious in their purposes, and were brought low through their iniquity. Nevertheless he regarded their distress, when he heard their cry. He remembered for their sake his covenant, and relented according to the abundance of his steadfast love. He caused them to be pitied by all those who held them captive" (Ps. 106:43).

## HELIODORUS IN THE TEMPLE IN JERUSALEM

### 1. *The mission of Heliodorus*

Even those who have never heard of the Seleucid dynasty know the name of Heliodorus, the minister of Seleucus IV Philopator (187–175 B.C.E.), because a very famous fresco by Raphael in one of the Vatican *stanze* shows a heavenly intervention preventing Heliodorus from robbing the temple in Jerusalem of its treasure.

Pope Julius II commissioned Raphael to paint this subject, which is taken from 2 Maccabees, in 1512.<sup>1</sup> An anachronism in this picture, heavy with symbolism, depicts the pope returning in triumph to the temple while the heavenly horseman hurls Heliodorus to the ground: according to the tropological interpretation, the punishment of the sacrilegious minister of Seleucus IV prefigured the triumph of the church over its secular despoilers.<sup>2</sup> *Lodiamo i calci ch'ebbe Eliodoro.*<sup>3</sup>

Following this traditional exegesis, all the historians and modern commentators see the actions of Heliodorus as an attempt to get hold of the treasure of Zion. 2 Maccabees itself, however, suggests a different interpretation of his mission.<sup>4</sup>

## I

According to 2 Macc. 3:1ff., the sanctuary of Jerusalem was universally venerated under the pontificate of Onias, “so that even Seleucus, the king of Asia, defrayed from his own revenues all the expenses connected with the service of the sacrifices.”<sup>5</sup>

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<sup>1</sup> L. von Pastor, *Geschichte der Päpste* III/2 (5th to 7th edns.), pp. 1018 and 1035.

<sup>2</sup> Rabanus Maurus, PL 109, 1227. The *Glossa Generalis* on the Books of Maccabees reproduces the commentary of Rabanus.

<sup>3</sup> Dante, *Purgatorio* 20.113.

<sup>4</sup> I quote the Septuagint from the edition of A. Rahlfs and the Latin version from D. de Bruyne and B. Sodar, *Les anciennes traductions latines des Machabées*, 1932. For the variant readings in 2 Macc. 3, I have used the edition by W. Kappler. It may be useful to recall that 2 Maccabees is transmitted in three principal recensions, viz. Codex Alexandrinus, the Lucianic manuscripts (L), and the group q (cf. W. Kappler, *De memoria alterius libri Maccab.*, dissertation, Göttingen 1929), while Cod. Venetianus and the ancient Latin version have conserved a number of independent readings.

<sup>5</sup> 2 Macc 3:2f.: συνέβαινε καὶ αὐτοὺς τοὺς βασιλεῖς τιμῶν τὸν τόπον καὶ τὸ ἱερόν

This introductory remark allows us to place the episode of Heliodorus in its historical setting. While other great sanctuaries possessed a fortune in property, or special financial resources given to them by the state (e.g. certain taxes in Ptolemaic Egypt),<sup>6</sup> the economic needs of the temple in Jerusalem were met directly by the royal exchequer.<sup>7</sup>

Originally, the sanctuary on Zion was the chapel of the royal palace, and its upkeep was naturally incumbent on the sovereign:<sup>8</sup> although the law of Moses provides numerous sources of income for the priests, it forgets to endow the temple. After the Babylonian exile, the Achemenids restored the temple in Jerusalem and, following in the footsteps of the national kings, charged their own treasury with the expenses incurred by the cult.<sup>9</sup> The Macedonian kings continued this traditional policy, and after he had taken Jerusalem from the Ptolemies, Antiochus III promised in 200 B.C.E. to meet the expenses of the sanctuary.<sup>10</sup> His son, Seleucus IV, followed the example of his predecessor.

These subsidies put the sanctuary under the financial control of the government. When a village is granted to Zeus of Baitokaikê in order that the revenues may cover “the expenses of the sacrifices and of other things advantageous to the sanctuary,”<sup>11</sup> the Seleucid king who makes this donation leaves it to the priests to administer it; but in Ptolemaic Egypt, where the maintenance of the cult was the responsibility of the

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ἀποστολαῖς ταῖς κρατίσταις δοξάζειν ὥστε καὶ Σέλευκον τὸν τῆς Ἀσίας βασιλέα χορηγεῖν ἐκ τῶν ἰδίων προσόδων πάντα τὰ πρὸς τὰς λειτουργίας τῶν θυσιῶν ἐπιβάλλοντα δαπανήματα.

<sup>6</sup> Cf. *P. Columbia Zenon* II, 1940, pp. 162ff. When they made tax concessions to the temples, the Lagids were following Greek praxis. Cf. R. Schlaifer, *Harvard Studies in Classical Philology*, 1940, p. 233. On the finances of the temples, cf. *SEHHW*, 1940, Index s.v. Temples.

<sup>7</sup> Demetrius I promised to grant to the temple an annual allocation of 15,000 shekels from his own income, as well as the revenues from the city of Ptolemais: 1 Macc. 10:39f.

<sup>8</sup> G.A. Smith, *Jerusalem*, 1908, I, p. 351, and II, p. 109. Cf. W.F. Albright, *Archaeology and the Religion of Israel*, 1942, p. 139; R. de Vaux, *Les Institutions de l'Ancien Testament* II, 1966, p. 274.

<sup>9</sup> Ezra 7:22 (in 459 B.C.E.). Cf. R. de Vaux, *RB*, 1937, p. 51. We should note that the Achemenids contributed only in kind: it was not until the fifth century B.C.E. that Greek merchants introduced the monetary economy into Palestine. Cf. *SEHHW* I, p. 88. On the coins minted in Judea in the fourth century B.C.E., cf. B. Kanael, *Jahrbuch für Numismatik* XVII, 167, nr. 129–150; Y. Meshorer, *Jewish Coins*, 1967, pp. 35–41.

<sup>10</sup> Josephus, *Ant.* 12.140. Cf. my essay on “The Seleucid charter for Jerusalem,” above. 2 Macc 9:16 attributes the following promise to Antiochus IV Epiphanes: τῆς δὲ ἐπιβαλλούσας πρὸς τὰς θυσίας συντάξεως ἐκ τῶν ἰδίων προσόδων χορηγήσειν. A financial subsidy is bestowed on the temple in an inauthentic decree of Cyrus: Josephus, *Ant.* 11.16.

<sup>11</sup> Welles, nr. 70, 10–11.

royal exchequer,<sup>12</sup> the temples presented their monthly accounts to the office which administered property.<sup>13</sup> The Seleucids too controlled the finances and the economy of temples. In the provinces, they had “men in charge of sacred matters” (ὁ τεταγμένος ἐπὶ τῶν ἱερῶν) who were even authorized “to remove the sacred villages from the city or to modify their status.”<sup>14</sup> Since the sanctuary in Jerusalem received subsidies from the budget for public worship, it too was necessarily subject to financial control by the secular power, and it was this surveillance which made possible – and almost inevitable – the intervention of Heliodorus.

## II

According to 2 Maccabees, the story begins with a quarrel between the high priest Onias and “a man named Simon, of the tribe of Benjamin, who had been made captain of the temple” (3:4).<sup>15</sup> The technical term *καθεσταμένος* shows that unlike the high priest, Simon did not exercise this power perpetually and in virtue of his own authority: he was a civil servant.<sup>16</sup> His title, *προστάτης τοῦ ἱεροῦ*, which corresponds exactly to the *ἐπιστάτης τοῦ ἱεροῦ* of Ptolemaic Egypt,<sup>17</sup> shows that Simon was a government commissioner, responsible to the royal exchequer for the administration of the goods of the sanctuary.

In Greek cities, the wealth of the gods was administered by the state, not by the priests, and the Macedonian princes endeavored to establish

<sup>12</sup> *SEHHW* II, p. 899.

<sup>13</sup> M. Hombert and C. Préaux, *Chronique d'Égypte*, 1940, p. 748.

<sup>14</sup> L. and J. Robert, *La Carie* II, 1954, p. 296.

<sup>15</sup> 2 Macc 3:4, Σίμων δέ τις ἐκ τῆς Βενιαμὶν φυλῆς *προστάτης τοῦ ἱεροῦ καθεσταμένος* κ.τ.λ.

<sup>16</sup> For example, the decree of Canopus (*OGIS* I, nr. 56, 73): ὁ δὲ ἐν ἐκάστῳ τῶν ἱερῶν *καθεστηκῶς ἐπιστάτης καὶ ἀρχιερεὺς* κ.τ.λ., or *P. Columbia Zenon*, 1940, II, nr. 120, 10–11: τοὺς στρατηγοὺς το[ὺς ὑπὸ τοῦ] βασιλέως *καθεσταμένο[ους]*, or U. Wilcken, *Chrestomathie*, 160, 1. On the form *καθεσταμένος*, cf. E. Mayer, *Grammatik der Papyri* I/2, p. 153.

<sup>17</sup> Cf. *UPZ* I, p. 44. In the Roman period, the title *prostatēs* designates a temple administrator in Upper Egypt; cf. F. Oertel, *Die Liturgie*, 1917, p. 38, and F. Cumont, *L'Égypte des astrologues*, 1937, p. 114. But as early as ca. 164 B.C.E., a temple administrator is called *προστάντος τοῦ ἐμ Μοῦρει Ἀμμωνίου* (*P. Tebtunis* III, nr. 781, 2–3). In 162/162, a *προστάτης τοῦ ἱεροῦ* is mentioned at Delphi (G. Daux, *Delphes au II<sup>e</sup> e au I<sup>er</sup> siècle*, 1936, p. 432), and the LXX translates the Hebrew *paqid* as *προστάτης* (e.g. 2 Chron. 24:11). This *paqid* was the administrator of the sanctuary in Jerusalem: S. Gandz, *JQR*, 1940–1941, p. 399.

the same principle in the oriental sanctuaries in their dominions.<sup>18</sup> But in order not to hurt the feelings of the local population, the Ptolemies chose the *epistatês* of the temples from among the Egyptian priests,<sup>19</sup> and the Seleucids appointed hellenized Chaldeans as administrators of the Babylonian sanctuaries.<sup>20</sup> Later, under the Romans, the Herodian princes administered the wealth of the temple in Jerusalem as commissioners of the Caesars.<sup>21</sup> Simon carried out the same function under Seleucus IV.<sup>22</sup>

Since Judea belonged to the province of “Coeloesyria and Phoenicia” under the Seleucids, Simon “made a report”<sup>23</sup> to Apollonius, the *stratêgos* of this satrapy,<sup>24</sup> with the intention of taking revenge on the high priest. In his summary of this report, as indeed in his entire narrative,<sup>25</sup> the author of 2 Maccabees has scrupulously preserved the terminology of the Seleucid administration; but this has made it difficult for translators and commentators to understand the present passage. We must therefore attempt to specify the exact meaning of the terms he employs.

First of all, Simon reports *περὶ τοῦ χρημάτων ἀμυθῆτων γέμειν τὸ ἐν Ἱεροσολύμοις γαζοφυλάκιον*.

Here, in conformity with the usage of the hellenistic administration, the noun *χρήματα* means cash, *pecunia*<sup>26</sup> (which is how the ancient Latin

<sup>18</sup> Cf. *SEHHW* I, p. 282; II, p. 648.

<sup>19</sup> C. Préaux, *L'économie royale des Lagides*, 1939, p. 480.

<sup>20</sup> Cf. *SEHHW* I, ch. IV, notes 235 and 297; *IS*, p. 174.

<sup>21</sup> Josephus, *Ant.* 20.15 and 222.

<sup>22</sup> We must distinguish Simon's task (cf. n. 12, above) from the functions of the temple treasurers, who were chosen from among the priests (Josephus, *Ant.* 14.108; *Bell. Jud.* 6.390; cf. J. Jeremias, *Jerusalem in the Time of Jesus*, 1969, p. 166). The reading of the Latin version – *Simon... de tribu Balgea* (de Bruyne, *Anciennes traductions latines des Machabées*, 1932, p. x) – which makes Simon a descendant of the priestly family of Balgea, is probably a conjecture by a reviser who could not understand how a man who was not a priest could meddle in the affairs of the temple; besides this, the noun *φυλή* (*tribus*) is employed in the vocabulary of the LXX exclusively for the twelve tribes of Israel. Cf. C.L.W. Grimm, *Das zweite Buch der Makkabäer*, 1857, *ad loc.*, and L. Finkelstein, *HTR*, 1943, p. 34; C. Habicht, 2. *Makkabäerbuch* (Jüdische Schriften aus hellenistisch-römischer Zeit, ed. W.G. Kümmel, I/3), 1976, p. 210.

<sup>23</sup> This is the technical sense of the verb *προσαγγέλλειν*. Cf. e.g. P. Tebtunis III, 739: *τοῦ δεινός προσαγγείλαντος δι' ἐντεύξεως* that some administrative officers were dishonest. It is clear that the *stratêgos* of a satrapy also kept a close watch on the administration of the royal property in the autonomous districts. Cf. *IS*, p. 205.

<sup>24</sup> On this person, cf. A. Wilhelm, *Pragmateiai* of the Academy of Athens, 1936, p. 35, who demonstrates that Apollonius was a relative of Ptolemy, the first Seleucid governor of Coeloesyria.

<sup>25</sup> Cf. notes 12, 18, and 19 above, and notes 37, 39, 46, 47, and 71 below.

<sup>26</sup> Cf. e.g. Wilcken, *Chrestomathie*, nr. 2, 6 (from 201): *χρημάτων καὶ σίτου καὶ τῶν*

version translates it),<sup>27</sup> rather than wealth in general, *opes*.<sup>28</sup> Finally, γαζοφυλάκιον is the technical term for the room where money is kept;<sup>29</sup> this should not be confused with the *thésaurus*,<sup>30</sup> the storeroom where merchandise of all kinds was kept, since all 2 Maccabees tells us is that the *gazophylakion* contained coins, viz. “four hundred talents of silver and two hundred of gold.” No other contents are mentioned.<sup>31</sup> Since the coins kept in the temple at Jerusalem were not stored in terracotta jars, as in the Greek treasuries,<sup>32</sup> but were simply piled up on the floor,<sup>33</sup> it is easy to understand why the verb γέμειν is used: Simon is affirming that the *gazophylakion* is “full to the brim.”

The passage should therefore be translated as follows: “The treasury in Jerusalem is full of an unutterably huge quantity of money.”

Simon draws the following conclusion: ὥστε τὸ πλῆθος τῶν διαφόρων ἀναρίθμητον εἶναι. The technical term διάφορα already posed a problem to ancient readers, as the variants in the manuscripts show.<sup>34</sup> As is well known, the primary meaning of *diaphoron* is “difference,”<sup>35</sup> which

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ἄλλων φό(ρων). Similarly, we find in the financial accounts of Delos the formula τάδε παρελάβομεν χρήματα referring to cash (e.g., *IG XII*, 144, A, 2). Josephus, *Ant.* 14.105 (and *Bell. Jud.* 6.282) distinguishes between τὰ ἐν ἱερῷ χρήματα, with a value of 2,000 talents, and other treasures in the temple in Jerusalem which were worth 8,000 talents.

<sup>27</sup> The noun χρήματα is also translated by *pecunia* in the bilingual edict of Fabius Persicus, 7.6, *apud* F.K. Dörner, *Der Erlass des Paullus Fabius Persicus*, dissertation, Greifswald 1935.

<sup>28</sup> This noun can of course also mean “riches” in general: for example, χρήματα... ἐκ τοῦ ἱεροῦ in *SIG I*, nr. 417, 7 (or ἱερὰ χρήματα in the inscription of Thespies, *B.C.E.*, 1938, p. 149) refers to the sacred utensils. But 2 Maccabees employs this word exclusively in the sense of cash: cf. 1:14; 3:6 and 7; 4:1, 23, 27, 45; 8:25.

<sup>29</sup> Cf. A. Wilhelm, *Neue Beiträge III*, p. 40; *IS*, p. 127. As far as I can see, this noun, borrowed from the Persian state administration (cf. H.H. Schaeder, *Iranische Beiträge*, 1930, p. 47), is used only in documents drawn up in Asia. But in a broader sense (where precision is not required), it can also be used to designate any depot of precious objects, as is the case in the LXX (4 Kg. 23:11; Neh. 13:7; etc.).

<sup>30</sup> Cf. e.g. Strabo, XV, p. 728 C: ἡ γὰρ γὰζα καὶ οἱ θησαυροὶ were at Persepolis. On θησαυρός, cf. L. Ziehen, *RE VI A*, 1 and *SEHHW I*, p. 406.

<sup>31</sup> 2 Macc. 3:11.

<sup>32</sup> P. Roussel, *Délos, colonie athénienne*, 1916, p. 169. Cf. the χρηματοθήκη of the Egyptian temples, where access was prohibited ὦ μὴ πράγμα. P.M. Fraser, *J. Egypt. Arch.* 56 (1970), p. 179.

<sup>33</sup> S. Krauss, *Talmüdische Archäologie II*, 1912, p. 416. The evidence refers to Herod's temple. Cf. S. Lieberman, *Hellenism in Jewish Palestine*, 1950, p. 70.

<sup>34</sup> The term *vectigalia* in the Latin version attests the Greek variant φόρων. Ms. 55 replaces the difficult word by *χημάτων*.

<sup>35</sup> Cf. F.H. Moulton and Milligan, *Vocabulary of the Greek New Testament*, s.v.

leads to the following derived meanings: “price,”<sup>36</sup> “capital,”<sup>37</sup> and money, and especially the technical sense of the “difference” between credit and debit in an account.<sup>38</sup> Thus, we read in another passage of 2 Maccabees that the recovery of money in arrears (ἡ τῶν διαφόρων πρῶξις) was one of the duties of the Seleucid commander of the citadel in Jerusalem.<sup>39</sup>

In Simon’s report, this word designates the discrepancies in the accounts, i.e. the surplus.<sup>40</sup>

To understand this correctly, let us recall that the Seleucid government paid the expenses of divine worship at Jerusalem. For example, in the reign of Antiochus III, in addition to various supplies in kind, the king gave the temple an annual subsidy of 20,000 drachmas.<sup>41</sup> If the temple did not spend all this money (which was in fact a rather large sum),<sup>42</sup> it retained the *diaphoron*, i.e. the surplus on each credit which the state gave it.<sup>43</sup>

The continuation of Simon’s report shows that this interpretation is correct. On the subject of these *diaphora*, he states: καὶ μὴ προσενεγκεῖν αὐτὰ πρὸς τὸν τῶν θυσιῶν λόγον.<sup>44</sup> Once again, two technical terms

<sup>36</sup> Cf. e.g. in the edict of Persicus (n. 27 above), 6.19: *exiguo pretio*, τοῦ τυχόντος διαφόρου ὠνούμενοι.

<sup>37</sup> Cf. e.g. in the decree of Ilion, J. Vanseveren, *Rev. Phil.*, 1936, p. 252: τοὺς δὲ τραπε[ζ]ίτας ἐπεὶ διαγεγραμμέν[να ἐστὶ τὰ δι]άφορα, ἔχειν ἔνθεμα καὶ φέρ[ειν] τόκον αὐτῶν δέκατον.

<sup>38</sup> E. Grier, *Accounting in the Zenon Papyri*, 1934, p. 68; E. Mayser, *Grammatik der ptolem. Papyri* II/1, 1926, pp. 3 and 5. For the Seleucid chancellor, cf. the letter of Queen Laodike to Iasos (*BE*, 1971, nr. 621), line 22: τὸ γινόμενον διάφορον.

<sup>39</sup> 2 Macc. 4:28. Διάφορα means “money” at 2 Macc. 1:35, but this passage is part of an apocryphal letter which was inserted at a later stage into 2 Maccabees; cf. the previous essay in this book.

<sup>40</sup> On the construction of the sentence, cf. Wilcken, *Chrestomathie*, nr. 11B, 7–9): the report of the priests of Souchos states that the rebels have destroyed a sea wall, ὥστε ἂν διὰ ταύτην τὴν αἰτίαν... διάφορα οὐκ ὀλίγα... ἀναφέρεσθαι.

<sup>41</sup> Josephus, *Ant.* 12.140. Cf. my essay on “The Seleucid charter of Jerusalem,” above.

<sup>42</sup> In 166 B.C.E., the entire reserve capital of the temple of Delos amounted to no more than 130,000 drachmas. Cf. P. Roussel, *op. cit.* (n. 32 above), p. 168.

<sup>43</sup> Since the payments by the royal fisc were made on a monthly basis (cf. W. Otto, *Priester und Tempel* II, 1905, p. 145, and n. 13 above), one might well say that the number of coins left over was “incalculable.” For the construction, cf. e.g. *Milet, Ergebnisse der Ausgrabungen* I/3, nr. 145, 10: τὸ προειρημένον πλήθος τῶν χρημάτων. Cf. F. Hiller von Gaertringen, *Inschriften von Priene*, 1906, nr. 55, 29–30: διαφό[ρων πλή]θος οὐκ ὀλίον. On the use of the verbal adjective with the verb (ἀναριθμητον εἶναι), cf. H.G. Meecham, *The Letter of Aristaeus*, 1935, p. 118, and E. Mayser, *op. cit.* (n. 38 above), II/1, p. 357.

<sup>44</sup> 2 Macc 3:6. I accept here the reading of Codex Alexandrinus. All the other Mss. (and the Latin version) read: καὶ μὴ προσήκειν αὐτὰ (or ταῦτα) εἰς τὸν τῶν θυσιῶν



caused problems to the Greek revisers of the Bible.<sup>45</sup> The expression ὁ τῶν θυσιῶν λόγος is a technical term for the special account relative to sacrifices, the *ratio sacrificiorum*; and in the Seleucid administrative offices, the verb προσφέρω had the technical sense of “adding” something to an account.<sup>46</sup> Thus, Simon is affirming that what was left over from the royal subsidy – allocated, as we will recall, to cover the expenses of the sacrifices – was not being entered in the accounts of the sacrifices, as ought to have been the case.

In the hellenistic administration, each department had its own cashbox, so that after expenses had been met, any surplus cash would remain available for future expenses of the same kind.<sup>47</sup> When they granted subsidies, the princes would specify (for example) that payments for cultic expenditure should be kept separate from payments destined to augment the general budget of a city.<sup>48</sup> At Jerusalem, according to Simon, the priestly administration was using the surplus to build up a financial reserve for its own use.

This accusation seems not to have been a pure invention. In the Herodian temple, at any rate, the clergy freely employed the surplus from the funds for the perpetual sacrifice.<sup>49</sup> When the high priest Simon initiated huge building works in Jerusalem under Seleucus IV,<sup>50</sup> he surely had no other resources to draw on than the royal subsidies to the temple. While however Greek cities and temples drew freely on

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λόγον, but the construction προσήκειν εἰς is surprising. It is a correction (probably Lucianic) made in order to explain the technical term προσενεγκεῖν, which the Byzantine copyists could not understand.

<sup>45</sup> Cf. e.g. *SIG* II, nr. 577, 13–14 (*Milet* II, 3, 147): λόγον πόλεως τῶν ἐπιδοθέντων ὑπὸ Εὐδήμου χρημάτων (the municipal account of the money given by Eudemos). *P. Columbia Zenon*, I, nr. 57, 1–3: δέξαι τὴν ὑποκειμένην διαγραφήν καὶ ἔμβαλε εἰς τὸν Ἀπολλωνίου λόγον. *SIG* II, nr. 578, 45–47: if the revenue of a foundation is diverted from its proper destination, the treasurers of the city of Teos Καταχωρίζετῶσαν εἰς τὸν λόγον κατὰ τὸν νόμον τόνδε τὸ πλῆθος τῶν χρημάτων τὸ ἴσον ἐκ τῶν τῆς πόλεως προσόδων. The gods had their own accounts: cf., e.g., Wilcken, *Chrestomathie*, nr. 68, 43–44: a payment is made εἰς τὸν τοῦ θεοῦ λόγον. At Cos, the treasurers are to pay a certain sum ἐπὶ τὸν δαμοσίαν τράπεζαν ἐς τὸν ὑφιστακότα τᾶς θεοῦ (Aphrodite) λόγον. Cf. R. Herzog, *Archiv f. Religionswissenschaft* 10 (1097), p. 211 (= *SEG* I, nr. 344).

<sup>46</sup> Welles, *s.v.* Cf. *SIG* II, nr. 671, 14 (G. Daux, *Delphes*, 1936, p. 682): τὸ δὲ ἤμισον ποτιφερόντῳ ἐν λόγον. At Delos, προεισφέρειν means making an advance from one cashbox to another (Schulhof, *BCH*, 1908, p. 130). The Ptolemaic civil servants did not employ the verb προσφέρω, but used ἀναφέρω and its compounds in this sense (= *SEG* I, nr. 344).

<sup>47</sup> H. Francotte, *Les finances des cités grecques*, 1909, p. 150.

<sup>48</sup> M. Holleaux, *Études d'épigraphie* I, 1938, p. 94.

<sup>49</sup> M. Shekalim 4.1. Cf. L. Finkelstein, *Akiba*, 1936, p. 283.

<sup>50</sup> Sir 50:1.

the surplus revenues from foundations,<sup>51</sup> the Seleucid allocation for the expenses incurred in offering the sacrifices at Jerusalem did not come from a foundation. It was debited to the royal budget for worship, and the fisc reserved the right to demand that anything left over from the funds it had provided should be repaid. Only a special privilege granted to Jerusalem by Demetrius I ca. 152 B.C.E. allowed the high priest to retain the surplus of the royal subsidy; he was to use this for the needs of the sanctuary.<sup>52</sup>

Simon reported to Apollonius that “the quantity of the budgetary surplus (at Jerusalem) is incalculable, and this money is not entered in the accounts for the sacrifices.” And he concluded: “It is possible to place all this money at the disposition of the king.”<sup>53</sup>

Apollonius met the king, and Seleucus IV then sent his vizier Heliodorus<sup>54</sup> to Jerusalem with the order “to bring back the *diaphora*” – yet another phrase which puzzled the Byzantine copyists.<sup>55</sup>

<sup>51</sup> Cf. *SIG* II, nr. 672; G. Daux, *Delphes*, 1936, p. 687. Cf. B. Laum, *Stiftungen in der Antike* I, 1914, p. 186.

<sup>52</sup> 1 Macc. 10:41. Cf. the paraphrase of Josephus, *Ant.* 13.55: τὰ δὲ περισσεύοντα τῶν χρημάτων ὑμέτερα εἶναι βούλομαι.

<sup>53</sup> 2 Macc. 3:6: εἶναι δὲ δυνατόν ὑπὸ τὴν τοῦ βασιλέως ἐξουσίαν πεσεῖν ἅπαντα. On the noun ἐξουσία, cf. Foerster, *s.v.*, in *TWNT* II, p. 559. In the language of the civil service, πίπτειν was employed as the passive of καταβάλλειν εἰς (cf. *UPZ* I, p. 605), but the construction πίπτειν ὑπὸ means “to include among”; cf. 2 Macc. 7:36; Polybius, 2.14.7; E. Mayer, *op. cit.* (n. 38 above), II/2, p. 514. The reading ἅπαντα is attested by the Latin version (*omnia*) and, as a doublet, in Cod. Venet. (*ἅπαντα ταῦτα*); I find it preferable to the variant ταῦτα, which is found in the majority of Greek Mss.

<sup>54</sup> 2 Macc. 3:7, Ἡλιόδωρον τὸν ἐπὶ τῶν πραγμάτων. On this title, cf. *IS*, p. 97. On Heliodorus, cf. F. Durrbach, *Choix d'inscriptions de Délos*, 1921, p. 70.

<sup>55</sup> 2 Macc. 3:7: συμμείξας δὲ ὁ Ἀπολλώνιος τῷ βασιλεῖ περὶ τῶν μηνυθέντων αὐτῷ χρημάτων ἐνεφάνισε· ὁ δὲ προχειρισάμενος Ἡλιόδωρον τὸν ἐπὶ τῶν πραγμάτων ἀπέστειλεν δοῦς ἐντολὰς τὴν τῶν προειρημένων διαφορῶν ἐκκομιδὴν ποιήσασθαι. In the construction of this text, I accept the reading διαφορῶν which is given as a doublet by Cod. Venet. (χρημάτων διαφορῶν), which is supported by the Latin version, where *vectigalium* presupposes φόρων, a corrupted form of διαφορῶν. The other Greek Mss. present the *lectio facilior* of a Byzantine reviser: χρημάτων. Similarly, L gives as the title of Heliodorus ἐπὶ τῶν χρημάτων – this too is an incorrect Byzantine “correction.” Ἐκκομιδὴν ποιήσασθαι (with the verb in the middle mood) means the same as ἐκκομίζεσθαι, viz. “to recover”; cf. e.g. Wilcken, *Chrestomathie*, nr. 332, 45. On the verb ἐμφανίζειν, cf. Mayer, *op. cit.*, II/2, p. 267. On συμμείξας in the sense of having a meeting or interview, cf. A. Wilhelm *Anz. Wiener Akad.*, 1937, p. 39, quoting *BE*, 1939, nr. 38.

## III

At Jerusalem, Heliodorus called on the high priest and made inquiries.<sup>56</sup> Without discussing the delicate question of budgetary law, Onias denied the state of affairs alleged by Simon. According to the high priest,<sup>57</sup> the money in the treasury consisted of private deposits.

We may be astonished to note that neither Onias nor Simon mentions any funds which were the property of the sanctuary itself, but this omission is not fortuitous. Rather, it reflects the specific situation of the treasury in Jerusalem. The temple of Zion did not possess any land,<sup>58</sup> and its only source of revenue was the royal subsidies. No doubt, the temple received many gifts, but these were votive offerings that remained intact, thus constituting an immobilized and unproductive capital. When Antiochus IV pillaged the sanctuary of Jerusalem, he carried off its sacred furnishings in gold and silver and the votive offerings, etc.,<sup>59</sup> but not a store of coins, since no such store existed.

We may perhaps object here that the Jewish people had accepted under Nehemiah the obligation to pay a third of a shekel each year for the worship of God.<sup>60</sup> However, it is highly doubtful whether this promise was kept for any long period; this poll tax is not mentioned in any source earlier than the Roman period.<sup>61</sup> We hear nothing about it when the pious Tobit is praised for conscientiously paying all his tithes,<sup>62</sup> nor when Noah reminds his children in the Book of Jubilees of their monetary obligations vis-à-vis the temple, nor in the Letter of Ps.-Aristeas.<sup>63</sup>

<sup>56</sup> 2 Macc. 3:9, παραγενηθεῖς δὲ εἰς Ἱεροσόλυμα καὶ φιλοφρόνως ὑπὸ τοῦ ἀρχιερέως τῆς πόλεως ἀποδεχθεῖς ἀνέθετο περὶ τοῦ γεγονότος ἐμφανισμοῦ... ἐπυνθάνετο δὲ εἰ ταῖς ἀληθείαις ταῦτα οὕτως ἔχοντα τυγχάνει. On ταῖς ἀληθείαις (*re vera*), cf. O. Gradenwitz, *Archiv f. Papyrusforschung* VIII, p. 450. On μνηύειν, cf. L. Robert, *RPh*, 1936, p. 167, and *SEHWW*, ch. 4, nr. 146 and 208.

<sup>57</sup> 2 Macc. 3:9. Lucian found the title ἀρχιερεὺς τῆς πόλεως strange, and replaced it with his conjecture: ὑπὸ τοῦ ἀρχιερέως καὶ τῆς πόλεως.

<sup>58</sup> Cf. my essay on "The Seleucid charter for Jerusalem," above.

<sup>59</sup> 2 Macc. 5:16; 1 Macc. 1:21.

<sup>60</sup> Neh. 10:31.

<sup>61</sup> Ex. 30:11 and 2 Chron. 24:4 mention extraordinary contributions for work on the temple, but they say nothing about the kind of regular contribution to the cult which was instituted by Nehemiah.

<sup>62</sup> Tob 1:6. Cf. R. Marcus, *Law in the Apocrypha*, 1927, p. 109.

<sup>63</sup> The first explicit mention of this contribution is in Cicero, *Pro Flacco* 28 (62 B.C.E.). The fact that the Jewish communities in Asia changed the sacred silver into gold is an important piece of information about the monetary economy of this period; we can also more easily understand why Caesar introduced the gold standard in 46.

A rabbinic source informs us that the *aurum iudaicum*, the fund consisting of silver shekels, was not constituted until after the victory of the Pharisees over the Boethusians in a controversy about how the daily sacrifice was to be financed.<sup>64</sup> The poll tax probably became a regular and general affair only at the prompting of the Hasmoneans, princes and priests in the second century B.C.E., who had very good reasons for doing so; and they also possessed the necessary authority to make the whole of Israel participate in the expenses of the worship offered in the sanctuary.<sup>65</sup>

According to the high priest, the money in the temple treasury consisted of "some deposits belonging to widows and orphans, and also some money of Hyrcanus, son of Tobias, a man of very prominent position."<sup>66</sup> This may seem strange at first sight, but it was natural. Since it was not a bank, the temple in Jerusalem did not invest the money deposited there in order to earn more money; it kept it intact.<sup>67</sup> Talmudic law insists on the essential difference between a banker who invests the money of his clients (*depositum irregulare*) in order to make a profit, and a person who has the obligation to hand back the sum which was entrusted to him (*depositum regulare*) in exactly the same form in which he received it.<sup>68</sup> In the hellenistic period, the Book of Tobit describes in minute detail the formalities involved in this restitution. Greek law makes an equally clear distinction between the *θέμιμα*,

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On the testimony of Strabo, *apud* Josephus, *Ant.* 14.35, cf. T. Reinach, *REJ* 16 (1888), p. 204.

<sup>64</sup> H. Lichtenstein, *HUCA* VIII/IX, p. 290; L. Finkelstein, *op. cit.*, p. 282. On this, cf. my remarks in the essay on "The Seleucid charter for Jerusalem," above.

<sup>65</sup> Cf. the gifts sent to Heracles (Melqart) of Tyre by the Tyrian diaspora: Dio Cassius, 42.49 (in 47 B.C.E.). The Aramaic receipts for the Jewish contribution to worship which have been found in Egypt, and which are dated to the second century C.E. (R. Weill, *REJ* 15 [1913], p. 19), concern contributions to the expenses of the local communities.

<sup>66</sup> On the phrase Ὑρκωνοῦ τοῦ Τωβίου (2 Macc. 3:11), cf. E. Meyer, *Ursprung des Christentums* II, p. 134, n. 1. In Rome at the same period, the money of widows and orphans was deposited in the state treasury: Livy, 24.18,13–14.

<sup>67</sup> I do not know of any evidence to support the common opinion that the Greek and hellenistic temples practiced banking operations. T.B.S. Broughton, in T. Frank, *An Economic Survey of Ancient Rome* IV, 1938, p. 889, quotes Dio Chrysostom, 31.54 in proof, but the text says nothing at all about such an activity. On the contrary, the money of the gods was entrusted to bankers, in order to earn a profit. Cf. C. Préaux, *op. cit.* (n. 19 above), p. 293. The temple offered safety in both moral and material terms, but no interest was paid on the deposits: R. Bogaert, *Banques et banquiers dans les cités grecques*, 1968, p. 286.

<sup>68</sup> *M. Baba Mezta* 3.11. Cf. S. Ejges, *Das Geld im Talmud*, 1930, p. 79; M. Lambert, *REJ* 52 (1906), p. 36.

a deposit placed at the disposal of a banker, and the παρακαταθήκη, which may not be used by the one with whom it is deposited.<sup>69</sup>

The deposits in the temple of Jerusalem were παρακαταθήκαι.<sup>70</sup> Great personages – kings and millionaires – had a great deal of money, and found it necessary to entrust their cash reserves to temples which enjoyed inviolability.<sup>71</sup> For example, Orophernes of Cappadocia deposited four hundred talents at Priene ca. 157 as “an insurance against the capriciousness of Fortune.”<sup>72</sup>

Similarly, at Jerusalem, the principal depositary was Hyrcanus, the son of the great tax-farmer Joseph, the richest man in Judea.<sup>73</sup> Since he was conducting an interminable war against the Arabs from his fortress castle beyond the Jordan,<sup>74</sup> it is easy to understand why he felt it necessary to leave a considerable reserve under the protection of the God of Zion.

It is also easy to understand that sums of money were deposited in the temple in the name of orphans, since there was no limit set to the responsibility of their guardians, if they were negligent in handling the money of their protégés.<sup>75</sup> It seems at first sight less likely that there were widows in Jerusalem who were rich enough to immobilize their capital in the sanctuary.

According to the biblical law, a Jewish woman was incapable of inheriting from her husband, and she was entitled to inherit from her parents only if there was no direct male heir.<sup>76</sup> Since she was in manu of her husband, she could not even lay claim to possess the fruits of her own work. This is why the Talmud forbids receiving a deposit from a married woman.<sup>77</sup>

<sup>69</sup> L. Beauchet, *Droit privé* IV, p. 335; V. Arangio-Ruiz, *Lineamenti del sistema contrattuale nel diritto dei papiri*, 1928, p. 59; E.R. Goodenough, *Jewish Jurisprudence in Egypt*, 1929, p. 164.

<sup>70</sup> 2 Macc. 3:10, παρακαταθήκας εἶναι χηρῶν τε καὶ ὀρφανῶν.

<sup>71</sup> Cf. Josephus, *Bell. Jud.* 6.282, on the deposits in the temple of Jerusalem in 70 C.E.

<sup>72</sup> Diodorus, 31.32.

<sup>73</sup> Cf. V. Tcherikover, *Hellenistic Civilization and the Jews*, 1959, p. 127; M. Hengel, *Judaism and Hellenism*, 1974, Index, s.v.

<sup>74</sup> Josephus, *Ant.* 12.223.

<sup>75</sup> Cf. H.L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament* III, p. 564; I. Lebendiger, *JQR*, 1916–1917, p. 159; H. Gurevitch, *Zeitschrift f. vergleichende Rechtsgeschichte*, 1911, p. 425.

<sup>76</sup> Cf. in general E. Weill, *La femme juive*, 1905. On the laws governing inheritance, cf. S. Bialoblocki, in *Encyc. Judaica* VI, 702.

<sup>77</sup> *M. Kethub.* 4.4; *B. Bathra* 51b. Cf. L. Finkelstein, *The Pharisees*, 1938, pp. 47, 138, and 268.

In the hellenistic period, however, the evolution of customary law opened up a loophole to escape from the rigidity of the Mosaic rules. We may recall Judith, the pious and faithful widow to whom her husband bequeathed his entire fortune in gold and silver, livestock, slaves, and land.

As a first step, the mohar, the sum which the fiancé offered the father of his future bride, became her property.<sup>78</sup> At a later date, the institution of the dowry developed: and this remained the wife's own property.<sup>79</sup> Large dowries became an important factor in economic life. Ca. 190 B.C.E., Sirach draws a parallel between one who desires a woman for her beauty, and one who seeks her as his wife because of her fortune.<sup>80</sup> Finally, the marriage contract assured the widow the possession of her own contribution to the marriage and of the *donatio propter nuptias*.

Besides this, under the Greek term *diathêkê*, Jewish law accepted the *donatio mortis causa* which permitted the testator to bypass his legitimate heirs in favor of the inheritor whom he himself wished.<sup>81</sup> Sirach attests the general praxis of this act of making one's last will in his own period, ca. 190 B.C.E.<sup>82</sup> It is natural that it was above all the wife or daughter of the testator who profited here. For example, the Talmud quotes this formula from a will: "My wife is to have a share equal to that of each of my sons."<sup>83</sup> The importance of the widows' deposits in the temple of Jerusalem ca. 180 B.C.E. thus furnishes an unexpected testimony to the progress of the economic emancipation of Jewish women on the eve of the Maccabean period.

#### IV

Since the deposit was a sacred matter both to Jew and to Greek, the author of 2 Maccabees shows us in these words of the high priest that the intervention of Heliodorus had lost all justification: Simon's denunciation had proved to be a lie. But in order to understand the

<sup>78</sup> L. Epstein, *The Jewish marriage contract*, 1927, p. 45; B. Cohen, *Jewish and Roman Law* I, 1966, pp. 205, 248, 273, and 348.

<sup>79</sup> Sir. 25:21. Raguel gives half his fortune as a dowry (Tob. 10:10).

<sup>80</sup> On the history of this contract (*kethuba*), cf. my essay on "Two Legal Interpretations of the Septuagint," above.

<sup>81</sup> Cf. A. Gulak, *Das Urkundenwesen im Talmud*, 1935, p. 125.

<sup>82</sup> Sir. 33:19-23 and 14:13.

<sup>83</sup> *B. Bathra* 128b.

economy implied in the narrative, it is necessary to know about the financial organization of the temple in Jerusalem under the Seleucids. This knowledge had been lost by the time of the author of 4 Maccabees, who wrote under Tiberius (or Claudius), when the financial governance of the sanctuary was quite different from that presupposed by 2 Maccabees. The later author could not grasp the true significance of Simon's report, and in order to make sense of the situation, he imagined that the temple administrator had denounced the existence of private deposits in the sanctuary.<sup>84</sup> Modern scholars in turn have imagined that Simon was denouncing to the Seleucid government the very existence of the treasury in the temple of Jerusalem. But Antioch did not require a denunciation in order to learn that the sanctuary of Zion – which was “celebrated” at that period, as Polybius says,<sup>85</sup> and received subsidies from the king – possessed wealth, like all the great temples in the empire.

But let us return to Onias and Heliodorus. The minister did not find the high priest's explanation satisfactory, and he declared that “this money must be confiscated for the king's treasury.”<sup>86</sup> He set a date for his “inspection” of the treasury. The Greek noun ἐπίσκεψις means the examination of documents: here, the inspection of the temple accounts in order to establish the true financial situation.<sup>87</sup> But why does Heliodorus desire to enter the temple treasury in person? Quite simply, because one single glance would reveal how things stood. The deposits were kept separately for each client in jars, boxes, etc., which were sealed and bore a note indicating the contents and character of the deposit;<sup>88</sup> and the cash reserves of the temple were piled up on the floor of the gazophylakion.<sup>89</sup>

However, the divine power struck down the wicked minister on the very threshold of the treasury, thereby both manifesting the truthfulness

<sup>84</sup> 4 Maccabees 4. Cf. my essay on “The Date of Fourth Maccabees,” above.

<sup>85</sup> Polybius, 16.39,1.

<sup>86</sup> 2 Macc. 3:13, ὁ δὲ Ἡλιόδωρος, δι' ἃς εἶχεν βασιλικὰς ἐντολάς, πάντως ἔλεγεν εἰς τὸ βασιλικὸν ἀναλημπτέα ταῦτα εἶναι. On the term ἀναλαμβάνειν, cf. M. Rostowzew, *Studien zur Geschichte des römischen Kolonats*, 1910, p. 58; M. Holleaux, *Études* I, p. 108. Τὸ βασιλικόν, the official name of the royal treasury, had become incomprehensible by the Roman period, and the recension of Lucian replaces this term with τὴν βασιλικὴν πρόσοδον.

<sup>87</sup> Cf. A. Stein, in *Charisteria A. Rzach*, 1930, p. 178; C. Préaux, *op. cit.*, p. 122.

<sup>88</sup> Tob. 1:14; 5:3; 9:6.

<sup>89</sup> Cf. n. 26 above.

of the high priest's account and protecting the widow and orphan.<sup>90</sup> Six centuries later, when an imperial rescript demanded that the church of Pavia hand over a deposit which had been entrusted to it by a widow, Saint Ambrose intervened and threatened the representatives of the secular arm with the example of Heliodorus, *Heliodori periculo*.<sup>91</sup>

## 2. *The punishment of Heliodorus*

All who visit the Vatican admire the *Storia di Eliodoro*. According to President de Brosses, "Of all the paintings in the Vatican, this is still my favorite. Did Raphael ever create anything to equal this horseman and this horse which tramples Heliodorus under its hoofs, or these angels without wings who swoop down on him and graze the surface of the earth without touching it?"<sup>92</sup>

As far as I know, neither de Brosses nor any other commentator has pointed out one bizarre element in the composition of the fresco. The punishing angels strike Heliodorus with their rods as he lies on the floor of the temple, although this is highly improbable *per se*, and flatly contradicts the narrative of 2 Maccabees.

In antiquity (and even in the age of Raphael himself), a person who was whipped was kept in a standing position.<sup>93</sup> According to 4 Maccabees, the torturers who whip the martyr Eleazar force him to get up again each time when he is so exhausted by the pain that he falls to the ground.<sup>94</sup> And according to 2 Maccabees, the two angels appeared on the right and the left of Heliodorus "and scourged him

<sup>90</sup> In imitation of the narratives in 2 and 4 Maccabees, a Samaritan invented the following story: Ptolemy I attempted to seize the treasure of the temple on Mount Garizim, but desisted when he learned that this treasure was reserved for the priests, widows, and orphans. Cf. J.A. Montgomery, *The Samaritans*, 1907, p. 75.

<sup>91</sup> Ambrose, *De off. ministr.* 2.29. Cf. J.R. Palanque, *S. Ambroise et l'Empire Romain*, 1933, p. 192. According to Palanque (p. 516), this incident took place in 388. The fate met by Heliodorus is also invoked in the papal letter *Quod aliquantum* of March 10, 1791, which condemns the confiscation of ecclesiastical property in France: H.C. Lec, *Minor Historical Writings*, 1942, p. 160.

<sup>92</sup> De Brosses, *Lettres sur l'Italie* (Letter 43).

<sup>93</sup> For the Jews, cf. *M. Maccoth* 3.12; for the Greek, cf. e.g. Herodas, *Miniamb.* 5.33; Artemidorus, *Oneirocriticon* 1.76 and 78 (pp. 82 and 89 of the edition by R.A. Pack). Even when the one being punished was stretched out on a rack or lay on the ground, the blows landed on his back: cf. e.g. Herodas, *Miniamb.* 3.3 and 61; Prov. 10:13; Is. 50:6; Deut. 25:2. Cf. *SEHHW*, plates 26 and 34,1. Cf. the edition of Mark the Deacon, *Life of Porphyry*, by H. Grégoire and M.A. Kugener, 1930, p. 128, n. 67.

<sup>94</sup> 4 Macc. 6.8.



continuously, inflicting many blows on him” (3:26). It was only after this that the sacrilegious minister “fell to the ground” (3:27). Why then do painters such as Raphael and Delacroix<sup>95</sup> modify this natural sequence of events?<sup>96</sup>

They are obliged to do so by the narrative of 2 Maccabees itself, which relates the apparition of a heavenly horseman who throws the intruder to the ground (verse 25), before it narrates the episode of the angels. This means that when the angels arrive on foot, they find Heliodorus already lying on the pavement of the sanctuary, as we see him in the frescoes of Raphael and Delacroix. Thus, when they reconstruct the scene of Heliodorus’ punishment in their paintings, they unintentionally reveal the incoherence of the story that they are illustrating.

They were not in fact the first to notice this. A lost redaction of the Greek text, which is transmitted by the ancient Latin version, suppressed all mention of the horseman’s attack in verse 25.<sup>97</sup> This certainly eliminates the difficulty, but it makes the apparition of the horseman pointless.

How are we to understand this incoherence in the story of Heliodorus?

## I

If we look more closely at the narrative, we find that Heliodorus’ fall is related twice, and that the author tells us twice that when he fell, the

<sup>95</sup> On the fresco by Delacroix, “L’expulsion d’Héliodore,” in Saint-Sulpice in Paris, cf. J.J. Spector, *The Murals of Eugène Delacroix at Saint-Sulpice*, 1967, p. 66. On the history of this subject in art, cf. *ibid.*, p. 110.

<sup>96</sup> Delacroix has the angels chasing Heliodorus out of the sacred precincts, thereby contradicting the narrative of 2 Maccabees and making the action of the horseman incomprehensible; R. Escholer, *Delacroix III*, 1929, p. 99. This is probably why Baudelaire writes in *L’art romantique* that in Delacroix’s painting, “the divine hoof” of the horse holds the intruder up “to hand him over more conveniently to the rods of the two angels.”

<sup>97</sup> D. de Bruyne, *Les anciennes traductions latines des Machabées*, 1932, p. xi. Saint Ambrose followed this version in his paraphrase of the story of Heliodorus, written ca. 388 (*De off. min.* 2.29); but shortly afterward, in his *Enarrationes in Psalmos* 12 (composed between 387 and 397), he already knows the text of the “Vulgate,” which alone among the ancient Latin translations mentions the horseman’s attack. Cf. Ambrose, *In Ps. 40:27, qui Heliodorum... stravit perculit*. This means that the so-called “Vulgate” translation of 2 Maccabees is older than Jerome (contrary to the opinion of de Bruyne, *op. cit.*, p. xxxii).

intruder became unconscious (verses 27 and 29). According to verse 28, his bodyguards were already carrying Heliodorus away (ἔφερον) after he had been struck down by the horseman; but in the following verse, he is still lying “prostrate” after the blows of the angels have struck him down (verse 29: ἔρριπτο). The imperfect of verse 28 is incompatible with the pluperfect of verse 29, and this grammatical incoherence shows that the two falls of Heliodorus belong to two separate narratives, which have been combined by the compiler.

Let us call the narrative with the heavenly horseman “A.” According to verse 25, he appeared “to them” (ὥφθη... αὐτοῖς). This pronoun can refer only to the bodyguards of Heliodorus (δορυφόροι), who accompanied him in his sacrilegious endeavor, according to verses 24 and 28; these two verses thus belong to version A. According to verse 27, Heliodorus falls “suddenly” (ἄφνω), but this only suits the version in which the horse strikes him to the ground. In verse 30, the clause ἐπιφανέντος Κυρίου echoes the technical term ἐπιφάνεια of verse 24. Since verse 30 speaks of thanksgiving after the sanctuary has been saved from desecration, this may have been the conclusion of narrative A. According to version B, it is two angels who chastise Heliodorus (verse 26). Since these same “two young men” appear again in verses 33–34, the latter verses (as well as verses 31–32 which prepare this episode, and verses 35–36 which are its conclusion) likewise belong to version B. Finally, the verb ἔρριπτο in verse 29 echoes the clause ἐπιρριπτουντες αὐτῷ πληγὰς of verse 26, and thus belongs also to version B.

In order to weld the two versions together, the redactor inserted a number of adjustments. He then added verses 37–39, which are based on version B.<sup>98</sup> Next, he composed a lengthy and trivial description of the anguish which reigned in Jerusalem while Heliodorus was in the temple. This highly emotional piece of historiography (verses 14–22) is a clumsy interruption of the sequence of events, and we return in verse 23 to the situation already described in verse 13. It is pointless to analyze here this *hors d'oeuvre*, which was just the thing to appeal to the taste of Greek readers in the hellenistic period.

<sup>98</sup> According to C. Habicht, *op. cit.* (n. 22 above), p. 173, version A was interpolated into the text of Jason, but this hypothesis is unlikely. Where do we have examples of a similar alteration of a story by an interpolator? We would also have to ask why this text, once it had been interpolated into one manuscript of Jason, was accepted by the other copyists of his work. Cf. n. 182 below.

We may sum up: version A contains verses 24, 25, 27, 28, and 30. Version B contains verses 26, 29, and 31–36, though possibly with some additions by the compiler, who also composed the anecdote related in verses 37–39.

## II

Let us first examine version A. When Heliodorus, accompanied by his bodyguards, enters the treasury (verse 24), “there appeared to them a magnificently caparisoned horse, with a rider of frightening mien” (verse 25). This is not a vision: the presence of the horseman is real, perceptible to the bodily eyes, as is shown by the Greek verb employed by the narrator: ὄφθη... αὐτοῖς.<sup>99</sup> One example suffices for confirmation: on the evening of the battle of Lake Regillum, two young men suddenly appeared in the Roman Forum. They watered their horses and washed their perspiring faces in the fountain of Juturna. They were the Dioscouri, who had just been fighting alongside the Roman soldiers:<sup>100</sup> ἐν τῇ Ῥωμαίων ἀγορᾷ... ἀφθῆναι δύο νεανίσκοι λέγονται. According to the Romans, this apparition was real, and we can still see the scene reproduced on a Roman coin.<sup>101</sup>

The horse leapt upon Heliodorus (verse 25), and the intruder fell to the ground (verse 27). His bodyguards put him on a stretcher and carried him out. In this way, Heliodorus “recognized clearly the sovereign power of God” (verse 28),<sup>102</sup> while the Jews filled the temple with the praise of God (verse 30).<sup>103</sup>

<sup>99</sup> Cf. M.J. Lagrange, in his commentary on Lk. 1:11; A. Plummer, in his commentary on Lk. 22:43 (“was visible to the bodily eye”). Cf. e.g. 2 Macc. 2:8; 1 Macc. 9:27; Tob. 12:22. Cf. the apparition of Saint Andrew at Patras in 810, when he came to the aid of the Greeks: καὶ εἶδον... τὸν... ἀπόστολον ὀφθαλμοφανῶς ὑπὸ ἐπικαθήμενον καὶ δρόμῳ ἐπερχόμενον κατὰ τῶν βαρβάρων (Constantine Porphyrogenetos, *De administrando Imperio* 49, quoted by P. Roussel, *BCH*, 1931, p. 112).

<sup>100</sup> Dionysius of Halicarnassus, *Ant. Rom.* 6.13,1.

<sup>101</sup> E. Babelon, *Monnaies de la République Romaine* II, p. 378 (ca. 100 B.C.E.). Cf. also the Testament of Epicrates, line 37, *apud* P. Herrmann and K.Z. Polatzkan, *Sitzungsberichte d. Wiener Akademie* 265/1, 1969; Chion, *Ep.* 17.9; G. Daux, *BCH* 95 (1971), p. 289.

<sup>102</sup> Verse 28: ἐπεγνωκότες is a poor conjecture by the Lucianic recension.

<sup>103</sup> Verse 30: οἱ δὲ τὸν Κύριον εὐλόγουν. Originally, the Jews are the subject of these words, but since the compiler has intercalated at this point a fragment of version B (i.e., verse 29), the subject of verse 30 remains imprecise in his narrative.

The author himself gives the technical name for the scene which he describes: it is a “great epiphany” (verse 24) of the “Almighty Lord,” who had thereby made his temple illustrious (verse 30).<sup>104</sup>

The “epiphany” is a manifestation of the divine presence, which is revealed either by the apparition of the divinity itself or by the works wrought by its might. *Praesentes saepe di vim suam declarant*.<sup>105</sup> This idea was common to both Jews and Gentiles. The church identified the horseman with Jesus Christ.<sup>106</sup> The author of the narrative had in mind the angel of the Eternal, who acts in the Bible as an intermediary between God and human beings.<sup>107</sup>

But the form of this theophany is not biblical: the horse always remained foreign to the Jews. In the Bible, neither God nor his angels ever mount a horse.<sup>108</sup> But since the Macedonians were horsemen, the oriental peoples under their rule adopted their masters’ uniform and horses for their gods.<sup>109</sup> The author of 2 Maccabees also likes to picture the heavenly hosts on horseback.<sup>110</sup> But he was writing in the diaspora, and with the exception of 4 Maccabees (which imitates him), his invention was not accepted in Judaism.<sup>111</sup>

Finally – and most importantly – the heavenly aid is manifested indirectly, in keeping with Jewish ideas. God strikes from afar, without

<sup>104</sup> On the verb παραδοξάζω, cf. L. Robert, *Les Gladiateurs dans l’Orient Grec*, 1940, p. 250. Examples of the verb παραδοξέω in the sense of “making illustrious” are Ex. 11:7; Deut. 28:59; etc. Cf. Philo, *De vita Mosis* 1.212: the biblical prodigies are παράδοξα... καὶ παράλογα.

<sup>105</sup> Cicero, *De nat. deorum* 2.2.6. Cf. F. Pfister, *RE, Suppl.* IV, 298; P. Roussel, *BCH*, 1931, p. 95.

<sup>106</sup> Ambrose, *In Ps.* 40:27; Rabanus Maurus (PL 109, 1228) and the *Glossa Ordinaria*.

<sup>107</sup> Cf. Bonsirven I, 1934, p. 159.

<sup>108</sup> The prophets sometimes see God riding in a chariot of battle (e.g. Hab. 3:9) or riding on a cherub (2 Sam. 20:11; Ps 18:11), but the winged cherub is not a horse (cf. Josephus, *Ant.* 8.73). In the first vision of Zechariah (1:8), the angel is “riding upon a red horse.”

<sup>109</sup> M. Rostovtzeff, *Yale Classical Studies* 5 (1935), p. 209; Idem, *Aegyptus*, 1933, p. 509; P. Ronzevalle, *Mélanges Univers. S. Joseph* 21 (1937–1938); H. Seyrig, *Antiquités Syriennes* I, p. 27; F. Cumont, in *Mélanges R. Dussaud* I, 1939, p. 3. The Lagids (Aelian, *VH.* 1.30), like the Seleucids (*IS*, p. 34), rode around on horseback. On the equestrian portraits of the Ptolemies in Egypt, cf. P. Perdrizet, *BCH*, 1911, p. 123.

<sup>110</sup> 2 Macc. 5:2; 10:29.

<sup>111</sup> 4 Macc. 4:10. An Arab apocryphon (5 Maccabees 4, p. 112 in the polyglot Bible of B. Walton, 1657) transforms the encounter of the angel and Heliodorus into a combat between horsemen. Here, both are on horseback, and the heavenly messenger knocks his adversary off his saddle.

descending to the level of combat with human beings. Outside the epic narratives of Genesis, he is the one who sees, but who cannot himself be seen.<sup>112</sup> Among the Greeks, on the other hand, and even among highly educated persons, belief in a real and visible participation by the gods in human battles remained alive until the end of paganism. In 279, the priests saw Apollo coming forth from his temple and drawing his bow against the invading Gauls. In 272, Demeter herself, under the outward appearance of a woman of Argos, threw the tile which struck the head of Pyrrhus and killed him. Poseidon took part in a pitched battle at Mantinea ca. 250. In 241, Artemis came forth from her temple in Pellana to drive off the Aetolians. At roughly the same date, Artemis of Ephesus came to the aid of the people of Byzantium, who were under siege by the barbarians. In 73, Athene of Ilion left her distant sanctuary to come to the aid of Cyzicus, and returned to her temple perspiring freely, with her peplum torn. Official letters of Cyzicus and decrees of Ilion attest the authenticity of this epiphany.<sup>113</sup>

Version A of the Jewish narrative finds its natural place among these pagan stories. Both its composition and its vocabulary follow closely the rules of this genre: thus, we read of armor which shone as brightly as if it were made of gold (verse 25),<sup>114</sup> the dizzy spell suffered by the victim of the divine wrath (verse 27),<sup>115</sup> and the thanksgiving after the miracle (verse 30).<sup>116</sup>

<sup>112</sup> The classic example is the defeat of Sennacherib (2 Kg. 18:13; Is. 36), cited at 2 Macc. 8:19; 15:22. At *Ant.* 5.205, Josephus interprets the episode at Judges 4:15 in the same sense. On the problem of anthropomorphism in Jewish theology, cf. L. Finkelstein, *The Pharisees*, 1938, p. 119, and *HTR*, 1938, p. 225.

<sup>113</sup> Justinus, 24.8.5; Pausanias, 1.13.8; Pausanias, 10.8 (cf. K.J. Beloch, *Griechische Geschichte* IV/2, p. 523); Plutarch, *Arat.* 32 (and Polyaeus, 8.59); Achilles Tatius 7.12; Plutarch, *Lucull.* 10. We should note that in the hellenistic period, the Greek gods were more transcendent than in the days of Homer, and that they preferred to make use of natural phenomena such as tempests in order to rout the enemy. Cf. P. Roussel, *BCH*, 1931, p. 98; Pausanias, 10.30.9; L. Robert, *Études Anatoliennes*, 1937, p. 460. At this period, it is primarily the heroes who still fight in person. Cf. Pausanias, 8.10.9: ἐκδηλότατα δὲ ὁ Γαλατῶν στρατὸς ἀπώλετο ἐν Δελφοῖς ὑπὸ τοῦ θεοῦ καὶ ἐναργῶς ὑπὸ δαιμόνων.

<sup>114</sup> Cf. e.g. *IG* IV, 1<sup>2</sup>, 128, line 164 (a poem of Isyllus): Asclepius appeared συν ὄπλοις λαμπόμενος χρυσεῖος.

<sup>115</sup> F. Pfister, *RE*, *Suppl.* IV, 283.

<sup>116</sup> E. Peterson, *Heis Theos*, 1926, p. 200; P. Roussel, *BCH*, 1931, p. 84; P. Tresson, *RB*, 1935, p. 77. Terms such as ἐπιφάνεια, δύναμις (verse 24), and τοῦ θεοῦ δυναστεία (verse 28) belong to the vocabulary of these pious narratives. On the noun δύναμις, cf. Gundermann in *TWNT* II, p. 228 (and Josephus, *Ant.* 9.60); S. Reiter in *Epitymbion H. Swoboda*, 1927, p. 23.

Since the account of an epiphany serves to give glory to the divinity, it concentrates exclusively on the god or goddess. Here, the intruder is of interest only because he provides the occasion – and the object – of the divine action. The narrator does not ask what became of the Persians, Celts, or Parthians who were driven back by a superhuman power; similarly, version A is not in the least interested in the person of Heliodorus and does not even tell us whether he remained alive after he was already enveloped in “deep darkness” (verse 27).<sup>117</sup>

The remarkable thing about this Jewish variant of a Greek subject is that it is not the heavenly messenger who acts, but his horse, which “rushed furiously<sup>118</sup> at Heliodorus and struck at him with its front hoofs” (verse 25). It is precisely this passage that Raphael illustrated.

However, the posture of the horse which this text demands belongs to the circus.<sup>119</sup> Xenophon writes: “No one was ever killed in battle by a horse’s bite or kick.”<sup>120</sup>

But this echo of the fairground gave great pleasure to the Greek public: “A rearing horse is something so beautiful, so terrible, so magnificent, that one cannot take one’s eyes off it,” according to Xenophon, who adds that gods and heroes are portrayed on rearing horses.<sup>121</sup>

From ca. 470 B.C.E. onward, Greek artists very frequently depict a horseman rushing into battle in this conventional manner. Scholars suggest that the artists are imitating Micon’s *Amazonomachia*.<sup>122</sup> They

<sup>117</sup> This expression is poetic: cf. e.g. Euripides, *Phoenissae* 1453: ἤδη γάρ με περιβάλλει σκότος.

<sup>118</sup> Verse 25: φερόμενος. On the technical meaning of this word, cf. Xenophon, *De equit.* 8.8; *Cyropaedia* 1.4,23.

<sup>119</sup> A horse does not adopt this posture while galloping or in battle: cf. R. Schoenebeck, *Das Pferd und seine Darstellung in der Kunst*, 1912, plate XXIV; S. Reinach, *La représentation du galop*, 2nd edn. 1925, p. 7.

<sup>120</sup> Xenophon, *Anabasis* 3.2,18: ὑπὸ μὲν ἵππου ἐν μάχῃ οὐδεὶς πώποτε οὔτε δηχθεὶς οὔτε κτισθεὶς ἀπέθανεν. Marbot confirms this rule (*Mémoires* II, chs. 13 and 17). Some exceptions, such as Bucephalus, were mentioned in antiquity (Pliny, *Natural History* 8.42,64; Oppian of Apamea, *Cynegetica* 1.230), and the case described by Herodotus, 5.111.

<sup>121</sup> Xenophon, *De equit.* 11.6 and 8. The painter Nicias (a contemporary of Praxiteles) said that an equestrian battle was one of the most beautiful subjects (Demetrius Phalereus, *De eloc.* 76): ἔνθα πολλὰ μὲν σχήματα δεῖξειεν ἂν τις ἵππων τῶν μὲν θεόντων τῶν δὲ ἀνθισταμένων ὀρθῶν, ἄλλων δὲ ὀκλαζόντων.

<sup>122</sup> E. Löwy, *Polygnot*, 1929, p. 23. In general, cf. Gisela M.A. Richter, *The Sculpture and Sculptors of the Greeks*, 2nd edn. 1930. The subject of single combat between a horseman and a man on foot comes from the orient (M. Rostovtzeff, *Yale Classical Studies* 5, p. 267), but oriental art prefers to show the end of the struggle, where the horseman rides over the enemy whom he has crushed. Cf. M. Rostovtzeff, *Monum. Piot* 28, p. 159, and *Mémoires prés. Acad. Inscr.* XIII/1 (1933), p. 301. This subject was subsequently taken

repeat this same theme from the metopes of the Parthenon to the tomb of Aemilius Paulus at Delphi, on the sarcophagi of Sidon and on the mosaic of Alexander, on monuments depicting the Celts and on statues of the Amazons, on coins and on terracotta:<sup>123</sup> everywhere we see a horse rearing up and felling with its front hoofs a man on foot. This subject was adopted in Roman art too,<sup>124</sup> and was taken up again in modern art, where it seems that Leonardo da Vinci was the first to employ it.<sup>125</sup>

The author of version A gives the punishing angel in his narrative not only the appearance of a Macedonian gentleman, but also the noble movement of the Greek heroes who gallop at their adversary

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up by imperial artists in Rome and Byzantium (A. Grabar, *L'empereur dans l'art byzantin*, 1936, p. 47). Micon (or another Greek artist) combined the figure of the rearing horse (which was a conventional depiction of the gallop in Greek art) with the subject of the enemy on foot who falls to the ground, a theme which originated in Egyptian art (F. Matz, *Arch. Jahrb.* 38–39, p. 1) and was well known to Greek artists in the sixth century (G. Richter, *op. cit.*, p. 66). I note here that realistic representations of this subject are very rare in Greece. But cf. the fresco of Niauxtra (P. Couissin, *Les institutions militaires*, 1932, plate I) or *Syria*, 1929, plates XIV, 9 and 10. Cf. also M. Rostovtzeff, *American Journal of Archaeology*, 1943, p. 178.

<sup>123</sup> I limit myself here to a few references to this subject in Greek art. On vases, cf. E. Löwy, *op. cit.* On the Parthenon: W.S. Ebersole, *American Journal of Archaeology*, 1899, p. 411. On Lycian reliefs (from ca. 400 B.C.E., according to G. Rodenwaldt, *Sitzungsber. Preuss. Akad.*, 1933, p. 1041): S. Reinach, *Répertoire des reliefs* I, pp. 153, 455, and 488; A.H. Smith, *Catalogue of the British Museum* II, plates VI and IX. Funerary steles in Athens: the stele of Dexileos (from 394), and the steles published in *Athen. Mitt.*, 1910, plates XI and XII; *Arch. Anzeig.*, 1931, p. 218. Cf. S. Wenz, *Studien zu altischen Kriegsgäbern*, dissertation, Münster 1913, p. 79, and J. Kampf, *Grabrelief und Freiplastik*, dissertation, Rostock 1934, p. 7. On the Sidonian sarcophagi: S. Reinach, *op. cit.* I, p. 414. On the mosaic of Alexander: *SEHHW*, plate XVII. On the monuments depicting Celts: P. von Bienkowski, *Die Darstellung der Gallier*, 1908, fig. 124 and 133ff. On the frieze of the temple at Magnesia: S. Reinach, *op. cit.* I, p. 180. On statues of the Amazons: G. Richter, *op. cit.*, fig. 716 and 717; B. Schweitzer, *Arch. Jahrb.*, 1936, p. 163. On the tomb of Aemilius Paulus: P. Couissin, *op. cit.*, plate XL; cf. *SEHHW*, plate LXXXII. On terracotta: cf. e.g. J. Vogt, *Terrakotten* I, 1924, p. 61. On coins: cf. e.g. *British Museum Catal. Thessaly*, plate VIII, 2; E.T. Newell, *The Coinage of the Eastern Seleucid Mints*, 1937, p. 77. On amulets: E. Peterson, *Heis Theos*, 1926, p. 96. I have not been able to consult H. von Roques de Maumont, *Antike Reiterstandbilder*, 1958.

<sup>124</sup> It first appeared in Rome on coins of the Flavians: G. Rodenwaldt, *Arch. Jahrb.*, 1922, p. 28. Cf. J. Vogt, *Die Alexandrinischen Münzen*, 1924, p. 75. In Gallic art, the type of the god on horseback accompanied by a giant (who holds up the front part of the horse's body) imitates this imperial theme.

<sup>125</sup> On this theme in modern art, cf. E. Muentz, *Leonardo da Vinci*, p. 106; J. Kemke, *Arch. Jahrb.*, 1901, p. 69; W. Pinder, *Münchener Jahrbücher*, 1928, p. 384; I. Dahl, *Das barocke Reitermonument*, dissertation, Munich 1935, p. 17; H. Friis, *Ritterstatuens historie i Europa*, thesis, Copenhagen 1932. Friis notes the influence of postures drawn from the circus on the representation of equestrian figures (pp. 182–215).

and bring him to the ground. His celestial emissary anticipates Saint George crushing the dragon.

Version A is thus created by a combination of the Greek narrative theme of the divine epiphany with the Greek artistic theme of the horseman who fells his enemy. But this combination is clumsy, since the substance does not correspond to the form. In the pious stories which the author imitates, the deity intervenes in person because his or her worshipers are reduced to dire straits, fighting *pro aris et focis*. In Jerusalem, however, only sacred or consecrated goods are to be protected, and the enemy of God is one single man. As Raphael's fresco shows, neither Heliodorus' bodyguards nor the Jews play any part in the action. It is Heliodorus alone who is the object of this armed epiphany of the God of hosts. This is so inflated and pompous that it almost becomes ridiculous. The rabbis were more prudent when they asserted that God fights with his name alone, not with weapons.<sup>126</sup>

Besides this, in the iconographic models with which the author of version A was surely familiar, the shock is only the first phase of the encounter. When he makes his horse rear up, the rider exposes its flanks – and his adversary, who has been thrown to the ground, could attack the horse with his lance or his sword, as we see in some Greek paintings.<sup>127</sup> This is why Greek monuments depict the horseman administering the *coup de grâce* to his prostrate enemy. But since the Jewish author could not flout history by having the omnipotent minister of Seleucus IV die in Jerusalem, he omits this final phase of the encounter. He does not even tell us that the heavenly horseman carried an offensive weapon.<sup>128</sup> This means that the story deviates from the classic scene, and painters such as Raphael and Delacroix were obliged to complete the text by giving the horseman a weapon with which he strikes Heliodorus, and by depicting him in a threatening gesture.

### III

Let us now look at version B, which tells us that when Heliodorus and his suite entered the temple treasury, "Two young men also appeared

<sup>126</sup> Bonsirven I, p. 183.

<sup>127</sup> Xenophon, *De equit.* 12.8; *Cyropaedia* 8.1,37; Herodotus 5.112. Cf. P. von Bienkowski, *op. cit.*, fig. 125.

<sup>128</sup> The Greek noun used for the "full armor" (verse 25) of the horseman designates only defensive weapons. Cf. e.g. 2 Macc. 10:30; 11:28; 4 Macc. 3.12.



to him, remarkably strong, gloriously beautiful and splendidly dressed” (verse 26). The author does not specify the nature of these two young men, but his description suggests the presence of angels who guarded the sanctuary.<sup>129</sup>

The Greek verb which describes the apparition does not tell us precisely what happened: it can indicate both a visual fact and an imaginary vision:<sup>130</sup> ἐφάνησαν... αὐτῷ. However, it is only Heliodorus who can see the two angels.<sup>131</sup> This was how the hellenistic narrative technique underlined the visionary character of an epiphany.<sup>132</sup> Where the Bible conceives of the apparitions of angels in bodily terms, Flavius Josephus likes to present these as imaginary visions.<sup>133</sup> The author of 2 Maccabees likes to employ the same rationalistic procedure. The angel who leads the Jews in a battle “appeared” (ἐφάνη) to them, and the angels who fight alongside the Jewish troops in another battle are visible only to their enemies.<sup>134</sup> In the same way, version B presents the apparition of the two young men as an imaginative vision of Heliodorus – as a φαντασία, to use the technical theurgic term.<sup>135</sup>

The two young men stand beside Heliodorus and scourge him from both sides without interruption (verse 26) until he falls to the ground, “speechless and deprived of any hope of recovery” (verse 29). Many folk tales relate that spirits invisible to the bodily eyes can strike human beings or even engage in hand to hand combat with them.<sup>136</sup> The

<sup>129</sup> On angels in the temple, cf. P. Billerbeck, *Kommentar zum Neuen Testament* II, p. 79. The number two is rather conventional in epiphanies of this kind. Cf. e.g. Justinus, 20.3,8; Dionysius of Halicarnassus, *Ant. Rom.* 6.13; Seneca, *Controv.* 1.2,21; J. Bonsirven I, p. 233 n. 4; T. Hopfner, *Griechisch-ägypt. Offenbarungszauber* II, 1924, p. 214.

<sup>130</sup> Cf. L.C. Trench, *Synonymes du Nouveau Testament, s.v.*; J.H.H. Schmidt, *Handbuch der lateinischen und griechischen Synonymik*, 1889, p. 715; F. Pfister, *RE, Suppl.* IV, 279.

<sup>131</sup> Homer, *Iliad* 1.198: οἷφ φαινομένη· τῶν δ' ἄλλων οὔτις ὄρατο. *Odyssey* 16.161: οὐ γάρ πως πάντεσσι θεοὶ φαίνονται ἐναργεῖς. Cf. Wettstein, Commentary on Acts of the Apostles 9:1; C.L.W. Grimm, Commentary on 3 Macc. 6.18; and the Talmudic examples in P. Billerbeck, *op. cit.* III, p. 690.

<sup>132</sup> Cf. e.g. Pausanias, 10.32,7; Plutarch, *Arat.* 32; P. Oxy. XI, 1381; Josephus, *Bell. Jud.* 5.381.

<sup>133</sup> Cf. e.g. Josephus, *Ant.* 1.331; 5.213; 5.277: φάντασμα ἐπιφαίνεται... νεανία καλῶ παραπλήσιον μεγάλῳ. Cf. the Pseudo-Clementine *Recognitions* 2.64,2 (speaking of visions): *hoc autem accidit ex languore quodam animae, quae ea quidem quae non sunt videt, desiderat vero adducere ad conspectus suos ea quae non sunt.*

<sup>134</sup> 2 Macc. 3:33; 10:29; 11:8; 12:36. Cf. 3 Macc. 6.18.

<sup>135</sup> Cf. F. Cumont, *L'Égypte des astrologues*, 1937, p. 164; A.S. Pease, Commentary on Cicero, *De divin.* 2.61,126.

<sup>136</sup> Cf. e.g. T. Hopfner, *op. cit.* I, p. 218; II, p. 134; H. Guenther, *Legenden-Studien*, 1906, pp. 29 and 144. Michelangelo depicted this punishment on a bronze medallion in the Sistine Chapel. E. Wind in E.F. Jacob, ed. *Renaissance Studies*, 1960, p. 317.

heretical bishop Natalis was scourged for a whole night by two invisible angels, until he embraced the orthodox faith anew.<sup>137</sup> The rabbis related that a sacrilegious Pharaoh was scourged by an angel.<sup>138</sup>

The narrator emphasizes that it was “divine intervention” that hurled Heliodorus to the ground (verse 29). In other words, this narrative is one of the many pious tales in which a deity protects his or her sanctuary against intruders.<sup>139</sup> Twenty years or so before Heliodorus’ attempt to enter the temple treasury, the envoys of Locri told the Roman senate: *et nunc et tunc et saepe alias dea suam sedem suumque templum aut tulata est aut a violatoribus gravia piacula exegit.*<sup>140</sup> The unusual element in the story of Heliodorus is the action of the angels: in general, it is the deity who strikes the intruder and chases him out of the sacred precincts. For example, the soldiers of Alexander were struck by lightning when they entered the temple of the Cabiri at Thebes.<sup>141</sup>

Heliodorus is scourged for his *attempt* to commit a sacrilege; he has not fully carried out his wicked deed. And this explains the form his punishment takes. For the Jews, as for oriental cultures in general, a beating was the automatic penalty for all those cases where the law prescribed neither the death sentence nor a fine.<sup>142</sup> According to the rabbis, sacrilegious theft was punished by scourging.<sup>143</sup> In the Book of Enoch, the angels who punish the wicked carry whips, and the “rod of God” is a biblical symbol of the divine wrath.<sup>144</sup>

In classical Greece, only slaves were whipped;<sup>145</sup> but under the

<sup>137</sup> Eusebius, *Hist. Eccl.* 5.28,12. Cf. Lucian, *Philopseud.* 20; Petronius, *Sot.* 63; Jerome, *Ep.* 22.30; Aristophanes, *Birds* 1488. Cf. also I. Tolstoi, *Byzantion*, 1926, p. 64; P. Wendland, *De fabellis antiquis*, 1912, p. 24.

<sup>138</sup> S. Lieberman, *Greek in Jewish Palestine*, 2nd edn. 1965, p. 43 n. 76. Cf. also *Joma* 19b; *Sanhedr.* 19b.

<sup>139</sup> Cf. e.g. Callimachus, *Hymns* 6.55; Josephus, *Ant.* 16.179; Valerius Maximus, 1.5; Pausanias, 3.21,5; 7.25; 8.5,10; 9.25,9; Aelianus, fragment 10 Hercher. A cuneiform parallel is cited by N. Stokholm, *Studia Theologia* 22 (1968), p. 1.

<sup>140</sup> Livy, 29.18.18.

<sup>141</sup> Pausanias, 9.25,9. Cf. Herodotus 6.134.

<sup>142</sup> Deut. 25:2; *M. Maccoth* 3; J. Jeremias, *ZNW*, 1938, p. 210. The “director of the whips” was one of the highest dignitaries in the temple: cf. J. Jeremias, *op. cit.* (n. 22 above), p. 171.

<sup>143</sup> J. Heinemann, *Philons Bildung*, 1929, p. 39.

<sup>144</sup> 1 Enoch 51.1; 2 Macc. 9:11. On the punishing angels, cf. A. Bertholet, *Biblische Theologie* II, 1911, p. 385.

<sup>145</sup> G. Glotz, *Comptes-Rendus Acad. Inscr.*, 1908, p. 571. The exceptions to this rule were rare; cf. e.g. Plato, *Laws* 932b. But the police were armed with whips (or batons) to strike the recalcitrant. Cf. e.g. Aristophanes, *Acharn.* 723; Plutarch, *Quaest. rom.* 16; Pausanias, 6.2,2; G. Glotz, *Dict. des Antiq.* IV, p. 530; L. Robert, *Études Anatoliennes*,

hellenistic monarchies, the backs of citizens were no longer protected,<sup>146</sup> since the whip became the normal means of punishment (or of persuasion). Even in Greece itself, the ritual regulations of Andania (91 B.C.E.) prescribe that all who disturb the dignity of the ceremonies are to be whipped on the orders of the priests.<sup>147</sup> It was therefore possible for version B to have the same punishment inflicted on the Seleucid minister, without scandalizing the author's Jewish or Greek readers.

While Heliodorus lies prostrate on the floor of the sanctuary (verse 29: ἔρριπτο), members of his suite<sup>148</sup> beseech Onias to ask the Most High to help him (verse 31). The author of the narrative takes care to preserve the "local color" here: the Gentile companions of Heliodorus give the God of Jerusalem the name which he bore officially in Greek documents,<sup>149</sup> viz. ὁ Ὑψιστος.

Although they cannot see the punishing angels, Heliodorus' companions are judged capable of drawing the correct conclusion from his sudden collapse. It was natural for a pagan to interpret this kind of accident as evidence that a deity had been offended; even Polybius accepts the idea that the gods strike the sacrilegious.<sup>150</sup> One who scorned the gods was inevitably afflicted by madness if he entered the sanctuary of the Eumenides in Kerauneia.<sup>151</sup> It was perfectly natural for Heliodorus' friends to assume that a similar punishment had come upon their master on the threshold of the temple treasury. Speechlessness and the loss of consciousness in a patient were commonly taken as signs of a punitive epiphany.<sup>152</sup>

Accordingly, his companions ask the high priest for his intercession, since he will surely know better than anyone else how to appease the wrath of his own God. The high priest accepts this request and offers a sacrifice "for the man's recovery" (verse 32).

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1937, p. 289. The avenging Erinyes (the "Furies") likewise carry whips: O. Gruppe, *Griechische Mythologie* II, 1906, p. 763.

<sup>146</sup> Cf. e.g. Polybius, 15.28,2; 2 Macc. 6:30; 7:1; M. San-Nicolo, *Zeitschrift der Savigny Stiftung*, 1932, p. 295; Philo, *In Flaccum* 78; *UPZ* I, 119, 29.

<sup>147</sup> Michel, nr. 694, 40. Cf. Diogenes Laertius, 6.5,90; Lucian, *Piscat.* 33.

<sup>148</sup> Verse 31: τινες τῶν τοῦ Ἡλιοδώρου συνήθων. Cf. the letter of Philip V (Michel, nr. 43, 2-4): ἀφέσταλκα Καλλιαν πρὸς ὑμᾶς ὄντα καὶ ἡμῖν συνήθη καὶ ὑμέτερον πολίτην.

<sup>149</sup> Cf. W. Bousset and H. Gressmann, *Die Religion des Judentums*, 1926, p. 311. The author of 2 Maccabees employs this term only in the present passage.

<sup>150</sup> V.C. Siegfried, *Studien zur Anschauung des Polybios*, 1928, p. 82.

<sup>151</sup> Pausanias, 7.25,7. Cf. Plutarch, *De superst.* 7, p. 168c.

<sup>152</sup> A.J. Festugière, *RB*, 1939, p. 62; F. Pfister, *RE*, *Suppl.* IV, 318.

While the high priest was celebrating the “offering of atonement, the same young men appeared again to Heliodorus.” They tell him that he owes the divine pardon to the prayer of Onias (the Jews held that a righteous man was allowed to intercede for a sinner),<sup>153</sup> and instruct him to show his gratitude to the high priest and to proclaim the miracle everywhere (verses 33f.). Heliodorus offers a sacrifice of thanksgiving<sup>154</sup> and “made very great vows to the Savior of his life” (verse 35).<sup>155</sup>

The angels invite him to tell everyone about “the majestic power of God,” and Heliodorus follows this commandment: he “bore testimony to all men of the deeds of the supreme God, which he had seen with his own eyes” (verses 34–36).

This is the normal conclusion to the kind of story which version B relates.<sup>156</sup> In this version, the adventure of Heliodorus is one of many Jewish stories which relate how the princes of other nations are compelled by miracles to recognize the superiority of the God of Israel. We find this theme in several of the stories in the Book of Daniel; in the anecdote of Bel and the dragon; in the story of Alexander the Great prostrating himself before the high priest in Jerusalem; and in the proclamation of Ptolemy IV, who once was a persecutor, but finally proclaimed that “the God who is in the heavens protects the Jews” – all these Jewish legends are examples of the same genre.<sup>157</sup> 2 Maccabees contains another example: when he is struck down by the heavenly vengeance, Antiochus IV Epiphanes in person promises to “visit every inhabited place to proclaim the power of God.”<sup>158</sup>

Strictly speaking, these are not stories of conversion; the Gentile princes do not renounce their idolatry. Although Nebuchadnezzar is witness to so many miracles, he never sees the God of Daniel as more

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<sup>153</sup> Cf. J. Bonsirven, II, p. 156. The high priest offers the sacrifice of propitiation: ἱλασμός (verse 33). On this term, cf. J. Herrman in *TWNT* III, p. 306, and C.H. Dodd, *The Bible and the Greeks*, 1954, p. 82. On the propitiatory sacrifice, cf. A. Médebielle, in *Dictionnaire de la Bible, Suppl.* III, 56.

<sup>154</sup> Lev 7:16; 22:29.

<sup>155</sup> Verse 35: τὸν Ὀνίαν ἀποδεξάμενος. The meaning *gratias agit* is imposed by the context, but it is unusual to find this verb used in this sense. Cf. 2 Macc. 3:9; 4:22; Welles, *s.v.* We find a related sense, however, at 2 Macc. 13:24; Philo, *Leg. ad Gaium* 154. Cf. also A. Mauersberger, *Polybios-Lexikon* I, 1956, p. 178.

<sup>156</sup> Cf. P. Oxyrh. XI, 1381 (*apud* G. Manteuffel, *De opusculis graecis Aegypti... collectis*, Warsaw 1930, 3), line 194: in order to give thanks to God, one must proclaim his mighty deeds, since this is worth more than all sacrifices and offerings.

<sup>157</sup> Dan. 2:47; 3:29; 4:37; 6:26; LXX Dan 13; Josephus, *Ant.* 11.331; 3 Macc. 7.6.

<sup>158</sup> 2 Macc. 9:17.

than one god among others.<sup>159</sup> But Nebuchadnezzar, Antiochus, and Heliodorus all recognize and proclaim the primacy of the God of Israel, who does what pleases him.<sup>160</sup>

This position is perfectly compatible with the praxis of polytheism.<sup>161</sup> Aristides informs us that the Alexandrians called Sarapis alone “Zeus,” i.e. the supreme god, because while the miracles of the other gods were partial, only Sarapis showed that he could do absolutely everything. “The leader of all the gods, so to speak, he is the master of the beginning and of the end.”<sup>162</sup>

It is remarkable that Judaism, for all its intransigent insistence on the monotheistic principle, should have accepted and even propagated this idea of a merely relative excellence on the part of its God.<sup>163</sup> But the Nebuchadnezzar or Heliodorus of these pious stories represents the “God-fearers” who venerated the Eternal without thereby giving up their ancestral cults. The Letter of Ps.-Aristeas describes its protagonist, a member of the Lagid court, as convinced of the superiority of the God of Israel; at a later date, the Empress Poppaea was a “God-fearer,”<sup>164</sup> but this did not prevent her from remaining Poppaea – nor from becoming a Roman goddess. Far from rejecting such incomplete converts, the Jews eagerly sought them, since they held that a Gentile who recognized the power of the one and only God passed from darkness to light.<sup>165</sup>

But the Jewish mission was not alone in the hellenistic world, and the propaganda of each religion asserted the pre-eminence of its own deity. In this competition, miracles functioned as proofs of supremacy. In the story of Bel and the dragon, the king initially says: “You are great, O Bel!” But after Daniel’s miraculous deliverance, he exclaims:

<sup>159</sup> Dan. 2:27; 3:28; 4:8.

<sup>160</sup> Dan. 4:32.

<sup>161</sup> Cf. F. Cumont, *Religions Orientales*, 4th edn., Index s.v. “Panthées.”

<sup>162</sup> Aristides, *In Sarap.* 8(45).22: τῶν μὲν γὰρ ἄλλων θεῶν διήρηται αἱ δυνάμεις τε καὶ τιμαὶ, καὶ ἄλλους ἐπ’ ἄλλα ἄνθρωποι καλοῦσιν, ὁ δὲ ὡσπερ κορυφαῖος πάντων ἀρχὰς καὶ πέρατα ἔχει.

<sup>163</sup> The idea is expressed as early as 2 Chron. 2:5, ca. 400 B.C.E.: “Our God is greater than all gods.”

<sup>164</sup> Josephus, *Ant.* 20.195.

<sup>165</sup> On the *metuentes Dei*, cf. J. Juster, *Les Juifs dans l’Empire Romain I*, 1913, p. 272; P.J. Bamberger, *Proselytism in the Talmudic Period*, 1939, p. 136; W.G. Braude, *Jewish Proselytism*, 1940, p. 137; S. Lieberman, *op. cit.*, p. 78.

“You are great, O Lord God of Daniel, and there is no other god besides you!”<sup>166</sup>

This explains the importance of miracle stories (“aretalogies”) in the mission, and the repeated invitation to believers which we find both in the Bible and in texts such as the book of Imouthes-Asclepius, to make known to the peoples the exploits of the deity.<sup>167</sup> We read in a Jewish-hellenistic work: “Praise God and give thanks to him; exalt him and give thanks to him in the presence of all the living for what he has done for you... It is good to guard the secret of a king, but gloriously to reveal the works of God.”<sup>168</sup> And towards the end of the second century B.C.E., the grandson of Sirach, in the Greek translation of Ecclesiasticus, urges God: “Fill Zion with your aretalogy!”<sup>169</sup>

The archives of the Greek sanctuaries were full of accounts of the prodigies wrought by the god who was venerated there. The clergy of Sarapis even included a priest whose specific task was to draw up miracle stories.<sup>170</sup>

Version B of the story of Heliodorus is an example of Jewish aretalogy, which corresponds both in its vocabulary and in its technique to the Greek genre of “miracle.”<sup>171</sup> Formulae such as τὸ μεγαλεῖον τοῦ Θεοῦ κράτος (verse 34),<sup>172</sup> ἔργα τοῦ μεγίστου Θεοῦ (verse 36), or θεία ἐνέργεια (verse 29)<sup>173</sup> are clichés in aretalogical narratives. The

<sup>166</sup> LXX Dan. 13:18 and 41. On such acclamations, cf. E. Peterson, *Heis Theos*, 1926; H. Seyrig, *Antiquités Syriennes* I, 1934, p. 118.

<sup>167</sup> Cf. e.g. Ps 105:1; Is 42:8; P. Oxyrh. XI, 1381.

<sup>168</sup> Tob 12:6. Cf. Sophocles, *Ichneut.*, *apud SP* III, p. 7.

<sup>169</sup> Sir. 36:13(19): πλήσον Σιών ἀρεταλογίας σου. On the date of the translation (after 116 B.C.E.), cf. U. Wilcken, *Archiv für Papyrusforschung* III, p. 321. This passage is the oldest testimony to the use of this term. On aretalogies, cf. A. Kieffer, *Aretalogische studien*, dissertation, Freiburg i. Breisgau, 1929; G. Manteuffel, *op. cit.*, p. 25.

<sup>170</sup> P. Roussel, *Les cultes égyptiens à Délos*, 1916, p. 270; V. Longo, *Aretalogie nel mondo greco*, 1969; Y. Grandjean, *Une nouvelle arétalogie d'Isis à Maronée*, 1975, pp. 1–15.

<sup>171</sup> We should note that the narrative does not contain the technical term *areté*. Aristides displays the same reticence in the account he gives of Sarapis. Cf. A. Höfler, *Der Sarapishymnus des Aristides*, 1935, p. 42.

<sup>172</sup> On the term κράτος, cf. Michaelis, *TWNT* III, p. 90. The term is also used at 2 Macc. 9:17 and 11:4 (cf. 3 Macc. 3:11). Sirach writes that God created human beings ἵνα διεγώνηται τὰ μεγαλεῖα τῶν ἔργων αὐτοῦ. Cf. 2 Macc. 5:13 and 7:22.

<sup>173</sup> On the term ἔργα, cf. G. Bertram, *TWNT* II, p. 684. This is the technical term for a miracle. Cf. e.g. *Griechische Dialektschriften*, 5112; *IG* IV, 1, 128, 57; XI, 1299, 31; Aristides, *Orat.* 8(45).15. On δύναμις, cf. J. Röhr, *Der okkulte Kultbegriff im Altertum*, 1923, p. 15. Cf. Ps.-Aristeas, 266; 3 Macc. 5:12 and 28; Welles, 70, 4. On the epithet μέγιστος, cf. *OGIS*, 742, and E. Peterson, *Heis Theos*, 1926, p. 196.

description of the heavenly messengers, the miraculous punishment, the conversion of the impious – all this belongs to the “theatrical props” of pagan “miracles.”<sup>174</sup> The satyrs of Dionysus who beat the impious Lycurgus with their *thyrsoi* are strikingly similar to the angels who chastise Heliodorus.<sup>175</sup>

However, one important detail of the story of Heliodorus is foreign to the Greek aretalogies: in these narratives, it is the *beneficiary*, or else an eyewitness, who reports the miracle,<sup>176</sup> but the *victim* is not required to make his misfortune public knowledge. When the Persian Datis mocks Athene of Lindos, he is “struck senseless by the manifestation of the goddess” and offers her his own jewels. He lifts the siege of the city and says: “These people are protected by the gods.” But it is up to the men of Lindos to record these memorable events.<sup>177</sup>

In the story of Heliodorus, it is he himself who receives the heavenly command: “See that you, who have been scourged by heaven, report to all men the majestic power of God” (verse 34).

This presumes the idea of mortification, which was always strange and foreign to the Greeks, but which remained a living force in the Orient, even after this region was hellenized.<sup>178</sup> We find the same feature which surprises us in the story of Heliodorus on steles where the worshipers of the Anatolian gods, obeying the divine commandment just like Heliodorus, publish their faults and their punishments, and proclaim the power of the god who has taken vengeance.<sup>179</sup> We find the same practice in the Babylonian and Jewish psalms of repentance,

<sup>174</sup> The great size of the specter: cf. e.g. Dionysius of Halicarnassus, *Ant. Rom.* 1.77,2; 6.13,1; Josephus, *Ant.* 3.270; Herodotus, 7.12,1. On his splendor: F. Pfister, *RE, Suppl.* IV, 315; A.J. Festugière, *RB*, 1939, p. 62. On his costume (verse 26: περιβολή), cf. e.g. Testament of Levi 1.2; Pliny, *Ep.* 7.27,13; Gospel of Mark 16:5. On his sudden disappearance (verse 35), cf. P. Oxyrh. XI, 1381, 125; Pausanias, 1.32,5; Tob. 12:21; 3 Macc. 6.18; Josephus, *Ant.* 1.333; 4.323. Cf. also R. Herzog, *Die Wunderheilungen von Epidaurus*, 1937, p. 124.

<sup>175</sup> *SP* III, nr. 129.

<sup>176</sup> Cf. Aristides, *In Sarap. Or.* 8(45).31: ἄλλα ἄλλοι βοήσονται, οἱ μὲν σφίσι αὐτοῖς, οἱ δὲ ἐν ἑτέροις ὀρῶντες γυγνόμενα.

<sup>177</sup> C. Blinkenberg, *Die Lindische Tempelchronik*, 1915, p. 36. The adventure of Datis is a pious invention by the people of Rhodes: P. Faure, *Rev. Hist.*, 1941, p. 240.

<sup>178</sup> Cf. E. Norden, *Agnostos Theos*, 1913, p. 135; A.D. Nock, *Conversion*, 1933, p. 179; R. Petazzoni, *HTR*, 1937, p. 1. On repentance in Judaism, cf. G.F. Moore, I, 1927, p. 507.

<sup>179</sup> F.S. Steinleitner, *Die Beichte in der Antike*, dissertation, Munich 1913; R. Reitzenstein, *Hellenistische Mysterienreligionen*, 1927, p. 137; A. Cameron, *HTR*, 1939, p. 157. Cf. the confession in the cult of Anaïtis: *Sardis* VII, 1, nr. 95. The formula of exhortation on these steles reads: παραναγγέλω πᾶσιν μηδένα καταφρονεῖν τοῦ θεοῦ.

and in the Syrian and Egyptian cults. It is remarkable that the Jewish author of version B, although he is completely hellenized, should have found it natural to impose a penance on the Seleucid minister. He saw this as a proof of the divine power: *talia caelestes fieri praeconia gaudent, ut sua quid valeant numina teste probent*.<sup>180</sup>

#### IV

We have examined the story of Heliodorus in 2 Maccabees and identified two distinct versions, each of which can be taken as representative of widespread forms of pious Greek narratives. How were these two miracle stories composed, and how were they amalgamated in 2 Maccabees?

As the compiler himself says (2 Macc. 2:23), his book is an abbreviation of a work in five Books by a certain Jason of Cyrene, devoted to the history of Judas Maccabeus and his brothers.<sup>181</sup> We know nothing else about the author than this extract, which indicates that he was a Jew who thought in Greek, writing in Syria (or Asia Minor?) towards the end of the second century before the Common Era, for Greek or hellenized readers. His stories follow the genre of “pathetic” historiography which delighted many readers at that period and which necessarily included descriptions of the miraculous intervention of the deity in history. As the author of the abbreviated version emphasizes, Jason saw these interventions as “heavenly epiphanies” for the protection of the chosen people.

One postulate of classical historiography – which later formed the basis of attempts to harmonize the biblical narratives – was that if two versions of one and the same event are worthy of credence, their divergences can be only apparent. They are describing the same event from two different perspectives. Accordingly, the historian felt authorized to complete and adjust one version on the basis of the other, while preserving as far as possible the original substance of his sources.<sup>182</sup>

<sup>180</sup> Ovid, *Epist. ex Ponto* 1.1,54.

<sup>181</sup> Cf. *RE* XIV, 792. Since the subject of Jason’s five volumes was the history of Judas and his brothers (Jonathan and Simon), i.e. the first generation of the Maccabees, we may affirm that he wrote after the death of Simon (135 B.C.E.) and before the end of the rule of his successor, John Hyrcanus (105 B.C.E.). His use of the Seleucid era proves that he was writing in Syria.

<sup>182</sup> Cf. e.g. the way in which Timaeus and Nicholas of Damascus worked. Cf.



When he relates what happened to Heliodorus in Jerusalem, Jason of Cyrene follows the same procedure, and this is why we are able to reconstruct his two sources, viz. the versions A and B. But where did he find these miracle stories?

The scourging of Heliodorus is mentioned in one later passage, in a rhetorical elaboration composed by Jason (2 Macc. 5:18). Following his historical source closely, he relates that the wicked Simon, the captain of the temple who had set in motion Heliodorus' visit to Jerusalem, subsequently slandered the pious high priest Onias, saying that he had "terrified" the Seleucid minister. The rare meaning of the word ἐπισσεικῶς here (4:1) points the reader back to version A, where the verb ἐνσείω is employed (3:25).<sup>183</sup> And since it is clear that Simon could have reproached Onias for stage-managing the apparition of the horseman (version A), but not for fabricating a vision which occurs only in the imagination of Heliodorus (version B), we may conclude that Jason found version A in a source which related events in the preliminary stages of the persecution by Antiochus Epiphanes. Greek historians often inserted narratives of epiphanies which had influenced the course of events.<sup>184</sup>

Nevertheless, the crude realism of this version must have embarrassed the Jewish historian. Like the incredulous Simon, the Greeks were inclined to think that the priests knew how to fabricate "miracles" and produce "divine manifestations."<sup>185</sup> It is significant that Jason himself adds to version B a rationalistic interpretation of the intercession of Onias for Heliodorus after he has been scourged by the angels: according to the historian, "the high priest feared that the king might get the notion that some foul play had been perpetrated by the Jews with regard to Heliodorus" (3:32).

Besides this, there was no convincing proof of the historical authenticity of version A, and there were simply too many Greek readers

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R. Laqueur, *RE*, VI A, 1082, and XVII, 414. In the same way, Syncellus combines the narratives of 2 and 4 Maccabees (Syncellus, p. 523 Bonn.). This principle was already followed by compilers in the ancient East: cf. W.F. Albright, *From the Stone Age to Christianity*, 1940, pp. 46 and 189.

<sup>183</sup> Cf. Hesychius, s.v. ἐπισείειν · ἐκφοβεῖν, ἀνατείνεσθαι, and Philo, *Q. det. pot. invid.* 95. In the LXX, ἐπισείειν τινά tends to mean "to influence someone": cf. e.g. Jud 1:14.

<sup>184</sup> Cf. M. Rostowzew, *Klio*, 1919, p. 203.

<sup>185</sup> Cf. O. Weinrich, in *Genethliakon W. Schmid*, 1929, p. 407; H. Diels, *Abh. Preuss. Ak.*, 1913, nr. 3, p. 23; M. Gaster, *Études sur Alexandre de Lucien*, 1938, pp. 28 and 46.

who would have scoffed at the apparition of a heavenly envoy in flesh and bone.<sup>186</sup> In 204, the ambassadors of Locri to the Roman senate found it necessary to insist that the miraculous manifestations of their Proserpina had not been invented in order to promote her cult.<sup>187</sup>

We may therefore readily understand that Jason would have been pleased to find version B of the punishment of Heliodorus, since this presents the miracle as a vision in the mind of the envoy of Seleucus IV. Not even the wicked could deny the possibility of such “fantasies.” *Quae est enim forma tam invisitata, tam nulla, quam non sibi ipse fingere animus possit?*<sup>188</sup>

Besides this, in version B it is Heliodorus himself who guarantees the truthfulness of the account. Only he could speak about his vision, and version B affirms that he told “everyone” about it. In accordance with the rules of the aretalogical genre, this version does not show us Heliodorus glorifying the God of Zion, as the angels had bidden him; but since he was writing an account of events, Jason may have felt obliged to fill the gap in his source. This is why he inserted the anecdote in which Heliodorus affirms in the presence of Seleucus that the divine power dwells in Zion.<sup>189</sup>

Originally, version B was an independent aretalogical narrative. We can still read on stone or papyrus many pious Greek stories of the same genre,<sup>190</sup> such as the account of a miracle of Sarapis – related, like version B, in the third person – which closes with this invitation to the readers: “You who are present here, say: ‘Zeus Sarapis is unequalled’.”<sup>191</sup>

<sup>186</sup> Cf. Dionysius of Halicarnassus, *Ant. Rom.* 2.68,1: the incredulous ἀπάσας διασύροντες τὰς ἐπιφανείας τῶν θεῶν τὰς παρ’ Ἑλλήσιν ἢ βαρβάρους γενομένας κ.τ.λ.; Cicero, *De divin.* 2.11,27. Philo speaks of those who refuse to believe in the biblical miracles (*Vita Mosis*, 1.212: it is the incredulous person “who does not know God, and has never sought him”). Cf. J.B. Frey, *RB*, 1916, p. 479. Josephus declines to give any guarantee for the biblical miracles, which he relates “just as they are described in the sacred books” (*Ant.* 3.81; 10.218). He sees the divine “epiphany” manifested in natural phenomena (rain, etc.). Cf. e.g. *Ant.* 1.255; 2.339; 3.310; 8.119; 18.286.

<sup>187</sup> Livy 29.18,7: *augendae religionis causa*. When he relates a miracle (8.6,3), Livy adds: *nam et vera esse et apte ad repraesentandam iram deum ficta possunt*.

<sup>188</sup> Cicero, *De divin.* 2.67,138.

<sup>189</sup> In composing this anecdote, Jason made use of the folkloristic theme of the prince who sends on a dangerous mission the servant whom he wishes to get rid of (the theme of Bellerophon: cf. W. Aly, *RE* XIV, 271).

<sup>190</sup> Cf. G. Manteuffel, *De opusculis graecis Aegypti... collectis*, Warsaw 1930. Saint Augustine invited those who had been miraculously healed *ut libellum daret qui recitaretur in populo* (*City of God* 22.8,21). He reproduces a *libellus* of this kind in *Sermo* 332. Cf. R. Herzog, *Die Wunderheilungen von Epidaurus*, 1931, p. 56.

<sup>191</sup> P. Oxyrh. XI, 1382 (*apud* G. Manteuffel, *op. cit.*, nr. 4). Cf. A.D. Nock, *Conversion*,

## V

The mission of Heliodorus to Jerusalem is an historical fact which took place ca. 180 B.C.E.<sup>192</sup> In his coded but precise survey of hellenistic history, the Jewish visionary who hid his identity behind the name of Daniel mentions the mission of an “exactor of tribute” to “the glory of the kingdom” (i.e., Judea) only during the reign of Seleucus IV.<sup>193</sup> We do not know why and how Heliodorus failed to accomplish his mission; but the two pious narratives, the versions A and B which offer a miraculous explanation, were surely invented immediately after the event itself, for once the bloody persecution of Antiochus IV Epiphanes had broken out, ten years later, no one in Jerusalem would have been interested any longer in Heliodorus’ failed attempt.

The situation under Seleucus IV was completely different. At that period, Jerusalem and its sanctuary enjoyed a wide-reaching autonomy, Judea was governed by the high priest, and the Seleucid charter for the holy city seemed the unshakable basis of this theocratic constitution.<sup>194</sup> In this well balanced world, which Sirach describes at the same date, the mission of Heliodorus must have seemed a sacrilege truly worthy of the divine lightning: for when it asserted its right to control the finances of the temple, the government was calling into question the principle of the autonomy of the holy city. But the divine intervention expelled the intruder and protected thereby the privileges of Zion.

Who could have imagined at this date, ca. 180 B.C.E., that only ten years later, the heir of Seleucus IV would strip the temple in Jerusalem of all its wealth, and that he would be guided in this work by the high priest himself, the second in succession to the pious Onias? ... *Certe... ignorantia futurorum malorum utilior est quam scientia.*<sup>195</sup>

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1933, p. 89. On the autobiographical form of aretalogies, cf. H. Werner, *Hermes*, 1918, p. 242.

<sup>192</sup> Tcherikover, *op. cit.* (n. 73 above), p. 156.

<sup>193</sup> Dan. 11:20.

<sup>194</sup> Cf. *IS*, p. 164.

<sup>195</sup> Cicero, *De divin.* 2.9,23.

## THE MACCABEES OF MALALAS

Book 8 of the *Chronography* of John Malalas<sup>1</sup> contains a remarkable account of the story of the Maccabees:

“Antiochus Epiphanes was angry with Ptolemy, the king and toparch of Egypt, because Ptolemy had demanded taxes from the Jews in his territory who were subject to him [*sc.* Antiochus]. The Jews of Palestine came to Antioch and asked Antiochus to write to Ptolemy, the ruler and king of Egypt, that he should not demand taxes from the Jews when they transported corn for their sustenance, because there was a great famine at that time in Palestine, and therefore the Jews were transporting corn from the land of Egypt. But when Ptolemy received Antiochus’ letter, he ordered that the Jews should pay more taxes. Then Antiochus Epiphanes marched against Ptolemy, because he had disregarded his letter. There was a battle between them, in which many of Antiochus’ soldiers were killed, and he fled back to the borders of his own territory. When the Jews in Jerusalem heard of this, they made illuminations<sup>2</sup> to please Ptolemy. But things turned out otherwise than they thought.<sup>3</sup> Antiochus assembled

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<sup>1</sup> Ioannis Malalae, *Chronographia*, pp. 205–207, ed. L. Dindorf, Bonn, 1831 (= PG 117, 321 and 323). The more recent collation of the sole manuscript by J. Bury, *Byzant. Zeitschrift* 6 (1897), pp. 219ff., confirms the printed text of the present passage. I have also consulted Cod. Paris. graec. 1336, which contains extracts from Malalas; but the copyist did not transcribe the passage about the Maccabees. It is difficult to use the Old Russian version of Malalas to reconstruct the Greek. The translator, working with the aid of a Bulgarian translation (or even simply reproducing this), arbitrarily omits sentences and words, paraphrases more difficult passages, and often fails to understand the original. But he does not seem to make any additions on his own initiative. On the translation of Book 8 of Malalas, cf. V. Istrin in the *Sbornik* of the Russian-language Section of the Imperial Academy of Sciences, 89, nr. 7 (St Petersburg 1912), pp. 21ff. Cf. in general A. Orloff, *Leçons sur l'ancienne littérature russe* (in Russian, Moscow 1939), p. 33; M. Weingart, *Mélanges Ch. DieI* I, 1930, p. 172; and the bibliography in M. Spinka and G. Downey, *Chronicle of John Malalas*, 1940, pp. 140–144 (this work is an English translation of Books 8–18 in the Old Russian version, following the text of Istrin). I have accepted only one addition in the Slavonic version, and I note here only a few significant variants, following the edition by Istrin, *loc. cit.*, pp. 6–7. – The Russian translation of Malalas is known only from some extracts inserted into chronological works such as *The Hellenic Annalist*. Cf. D.S. Lichačev, in *Trudy* of the Section of Ancient Russian Literature of the Academy of Sciences 6 (1948), pp. 100–110, and Z. Udalcova, *Byzantium* 35 (1965), pp. 332ff.

<sup>2</sup> The Russian translator does not understand the Greek noun ἑξωνίς, and simply translates it as “feast.”

<sup>3</sup> This sentence is missing in our Greek manuscript. It is translated according to the Old Russian version.

his army<sup>4</sup> anew, attacked Ptolemy, destroyed his army, and killed him. When Antiochus heard what the Jews in Jerusalem had done, he assumed that they rejoiced in his defeat, and so he marched against Jerusalem. He besieged the city and captured it, slaughtering all the inhabitants; he took Eleazar the high priest of the Jews along with the Maccabees back to Antioch, where he punished them with death.<sup>5</sup> He abolished the high priesthood of Judea, and he turned the Jews' temple, which had been built by Solomon, into a temple of Olympian Zeus and Athene.<sup>6</sup> He defiled the building with the flesh of swine, and prevented the Jews from performing their ancestral acts of worship; for three years, he forced them to follow Greek customs. When Antiochus died, his son Antiochus Glaucus, who was called Hierax, became king for two years. After him Demetrianus the son of Seleucus was king for eight years. A Jew by race<sup>7</sup> named Judas came to Antioch the Great, and shamed Demetrianus with his entreaties, so that the king handed over the temple and the remains of the Maccabees to him. Judas buried the Maccabees in the so-called Cerateum in Antioch the Great, where there was a synagogue of the Jews; Antiochus had punished the Maccabees a short way outside the city, on the 'ever-weeping' mountain opposite [the temple of] Zeus Casius. Then Judas purified the temple and refounded Jerusalem, celebrating a Passover in honor of God. This was the second captivity of Jerusalem, as Eusebius, the son of Pamphilus, has recorded in his Chronicle."<sup>8</sup>

## I

The first thing about this account which strikes the reader is its historical errors. These are in fact innumerable in Malalas' work, but let us beware of seeing nothing more here than the howlers of an incompetent compiler. Mostly, Malalas distorts history because he sees it with the eyes of a faithful subject of Anastasius I and of Justin. In his account, Ptolemy is merely a "toparch" (i.e., a "local ruler") of Egypt, because Malalas finds the idea of a universal monarchy completely natural.<sup>9</sup> Why does Antiochus kill Ptolemy (VI) and all the inhabitants of Jerusalem? It is because this is the exemplary punishment meted out

<sup>4</sup> Russian: "great army."

<sup>5</sup> The words from "he took Eleazar" to "with death" are missing in the Russian version.

<sup>6</sup> The name "Athene" is missing in the Russian version.

<sup>7</sup> The Russian translator has read: τῷ ἔθνει (Greek ms.: τῷ ἔθνει).

<sup>8</sup> The mention of the Chronicle is missing in the Russian version. [This English text was revised by Brian McNeil on the basis of the translation of Dindorf's Greek text in <http://www.attalus.org/translate/malalas.html>.]

<sup>9</sup> Cf. e.g. Procopius, *De bell.* 2.12.

to rebels.<sup>10</sup> Similarly, Malalas sees Hannibal as a puny African upstart who rebels against Rome.<sup>11</sup> Since he does not take the trouble to distinguish between persons who bore the same name, Malalas makes Antiochus Hierax and Antiochus V (whose local nickname may have been “Glaucus,” i.e. “Miserable”) one and the same person. And like the “learned” Zacharias Scholasticus, Malalas fuses “King Ptolemy” and the astronomer Ptolemy into one single individual.<sup>12</sup>

We must recall that Malalas and his readers lived mentally in an unchangeable world which had neither a past nor a future different from the present. Malalas does not find it in the least strange to report that a “Pythia” proclaimed to the Pharaoh of Exodus the mystery of the Trinity, any more than his rabbinic contemporaries doubted the assertion that the patriarch Jacob had devoted himself to the study of the Talmud. And on some Russian icons of the Annunciation, the Virgin is reading the Bible in Old Slavonic.<sup>13</sup>

However, in the passage about the Maccabees, Malalas disturbs this orthodox order of things. He is writing here about the seven brothers, their mother, and the pious Eleazar, whose torture during the persecution by Antiochus Epiphanes at Jerusalem in 167 B.C.E. is related in detail in 2 Maccabees 7. Their love of God led them to accept a painful death, and they very soon became a model for persecuted Christians: *discant viri mori pro veritate*. The church sang their praises, and they became a favorite subject of sermons throughout the Christian world as early as the third century.<sup>14</sup> Malalas, however, is unique in his deviation from this scriptural and ecclesiastical tradition.

<sup>10</sup> Cf. W. Ensslin, *Philol. Wöchenschr.*, 1933, pp. 777–779.

<sup>11</sup> Malalas, p. 209. We may compare an earlier text, the *Breviarium* of Rufius Festus (written in 366 C.E.), 4.3: *ter Africa rebellavit* (on the subject of the Punic Wars). Cicero, *Scour.* 42 (*multis Carthaginiensium rebellionibus*), shows how ancient this imperialist conception is. Cf. also Livy, 39.35.2.

<sup>12</sup> Malalas, p. 196; Zacharias of Mitylene, *The Syriac Chronicle*, tr. F.J. Hamilton and E.W. Brooks, 1889, XII, 7. We note that Solomon’s name is attached to the Second Temple (cf. Malalas, p. 261), and the vulgar form “Demetrianus” is employed (cf. G. Downey, *Class. Phil.* 32 [1937], p. 144). The “eight” years of Demetrius I is an error on the part of Malalas (the Old Russian version gives the same number) or of his source. Cf. also Downey, *Amer. Journ. of Archaeol.* 42 (1938), pp. 111ff.

<sup>13</sup> Malalas, pp. 65f.; N. Pokrovski, *Les évangiles dans les monuments iconographiques* (in Russian, St Petersburg 1892), p. 77.

<sup>14</sup> On the cult of the Holy Maccabees, cf. Rampolla, “Martyre et sépulture des Machabées,” *Revue de l’art chrétien* 10 (1899), pp. 290–305, 377–392, and 457–465. Cf. *Anal. Bolland.*, 1898, pp. 356–359; F.-M. Abel, *Les Livres des Maccabées*, 1950, p. 383; H. Leclercq, in *Dict. d’arch. chrét.* I, 2375ff. We should add the passage in the *vita* of Marutha cited by R. Marcus, *HTR* 25 (1932), p. 57.

Let me make my meaning clear. Late writers did not disdain to *embellish* sacred history. Malalas (quoting Isaiah) has Daniel tell Cyrus that he will defeat Croesus. However, the prophet was by now enjoying a well-earned retirement, and he took his time about proclaiming this oracle. He was punished for his tardiness by being thrown once again into the lions' den. Cedrenus repeats this story.<sup>15</sup> But in all these cases – in the Jewish haggadah and in the Golden Legend – the narrator takes the side of the saints, with the sole exception of those texts where he dons the mask of an adversary (e.g. the correspondence of Seneca and Saint Paul, Pseudo-Josephus, etc.)<sup>16</sup> or at least puts words in the mouth of an enemy (e.g., Haman in the *Midrash* on Esther). I am not aware of any orthodox Jewish or Christian writer who relates in his own name an episode of sacred history in direct opposition to what scripture itself states. Malalas' account of the Maccabees is written from the point of view of an outside observer. None of the numerous authors who copied him, and who followed him step by step along the paths of his historical imagination,<sup>17</sup> borrows his account of the Maccabees.

The sole exception (which thus confirms the rule) is the Russian Chronography. The hagiography of Cyril and Methodius informs us that the Books of Maccabees were not translated into Old Slavonic. It was probably only in the last years of the fifteenth century that this translation was made, on the initiative of bishop Gennadius of Novgorod.<sup>18</sup> However, the Old Russian translation of Malalas was already in existence in 1114. This means that the translator knew nothing at all about the Maccabees; and in fact, when translating Malalas into Old Russian, he abbreviated the narrative precisely by omitting any mention of their martyrdom. But Malalas' narrative shocked those readers, Greeks or Syrians, who knew the Books of Maccabees. As far as I know, this passage has no parallels in the abundant pseudo-historical literature about the Holy Maccabees.<sup>19</sup>

<sup>15</sup> Malalas, p. 156; Cedrenus, PG 121, 276.

<sup>16</sup> Cf. *Mélanges Franz Cumont* I, 1936, pp. 53–84. But I insist on repeating here that it was my late friend H. Lewy who unmasked the Byzantine forger in his review of the celebrated book by R. Eisler (*Deutsche Literaturzeitung*, 1930).

<sup>17</sup> Cf. e.g. A. Schenk Graf von Stauffenberg, *Die römische Kaisergeschichte bei Malalas*, 1931, p. 356.

<sup>18</sup> Cf. e.g. F. Dvornik, *Les Slaves, Byzance et Rome aux IX<sup>e</sup> siècle*, 1926, p. 263; Idem, *Les légendes de Constantin et de Méthode*, 1933.

<sup>19</sup> A number of authors generally follow Malalas, or agree with his account of events, but they replace his narrative with the normal version of the story of the Maccabees:

## II

Let us now look more closely at Malalas' account. First of all, we have the Jews of Palestine who, as in the days of the patriarch Jacob, go down to Egypt to buy corn during a famine. This is not an anachronism: even as late as the reign of Julian, the government imported Egyptian corn to Syria during a famine.<sup>20</sup> In Malalas' story, grain is exported freely, but unfortunately we do not know enough from other sources about the trade in cereals in Egypt to permit us to use this information to date this narrative. Similarly, it is impossible to say whether the exactions of the Ptolemaic customs officers provided one of the pretexts for the sixth Syrian War in 170 B.C.E. Towards the beginning of the second century B.C.E, it was reported in Alexandria that "the Syrian tyrant"

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Cedrenus, PG 121, 321; the *Chronicon Paschale*, Olymp. 148 (PG 92, 436); Georgius Monachus, *Chron.* 7.1 (I, p. 286 in the edition by C. de Boor); John of Antioch, *apud* C. Müller, *Fragmenta histor. graecorum* IV, p. 558; John of Nikiu, *apud* R.H. Charles, *The Chronicle of John, Bishop of Nikiu*, 1916, p. 82; anonymous chronicles *apud* K.N. Sathas, *Μεσαιωνική Βιβλιοθήκη* VII, 1894, pp. 18 and 86, and *apud* J.A. Cramer, *Anecdota Graeca* II, 1839, p. 378. – Cf. also Hegesippus, 1.1 (ed. V. Ussani, *CSEL* 62); Josippon (cited *apud* M. Maas, *MGWJ* 44 [1900], p. 150); Ps.-Josephus, *apud* V. Istrin, P. Pascal, and A. Vaillant, *La prise de Jérusalem de Josèphe le Juif* I, 1934, p. 116; the Menologion of the Emperor Basil (*AASS* Aug. I, p. 659); the passion in Georgian (*Anal. Bolland.*, 1912, p. 312). – In Syriac (and Arabic), cf. Bar Hebraeus, *Chronol.* (trans. E.A.W. Budge), p. 42; R.L. Bensly and W.F. Barnes, *The Fourth Book of Maccabees and Kindred Documents in Syriac*, 1895, pp. xxi, xlv ff., and *passim*; Severus of Antioch, *Patr. Orient.* IV, p. 8, and VII, p. 607; Agapius, *ibid.* XI, p. 113; the so-called 5 Maccabees *apud* B. Walton, *Biblia Polyglotta*, p. 115. – On 5 Maccabees, cf. G. Graf, *Geschichte der christl. arabisch. Literatur* (Studi e Testi 118, 1944), p. 223. Graf holds that 5 Maccabees was originally written in Syriac in the "Melchite" (i.e., Orthodox) milieu. – We need scarcely emphasize that when the Christian chronographers speak of the Maccabees, they follow scripture. Cf. e.g. Zonarius, 4.19; Hilarian, *apud* C. Frick, *Chron. Minor* I, p. 169.

<sup>20</sup> Julian, *Misopog* 368b. It seems that the external trade in cereals was free under the Ptolemaic government, although there was a tax on exports. Cf. C. Préaux, *L'économie royale des Lagides*, 1939, pp. 150–151 and 377–378; *SEHWW* I, 1940, p. 384, and III, p. 1413 n. 184. The controversy between Joshua ben Perahia and other teachers about the ritual impurity of corn imported from Egypt to Palestine seems to indicate that the Lagids placed no restrictions on its exportation from the Nile valley ca. 100 C.E.; cf. *Tox. Makshirim* 3.4, p. 576 Zuckerman, and L. Ginzberg, *On Jewish Law and Lore*, 1955, pp. 91–102. In the Roman period, as well as under Justinian, on the other hand, it appears that an export license was indispensable. Cf. A.C. Johnson, *Roman Egypt*, 1935, p. 346; G. Rouillard, *L'administration civile de l'Égypte byzantine*, 2nd edn. 1928, pp. 82f.; C. de Jonge, *Mnemos.* 4th series I (1948), pp. 238–245; M. Rostovtzeff, *Social and Economic History of the Roman Empire* I, 2nd edn. 1957, p. 145. Cf. Josephus, *Ant.* 15.307; 20.51; *BE*, 1968, nr. 465; 1972, nr. 392. In the third century B.C.E., delegates from the city of Thyssrus (in Tunisia) bought corn in Bostra: R. Mouterde, *Mélanges Univ. St. Joseph* 25 (1942–1943), p. 52. Cf. P. Gauthier, *Historia*, 1979, p. 85.



(i.e., Antiochus IV) had provoked a new conflict with the Ptolemies (in 168 B.C.E.) by having an agent of the king whipped at Memphis.<sup>21</sup> We can neither verify nor deny these rumors.

Malalas' account of events in Jerusalem during the expedition of Antiochus IV agrees in general with 2 Macc. 5, which relates that when a false rumor arose that the king was dead, Jason (the high priest whom Antiochus IV had deposed) conquered the city. Antiochus, believing that the Jews had defected, took Jerusalem by storm and ordered his soldiers to massacre its inhabitants. However, Malalas' source is not 2 Maccabees: for if he had been following this text, how could he have failed to record the acts of Judas Maccabeus? According to Malalas, the temple was restored to Judas by an act of royal favor, and this unexpected feature points to the source of the narrative.

Malalas' account displays an historical triptych: the rebellion of the Jews, their punishment, and their pardon. Let us compare the surviving Seleucid documents. In an ordinance of Antiochus V, the king expresses his desire that his subjects "be free from disturbance,"<sup>22</sup> and grants the Jewish petition by giving them back the temple. This gracious act takes place four months after the purification and the rededication of Zion by Judas Maccabeus. The vizier Lysias writes to the Jewish rebels under the command of Judas Maccabeus: "If you will maintain your good will toward the government, I will endeavor for the future to help promote your welfare" (2 Macc. 11:19). In the eyes of the Seleucid bureaucracy, the holy war of the Maccabees was simply a crime of disobedience. When he ascertains that the Samaritans have not committed this crime, Antiochus IV acquits them "of every accusation."<sup>23</sup> Finally, Epiphanes – who was the "cruel tyrant *par excellence*" in Christian sermons in the time of Malalas<sup>24</sup> – appears at the beginning of this narrative as a severe but just father of his good subjects. He undertakes a war to protect the Jews, and then punishes them because of their rebellion. One might almost be reading the pagan orator Libanius here: he saw Epiphanes as both peaceful and a warrior, full of kindness as long as he was not provoked, but unyielding to those who harmed him.<sup>25</sup>

<sup>21</sup> Dio Chrysostom, 23.101, explained by N. Lewis, *Class. Phil.* 44 (1949), pp. 32–33.

<sup>22</sup> 2 Macc 11:23 and 25: ἀταράχους ὄντας.

<sup>23</sup> Cf. my essay "A document concerning the persecution by Antiochus IV Epiphanes," above.

<sup>24</sup> Severus of Antioch, *Homily* 52 (preached between 512 and 518): *Patr. Orient.* IV, p. 10.

<sup>25</sup> Libanius, *Orat.* XI, 1922, p. 310 Reiske: ἕτερος Ἀντίοχος γίγνεται βασιλεὺς

The narrative of 2 Maccabees allows us to reconstruct the Seleucid version of the conflict, which saw the sack of the temple as a punishment justly deserved by the Jewish sedition.<sup>26</sup> Malalas' agreement with this version and with the Seleucid documents shows that he is following a Gentile account. But how did it come about that this orthodox Christian led himself be seduced by a fable of the "Hellenes"?

### III

In the preface to his work, Malalas writes<sup>27</sup> that he finds it best to begin by setting out briefly the most important chapters of Moses, then the works of the chronographers such as Africanus and Eusebius, and finally to relate in sequence "what happened under the emperors up to the events of my own time, of which I myself am an eyewitness, i.e. up to the reign of the Emperor Zeno [474–491] and of his successors." He thus declares openly that as far as "ancient" history is concerned, he is only a compiler. The composition of his work seems not to be properly understood by scholars: he wishes to write a "contemporary history" or, to use his own words, a narrative of "those things that have come to my own ears."

But according to a virtually immutable rule of ancient historiography, the personal narrative was preceded by a "prehistory" borrowed from written sources. For a Greek historian, this included only the past of his

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εἰρηνικός τε ὁμοῦ τὸν τρόπον καὶ πολεμικός, τῇ μὲν χαίρων, εἰ μὴ τις θρασύνοιτο, πρὸς δὲ ἐκεῖνον εὐψυχος, εἴ τις ἐπαναγκάζοιτο καὶ οὔτε τῇ τῆς ἡσυχίας ἡδονῇ τοῖς ἀδικοῦσιν εἰκὼν οὔτε τῷ κρατεῖν ἐν πολέμοις τὴν ἡσυχίαν ἀτιμάζων.

<sup>26</sup> Cf. now Abel, *op. cit.*, pp. 348–349 and 359–360.

<sup>27</sup> Although this preface was published by V. Istrin in 1892 according to Cod. Par. Gr. Suppl. 682 (*Mémoires de l'Acad. Impér. de S. Pétersbourg*, 8th series I/3, 1897, p. 4), it seems not to have come to the notice of scholars who have made specialized studies of Malalas. Cf. e.g. Wolf, *RE IX*, 1795–1799. The text runs as follows: ἐγκύκλιον Ἰωάννου Slav.: <ἀπὸ Ἀντιοχείας τῆς μεγάλης, πόλεως τῆς Συρίας, Μαλάλας> καταγομένου [ἐκ τῶν χρόνων Κωνσταντίνου τοῦ μεγάλου: om. Slav.] ἐκ χρόνων κτίσεως κόσμου. Δίκαιον ἡγησάμην μετὰ τὸ ἀκροτηριάσαι τινὰ ἐκ τῶν Ἑβραϊκῶν κεφαλαίων ὑπὸ Μωϋσέως, χρονογράφων Ἀφρικανοῦ καὶ Εὐσεβίου τοῦ Παμφύλου καὶ Πανυσανίου καὶ Σισίνου [Slav.: Διδύμου] καὶ Θεοφίλου καὶ Κλήμεντος καὶ Διοδώρου καὶ Δομνίνου καὶ Κααθ [Slav.: Εὐσταθίου] καὶ ἄλλων πολλῶν φιλοπόνων χρονογράφων καὶ ποιητῶν ἐκθέσει καὶ σοφῶν [lacuna] μετὰ πάσης ἀληθείας τὰ συμβάντα ἐν μέρει ἐν τοῖς χρόνοις τῶν βασιλέων ἕως τῶν συμβεβηκότων, ἐν τοῖς ἑμοῖς χρόνοις ἐλθόντων εἰς τὰς ἐμὰς ἀκοάς, λέγω δὲ ἀπὸ [Ἀδάμ ἕως] τῆς βασιλείας Ζήνωνος καὶ τῶν ἐξῆς βασιλευσάντων.

city or of his people, but Malalas begins with Adam, the father of the human race, and gives a short version of world history, since he is writing as a Christian, and Genesis had taught the church to recognize the unity of the human race. When Voltaire reproached the *Discours sur l'histoire universelle* for omitting the Chinese, he was in fact more faithful than the bishop of Meaux to the principle of Christian historiography.

Chronologically, the story of the Maccabees falls within the preliminary account of world history, and one might be tempted to suppose that Malalas has borrowed it from one of the chronographers whom he lists in his preface. At the end of this passage, he mentions Eusebius. It is well known that there is nothing of the kind in the works of the bishop of Caesarea; but a large number of chronographical compilations circulated under the venerable name of Eusebius,<sup>28</sup> and Malalas drew on one of these. He quotes it only rarely, and it is not easy to identify the character of this apocryphal source. It was probably a chronicle in which the authentic text of Eusebius was completed, corrected, and disfigured in the light of Panodorus and Annianus, the Alexandrian chroniclers who wrote towards the end of the fourth century.<sup>29</sup>

Nevertheless, this Ps.-Eusebius cannot be the source of Malalas' account of the Maccabees. To begin with, when they write about the Maccabees, all the chronographers follow scripture or Josephus; and when he treats of the Greek period, Malalas has nothing to say about the chosen people.<sup>30</sup> One has the impression that all he borrowed from

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<sup>28</sup> H. Gelzer, *Sextus Iulius Africanus* II, 1885, pp. 329 and 379f.; O. Keseling, *Oriens Christianus*, 1927, p. 35. Cf. the Pseudo-Josephus of the Byzantines and Syrians (Gelzer, *op. cit.* II, pp. 280 and 441). When a Byzantine compiler names his sources, his words must be evaluated with great prudence! Cf. P. Maas, *Byzant.-Neogr. Jahrbuch*, 1937, p. 4.

<sup>29</sup> Malalas refers in the following passages to Ps.-Eusebius. 1.10 (*apud* Istrin, *op. cit.*, p. 10): according to Josephus and Eusebius, Ararat is in Adiabene, between Parthia and Armenia. 1.13: after the earth was partitioned among them, there were seventy-two peoples. P. 70: Deucalion wrote the story of the flood. P. 256: Linus was the successor of Saint Peter. Two passages (pp. 53 and 57) show that Ps.-Eusebius utilized the apocryphal Book of Jubilees (Gelzer, *ibid.*, pp. 137 and 250). All the other citations are purely chronological (Malalas, pp. 150, 190, 197, 218 [cf. Stauffenberg, *op. cit.*, pp. 133 and 149], 228, 260, and 429). Ps.-Eusebius agrees with Annianus (cf. Gelzer, *ibid.*, p. 249) in dating the birth of Jesus to the year 5500 after the creation of the world and the crucifixion to the year 5533. The Ps.-Eusebius of the Syriac chroniclers also seems to have been influenced by Annianus. Cf. Keseling, *Oriens Christianus*, 1928, p. 54; R. Laqueur, *RE* IV A, 1401; E. Schwartz, *Kyrrillus von Skythopolis*, 1939, p. 346.

<sup>30</sup> Apart from the information about the Maccabees, the only reference to the Jews in Book 8 is to the seventy-two translators of the Bible (p. 196). Malalas does not even give a list of the high priests (a traditional element in the Christian chronicles). The

his “Eusebius” was the statement that Epiphanes’ capture of Jerusalem was the second captivity.<sup>31</sup>

#### IV

In Malalas’ work, the Maccabees belong to Seleucid history. Once again, we must be clear about what this means. He gives a list of the Seleucid rulers, just as he gives a list of the Lagids; both are drawn from some earlier chronological compilation.<sup>32</sup> He inserts a number of events concerning the city of Antioch into this framework: first, its foundation by Seleucus I, then the plague under Antiochus Epiphanes and the monument (the “Charonion”) which perpetuates the memory of this event;<sup>33</sup> he mentions public buildings constructed by the same king at Antioch, the episode of the Maccabees (which covers three reigns), and the earthquake under another Antiochus, who rebuilt the city, as the chronicler Domnus relates.<sup>34</sup> We notice at once that all these events are linked to famous monuments of the city – which were the primary focus of interest both for Malalas himself and for his readers. The Maccabean narrative is no exception, since it is linked to the synagogue of Cerateum. This name means “carob tree”; its exact

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last high priest whom he mentions is Jaddua (Neh. 12:11), who appears three times; clearly, Malalas is drawing here on different sources. Following Josephus, *Ant.* 11.326, Jaddua is linked to Alexander (pp. 190 and 194). More interesting in this context is the affirmation on p. 188 that Plato, a witness to the Christian truth, was a contemporary of the same high priest. I quote from Cod. Paris. gracc. 1336, p. 159r: ἐν δὲ τοῖς χρόνοις τοῦ ἀρχιερέως τοῦ Ἰουδαίων Ἀδδοῦ καὶ φιλόσοφος τῶν Ἑλλήνων καὶ παιδευτῆς Πλάτων σοφώτατος. This is followed by the same quotation from Plato as in Cod. Bodleianus, which is reproduced in our printed editions. After this, however, the copyist has added two other pseudo-Platonic passages which follow the first text in the “Oracles of the pagan philosophers.” Cf. R. Bentley, PG 97, 724; A. von Premerstein, in *Festschrift der Nationalbibliothek in Wien*, 1926, pp. 647ff.; L. Robert, *CR. Ac. Inscr.*, 1968, pp. 568ff., and Idem, *ibid.* pp. 597–619.

<sup>31</sup> Cf. p. 260, where Malalas first quotes the authentic Eusebius in his description of the destruction of Jerusalem in 70 C.E., then adds: “this means that Jerusalem was captured three times, as the most learned Eusebius has written.” Cf. Stauffenberg, *op. cit.*, pp. 227–230. We should note that Chrysostom reckons the conquest of Jerusalem by Epiphanes as the third captivity (the first was the oppression of the Hebrews in Egypt): *Adv. Jud.* 6.2 (PG 48, 905).

<sup>32</sup> Cf. G. Downey, “Seleucid Chronology in Malalas,” *Amer. Journ. of Archaeology* 42 (1938), pp. 106–120.

<sup>33</sup> P. 205. On this apotropaic construction, cf. G.W. Elderkin in *Antioch on the Orontes* I, 1934, pp. 83–84; G. Downey, *A History of Antioch in Syria*, 1961, p. 293.

<sup>34</sup> On the date of this earthquake, cf. the article by G. Downey.

location has not yet been identified. All we know is that it lay in the south-west district of the city.<sup>35</sup> The synagogue itself is known: it was taken over by the Christians, and this *basilica Machabaeorum* boasted that it possessed the relics of the Holy Maccabees.<sup>36</sup> Initially, however, this treasure belonged to the synagogue, and two independent witnesses confirm Malalas' statement on this point. An ancient visitor to the basilica writes:<sup>37</sup> "The church is dedicated to Saint Salmonides(?). This church was formerly a synagogue and is situated on the western side of the mountain. It seems to be suspended in the air; below it there are cellars, and a secret place to which one descends by means of a staircase. Here there are the tombs of the high priest Esdra(?), and that of Asmonide and her seven sons, who were killed by King Agape(?) because of their faith in the true God. In this church are kept the mantle of the prophet Moses, the staff of Joseph son of Nun, which he used to part the waters of the Jordan, and debris left after the tables of the law were smashed. Under this cellar is another cellar, in which are kept the knife with which Jephthah sacrificed his daughter and the keys to the ark of the covenant, as well as other sacred objects." This naïve pilgrim mutilated the names; but we should compare the testimony of an eleventh-century Jewish writer in Tunisia who learned of the existence of this synagogue: "Over them [i.e., the martyrs], the synagogue of Sheminith was built. This was the first synagogue built after the second temple." "Sheminith" is of course Hashmonith, "the Hasmonean woman."<sup>38</sup>

It is surprising to find a tomb in a synagogue, since according to the law of Moses, the dead body was a powerful source of ritual impurity. A skull under the altar would have invalidated the totality of divine worship in the temple in Jerusalem.<sup>39</sup> But although the synagogues

<sup>35</sup> H. Delehaye, *Les Saints Stylites*, 1923, p. 258 (*Vita Symeonis junioris*, 126). Cf. W. Eltester, *ZNW*, 1938, p. 271; G. Downey, *JQR*, 1937–1938, p. 177 n. 23; Idem, *A History of Antioch in Syria*, 1961, s.v. Kerateion.

<sup>36</sup> Augustine, *Sermo* 300.6 (PL 38, 1379): *Sanctorum Machabaeorum basilica esse in Antiochia praedicatur, in illa scilicet civitate quae regis ipsius persecutoris nomine vocatur*. Another testimony is the Armenian *vita* of bishop Marutha, *apud* R. Marcus, *HTR* 25 (1932), p. 57.

<sup>37</sup> Olga de Lébédew, *Codex 286 du Vatican. Récits de voyage d'un Arabe*, St Petersburg 1902, p. 85. The same text was translated by L. Guidi, *Rendic. Acad. dei Lincei* (scienze morali), 5th series 6 (1897), 160 (quoted *apud* J. Juster, *Les Juifs dans l'empire romain I*, 1914, p. 469 n. 1).

<sup>38</sup> J. Obermann, "The Sepulchre of the Maccabean Martyrs," *Journal of Biblical Literature* 50 (1931), pp. 253–260.

<sup>39</sup> Num 19. Cf. S. Lieberman, *Hellenism in Jewish Palestine*, 2nd edn. 1962, p. 161.

were *religionum loca* in Roman law,<sup>40</sup> they were not holy places for Jewish ritual.<sup>41</sup> The biblical regulations about the impurity of corpses were laid down to prevent the pollution of the tabernacle; consequently, in the diaspora (and in Palestine after the destruction of the temple), these rules affected only the priests, who were subject to specific restrictions, and the sacred food which had to be eaten in a state of purity.<sup>42</sup> However, the lawyers were always willing to find a loophole. For example, a wooden partition was thought to halt dangerous emissions; in one city, the synagogue was adjacent to a funeral parlor, and the priests consulted a celebrated rabbinical teacher, who advised them to set up the ark of the law between the place of prayer and the impure place.<sup>43</sup> It seems that the funeral service for famous rabbis was held in the synagogues from the second century onward.<sup>44</sup> In the middle ages, synagogues built alongside a tomb were found in many places in the East; but even as early as 489, when the "Greens" of Antioch burnt down a synagogue, they also burnt down the tombs beside it. At the time of Jesus, the Pharisees built the tombs of the prophets and restored the sepulchers of the righteous.<sup>45</sup> Later, it was

<sup>40</sup> J. Juster, *op. cit.*, p. 458. Cf. S. Krauss, *Synagogale Altertümer*, 1922, pp. 93ff. and 413f.

<sup>41</sup> Cf. Krauss, *op. cit.*, p. 424; Leopold Löw, *Gesammelte Schriften* V, 1889, pp. 23ff. Mr H. Ginsberg has kindly drawn my attention to the rule which admitted lepers to the synagogue (*Mishna Neg.* 13.12 and *Tosefta, ibid.*, VII p. 627, line 15 ed. Zuckermann). Chrysostom says that the scrolls of the Torah sanctify the synagogue (*Adv. Jud.* 1.5 and 6.6; PG 48, 851 and 913). Teachers of the law declared that the holiness of their schools surpassed that of the synagogues. Cf. J.M. Baumgarten in the periodical *Judaism*, 1970. Naturally enough, believers who lived in the diaspora liked to speak of their "most holy synagogue," especially after the destruction of the temple: B. Lifshitz, *Donateurs et fondateurs dans les synagogues juives*, 1967, pp. 28 and 32.

<sup>42</sup> We may note that Josephus, although a rigorist as far as Palestine is concerned (cf. his remarks on the impurity of Tiberias, *Ant.* 18.38), has no scruples about a Jewish priest who guards the Parthian mausoleum at Ecbatana (*Ant.* 10.265). The laws about the purity of priests were suspended for the funeral of Rabbi Judah the Prince (*Pal. Talm. Naz.* 7).

<sup>43</sup> *Bab. Talm. Meg.* 28b.

<sup>44</sup> Siegfried Klein, *Tod und Begräbnis in Palästina*, 1908, p. 52 n. 1. However, Rabbi Jacob Kohn (Los Angeles) has pointed out to me that the sources speak rather of "assemblies" which may have been held in the open air; this would be very significant for the jurisprudence concerning impurity. But my friend A. Baumgarten has drawn my attention to a passage (*pal. Nazir.* VII,1, p. 56a) which explicitly attests the celebration of the funeral service in a synagogue. He also notes that the funeral "assemblies" are attested only in Babylon (e.g., *bab. Ketub.* 103b).

<sup>45</sup> M.N. Adler, *The Itinerary of Benjamin of Tudela*, 1907, Index s.v. "Sepulchres";

imagined that a rabbinic school had been built on the tomb of the pious King Hezekiah.<sup>46</sup>

The invention of remains of the Maccabean martyrs would not have presented any difficulty. Josephus already writes that the tomb of Haran, the father of Sarah, was shown to visitors in Ur of the Chaldeans.<sup>47</sup> In 415, the mention of a “Stephen” (in addition to other names) on a funerary inscription sufficed – with the aid of a dream – to demonstrate the presence of the relics of the first Christian martyr, who had borne this name, and both Augustine and Orosius accepted the authenticity of this stroke of inspiration.<sup>48</sup> A gravestone with the name “Hasmonea” (or something similar) would have satisfied the pious imagination. Since the rules of the municipal magistrates forbade burial inside the city walls, it was natural that the remains of the Maccabean martyrs should be discovered in a suburban synagogue. At present, we cannot say when and how this took place; only the discovery of the synagogue in the Cerateum would help to answer these questions. A more difficult question is the alleged veneration of martyrs in a synagogue.

Judaism did not consider the martyrs as a specially chosen category, nor did it celebrate the date of their burial. Their tombs were not places of worship.<sup>49</sup> Their only ritual distinction was a special prayer for the repose of their souls. In modern times, the Maccabean martyrs were commemorated on the service of Av 9, the sad anniversary of the destruction of the temple, and this is no doubt why the feast of the Holy Maccabees was celebrated on August 1 in the ecclesiastical

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Juster, *op. cit.* I, p. 469; Matthew 23:29. Cf. M. Simon, *Rev. hist. phil. relig.*, 1941, p. 185 (the bones of Jeremiah at Alexandria). E. Schürer, III, p. 562. mentions a tomb πρὸς τῷ Σαμβαθειῷ at Thyatira; but is this Jewish? Cf. H. Youtie, *HTR* 37 (1944), pp. 209–218.

<sup>46</sup> *Beth Vaad* according to *Midr. Lament. Praef.* 25 (ed. Vilna); *Yeshiba* according to *bab. Talm. Bab. qam.* 16b. Cf. L. Ginzberg, *The Legends of the Jews* VI, p. 369 n. 91 (I owe this reference to the kindness of Mr Boaz Cohen).

<sup>47</sup> Josephus, *Ant.* 1.152. On the alleged tomb of Esther at Ecbatana, cf. I. Lévi, *REJ* 36 (1902), pp. 237–255; E. Herzfeld, *Archaeological History of Iran*, 1935, plate XX. On the tomb of Daniel at Susa, cf. *Jewish Encycl.* IV, p. 429, and J.M. Unvala in *Studi e materiali di storia d. relig.* 4 (1928), p. 132.

<sup>48</sup> H. Delehaye, *Les origines du culte des martyrs*, 2nd edn. 1933, pp. 278ff. Cf. Idem, *Sanctus*, 1931, pp. 230ff.

<sup>49</sup> Cf. e.g. S. Lieberman, “The Martyrs of Caesarea,” *Annuaire* 8 (1939–1944), pp. 416ff. H.W. Surkau, *Martyrien in jüdischer und frühchristlicher Zeit*, 1938, thinks it possible that the conflict between the Talmudic schools and the Christians may have led the Jews to suppress such ideas; but he forgets the simple fact that the Jews could not have martyrs, since the Roman government protected their religion. The only exception was the brief persecution under Hadrian (cf. S. Lieberman, *JQR* 36 [1946], pp. 329–370).

calendar.<sup>50</sup> It is true that 4 Maccabees, the Jewish panegyric of these martyrs does not envisage any veneration of their remains; but this work is too old to be decisive here.<sup>51</sup>

## V

How then are we to explain the presence of relics of the martyrs in the synagogue of Cerateum? Most likely, this invention is due to the Christian example. The syncretism between Jews and Christians in the fourth century is well known; Chrysostom fulminates against Judaizing Christians, but this in turn must surely mean that the Jews in Antioch were influenced by the Christians.<sup>52</sup>

From the end of the second century at the very latest, Christians waxed eloquent in praise of the Maccabean martyrs. Augustine says that it is because of their passion that the church has preserved the Books of Maccabees.<sup>53</sup> In a city where the relics of Ignatius of Antioch or of Saint Babylas were the objects of an enthusiastic veneration, there may

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<sup>50</sup> Cf. W. Bacher, *Jahrbuch für jüdische Geschichte und Literatur*, 1901, p. 70 (the praxis of the Jews of Bokara); S. Krauss, *REJ* 45 (1902), p. 44 n. 1 (the Jews of North Africa). The list of Jewish passovers at Antioch in the years 328–343 C.E. published by E. Schwarz, *Christliche und Jüdische Ostertafeln* (Abhandl. Königl. Gesellschaft der Wissenschaften zu Göttingen, new series 8/6, 1905, p. 122), shows that at this period, the Jews in Antioch identified the month of Dystros (March) in the Julian calendar with their own Nisan. This leads to the equation: Loos = Ab = August. But naturally, it was only by chance that a month of the Jews, which was calculated in terms both of the moon and of the sun, could coincide exactly with a Julian month.

<sup>51</sup> Cf. my essay on “The Date of Fourth Maccabees” above. Despite the arguments put forward by A. Dupont-Sommer, *Le quatrième livre des Machabées*, 1939, pp. 67–72, this panegyric does not offer any indication of a cult of the martyrs. The proposed text of a grandiloquent epitaph (17.8) is a rhetorical flourish, just like the suggestion of a painting that would depict the tortures (17.6) or – to quote another author – the appeal of Gregory Nazianzen on the subject of the same martyrs: “Jerusalem, give a magnificent burial to your own dead, if anything remains of them that can be placed in the tombs” (PG 35, 924: Ἱερουσαλήμ, θάψον τοὺς ἑαυτοῦ νεκροὺς μεγαλοπρεπῶς ἂν τι τοῖς τάφοις ὑπολειφθῆ. The author of 4 Maccabees could have held his discourse on any day of fasting (cf. I. Elbogen, *Der jüdische Gottesdienst*, 1913, p. 196), or even on Av 9, if this was a consecrated day in his period (cf. Bonsirven, II, 1935, p. 128).

<sup>52</sup> M. Simon, “La polémique anti-juive de s. Jean-Chrysostome,” in *Mélanges Franz Cumont* I, 1936, pp. 403–429; Idem, *Véris Israel*, 1949, pp. 356ff. I do not know of any study of Christian influence on the ritual and ideology of the Jews. On Jewish interest in Christian matters, cf. S. Lieberman, *Greek in Jewish Palestine*, 2nd edn. 1965, pp. 87ff.; Idem, “The Martyrs of Caesarea” (n. 49 above).

<sup>53</sup> Augustine, *City of God* 18.36.



very well have been Jews who sought to outdo the cult of the Christian relics by pointing to the sepulcher of the only Jewish martyrs who were regarded by the church as saints. Contrary to common opinion today, Judaism very actively continued its proselytizing propaganda between the second and fourth centuries of the Common Era, adapting its methods to new fashions: here we may recall the human images which were introduced into the decoration of synagogues in the period and under the direction of the teachers who formed the Talmud.<sup>54</sup> When Judaism was obliged to give up the project of spiritual conquests, this was not due to any intrinsic reason, but rather to the pressure brought by the legislation of the Christian empire and by the Zoroastrian Sassanids.<sup>55</sup>

Let us now picture the spiritual atmosphere in Antioch the Great in the fourth century. In this enormous city, with a population of between 150,000 and 200,000, only at most half of the inhabitants were Christians.<sup>56</sup> Pagan philosophers with long beards competed with less off-putting persons in the religious market place. Enemies of the faith could still blaspheme the Savior of the world; Christians, Jews, and pagans mixed freely. Christians attended the synagogue. And outside the city walls, the Syrian world began, the world of the countryside where the invectives of Chrysostom had no effect – but where a rabbi would be understood, because he spoke Aramaic. The country people would soon be flocking to the feast of the Maccabees.<sup>57</sup>

The relics of the Maccabean martyrs in the synagogue created a tremendous tension in this atmosphere, for their very existence accentuated the paradox that while the Jews rejected the new faith, it was based on the revelation of the old covenant. *Codicem portat Iudaeus unde credat Christianus*.<sup>58</sup> Chrysostom warned the faithful: “If God puts you to the test, do not go

<sup>54</sup> Cf. *Syria* 18 (1937), p. 221.

<sup>55</sup> According to John of Ephesus, *Hist. Eccl.* 2.18–19 (Patrologia Orientalis 18), the Magi appealed to the Byzantine example when they demanded unity of religious belief in Persia.

<sup>56</sup> Cf. Chrysostom, PG 58, 72. In the fourth century, Antioch had 150,000 inhabitants (according to Libanius, *Ep.* 1119) or 200,000 (according to Chrysostom, PG 50, 591). On the Jewish community in the city, cf. C.H. Kraeling, *JBL* 51 (1932), pp. 130–160; Downey, *op. cit.* (n. 33 above), Index s.v. “Jews.”

<sup>57</sup> Chrysostom, *Homily 17 ad Antioch.* 2 (PG 49, 174); *Homily 1 ad Antioch.* 12 (ibid. 39). On the blasphemers, cf. also Chrysostom, *In Ps. 8:3* (PG 55, 110); Theodoret, *In Ps. 17* (PG 50, 938). On the countryside, cf. *Hom. ad Antioch.* 1 (PG 49, 188 and 647).

<sup>58</sup> Augustine, *Enarr. in Psalm.* 46:9 (PL 36, 666). Byron clothed this idea in a Voltairean form. In order to explain the refusal of the Muslims to believe, he said: “They won’t... believe the Jews, these unbelievers, who must be believed, though they believed not you” (*Don Juan* V, 62).

to his enemies, the Jews, but to the holy martyrs, his friends, who have a great influence with him."<sup>59</sup> As early as 177, the church of Lyon paid the martyr Blandina the compliment of comparing her to the mother of the Maccabees.<sup>60</sup> The bones of the martyrs put demons to flight; accordingly, if genuine miracles were worked at the tomb of the Maccabees, it would be impossible to explain them as a deception on the part of the evil tempter.<sup>61</sup> And these relics would have supplied a solid argument in support of those Jews who saw the *raison d'être* of their dispersion as the mission to instruct the nations of the world.<sup>62</sup>

It may be difficult for us today to see the point of such reasonings and hopes, but the contemporaries of Chrysostom did not yet know that they were living in the opening years of the Christian epoch: Julian belonged only to yesterday, and the persecutors only to the day before yesterday. Ambrose knew magistrates who boasted of having spared Christians from punishment, and a pagan emperor was still a real possibility to be feared.<sup>63</sup> At Antioch, the Catholics had just lived through the Arian persecution by Valens (365–377), when unbelievers of all kinds held the dominant position in the capital of Syria.<sup>64</sup> The army, which was made up of peasants and barbarians, might tomorrow acclaim as emperor another Julian, another Valens, or even another Diocletian.<sup>65</sup> As Chrysostom once remarked, it was not yet possible to impose the Christian truth by force: people had to be convinced of it.<sup>66</sup>

It was probably at the beginning of the reign of Theodosius, ca. 380, that the embarrassing difficulty was eliminated at a single stroke: the Christians seized the synagogue at Cerateum, and the relics entered

<sup>59</sup> Chrysostom, *Hom. 8 in Jud.* 6 (PG 48, 937), cited by Simon, *op. cit.*, p. 429.

<sup>60</sup> Eusebius, *Hist. Eccl.* 5.1.55. Cf. *Passio Mariani et Jacobi* 13.1: *his peractis Machabaico gaudio Mariani mater exultans*, etc. On this text, cf. H. Delehaye, *Les passions des martyrs*, 2nd edn. 1966, pp. 59–62. Cf. *Vita Melaniae graeca* 33, ed. D. Gorce, 1962.

<sup>61</sup> Chrysostom, *In Macc.* 1.1 (PG 50, 617). The earthquake of December 21, 1946, destroyed an entire city in Japan, but spared the celebrated temple of the goddess of the sun (*New York Herald*, December 26, 1946).

<sup>62</sup> Chrysostom, *In Ps. 8* (PG 55, 112).

<sup>63</sup> Ambrose, *Ep.* 25.3 (PL 16, 1084); 17.9 (PL 16.1003): *si hodie gentilis aliquis imperator, quod absit...*

<sup>64</sup> Theodoret, *Hist. Eccl.* 4.24.2. Cf. A. Piganiol, *L'Empire Chrétien*, 1947, pp. 161–163. We should note that unbelievers interpreted a persecution as a sign of the powerlessness of the Christian God to protect his faithful (Chrysostom, *Homily 1 ad Antioch.* 7: PG 49, 24).

<sup>65</sup> Piganiol, *op. cit.*, pp. 327 and 304.

<sup>66</sup> Chrysostom, *De S. Babyla* 3 (PG 50, 557).

the service of orthodoxy.<sup>67</sup> Soon, Augustine was to proclaim: *martyres eos fecit moriturus Christus*.<sup>68</sup>

## VI

Malalas borrowed his account of the Maccabees from one of the chronicles of Antioch, perhaps that of Pausanias or Domninus, which in turn drew on a source composed before 380. Ultimately, it is probable that the narrative which glorifies the synagogue of Cerateum has its direct or indirect source there; it is improbable that the idea of explaining the name of the mountain “which weeps” by localizing the passion of the Maccabees there would have occurred to a pagan.<sup>69</sup>

<sup>67</sup> It is difficult to date this event precisely. The discourses which Chrysostom held in honor of the Holy Maccabees between 386 and 398 give us only a *terminus ante quem*. On the other hand, in his *Onomasticon*, composed between 386 and 392, Jerome knows of the cult in Antioch only by hearsay, and confuses the martyrs with the Hasmonean princes (Eusebius, ed. Klostermann III, 1, p. 133). In 388, Ambrose mentions an incident in a village where Gnostics of the Valentinian sect prevented the procession of monks who *psalmos canentes ex consuetudine usuque veteri pergebant ad celebritatem Machabaeorum martyrum* (*Ep.* 40.16; PL 16, 1154). Finally, Gregory Nazianzen (PG 35, 924) does not even envisage the possibility that relics of the Maccabees may exist; the dating of this discourse fluctuates between 362 and 380. Nevertheless, the seizure of the synagogue may have been the work of Arians under Valens, for they too celebrated the feast of the Maccabees: cf. the Syriac martyrology of 411–412 in H. Lietzmann, *Die drei ältesten Martyrologien*, 1911, under August 1. Towards the close of the fourth century, the cult of the Maccabean martyrs was firmly established throughout the Christian world. *Totius orbis in ecclesiis Christi laudibus praedicantur*, as Theophilus of Alexandria wrote in 404 (Jerome, *Ep.* 100.9). Nevertheless, they are not mentioned in the martyrology of Carthage (*apud* Lietzmann, *op. cit.*). Cf. also the passage interpolated into the Latin version of 4 Macc 17.6: *sepulturae honore decorantur, magnus his ab omnibus cultus adhibetur, veneratio summa etiam alienae fidei homines invasit*. H. Dörrie, *Abh. Gött. Ges. der Wiss.*, 3rd series nr. 22, 1938.

<sup>68</sup> Augustine, *Sermo* 300.1 (PL 38, 1377). The mantle of Moses and other biblical rarities were probably added to the treasury of the church by Christian zeal. In the fifth century, it became fashionable to look for the relics of the prophets of the ancient law (H. Delehaye, *Le culte des martyrs*, pp. 56ff.); but even in the time of Chrysostom, pilgrims came to see Job’s dunghill in Arabia. Cf. Chrysostom, *Homily 5 in Antioch 1* (PG 49, 69).

<sup>69</sup> The detail (not found in 2 Maccabees) that the Jews kindled many lights after hearing the rumor of Antiochus’ death is found in a little rabbinic story, but there it is associated with Trajan: cf. J. Derenbourg, *Essai sur l’histoire... de la Palestine*, 1867, p. 410. The title of “high priest” given to Eleazar may be the invention of a Jewish sacristan or an amplification by the Christian chronicler. Cf. Ambrose, *De Jac.* 2.10. The sacrifice of swine’s flesh and the length of the persecution (cf. Josephus, *Ant.* 12.320) were probably mentioned in the original narrative.

I believe that this hypothesis about the origin of the narrative explains its disagreement both with the Books of Maccabees and with Josephus. The Jews in Antioch could boast of possessing relics venerated by the Christians, but they would have refused to ask the church for historical information about the martyrs. At a very early date, the church had laid claim to the Books of Maccabees and to Josephus: Christians considered Josephus as a witness to Christ, and Tertullian cited the example of the Maccabees, who had fought on the sabbath day, as proof that the law of Moses had a merely transitory value.<sup>70</sup> Under Roman domination, the Jews themselves had forgotten the Maccabees. In rabbinic literature, the passion of the seven brothers and their mother is laid to the charge of the Emperor Hadrian.<sup>71</sup> Since they were resolved not to consult books which were now the "property" of the church, the only source on which the Jews in Antioch could draw for information about what Epiphanes did in Jerusalem was Greek historiography, which naturally followed the Seleucid version of events.<sup>72</sup> The Jews in Antioch knew of the passion of the martyrs thanks to their conversations with Christians. The narrative reported by Malalas inserts the martyrdom into the framework of the Seleucid version of the story of Epiphanes.

There was nothing in this dependence on a Seleucid source to shock the Jews in Antioch roughly five hundred years after the death of Antiochus IV. They had never had any reason to complain about the Seleucids. One of the successors of Antiochus IV, perhaps Demetrius I, offered the principal synagogue in Antioch some bronze objects which had been removed from the temple in Jerusalem, and it is significant that even after 70 C.E., the Jews in Antioch were still boasting that they possessed this sacrilegious gift. It is no less significant that the author of 1 Maccabees, when he describes with such satisfaction the massacre of the population of Antioch by the Jewish auxiliary troops of Demetrius II, does not breathe a word about his co-religionists in the Syrian capital.<sup>73</sup> As Libanius shows, pagan society in Antioch preserved a nostalgic memory of the ancient sovereigns; similarly, the hellenized Jews in Antioch related how the good King Demetrius had

<sup>70</sup> Tertullian, *Adv. Jud.* 4. Cf. Simon, *op. cit.*, p. 200.

<sup>71</sup> J. Freudenthal, *Die Flavius Josephus beigelegte Schrift über die Herrschaft der Vernunft*, 1869, p. 84. Cf. I. Lévi, *RE* 7 54 (1907), p. 138.

<sup>72</sup> Cf. now Abel, *op. cit.*, pp. 358ff. Similarly, Malalas relates that the Seleucids permitted the investiture of the Arsacids, and that Syria came under Roman rule because of a disposition in the will of the last Seleucid (pp. 215 and 212).

<sup>73</sup> Josephus, *Bell. Jud.* 7.44; 1 Macc. 11:41ff.

granted the temple to Judas Maccabeus and had given him back the remains of the martyrs.

## VII

The only new information in Malalas' account is the mention of Athene, to whom Epiphanes is said to have consecrated the temple in Jerusalem. This would be exceedingly interesting, if the event were better attested. It may be authentic, but it may just as well be the product of the imagination of a sacristan. At the very least, however, Malalas does give us an echo – even if distant and fragmented – of the Seleucid version of the Maccabean revolt, as this was related in Antioch.

This is not much. But even if we are obliged to dismiss a historian's account, we must begin by examining it. Some time ago, I myself was open to the possibility that Malalas' narrative contained genuine historical information, until Mr Isidore Lévy read a first version of this essay and put me on my guard. *Fateor me ex eorum numero esse conari qui proficiendo scribunt et scribendo proficiunt* (Augustine, *Ep.* 148.2).

## THE WARNING INSCRIPTIONS OF HEROD'S TEMPLE

The pilgrim to Herod's Temple in Jerusalem ascended the holy mountain of Zion on a stairway leading to the encircling wall of the sanctuary. Passing through a gate, he entered a wide, open court, encompassed round about with porticos. Within this enclosure stood a raised terrace, fourteen steps higher than the level of the outer court. Screened by a stone wall, this upper area was partitioned into three spaces. There was, first, the so called Court of the Women for the common use of all Jews in a state of purity, men and women alike. From this area another flight of fifteen steps led into the Court of Israel, called "Court" in brief (*Azarah* אֶזְרָחָה), which men only were allowed to enter. Part of it, around the altar, was marked off by a barrier. This was the Court of Priests, set apart for officiating clerics in their sacerdotal garments. Adjoining and approached by a wide flight of steps, the house of the Lord towered above.<sup>1</sup> Proceeding across the fore-court to the elevated platform, the visitor faced a stone parapet before the flights of stairs leading up to the parvis. Greek and Latin inscriptions placed on the balustrade warned the pagans not to go farther.<sup>2</sup> Two of these tablets in Greek have been found. They read as follows:<sup>3</sup>

Μηθένα ἀλλογενῆ εἰσπορεύεσθαι ἐντὸς τοῦ περὶ τὸ ἱερόν τρυφάκτου καὶ περιβόλου. Ὅς δ' ἂν ληφθῆ, ἑαυτῶι αἴτιος ἔσται διὰ τὸ ἐξακολουθεῖν θάνατον.

This may be rendered as follows: "No alien may enter within the balustrade around the sanctuary and the enclosure. Whoever is caught,

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<sup>1</sup> See F.J. Hollis, *The Archaeology of Herod's Temple*, 1934; L.H. Vincent, M.-A. Stieve, *Jerusalem de l'Ancien Testament* II, 1956, pp. 420-470; A. Schalit, *König Herodes*, 1969, pp. 161-174. Further bibliography: E. Schürer, *The History of the Jewish People*, ed. G. Vermes and F. Millar, I, 1973, p. 309.

<sup>2</sup> *Jos. Ant.*, XV, 417; *B.ḥ.* V, 193; VI, 124.

<sup>3</sup> The inscription has been found and published by Ch. Clermont-Ganneau, *Rev. Arch.* 1872, 220. It has been republished many times. See, e.g. W. Dittenberger, *OGIS*, II, 598. A new exemplar of the inscription was published by J.H. Iliffe, *Quarterly Depart. Of Antiq. of Palestine* 1936, 1 and reproduced *SEG*, VIII, 169. The letters of the inscription were picked out in red paint on the background of white limestone (Iliffe). Photos of the inscription may be found, e.g., *RB*, 1921, 262; J. Finegan, *Light from the Ancient Past*, 1946, f. 111.

on himself shall he put blame for the death which will ensue". Let us explain this notice.

## I

To begin with, there are three terms referring to the architectural complex of the Temple. Τὸ ἱερόν, "holy place", is the designation of the consecrated area, to which the fore-court led. This area was called by the Jews "sacred", *mikdosh* (מִקְדֹּשׁ).<sup>4</sup> The word ἱερόν was common in this sense in Greek and applied to pagan cults.<sup>5</sup> For this reason it was avoided by the Alexandrian translators of Scripture<sup>6</sup> who used the term τὸ ἅγιον in referring to the Temple of Jerusalem. But after the Maccabean victory, the Jews had less scruples about using a technical term from Greek heathenism. On the other hand, the word τὸ ἅγιον which had become fashionable for Oriental holy places,<sup>7</sup> was no longer a distinctive term in Herod's time. Accordingly, Philo and Josephus use both words, ἱερόν and ἅγιον to designate the Temple of Herod.<sup>8</sup> The περίβολος was the wall which encompassed the holy terrace within the outer court. Josephus, Philo and the Septuagint use this Greek word, technical in this connotation, to describe the enclosure of the Temple.<sup>9</sup> The τρύφακτος,<sup>10</sup> the *Soreg* (סֹרֵג) in the Mishna, was a stone barrier which stretched across the outer court to protect the flights of stairs leading up to the inner court.<sup>11</sup> As we said, the warning inscriptions were fixed on this rail.

A pagan visitor had no reason to be offended in finding himself excluded from the holy ground. In all ancient religions there were sancta inaccessible to the profane crowd and separated by a rail of wood or

<sup>4</sup> See *e.g.*, II Macc. 3, 2.

<sup>5</sup> See, *e.g.*, Plato, *Critias* 116c: in the center of the Acropolis in Atlantis there was ἱερόν ἅγιον... ἄβατον. Welles, 27: Ptolemy III confirms the inviolability of a sanctuary (τὸ ἱερόν), "within the limits you have marked with boundary stones". For the same terminology in Syria cf. L.H. Vincent, *RB*, 1940, 100.

<sup>6</sup> Procksch in G. Kittel's *TWNT* I, 87; Schrenck, *ib.* III, 233; Jouon, *Rech. de sc. relig.* 1935, 329-333.

<sup>7</sup> See, *e.g.* U. Wilcken, *UPZ* I, 119 (from 156 B.C.E.); πρὸς τῷ ἁγίῳ τοῦ Σαράπ[ιδος]. Cf. E. Williger, *Hagios*, 1922, p. 79.

<sup>8</sup> See, *e.g.*, Jos. *B. J.* V, 194; VI, 425; *Ant.* III, 125; XII, 413.

<sup>9</sup> Philo *de spec. leg.* I, 71; Jos. *B. J.* I, 401; V, 190; *Ant.* XV, 396, etc.

<sup>10</sup> On the spelling see F.M. Abel, *Grammaire du Grec biblique*, 1927, p. 18. J. and L. Robert, *BE*, 1964, 320.

<sup>11</sup> Midd. 2, 3. Cf. Hollis (n. 1), 153.

stone.<sup>12</sup> Plato agreed with Moses that “it is not meet and right for the impure to be in contact with the pure”.<sup>13</sup> In Syria the whole plan of the temple was based on this idea. A series of forecourts secluded the sanctum in the rear (or in the middle) of the complex. Thus, warnings against trespassing upon holy ground were placed at the gates leading to heathen temples.<sup>14</sup> For instance, a stone block found on Mount Hermon had the notice: “On the order of the greatest and holy god. From here (sc. inwards) only the covenanters”.<sup>15</sup> An inscription in Greek and Latin in the temple at Samothrace contained the warning, “The uninitiated may not enter”.<sup>16</sup> Such notices generally imposed a state of ritual cleanness as a condition upon any one who sought entrance. “Approach the sacred precincts in condition of purity and with pious mind”.<sup>17</sup> The Greek formula reminds one of the words of the Psalmist: “Who shall ascend into the mountain of the Lord?... He that hath clean hands and a pure heart” (Ps. 24.3).

<sup>12</sup> See e.g., *Excavations at Dura-Europos, VII–VIII Report*, p. 186; M.R. Savignac, G. Hosfield, *RB*, 1935, p. 249 (a Nabatean shrine); W.R. Paton, *Journ. Hellenic Stud.* 1896, p. 231 (cf. L. Robert, *Le Sanctuaire de Sinuri*, 1945, p. 28; G.V. Stevens, *The Periclean Entrance Court of the Acropolis of Athens*, 1936, p. 67. A wall running across the entire western side of the outer court isolated the parvis from the temple proper in Artemis' sanctuary at Gerasa. See C.H. Kraeling, *Gerasa*, 1938, p. 131. Cf. D. Schlumberger, *La Palmyrène du Nord-Ouest*, 1951, p. 98 n. 5. A decree of the city of Labraunda (Caria) forbade anyone, except priests and temple officials, to advance beyond the *tryphaktos* “between the silver incense altar and the table of the god”. J. Crampa *Labraunda II*, 2, 2, 1972, n° 60. Cf. μέχρι τοῦ ἔρκου τοῦ ἱεροῦ in an inscription from Lebanon ap. Robert, *BE*, 1974, n° 632.

<sup>13</sup> Plato, *Phaedo*, 67b: μή καθαρῶ γὰρ καθαρῷ ἐφάπτεσθαι μὴ οὐ θεμιτὸν ἦ. Plato expresses himself cautiously (“I fear it is not right”), since here he expounds his theory of soul, but the passage was rightly understood by the ancients as stating a general principle. See e.g., Plut. *de Isid.* 4 (352d) and other passages quoted in Wyttenbach's edition of *Phaedo*. Still in Plutarch's time nothing sacred passed the dismal gates through which criminals condemned to death were lead out and through which refuse was thrown out. Plut. *de curios.* 6 (518b).

<sup>14</sup> L. Ziehen, *Leges Graecae Sacrae*, 1907, 40; 90–92; 117; 145; P. Roussel, *BCH*, 1926, p. 85; Ch. Blinkenberg in *Dragma M.P. Nilsson... dedicatum*, 1939, p. 97; Th. Waechter, *Reinheitsvorschriften im griechischen Kult*, 1910.

<sup>15</sup> F. Cumont in *RE*, VIII, col. 893; κατὰ κέλευσιν θεοῦ μεγίστου κ(αὶ) ἀγίου· ὁ (= οἱ) ὁμνύοντες ἐντεῦθεν. The text is explained differently by Ch. Clermont-Ganneau, *Recueil d'archeol. orient.* V, 350.

<sup>16</sup> Robert, *BE*, 1964, n° 379. *deorum sacra qui non acceperunt non intrant*. ἀμύητον μὴ εἰσέναι.

<sup>17</sup> *Inscr. Graec.* XII, *Suppl.* 23 quoted ap. Robert, *BE*, 1940, n° 83: ἀγνὸν πρὸς τέμενος στείχειν ὅσα φρονέοντα. Cf. Waechter, *op. cit.* p. 8.



## II

The pagan visitor of the Temple, however, was shut out not because his hands or heart were unclean but because he was an alien. The exclusion of the stranger from a temple was rarely enforced elsewhere in the age of Augustus.<sup>18</sup> Greek and natives pilgrims now freely mixed in Oriental sanctuaries;<sup>19</sup> Greeks and aliens consorted in the same religious guilds.<sup>20</sup> Zeus of Panamara, in Karia, now called "all men" to his mystical festivals and promised equal honors to all at the sacred table.<sup>21</sup> In the fifth century, in the time of Socrates and Ezra, both non-Greeks and murderers were barred from the Eleusinian Mysteries.<sup>22</sup> In 19 B.C.E., the date of this festival had been advanced before the proper time to allow the initiation of a Hindu.<sup>23</sup> It may be asked why was the alien forbidden to enter Herod's Temple? The reason was the commandment: "You shall be unto Me a kingdom of priests and a holy nation" (Ex. 19.6).

There was no sacerdotal caste in Greece. Chosen by lot or elected, the priest was here a public officer, and the devotee participated in worship by reason of his being a member of a social group. The sources of impurity were both external and natural *e.g.*: death and child-birth. Thus, if one was unfit to approach the altar because he had attended a funeral, it did not matter whether he was a citizen or an alien. While

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<sup>18</sup> Since Chr. Aug. Lobeck, *Aglaophamus*, 1829, p. 273 it has often been said that entrance into Greek temples was forbidden to a stranger. In fact, there is hardly a text which states that foreigners are not allowed to enter a Greek sanctuary. The reference of M.P. Nilsson, *Geschichte der griechischen Religion* II, 1955, p. 69 n. 9 to an inscription from Arkesine, now reprinted in F. Sokolowski, *Lois sacrées des cités grecques*, 1969, n° 101 is a *lapsus calami*. A Delian inscription warns ξένων οὐχ ὄσιη ἐσι[έναι] but we do not know where the stele stood. F. Sokolowski, *Lois sacrées des cités grecques. Supplément*, 1962, n° 40. It is true, however, that sometimes for political or other reasons certain foreigners were excluded from some temples or festivals, for instance the Dorians from a sanctuary at Paros (V-th c. R. Herzog, *Philol.* 1906, 630). On the other hand, participation in sacrifices, *e.g.* offering of sacrifices, was often reserved for citizens: *extraneos enim ad sacra non licebat adhibere* (Servius on *Aen.* VIII, 72). Cf. *e.g.* Xen. *Anab.* V, 5, 5, Paus. III, 16, 9; P. Roussel, *BCH* 1940–1, p. 289; L. Robert, *Documents de l'Asie mineure méridionale*, 1969, p. 9 and p. 12. Further examples ap. S. Eitrem, *Beiträge zur Religionsgeschichte, in Skrifter... Videnkapsselskapet in Kristiania* 1919, p. 397. Fustel de Coulanges, *La cité antique* Livre III ch. XII: *L'étranger... est celui qui n'a pas accès au culte.*

<sup>19</sup> See, *e.g.* Lucian, *de dea Syria*, 31; A.D. Nock, *HTR*, 1934, p. 470.

<sup>20</sup> See, *e.g.* for Athens: S. Dow, *HTR* 1937, p. 197.

<sup>21</sup> P. Roussel, *BCH* 1927, p. 131.

<sup>22</sup> Isocr. IV, 157.

<sup>23</sup> Dio Cass. LIV, 9, 10; Strabo XV, 720. Cf. Lucian, *Demon.* 11.

Phidias' statue of Zeus at Olympia could be viewed by all men ritually clean, both Greek and barbarians, who came there in throngs from time to time,<sup>24</sup> in the Orient, on the other hand, only the clergy were thought fit to approach the idols and the laity were restricted to the fore-court of the temple.<sup>25</sup> A foreigner was admitted on the same footing as the native layman; neither mixed with the "pure ones" as the Egyptian term designated the priests.<sup>26</sup> The distinctive feature of Israel was the holiness of all the members of the covenant, both clergy and laity. The fringes at the corner of his garment reminded every Jew, throughout the generations, to be "holy unto your God" (Num. 15.38). Accordingly, the Law imposed upon every Jew a system of ritual observances, such as were common in all ancient religions but only with regard to sacred persons. Dietary prohibitions imposed upon Egyptian priests<sup>27</sup> were no less burdensome and complicated than similar rules imposed upon all Jews by the Halaka. For instance, the priests had to abstain from salt.<sup>28</sup> But the Jews were the only nation who submitted as a whole to the requirements of ritual purity. At first, Greek visitors to Jerusalem looked upon the Jews as a caste, similar to the Indian brahmins,<sup>29</sup> the "holy men" who "give all their time to divinity".<sup>30</sup> Thus, the same barrier between holy and profane, which separated the ceremonially clean in Greece from others and marked off the priestly caste in the Orient, set apart Israel from the other nations. In Jerusalem, the layman entered the court of the priests to slaughter his animal or bird sacrifice. A division of common people stood by at the public sacrifices.<sup>31</sup> The people gathered within the sacred precincts, "before the house of the Lord" (Ezra 10.1). Conversely, the infidels were barred from the sacred ground. In fact, the alien was not excluded *qua* alien. Any foreigner devoted to

<sup>24</sup> Dio Chrys. XII, 50. Cf. Ps. Demosth. LIX, 85; Plut. *Dio* 23, 3; *Timol.* 16; Michel, 730 (Athena's temple at Pergamun): "the citizens and all the others may enter, if they are pure".

<sup>25</sup> See for Egypt A. Moret, *The Nile and Egyptian civilization*, 1927, 415; 433; J. Vandier, *La Religion égyptienne*, 1944, p. 175; P. Lacau, *Mémoires de l'Acad. des Inscript.* XLIII, 2 (1941) 72. For the temple at Hatra see D.R. Hillers, *BASOR* 207 (1972), p. 25. Further, cf. above n. 12.

<sup>26</sup> The Egyptian formula reads: "The offerings and all that enters the temple—it is pure" A.M. Blackman, in Hastings's *Encycl. of Relig.* X, 479.

<sup>27</sup> See Chaeremon *ap.* Porph. *de abst.* IV, 6–8. Cf. H.-R. Schwyzer, *Chairemon*, 1932, p. 41.

<sup>28</sup> Plut. *Quaest. Conviv.* V, 10.

<sup>29</sup> H. Lewy, *HTR*, 1938, p. 217; W. Jaeger, *Journ. of Religion*, 1938, p. 127.

<sup>30</sup> Plut. *de Alexandri fort.* 332b.

<sup>31</sup> Jos. *Ant.* III, 224; G.F. Moore, II (1927), p. 12.

the worship of God was on the same footing with the native Israelite. Jerusalem hated Shechem, but since a Samaritan was a follower of the Torah he was admitted into the temple of Herod.<sup>32</sup> Since the convert entered into all privileges and duties of the born Jew, the author of the Temple inscriptions could put in contrast to the Jews, natives or proselytes, the ἀλλογενής “born elsewhere”. This rare term seems to have been coined in Alexandria. In the Greek Pentateuch it generally means the layman who is forbidden to touch holy things because he is not of the priestly race.<sup>33</sup> The choice of the word in the inscription (in place of usual synonyms: ἀλλόφυλος, ἀλλοεθνής) probably follows the terminology of Greek sacramental cults,<sup>34</sup> which, too, promised to the convert a rank above that of other men and united the initiates of various origin into a “mystic brotherhood”.<sup>35</sup>

### III

The punishment of ritual transgressions was generally left to the divinity.<sup>36</sup> Rabbinic interpretation considers the violation of many prohibitive ordinances of the Torah as punishable by God only.<sup>37</sup> On the other hand, there are many Greek sacral inscriptions threatening the offender with a legal penalty, such as a fine or prosecution for impiety.<sup>38</sup> The inscription of Herod's Temple sanctions the death penalty for trespassing, but does not give any explicit indication about the legal procedure. Three conjectures have been made to fill in the gap. According to one

<sup>32</sup> Cf. e.g. Philo, *de spec. leg.* I, 52; *de virt.* 103; *de proem.* 152. *Jos. Ant.* XVIII, 30.

<sup>33</sup> Except LXX and Jewish authors who depend on the Greek Bible (Philo, *de spec. leg.* I, 124; IV, 16; *de virt.* 147, *de somn.* I, 161; *Ev. Lucae* 17, 18), the word only occurs in Ps. Callisthenes, *Historia Alexandri Magni* III, 26, 5 (p. 126 ed. W. Kroll), composed in Alexandria around 300 C.E. Cf. K. Wyss, *Untersuch. zur Sprache des Alexanderromans*, Diss. Bern, 1942. The word means “alien” in Ex. 12.43. The sole passage in Scripture where the foreigner is explicitly excluded from the Temple is Ezek. 44.9. The LXX uses here the term υἱὸς ἀλλογενής but the prophet speaks of the personnel of the Temple only. Cf. Zebah. 22b (a reference supplied by Prof. S. Lieberman). Cf. the term ἐνδογενής LXX Lev. 18.9; P. Amandry, *BCH* 1942–3, p. 74.

<sup>34</sup> R. Reitzenstein, *Die Hellenistischen Mysterienreligionen* (3th ed. 1927), p. 193.

<sup>35</sup> F. Cumont, *HTR* 1933, p. 151.

<sup>36</sup> See, e.g. Xen. *Anab.* V, 3,13; A. Cameron, *HTR* 1940, p. 115.

<sup>37</sup> S. Gut, *Die Religionsverbrechen nach jüdischem Recht*, 47 (Diss. Jur. Cologne, 1935 and offprint from the review *Nachlath Z'wi* 1934–1935); A. Buecheler, *MGWJ* 1906, p. 664; D. Daube, in *Symbolae in honorem... O. Lenel* (1931), p. 250.

<sup>38</sup> See e.g. Michel (n. 18), 434; 997; E. Grener, *Zeitschr. der Savigny-Stift*, 1941, p. 232; K. Latte, *Heiliges Recht*. (1920).

interpretation, the inscription refers to death at the hands of Heaven.<sup>39</sup> But in this case, the omniscient God would not need to wait until the violator is “caught” by men, to smite the perpetrator of the crime.<sup>40</sup> Another opinion explains the warning as referring to a lynching.<sup>41</sup> But Josephus explicitly states that the Romans permitted the Jews to put to death any one who passed the balustrade.<sup>42</sup> Thus, the current view regards the text as implying a prosecution by the Jewish authorities.<sup>43</sup> But this interpretation leaves unexplained the formula of the sanction: εἰνὸν αἴτιος ἔσται.

In fact, the quoted Greek expression which often occurs in the form: αἰτιώσθαι εἰνὸν is a colloquialism, which had the same meaning as the English “or else” (be responsible for consequences).<sup>44</sup> The formula means that the culprit was warned by the author of the notice that he is risking punishment.<sup>45</sup> In Aristophanes’ *Frogs*, Dionysos, disguised as a servant, incurs the danger of being tortured. He warns: “I forbid anyone to put me to the torture, me, who am immortal, or else you will bear the blame yourself hereafter”.<sup>46</sup> That is a jest. But some years later, in 399, a Lacedaemonian admiral ordered Xenophon’s soldiers out of the city of Byzantium, “or else”. Xenophon’s narrative reveals the grim meaning and consequences of this ambiguous threat: every soldier caught in the city was sold into slavery.<sup>47</sup> Likewise, the clause in a circular sent out in 111 B.C.E. which stipulated that whoever contravenes the regulations concerning some price controls “will have himself

<sup>39</sup> J. Derenbourg, *Journ. Asiat.* XX (1872), p. 184.

<sup>40</sup> Cf. Demosth. XIX, 71.

<sup>41</sup> A hypothesis dubitatively expressed by Clermont-Ganneau (n. 3), p. 290.

<sup>42</sup> Jos. B. J. VI, 126: Titus addresses to the Jews: οὐχ ἡμεῖς δὲ τοὺς ὑπερβάντας ὑμῶν ἀναρπεῖν ἐπετρέψαμεν, κἄν Ῥωμαίων τις ᾗ.

<sup>43</sup> See J. Juster, *Les Juifs dans l'Empire Romain* II (1913) 143. *Contra*: H. Dessau, *Gesch. der römisch. Kaiserzeit* II (1931), p. 759.

<sup>44</sup> Cf. Plato, *Leg.* V, 727b: τῶν αὐτοῦ ἐκάστοτε ἀμαρτήματων μὴ εἰνὸν αἴτιον ἡγήται. Cf. the incomplete conditional sentence: εἰ δ' οὖν. Cf. J.D. Denniston, *The Greek Particles* (1934), p. 464; Ad. Wilhelm, *Mélanges E. Boisacq* II (1938), p. 357.

<sup>45</sup> L. Robert, *Études Anatoliennes* (1937), p. 415. Cf. Michel (n. 18), 704 as interpreted by K. Latte (n. 38), p. 154. R. Martin, *BCH* 1940–41, p. 185, Ad. Wilhelm, *S.B. Wiener Akad.* 224, 1, 1946, p. 18; BÉ, 1977, n° 466.

<sup>46</sup> Arist. *Ranae*, 628 (with J.J. Leuwen's note): ἀγορεύω τινὶ ἐμὲ μὴ βασκανίζειν ἀθάνατον ὄντ', εἰ δὲ μὴ, αὐτὸς σεαυτὸν αἰτιῶ. Cf. Arist. *Nubes*, 1433 (the author alludes here to the anecdote told in Arist. *Nicom. Eth.* VI, 2, 1149b); Herod. V, 106; K. Preisendanz, *Papyri Graecae Magicae* XII, 154. Translated into poetic language the same comminatory formula is used in the *Argonautica* of Apollonius of Rhodes (II, 17; III, 98).

<sup>47</sup> Zen. *Anab.* VII, 1.

to blame", referred to an arbitrary punishment at the discretion of the government.<sup>48</sup> Let us add a Latin version of the same formula. A sign placed at the entrance to a piscina in Rome<sup>49</sup> warned women not to enter, otherwise they would have themselves to blame for consequences. Now, it was generally believed that a sacrilege would bring the whole community into danger since contact with the culprit would attract divine wrath upon the entire social group. Thus, sacrilege was a kind of high treason,<sup>50</sup> which was often punished in Greece by a public act, outside of the rules of ordinary procedure.<sup>51</sup> There were two principal forms of averting evil in such cases. The magistrates punished the culprits notoriously guilty of certain offenses without a court proceeding.<sup>52</sup> Or, the offender was outlawed *ipso facto* and might be dealt with by anyone. For instance, an adulteress was forbidden to enter the temple at Athens. In case of her violating the edict, everyone was permitted to inflict upon her any punishment short of death or maiming.<sup>53</sup> This principle of society's self-defense remained in force throughout the Hellenistic Age. Let me quote some instances bearing upon this subject. About 300 B.C.E. the city of Eretria (Euboea) confirmed a contract for public works by the oath of the community. Accordingly, the attempt to abrogate the contract in violation of the oath was classified as sacrilege and any one who intended such violation was threatened with outlawry.<sup>54</sup> A slab from the third century preserves the sanction of a law enacted at Cyme (Asia Minor). It reads: "Whoever wishes may kill the offender. The killer will be considered as ceremonially clean and

<sup>48</sup> P. Tebtunis, 35 ap., *SP* II, n° 223: ὅ τι παρὰ ταῦτα ποιῶν εἰνυτὸν αἰτιάζεται. In the same meaning another official letter-writer uses the word μεταμέλει (P. Hibeh, 59).

<sup>49</sup> H. Dessau, *Inscr. Latinae*, 3520; *imperio Silvani. Ne qua mulier velit in piscine virili descendere. Si minus de se queretur. Hoc enim signum sanctum est.* Among the Peleu islanders, the women may kill on the spot any man who enters their bathing place. E. Westermarck, *History of Human Marriage* I (5th ed.), p. 566.

<sup>50</sup> See F. Thureau-Dangin, *Rev. d'Assyriologie* XXXVIII (1941), p. 43; *Inscr. jurid. grecques* II, p. 373; G. Glotz, *La Solidarité de la Famille dans le droit grec* (1904), p. 22.

<sup>51</sup> For classical Greece cf. Plato, *Leg* IX, 871e; Dem. XIX, 66; G. Glotz in *Dict. des Antiquités* III, 927 s.v. *Lapidatio*; IV, 521 and 535 s.v. *Poenae*; G.M. Calhoun, *The Growth of the Criminal Law in Ancient Greece* (1927), p. 66.

<sup>52</sup> See, e.g. Arist. *Resp. Athen.* 52. Cf. R.J. Bonner, G. Smith, *The Administration of Justice from Homer to Aristotle* II (1934), p. 121.

<sup>53</sup> Ps. Dem. LIX. 86; Aesch. I, 183. Cf. Bonner and Smith, *op. cit.* I, p. 119. An Athenian decree of 337/6 outlawed anyone trying to overthrow the constitution. He could be slain with impunity. J. Pouilloux, *Choix d'inscriptions grecques*, 1960, n. 30. Further cf. O. Schultheiss, *RE* XX, col. 973; *Inscr. jurid. grecques* I, p. 48.

<sup>54</sup> *Inscr. jurid. grecques* I, p. 150. See, too, L. Robert, *Rev. de Phil.* 1936, p. 136.

guiltless".<sup>55</sup> In 217 B.C.E., Antiochus III of Syria executed his vizir Hermias for high-treason. Then, the women of Apamea stoned the wife of the traitor, and the boys did the same to his sons. Each group ejected its contaminated element. In 204 B.C.E., Ptolemy V gave to the people of Alexandria permission to slay all who had been in any way guilty of offenses to himself or his mother during the preceding interregnum.<sup>56</sup> In 200 B.C.E. two Acarnanian youths were caught in Eleusis during the performance of the mysteries. They were executed at once. Some months later the Athenians outlawed anyone who proposed to amend the decree execrating the Macedonian royal house. Anyone was allowed to slay the offender lawfully.<sup>57</sup> In 88 B.C.E., when the party of Mithridates dominated Athens, the "tyrant" Athenaeus brought suit for treason against many of his opponents, but he put to death without trial those who were caught in the flagrant crime of treason by trying to escape from the city.<sup>58</sup> In 59 B.C.E., a member of the Roman mission to Egypt killed a cat, sacred in the eyes of the Egyptians. He was put to death by the population, although the officials, afraid of Rome, sought to dissuade them from the act.<sup>59</sup> Some decades earlier, the author of Third Maccabees, writing in Alexandria, was under the impression that Ptolemy IV had authorized the Jews to put to death apostates without reference to any tribunal.<sup>60</sup> Egyptian papyri, on the other hand, often mention "appeal to the king", that is action by the bystanders in the case of a flagrant offense.<sup>61</sup> In the utopic society of Euhemerus, a priest coming out of the sacred precinct might be slain with impunity.<sup>62</sup>

Thus, the meaning of the balustrade inscription was clear to any pagan reader: the trespasser will be executed by the outraged community he had polluted by his act.<sup>63</sup>

<sup>55</sup> Ch. Picard, A. Plassart, *BCH* 1913, p. 157: κτεινέτω δὲ αὐτὸν ὁ θέλων· ὁ δὲ ἀ[ποκτείνας εὐάγης ἔστω κ]αὶ κάθαρος.

<sup>56</sup> Pol. V, 56, 15; XV, 32, 7.

<sup>57</sup> Liv. XXXI, 14, 6 and 44, 7.

<sup>58</sup> Athen. V, 214c.

<sup>59</sup> Diod. I, 83, 8.

<sup>60</sup> III *Macc.* 7, 10. Cf. E.R. Goodenough, *The Jurisprudence of the Jewish Courts in Egypt* (1929), p. 36.

<sup>61</sup> W. Schubart, *Archiv für Papyrusforsch.* XII, p. 16.

<sup>62</sup> Diod. V, 46, 4.

<sup>63</sup> Cf. such passages as Diphilus *ap.* Athen. VI, 227f. or Alexis *ib.* VI, 226b.

## IV

Let us now turn to the Jewish side of the problem. Under Jewish law nobody can be put to death without trial by court. Herod learned at the beginning of his public career, in 47 B.C.E., that violation of this principle was a capital offense.<sup>64</sup> But, on the other hand, there remained the archaic procedure of the community action against the wrongdoer, as it is fixed in the Bible. The manifest reason for its survival was the form of capital punishment by stoning, which is provided in the Torah in almost all cases of death penalty.<sup>65</sup> Thus, in 7 B.C.E., before a tribunal composed of Romans, Herod quoted the biblical law against the rebellious son (Deut. 21.21), as meaning that the bystanders must stone him to death,<sup>66</sup> after the parents had brought the charge against him. Herod himself had recourse to justice by the populace. In the spring of 4 B.C.E., some zealots tore down the golden eagle placed over the great gate of the Temple. Herod convened Jewish magistrates and the people in the amphitheatre at Jericho and accused the perpetrators and their accomplices of being guilty of sacrilege against God. About 8 B.C.E. the king produced before the multitude at Jericho officers indicted on the charge of high treason and the crowd stoned them to death. In the next year, Herod brought before an assembly at Caesarea more than three hundred officers accused of being implicated in a treasonable plot against him and they were also stoned by the gathering.<sup>67</sup> Such action by the multitude who were given jurisdiction should not be confused with lynching, because the people gather, judge and execute the offender on appeal of the magistrates.<sup>68</sup> After Herod's death, the new king, Archelaus, stated that the zealots executed in 4 B.C.E. by the multitude, were sentenced "according to the laws".<sup>69</sup>

According to Josephus, however, a whole nation would suffer for

<sup>64</sup> Jos. *Ant.* XIV, 163; *B.ḥ.* I, 207. But the king retained the power of coercion, including the right to inflict the death penalty. Jos. *Ant.* XIV, 167.

<sup>65</sup> A. Buechler, (n. 37), p. 609.

<sup>66</sup> Jos. *Ant.* XVI, 365. Josephus gives the same interpretation of the biblical passage (*Ant.* IV, 264).

<sup>67</sup> Jos. *Ant.* XVII, 160 and *B.ḥ.* I, 654; *Ant.* XVI, 320; XVI, 393 and *B.ḥ.* I, 550.

<sup>68</sup> Cf. the biblical procedure and indictment in the cases of sacrilege and high treason: *Jer.* 26; *I Reg.* 21. For lynching cf. Ev. Johann. 8, 59; 10, 31; Jos. *Ant.* XIV, 22; Philo, *de spec. leg.* I, 79; III, 126 and I. Heinemann, *Philons Bildung* (1932), p. 225. In lynching, the crowd acts outside of law and morality, following its own impulse. Cf. e.g. *Helioid. Aeth.* I, 13; Jos. *B.ḥ.* VII, 48.

<sup>69</sup> Jos. *Ant.* XVII, 209.

the sin of trespassing upon sacred ground, if the culprit was not "destroyed".<sup>70</sup> The Bible prescribes that the common man who comes near the Tabernacle should be put to death (Num. 1.51; 3.38). Talmudic jurisprudence accordingly states that the common man ministering in the Temple is liable to death.<sup>71</sup> Such defilement must be punished at once, or the whole social organism would be polluted. When a priest in a state of impurity ministered at the altar, other priests did not charge him in court, but brought him out of the temple and broke his skull with clubs.<sup>72</sup> Note that this public action is clearly distinguished in the Mishnah from lynching performed by individual zealots in case of some other transgressions, such as stealing sacred vessels. The difference is based on the fact that the Law expressly forbade defilement of the Tabernacle on pain of death (Lev. 15.31; Num. 19.13 and 20), while there was no legal provision about the damage done to sacred property which was under no legal protection.<sup>73</sup> In another tannaitic passage,<sup>74</sup> R. Simeon says that he once entered the area between the porch and the Altar without washing himself (cf. Ex. 30.20). R. Eleazar replied that even the High Priest would have his skull broken for such an offense, and added: "The *Baal ha-pil* did not discover you". The "master of the gate" (בעל הפיל) refers here to one of the priestly gatekeepers stationed in the inner court of the Temple to ensure that nothing unseemly happens.<sup>75</sup> The presence of a pagan on the holy ground was considered an act of utter desecration. "Inevitable death" was the verdict and he was "destroyed" by the Jews.<sup>76</sup> We now learn the full meaning of the

<sup>70</sup> Cf. Jos. *B.Ḳ.* I, 229, 354; IV, 201, 205, 215, 218; *Ant.* III, 318; XIV, 285.

<sup>71</sup> This is the opinion of R. Akiba (M. Sanh. 9, 6). But as I am informed by Prof. S. Lieberman, R. Akiba repeats the current interpretation. Prof. S. Lieberman refers the reader to Sifre Num. 116, p. 134, I, 8, ed. S. Horowitz and Sifre Zuta *ib.* p. 293. Cf. Bücher (n. 37), p. 671. For death as penalty for sacrificing in a state of impurity cf. Plato, *Leg.* X, 910a. Cf. O. Reverdin, *La religion de la cite platonicienne* (1945), p. 240.

<sup>72</sup> M. Sanh. 9, 6.

<sup>73</sup> Heinemann (n. 68), p. 39; M. Jung, *The Jewish Law of Theft*, Thesis, Dropsie College, 1929, p. 56. Cf. H. Gruenewald, *Die Uebervorteilung im jüdisch. Recht*, Diss. jur. Goettingen, 1933, p. 39.

<sup>74</sup> Tos. Kelim Baba Kamma I, 6. On the reading cf. S. Lieberman, *Tosephet Rishonim* III, p. 3, n. 21. L. Finkelstein, *The Pharisees*, 3rd ed., 1962, I, p. 85; Boaz Cohen, *Jewish and Roman Law*, 1966, II, pp. 633–636.

<sup>75</sup> On this police force cf. Philo, *de spec. leg.* I, 156, *de praemiis*, 74. Cf. J. Jeremias, *Jerusalem in the time of Jesus*, 1969, p. 209. Prof. S. Lieberman refers me to a Scholion to *Megill. Taan.* P. 330 ed. Lichtenstein (HUCA VIII–IX): the door-keeper forbade Alexander the Great to enter the Temple.

<sup>76</sup> Philo, *Leg. ad Caium*, 31; Jos. *B.Ḳ.* VI, 126. On the ritual impurity of the pagans cf. A. Büchler, *JQR*, 1926, p. 1.



expressions of Philo and Josephus. In harmony with Greek and Jewish ideas about the right to legitimate self-protection of a community against those who direct divine anger upon them, a sacrilegious person would be killed by the multitude. The legal character of the deed, different from lynching, explains a particular feature of the Temple inscription. The text specifies the formula "or else" by a very definite sanction of death. It must however comply with the requirement of Jewish law, that a culprit must be forewarned on the consequences of his intended violation and that the warning must inform him of the penalty to which he might be liable.<sup>77</sup> The writer of the inscription had to reconcile this modern idea of the importance of deliberate intention with the personal ancient principle of automatic action by the community against the defilement. In practice, it depended on the Levitic watchmen who acted as police in the Temple, whether the trespasser would be dragged out and killed by the crowd. The crowd began to beat Paul for alleged violation of the law against bringing pagans into the Temple, but he was rescued by Roman soldiers, and his case went to a competent tribunal. In the same manner, at Ephesus, Paul's friends were seized by a heathen multitude and brought into a popular assembly in the theatre as guilty of sacrilege against Artemis, the goddess of Ephesus.<sup>78</sup>

## V

The balustrade inscription of Herod's temple was preceded by similar notices in the temple of Zerubbabel. We happen to know that in 200 B.C.E., Antiochus III of Syria, having conquered Jerusalem, posted a proclamation on the gates of Jerusalem forbidding desecration of the holy city and prohibiting the entrance of non-Jews into the temple enclosure.<sup>79</sup> It is remarkable that the penalty for violation was here only a fine, as generally in Greek statutes of similar nature. But when Herod placed his inscription, at the time of the dedication of the Temple about 10 B.C.E., the king had complete political and jurisdictional authority over his territory.<sup>80</sup> Thus, the Jews had the power to impose whatever penalty they wished and to provide for the

<sup>77</sup> M. Sanh. 5, 1. Cf. S. Mendelsohn, *The Criminal Jurisprudence of the Ancient Hebrews* (1891), p. 32. Cf. M. Higger, *Intention in Talmudic Law*. Thesis, Columbia Univ. 1927.

<sup>78</sup> Act. Apost. 21 and 19.

<sup>79</sup> Jos. *Ant.* XII, 145. See *supra* p. 86 f.

<sup>80</sup> Juster (n. 43) II, p. 128.

procedure. It is worthy of notice that they chose an extreme penalty and the most simplified procedure. This was a sign of the times: in Jerusalem as everywhere in the Greek-Roman world, fear of pollution had increased. Purity was the condition of divine help, and men had lost confidence in their own power.<sup>81</sup> The author of Psalm 2, ascribed to Solomon, explains the capture of Jerusalem by Pompey (63 B.C.E.) as due to the chastisement of the Lord "because the sons of Jerusalem have polluted the sanctuary of the Lord".

When Judaea became a Roman province, in 6 C.E., the Romans simply accepted, according to their traditional policy, the rules and norms which had been valid before the annexation. The Romans were never possessed by an urge to remedy abuses or improve the standard of living in subject lands by hasty reforms. They particularly disliked any intervention with regard to sacred institutions. The Druidic religion in Gaul required human sacrifices. Augustus merely forbade Roman citizens to participate in Druidic rites. The cult itself was prohibited two generations later under Claudius.<sup>82</sup> The Romans ridiculed the Egyptian cult of animal worship but when they took possession of Egypt, Roman governors strictly observed the rules of this cult. As under the Pharaohs, the Achaemenid dynasty, and the Ptolemies, the killing of a sacred animal in Egypt continued to be a capital offense.<sup>83</sup> In Aphrodisias, in Karia, the Roman government prohibited catching, scaring away, and breeding pigeons which were sacred to Aphrodite.<sup>84</sup> In Ascalon, the visitor discovered that here, too, it was forbidden to catch the same holy birds.<sup>85</sup> As from time immemorial, two Locrian maidens went yearly to Ilion to appease the wrath of Athena also under the rule of the Caesars. If caught, these maiden were killed by the population of Ilion.<sup>86</sup> Every year in Orchomenus the priest of Dionysus performed the ritual pursuit of some women and in the time of Plutarch one of

<sup>81</sup> M.P. Nilsson, *Geschichte der griechischen Religion*, 1955, II, p. 70; cf. J. Rudhart, *Notions fondamentales de la pensée religieuse... dans la Grèce classique*, 1958, pp. 167-172.

<sup>82</sup> Suet. *Claud.* 25; Cf. Th. Mommsen, *Röm. Strafrecht*, 1899, p. 120. Cf. Plin. *n.h.* XXX, 4. On Augustus' motive in taking the action see A.D. Nock, *Camb. Anc. Hist.* X, p. 492.

<sup>83</sup> Cf. Herod. II, 65; Diod. I, 83; Cic. *Tusc.* V, 78. Cf. Arnob. VI, 6; Tert. *Apol.* 24: *Aegyptiis permissa est... potestas... capite dammandis qui aliquem huiusmodi deum occiderint.* Cf. *P. Yale*, 56.

<sup>84</sup> L. Robert, *Journal des Savants*, 1971, p. 95.

<sup>85</sup> Philo, *de provid.* 64 (IX, p. 500 ed. F.H. Colson).

<sup>86</sup> Plut. *de sera numin. vind.* 12 (557c). Cf. L. Farnell, *Greek Hero Cults*, 1921, p. 291; A. Momigliano, *Cl. Q.* 1945, p. 49.

them was actually killed. Plutarch states without surprise or censure that the Arcadians stoned those who intentionally trespassed on the precinct of Zeus Lykaios. In a Greek dreambook composed about 170 C.E., a dream interpretation is based on the premise that a married woman entering the temple of Artemis at Ephesus would be put to death.<sup>87</sup>

The Romans knew and respected the Jewish fear of pollution. When the Roman standards with images were placed in the fortress Antonia, that is in the Temple area, the Jews obtained their removal as impurities.<sup>88</sup> In 14 B.C.E., Agrippa, Augustus' representative in the East, ordered that the persons guilty of taking the "sacred money" of the Jews should be delivered to them for their "sacrilegious" behavior.<sup>89</sup> In the same manner, under Augustus and his successors, a foreign trespasser on the holy ground of the Temple, even if a Roman citizen, exposed himself to death at the hands of the Jewish multitude who were simply exercising their right of self-protection against infection.

The balustrade inscriptions were broken when Jerusalem was taken by Titus. One cannot but wonder how these marmoreal slabs would have continued to protect the purity of the Temple for many more centuries if not for the great Jewish rebellion of 66 C.E. The imperial government always protected the Jews and their strange customs.<sup>90</sup> As the Emperors Arcadius and Honorius in 397 C.E.<sup>91</sup> put it: *Iudeai sint obstricti caeremoniis suis. Nos interea in conservandis eorum privilegiis veteres imitemur.*

<sup>87</sup> Plut. *Quest. Graecae*, 38 (with W.R. Halliday's commentary); *ib.* 300c and A.B. Cook, *Zeus* I, 1914, p. 67; Artemid. *Oneirocr.* IV, 4 (cf. Achill. Tat. VII, 13). Paus. V, 6, 7 with J.G. Frazer's note.

<sup>88</sup> Jos. *Ant.* XVIII, 55; *B.7.* II, 169. Cf. C.H. Kraeling, *HTR* 1942, p. 279.

<sup>89</sup> Jos. *Ant.* XIV, 167. The legal meaning of the text is misunderstood. See e.g. Juster (n. 43) I, p. 383; M. Reinhold, *Marcus Agrippa*, 1933, p. 120; H. Volkman, *Zur Rechtsprechung im Principat des Augustus*, 1935, p. 131. The Greek law made a distinction between the theft perpetrated within a sanctuary (ιεροσυλία) and the stealing of consecrated property outside of the temple (κλοπή ιερῶν ξρημάτων). Only the first crime was punished by death. See L. Gernet, *Platon, Lois, Livre IX*, 1917, p. 66. Agrippa assimilated the stealing of *argentums Judaicum* to a temple robbery.

<sup>90</sup> Cf. S. Lieberman, *JQR*, 1945, p. 370; E.J. Jonkers, *Mnemosyne*, 1942-3, p. 304.

<sup>91</sup> *Cod. Theod.* XVI, 8, 13.

## RITUAL MURDER AND THE WORSHIP OF AN ASS

*A contribution to the study of ancient political propaganda*

### I. Sacrifice in the temple

In the second Book of his treatise *Contra Apionem*, Josephus quotes the following remarkable story from Apion:<sup>1</sup>

*Antiochus [IV Epiphanes] found a bed in the temple and a man lying on it. Before this man stood a table full of meat dishes, seafood, and fowls. The king was astonished to see this. At once, the man rejoiced at the king's entry, considering that this would help him greatly. He fell at the king's knees and stretched out his right hand, beseeching him to grant his freedom. The king ordered him to have no fear and to tell him who he was, why he lived there, and what the food meant. The man groaned and wept pitiably, and told the story of his distress. He said that he was a Greek. While traveling through the province in order to earn his living, he was suddenly kidnapped by foreign men, brought to the temple, and imprisoned there. No one saw him, but he was fattened up on all the food that was prepared for him. Initially, he had taken pleasure in these unexpected favors, but he began to be suspicious, and then astonished. Finally, he enquired of one of the servants who came to him, and learned that he was being fed in accordance with a secret law of the Jews, who did this at a set time each year. They seized a Greek who was on his travels, fattened him up for a year, and then led*

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<sup>1</sup> (91) *Antiochum in templo invenisse lectum et hominem in eo iacentem et propositam ei mensam maritimis terrenisque et volatilium dapibus plenam, et obstipuisset his homo.* (92) *Illum vero mox adorasse regis ingressum tamquam maximum ei solacium praebiturum ac procidentem ad eius genua extensa dextra poposcisse libertatem; et iubente rege, ut confideret et diceret, quis esset vel cur ibidem habitaret vel quae esset causa ciborum eius, tunc hominem cum gemitu et lacrimis lamentabiliter suam narrasse necessitatem ait.* (93) *Inquit esse quidem se Graecum, et dum peragraret provinciam propter vitae causam direptum se subito ab alienigenis hominibus atque deductum ad templum et inclusum illic, et a nullo conspici, sed cuncta dapium praeparatione saginari.* (94) *Et primum quidem haec sibi inopinabilia beneficia prodidisse et detulisse laetitiam, deinde suspicionem, postea stuporem, ac postremum consulentem a ministris ad se accedentibus audisse legem ineffabilem Iudaeorum, pro qua nutriebatur, et hoc illos facere singulis annis quodam tempore constituto.* (95) *Et comprehendere quidem Graecum peregrinum eumque annuali tempore saginare et deductum ad quandam silvam occidere quidem eum hominem eiusque corpus sacrificare secundum suas sollempnitates et gustare ex eius visceribus et iusiurandum facere in immolationem Graeci, ut inimicitias contra Graecos haberent, et tunc in quandam foveam reliqua hominis pereuntis abicere.* (96) *Deinde refert eum dixisse paucos iam dies de vita sibi superesse atque rogasse, ut erubescens Graecorum deos et superantes in suo sanguine insidias Iudaeorum de malis eum circumstantibus liberaret.* – As is well known, the original Greek text of this chapter has not survived. The Latin translation of *Contra Apionem*, which was commissioned by Cassiodorus ca. 550, is sometimes very literal, but sometimes free; frequently, the translator has not really understood the Greek text. I find the conclusion of §96 incomprehensible; it is not translated here. [English translation of the Latin text: Brian McNeil.]

*him to a wood, where they killed him and sacrificed his body according to their own rites. They ate his entrails and took an oath by the sacrifice of the Greek that they would maintain their enmity towards the Greeks. Then they flung the remains of the dead man into a ditch. The prisoner said that he had only a few days still to live, and he asked the king to free him from his terrible situation.*

Read with the eyes of an ethnographer, this story looks “genuine.”<sup>2</sup> “Barbarians” often sacrifice a foreigner to the local gods in their temple. A closer analysis shows, however, that the account given by Apion consists of two fundamentally different elements.

(1) *The oath of hatred*

Obviously, the point of the story is the oath of enmity which the Jews take each year, binding themselves to hate the Greeks. Josephus quotes from Apion the formula of this oath (2.121): “by the God who made heaven, earth, and water, not to have friendly relations with any foreigner, but especially not with any Greek.” The Greeks themselves were familiar with oaths of hatred of this kind: “I swear that I will never have friendly relations with the Lyttians... and I will endeavor with all my might to inflict harm upon the city of the Lyttians”: this oath was taken by the young men of Dreros on Crete ca. 220 B.C.E.<sup>3</sup> Naturally enough, such an oath is directed against only one specific enemy. In the case of the Jewish oath, however, we find what Tacitus called “hostility to all others” (*Hist.* 5.5).

The Jewish separateness struck the Greeks from the outset as something strange, but they found the explanation along the lines of Greek ethnography, which looked for the *aition*, viz. the unique historical event which was thought to be reflected in the custom they sought to explain: according to Hecataeus of Abdera, at the beginning of the third century B.C.E., the Jewish separateness went back to Moses. “Since he himself was expelled as a foreigner, he introduced among the Jews a way of life which is afraid of other people and hostile to foreigners.”<sup>4</sup>

<sup>2</sup> R. Reitzenstein, *Das iranische Erlösungsmysterium*, 1921, p. 180, suggests that people who hated the Jews simply transposed this story from some Syrian cult to the Jews. (The same hypothesis had already been put forward by J.G. Müller in his commentary on the *Contra Apionem*, Basle 1877, pp. 263f.) Cf. also R. Reitzenstein, *Hellenist. Mysterienrelig.*, 3rd edn. 1927, p. 199, 1.

<sup>3</sup> *SIG* I, 527.

<sup>4</sup> *Apud* Diodorus, 40.3.5. Cf. Justinus, 36.3. Similarly, the disciples of Pythagoras were accused of this hatred of all others: Iamblichus, *Pythag.* 259; Justinus, 20.4.4: *separatam*

A wise legislator such as Lycurgus, with whose name Moses was often coupled in antiquity (probably following the example of Posidonius),<sup>5</sup> makes his people take a vow on its constitutions, in order to ensure that these cannot be altered. The historians related that Moses did the same,<sup>6</sup> and this excused the Jewish conduct at least in the eyes of more benevolent judges, since people in antiquity generally found it praiseworthy to hold fast to tradition.<sup>7</sup> This is precisely why Tacitus, who was hostile to the Jews, took up the hypothesis of Posidonius and emphasized that the laws regarding Jewish exclusiveness had a later origin.<sup>8</sup>

Apion's story takes over the motif of an oath from the ethnographic literature, but reshapes it. The Jews bind themselves anew each year – not in order that they may follow their laws, but in order to hate everyone else, and especially the Greeks.

## (2) *Coniuratio*

The Jews swear their terrible oath by the human victim, eating the entrails of the man they have killed: *et gustare ex visceribus eius et ius iurandum facere in immolatione*.

This rite of oath-taking is neither Semitic nor Greek. It is well known that a sacrifice on the occasion of swearing an oath is a magical action *per analogiam*, which is intended to bring down upon anyone who breaks the oath the fate of the animal that has just been slaughtered.<sup>9</sup> This

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*a ceteris civibus vitam exercerent, quasi coetum clandestini coniurationis haberent.* Cf. Seneca, *De tranq. anim.* 15.1: *odium generis humani*.

<sup>5</sup> Diodorus, 1.94; Strabo, 16.462; Josephus, *C. Ap.* 2.225. Cf. Augustine, *City of God* 10.13.

<sup>6</sup> Cf. Manetho *apud* Josephus, *C. Ap.* 1.238, and Lysimachus, *ibid.* 1.309.

<sup>7</sup> Tacitus, *Hist.* 5.5 on the laws of Moses: *hi ritus quoquo modo inducti antiquitate defenduntur*; Origen, *Contra Celsum* 5.43.

<sup>8</sup> Tacitus, *Hist.* 5.5.

<sup>9</sup> The ethnographical material on oaths is collected by R. Lasch, *Der Eid* (Studien und Forschungen zur Mensch- und Völkerkunde 5), Stuttgart 1908. Further material can be found in Hastings, *Encyclopedia of Religion and Ethics*, s.v. "Covenant" (Vol. IV) and "Oath" (Vol. IX); E. Westermarck, *Ursprung und Geschichte der Moralbegriffe*, 1907–1909; J.G. Frazer, *Folk-Lore in the Old Testament* I, 1920, pp. 392ff. – On the theory of the oath, cf. also Thurnwald in *Reallexikon für Vorgeschichte*, s.v. "Eid," and especially A. Loisy, *Essai sur le sacrifice*, 1920, pp. 287ff. – On the Greek oath, cf. F. Pfister in *RE* XI/2, 2171ff.; P. Stengel, *Griechische Kultusaltertümer*, 1920, p. 137; E. Samter, *Völkenskunde im altsprachlichen Unterricht*, 1923, pp. 31ff. – On the semitic oath, cf. J. Pedersen, *Der Eid bei den Semiten*, 1914.

requires physical contact between the victim and the one who takes the oath, but the Mediterranean peoples touched the animal: they did not eat it. We must look much further afield, to the Far East or to eastern Africa, to find an oath-taking which involves eating the victim.<sup>10</sup> Ultimately, this praxis probably goes back to cannibalistic ideas: the fate of the animal is the model of the fate which awaits the human person who breaks the oath. When the Batak takes an oath according to this rite, he eats a portion of the heart of the victim and utters a curse: if he breaks his oath, may he too be consumed in the same way.

We need not however believe that the author of Apion's story had been informed about the Batak or the Tungus peoples, or that he had observed something similar among some other primitive people. This trait is not drawn from real life. Nevertheless, it was in fact very much alive in one genre of Greek political literature, viz. the narrative of conspiracies. Josephus himself calls the action described by Apion "a renewal of the conspiracy by the shedding of sacrificial blood" (2.99: *renovata coniuratione per effusionem sanguinis*).<sup>11</sup>

A few examples will illustrate how this commonplace (or *topos*) of the cannibalistic meal on the occasion of an oath is employed in hellenistic literature.

The adherents of Tarquinius, who have been expelled from the city, wish to consolidate their *coniuratio* against the young Roman republic: "It was resolved that they should all take a violent and terrible oath, pouring out the blood of a sacrificed human being" (instead of a libation of wine) "and touching his entrails" (Plutarch, *Popl.* 4).<sup>12</sup>

Eating human entrails plays a prominent role in the conspiracy which brought to power the most hated tyrant of the Diadochoi

<sup>10</sup> I have found the following examples: the Battak and Passamah on Sumatra (Lasch, pp. 85f.), the Malanaus on Borneo (Frazer I, p. 407, 2) and on Timor (Lasch, p. 86); the Tungus people in Siberia (Lasch, p. 51), the Lushei Kuki in Assam (Frazer I, p. 390), in Annam (Lasch, p. 87), and in Tibet (Frazer I, p. 394); the Karamojo in east Africa (Lasch, p. 87).

<sup>11</sup> Here, political writers distorted some mystery rites and made them more crude: S. Reinach, *Cultes, mythes et religions* V, 1923, p. 237. Cf. the regulation about oath-taking in the Andania inscription (*SIG*, 747), and Plato, *Critias* 119f. – Later, adventure stories employed the motif of human sacrifice (e.g. Xenophon, *Ephes.* 2.13) and that of the ritual eating of the entrails of the human victim (Achilles Tatius, 3.13). – On the oath of initiation in the mysteries, cf. R. Reitzenstein, *Hellenist. Mysterienrelig.*, 3rd edn. 1927, pp. 109f., 116, and 195f. Cf. Juvenal 6.550; Justin, I *Apol.* 18.

<sup>12</sup> Ὀρκον ὁμοσαι μέγαν ἔδοξε πᾶσι καὶ δεινόν, ἀνθρώπου σφαγέντος ἐπισπείσαντας αἷμα καὶ τῶν σπλάγγνων θιγόντας.

period, Apollodorus of Cassandreia (Diodorus, 22.5): “Apollodorus, who was preparing an assault in which he would seize the office of tyrant for himself and believed that he must strengthen the bonds of the conspiracy, sent for a young man with whom he was friendly, on the pretext that he should come to the sacrifice. But he sacrificed the young man to the gods, gave the conspirators some of his entrails to eat, and demanded that they drink his blood, which Apollodorus had mixed with wine.”<sup>13</sup>

One of the most celebrated conspiracies in classical times was the *coniuratio Catilinae*, and we find the commonplace there as well. “Many affirm that when Catiline assembled those of his party to take an oath related to his criminal deed, he mixed the blood of a human being with wine and carried this in a cup from one to the next. After all had spoken the formula of the curse and had tasted of this beverage – as is customary in sacred ceremonies of worship – he revealed his plan” (Sallust, *Cataline* 22). Plutarch (*Cicero* 10) and Cassius Dio (37.30,3) diverge on points of detail. According to Dio,<sup>14</sup> Catiline killed a boy in sacrifice and had his conspirators swear on the boy’s entrails. They then consumed these in a sacrificial meal. Plutarch relates that the conspirators ate the flesh of a man whom they had sacrificed, in order to give assurances of their mutual fidelity.

Under Marcus Aurelius, the Egyptian country people rebelled against Rome. Early on in their revolt, the leaders craftily captured a Roman centurion, “slaughtered him in sacrifice, swore their common oath on his entrails, and then consumed these” (Dio Cassius, 71.4,1).<sup>15</sup>

We do not know to what extent this last account may contain a factual core; but the story about Catiline is certainly untrue, since Catiline’s arch-enemy, Cicero, who was never reticent in his choice of words, never mentions the human sacrifice. This is a calumny, therefore, invented and spread according to a well proven pattern. Human sacrifice was simply part of the “style” of an inhuman conspiracy. Sallust notes: *non nulli ficta et haec et multa praeterea existimabant ab eis, qui Ciceronis invidiam, quae postea orta est, leniri credebant atrocitate sceleris eorum, qui poenas dederant.*

<sup>13</sup> Τά τε σπλάγχνα τοῖς συνονόμασιν ἔδωκε φαγεῖν καὶ τὸ αἷμα κεράσας οἴνῳ πιεῖν παρακελεύσατο.

<sup>14</sup> Παῖδα γάρ τινα καταθύσας καὶ ἐπὶ τῶν σπλάγχνων αὐτοῦ τὰ ὄρκια ποιήσας ἐσπλαγγάνευσεν αὐτὰ μετὰ τῶν ἄλλων.

<sup>15</sup> Καταθύσαντες ἐπὶ τε τῶν σπλάγχνων αὐτοῦ συνώμοσαν καὶ ἐκεῖνα κατέφαγον. This passage is not mentioned in T. Hopfner, *Fontes histor. relig. Aegypt.*



When a Roman poet wishes to provide an impressive introduction to his account of the mythical *coniuratio* of the women of Lemnia against their husbands, which was famous in antiquity, he shows us the leading woman killing her own child, *ac dulce nefas in sanguine vivo coniurant* (Stattius, *Theb.* 5.159). On this, the scholiast observes: “They take an oath to perform the wicked deed, and the crime they are about to commit is established unshakably by the atrocity of the murder of a child.”<sup>16</sup>

These passages from Dio Cassius and Plutarch deviate in one important detail from the usual structure of the topos: the eating of the entrails is explicitly separated from the oath and presented as a special, complementary action. Are we to understand this too as a religious or magical act? The making of a covenant often takes the form of a shared meal; but I cannot seriously believe that this is an appropriate interpretation of the passages cited here.<sup>17</sup> To begin with, the ethnographers present no certain example of this kind of doubling of the covenant rite (first the sacrificial oath, then the ritual eating of the victim on whom the oath was taken); as far as I can see, nothing like this is found in the secret societies of primitive peoples. Secondly, even if one did have evidence of this custom, it is difficult to imagine Dio Cassius importing it from some primitive corner of the earth into the “rhetorical” *topos*. In the context of Greek religious ideas, it is *a priori* inexplicable: as I have said, the oath is a curse invoked upon oneself. The hellenistic religious view makes taboo the entrails of the sacrificial victim, which are the seat of the vital force and now are laden down with a curse. This means that they cannot be eaten; in particular, they cannot be eaten sacramentally.<sup>18</sup>

Dio’s account can be explained on the basis of the specific nature of the rhetorical-political literature on which he draws. Understandably, this genre substituted a criminal interpretation for the original magical significance of the cannibalistic meal in connection with an oath-taking. The conspirators are bound together, not by a common curse, but by their dreadful shared crime of eating human flesh. This abomination is

<sup>16</sup> Scholion on Statius, *Theb.* 4.721.

<sup>17</sup> This interpretation of the rite of the alleged oath taken by Catiline’s followers has been proposed by S. Reinach, *op. cit.*, and A. Loisy, p. 304. However, all the parallels which they (and Hamilton, *Enc. of Relig.*, s.v. “Covenant”) adduce correspond to the rite of oath-taking among the Battak, and are to be understood in the same sense.

<sup>18</sup> P. Stengel, *Hermes*, 1914, pp. 99ff.

a further pledge of loyalty added to the oath, a *vinculum sceleris*.<sup>19</sup> Since they share the guilt in a grave crime – *tanti fascinatoris consci*, in Sallust's words – this *pignus coniurationis* (Florus 2.12,4) makes their mutual bond a matter of life and death.

(3) *Tragoediae Thyestae*

The famous accusation leveled against the Christians – their cannibalistic meal, the *tragoediae Thyestae* (Tertullian, *Ad. nat.* 1.7) – is also based on this understanding.

From Justin Martyr (ca. 150 C.E.) onward, all the Christian apologists mention this charge of cannibalism.<sup>20</sup> Justin himself, like Irenaeus and Eusebius at a later date,<sup>21</sup> pointed the finger more or less unambiguously at the gnostics, whose conduct was alleged to be the reason for this accusation of the Christians in general. Modern scholars exonerate the gnostics, and attempt rather to explain the origin of this calumny by means of a confusion: the pagans had misunderstood the true meaning of the eucharist,<sup>22</sup> or else had taken too literally the words about eating the flesh of the Son of Man and drinking his blood (Jn. 6:53).<sup>23</sup>

The only surviving presentation of the pagan accusation – otherwise, the apologists restrict themselves to allusions – is given by Minucius Felix (*Octav.* 9) and is probably based on the anti-Christian treatise by the famous rhetor Fronto, who was the tutor of Marcus Aurelius. It clearly employs the same *topos* of the *coniuratio*. The one who is to be initiated as a Christian (*qui sacris imbuatur*) must unwittingly kill a newborn child who is covered in flour. He must then lick the child's blood and eat its limbs. This brings about the Christian covenant, which guarantees mutual silence: *hac foederantur hostia, hac conscientia sceleris ad silentium mutuuum pignerantur*.

<sup>19</sup> This was correctly emphasized by Gruter. Cf. C.H. Frotscher, *Doctorem hominum comment. in Sallust.* I, p. 293.

<sup>20</sup> The most recent monograph is P. Waltzing, *Le crime rituel reproché aux chrétiens*, 1925; also in *Musée Belge* and *Bull. Acad. de Belgique. Classe de Lettres*, 1925.

<sup>21</sup> Justin, I *Apol.* 26.7; Eusebius, *Hist. Eccl.* 4.7,11.

<sup>22</sup> It was probably Renaissance scholars who first proposed this hypothesis. Cf. C. Wormius, *De veris causis cur... christianos calumniati sint ethnici*, Copenhagen 1625. Irenaeus, frag. 13 (PG 7, 1256), is aware of instances where misunderstandings of this kind led, if not to the genesis, then at least to the confirmation of such fables.

<sup>23</sup> Waltzing, *op. cit.*, p. 8.

No oath is mentioned in this account: the crime itself is the mortar which binds together this society of *hostes generis humani* (Tertullian, *Apol.* 37). Through his unwitting performance of a dreadful act, the neophyte is caught in the nets of the Christians (the same has been said about the secret societies of primitive peoples).<sup>24</sup> Similar tales had been told in Rome about the Bacchanals,<sup>25</sup> and a variant of the story of Apollodorus (Polyaenus, 6.7,2) offers a remarkable parallel to the scene depicted in Minucius Felix: Apollodorus sacrifices a boy, cooks his entrails, and then serves this meal to his fellow conspirators. “After they had eaten, and drunk the blood of the victim which was mixed with dark wine, he showed them the corpse and made sure of their fidelity by means of this common defilement.”

Unfortunately, we do not know how early this accusation arose, or was taken over from hellenistic political literature. The phrase “meal of Thyestes,” which indicates the same idea, is first used in the last quarter of the second century C.E.<sup>26</sup> When Pliny the Younger expresses his surprise that his investigations have revealed that the Christians do not commit themselves by oath to commit some crime or other, but rather to engage in peaceful pursuits (*Ep.* 10.96), this must mean that the accusations brought before him had spoken of the Christian oath. It is however also possible that it was the Jews who had directed against the Christians the variant of the hellenistic *topos* that we find in Munucius Felix; Justin and Origen may not have been wrong to identify them as the authors of this accusation.<sup>27</sup> After all, the Pharisaic author of the Psalms of Solomon (8.9) accuses the enemies of his party of engaging in embraces *à la* Oedipus “in underground caverns”!

In this context, the most significant passage is in the Wisdom of Solomon, which was probably written in the first century B.C.E. in Egypt. One of the accusations made by Alexandrian polemic, which liked to look for a basis in Scripture,<sup>28</sup> was that the Jews had had no right to take possession of Palestine.<sup>29</sup> The justification put forward by the author of Wisdom naturally lists the sins of “those who dwelt of

<sup>24</sup> Cf. G.G. Murray in *Die Anthropologie und die Klassiker*, 1910, p. 92.

<sup>25</sup> Livy calls them *clandestinae coniurationes* (39.8), but here it was not a human sacrifice, but the *stuprum*, which functioned as the *vinculum sceleris*. Cf. S. Reinach, *Cultes, mythes et religions* III, pp. 265ff.

<sup>26</sup> Athenagoras, 3; Eusebius, *Hist. Eccl.* 5.1,14.

<sup>27</sup> Justin, *Dial.* 17; Origen, *Contra Celsum* 6.27.

<sup>28</sup> J. Lévy, *REJ* 63 (1912), pp. 211ff.

<sup>29</sup> Cf. H. Lewy, *MGWJ* 77 (1933), pp. 84–99 and 172–180.

old in your holy land,” e.g. idolatry, magic, and infanticide. And “these initiates from the midst of a heathen cult” indulged in “sacrificial feasting on human flesh and blood” (12:6ff.)!<sup>30</sup>

For this last assertion (unlike the first charges), the author could find no support in the Bible. Rather, as we see from his rather inappropriate terminology, he has simply transposed a commonplace of hellenistic political literature to the Canaanites. And this can certainly be read as one more sign of the hellenization of Judaism!

This text is a classical example of the ease with which one’s enemy could be accused of cannibalism. The foes of Christianity needed no “misunderstanding” in order to spread their calumny, any more than the Christian church itself needed any “misunderstanding” in order to repeat this calumny word for word, but now applying it to the Christian “sects,” Montanists,<sup>31</sup> Manichees, and Euchites.<sup>32</sup> Did not even as great a spirit as Tertullian, once he had become a Montanist (sixteen years after penning his *Apologeticum*), write about the church’s “agape”: *adulescentes tui cum sororibus dormiunt?*<sup>33</sup>

#### (4) *Devotio*

As is fitting in a *coniuratio*, the Jews take their oath on the human sacrifice. In this case, however, the victim is a representative of the hostile tribe, and the declaration of enmity towards the Greeks is accompanied by the ritual killing of a Greek: *ius iurandum facere in immolatione Graeci, ut inimicitias contra Graecos haberent.*

This is an act of *devotio*, i.e. of handing over one’s enemy to those who dwell under the earth; the same thing is done by the country people in Dio Cassius’ account (see above). The *devotio contra hostem* is a very widespread form of magic, which was common in the official Roman and hellenistic religions,<sup>34</sup> and the special form described by Apion is found frequently. For example, the Greek and Carian mercenaries of Psammetichus II seize the children of the leader of the enemy force, kill them, and drink their blood before the battle.<sup>35</sup> Before meeting

<sup>30</sup> Translation: Revised Standard Version.

<sup>31</sup> Cyril, PG 33, 928; Augustine, *De haeres.* 28. Cf. P. de Labriolle, *Sources de l’histoire du montanisme*, Fribourg 1913, nr. 76, 100, 113, 144.

<sup>32</sup> Psellus, PG 122, 832.

<sup>33</sup> Tertullian, *De ieiunio* 17, quoted by Waltzing, *op. cit.*, p. 30, 5.

<sup>34</sup> Cf. F. Schwann, *Arch. f. Religionswissenschaft* 21 (1922), pp. 62ff.

<sup>35</sup> Herodotus, 3.11.

the Goths in battle in 539, the Franks, who had already converted to Christianity, sacrificed a number of captive women and children as “first fruits of the war.”<sup>36</sup> The Huns did the same when they began their military campaign against the Scythians.<sup>37</sup> We are told that the old Prussians “each year seized one of those on whom they intended to make war and tied him to a tree, though not an oak, and shot darts into his heart when the sacred day had come.”<sup>38</sup> They then evaluated the outcome of the war by examining how the blood flowed. Even today, the Bakitara in Uganda consecrate the heart of their first captive to the fetishes.<sup>39</sup>

The closest parallel to Apion’s account is probably the ritual killing of a representative of the enemy tribe, which was carried out in Rome.<sup>40</sup> When Orosius (4.13.4) mentions the first occurrence of this kind, at the beginning of the Gallic War (which went very badly for the Romans), he clearly formulates the ideas connected with this practice: “But this magic tie immediately turned against them. For they were obliged to expiate, with terrible losses on their own side, the powers of the curse, which they had called into existence by killing the foreigners.”

Obviously, the Jewish rite aims to impose a magic bond on the Greeks. Its annual renewal is meant to intensify its effectiveness.

(5) *The prisoner in the temple*

This compact and unambiguous picture of the Jewish *coniuratio* for the destruction of the Greeks presents a glaring contrast to the first part of

<sup>36</sup> Procopius, *Bell. Goth.* 2.25. Cf. also Florus, 2.30,24.

<sup>37</sup> Jordanes 24.125, based on Priscus.

<sup>38</sup> Simon Gronovius, *Preußische Chronik* 3.5,1. Scholars have great reservations about the credibility of this author, who seems to resemble very strongly the editor of the *Historia Augusta* (cf. H. Bertuleit in *Sitzb. der Altertumsgesellschaft “Prussia”* 25 [1924], pp. 35ff.). However, we possess other information about the sacrifice of captives: cf. Bertuleit, *op. cit.*, and F.J. Mone, *Geschichte des nordischen Heidentums* I, 1822, pp. 90f.

<sup>39</sup> J. Roscoe, *The Bakitara*, Cambridge 1920, p. 311. For other ethnographic parallels, cf. e.g. M. Culloch, in Hastings *Enc. of Religion* III, pp. 204f.; W. Foy, *Arch. f. Religionswissenschaft* 10, p. 545.

<sup>40</sup> In the interpretation of this rite, I follow R. Wunsch in Hastings *Enc. of Religion* VI, p. 866 (cf. also F. Schwann, *Das Menschenopfer bei den Griechen und Römern*, pp. 148ff.). Although the new interpretation by C. Cichorius, *Römische Studien*, pp. 7ff., and G. Wissowa, *Archiv für Religionswissenschaft* 22 (1923), pp. 201ff., is attractive, it contradicts the testimony of Pliny the Elder, who was a competent witness (*Natural History* 28.12): *Boario vero foro Graecum Graecamque defossos aut aliarum Gentium cum quibus tum res esset, etiam nostra aetas vidit. Cuius sacri precationem... si quis legat, profecto vim carminis fateatur, omnia ea adprobantibus 830 annorum eventibus.*

the narrative, the story of the captive who is fattened up for a whole year before being sacrificed. We must now examine this contradiction.

Human victims are often kept until a special festival,<sup>41</sup> and cannibals endeavor to have well nourished human victims for their meal. For example, the Bambola in Congo used to fatten up a slave when covenants were to be sealed.<sup>42</sup> Here, however, the victim is not eaten. On the contrary, it is emphasized that his remains are thrown into a ditch; only his entrails are tasted. *Saginare* ("to fatten up") is meaningless in this context, especially if it is said to last for a whole year!

Let us look at the main elements of the rite. A foreigner is captured and brought to the temple, where he is locked in and cut off from the outside world, but enjoys good food for exactly one year. When this period has elapsed, he is killed in a wood. This is repeated each year at a fixed date: *singulis annis quodam tempore constituto*.

Let me mention a few parallels which will at once reveal the meaning of this narrative.

In Mexico, on April 27, the feast of the solstice called "Toxatl," "the human image of the god Tezcatlipoca" was presented to public view: a prisoner of war who had lived for a year as the image of the god and had been well fed. On the feast day, he was killed outside the city. At once, another image of the god was chosen to live for the next year.<sup>43</sup>

The Albanians in the Caucasus caught one of the temple slaves in a wood and kept him attached to the sacred chain for a year, but nourished him lavishly. He was then sacrificed outside the temple after the year had elapsed.<sup>44</sup>

Before Easter, the Ssabians in Hauran kidnapped a foreigner, kept him until the Easter feast of the following year, then sacrificed him and adored his head.<sup>45</sup>

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<sup>41</sup> E.g. among the Khonde and Ashanti: J.G. Frazer, *Spirits of the corn and of the wild* I, p. 246; II, p. 63.

<sup>42</sup> On the Bambola, cf. Westermarck, *Ursprung der Moralbegriffe* II, p. 454; cf. also e.g. J.H. Weeks, *30 Jahre am Kongo*, 1914, p. 78; Thurnwald, in *Reallexikon für Vorgeschichte* VI, p. 208; T. Koch, *Intern. Arch. f. Ethnographie*, 1899, p. 78.

<sup>43</sup> B. de Sahagun, *apud* E. Seler, *Altmexikanische Studien* (Veröffentlichungen aus den Klg. Museen für Völkerkunde 6), 1899, pp. 194f.

<sup>44</sup> Strabo, 11.503.

<sup>45</sup> D. Chwolson, *Die Ssabier* II, St Petersburg 1856, p. 131, based on the Jacobite Patriarch Dionysius I, who in fact tells this story about the "Manicheans in Hauran." Chwolson undertook this as a reference to the Ssabians; I am unable to say whether this is correct. It is also possible that Dionysius invented the whole story. Cf. a similarly terrifying Christian fable in E. Amélineau, *Mém. Miss. Archéol. du Caire* IV, p. 112.

In Massalia (today's Marseilles), a poor man offered himself as a sacrificial victim. For a whole year, he was nourished at the expense of the state: *unus se ex pauperibus offerebatur alendus anno integro publicis sumptis*. Then he was killed outside the city *certo et sollemni die*.<sup>46</sup>

A similar human sacrifice was practiced in Abdera *singulis annis* and *certis diebus*.<sup>47</sup>

It is clear that Apion's temple prisoner belongs to this category. He too is a variant of the "Saturnalia king" who is found everywhere in the world.<sup>48</sup>

This is not the place to discuss the origin and meaning of this remarkable rite. It suffices to note that Apion's story corresponds in all its details to this practice,<sup>49</sup> and that the Saturnalia king is never eaten anywhere. The Mexican example is particularly eloquent: the old Mexicans ate all their innumerable human sacrifices in a sacramental meal, but not the image of the god Tezcatlipoca.<sup>50</sup>

The Saturnalia king may be an image of the god who periodically dies, as in the Syrian<sup>51</sup> and Mexican cults, and probably in the Albanian praxis,<sup>52</sup> or he may be a scapegoat, as in Massalia and among numerous

<sup>46</sup> Servius, *ad Aen.* 3.57; scholion on Statius, *Theb.* 10.793.

<sup>47</sup> Ovid, *Ibis* 467f., with the scholia.

<sup>48</sup> Cf. J.G. Frazer, *The Scapegoat*, 1913.

<sup>49</sup> I note some parallels, mostly drawn from ancient sources. (A) The victim is a foreigner, a traveler who happens to be passing that way. It is well known that this feature is common in agrarian rites, e.g. Apollodorus 2.116. In his novel, Iambulus (*apud* Diodorus, 2.55,3) relates that the Ethiopians purified their country by capturing two foreigners and then sending them out into the sea in a boat. Cf. also the legends about Artemis of Taurus: Plutarch, *Parallel.* 26 and 39. For ethnographic examples, cf. P.J. Hamilton-Grierson in *Enc. of Relig.* XI, pp. 864f. – (B) The motifs of rich nourishment and (C) of being locked up are found in most of the accounts of "Saturnalia kings." – (D) The period of one year: J.G. Frazer, *Scapegoat*, p. 224: "the interval between the celebration of the ceremony is commonly a year." – (E) A set date: at Rhodes, on Metageiton 6; December 18 in the Syrian cult (Boll, *Arch. f. Religionswissenschaft* 19, pp. 342ff.). – (F) The victim is to be ignorant of the fate that awaits him. This is a general requirement: *ne flebilis hostia immolaretur*. The Pawnees in North America gave their future victims excellent food, but did not inform them about their fate (J.G. Frazer, *Spirits* I, p. 238; on the interpretation of the rite, cf. Westermarck, I, p. 372). Lavish nourishment and a voluntary death are found in the *Acts* of Dasius (on this text, cf. W. Weber, *Arch. f. Religionswissenschaft* 19, pp. 316ff.). On Rhodes, the victim was given wine to drink before his death (Porphyry, *De abstin.* 2.54); other examples could be mentioned. – (G) The sacrifice is performed outside the city: Albanians, Massalia, Abdera, Halos (Herodotus, 7.197).

<sup>50</sup> E. Reuterskiöld, *Der Ursprung des Speisesakraments*, 1912, p. 94, 7, was probably the first to point this out.

<sup>51</sup> W. Weber, *Arch. f. Religionswissenschaft* 19, pp. 316ff.; Boll, *ibid.*, pp. 342ff.

<sup>52</sup> This new interpretation by Frazer, in the third edition of his "Adonis, Attis, Osiris,"

primitive peoples; but in every case, to eat him would be a complete contradiction of the meaning of the rite.<sup>53</sup>

It is obvious that there is no intrinsic connection between the stories about the Jewish oath and the Saturnalia king. The former reproduces a commonplace of hellenistic political rhetoric, while the latter describes a sacred custom in a temple in Syria or Asia Minor. We can still discern clearly the seam where the two are sewn together: *et deductum ad quondam silvam occidere quidem eum hominem eiusque corpus sacrificare secundum suas sollempnitates*.

It is rather late to offer in sacrifice a man who is already dead! This means that the ethnographic account closes with the words *occidere... hominem*.

The author of the account has thus appended an ethnographic narrative to a story in the genre of hellenistic political literature. Naturally, he did not know what it really meant, any more than Strabo knew the meaning of the Albanian rite, or a Greek knew the meaning of the legend of Busiris.<sup>54</sup> His intention was to lend credibility to the story of the oath and to attack the temple in Jerusalem, but also to make the account rhetorically more effective: he draws on all the resources of art in order to evoke ἔκπληξις,<sup>55</sup> and Josephus is right to call his account *plena tragoediae*. We should note the choice of words and the “scenery”: the astonished king, the Greek who prostrates himself at his feet, the contrast between the initial joy of the captive and the real state of affairs (*laetitia – suspicio – stupor – ac postremo*), the dramatic motif of the king’s arrival only at the eleventh hour (*paucos iam dies de vita sibimit superesse*), and the effect of surprise, which is intensified by the threefold mention of the motif of fattening up the victim: it is only at the close that we learn the real meaning of the story.

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seems more appropriate than that he gave in *Scapegoat*, p. 288. Cf. also Wolfram, *Strabos Nachrichten über primitive Religion*, dissertation, Bonn 1922.

<sup>53</sup> The eating of such a sacrifice would be conceivable only in an agrarian rite. But in that case, we would expect the rite to be connected in some way with sowing or harvesting (for example, some portions of the victim might be mingled with the seed); cf. e.g. Frazer, *Spirits of Corn II*, p. 20.

<sup>54</sup> On this, cf. J.G. Frazer’s remarks on Apollodorus 2.16, London 1921.

<sup>55</sup> My friend Dr Hans Levy in Berlin, who has actively supported my researches into this subject, has pointed this out to me, recalling the well known rhetorical directive which is discussed by Reitzenstein in *Hellenist. Wundererzählungen: illud genus narrationis, quod in personis situm est, debet habere spem, metum, suspicionem, desiderium... misericordiam, rerum varietates, fortunae commutationem, insperatum incommodum, subitam laetitiam, iucundum exitum rerum* (*Rhet. ad Herenn.* 1.8,12).



(6) *Apion's source*

Was Apion himself the author of the narrative, and what did it mean? Josephus has an answer: Apion borrowed this fable from Greek authors who wanted to justify Antiochus Epiphanes and his conduct (2.90): *isti vero... studuerunt defendere sacrilegum regem... volentes enim Antiocho praestare et infidelitatem ac sacrilegium eius tenere*; (2.97): *non tamen a sacrilegio privat Antiochum, sicut arbitrati sunt, qui haec ad illius gratiam conscripserunt*. This affirmation accords with the artistic and rhetorical character of the story, and with the *topos* of the *coniuratio*. I believe therefore that Josephus is completely right, and that Apion's story is an interesting fragment of hellenistic pamphleteering. In this context, the motif of the oath of hatred also becomes comprehensible. Our surviving sources surely give an inadequate idea of the extent to which the *odium generis humani* of which the Jews are accused here (a charge later leveled against the Christians too), and the formation of a conspiracy to put this hatred into action, were common assertions in hellenistic political propaganda. When Cato the Elder, a contemporary of Epiphanes, wrote to his son to be on his guard against Greek physicians, he was doubtless simply following a standard *topos* of propaganda: "They have sworn among themselves that they will use medicines to kill all non-Greeks, but they take payment for this, so that one will trust them. Then it will be easy for them to kill [their patients]" (*iurarunt inter se barbaros necare omnes medicina, sed hoc ipsum mercede faciunt, ut fides iis sit et facile disperdant*: Pliny the Elder, *Natural History* 29.14).

(7) *Political propaganda*

Seen from a "bird's eye" political perspective, the lengthy struggle of the Maccabees against the Seleucids was only one epiphenomenon in a process of epochal significance, viz. the disintegration of the Syrian empire. As early as 164 B.C.E., Rome intervened on behalf of the Jews. Roman pressure, the Parthian danger, and above all the dynastic confusions of the Seleucids, which were instigated or at least supported by neighboring states, played a more decisive role in the birth of the Jewish state than did the resolute will and zeal of the Maccabees.<sup>56</sup> "After they had acquired the Roman friendship, they were the first of the eastern

<sup>56</sup> Cf. E. Meyer, *Ursprung des Christentums* II; E. Täubler, *Tyche*, 1926, p. 129.

peoples to receive their independence: at that period, the Romans were very generous at the expense of others” (Justinus, 36.3).

In such a struggle, which gets dragged into the confusions of international politics and diplomacy, the public opinion of the world plays a special role; indeed, in all the political complications of the second century B.C.E., it was a decisive factor, as we often see in Polybius. Even a completely unrivalled superpower like second-century Rome was absolutely convinced of the necessity to have the “conscience of the world” on its side.<sup>57</sup> For example, an inscription in Delphi has preserved the text of a Roman encyclical letter to the Greek cities on the eve of the third Macedonian War. In this text, Rome makes no less than fifteen accusations (including absurd and odious charges such as the suspicion that Perseus wanted to poison the Roman senate) in order to blacken its enemy in the eyes of the Greeks.<sup>58</sup> The role of public opinion was certainly no less important for the Jews; it was not for nothing that Jason of Cyrene noted every instance of Greek support for the Jewish cause.<sup>59</sup> We may assume that the diaspora conducted its own propaganda campaign for the Maccabees, and that the Seleucids on their part did not neglect to paint an unfavorable picture of their enemy in the eyes of the world.

If an attractive hypothesis is correct, we may still possess one fragment from this propaganda battle. In Athenaeus 12.547, we read a decree of a King Antiochus in which the sovereign commands that all philosophers be expelled from the “city” and the “land”; their pupils are to be executed and their parents called to account. This letter is certainly spurious. It is a political forgery; it is well known how ready the conflicting parties at that period were to forge letters in the name of their enemies. The expulsion of the philosophers was also attributed to Ptolemy Euergetes II and to Lysimachus. This gravely discredited the sovereign in the eyes of an educated public. And it is possible, although it cannot be proved, that the “Antiochus” of the decree which was forged in Egypt was Epiphanes, and that the author was a Jew.<sup>60</sup>

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<sup>57</sup> Polybius, 28.3: at the beginning of the war against Perseus, Roman envoys visit the Greek cities and offer a justification of the politics of the senate. Polybius (20.19,7; 25.3.1 B.W.) calls this ἐλληνοκοπεῖν.

<sup>58</sup> *SIG* II, 643.

<sup>59</sup> 2 Macc 4:49; 4:35.

<sup>60</sup> L. Radermacher, *Rhein. Mus.*, 1901, pp. 202ff., suggested that the letter of Antiochus may have been a Jewish forgery. On the alleged measure taken by Euergetes,

(8) *Sacrilegium*

A favorite weapon in the arsenal of international propaganda at that period was the accusation that one's enemy had desecrated a temple.<sup>61</sup> Even a superficial look at the historical work of Polybius, a contemporary of the Maccabees, suffices to confirm the truth of this affirmation. Frequently, both sides accused each other of doing so, and they were usually fully justified in leveling this charge.<sup>62</sup> Polybius expresses his surprise that Philip of Macedon, who was a ruthless plunderer of temples, so vehemently castigated the *sacrilegia* of his enemies, without realizing that his accusations must rebound upon himself.<sup>63</sup>

The outrage at the desecrators of temples which was felt by public opinion is most tangibly expressed in the general expectation that the divine wrath must inexorably strike the guilty.<sup>64</sup> In his *Hypomnemata*, Pyrrhus ascribed his defeat to the wrath of Proserpina of Locris, whose temple he had robbed:<sup>65</sup> it was of course more seemly to be conquered by a goddess than by a Roman. But even a Sulla<sup>66</sup> or a Menophanes,<sup>67</sup> who had demonstrably not been pursued by the gods, are included in our traditions among those who fell victim to the divine wrath: the conscience of the world demanded no less. Even at the very end of the pagan period, its apologists appealed to this principle of retribution: *sacrilegi quoque numerari possunt, quorum praesentibus poenis iniuriam suam di vindicasse creduntur* ("it is easy to list the desecrators of temples on whom the gods are believed to have taken revenge by means of immediate punishments").<sup>68</sup>

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cf. Athenaeus, 184c; on Lysimachus, cf. Athenaeus, 610d. Examples of forged letters: Polybius, 5.42,7; 43,5; 50,1; Plutarch, *Pyrrhus* 6.

<sup>61</sup> It is well known that for one and a half centuries after the Persian Wars, the Greeks vigorously kept alive their "hatred of the Medians" which was directed against the Persian desecrators of temples; the Persians for their part took revenge for the temple in Sardis which was destroyed in the Ionian revolt. Cf. Herodotus, 5.102, and the comments on this text by P. Perdrizet, *REG*, 1921, pp. 57ff. — *SIG* 768; Augustus' letter to Mylase says that the Parthians have not spared even the temples.

<sup>62</sup> Cf. e.g. the polemic of the Acarnanians against the Aetolians in the Spartan popular assembly (Polybius, 15.30,1; 34,8ff.; 36,5).

<sup>63</sup> Polybius, 5.11.

<sup>64</sup> Cf. e.g. Herodotus, 6.75; Diodorus, 20.101; 31.35; Dio Cassius, 51.8,3.

<sup>65</sup> Dionysius of Halicarnassus, 20.10,2.

<sup>66</sup> Pausanias, 9.33,6.

<sup>67</sup> Pausanias, 3.23,4; on this text, cf. T. Reinach, *Mithridates Eupator*, Leipzig 1895, p. 137, 1.

<sup>68</sup> According to Lactantius, *Div. Inst.* 2.7,14. These words are followed by an interesting catalog of desecrators of temples who met their punishment.

Naturally, public opinion extended the same protection to the temples of the barbarians.<sup>69</sup> For example, when Cicero wishes to bring the Romans to hate his enemy Piso, he does not hesitate to make the following accusation: “The sanctuary of Jupiter Zbelsurdis,<sup>70</sup> the most ancient and noble sanctuary of the barbarians, has been plundered by you. The immortal gods have expiated your crimes on our soldiers” (*In Pisonem* 5.85: *tua scelera di immortales in milites nostros expiaverunt*).

When the notorious plague epidemic devastated the empire during the reign of Marcus Aurelius, the Romans knew its cause: in the course of the Parthian campaign, the army of L. Verus had plundered the sanctuary of Seleucia (Ammianus Marcellinus, 23.6,24). The most significant example is however the proverbial *aurum Tolosanum*, the gold which the consul Caepio looted from the Gallic sanctuary near Toulouse in 121 B.C.E. According to our source,<sup>71</sup> “this temple robbery was the reason why Caepio and his house perished.” Another historian writes: “Those who had acquired the gold in this act of plunder died a wretched and very painful death.”<sup>72</sup>

We know today that Caepio’s downfall was due to a specific constellation of party politics.<sup>73</sup> This makes all the more remarkable the role that his sacrilege plays in the tradition that has come down to us – a tradition which clearly goes back ultimately to the political propaganda literature of that period.

The same accusation plays a role in the political literature of the Seleucid period.

Alexander Zabinas was an adventurer whom the Ptolemies set on the Syrian throne and subsequently overthrew, when their political calculations judged that he had outlived his usefulness. But we find a completely different account in Diodorus (34.27f.), whose narrative is ultimately based on the kind of partisan accounts we now know from the bulletin of Ptolemy III.<sup>74</sup> He tells us that after an unsuccessful attempt at plundering a temple in Antioch, Zabinas fled to Seleucia,

<sup>69</sup> Cf. e.g. Herodotus, 1.105; 3.30; Diodorus, 20.101; Pliny, *Natural History* 33.83. The same applies to the Jewish temple: Dio Cassius, 61.1.1; Philo, *Legatio* §291–293.

<sup>70</sup> On the textual reading and on this god, cf. C.F. Lehmann-Haupt, *Klio* 17, pp. 283f.

<sup>71</sup> Gellius, 3.9.7.

<sup>72</sup> Justinus, 32.3.6.

<sup>73</sup> F. Münzer, *Die römischen Adelsparteien*, 1921, pp. 291ff.

<sup>74</sup> Wilcken, *Chrestomathie der Papyrskunde*, 1. On the text, cf. most recently W. Crönert, in *Raccolta G. Lombroso*, 1925.

but the city closed its gates against the desecrator. "As is usual," writes Diodorus, the divine wrath pursued Zabinas, and he was taken prisoner by his enemy only two days after his *sacrilegium*.

Strabo tells us that Antiochus III died in the attempt to plunder the temple of Bel in Elymais. Not without humor, he adds that Mithridates I, the Parthian king, found this amusing; he arrived with a larger army and carried out the robbery successfully.<sup>75</sup> If we now turn to Diodorus (28.3), we learn not only that the king met the death that he deserved, but also that his enemies, the Romans, "had the gods as their partners in all their enterprises," thanks to their pious conduct.

It is well known that our tradition links the death of Epiphanes to his attempt to loot another temple in Elymais, and that this idea has a prominent place even in the Jewish tradition. In reality, however, the king did not carry out his plan: he died while he was still preparing the attack. When our tradition speaks in this context of the divine wrath, this is further evidence of the centrality of this motif in political literature.<sup>76</sup> Jewish propaganda too exploited the decease of the king, although the authoritative tradition linked this with his assault on the goddess Anaitis, which lay closer in time to his death. In exactly the same manner, Athenian, Argive, and Delphic versions of the death of the Spartan king Cleomenes circulated: each city attributed to its own deity the punishment of this king, who had behaved irreligiously by desecrating the temples in all three (Herodotus, 6.75). 2 Macc 9 gives us a good idea of this Jewish propaganda, since Jason of Cyrene, a diaspora Jew, glorified the deeds of his fellow countrymen in a book written in accordance with all the rules of Greek rhetorical art not only to instruct other diaspora Jews, but also to teach the Greeks.

The desecration of the temple in Jerusalem – which was "celebrated," as Polybius writes<sup>77</sup> – must have made a great impression, putting Antiochus in a most unfavorable light. He was accused of robbing other temples too, and Josephus (*C. Apionem* 2.84) gives a list of Greek historians who agree with his own evaluation of the actions of the king in Jerusalem. The account in Josephus, *Bell. Jud.* 1.31ff., which probably goes back to Polybius, genuinely reflects this view; the Jews

<sup>75</sup> Strabo, 16.44. Cf. E. Meyer, *Ursprung des Christentums* II, p. 260.

<sup>76</sup> On the death of Epiphanes, cf. E. Meyer, *op. cit.*, II, pp. 220f.; M. Holleaux, *Rev. ét. ancienn.*, 1916, pp. 77ff. – *Poenas tanti sacrilegii* (Granus Licinianus, p. 6 Flem.) – 2 Macc 1:12ff.

<sup>77</sup> Polybius, 30.26,9.

were not alone in hating Antiochus, the *rex iracundus et saevus* who was a foe of Rome.<sup>78</sup>

We can readily imagine that the “propaganda department” of the Seleucids would have attempted to rebut the accusations made against the desecrator of the temples both during his lifetime and after his death. We are told that Antiochus III pretended that he was undertaking his military campaign against Elymais because he was compelled to collect money for Roman contributions. “He hoped that he could excuse the temple robbery which he was planning, on the pretext that he was compelled to pay tribute” (Justinus, 32.2,1).

It was of course even better if one could blacken the enemy himself. A Roman historian who writes about the temple robbery in Seleucia mentioned above adds: “Quadratus attempted to free the Romans of any blame in this matter by accusing the inhabitants of Seleucia of being the first to break the treaty” (*Script. hist. Augustae* V. Veri 8.4).

According to Josephus, the defenders of Epiphanes chose the same strategy. They invented a terrible fable in order that the world would hate and cast suspicion on the Jews and their temple. We have other examples of this strategy: at the close of the republican period, public opinion in Rome resolutely condemned the action taken against the foreign cults.<sup>79</sup> It was therefore not wholly by chance that the Roman police, when they destroyed the temple of Ma-Bellona in 48, discovered many cooking pots full of human flesh in the sanctuary.<sup>80</sup> When the Christians shut down the celebrated temples of Sarapis and Mithras in Alexandria, they were fortunate enough on both occasions to be able to soothe enraged public opinion by presenting the numerous terrible remains of the human sacrifices which had been discovered in these temples: “My pen protests against writing down the dreadful deeds which were committed in secret in those so-called sacred rooms – how many severed heads of children with gold-painted lips were discovered there!” (Rufinus, *Hist. Eccl.* 11.24; Socrates, *Hist. Eccl.* 3.2).

The propaganda department of the Seleucids was clearly more modest than that of the Alexandrian church: they were content with one single human sacrificial victim who was said to have been discovered in the Jewish temple. It must be said that this modesty reflects ill on

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<sup>78</sup> Ammianus Marcellinus, 22.13,1; cf. A. Bouché-Leclercq, *Histoire des Seleucides* I, 1913, pp. 256ff.

<sup>79</sup> Valerius Maximus, 1.3,3.

<sup>80</sup> Dio Cassius, 42.26,2.

the abilities of the head of propaganda – for at the same period, others were employing weapons of a much more powerful caliber. The account in Diodorus (33.14 and 34.12) of the crazy abominations of Diegulis, king of Thrace, and of his son Zibelmios, shows us how far it was permissible to go in the second half of the second century in describing the deeds of the “barbarians” for propaganda purposes. These two Thracian kings were arch-enemies of Attalus III (159–138), and the stories certainly come from the “department of information” of the government in Pergamum. Now that the Delphic inscription mentioned above has provided documentary evidence of this kind of propaganda, and of its adoption by the tradition (Livy, 42.13 and 40), we must assume that much of our tradition from the hellenistic period goes back to the various bulletins issued by the departments of information.<sup>81</sup> In this context, it is worth noting that the horror stories from the Thirty Years’ War entered the historical tradition from precisely the same source, viz. partisan pamphlets which sought to influence public opinion by means of forged information and documents.<sup>82</sup>

The outcome of our investigation is that Josephus correctly affirms that the fable of ritual murder was invented by Seleucid propaganda. The elements from which it was composed are an ethnographic account of the sacrifice of the “Saturnalia king” and a *topos* of Greek political literature about conspiracies.

## II. *The worship of an ass*

Since the Renaissance, scholars have investigated the fable of Jewish (and Christian) worship of an ass, which was cited even by such serious writers as Tacitus and Plutarch, and more than a dozen hypothesis have been proposed to explain its genesis.<sup>83</sup> If we prescind from desperate attempts to demonstrate that the Jews did in fact worship an ass,<sup>84</sup> all

<sup>81</sup> Polybius, 8.8(10), speaks of historians who are moved by fear of Philip or devotion to him to excuse the king’s destruction of Messenia, or even to praise him for this. Examples of horror stories: Cicero, *Pro Fonteio* 13; Sallust, frag. 107 Maurenbn.; Appian, *Mithr.* 38; *Lyb.* 63; *Hann.* 28; Plutarch, *Luc.* 11; Pausanias, 10.22,3.

<sup>82</sup> Hoeniger, *Berlin. militär. Wochenblatt*, 1914, VII, p. 309.

<sup>83</sup> Cf. now I. Opelt, *Reallexikon für Antike und Christentum* VI, 1966, p. 592.

<sup>84</sup> W. Pleyte, *La religion des préisraelites*, Utrecht 1862, pp. 152f.; R. Wunsch, *Sethianische Fluchtalfehn*, 1890, p. 108; F. de Mély, *C.R. Acad. Inscr.*, 1908, p. 91. – On the very faint traces of the worship of an ass by Semites, cf. C.J. Ball, *Proceed. Soc. Bibl. Arch.*, 1910, p. 67, and S. Schiffer, *Rev. étud. anc.*, 1919, p. 242.

these explanations presuppose either a confusion or a play on words at the origin of this fable. For example, Tanaquil Faber<sup>85</sup> connected these stories to the name of the founder of the temple at Leontopolis, Onias (Ὀνίου ἱερον – Ὀνεῖον), and Bochart's similar but more subtle hypothesis<sup>86</sup> that the Egyptian word for donkey (*eo*) sounds similar to the Jewish name for God (*Iao*) was taken up anew in the twentieth century.<sup>87</sup>

For other scholars, the starting point was Apion's story that Epiphanes found an image of an ass in the temple. One solves the puzzle by claiming that the king had failed to recognize the holy stone *eben shetija* in the semi-darkness of the Holy of Holies.<sup>88</sup> Another claims that Antiochus saw the stone perfectly clearly, but the image on the stone belonged to the hieroglyphic signs for the Egyptian god Seth-Typhon, whose animal was the ass, and this led to the assertion that the Jews adored an ass.<sup>89</sup>

The most widespread explanation today<sup>90</sup> supposes that the God of the Jews had been equated with Seth-Typhon, either by the Egyptians at an earlier period,<sup>91</sup> or in the hellenistic age under the influence of Manetho's identification of the Hebrews with the Hyksos. This is said to have generated the claim that the Jews venerated the sacred animal of Seth. This hypothesis, however, begs the most important question, viz. the identification of the God of the Jews with Seth-Typhon. As far as I know, there exists no ancient testimony in support of this assertion.<sup>92</sup>

I need not present any further hypotheses,<sup>93</sup> since they all presuppose

<sup>85</sup> Cited by Stephanus Morinus, *Dissertat.* VIII, 2nd edn. Dordaci 1700, p. 302.

<sup>86</sup> S. Bochart, *Hierozyicon*, Lib. II c. 18.

<sup>87</sup> I. Halévy, *Rev. Semit.*, 1903; D. Simonsen, in *Festschrift für H. Cohen*, 1912.

<sup>88</sup> H. Graetz, *MGWJ*, 1872, pp. 196f.

<sup>89</sup> H. Rösch, *Theol. Stud. und Krit.*, 1882, pp. 530ff.

<sup>90</sup> E.g. E. Meyer, *Ursprung des Christentums* II, p. 33; W. Bousset and H. Greßmann, *Religion des Judentums*, 1926, p. 76, 1.

<sup>91</sup> F.E. Movers, *Die Phönizier* I, Bonn 1841, p. 297; J.G. Müller, *Theolog. Studien und Krit.*, 1843, pp. 910ff.

<sup>92</sup> The invocations of Seth in the Egyptian magical papyri as Sabaoth, Adonai, etc. are not in the least evidence of this, since the wild syncretism of these texts identifies the Jewish God just as much with Osiris or Mithras (P. Mimaüt) or with Min (P. Oslo), etc. On the other hand, Seth too is identified with a great number of deities.

<sup>93</sup> The confusion of the Jewish God with Dionysus (S. Krauß, *Jew. Enc.* II, p. 224), or with Chronos (A. Bouché-Leclercq, *L'astrologie grecque*, p. 483, 3); the confusion of the Jews with one of the neighboring peoples (W. Robertson Smith, *Religion der Semiten*, p. 325; J. Halévy, *Rev. Semit.*, 1903, p. 158; A. Büchler, *ZAW*, 1902, p. 224). Various other proposals: Morinus, *op. cit.*; D. Feuchtwang, *MGWJ*, 1911, p. 47; W. Deonna,



that there is some element of truth in the story. Josephus however holds that it is a lie from start to finish, invented in order to defame the Jews, an *incredibile mendacium*. We need not expect a modern scholar to make Josephus' interpretation his own, without any reservations; but it is strange that it has not occurred to anyone at least to investigate whether it is tenable.

The fable of the Jewish and Christian adoration of an ass exists in three variants. The cultic object is claimed to be: (A) an ass; (B) a human being in the form of an ass; or (C) the head of an ass.

(1) *The ass*

Variant (A) is cited only by Plutarch,<sup>94</sup> and hinted at by Tacitus.<sup>95</sup> Both share the same source, and both offer the same explanation of the genesis of this act of worship: when they left Egypt, the Jews almost perished for lack of water, but they followed the tracks of a herd of wild asses and found springs of water.

This is one variant of the innumerable legends of animals which guide human beings on the right path;<sup>96</sup> and this was a popular motif in ancient aetiological scholarship too. Why (for example) is Ammon portrayed with horns, and the ram venerated in his cult? Ancient ethnology knew the answer, which is reproduced by many writers.<sup>97</sup> One brief version<sup>98</sup> relates that when Dionysius "led his army through Libya, across dry and sandy regions where there was no water, his soldiers were thirsty. Then a ram showed him the path to a spring of water." The story told by Tacitus looks (even in its individual details) like an imitation of the rationalistic explanation of the cultic veneration of the ram that we can trace as far back as Hermippus,<sup>99</sup> ca. 200 B.C.E.; it may even be directly modeled on this source. It is not in

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REG, 1925, p. 52. In his edition of Tacitus, *Hist.* 5.4, G. Ruperti presents a number of older hypotheses.

<sup>94</sup> *Quaest. conviv.* 4.5.2.

<sup>95</sup> *Hist.* 5.3–4. Other alleged references to the Jewish worship of an ass (Florus, 3.5; Petronius, frag. 37; Martial, 11.94; Juvenal, 14.97) are based only on linguistically impossible conjectures by older scholars. Modern textual editions consistently exclude such conjectures.

<sup>96</sup> Cf. H. Gunkel, *Das Märchen im A.T.*, 1917, pp. 32f.; A. Wiedemann, *Herodots 11. Buch*, 1890, pp. 242f.

<sup>97</sup> T. Hopfner, *Fontes histor. relig. aegypt.*, Index s.v. *aries*.

<sup>98</sup> Ampelius, 2.1.

<sup>99</sup> T. Hopfner, *op. cit.*, p. 78.

the least “anti-semitic” (as is often maintained). Rather, it is a learned aetiological hypothesis, which seeks to give an academic explanation of the worship of an ass.

The same is very likely true of the story which Plutarch cites in *De Isid. et Osir.* 31. After his battle with the gods, Typhon flees on an ass. His flight lasts for seven days, and then he begets two sons, Hierosolymos and Judaios. At this point, Plutarch breaks the story off, saying that τὰ Ἰουδαϊκά, Jewish matters, do not belong to the Egyptian myth.<sup>100</sup> On the basis of numerous parallels, however, we can be certain that the narrative went on to tell how Typhon’s sons founded the Jewish state and instituted the sabbath feast and the worship of an ass in commemoration of their father’s flight. Once again, this is a scholarly construction; a similar explanation is offered for the role of the ass in the service of Vesta.<sup>101</sup>

The hellenistic writers who offer one or other aetiological hypothesis about the Jewish worship of an ass were convinced that they were explaining the reason behind a fact: in other words, the Jews did indeed practice this cult. This means that the fable came into being a relatively long time before these writers. Consequently, variant (A) is not the earliest version of the story,<sup>102</sup> but an elaboration which is irrelevant to the question of its origins.<sup>103</sup>

## (2) *Mixed form*

The “gnostics” whose teaching is reproduced by Epiphanius as the twenty-sixth heresy claimed that the archon Sabaoth, the creator of the world, had the form of an ass.<sup>104</sup> The mocking crucifix found on the Palatine hill<sup>105</sup> and the image described by Tertullian (*Ad Nat.* 1.14

<sup>100</sup> *De Isid. et Osir.* 31

<sup>101</sup> Ovid, *Fast.* 6.315ff.

<sup>102</sup> It is, by the way, not at all certain that variant (A) ever actually existed: the words used by Plutarch and Tacitus may refer to the head of an ass, and this is how Tertullian understood Tacitus (*effigies* = “head” in Tacitus, *Ann.* 1, p. 74).

<sup>103</sup> I am uncertain about the connection between the strange note in Suidas, *s.v.* Zenon, p. 726 Bernh., and the accusation that the Jews worshiped an ass. Does the modern Greek idea of the Jews as worshipers of an ass (J. Lévy, *REJ*, 1890, p. 256) have an ancient origin?

<sup>104</sup> Epiphanius, *Panarion* 26.10,6.

<sup>105</sup> This has often been reproduced, e.g. in *Dict. archéol. chrét.* I, 2, 2044. – The tablets in the Roman circus on which curses were inscribed portray a demon in the form of a horse, not an ass: K. Preisendanz, *Akephalos*, 1926, pp. 22ff.

and *Apol.* 16) asserted that the Christians adored a mixed form of this kind.

Seth-Typhon too was portrayed with an ass's head, and we may suspect that this influenced these "mixed" depictions.<sup>106</sup> No less probable is the influence of caricatures, which delighted from very early times in mixed forms. For example, a well known pottery lamp<sup>107</sup> of Egyptian origin<sup>108</sup> portrays a teacher with an ass's head in the presence of his pupils, while another terracotta object portrays pupils (or scholars) with rat's heads holding a book.<sup>109</sup> Other gnostics thought of Sabaoth as having, not an ass's head, but the head of a pig: "And this, according to them, is the reason why the Jews are commanded not to eat pork."<sup>110</sup>

Two points are important here. First, unlike the scholarly version (A), version (B) is unreservedly hateful. For example, one gnostic writing relates with gusto how Zechariah, "the last prophet,"<sup>111</sup> performs his service in the temple and discovers that the object of worship is "a human being in the shape of an ass." He is outraged and tries to teach the Jews to abandon this cult – "Alas for you, whom are you adoring?" – but their response is to murder him.<sup>112</sup> A story like this does not arise because of some "misunderstanding." It is a deliberate calumny. And secondly, as Tertullian shows,<sup>113</sup> the mocking allegation of a *biforme numen* was a later invention. His words *nova... editio* and *hesternum et antiquitate temporis destitutum* refer in fact only to an image of Christ which was displayed in Carthage; he could not have used such specific language, if this version of the fable had been more widespread. It cannot be traced further back than the second century C.E. The oldest testimony may be the image from the Palatine hill, if it does indeed come from the Antonine age, or even from the first years of Hadrian's reign.<sup>114</sup>

<sup>106</sup> Cf. the Coptic gnostic text quoted by K. Holl in his edition of Epiphanius, Vol. I, p. 287: "the second Eloaios with the ass's face," "the archon with the ass's face."

<sup>107</sup> G. Wissowa, *Röm. Mitt.*, 1890, pp. 1ff.

<sup>108</sup> P. Perdrizet, *Terres cuites de la collection Fouquet*, 1921, p. 150.

<sup>109</sup> P. Perdrizet, *op. cit.* II, table 2. For other examples, cf. *ibid.* I, p. 149.

<sup>110</sup> Epiphanius, *Panarion* 26.10.

<sup>111</sup> Here, as in other well known texts, Zechariah ben Baruch (Matt 23:35) is identified with the father of John the Baptist.

<sup>112</sup> Epiphanius, *Panarion* 26.12.

<sup>113</sup> Tertullian, *Ad. Nat.* 1.14; *Apol.* 12.

<sup>114</sup> H. Leclercq, *op. cit.*, p. 2043.

(3) *An ass's head*

The version of the fable which Tertullian finds relevant is the assertion that the Christian adored an ass's head. He tells the pagans: *somniastis caput asinum esse deum nostrum*.<sup>115</sup> He accuses them of worshipping "whole asses": *totos cantherios coli a vobis*. According to Minucius Felix,<sup>116</sup> the pagans were convinced that *Christiani venerabantur caput asini*, and his reply is: *totos asinos consecratis*. Tertullian took it for granted that his enemies could speak of an ass's head: this is seen most clearly when he reproduces Tacitus' expression *effigies animalis* as *bestiae superficies* (the upper part of the body).<sup>117</sup> This is not completely correct from a linguistic point of view, nor is it required by the matter he is discussing.

How did this strange assertion of the worship of an ass's head arise? As far as I know, the ass's head had no religious or magical significance in antiquity, and it appears in art only as a decorative motif.<sup>118</sup> Even if we understand it as mockery, it is hard to understand how this variant came into being; it would be more natural and easier to employ variants (A) and (B) for this purpose.

Tertullian explains that the Christians are slandered as "relatives of the Jewish religion." We must therefore seek the answer to our question in anti-Jewish literature.

We know of two Greek writers who speak of the Jewish cult of an ass's head one hundred and fifty years before Tertullian, viz. Damocritus<sup>119</sup> and Apion. Both follow the same source, but are independent of one another; and these two supply our only testimony to the ritual murder (which Damocritus sees not as an annual ritual, but as recurring every

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<sup>115</sup> Tertullian, *Apol.* 16. Few scholars have noted this fundamental difference between the alleged worship of an ass and the cult of an ass's head. It was picked up by Morinus (*op. cit.*, p. 327), but he consoles himself with the following reflection: *non multum interest, quod caput asini non totum asinum dixerunt coli in sanctuario, cum multa sibi concedunt calumniatores* ("Calumniators allow themselves considerable liberty, so it makes no great difference when we are told that the head of an ass – rather than the whole ass – was worshiped in the temple").

<sup>116</sup> Minucius Felix, 9 and 28.

<sup>117</sup> Tertullian, *Apol.* 16.

<sup>118</sup> Cf. S. Eitrem, *Beiträge zur Religionsgeschichte* II, 1907, p. 26; S. Reinach, *Repertoire d. stat.* V, pp. 443 and 745; cf. Juvenal, 11.97. Terracottas: e.g. J. Vogt in *Expedition E. Sieglin* II, 2, table 104. – The ass is seldom portrayed on coins, and only in connection with the cult of Dionysus in wine-producing regions, e.g. in the older coins of Mende in Thrace (500–450); sometimes it is the head or front of the ass that is depicted. K. Regling, *z. f. Numism.*, 1924, pp. 11ff.

<sup>119</sup> Suidas, *s.v.*, p. 1168 Bernh.

seven years). We can identify the common source, viz. the *Treatise against the Jews* by Apollonius Molon,<sup>120</sup> written ca. 100 B.C.E. Apollonius relates that the Jews set up an ass's head in the temple. They adored it, and all the worship in the temple was directed to this object. This was discovered when Antiochus Epiphanes plundered the temple. On this occasion, this immensely valuable head, made of gold, came to light: *asini caput collocasse Iudaeos, et eum colere ac dignum facere tanta religione; et hoc affirmat fuisse depalatum, dum Antiochus Epiphanes exspoliasset templum, et illud caput inventum ex auro compositum multis pecuniis dignum* (Josephus, *C. Apionem* 2.80). Apollonius thus appealed to Epiphanes as his witness.

His contemporary, Posidonius, reports in his *History* the discourse with which the friends of Antiochus VII Sidetes attempted (or hoped to attempt) to poison the king's mind against the Jews in 134 B.C.E.<sup>121</sup> They too appealed to Epiphanes, who is said to have discovered in the temple the stone image of a man with a long beard, riding on an ass. Epiphanes had taken this for an image of Moses. Such a story has nothing to do with anti-Jewish propaganda. There could not be anything wrong in the veneration of the founder of their state (something the Greeks themselves practiced), nor is it surprising that Moses (like so many people) rode on an ass. It is likely that Posidonius, who elsewhere expresses a high opinion of the Jewish religion and of Moses,<sup>122</sup> has substituted this story for a crude and ridiculous narrative which he found in his source – the worship of an ass's head. If this is correct, the fable of the ass goes back to the period of the Maccabean struggles; and we may note that no source anterior to the Maccabean period alleges that the Jews worship an ass's head.<sup>123</sup> Besides this, we have demonstrated above that the version involving an ass's head is the oldest. It is however so exceptional and strange – I know of no parallels<sup>124</sup> – that

<sup>120</sup> T. Reinach, *Textes... relatifs au judaïsme*, 1895, p. 121.

<sup>121</sup> Frag. 109 *FGH*, *apud* Diodorus, 34.1.

<sup>122</sup> Cf. F. Heinemann, *MGWJ*, 1919, pp. 112ff.; E. Norden, in *Festgabe für A. Harnack*, 1921, pp. 292ff.

<sup>123</sup> On the substitution of "beast of burden" (and similar terms) for the word "ass" in the Septuagint, cf. A. Geiger, *Urschrift und Übersetzung der Bibel*, 1857, pp. 360ff. and 439ff. Unfortunately, we know neither the date nor the causes of this alteration, but we should note that for people in the West, unlike those in the East, the ass was never used on ceremonial occasions. Even as late as the fourth century, Jesus' entry to Jerusalem on an ass was a subject of pagan mockery (cf. Ps.-Athanasius, PG 28, 180). This consideration may have moved the translators to make this change.

<sup>124</sup> An ass's head is mentioned once in a recipe in the magical papyrus (P. Lond. 125.37), just as the head of a frog or a wolf is mentioned; S. Eitrem, *P. Osloenses* I,

it is inconceivable that it should have come into being in two different places. Rather, we must postulate that it was invented only once. And since the narrators appeal to Epiphanes, we must look for its author in the Seleucid empire in the second half of the second century B.C.E. This, however, makes Josephus' explanation highly probable: just like the story of ritual murder, this fable too was invented by the apologists of Antiochus Epiphanes with the clear purpose of exposing to ridicule the Jews and their protests against the king. In the hellenistic world,<sup>125</sup> the ass, *naturae dedecus*, was no more highly thought of than in our own days, and it was a clever move to accuse the Jews, who gave their God no name, of worshiping an ass. *Turpissimi pecudis caput consecratis*.<sup>126</sup> No real excuse was needed for this. For were not the mediaeval Florentine heretics accused of worshiping the god of asses, or of male or female goats?<sup>127</sup> And did not Pope Boniface VIII and Philip the Fair hurl similar charges at one another? When the tyrant Cleisthenes wished to "mock" the Sicyonians, as Herodotus said, he named their *phylai* after pigs, asses, and piglets. This was not the kind of "confusion" that scholars have suggested lies behind the allegations of the Jewish worship of an ass.<sup>128</sup> And when a Greek novelist ca. 100 C.E. calls a Roman a "man who had come to resemble an ass," he assuredly did not do so because the ass played a role in the service of Vesta!

#### (4) *The golden ass's head*

How then did the unknown inventor of the calumny, a man of letters in the service of the Seleucids, hit upon the strange allegation that the Jews adored the *head* of the ass? I believe that we can answer this question too.

Apion writes: *illud caput inventum ex auro compositum*. In his lost text, Damocritus writes: χρυσὴν ὄνου κεφαλὴν προσεκύνουον. (This is further evidence that they are both drawing on the same source.) The ass's head which the Jews worship is made of gold, and this makes the

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p. 59. – In more recent times, an ass's head (like the heads of goats and other animals) was used in predicting the future. Cf. W. Deonna, *REG*, 1925, p. 52. It is questionable whether this praxis has its origin in antiquity.

<sup>125</sup> O. Keller, *Die antike Tierwelt* I, 1909, pp. 265ff. F. Olck in *RE* VII, 645, 650ff. We should add *Vita Commodi* 10.9: *habuit et hominem pene prominente... quem onon appellabat*.

<sup>126</sup> Minucius Felix, 9; cf. e.g. Appian, *Mithr.* 22; Plutarch, *Q. graecae* 2.

<sup>127</sup> R. Davidsohn, *Geschichte von Florenz* I, 1893, p. 723.

<sup>128</sup> Herodotus, 5.68.

affirmation even stranger. Naturally enough, idols were often made of precious metals, such as the golden calf in the Bible or the polecat which was venerated in an Arabian city,<sup>129</sup> but a golden ass's head is never mentioned – with one exception.

Mnaseas from Patara in Lycia,<sup>130</sup> a prolific writer who lived in the first half of the second century B.C.E., relates the following story, which is transmitted to us by Apion and Josephus (*C. Apionem* 2.112ff.): once upon a time (*longo quodam tempore*), the Idumeans made war on the Jews, and an Idumean named Zabidas came to the Jews and promised that he would hand over to them the god of the Idumean city of Adora.<sup>131</sup> The Jews gave free access to the god, whose role Zabidas played so skilfully that he was able to penetrate their temple and tear off the golden head of the ass (καὶ τὴν χρυσοῦν ἀποσῦραι τοῦ κἀνθωνος κεφαλῆν).

This remarkable story is nothing else than a fairytale like the “wise men of Gotham.” It is constructed on two motifs, the first of which is mentioned twice, both seriously and as a travesty: (A) the *evocatio* of the god of the enemies;<sup>132</sup> (B) a man deceitfully pretends to be a god; (AA) the theft of the idol.

Unfortunately, I cannot discuss this narrative in detail here; one would need to be an orientalist to do this satisfactorily. There can be no doubt that the story comes from Idumea, although it was probably not invented by the Idumeans, but was adopted by them. Its provenance lies elsewhere. It is certain that it was only *transposed* to the Jews, for it can have been told only about a people who possessed idols or images of animals made of various metals, since Zabidas “tears off” (*detrahit* in the ancient Latin translation) the golden head. If the entire statue had been made of gold, it is highly improbable that he would have done so; and the story would also have lost its point.

This in turn means that the idol did not depict an ass's head (for that would be meaningless); rather, it was an ass with a golden head. The Idumeans transposed the story to the Jews and to their mysterious temple at some date between the fifth and third centuries B.C.E.

<sup>129</sup> Pliny, *Natural History* 6.178. Cf. Herodotus, 1.183; Diodorus, 2.9,5; Justinus, 39.9; Pliny, *Natural History*, 34.18; Jer 10:4.

<sup>130</sup> On his provenance, cf. P. Oxyrh. XIII, 1611, 129.

<sup>131</sup> E. Schürer, II, p. 7, following Wellhausen (S. Bochart, *Hierozyicon*, Lib. II c. 18, had already noted the correct form). The copy of Apion which Josephus was using had the incorrect name “Dora.”

<sup>132</sup> Cf. Fustel de Coulanges, *La cité antique* III, c. 6.

It expresses their hatred or mockery of their neighbors, for the ass did not have a good reputation in Palestine, as we see both from the Talmud and from modern folklore.<sup>133</sup> In the same way, the Jews said that the gods of the Samaritans who are mentioned at 2 Kg. 17:31, Nibhaz and Tartak, had the form of a dog and an ass – and this too is sheer fable.<sup>134</sup>

This gives us the explanation of the strange fable of the worship of an ass's head.

As the mention of the golden head shows, the Seleucid writer borrowed his story from Mnaseas, a modern writer at that period, who continued to be read in later periods too. However, he failed to notice that Mnaseas' account presupposes the worship of the ass, not the worship of its head. In any case, so much accuracy was unnecessary, since the worship of an ass's head looks every bit as foolish as the worship of the whole ass.

I should like to mention here an interesting parallel. In the famous trial of the Templars in 1307, they were accused of worshipping the idol "Baphomet." For a long time, this charge led archaeologists to "find" replicas of this idol in their museums, and one scholar even attempted to explain the name as βαφῆ μῆτις.<sup>135</sup> Subsequent research established that this idol was invented in order to class the Templars as "heretics" (Joan of Arc too was accused of idolatry), and that "Baphomet" is only a corruption of the name "Mahomet." It remained unclear why Baphomet/Mahomet should be a human head with magical powers, until S. Reinach demonstrated some years ago that this idea is borrowed from mediaeval Levantine folklore, which elaborated the legend of Perseus in this manner.<sup>136</sup> The magic head is Medusa, and Perseus appears in a mediaeval saga as a knight, a Templar.

We must still explain how the fable of the ass's head could find such a wide diffusion.

A Byzantine author<sup>137</sup> who had access to many ancient texts notes that there was a great disagreement in classical times about the nature

<sup>133</sup> L. Ginzberg, in *Jew. Enc.* II, p. 221; Stephan, *Journ. Palest. Orient. Soc.*, 1925, pp. 110ff.; Sir. 50:26.

<sup>134</sup> *B. Sanh.* 63b. Cf. Lactantius, *Div. Inst.* 4.10,2: in the wilderness, the Hebrews venerated *caput aureum bovis*.

<sup>135</sup> Cf. G. Grützmacher, *Prot. Realenz.* XIX, pp. 508f.

<sup>136</sup> S. Reinach, *Cultes, mythes et religions* IV, pp. 242ff.

<sup>137</sup> John Lydus, *De mens.* 4.53.



of the God of the Jews. Some thought he was Chronos, Jupiter, Osiris, Dionysus, or Heaven, but the cleverest called him “the unknown and indefinable god.”<sup>138</sup>

All the most important historians from Posidonius to Dio Cassius,<sup>139</sup> including Strabo,<sup>140</sup> Livy,<sup>141</sup> and Tacitus,<sup>142</sup> share this latter view. They too grasped the other salient characteristic of Jewish worship, viz. its lack of images. Posidonius, Strabo, Tacitus, and Dio Cassius all emphasize this remarkable fact, and Livy gives a concise and exact formulation of both these aspects of Jewish worship: “In Jerusalem is the temple, whose god the Jews do not name. There is no image in this temple, since the Jews believe that the divinity has no form.”

The broader public, however, was not satisfied with agnosticism. In Plutarch’s *Table-talk*, alongside questions such as whether the egg or the hen came first, we find a discussion of the question: Who is the god of the Jews? When influential writers such as Molon, appealing to the authority of an eyewitness who was a king, spread the explanation that the Jews worshiped their god in the form of an ass’s head, they could be certain of success: now people understood not only the nature of the god, but also the reason why the Jews were so secretive about him.

(5) *Summary*

We can now sum up briefly the history of the fable. In the fifth or fourth century B.C.E., the Idumeans transposed to their enemies, the Jews, a “wandering” story of cunning in war: the theft of the golden ass’s head from the idol of the foe. Mnaseas came to know this story directly or indirectly ca. 200 B.C.E., and introduced it into Greek literature. Roughly fifty years later, when the apologists of Epiphanes were looking for anti-Jewish material, one of them discovered the story in Mnaseas’ text and borrowed from it the allegation that the Jews worshiped an ass’s head. Since no other form of the Jewish God was known, the fable became widely diffused in this form, and people believed its veracity. This led Greek scholars to endeavor to explain the origin of the Jewish cult. With the spread of Christianity, the same allegation

<sup>138</sup> Cf. E. Norden, *Agnostos Theos*, pp. 60ff.

<sup>139</sup> Dio Cassius, 37.17.

<sup>140</sup> Strabo, 16.761.

<sup>141</sup> Quoted in the Scholium Bernense on *Lucan.* 2.592 (Norden, *op. cit.*).

<sup>142</sup> Tacitus, *Hist.* 5.5. The phrase *effigies animalis* in 5.4 does not in the least contradict this sentence: cf. Orelli-Meiser *ad loc.*

was transposed to this new religion, which was related to Judaism and likewise possessed no images. Besides this, those who hated and mocked Judaism or Christianity employed this allegation to portray the God of the Jews or of the Christians in the shape of an ass. After Tertullian, the fable disappears. Severus began the first general persecution, and for the next century, the weapons directed against the new religion were no longer mockery and contempt, but blood and the sword.

## THE CHAIN OF THE PHARISAIC TRADITION

### I

The Synagogue had only vague and intermittent memories of the four centuries which separated Ezra and Nehemiah from Hillel and Shammai.<sup>1</sup> Not even the feast of Hanukkah entailed fixed historical associations. The Talmudic stories which refer to this period are mere anecdotes, full of details borrowed from various epochs and incidents, and related for the edification or amusement of the hearers.<sup>2</sup> But the rabbis in Tiberias or Pumbeditha were not alone in treating history in a cavalier fashion. Gentile men of letters, the contemporaries of the *Tannaim* and *Amoraim*, likewise knew nothing of history apart from isolated small facts, *exempla* which served to decorate a discourse or to illustrate some moral commonplace.<sup>3</sup> The rabbis told nothing more substantial than fables about Alexander the Great.<sup>4</sup> This is because they, in common with the rest of the world – apart from a few lugubrious scholars – preferred to read the *History* attributed to Callisthenes. For all these readers, the Seleucids coalesced into one single “Antiochus.”<sup>5</sup> But the same is true of Dion of Prusa or Lucian; the latter attributes to Stratonice, the consort of both Seleucus I and Antiochus I, an adventure drawn from oriental fables.<sup>6</sup> It was in vain that the Macedonian kings in Egypt favored the Jews and extended their patronage to the arts and sciences; the rabbis mention “King Ptolemy” only in passing, when

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<sup>1</sup> Cf. J. Derenbourg, *Essai sur l'histoire... de la Palestine d'après les Thalmuds et les autres sources rabbiniques*, 1867, p. 57.

<sup>2</sup> Cf. e.g. I. Lévy, *REJ* 35 (1897), pp. 213–223.

<sup>3</sup> H.-I. Marrou, *Saint Augustin et la fin de la culture antique*, 4th edn. 1958, pp. 115ff.

<sup>4</sup> Cf. I. Lévy, in *Jew. Encycl.* I, pp. 342–343; Idem, *REJ* 63 (1912), pp. 211–215; L. Wallach, *PAJR* 11 (1941), pp. 47ff.

<sup>5</sup> S. Krauss, *REJ* 45 (1902), p. 27.

<sup>6</sup> Dio of Prusa, 31.113; 37.6; Lucian, *De dea Syr.* 17. Cf. E. Benveniste, *Mélanges R. Dussaud* I, 1939, pp. 249ff.; A.H. Krappé, *Byzantina-Metabyzantina* I, 1944, pp. 189–199. Lucian knows only two anecdotes from the history of the Seleucids, which he relates several times: Seleucus I gives his own wife (Stratonice) to his son, Antiochus I (*De dea Syr.* 17; *Icaromen.* 35; *De salt.* 58; *De hist. consc.* 35); and Antiochus wins a victory in Galatia (*Zeux.* 8; *De laps.* 9). Cf. also *De laps.* 10.

they speak of the Septuagint translation.<sup>7</sup> It is also true that Byzantine writers merge the king and the astronomer, both of whom were called Ptolemy, into one single person.<sup>8</sup> In order to accommodate history to the fateful number of “seventy weeks,” Jose ben Halafta reduced the duration of the Persian domination to thirty-four years. The Arsacids reigned for four hundred and fifty years, but this was reduced to two hundred and sixty-six years in the official calculations at the court of their successors, the Sassanids;<sup>9</sup> and the Zoroastrian magi simply eliminated the Achemenids from Persian history.<sup>10</sup>

Under the empire, from the second century C.E. onward, the Greeks began to abandon the hellenistic literature written in the *koiné*, which however remained their spoken idiom. In the same way, the Jews neglected the Aramaic works, all those “numerous books” of the hellenistic epoch which Qoheleth mentions, although they continued to

<sup>7</sup> Bonsirven, I, 1934, p. 39; A. Geiger, *Urschrift und Übersetzungen der Bibel*, 1857, pp. 439ff.

<sup>8</sup> Malalas, p. 196, ed. G. Dindorf; Zacharias of Mitylene, *The Syriac Chronicle* (trans. F.J. Hamilton and E.W. Brooks), XII, p. 7. A Byzantine scholiast informs us that the sculptor Phidias was an astrologer in Syracuse and the father of Archimedes: J. Overbeck, *Die antiken Schriftquellen zur Geschichte der bildenden Künste*, 1968, nr. 739.

<sup>9</sup> On the Jewish computation of time, cf. I. Lévy, *REJ* 51 (1906), pp. 186ff. On the chronology of the Sassanid authors, cf. E.J. Brown, *Literary History of Persia* I, 1901, p. 119; W. Bartold, *Zapiski* of the Oriental Section of the Russian Archaeological Society 22 (1915); Mrs H. Lewy, *Journ. Amer. Orient. Soc.* 64 (1944), pp. 197ff.

<sup>10</sup> The methodological analogy between the Jewish chronographer who was teaching ca. 170 C.E. and the Sassanid authors (from the third to the sixth centuries C.E.) is remarkable. The basis of their calculation is identical, viz. the beginning of the current computation, i.e. of the Seleucid era, in 311 B.C.E. After this, history is sacrificed to theology. The Jews understood the seventy weeks (= 490 years) of Dan 9:26 as running from Jeremiah to the destruction of the Second Temple in 70 C.E. (cf. J.A. Montgomery, *The Book of Daniel*, 1927, p. 397). Since, according to Jer 25:11, the Babylonian exile was to last for 70 years, there remained only 420 years (490 minus 70) for the epoch of the Second Temple, i.e. from Cyrus to Vespasian. – For the Jews, the era of the Seleucids was that “of the Greek empire” (1 Macc 1:10; cf. Abel, *Comm.*, p. xlix). This means that the Greek period began in 311 B.C.E. Alexander the Great became the master of the Persian empire in the sixth year of his reign, and this led the Jewish chronographer to place six years of Alexander before the Greek domination. This meant that only 34 years remained for the Persian monarchs, i.e. 420–386 (6 + 310 + 70). Since scripture contains the names of only four kings of Persia, this reduction need not have seemed absurd. Cf. H.L. Ginsberg, *Studies in Daniel*, 1948, p. 19. – Thanks to some aberration, the Sassanid authors identified the beginning of the Seleucid era with the appearance of Zoroaster. Since a list of (mythical) kings placed this event 258 years before Alexander the Great, and his reign lasted only 14 years, only 266 years remained for the dynasty of the Arsacids, which was overthrown by the Sassanids in 227 B.C.E.

speak Aramaic. "Why speak Aramaic in the land of Israel? Let it be either the sacred tongue or the Greek tongue!" One might fancy that these were the words (*mutatis mutandis*) of Philostratus or some other master of the "Second Sophistic movement." But this purist declaration was made by their contemporary, Rabbi Judah the Prince, the editor of the Mishnah.<sup>11</sup>

The centuries between Alexander and Augustus were shrouded in a general oblivion, because no one was interested in remembering them; in the words of the Sermon on the Mount, "sufficient unto the day is the evil thereof." A sustained and constant effort is indispensable, if the past is to continue to live on in the memory of posterity. If this effort is lacking, for whatever reason, all that is remembered of the splendors of the past is one or other trait that can still offer edification or amusement today. For the Copts, the ancient Pharaohs had become powerful magicians.<sup>12</sup> Under the Caesars of Rome and Constantinople, all that kept alive the memory of the Seleucids in Antioch, their ancient capital, was the buildings they had erected,<sup>13</sup> since after the Roman conquest, there was no societal institution (dynasty, school, sect, etc.) that cultivated the memory of those who had been defeated.<sup>14</sup> For people in general, as for the Syrian sheikh whom Apollonius of Tyana met, "Antiochus and Seleucus" were merely the names of deposed figures from the past:<sup>15</sup> the present and the future belonged to the Romans, and one said: "for as long as Roman dominion shall endure" in order

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<sup>11</sup> S. Lieberman, *Greek in Jewish Palestine*, 2nd edn. 1965, p. 21. On the repudiation of hellenistic literature, cf. e.g. W. Schmid, *Geschichte der griechischen Literatur* II/1, 1920, p. 27. The judgment of Dionysius of Halicarnassus on Polybius is characteristic (*De comp. verbi* 4; *Ant. Rom.* 1.6,2). We should note that although Qoheleth and Daniel were both written in Aramaic, they were preserved only in a Hebrew translation. Cf. H.L. Ginsberg, *Studies in Daniel*, 1948, and *Studies in Kōhelet*, 1950.

<sup>12</sup> G. Maspero, *Études de mythologie* VII, p. 443.

<sup>13</sup> Malalas, pp. 200ff.

<sup>14</sup> It is significant that the work of Callinicus of Petra on the history of Alexandria, which became the principal source of Porphyry (and through the mediation of Porphyry, of Jerome too, in his explanation of the passages of Daniel which refer to the conflicts between the hellenistic kings), was composed for Queen Zenobia Cleopatra, who styled herself the heiress to the Ptolemies. Cf. *FGH* III, nr. 281. It is no less significant that it was the pagan Libanius, under the Christian emperors, who cultivated the nostalgic remembrance of the Seleucids (Libanius, *Or.* 11). We should note that the literature produced by the Alexandrian opposition to the Roman emperors is silent about the Ptolemies.

<sup>15</sup> Philostratus, *Vita Apollonii* 1.38.

to express the concept: “forever.”<sup>16</sup> This definitive character of the regime of the Caesars, which was a dead end weighing down upon a whole world, swallowed up and cheapened the hellenistic age. Naturally enough, since the masters of the universe believed that they would hold this position forever, they felt only scorn for their hapless predecessors. Although Augustus went to the tomb of Alexander, he refused to visit the mausoleum of the Lagids, saying that he wanted to see a king, not corpses. Livy writes that the Macedonians at Alexandria and Seleucia, and in all the colonies scattered throughout the world, have degenerated into Egyptians and Syrians.<sup>17</sup> For equally natural reasons, the vanquished themselves did not cultivate the reputation of the deposed monarchs: those centuries were abolished and abandoned. Towards the beginning of the Roman empire, the Greeks began to turn away, deliberately and consciously, from hellenistic history, literature, and art, and to look for the rules of art and of life in classical Greece, the Greece of the Parthenon and Demosthenes.<sup>18</sup> For the same reason and at the same period, Jerusalem forgot the period which came after the Bible. After Herod – and especially when one contemplated the ruins of the temple – who could be interested in a Judas Maccabeus? Like everyone else, the Jew became “classical”: he closed the modern scrolls and opened the Bible. The authors of the Talmud lived with David or Jeremiah, just as their contemporaries, the Greek men of letters, moved in spirit among the shades of the Athens and Sparta of the past.<sup>19</sup>

<sup>16</sup> F. Cumont, *Catalogue du Musée du Cinquantenaire*, 1913, nr. 133 (= *Rev. étud. anc.*, 3, p. 273), from Aemonia in Phrygia, 95 B.C.E.: τοῦτο δὲ τὸ ψήφισμα νενομοθετῆσθαι τῷ αἰνῶνι τῆς Ῥωμαίων ἡγεμονίας φυλαχθησόμενον.

<sup>17</sup> Dio Cassius, 51.16,5; Livy, 38.17.

<sup>18</sup> The historical subjects treated by the Greek rhetors under the empire went no further than the death of Alexander; the Latin rhetors went as far as the empire. Seneca, *Contr.* 2.4(12); 10, *praef.* 5; Quintilian, 3.85,55; R. Kohl, *De scholasticarum declamationum argumento*, 1915, p. 106.

<sup>19</sup> Cf. e.g. Lucian, *Rhet. Praec.* 16: “What you need most of all is Marathon and Cynegira... talk to me of Salamis, of the Artemision, of Plataeae.” Cf. H.-I. Marrou, *Histoire de l'éducation dans l'antiquité*, 1948, p. 220 (from whom I have borrowed this quotation). Herodian (3.4,2) believes that Darius III was captured by Alexander in the battle of Issus. On the ignorance of the past in the late empire, cf. A. Momigliano, *Riv. stor. ital.*, 1969, p. 297; W. Hartke, *Römische Kinderkaiser*, 1951, pp. 6–23 and 74–91. On the origins of Atticism, cf. W. Kroll, *s.v.* “Rhetorik,” *RE Suppl.* VII, pp. 1105–1108.

## II

We can now understand why the synagogue preserved only one single document from the post-biblical period, viz. the list of the predecessors of Hillel and Shammai. This sequence of names forms the first chapter of the treatise *Aboth* in the Mishnah. But originally, as Louis Finkelstein has recently conjectured, it was attached to the creed which is now incorporated into ch. X(XI) of the treatise *Sanhedrin*.<sup>20</sup> This “manifesto of the Pharisees” declares: “All Israel has a destiny in the future eternity, as it is written . . .” (Is. 60:21).<sup>21</sup> This is followed by the exceptions to this general principle, viz. the generation at the time of the flood and other exceptionally wicked persons in the Bible.<sup>22</sup> The document continues: “Moses was sanctified in the cloud and received Torah from Sinai, as it is written . . . [Ex. 26:16]. Joshua received it from Moses, as it is written . . . [Deut. 34:9].” The elders, the judges, and the prophets follow as intermediaries, introduced by the same formula. Then, according to the reconstruction by Finkelstein, the document names Haggai, Zechariah, and Malachi, though without referring to

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<sup>20</sup> L. Finkelstein, *Introduction to the Treatises Abot and Abot of Rabbi Nathan*, New York 1950 (in Hebrew, with an English summary on pp. i–xlvi). Since I am not an expert on Talmudic studies, I translate the Hebrew text of the document (pp. 226ff.; cf. pp. xxviff.) as it is reconstructed and understood by the learned author. [English translation: Joseph I. Gorfinkle, <http://www.ultimasurf.net/bible/pirkeavot/pirke-avot-1.htm>]

<sup>21</sup> On the term *‘olam-ha-ba*, cf. Bonsirven, I, pp. 310ff. [English translation: Finkelstein, *op. cit.*]

<sup>22</sup> Finkelstein (p. xli) regards the passage in *Sanh.* 10, “These are those who have no share in the world to come: one who says that the dead will not awaken to life, one who says that Torah is not from heaven, and an Epicurean,” as a later addition made ca. 170 C.E., but I find this dating too late. This triad of heretics corresponds to the three points of controversy between the Pharisees and the Sadducees, viz. the resurrection, the oral law, and the dogma of providence. But it was only towards the beginning of the Common Era, in the philosophical eclecticism of the period, that people in general began to believe in the divine government of the universe; Virgil could still write, *nec curare deum credis mortalia quemquam* (*Georgics* 8.36). Later, when the Peripatetics had disappeared (Epictetus, *Diss.* 2.19,20; cf. also Brink, *RE Suppl.* VII, 90ff.) and the Academy had accepted the theodicy of the Stoa, only the Epicureans continued to deny providence. Josephus (*Ant.* 10.11,7, §278) quotes the prophecies of Daniel with the explicit intention of refuting the Epicureans. A renewal of their propaganda in the second century C.E. provoked a violent reaction among “right-thinking people.” Alexander the false prophet anathematized atheists, Christians, and Epicureans; cf. L. Caster, *Lucien et la pensée religieuse de son temps*, 1938, pp. 84–90. – I observe *en passant* that in another clause, the document employs a Greek work, *idiôtai*, to mean “private citizens.”

scripture in their case.<sup>23</sup> “The people of the Great Synagogue received it from Haggai, Zechariah, and Malachi. They said three things: Be patient in administering justice, form a hedge around your words, form a great number of wise men.”<sup>24</sup> “Simeon the Just was one of the last survivors of the Great Synagogue. He used to say [his precept is quoted]. Antigonus of Soko received (the tradition) from Simeon the Just. He used to say [his precept is quoted].” The list continues in the same way down to Hillel and Shammai.

Altogether, the document names fourteen intermediaries in the transmission of Torah. As Finkelstein notes, this number is not accidental.<sup>25</sup> In the first Gospel, the genealogy of Jesus is made up of three chains, each of which has fourteen links (Matt. 1:17). The Chronicler counts fourteen high priests from Aaron to Azariah, the first high priest in the temple of Solomon, and then fourteen successors of Azariah down to Jaddua (1 Chron. 5:29–41 [6:1ff. in English Bibles] and Neh. 12:10). But it is precisely these parallels that allow us to grasp the novelty of the Pharisaic chain, which substitutes the professorial lineage, from master to pupil, for the natural descent from father to son. Why is this construction made? It was not necessary in order to trace the Torah of the Pharisees back to Sinai, and thus dispossess the priests;<sup>26</sup> for one single uncertain link would have sufficed to invalidate this transmission of the treasure of the faith, and there are yawning gaps in the first part of the chain. Maimonides indeed attempted to fill these in.<sup>27</sup> The

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<sup>23</sup> Finkelstein notes (p. xxxvi) that the authors of the document did not count Haggai, Zechariah, and Malachi among the prophets, and this is his principal reason for dating the “manifesto” to the third century B.C.E. Nevertheless, the fact that these three prophets are named in the chain of the tradition proves that they were already “canonical” in the eyes of the authors of the manifesto. It seems more likely that they are mentioned separately in order to indicate the intermediary link between the biblical period and the links that follow. As is well known, Haggai, Zechariah, and Malachi are often grouped together in the rabbinical sources as “the last prophets”; cf. Bonsirven, I, p. 211; N. Glatzer, *Review of Religion*, 1946, pp. 122 and 129.

<sup>24</sup> The explanation of the term *anše kenaset ha-gedolah* given in *RB* 55 (1948), pp. 397–402, is untenable, and the meaning of the maxim attributed to these “men of the Great Synagogue” remains obscure. Cf. L. Finkelstein, *JBL* 59 (1940), pp. 55–69 (= *Idem*, *Pharisaism in the Making*, 1972, pp. 159–174), and J. Goldin in A. Altman, ed. *Biblical Motifs*, 1966, pp. 135–158, and *Idem*, *HTR* 58 (1965), pp. 365–377. On the apophthegm of Simeon, cf. J. Goldin, *PAJR* 27 (1958), pp. 43–58. On the maxim of Antigonus, cf. the following essay in this book.

<sup>25</sup> Finkelstein, *op. cit.*, pp. 8ff.; p. xi and esp. pp. xlvff.

<sup>26</sup> Cf. e.g. I. Loeb, *REJ* 19 (1889), pp. 188ff.

<sup>27</sup> Maimonides, *The Mishnah Torah*, ed. with an English translation by M. Hyamson,



rabbis, who said that God approved the interpretations of particular teachers,<sup>28</sup> had no need of this chain of transmission to prop up their authority. The list was drawn up in order to establish the lineage of *Beth Hillel* and *Beth Shammai*. For these “houses” were schools – and more than that, they were hellenistic schools.<sup>29</sup>

### III

Plato was the first professor who took pains to perpetuate his teaching. He bequeathed his school to Speusippus, who was succeeded by Xenocrates; then Polemon succeeded Xenocrates. In this way, the “Academy” continued to exist for more than eight centuries until 529 C.E., when it was closed down by Justinian. Plato’s example was followed by Aristotle, who bequeathed his “Lyceum” to Theophrastes in 322. In 306, Epicurus founded his “Garden”; in 301, Zeno founded the school of the Stoa. In these schools, which were the centers of the Platonic, Peripatetic, and other “sects” and were organized in the form of religious fraternities, the founder’s teaching was transmitted from generation to generation by successive rectors of the school.<sup>30</sup> As early as ca. 200 B.C.E., Sotion drew up lists of these rectors. After this, the series of “successors” (*diadochoi*) has formed the framework of every history of Greek philosophy.<sup>31</sup> For example, a contemporary of Hillel and Shammai writes that “the school of Epicurus continued [after his death] until the first Caesar, for a period of 227 years [271–44 B.C.E.].”

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1937, p. 3, gives the following succession: Moses, Joshua, Phinehas, Eli, Samuel, David, etc. Later on, Ezra follows Baruch, etc.

<sup>28</sup> Bonsirven, II, p. 308; I, p. 271.

<sup>29</sup> Cf. Horace, *Carmina* 1.29,14: *Socraticam... domum*. Cf. L. Robert, *Arch. Ephem.*, 1960, p. 8, on the term *oikos*.

<sup>30</sup> Cf. e.g. P. Boyancé, *Le culte des Muses chez les philosophes grecs*, 1936, pp. 261–267 and 299–327.

<sup>31</sup> Cf. F. Susemihl, *Geschichte der griechischen Literatur in der Alexandrinerzeit* I, 1891, pp. 496–498; E. Schwartz, *RE* V, 754. R. Philippson (*Rhein. Mus.* 78 [1929], p. 344, and 79 [1930], p. 406) identifies Sotion with the teacher of Seneca who bore the same name, but this biographical question is not important in the present context; it is certain that the philosophical “successions” were an established literary genre long before the Roman period. In his last will, Epicurus speaks of his *diadochoi* (Diogenes Laertius, 10.9). Cf. F. Wehrli, *Die Schule des Aristoteles* VI, 1952, p. 65; VII, p. 113; P. Kienle, *Die Berichte über die Sukzessionen der Philosophie*, dissertation at the Free University of Berlin, 1961 (I have not been able to consult this work). On the *diadochoi* in the Roman period, cf. J.H. Oliver, *Hesperia* 36 (1967), p. 42.

During this time, there were fourteen successors."<sup>32</sup> People in the classical period paid great attention to this succession of rectors, because it was much more than a purely chronological list. From Socrates onward, philosophy was not some kind of technical knowledge which can become obsolete, but rather a way of living, an *ars vivendi*, which the founder of the philosophical school had discovered. In his school, his works are read, explained, and commented upon forever. His doctrine is "a great and precious possession."<sup>33</sup>

One cannot learn an *ars vivendi* from books alone. The philosopher lived his doctrine, and the teaching imparted in the school was also spiritual direction. The books which were published could never contain all the richness of the oral instruction.<sup>34</sup> Thus, when he reports that the lecture notes of Aristotle and Theophrastes had been lost after the death of the latter, Strabo supposes that from then on, the Peripatetics would no longer have been able to engage in philosophy; all they could do was to spout forth about principles. The great duty of the disciples was to transmit faithfully the doctrine of the school. Arcesilaos was reproached for having "shaken" the doctrine of Plato, whereas his predecessors, from Speusippus to Crates, were praised for having "carefully safeguarded what they had received from their predecessors." Even in the Pyrrhonian school, one referred to the opinion "of older Skeptics." They held that Euphranor had been one of the disciples of Timon: "Eubulus heard from Euphranor, who had heard it from Sarpedon, etc."<sup>35</sup>

#### IV

The Greek historians applied this idea of an academic lineage to the barbarian wisdom too. Sotion included the "barbarians" in his work on the "succession of the philosophers." The Greeks made a list of "the succession of the magi": Ostanes (who accompanied Xerxes),

<sup>32</sup> Suidas, s.v. "Epicurus."

<sup>33</sup> Cicero, *Acad.* 2.23. Cf. the note of J.S. Reid *ad loc.*; Diogenes of Oenoanda, frag. 24: μέγα τι καὶ τίμιον κτήμα φιλοσοφία πεπίστευται.

<sup>34</sup> Cf. Marrou, *op. cit.*, pp. 284–288; A.-J. Festugière, *La révélation d'Hermès Trismégiste* II, 1948, pp. 34–47; W. Jaeger, *Paideia* III, 1947, pp. 194–196.

<sup>35</sup> Strabo, 13.1.54, p. 608; cf. Brink, *RE Suppl.* VII, p. 939; Diogenes Laertius, 4.4; Cicero, *Acad.* 1.34; Sextus Empiricus, *Pyrrh.* 1.36. On the Skeptic "succession," cf. Diogenes Laertius, 9.115–116.

Astrampsychus, Gobryes, Pazates. But since Zoroaster was placed six thousand years before Xerxes, Pliny the Elder doubted whether he could have been the inventor of the magic art: “To begin with, it would be surprising that the memory and the art itself should have lasted for such a long time, since there were no lecture notes, and also because this was not preserved by a continuous succession of illustrious masters.”<sup>36</sup>

The hellenized “barbarians” imitated the Greek example. Towards the mid-second century C.E., in his *Manual*, Sextus Pomponius gave the succession of Roman jurists down to his own time.<sup>37</sup> Among the Jews, it seems that it was Eupolemus (ca. 150 B.C.E.) who conceived the idea of a “succession” of the prophets.<sup>38</sup> We observe that the mention of the “prophets” in the Pharisaic document also presupposes an order of succession, and Josephus has no doubts about this order: he says that whereas Moses and the prophets who came after him describe the events of their own times, the history of the post-biblical period is less certain, because “the exact succession of the prophets” is lacking.<sup>39</sup>

After the deaths of Hillel and Shammai, towards the beginning of the Common Era, the Pharisees too established the spiritual genealogy of their teaching. We note that, after Antigonus of Soko,<sup>40</sup> the succession occurs in pairs: Hillel and Shammai received the teaching

<sup>36</sup> Pliny, *Natural History* 30.4: *Mirum hoc in primis durasse memoriam artemque tam longo aeo, commentariis intercedentibus, praeterea nec claris nec continuis successionebus custoditam*. Cf. the reconstruction of the text in J. Bidez and F. Cumont, *Les Mages Hellénisés* II, 1938, p. 10; cf. *ibid.*, p. 7, and I, p. 171 n. 4.

<sup>37</sup> *Dig.* 1.2,35–53. Cf. B. Kübler, *RE* I, A, pp. 380–394; F. Schulz, *History of Roman Legal Science*, 1946, pp. 119–121; V. Arangio-Ruiz, *Storia del diritto romano*, 5th edn. 1947, pp. 276–281. Lucian, *Hermotimus* 77: from master to master, one goes back to the “tenth generation” (εἰς δεκαγονίαν). A cuneiform catalog of sages of the past was copied in 165 B.C.E., but it does not contain any idea of succession or tradition: J. van Dijk, in *XVIII. vorläufiger Bericht über die... Ausgrabungen in Uruk-Warka*, 1962, p. 45. A “succession” of doctors is found in Celsus, *De arte medic.*, Proem. 8.

<sup>38</sup> If this were not the case, it would be difficult to see why, when speaking of Elijah, Eupolemus gives the succession Moses-Joshua, and then goes on to speak of Shiloh and Samuel. Unfortunately, his work is known only at two removes: from Eusebius (*Praep. Ev.* 9.30,447a), who copied Alexander Polyhistor. Cf. J. Freudenthal, *Alexander Polyhistor*, 1875, p. 225. – We should note that Scripture does not know this idea of succession. The prophets are sent by God when the chosen people need them (Jer 7:25). Similarly, Ben Sira mentions the prophetic succession only in the two biblical cases of Moses and Joshua (46:2) and Elisha and Elijah (48:12); Nathan simply appears “after” Samuel (47:1).

<sup>39</sup> Josephus, *C. Apionem* 1.8, §41: ἀπὸ δὲ Ἀρταξέρξου... μὴ γενέσθαι τὴν τῶν προφητῶν ἀκριβῆ διαδοχὴν.

<sup>40</sup> Cf. the following essay in this book.

from Shemaiah and Abtalion, etc.<sup>41</sup> Naturally, the tradition went back to Moses himself, the *fons et origo* of Jewish wisdom. In the same way, Lucian's necromancer goes to a magus "who is one of the disciples and successors of Zoroaster." Writing under Hadrian, Sextus Pomponius was not content with establishing more or less correctly the chain of the "successors" of T. Coruncianus (consul in 280 B.C.E.), who had begun the systematic teaching of law in Rome: he went back to the earliest source of Roman jurisprudence, viz. to Papirius, who was said to have collected the *leges regiae* in the days of Tarquinius Superbus. Similarly, the Greek historians saw Epicurus or Zeno as the direct heirs in an unbroken succession to the Seven Sages.<sup>42</sup>

I am well aware of the doubts raised by modern critics about the chain of the Pharisees,<sup>43</sup> but I must leave it to more learned scholars to judge this dispute. It seems to me, however, that the parallels I have cited strengthen the case for the tradition. We should note that the knowledge of the doctrinal succession had a great practical significance: it eliminated the need to guarantee each individual tradition on its own. Here we may recall the situation in Islam, where, since there is no established succession of witnesses, every story (*hadith*) about Muhammad has to be authenticated by the complete series of those who have transmitted it (*isnad*). In the rabbinic schools, such a procedure was required only in exceptional instances, e.g. in a ritual debate, when the greatest rabbis did not know the tradition and a writer in public service offered the solution, which he said he had "received" from Rabbi Meshah, who had

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<sup>41</sup> I should like to point out a parallel (which occurred independently to Boaz Cohen, who is a Talmudic specialist: see his *Jewish and Roman Law* I, 1966, p. 276 n. 198). When he arrives at Labeo and Capito in his "succession" of jurists, Pomponius says (*Dig.* 1.2.47): *hi duo primum veluti diversas sectas fecerunt*. After this, he always mentions two heads of schools. *Capitoni... Sabinus successit, Labeoni Nerva... huic successit... Cassius... Nervae successit Proculus*, etc. We should also note that a Greek author whose name we do not know simplified the "successions" of the philosophers. According to him, one lineage went from Thales to Socrates and his successors (including the Stoics), while the other series began with Pythagoras and continued to Epicurus. Cf. Diogenes Laertius, *Proem.* 13–15; E. Schwartz, *RE* V, p. 755; H. Hope, *The Book of Diogenes Laertius*, 1930, pp. 134–138.

<sup>42</sup> Lucian, *Menipp.* 6. In order to link their teaching to ancient philosophy with Socrates as intermediary, the Stoics established the following chain: Zeno-Crates-Diogenes-Antisthenes-Socrates, although Diogenes can scarcely have been a disciple of Antisthenes. Cf. e.g. T.S. Brown, *Onesicritus*, 1949, p. 26. Besides this, such chains are the product of human ingeniousness. Pythagoras learnt from Pherecydes. That is true enough; but who was the master of Pherecydes? No one – he was a self-taught man who had got hold of the secret books of the Phoenicians (Suidas, *s.v.*).

<sup>43</sup> Cf. Bonsirven, I, p. 272 n. 2.

received it from his father, who had received it from the “pairs,” who had received it from the prophets as a *halakah* given to Moses on Mount Sinai.<sup>44</sup> And we may also compare the case of Hillel, who was as yet unknown in Jerusalem and had spent a whole day in a discussion trying in vain to win support for a certain legal interpretation. Finally, he declared: “May I be punished, if my decision was not communicated to me by Shemaiah and Abtalion!” At once, his opinion was accepted.<sup>45</sup> This presupposed that Shemaiah and Abtalion, who were authentic links in the sequence of heads of the school, could only have expressed the correct opinion, i.e. the traditional opinion which came from Mount Sinai. This is the *ipse dixit* which the Pythagoreans employed when they quoted the opinion of their school.<sup>46</sup>

## V

All this was an innovation at Jerusalem – and it would have been a revolution anywhere else. Unwritten laws and traditions, *opinionones quas a maioribus acceptimus de diis immortalibus*, were everywhere the foundation of religious faith.<sup>47</sup> This oral law in Gentile societies went back to very ancient times; succeeding generations perpetuated it by transmitting doctrines and precepts from father to son. Consequently, those born into the aristocracy were the natural repository and the legitimate interpreters of the oral law. In Egypt, in Babylon, in Persia, under the Macedonian kings and under the Caesars, sacred doctrine was transmitted by succession in the hereditary clergy, although the relationship of “father” and “son” was often fictitious.<sup>48</sup> The language of the mysteries

<sup>44</sup> *M. Pea* 2.6. Cf. W. Bacher, *Die Tradition und die Tradenten*, 1914, p. 25; Bonsirven, II, p. 268. We find similar chains of reference e.g. in Cicero, *Cato* 12.39–41; 13.41; *Lael.* 23.88; and of course in the “narrative” dialogues of Plato, e.g. the *Parmenides*.

<sup>45</sup> Derenbourg, *op. cit.*, pp. 177–179; W. Bacher, *op. cit.*, pp. 1–52; L. Finkelstein, *The Pharisees and the Men of the Great Synagogue*, 1950, ch. 2.

<sup>46</sup> Cicero, *De nat. deorum* 1.5, 10. Cf. I. Lévy, *La légende de Pythagore*, 1927, pp. 230ff.

<sup>47</sup> Cicero, *De nat. deorum* 3.2, 5. Cf. e.g. T. Ashkenazi, *Tribus semi-nomades de Palestine du Nord*, 1938, p. 92; S. Gandz, “The Dawn of Literature,” *Osiris* 7 (1939), pp. 260–522; J. Raft, *Der Ursprung des katholischen Traditionsprinzips*, 1931, pp. 179–192; A. Deneffe, *Der Traditionsbegriff*, 1931, pp. 7–16. On the transmission of the *mnêmai* from father to son, cf. Dionysius of Halicarnassus, *De Thuc.* 7.

<sup>48</sup> Cf. Diodorus, 1.73, 5; 81, 1; 2.29, 4: unlike Greek praxis, *παρὰ μὲν γὰρ τοῖς Χαλδαίοις ἐκ γένους ἢ τούτων φιλοσοφία παραδέδοται*. Cf. Bidez and Cumont, *op. cit.* I, p. 171 n. 4; R. Reitzenstein, *Die hellenistischen Mysterienreligionen*, 3rd edn. 1927, p. 40.

and the secret books were accommodated to this requirement.<sup>49</sup> The Neoplatonist Proclus, a contemporary of the last *Amoraim*, learned the art of conversing with the gods from the daughter of Plutarch, who in turn had received this knowledge from his father, the hereditary hierophant of the Eleusinian cult. In fact, from time immemorial and until the end of paganism, the family of the Eumolpides was exclusively charged with conserving and interpreting the unwritten laws of Eleusis.<sup>50</sup> Not even the boldest spirits ventured to tamper with these august prerogatives.<sup>51</sup> The Athenian democracy, the most clearly egalitarian system known to the ancient world, asked the opinion of the “well born” (*eupatrides*) about the “sacred and ancestral” usages and customs. Even as late as the fourth century C.E., it was among the “well born” that the people chose the official exegete of the sacred laws.<sup>52</sup>

At Jerusalem, the divine law had expressly charged the priests with ensuring the correct interpretation of Torah. They were a hereditary caste who maintained the ancestral traditions, including the oral law.<sup>53</sup> Ca. 200 B.C.E., long before Hillel and Shammai, a number of instructions about ritual ablutions which were not contained in the law of Moses were followed in the temple at Jerusalem “in conformity with the custom of the fathers.”<sup>54</sup> The tribe of Levi was taught by an oral tradition which was passed on from father to son, so that each new generation inherited its ancient knowledge.<sup>55</sup> When the term *talmid* appears in Hebrew, it designates the sons of the levites, who learn the chants in the house of the Lord “under the hand of their fathers” (1 Chron. 25:7f.).<sup>56</sup> According to Philo,<sup>57</sup> children receive from their

<sup>49</sup> Cf. E. Norden, *Agnostos Theos*, 1913, pp. 288–290; Festugière, *op. cit.* I, pp. 332–335.

<sup>50</sup> Marinus, *Vita Procli* 28, quoted in S. Eitrem, *Symbol. Osloenses* 22 (1942), p. 42; P. Foucart, *Les Mystères d'Éleusis*, 1914, p. 152.

<sup>51</sup> Cf. Euripides, *Bacch.* 201–202: πατρίους παραδοχάς, ἅς θ' ὀμήλικας Χρόνω κεκτήμεθ', οὐδεὶς αὐτὰ καταβαλεῖ λόγος.

<sup>52</sup> J.H. Oliver, *The Athenian Expounders of the Sacred and Ancestral Law*, 1950, pp. 14, 28, and 50.

<sup>53</sup> Deut 17:8–12. Cf. G. Ostborn, *Tora in the Old Testament*, dissertation, Lund 1945, pp. 89–112.

<sup>54</sup> Cf. my essay “A Seleucid proclamation concerning the temple in Jerusalem,” above.

<sup>55</sup> *Testament of Levi* 13.

<sup>56</sup> On the expression *btlmwd* in a Qumran text (the Commentary on Nahum 2:8), cf. B.Z. Wacholder, *Revue de Qumran* 5 (1966), p. 575; I.D. Amusin, *Teksty Kumrana I*, 1971, p. 226 n. 4.

<sup>57</sup> *De spec. leg.* 4.150: ὀφείλουσι γὰρ παῖδες παρὰ γονέων... κληρονομεῖν ἔθῃ πατρία... ἄγραφος αὐτῶν ἢ παράδοσις Cf. H.A. Wolfson, *Philo I*, 1947, pp. 188–194.

parents the unwritten heritage of the ancestral customs. Long after the destruction of the temple, priestly families were still refusing to divulge their hereditary knowledge.<sup>58</sup>

This historical and aristocratic principle was universally accepted. Both the Greek observers and the Jewish writers in the hellenistic period, and subsequently Philo and Josephus, agree that the law is the business of the sons of Aaron and that it is they who are to interpret the divine precepts.<sup>59</sup> The sectaries of the “new covenant” took a vow to obey the law of Moses as this was interpreted by “the sons of Zadok, the priests who guard the covenant and seek the will of God.”<sup>60</sup> The very legitimacy of Zion depended on the priestly lineage: in order to demonstrate its authority, they cited “the succession of high priests, each of whom governed the sanctuary after having received this task from his father.”<sup>61</sup>

This transmission of the *sacra* from father to son seemed natural to the Greeks, even in the hellenistic period. When one of the Ptolemies (doubtless Philopater, 221–204) commanded that a list be drawn up of those who imparted the initiation into the mysteries of Dionysus, he required them to state from whom they had received the cult, going back three generations.<sup>62</sup>

The Pharisees imposed on the people rules which were not written in the law of Moses, but “had been transmitted by the succession of the fathers.” The Pharisees were “those who formed a separate group.” It was only in their case that the fathers – the *abôth* whose maxims are handed on in the treatise which bears this name – were not ancestors, but professors.<sup>63</sup> Like the philosophy of the Greeks, the Torah of the Pharisees was transmitted from master to disciple, not from father to son.

<sup>58</sup> *M. Yoma* 3.11. We should note that for some of the Talmudic authors, every biblical prophet is the son of a prophet; cf. L. Ginzberg, *The Legends of the Jews* VI, p. 357.

<sup>59</sup> Cf. Bonsirven, II, p. 131: Hecataeus, *apud* Diodorus, 40.3; Sirach 45:17.

<sup>60</sup> A. Dupont-Sommer, *Les manuscrits de la Mer Morte*, 1950, p. 65.

<sup>61</sup> Josephus, *Ant.* 13.3.4, §78.

<sup>62</sup> *SP* II, 208 = M.T. Lenger, *Corpus des ordonnances des Ptolémées*, 1964, nr. 29. Cf. A.-J. Festugière, *La révélation d'Hermès Trismégiste* I, 1944, pp. 322–354. Cf. also a letter of Attalus II, in which he says that his nephew's tutor excels ἐν τῆι τῶν λόγων ἐνπειρίῃα καὶ παραδόσει, *BE* 1968, nr. 464. Cf. Plato, *Hipp.* 228d: ἢ τ' ἔμαθε καὶ ἦν αὐτὸς ἐξηγῶν.

<sup>63</sup> Josephus, *Ant.* 13.10.6, §297; 13.6.2, §408. I borrow from Isidore Lévy (*op. cit.*, p. 235) this periphrasis of the noun *perušim*.

*Additional Note*

The “chain” which we have just examined has a remarkable structure. The compilers of the lists of “successors” sometimes added information about these persons, in order – as Pomponius says – to demonstrate *a quibus et qualibus haec iura orta et tradita sunt*. For example, he informs his reader that Appius Claudius was one of the *decemviri*. In the same way, Iamblichus tells us something about nearly all the “successors” of Pythagoras.<sup>64</sup> All that the Jewish author tells us about the transmitters of the Torah is their names. Nevertheless, he quotes a maxim of each one of them, from the Great Synagogue down to and including Hillel and Shammai.<sup>65</sup> This selection of one single apophthegm to characterize its author reminds us of the story of the Seven Sages, each of whom dedicated to Apollo, as the “first fruits” of the wisdom he had received, an aphorism which was “short but full of meaning,” e.g. “Nothing in excess!” These sentences summed up the rule of life of each of these masters of truth. They were quoted on inscriptions at Delphi, and were very popular in Greece. They were even reproduced on mosaic pavements which depicted these Sages.<sup>66</sup>

But the Seven Sages were thought to have been contemporaries and competitors, whereas the *diadochoi* of a school were those who handed on the wisdom of the founder of this philosophy: their role was to transmit and interpret this wisdom, not to make innovations. This is why the lists of “successors” do not contain any apophthegmata attributed to them. In the same way, it was certainly not acceptable for those who

<sup>64</sup> Cf. n. 37, above; Iamblichus, *Vita Pythag.* 36.265.

<sup>65</sup> J. Neusner, *The Rabbinic Tradition about the Pharisees I*, 1971, p. 21, notes that the aphorisms of the fathers are not quoted in the other Tannaitic sources. But moral precepts are out of place in these juridical or exegetical texts, so it is not surprising that these compilations do not quote them. Hillel himself is never mentioned in the Mekhilta. Simon the son of Shetach is mentioned only once: we are told that he had a lying witness in a court case put to death, and this is important for the interpretation of Ex 23:7 (*Kaspa* III, ed. Lauterbach, III, p. 170). The maxim of Abtalion is not quoted in the same commentary on Exodus, but we find his explanation of Ex 4:31 there (*Besh.* 4.1; I, p. 220). For the same reason, the maxim of the *anše keneset ha-gedolah* is quoted in the Mekhilta (*Pisha* 6; I, p. 48) and in *Sifre Deut.*, p. 25 ed. L. Finkelstein. The doctors of the law found there the precept to make “a fence around the Torah.”

<sup>66</sup> Plato, *Protag.* 342c. Such maxims were ἐπιδείγματα τῆς σοφίας of their authors. Plato, *Hipparch.* 228d; M. Chéhab, *Bull. du Musée de Beyrouth* 14 (1957), pp. 32–34, and 15 (1959), plates XVII–XXI. On the parody of the maxims in a latrine in Ostia, cf. B. Snell, *Leben und Meinungen der Sieben Weisen*, 1938, p. 72. In general, cf. J. Defradas, *Les thèmes de la propagande delphique*, 1954, pp. 268–283, and L. Robert, *C.R. Ac. Inscr.*, 1968, pp. 422–431 and 438–442.



transmitted the oral law to add anything to it. As Josephus says,<sup>67</sup> the ancestral tradition which the Pharisees imposed on the people came ἐκ πατέρων διαδοχῆς, and hence went back to Moses. And this is why Jesus tells his disciples: “The scribes and the Pharisees sit on Moses’ seat; so practice and observe whatever they tell you” (Matt. 23:2f.). Why then does the Pharisaic “chain” quote the maxims of each transmitter of the tradition during the post-biblical period, as if these aphorisms could increase people’s confidence in the probity of the successive bearers of the unwritten Torah? I do not know, and until fresh evidence surfaces it seems to me better to abstain from conjectures on this subject. Rather, we should bear in mind the wise words of Quintilian that one of the qualities required in an interpreter of texts is: *aliqua nescire*.

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<sup>67</sup> *Ant.* 13.297. The metaphor of the “chain” for the succession of masters in the Jewish tradition appears ca. 260 C.E.: Rabbi Yohanan, *P. Sab.* 1.2, p. 3a. Cf. Gerson D. Cohen, *Sefer ha-Qabbalah* (by Abraham ibn Daud), 1967, p. 91 n. 14. This image was employed at first for the genealogical succession: M. Jastrow, *Dictionary*, p. 1590.

## THE MAXIM OF ANTIGONUS OF SOCHO\*

Antigonus of Socho, who flourished in the first decades of the second century B.C., was ranked among the “Fathers” of the Synagogue by the later Pharisaic teachers, but they had no recollection of his words and deeds. A solitary maxim kept his memory alive and passed his name on to posterity.

### I

Antigonus, we are told, used to say:<sup>1</sup> “Be not like slaves who attend upon the master on condition to receive *peras* but be like slaves who attend upon the master without the condition<sup>2</sup> of receiving *peras*, and let the Fear of Heaven be upon you”.

The understanding of this saying depends on the meaning of the word *peras*. Virtually all translators and commentators understand the term as meaning recompense, reward, gift.<sup>3</sup> All these interpretations

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\* Abbreviations: Cahn, see n. 1; Cohen, see n. 15; Finkelstein see n. 38; Finkelstein, *Mabo*, see n. 1; Taylor, see n. 1.

<sup>1</sup> *Pirke Abot* I, 3. I have followed the traditional text. See the edition of the *Mishna* by Ch. Albeck and H. Yalon, 1958. I particularly relied on the edition with translation and notes of Ch. Taylor, *Sayings of the Jewish Fathers* (1897–1900), reprinted with an introduction by J. Goldin, 1969. I have also found useful the Strassburg dissertation of M. Cahn, *Pirke Abot*, 1875. Of great help was the English translation of *Abot* by J. Goldin, *The Living Talmud* (Mentor Paperback, 1957), which also offers a judicious selection of exegetic observations found in medieval commentaries on *Abot*. The saying of Antigonus is also reported in both versions of the *Abot R. Nathan*. Cf. *The Fathers According to R. Nathan*, translated and commented by J. Goldin (Version A), 1955 and (Version B) by A.J. Saldarini, S.J., 1975. The essential work on all the three versions of *Abot* is L. Finkelstein, *Mabo le-Massektot Abot we-abot d'Rabbi Natan*, 1950, with English summary pp. v–xlvi. His earlier paper on the treatise *Abot*, *JBL* LVII, 1938, pp. 13–50 is reprinted in his book *Pharisaism in the Making*, 1972. Further bibliography: Saldarini *ib.* 311–317.

<sup>2</sup> שלא על שנת שלא means (to serve) “on the condition not” to receive *peras*. The first reading is supported by the text of the maxim in the *Abot* of R. Nathan ed. S. Schechter, p. 26. The second one is corroborated by ancient quotations (Taylor, *op. cit.*, II, p. 133) and a fragment from the Cairo Geniza *ap.* A. Katsch, *JQR* LXI, 1970, p. 2. Cf. below, n. 11 and 76.

<sup>3</sup> G. Dalman, *Arbeit und Sitte in Palästina* II, p. 155, following Lewy’s strange etymology from Greek *phoros*, thinks that the term *peras* here refers to the part of the crops received by the slave-tenant. See also Moore, III, p. 14.

go back to Maimonides' commentary. Contrasting *šokar* (wages) and *peras*, Maimonides explained the latter term as meaning gratuity, a gift which the master may promise to his wife, child or slave for doing this or that.<sup>4</sup> Living in a slave-holding society, Maimonides knew that a sensible master might use such bait to overcome the innate reluctance of a slave to exert himself. In Plautus' *Casina*, Lysidamus promises various gifts to Pardalisca, if she coaxes Casina into good temper.<sup>5</sup>

It is hard to dissent from Maimonides. Yet, his interpretation fails to do justice to Antigonus' saying. What is the merit of a slave who works without hoping for a tip? Being his owner's property, he has to serve willy-nilly. In a Latin play, contemporary with Antigonus, a slave says to his master: "By reason of my servitude, I am bound to exert myself, by hand and foot, day and night, even risking my neck, if only I can be of use to you". Stoic casuists discussed the question whether a slave is able to do a favor to his master, since everything he does for him, he anyhow ought to do. Does the master, says Jesus, thank the slave because he did the things that were commanded to him?<sup>6</sup>

On the other hand, the now common rendering is philologically unfounded. The root *prs* meaning *dividere*, the noun *peras* signifies *pars* and, accordingly, denotes measures which are parts of a greater unity, for instance a half-mina. The term first occurs in an Aramaic inscription (erected in 731 B.C.) with reference to a measure of grain. In the meaning of a measure, the term also appears in Aramaic papyri from Elephantine (fifth century B.C.), in the famous "Writing on the Wall" at Belshazzar's feast (*mane, thecel, pharas*, as Jerome transliterates these words) and often in the Talmud, particularly with reference to bread.<sup>7</sup> Accordingly a prophet says: God asks from you that you "distribute" (*paros*) your bread to the hungry. In Aramaic papyri from Elephantine, people pledge their *prs* which they receive from the government as soldiers (that is their rations) as security.<sup>8</sup>

<sup>4</sup> Maimonides *ad. l.* (Latin translation in G. Surenhusius, *Mishna* IV, 1702, p. 441).

<sup>5</sup> Plaut., *Casina*. 705. Cf. Plaut., *Epid.* 725; *Stich.* 420; Athen. VI, 274d.

<sup>6</sup> Terent., *Andr.* 676: *hoc tibi pro servitio debeo, conari manibus pedibus, noctisque et dies, capitis periculum adire dum prosiem tibi.* Sen., *de benef.* III, 18; *Ev. Luc.* 17, 9.

<sup>7</sup> Panammu inscription: G.A. Cooke, *A Text-Book of North-Semitic Inscriptions*, 1903, no. 62, 6; Dan. 5,25; Cf. E.G. Kraeling, *JBL* 63, 1944, pp. 11–18 and H.L. Ginsberg, *Studies in Daniel*, 1948, p. 24. For Talmudic references see e.g. *M. Erub.* 8, 2 and passages quoted in M. Jastrow, *A Dictionary of the Targumim* (etc.) and J. Levy, *Neuhebräisches... Wörterbuch*, s.v.

<sup>8</sup> Is. 58, 7; A. Cowley, *Aramaic Papyri*, 1923, and E.G. Kraeling, *The Brooklyn Museum Papyri*, 1953, Index s.v.

To a classicist it is now obvious that the term *peras* in Antigonus' saying has the technical meaning of Latin *demensum*, that is the measured allowance, which was given to slaves. In Plautus' *Stichus*, the master reminds his lazy slaves: "You never forget to claim your rations (*demensum cibum*) the first of every month".<sup>9</sup> Syriac confirms the proposed interpretation.<sup>10</sup> In a parable Jesus speaks of the good steward who deals out the rations (*sitometrion*) to the household in due time. In Syriac Gospel, *sitometrion* is here rendered by *prāsā*.<sup>11</sup>

## II

In a patriarchal economy the slave eats with his master. This is the reason why the slave of a priest was qualified to partake of priestly tithes which were forbidden to the Israelite layman.<sup>12</sup> In his Sabine land-house, Horace's slaves shared his meals.<sup>13</sup> But such antique simplicity was a laudable exception in the Hellenistic (and, then in a Roman) household. In the time of Antigonus of Socho, that is about 200 B.C., the rule was that at fixed intervals slaves received a standard ration. In a sketch of Herodes, a generation before Antigonus of Socho, a *petite bourgeoise*, who has only one servant, scolds this maid: she is like a stone when

<sup>9</sup> Plaut., *Stich.* 60: *vos meministis quot calendis petere demensum cibum*. Cf. Terent., *Phorm.* 43: *quod ille unciatim vix de demenso suo suam defraudans genium comperit miser, id illa unvorsum abripet*. A similar term was *diurnum*: Sen., *Ep.* 80, 8; cf. Petron., *Sat.* 75.

<sup>10</sup> Ev. Luc. 12, 42; C. Brockelmann, *Lexicon Syriacum* (2nd ed. 1928), p. 600a. (I owe the latter reference to Prof. H.L. Ginsberg.)

<sup>11</sup> Having written this paper, I discovered, not without shame, that M. Jastrow, *Dictionary of the Targumim*, etc. p. 1035 (Berlin reprint of 1926) has already suggested the translation "fare (reward)". My sole excuse is that, although his work was published in 1903, no later commentator or translator took up Jastrow's hint. Yet, the lexicographer Benjamin Mussafia, in his *Musaf-ha-Aruch*, 1655, already emphasized that *peras* in *Abot* means food distribution to slaves (I owe this reference to Professor J. Faur). Again, a medieval French rabbi, quoted in Taylor II, p. 134 gave as the French translation of *peras*: *provianda* (*provenda*). I see now that H. Graetz, *Geschichte der Juden*, 2nd ed, II, 2, p. 239 also understood *peras* as the allowance given to slaves. The correct translation has also been given by N. Petherkovitch in his Russian version of the *Mishna* (vol. IV, published in 1901). Cf. Yu. Soloduchin, *Soviet Views of Talmudic Judaism*, 1975, p. 59. Further, Professor Saul Lieberman informs me that I have a more ancient predecessor. R. Menachem Me'iri (who flourished in Provence in the second half of the 13th c.) in his commentary on *Abot* gives "daily meal" as the meaning of the term *peras*.

<sup>12</sup> Dt. 12, 12 and 18. Even a runaway slave of a priest may eat the priestly *terumah* according to *M. Gitt.* I, 6 (*Toš. Gitt.* I, 3).

<sup>13</sup> Hor., *Sat.* II, 6, 65. Cf. Sen., *Ep.* 47, 2 and 15.

called, but counts each crumb when she takes her ration of barley.<sup>14</sup> Likewise, even simple people in Roman Palestine, who had only one slave, ate separately, while the servant took his meal later. It was an exceptional case, remembered by the disciples of a rabbi, if he gave a part of his own meal to his house-slaves.<sup>15</sup> The system of food allowances was rather general, and reflected in various stories. For instance, R. Eliezer (ca. 300 A.D.) speaks of the slave who, when waiting upon his master, seizes the occasion to ask for *peras*. R. Joshua (2nd century A.D.) tells the simile of a slave who claims his fare (*parnasah*) only after having attended upon his master to the latter's satisfaction. Another simile refers to the slave who demands his *peras* before the ration is due. The same R. Eliezer tells us incidentally, that the owner gives the fare (*parnasot*) to this slave weekly, to another yearly, and, again, to the third one irregularly, little by little. R. Samuel the Little (ca. 100 A.D.) pictures a slave begging for his *peras*. At last, the owner, losing his patience, orders that his ration be given to him, "so that I may not hear his voice". We also learn that, having received his *peras*, the slave retired backward, bowing to his master as he left.<sup>16</sup>

All these passages are from the Roman period; the earliest is the parable of the good steward in Luke. The importance of Antigonus' saying for social history is its date. The maxim shows that the system of food allowances to slaves already prevailed in pre-Maccabean Jerusalem.

### III

To the slaves who worked for the sake of their rations, Antigonus opposes another group of servants. According to the current understanding of the maxim the latter group works without the expectation

<sup>14</sup> Herodes VI, 5. Cf. Menand., *Hero*, 13 and already Theopomp. ap. Athen. IV, 31, p. 149d (FrGrH 115 fr. 215).

<sup>15</sup> Luke 17, 8. R. Johanan (died 279 A.D.) gave to his slaves a portion of the meat and of the wine which were served to him. (*P. Bab. Qamm.* 8, p. 6c; *B. Keth.* 61a). In the former passage (quoted S. Rubin, *Das talmudische Recht* I, 1920, p. 73) it is expressly stated that the rabbi did it not by right but by compassion. On the other hand, it was the duty of the patron to furnish his Hebrew bondman the same kind of food of which he partook. See B. Cohen in *Louis Ginzberg Jubilee Volume*, 1945, p. 130 = B. Cohen, *Jewish and Roman Law*, 1966, pp. 159–178.

<sup>16</sup> *P. Taan.* I, p. 63c; *B. Taan.* 19b; 25b; *B. Baba Bathra* 25a. My warmest thanks are due to Professor Boaz Cohen, who here and elsewhere helped me in understanding Talmudic passages.

of a reward. But this explanation is sentimentally anachronistic. There may have been slaves in Jerusalem who, as Seneca says,<sup>17</sup> went beyond and above the limits of servile duties, but Antigonus contrasts one social category with another. He means the slaves who receive and the slaves who do not receive sustenance from their owner. This correct interpretation has been already given by R. Samuel Edels (1555–1631).<sup>18</sup> But this interpretation leads to another question: who are these slaves without rations?

In slave-holding societies, the providing of food to “animated tools” takes various forms.<sup>19</sup> Besides the system of rations, two principal types should be noted.<sup>20</sup> First, it may lie with the slave to raise food for his sustenance. “In order to dispense with feeding them himself”, the master gives grounds to his slaves on which they work in their spare time in order to grow provisions for themselves.<sup>21</sup> That means that there is much more free and productive land than needed to cultivate for the advantage of the master. Often used in the New World (Brazil, West Indies), this mode of maintenance was rarely applicable in the classical world.<sup>22</sup> In another system, the slave is hired out (or allowed to hire himself). He receives meals from his temporary employer, mostly lives apart from his master, but pays a rent to him from his earnings. This form of bondage was well known in Greece. “There are common slaves who not only nourish themselves, but even pay a rent to their masters”.<sup>23</sup> The rabbis also speak of slaves engaged in various business

<sup>17</sup> Sen., *de benef.* III, 21, 2: *quodque est quod servili officii formulam excedit, quod non ex imperio sed ex voluntate praestatur, beneficium est.*

<sup>18</sup> I owe this reference to Professor Saul Lieberman, who quotes Edels’s *Novellae to the Aggadoth of the Babylonian Talmud* ad ‘Ab. Zara 19a.

<sup>19</sup> Arist., *Eth. Nic.* 1161b 4.

<sup>20</sup> There is, so far as I know, no morphological study of the institution of slavery. For this reason, I can give only some instances noted at random.

<sup>21</sup> Boyer-Peyreleau, *Les Antilles Françaises* I, 1823, p. 132: the owner let slaves cultivate their own food, “pour se dispenser tout à fait de les nourrir”. Cf. L. Peytraud, *L’esclavage aux Antilles Françaises avant 1789*, 1897, p. 219; H. Godwin, *Lectures on Slavery* (Boston, 1836), pp. 41–42; F.W. Putnam, *Journ. of Negro History* XI, 1926, p. 605; F. Tannenbaum, *Slave and Citizen*, 1947, p. 61.

<sup>22</sup> So far as I know, in the classical lands the owner only gave the right of pasture on his ground to the livestock of a meritorious slave. Varro, *rer. rust.* I, 17, 7: *ut peculium aliquid in fundo pascere liceat*. Sometimes the slaves (in a city) received rations plus money (Sen., *Ep.* 80, 7). For a similar practice in modern slavery cf. W. Sells, *Remarks on the Condition of the Slaves in the Island of Jamaica* (London, 1823), p. 11.

<sup>23</sup> Teles, ap. Stob., *Flor.* 95, 21. Cf. e.g. Theophr., *Char.* 22, 10; Menand., *Epit.* 162; Alexis, fr. 257 Kock (Ath. IV, 164f.); Plaut., *Stich.* 550; *Vidul.* 20. Cf. L. Beauchet, *Histoire*

activities (barbers, bakers, etc.).<sup>24</sup> But Antigonus could not have in mind this group, since he speaks of menial servants. Thus, the meaning of the maxim requires that the slaves without *peras* must be worse than they on ration.

By the same token, Antigonus does not mean *peculium*. In the first place, Jewish law has another term (*segullah*) for this institution.<sup>25</sup> Secondly, this institution is of importance only when the owner is interested in the profit he may receive from the work of his slaves and therefore the *peculium* is co-related with industrial and praedial slavery.<sup>26</sup> But Antigonus speaks of household servants who “waited” on the master, and who did not and could not live on their *peculium*, if they had any. Last but not least, in a slave-economy, the slave without a *peculium* is an example not to be imitated, but the one who amasses it by his thrift and industry, is praised. *Peculiosum esse addecet servom et probum*.<sup>27</sup> Were *peras* a kind of *peculium*, the saying of Antigonus would have meant that in the kingdom of God spendthrifts and lazy workers are preferred to a diligent man.

#### IV

To grasp the meaning of Antigonus’ simile, we must realize the fact that the slave is a “permanent hireling” (as the Stoic Chrysippus has defined him) and that the maintenance (as Aristotle has already said) represents the wages of this hireling. Yet, while the employer pays for

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*du droit privé de la réHistoire du droit privé de la république athénienne* II, 1897, pp. 444–448; W.L. Westermann, *The Slave Systems of Greek and Roman Antiquity*, 1955, pp. 21–22. But the vocable ἀντόσιτος does not denote the slave who supports himself but the guest who brings his own food to a banquet. Crobylus, fr. I Kock (Ath. VI, 248).

<sup>24</sup> S. Kraus, *Talmudische Archäologie* II, 1911, p. 90. Note that these hired out slaves were supplied with meals by their employer. *M. Baba Mezia* 7, 6. Cf. Is. Mendelsohn, *Slavery in the Ancient Near East*, 1948, pp. 67–70. Modern parallels: Tannenbaum, *op. cit.* (n. 21), pp. 59–61.

<sup>25</sup> On the *peculium* in Jewish law see B. Cohen’s paper in *PAAR* XX, 1951 = Cohen, I, pp. 179–278; cf. M. Greenberg, *JAOs*, 71, 1951, pp. 72–74.

<sup>26</sup> Cf. generally the admirable paper of Marc Bloch, in *Annales*, 1947, p. 32. For the Ancient Near East cf. Mendelsohn, *op. cit.*, pp. 66–74. P. Rutilius Rufus, cos. 105 B.C., bought fish from fishermen who were his own slaves (Athen, VI, 274d).

<sup>27</sup> Plaut., *Rud.* 112.

labor only, the owner has to support his slaves, even when there is no work for them, or when they are unable to work.<sup>28</sup>

The masters, ancient and modern, quite naturally, tried to reduce this unprofitable expenditure. In Terence's *Heautontimoroumenos*, Menedemus sells all his slaves except those who make up the costs of their sustenance by work on his farm. Roman owners, as two thousand years later the West Indian planters, turned out superannuated or disabled slaves.<sup>29</sup> In ancient and modern slave-holding societies, when the slave was not regularly employed, his food allowance was often shortened or simply withheld. Set adrift, he had to shift as best as he could in this time. In 1753 a North Carolina law made the owner liable for food, clothing, etc. stolen by his slaves, if they should be in want of provisions.<sup>30</sup> A famous bandit gave this advice to the Romans: "feed your slaves if you don't want to have robbers". In the first century A.D. the *praetor urbis* was empowered to hold in check the greed of owners in respect to the slave maintenance. But already Plato insists that in order to avoid the revolts of slaves, they must be maintained properly. Yet, Hellenistic Stoics debated the question whether a gentleman is morally bound to feed his slaves when food prices are high. Hecaton (ca. 100 B.C.) answered the question negatively.<sup>31</sup>

<sup>28</sup> Chrysipp., ap. H. v. Arnim, *Stoic. Veter. Fragn.* III, 354. Cf. Philo, *de spec. leg.* II, 18, 82. Arist., *Oec.* I, 5, p. 1344. On modern polemic concerning this alleged advantage of a slave over the free worker see my note "Pouchkine, Marx et l'Internationale esclavagiste" in *La Nouvelle Clio*, no. 8, Sept. 1950, pp. 416-431.

<sup>29</sup> Ter., *Heautontim.* 142. On *servi derelicti* cf. Suet., *Claud.* 25; *Dig.* XL, 8, 2; *Cod. Just.* VI, 1, 3; I Sam. 30, 13; Plut., *Cato mai.* 5, 2; Cato, *de agr.* 2. Cf. W.O. Blake, *The History of Slavery*, 1857, p. 155 (West Indies). Plato, *Leg.* VIII, 848a-b shows that a third of production by an agricultural slave had to be set apart for his feeding. The proportion was the same on sugar plantations of Barbados in 1788. See Putnam (n. 21), p. 624 and cf. E.Q. Hawk, *Economic History of the South*, 1934, p. 88 and p. 257.

<sup>30</sup> J.C. Hurd, *The Law of Freedom and Bondage*, 1862, p. 296, cf. *ib.* p. 302 and p. 307 (laws of South Carolina of 1735 and 1740). Prof. W.L. Westermann kindly referred me to this collection. Other modern parallels: J.M. Queen, "The British Colonies" in *Blackwood's Edinburgh Magazine* XXV, 1829, p. 652; T.H. Barber, *Account of the Slave Population in the Western Peninsula of India* (Lond. 1833), pp. 14-15; Putnam (n. 21), p. 606 and 624. As late as 1831 an Order in Council dealt with the problem of slave sustenance. R.L. Schuyler, *Parliament and the British Empire*, 1929, p. 171.

<sup>31</sup> Dio Cass. LXXVI, 10, 5; Sen., *de ben.* III, 22, 3: *praetor urbis in praebendis ad victum necessarius avaritiam compescat.* Cf. Ulp., *Dig.* VII, 1, 15, 1: *the legatee sufficienter autem alere et vestire decet secundum ordinem et dignitatem mancipiorum.* Plato, *Leg.* VI, 776b-778a. Cf. G.R. Morrow, *Plato's Law of Slavery*, 1939, pp. 32-35. The stoic controversy *sit ne boni viri in maxima caritate annonae familiam non alere* is recorded in Cic., *de off.* III, 23, 89. On



Jewish slave holders, of course, were no less eager to get rid of unprofitable eaters. A legal rule, already referred to by R. Meir (ca. 150 A.D.) tersely states that the master is permitted not to support his slave. If he sustains a slave (who is useless to him), he does it by favor. R. Simeon b. Gamaliel (ca. 175 A.D.) challenging the doctrine, opined that in a time of drought (and, by consequence, of scarcity) a slave can demand either support or manumission from his owner, but the general verdict of the “Sages” was that the master may do as he pleases. A century later, in the case of a slave maimed by a free man, R. Jonathan rendered the decision that the assailant is liable for damages to the master, but the latter is not held to maintain his mutilated slave. The slave is “to be supported by alms”. R. Aha (ca. 320 A.D.) recognized that it will be “the obligation of Israel” to maintain the crippled slave. In other words, the slaveholders succeeded in burdening private benevolence or communal dole with the support of their disabled slaves.<sup>32</sup>

Another legal rule, already formulated in Palestine before 200 A.D. (and often quoted in rabbinic sources), stated that the master may say to his slave: “do work for me, though I will not support thee”. According to a later interpretation, if the master should say to his slave: “work with thy hand for thy alimention” the slave had to earn his sustenance by himself but his income above the costs of subsistence belonged to his owner.<sup>33</sup> But another master could say to his slave: “do work the whole day for me, and in the evening go peddling and eat (from the profit)”. The devices of the masters for disregarding the obligation to feed their slaves could vary endlessly.<sup>34</sup>

The essential thing is that such exploitation of slaves violated the moral principle of the slave economy. There is a necessary correlation

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the standard maintenance of slaves cf. W.L. Westermann, *Cl. Ph.* XL, 1945, pp. 3-8; R. Taubenschlag, *The Law of Greco-Roman Egypt*, 2nd ed. 1955, p. 80 and 367.

<sup>32</sup> *M. Gitt.* I, 6; *P. Gitt.* I, 6; *B. Gitt.* 12a (R. Simeon). On R. Johanan, etc. see *P. Bab. Kamm.* 8, 5, p. 6. Text and German translation ap. Rubin (*supra* n. 15), p. 73, n. 66. On the injury done to another's slave cf. Rubin, *ib.* p. 50; A related problem was already discussed in Jerusalem before 70 A.D.: whether the owner is bound to maintain the slave whose work he has dedicated to the Temple. See *M. Arach.* 8, 4; *Tos. Arak.* 3, 8; *B. Gitt.* 12b. The question is essentially the same as whether the owner of the slave apprentice or his master-craftsman has to feed him. Cf. W.L. Westermann, *Cl. Ph.* XL, 1945, pp. 4-5; R. Taubenschlag, in *Studi Riccobono* I, 1936, p. 512 = *Id. Opera Minora* II, 1959, p. 547.

<sup>33</sup> *B. Gitt.* 12a; *Bab. Mez.* 93a; *Bab. Qamm.* 87b; *Keth.* 43a and 58b. Cf. Soloduchin (*above* n. 11), p. 51.

<sup>34</sup> *B. Bab. Qamm.* 87a. Cf. for instance the opinion, already discussed in Hillel's School that the slave of two owners, if manumitted by one of them, is required to work three days weekly for the other master. (*M. Gitt.* 4, 5).

between the master's absolute right over the slave and his duty to take care of him. Aristotle says (and Ben Sira repeats) that the slave needs three things: work, punishment, food. The philosopher adds: "to give him work and punishment without food, would be oppressive and exhaust him". We read in Ecclesiasticus that the slave who disobeys his master "angers him who nourishes him". The cause of the great slave revolt in Sicily was that the greedy owners had disrupted the traditional system of slave maintenance.<sup>35</sup>

Security is the sole compensation of slavehood. Epictetus pictures the manumitted slave who always prayed to be set free. But now having to earn his living, he regrets the time when "another has kept me clothed, shoed, fed, tended in sickness". As a slave in Plautus, addressing his master, says: *liber si sim meo periculo vivam, nunc vivo tuo*.<sup>36</sup>

Cicero summarizes this reciprocity of the slave's and the master's duties in a lapidary formula: *operam exigendam, iusta praebenda*, and Antigonus implicitly stresses the same point by saying that the slave works "on condition" of getting his allowance.

Yet, Antigonus says: be like slaves who attend upon their master, without receiving any allowance from him, who are in servitude yet are also worn with the care for daily bread like free men. What is the meaning of this paradox?

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<sup>35</sup> Arist. *Oec.* I, 5, p. 1344b. Cf. Ben Sira 30 (33), 25. Cf. Sen., *de ben.* III, 21, 2: *Est aliquid quod dominus praestare servo debeat, ut cibaria, ut vestiarium.* *Ecclus.* 19, 21 (the verse is interpolated but the glossator wrote in the 1st. c. B.C. or A.D.). On slave revolt W.L. Westermann (n. 31), p. 8. The Negro slave in Jamaica regarded his allowance as counterpart of his work and considered that the master ought to support him. Alex. Barclay, *A Practical View of the Present State of Slavery in the West Indies* (Lond., 1827), p. 52.

<sup>36</sup> Epict. IV, I, 37; Plaut. *Cas.* 293. Cf. Theoph. in *Comic. Attic. Fragm.* II, p. 473; Cic. *de off.* I, 41. The translators of *Abot* usually weaken the impact of Antigonus' maximum by rendering the term *'al menat* "in der Absicht" (D. Hoffmann), "for the sake, in expectation" *vel simile* (The present writer also used such a periphrase in the original edition of this paper. But *'al menat* is a legal term: "on the condition". Cf. e.g. Jastrow (above n. 7), p. 802. Cahn, p. 17 observes that in our passage the term is followed by the infinitive ("to receive"), and that the same construction is used in *Abot* 4, 5 and 6, 6, where the clause means: "He who learns in order (*'al menat*) to teach...". But "in order" implies condition. As a matter of fact, David Ha-Nagid, a grandson of Maimonides, in his Arabic translation of *Abot*, rendered the formula by the Arabic expression meaning "on the condition". (I owe this reference to Prof. J. Faur). I also note that J.M. Jost, *Geschichte des Judentums* I, 1857, p. 106; Levy (above n. 7), II, p. 49; K. Schlesinger, *Die Gesetzeslehrer*, 1936, and Ph. Blackman, *Mishnayot* IV, 1963 in their translations of *Abot* rendered the term according to its proper meaning.

## V

Fagius, the first Christian translator of the Sayings of the Jewish “Fathers”, has already discovered the agreement between Antigonus and the “Christian and apostolic” (read Lutheran) doctrine of justification by faith alone. Jewish authors have ever since paraded Antigonus’ sentence as proof that the Jews, too, had sometimes as “pure” religious notions as a German professor of theology.<sup>37</sup>

Maimonides understood the saying as meaning that God should be served from the motive of love. This goes back to R. Eliezer (ca. 300 A.D.) who quoted the maxim in stressing the principle that man has to delight in fulfillment of divine commandments. Much earlier is the interpretation (ascribed to the Sadducees) that Antigonus would never have uttered his saying, if he had known that there was another world and a revivification of the dead. Both suggestions disagree with the sense of the terms *peras* and *ebed*, on which the maxim hinges. Antigonus speaks not of reward given to a free man but of food allocation to a slave.<sup>38</sup>

To understand him, we must remember that *ebed* means not only slave, but also subject, worshipper. Yet, homage and worship are again necessarily co-related with the protection given by the master to his servants. “The Lord will hear when I call unto Him” (Ps. 4, 4). But this optimistic principle of harmony between the obedience to the divine Law and prosperity, which for centuries had formed the moral basis of Jewish society, began to be challenged seriously in the time of Antigonus. One of the recurrent topics in Ecclesiastes written by an earlier contemporary of Antigonus is that of theodicy. Doubters denied that man’s success or failure correspond to his deserts. Sirach also aimed at vindicating the ways of God with men. He advanced the usual arguments: misfortune may be a blessing in disguise; God will reward right-doing later, and so on. A classicist will remember

<sup>37</sup> Fagius (1504–49) quoted in Surenhensius (n. 4) *ad l.* On Jewish and Christian theories of rewards for virtue see Morton Smith, *Tannaitic Parallels to the Gospels*, 1951, pp. 49–71.

<sup>38</sup> Maimonides, *ad l.* *B. Ab. Z'ara* 19a. *Abot R. Nathan* 5, 1. On the latter passage see L. Finkelstein, *The Pharisees*, 3rd ed., 1963, pp. 765–774 and below n. 71. Note that in the paraphrase given in *Abot R. Nathan* free workers are substituted for slaves of Antigonus’ maxim and that in *Abot R. Nathan* as well as in the sermon of R. Eliezer the term *šokar* (wages) is substituted for *peras*.

that at the same time in Athens, Chrysippus labored to vindicate the dispensation of Providence, and was rallied by the Epicureans and other unbelievers.<sup>39</sup>

Antigonus was no Epicurean. He did not doubt the scriptural doctrine, nor disparage men who fulfill the Law for the sake of the promised sustenance. He simply advises us that there is no compensatory harmony between man's obedience and divine favor. The example of a slave-driver and his servants shows that God is not bound to sustain the righteous man because the latter is anyway his *ebed*. Willy-nilly, you have to serve the Lord even if he, like a heartless owner, refuses you your *peras*, your daily bread. This solution of the awful riddle of life sounds harsh, perhaps, to our delicate ears. Three other ancient apologies may illustrate Antigonus' thought.

The first occurs itself to every reader: the Book of Job, which so eloquently proclaims that such an insignificant being as man cannot contend with the Almighty. The second text is a parable in the Third Gospel. Whatever the slave did for his master, he never received thanks for having performed his task. "So likewise you, when you have done all that is commanded you, say: We are unprofitable slaves, we (only) have done that which we ought to do".<sup>40</sup> Without speaking of modern commentators, even church fathers were taken aback by the grim impact of this evangelical word. Cyrillus of Alexandria found here a warning against self-praise and Ambrosius a lesson to work all one's life in order to obtain a reward in the future life. Hermas, imitating the apologue, concluded from it that man must do more than his duty.<sup>41</sup> The plain meaning of the parable is the same as Antigonus' maxim. For both, the Jews and the Christians, the God-fearing man was *servus Dei*. The last clause of Antigonus' maxim reminded the hearers of this axiom. Both he and Jesus boldly compared God to the unfair slave-driver whose conduct violated the unwritten law of the slave system.

<sup>39</sup> Eccles. 9, 2. On the book and its date see my *Four Strange Books of the Bible*, 1967, pp. 139–169. For Sirach cf. M. Hengel, *Judentum und Hellenismus*, 1969, pp. 252–275.

<sup>40</sup> Luc. 17, 10: δούλοι ἀχρεῖοί ἐσμεν, ὃ ὀφείλομεν ποιῆσαι πεποιθήκαμεν. The meaning of the admonition requires the addition of the word "only" in the translation. Cf. J. Jeremias, *The Parables of Jesus*, 3rd ed., 1972, p. 39, n. 59. A roughly contemporary text mentions τοὺς ἀχρεῖτους δούλους who take part in tumults in Alexandria. "Acta Pauli et Antonini", Rec. A, c. 3, 27 in *Acta Alexandrinorum*, ed. H. Musurillo, 1962. Cf. *CPJ* II, no. 158a.

<sup>41</sup> Cyrillus, *PG* LXXII, 836; Ambros., *Expos. in Luc.* VIII, 31; Hermas, *Sim.* V, 2.

Epictetus, a Phrygian ex-slave himself, joins Antigonus and Jesus. He ridicules the pretension to be free from want. Anyway, God will take care of His “servants”. Someone objects: “How so, when He does not provide maintenance”. Well, that will be the sign to leave. “I came because it so pleased Him, and I leave, because it so pleases Him, and as long as I live my task is to praise God”.<sup>42</sup> Again the same idea: the worshipper is a slave of the Deity, and the divine awfulness is not measurable by man’s standard of fairness. Cruel slave-driver or tender master, God is your owner. As Plato said, men were “slaves” of the gods.<sup>43</sup> Yet, his doctrine was not of despair, but of hope. Gods and daimons were man’s allies in the “unending battle” against Evil.<sup>44</sup> The Stoics (and Epictetus among them) fostered the idea of a willing cooperation with the Necessity of the universal order. *Ducunt volentem fata, nolentem trahunt*.<sup>45</sup> Judaism rather taught the absolute obedience to the divine will. But the submission in Jerusalem as well as in Athens is ultimately based on the confidence in God. Resignation bears promise.

## VI

This is the meaning of the last clause of Antigonus’ maxim. “And let the Fear of Heaven be with you”. Jewish commentators (following Maimonides) understood the admonition as meaning that man should serve God not only from motive of love but also from fear of God. But the casuistic distinction between “loving” and “fearing” God, hotly debated in Jesus’ time between the schools of Shammai and of Hillel,<sup>46</sup> was hardly known in the beginning of the second century B.C. In this time, as Ecclesiasticus shows, “fear of God” simply meant “piety”, in agreement with the Biblical usage. Of course, *deorum metus* is a necessary foundation of every worship, but the awe of the Almighty no less necessarily includes love and trust in Him. The incommensurability of the Master and the slave here precluded the petty “jealousy of gods”

<sup>42</sup> Epict. III, 26, 29 (in my rendering I borrowed some expressions from W. Oldfather’s translation in his edition).

<sup>43</sup> Plato, *Phaedo*, 62b, with J. Burnet’s note. Cf. *Leg.* X 902b. *Ktemata* here means “slaves”. See U. Wilamowitz-Moellendorf, *Platon* II, 1920, p. 319, n. 3.

<sup>44</sup> Plato, *Leges* X, 906a.

<sup>45</sup> Sen. *Ep.* 107, 10. Cf. W. Ch. Greene, *Moirai*, 1944, p. 341; A.-J. Festugière, *La révélation d’Hermès Trismégiste* II, 1949, pp. 325–333.

<sup>46</sup> J. Bonsirven II, pp. 43–47.

which tormented man in Greece. Therefore, as it is said in Sirach, “you, who fear the Lord, trust in Him, and your reward should not fail”.<sup>47</sup>

It is now easy to understand why Antigonus’ maxim has been saved from oblivion. It was uttered shortly before or during the persecution of Antiochus Epiphanes. In this time, when there was very great wrath upon Israel, the hope that whoever calls on God is never forsaken could help no more. As Daniel’s visions show, nobody could understand the sufferings of just men who died for God nor the prosperity of Belial’s sons. But those who remembered Antigonus’ word wondered no more at God’s ways with His faithful servants, nor needed to doubt Him. In Antigonus’ saying a perplexed generation recognized the perplexity of dispensation.

### *Postscriptum*

We do not know anything about Antigonus of Socho except his maxim. The rabbis had no reason to collect and transmit stories about a sage of Hellenistic Jerusalem. They did not know anything about Jose b. Johanan of Jerusalem either,<sup>48</sup> though he was counted as one of two co-leaders (*Zug* = Pair) of his generation in the Pharisaic order. The rabbis were not Pharisees, but, as they believed, their heirs, and heirs rarely care for obscure ancestors.

Thus, we are unable to prove, or to deny, that Antigonus was the author of the maxim transmitted in his name. Famous sayings are often attributed to some man of renown. A Church father, Clement of Alexandria, already observed that the celebrated saying “know thyself” became ascribed to the Pythia, to the Sage Chilon, and to the Sage Thales.<sup>49</sup>

But Antigonus’ apophthegm is not transmitted as an isolated proverb, or in a collection of wise sayings, but as a part of the Pharisaic tradition which delineated the transmission of Torah.<sup>50</sup> Maimonides in the Introduction to his commentary on the Mishnah clearly states the permanent significance of the historical record in the treatise Abot. Observing that in the Talmud this treatise ends the order *Nezikin*, that

<sup>47</sup> Sirach 2, 8.

<sup>48</sup> J. Neusner, *The Rabbinic Tradition about the Pharisees before 70*, I, 1971, p. 81.

<sup>49</sup> Clem. Alex. *Strom.* I, 14.

<sup>50</sup> On the term “Torah”, without the article see J. Goldin, *PAAR*, 1958, p. 48. Cf. L. Finkelstein, *New Light from the Prophets*, 1969, p. 132, n. 1.

deals with the secular law and the judges, Maimonides gives the reason of this arrangement. The treatise, he says, upholds the authority of the Sages in each and every generation, who are to be honored and hearkened to as were the Sages of old, because the unbroken chain of authorities in *Abot* demonstrates that what the Sages expound and command is not of their own making but the true tradition reaching back to the Revelation at Sinai.<sup>51</sup> “Moses received Torah from Sinai and handed it on to Joshua...”. In its present form the roll of transmitters leads to the Men of the Great Assembly, then names Simeon the Righteous, Antigonus, the five Pharisaic Pairs, and ends with Johanan b. Zakkai receiving Torah from Hillel and Shammai.<sup>52</sup>

In this chain, the first pharisaic Pair received Torah “from them” (1, 4). Yet, the preceding name is that of a single man, Antigonus of Socho. This incongruity already troubled the ancient copyists, who in some manuscripts changed the plural to the singular: “from him”. But some ancient commentators already suggested that the plural refers to the Men of the Great Assembly.<sup>53</sup> We must infer from this keen observation that Simeon the Righteous and Antigonus of Socho, two witnesses who now separate the first Pharisaic Pair and the Men of the Great Assembly, are intruders in the Chain. A grammatical observation already made by ancient commentators, confirms this inference.

The sayings of the Pharisaic leaders are introduced by the present

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<sup>51</sup> Maimonides also adds the second reason for the position of *Abot* in the Talmud: the ethical admonitions of the treatise are particularly important for judges. Yet, his own chain of the sacred tradition ends with the last of the Amoraim, five centuries before his own time. But he opposed the pretensions of the *Geonim* in Baghdad to be recipients of the Torah. (I owe this explanation to Prof. J. Faur, *The Jewish Theological Seminary*, New York). On the other hand, Ibn Daud, a contemporary of Maimonides, counts 38 generations of Sages, from the last prophets to his own time, all of them the trustworthy links of the unbroken chain of tradition, in order to uphold the rabbinic authority against the Karaites. Cf. Gerson D. Cohen, *The Book of Tradition by Abraham Ibn Daud*, 1967, pp. I–vi.

<sup>52</sup> In the present form of the treatise *Abot* (but not in the *Abot R. Nathan*), a miscellany of apophthegms of Hillel’s descendants, (1, 17–2, 4) is clumsily placed between the apophthegm of Shammai and a second, also interpolated, collection of Hillel’s sayings (2, 5–2, 8). Cf. D. Hoffman, *Die erste Mishna*, 1882, p. 33; L. Finkelstein, *Mabot* (above n. 1) p. xi and p. 17. We do not need to discuss this interpolation for the simple reason that these Hillelites are introduced in *Abot* as authors of useful sayings and not as links of the Pharisaic chain.

<sup>53</sup> Taylor II, p. 135. This *lectio facilior* still finds defenders. See, e.g. Ch. Albeck, *Einführung in die Mishna*, 1971, p. 34. But the text is the same in *Abot of R. Nathan*, Version B, p. 26 ed. S. Schechter. Note that in the same *Abot*, Version A, the reference to the transmission of Torah is omitted in this passage. Cf. Finkelstein, p. 897, n. 12.

participle (אִמְרָה) which describes “the act as in the process of being performed” and, accordingly can serve to make known everlasting truths or perdurable opinions: “Jose ben Joezer says...”. On the other hand, the aphorisms of the High Priest Simeon and of Antigonus are introduced by the same participle preceded by the perfect of the verb “to be”: הָיָה אִמְרָה. This construction denotes an action in the past.<sup>54</sup> Antigonus “used to say (as follows)”, or Antigonus “made the statement (as follows)”.<sup>55</sup> As the verbal system in Mishnaic Hebrew clearly registers a relationship to time, this change of tenses again separates the five Pharisaic Pairs from the two preceding links in the chain: Simeon and Antigonus.

Why were these two links inserted in the chain? By whom and when? We do not know. A guess, however, is possible. But to make it plausible, we have, first, to understand the structure of the chain.

Its present form, which leads from Moses to Johanan b. Zakkai can hardly be the original one. In the first place the name of Johanan b. Zakkai is here adventitious, because his saying is introduced by the formula: “He used to say”. It would be absurd to speak of his Pharisaic predecessors in the present and of the last Pharisaic transmitter of the Torah in the past. Thus, Johanan is added by another hand to the original chain.<sup>56</sup>

On the other hand, the document which proclaims Johanan ben Zakkai, a disciple of Hillel,<sup>57</sup> as the sole heir of both “houses”, *bet Hillel* and *bet Shammai*, cannot have been composed before the second century. It bears the stamp of the irenic period after the memorable congress in Jamnia (Yabne), where, about 100 C.E., the majority of

<sup>54</sup> M.H. Segal, *A Grammar of Mishnaic Hebrew*, 1927, §§306, 322, 324.

<sup>55</sup> Nathan b. Abraham II, who died before 1102, already stated that the introductory formula in *Abot* I, 2 and I, 3 means “He said many times”. (I owe this reference to Prof. J. Faur). According to J. Goldin (above n. 50), p. 56, n. 51, the formula rather means: “He was the author of the saying”. D. Hoffman, *Mischnaïot* IV, 1898 already translated: “Er that den Ausspruch”. As a matter of fact both proposed renderings emphasize the value of the maxim as the statement of a rule of life and not a casual observation. Cf. the observations of Albeck (above n. 53), pp. 443–451, on the use of the perfect in quoting the words of a Sage.

<sup>56</sup> As a matter of fact, the insertion of Johanan b. Zakkai in the list of the transmitters of Torah provoked opposition. As L. Finkelstein (above n. 50), p. 135, n. 12 observes R. Eliezer b. Hyrcanus linked Johanan, his teacher, directly to the Pairs (*Tos. Yad.* 2, 6), but in the Mishna (*Yad.* 4, 3), edited by Judah ha-Nasi, this statement was amended to the innocuous affirmation that he heard from his master and his master from his master.

<sup>57</sup> Cf. J. Neusner, *A Life of Johanan ben Zakkai*, 2nd ed. 1970, pp. 40–47.



scholars upheld the Hillelite view in most halachic controversies and, thus, signaled the end of the Shammaite school.<sup>58</sup> This victory meant, as Amoraic teachers put it, that both schools were legitimate, but that from now on, you had to follow the rules of the “House of Hillel”.<sup>59</sup> A heavenly voice, to whom the rabbis attributed this distinction between the past and the future behavior, thus, relegated the School of Shammai to the antiquarian store-house. Yet, the rabbis carefully reported the discarded opinions. They did it wisely, and for two reasons they themselves stated. First to avoid a new disagreement caused by someone presenting a Shammaite view as his discovery; secondly they did it to allow a future generation of sages, who may be wiser than the present one, to return to some Shammaite opinion by a majority vote.<sup>60</sup>

But in our chain Hillel and Shammai appear as equal and complementary representatives of the sacred tradition. Therefore, the nucleus of the Pharisaic document originated in the time when the “House of Shammai” was still very much alive, or even pre-eminent. As a matter of fact, the later teachers noted with surprise that in the tradition the Shammaite rules were quoted ahead of the Hillelite words on the same legal topic.<sup>61</sup> Accordingly, we may conjecture that the original chain was constructed during the period when both schools were still on the same footing so that, as R. Jose related with misgiving,<sup>62</sup> there were two Torahs, one of the *bet Hillel* and one of *bet Shammai*. This conjecture is supported by a further observation. Besides our chain, we still have another list of successive Pharisaic scholars, who again and again debated the laying on of hands (by priests) on a sacrificial

<sup>58</sup> The relevant passages are collected in H. Graetz, *Geschichte der Juden* IV, Note 4, in M. Gutmann, *Zur Einleitung in die Halacha* I, 1900, pp. 42–46, and in Neusner (above n. 48), II, pp. 2–3.

<sup>59</sup> *Baraita P. Ber.* 3b, and the tradition reported by R. Samuel (*Erub.* 13b). Cf. W. Bacher, *Tradition und Tradenten in den Schulen Palästinas und Babylonens*, 1914, p. 70. On *bat-kol* see S. Lieberman, *Hellenism in Jewish Palestine*, 1962, pp. 194–199. On survival of Shammaitic views see, for instance, J. Neusner, *Eliezer ben Hyrcanus* II, 1973, p. 309 and p. 351.

<sup>60</sup> *M. Eduyoth* 1, 4–5. I owe the reference and its explanation to Prof. S. Lieberman.

<sup>61</sup> See Hoffmann (above n. 52), p. 34; Bacher (above n. 58), p. 57; p. 71; Neusner (above n. 48), II, p. 2.

<sup>62</sup> *Sanh.* 88b. It is probable that in our chain, too, Shammai originally preceded Hillel. See L. Finkelstein, *Pharisaism in the Making*, 1972, pp. 125–128 = *JBL*, 1938, pp. 17–20. Id. *New Light* (above n. 50), p. 77–90.

victim in the Temple service.<sup>63</sup> This list consists of six pairs, the five of our chain, and the sixth constituted by Hillel and Menachem, of whom nothing more is known. But Menachem “left”, and was replaced by Shammai and our chain passes him over in silence, in favor of Shammai. On the other hand, the heads of the schools, who followed Hillel and Shammai, are not mentioned. Therefore, the original chain was presumably formulated at or soon after the time of its concluding link and demonstrated the equality and legitimacy of both Schools.

This hypothesis, which is not new,<sup>64</sup> can be corroborated by two further observations. First, from the structure of the chain itself. If we exclude, as we had to do, Simeon, Antigonus and Johanan ben Zakkai from the original form of the document, it enumerates ten links in the transmission of Torah. Five are pre-Pharisaic, from Moses to and including the Men of the Great Assembly. These five links belong to the past. This is obvious because of the biblical links, and is pointed out by the formula introducing the motto of the Great Synagogue in the perfect tense which indicates that something had occurred in the past: “They said”.

On the other hand, ten sayings of five successive pairs of Pharisaic leaders are introduced, as we have already noted, in the present: “Shammai says”. This is the usual formula introducing quotations of Scripture and the statements of the Masters in rabbinic discussion. To quote, for example, a statement from the later part of Abot (4, 10): “Rabbi Meir says...”.<sup>65</sup>

Thus, the originator of the chain expressly opposes the biblical past and the Pharisaic present, and this present for him is that of Hillel and Shammai. To five biblical transmitters of Torah correspond five pairs of Pharisaic transmitters of the Revelation. The earliest form of the chain, then, consisted of ten links. Later, between the time of Hillel and that of Johanan b. Zakkai, some editor inserted the names of Simeon and Antigonus in the post-biblical succession of transmitters. He may have done it to present Hillel and Shammai as the seventh and,

<sup>63</sup> *Hag.* 2, 2. Cf. Neusner (above n. 48), I, p. 184, II, p. 18, III, p. 306. On the controversy itself see L. Ginzberg, *On Jewish Law and Lore*, 1955, pp. 91–96.

<sup>64</sup> D. Hoffmann, *Magazin für die Wissenschaft des Judentums*, 1881, p. 176. Id., *Die erste Mishna*, 1881, p. 26 notes the chronological gap between Hillel and Johanan in the chain.

<sup>65</sup> Cf. W. Bacher, *Die exegetische Terminologie der jüdischen Traditionsliteratur*, 1899, p. 5.

therefore final<sup>66</sup> transmitters of Torah. This revision has been preserved in Abot 1, 1–13. Afterwise, a further reviser also expanded the number of biblical links to seven, in order to restore the arithmetical harmony between two parts of the list. This edition has been preserved in Abot de R. Nathan, First Version.<sup>67</sup> Thus, we can distinguish three successive editions of the chain: A (now lost) 5 + 5 links; B (Abot, 1) 5 + 7 links; C (Abot de R. Nathan) 7 + 7 links. Note, that these three editions still end the chain with Hillel and Shammai. Only afterwards Johanan b. Zakkai was added to the list. But in this way the numerical balance between the biblical and the pharisaic ages became definitely destroyed, and later authors, inserted the names of transmitters at will.<sup>68</sup>

Whether the just developed suggestions are plausible, remains to be seen. In our context, it is rather the question of two supplementary links to the Pharisaic succession that counts. It is easy to understand that the name of Simeon the Righteous, a renowned High Priest, who was the subject of many edifying tales was welcome as a link between Moses and the Pharisees, though these never referred to his authority in legal matters.<sup>69</sup> We may add that in the chain he is described as one of the “remnant” of the Great Synagogaue. This is a “rudimentary” motif, the use of which shows that the author adapts a discordant version of his story to his own framework. For instance, in his *Medea* Euripides alludes to various tales of the end of Medea’s children but develops the version he prefers.<sup>70</sup> In the case of our chain, the superfluous reference to the Great Synagogue, in the notice concerning the High Priest Simeon, indicates that in the original text of the chain the Pharisaic Pairs followed the Men of the Great Assembly immediately. I would like to add that this order does not give any indication about the date of the Great Synagogue. The author of the original chain was not bound to enumerate the links between the Pharisees and the biblical period, just as he did not find it necessary to bridge the chronological gap between the Elders and the prophets in his biblical list.

But why Antigonus of Socho? The answer is given, it seems, in a story preserved in Abot de R. Nathan.<sup>71</sup> We are told there that a third

<sup>66</sup> Finkelstein (above n. 50), p. 133, n. 2.

<sup>67</sup> Finkelstein, *Mabo* (above n. 1), p. xiii and p. 41.

<sup>68</sup> Cf. Finkelstein (above n. 50), p. 81.

<sup>69</sup> Cf. p. 261, n. 24.

<sup>70</sup> On “rudimentary” motifs cf. my *Four Strange Books of the Bible*, 1967, p. 75. On *Medea* cf. P. Roussel, *REA*, 1920, pp. 157–171.

<sup>71</sup> Taylor I, pp. 112–116; Finkelstein, pp. 762–779; J. le Moyne, *Les Sadducéens*, 1972, pp. 113–117; Saldarini (above n. 1), p. 85.

generation of Antigonus' disciples, who, in succession, transmitted his maxim, misunderstood and misrepresented the thought of the master. They said that he denied retribution in the afterlife. Thus, they founded two sects, the Boethusians and the Sadducees, who did not believe in immortality and in the world to come with its rewards and punishments. In a Pseudo-Clementine work the Sadducees affirm that it is unworthy to worship God for the sake of reward.<sup>72</sup>

Thus, the Sadducees seem to have claimed Antigonus, and probably Simeon the Just,<sup>73</sup> as their spiritual ancestor(s). By annexing Antigonus (and Simeon the Righteous) to his own party, the editor of the chain advanced a counterclaim against the Sadduceans. They now appeared as a recent sect, founded on a misunderstanding of the teaching of the master to whose authority they appealed, while the Pharisees could trace their pedigree back to Moses. We may here again quote the Pseudo-Clementine books. In the Letter of Peter to James (2, 2), the former speaks of men who attempt to adulterate his teaching by cunning interpretation to justify the repudiation of the Mosaic law. As our text says, the Sadducees and the Boethusians "separated themselves" from the Torah.

If the above quoted rabbinic tale is to be trusted, the beginning of the Sadducean sect is to be placed in approximately the time of Simeon b. Shetah,<sup>74</sup> that is toward the end of the second century B.C.E. As a matter of fact, Josephus<sup>75</sup> for the first time names the Sadducees and the Pharisees in the reign of John Hyrcanus (135–104).

To return to the maxim of Antigonus of Socho. The polemic about its interpretation shows that the word of the ancient Sage was no longer understood in Hillel's time and, perhaps, much earlier. It is significant that *peras*, the food allowance given to slaves, of which Antigonus speaks,<sup>76</sup> became the salary of labourers in the story of his disciples, and the maxim itself became amended by the addition of the clause:

<sup>72</sup> Clem. *Recogn.* I 54, 3: *dicentes non esse dignum ut quasi sub mercede proposita colatur Deus.*

<sup>73</sup> Note that, as Goldin (above n. 50), p. 50 observes, Simeon in his maxim speaks of "the Torah", that is of Scripture, and not of the Oral Law.

<sup>74</sup> Cf. Finkelstein, p. 775.

<sup>75</sup> *Jos. Ant.* XIII, 293.

<sup>76</sup> Cf. above n. 38. This historical reconstruction may have produced the divergent reading: "on the condition not to receive" reward. This reading agrees better with the theory that the Sadducean view as based on the misunderstanding of Antigonus' saying. See Cahn, p. 19; Hoffmann (above n. 55), p. 328, n. 20. It is hard to believe that Antigonus could speak of slaves, who would minister to their master, "on the condition" of not receiving their food allowance.

“so that your reward may be doubled in the age to come”, though Antigonus himself does not allude to the future life.

The post-Maccabaic Judaism had to understand the maxim of a pre-Maccabean Sage in its own way, to make the old word relevant to its own fears and hopes. The re-interpretation of a text by the successive generations is the price to pay for literary immortality.

## THE CIVIC PRAYER FOR JERUSALEM\*

### I

The sole daily prayer of the Synagogue, in the proper sense of the word prayer, *preces*, that is of a request for well-being,<sup>1</sup> is the Tefillah, the “Intercession”, also called Amidah, since it is recited standing. The prayer originally consisted of eighteen sections, each concluding with the same formula: “Blessed be Thou, YHWH”. Thence, the popular name of the prayer: *Shemone Esreh*, “Eighteen” (benedictions).<sup>2</sup>

The ancient Masters, quoted by later rabbis, taught that a certain Simeon haPakoli had “recited in order” the whole prayer “before” Rabban Gamaliel (II), that is ca. A.D. 100. We also learn that the malediction against the sectarians (*minim*) was inserted into the Tefillah on the order of the same Rabban Gamaliel.<sup>3</sup> Thus, the outline of the

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\* Bibliography: E. Schürer, *Geschichte des jüdischen Volkes* 2, 1907, pp. 538–544; F.C. Grant, ‘Modern Study of the Jewish Liturgy’, *ZAW*, 65, 1954, pp. 59–77. Further bibliography in Hedegård (below, n. 4), pp. 190–196; S. Baron, *Social and Religious History of the Jews*, I, 1952, p. 379, n. 25 and II, p. 376, n. 34. Two works are essential: I. Elbogen, *Der jüdische Gottesdienst*, 3rd ed., 1931, pp. 27–60 and pp. 582–587 and L. Finkelstein, ‘The Development of the Amida’, *JQR*, NS, 16, 1925–1926, pp. 1–43 and pp. 127–170. A.Z. Idelson, *Jewish Liturgy*, 1932, pp. 92–110 is based on Elbogen. See also I. Abraham’s Commentary in S. Singer, *The Authorized Daily Prayer Book* (9th ed., 1912), pp. lv–lxxii. J. Heinemann, *Prayer in the Talmud*, 1977, pp. 218–227. Rabbinic material is collected and translated in H.L. Strack, P. Billerbeck, *Kommentar zum Neuen Testament*, 4, 1, pp. 189–249.

Abbreviations used in this paper:

Elbogen, see above.

Finkelstein, see above.

I owe a debt of gratitude to Dr. Gerson D. Cohen (Jewish Theological Seminary) who very kindly read a draft of this paper. He saved me from several mistakes, and supplied some additional information.

<sup>1</sup> Plato *Euthphr.* 14c: τὸ θύειν δωρεῖσθαι ἐστὶ τοῖς θεοῖς, τὸ δ’ εὐχέσθαι αἰτεῖν τοὺς θεοῦς. Cf. Plato *Leg.* 7, 801.

<sup>2</sup> On the names of the Prayer cf. Elbogen, p. 27. The terms *Tefillah* and *Shemone Esreh* are already attested in the Mishnah *Ber.* 4, 1 and 4, 3. For the name Amidah see e.g. *Ber.* 26b. On the etymology of the term *Tefillah* cf. Elbogen, p. 511 and L. Kohler-W. Baumgartner, *Lexicon*, s.v., p. 765. Cf. below, n. 73.

<sup>3</sup> *Ber.* 28b. Simeon haPakoli is mostly understood as meaning Simeon “the dealer in linen”. Cf. Elbogen, p. 515; S. Krauss, *Talmudische Archäologie*, I, 1913, p. 540, n. 138: 2, p. 623, n. 39. But S. Klein, *MGWJ*, 64, 1920, p. 195 derived the surname from the name of the village Pichola (Jos. *Ant.* 12, 4, 2, 160). Cf. B. Mazar, *Israel Exploration Journal*, 1957, p. 137.

prayer was fixed toward the end of the first century A.D. The wording of the Tefillah, of course, remained fluid. The text differs not only in the various medieval rituals, but even in manuscripts of the same prayer book, such as that compiled by R. Amram Gaon in the ninth century A.D.<sup>4</sup> The earliest text, which is generally followed in this paper, is that of Palestinian liturgy, as it is found in the fragments discovered by S. Schechter in the Genizah of Cairo.<sup>5</sup> Yet, it also is late (Medieval) and sometimes interpolated. At times the standard (Babylonian) version offers a better reading. The case is similar to that of a classical text transmitted in two manuscript families. By comparing various readings and rabbinic quotations, L. Finkelstein could establish the earliest accessible form of the text, that is, the archetype of our written sources.

Yet, for centuries the Amidah was transmitted orally, and was not recited identically in different synagogues.<sup>6</sup> It would be absurd, accordingly, to try to fix the “original” wording of a traditional text.<sup>7</sup> Rather, what we can hope to attain is the original meaning of a benediction. For this reason it seems better to give partly a summary and partly a translation of the Tefillah while generally following Finkelstein’s reconstruction.<sup>8</sup>

- I. “Blessed art thou YHWH our God, and God of our fathers, God of Abraham, God of Isaac and God of Jacob”, etc. “Blessed art thou, YHWH, the shield of Abraham”.<sup>9</sup>
- II. “Thou mighty, strong, who lives forever”, etc. This section was subject to great changes by insertion of references to the resurrection of the dead, in agreement with the Pharisaic doctrine. But the earlier form of this praise of God’s powers – *Geburot*, as the

<sup>4</sup> Cf. D. Hedegård, *Seder R. Amram Gaon*. I (Lund, 1953), pp. 83–89.

<sup>5</sup> S. Schechter, *JQR*, 10, 1898, pp. 654–657. The recension is reprinted in Elbogen, p. 517 and in D.W. Stärk, *Altjüdische Liturgische Gebete*, 2nd ed., 1930, p. 11. English translation: Grant, p. 76; C.W. Dugmore, *The Influence of the Synagogue upon the Divine Office*, 1944, p. 114, French translation: Bonsirven, 2, p. 145. The Standard or Babylonian recension and its translation can be found in any Jewish prayer book.

<sup>6</sup> Elbogen, p. 254. L. Finkelstein, *New Light from the Prophets*, 1969, p. 38.

<sup>7</sup> Cf. G. Murray, *The Rise of the Greek Epic* (Galaxy Book, 1960), p. 93ff.

<sup>8</sup> Finkelstein, pp. 142–169. F.K. Kuhn, *Achtzehngebet und der Vaterunser und der Reim*, 1950, pp. 15–21, argues that the prayer was originally written in rhymes.

<sup>9</sup> Cf. A. Spanier, Die erste Benediction des Achtzehngebets, *MGWJ*, 81, 1937, pp. 71–75. “The Shield of Abraham” is a quotation from Gen. 15, 1 which alludes to the Covenant of Abraham. But the eulogy reads: “Shield of fathers” in *Ps.* 117b. Which reading is “original”? Cf. Elbogen, p. 43; Finkelstein, p. 27.

section was called by the rabbis – is still echoed in prayers written in the Hellenistic and the early Roman age. Yet, the blessing was already referred to as “Reviving of the dead” in the Mishnah (Ber. 5, 2), that is before A.D. 200.<sup>10</sup>

- III. “Holy art thou, and thy Name to be feared”, etc. It is a variation on Isaiah 6, 3.<sup>11</sup>
- IV. “Vouchsafe us, our Father, with knowledge... Blessed art thou, YHWH, who vouchsafest knowledge”.
- V. “Cause us to return, our Father, unto Thee... Blessed art thou, YHWH, who delights in repentance”.<sup>12</sup>
- VI. “Forgive us, our Father... Blessed art thou YHWH who dost abundantly forgive”.
- VII. “Look upon our affliction... redeem us... Blessed art thou YHWH, the redeemer of Israel”.
- VIII. “Heal us YHWH Eloheinu from disease and cause to rise up a healing for our wounds. Blessed art thou YHWH who heals the sick”.<sup>13</sup>
- IX. “Bless this year for us YHWH Eloheinu to be good in every kind of the Produce. Blessed art thou YHWH who blessest the years”.<sup>14</sup>
- X. “Sound the great horn for our liberation and life a signal to gather our exiles. Blessed art thou YHWH who gathers the dispersed of Israel”.
- XI. “Restore our judges as at the first... reign Thou over us, Thou alone. Blessed art thou YHWH who lovest the right”.
- XII. “For apostates let there be no hope... Blessed art thou YHWH who humblest the arrogant”.<sup>15</sup>

<sup>10</sup> Cf. Elbogen, p. 44, and below, n. 28. As Dugmore (n. 5) observes the idea that God can save from death “in the twinkling of an eye” is paralleled in I Cor. 15, 52.

<sup>11</sup> Cf. Elbogen, p. 45 and p. 61; pp. 586–587; Finkelstein, *REJ*, 93, 1932, p. 3f.

<sup>12</sup> The beginning of this section in the Palestinian text is a quotation from Lamentations (5, 21). The better text has been preserved in Babylonian recension. Cf. Finkelstein, p. 10 and Finkelstein ap. Dugmore (n. 5), p. 126, n. 3.

<sup>13</sup> I translate the text as reconstructed by Finkelstein, p. 149. The Blessing is called “for strength” in *Abod. Z.* 8a and “Healing and Strength” in *P. Ber.* 2, 4 (p. 4d). Cf. Elbogen, p. 48.

<sup>14</sup> The text is reconstructed in Finkelstein, p. 151. The Palestinian text is interpolated. There is a request: “Hasten the arrival of the year (appointed for) the time of our redemption”. The idea was that redemption is essential for the blessing of the land. Cf. L. Ginzberg, *Commentary on the Palestinian Talmud*, I, 1941, p. 323f.

<sup>15</sup> Another fragment of the Palest. recension offers a variant reading: “For apostates let there be no hope unless they return to the Torah”. The mention of “arrogant” (*zedim*)



- XIII. "Toward the righteous proselytes... may thy compassion be stirred... Blessed art thou YHWH the stay and trust of the righteous".
- XIV. "Be compassionate YHWH Elohenu toward us and toward Jerusalem thy city and toward Zion the abiding place of thy majesty... Blessed art thou, YHWH, who dwellest in Zion".<sup>16</sup>
- XV. Prayer for the restoration of the house of David is a later insertion which is lacking in the Palestinian text.<sup>17</sup>
- XV (XVI). "Hear our voice, YHWH Elohenu and have compassion on us... Blessed art thou YHWH who hearest prayer".<sup>18</sup>
- XVI (XVII). "Accept YHWH Elohenu" (the sacrificial service).<sup>19</sup>
- XVII (XVIII). "We give thanks to Thee, YHWH Elohenu... Blessed art thou, YHWH, unto whom it is good to give thanks".
- XVIII (XIX). "Grant peace to Israel thy people and to thy city and to thy inheritance and bless us all as a group. Blessed art thou YHWH, who createst peace".<sup>20</sup>

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in the eulogy led to the interpolation of a petition against "the arrogant kingdom" (cf. Jer. 50, 31) which now interrupts the context and thus, despite K.F. Kuhn, (n. 8) *Vaterunser und der Reim*, 1950, p. 19, who refers to II Macc. 1, 28, cannot be original. On the textual history of this Blessing see Elbogen, p. 51 and p. 519. Baron (above, n. \*) 2, p. 135 and 2, p. 381, n. 8; M. Simon, *Vetus Israel*, 1948, p. 235. Cf. below n. 37.

<sup>16</sup> The translation follows Finkelstein's text, p. 159, with some changes in wording according to the variant reading in the Ms. C of Palestinian recension. But all Mss. add a reference to "the kingdom of the house of David", which is an obvious interpolation. The eulogy of the high-priestly blessing for the Temple was: "who has chosen Zion", or according to R. Idi: "who dwells in Zion". The latter variant was probably the original eulogy of the 14th blessing. Cf. Elbogen, p. 53, and below, n. 23.

<sup>17</sup> The benediction referring to David is already mentioned in *T. Ber.* 3, 25. On the other hand, it is stated expressly in *Midr. Num. Raba* 18, 21 that the blessing "Speedily cause the offspring of David, etc." was instituted after the formulation of the malediction against the sectarians. Cf. Elbogen, p. 40.

<sup>18</sup> The text is according to Finkelstein, p. 161.

<sup>19</sup> After the destruction of the Temple the text of this section was naturally subjected to many changes. A reference to sacrifices has been preserved in the Babylonian recension. The Palestinian recension has another good reading: "may Thy servants serve Thee (that is offer sacrifices) in Jerusalem". The beginning is quoted as "Accept YHWH to dwell in Zion". Cf. Elbogen, p. 55.

<sup>20</sup> The emphatic request: "bless us, all us, jointly" deserves attention.

## II

Trying to understand the grouping of benedictions in the Tefillah, the rabbis believed that the first and the last three praise God, whereas the middle sections, which all are petitions, concern man's needs. They accordingly compared the structure of the Eighteen Benedictions to that of a plea for a client or to a slave's request for his food portion, where asking is preceded by praise and is followed by thanks.<sup>21</sup> In fact, the section (17): "We give thanks unto Thee . . ." does not bring the Prayer to an end, but is followed by a new petition: "Grant Thy peace to Israel . . .". On the other hand, the appeal: "Hear our voice . . . accept our prayer" now forms the fifteenth section of the Eighteen Benedictions. Yet, the natural place of such invocation is at the beginning or at the end of a prayer. For instance, the same or a similar formula ended the prayer of the High Priest in the Temple Court of Women at Atonement Day and concluded Daniel's prayer.<sup>22</sup> As a matter of fact, the last three of the Amidah Benedictions, following the appeal just quoted, were parts of the same High Priest's prayer.<sup>23</sup> The first two, a prayer for the acceptance of the service in the Temple (16: *Abodah*) and thanksgiving for the acceptance (17: *hodaah*) repeat the two benedictions said by the High Priest in the same order and in identical or similar terms. The

<sup>21</sup> *Sifre Deut.*, n. 343, p. 142a, ed. M. Friedmann; p. 394, ed. L. Finkelstein. R. Simlai (ca. A.D. 275) in *Ber.*, 32a; R. Hannina (or R. Huna), *Ber.*, 34a. R. Joshua b. Levi *P. Ber.*, 2, 4 (3).

<sup>22</sup> Dan. 9, 17. Cf. e.g., Sir. 36, 17; Judith 9, 11. The shortened abstracts of the Tefillah, spoken by various rabbis ca. A.D. 100–135 and quoted in *T. Ber.* 3, 7; *Ber.* 29a; *P. Ber.*, 8a, also end with the concluding eulogy of the section 15: "Blessed art thou who hearest prayer". The high priestly prayer on the Atonement Day was concluded by the same formula. *P. Yoma* 7, 1, p. 44b. Cf. also Enoch, ch. 84.

<sup>23</sup> *M. Yoma* 7, 1; *Yoma* 70a (*Sota* 41a). *P. Yoma* 7, 1, p. 44a. Cf. Elbogen, p. 31. On the Atonement Day the High Priest read the pertinent passages of the Torah (Lev. 16; 23, 27–32; Num. 29, 7–11). Then, he spoke eight benedictions: for the Torah, for the Temple service (*Abodah*), ending with the formula "We fear and worship Thee alone" (cf. the Tefillah, 16 at the end); Thanksgiving (*Hodaah*) using the formula "Who is good and to whom thanks are due" (cf. the Tefillah, 17, at the end); for forgiveness of sins saying at the end of the blessing: "Who pardons iniquity of the people of Israel mercifully" (Cf. the Tefillah, 6); for the Temple (the formula: "who has chosen the Temple", or according to R. Idi: "who dwells in Zion"); for Israel (the quoted formula is: "who has chosen Israel"); for the priests ("who has sanctified the *kohanim*"). Then he prayed for the nation, asking God to help Israel that needs help. At the end he blessed Him who hears prayers. It is interesting to note that there was no special blessing for Jerusalem. (It was later interpolated in some Mss. Cf. Ch. Albeck's edition of the Mishnah.)

last petition,<sup>24</sup> a prayer for peace is a summary of blessings recited by the High Priest on the same occasion for the Temple, the priests and Israel. Its meaning is the same as that of the fourteenth section of the Amidah and it is a repetition in the present text of the prayer.

The inference seems clear: the three last benedictions of the present Amidah were added as a unit to an earlier prayer which concluded with the present fifteenth section: "Hear our voice". This result is confirmed by further rabbinic indications.

The Tefillah was a public prayer, but men who recited it in the congregation naturally wanted to add their personal petitions. Some people did it before the recitation of the Amidah, others prayed first and uttered their individual requests afterwards. But the rule (*halacha*) which was already known to Nahum the Mede before A.D. 70, stated that personal requests were to be spoken in the fifteenth section which accordingly must have been the last formula of the Amidah for Nahum the Mede.<sup>25</sup> As a matter of fact, when Josephus (*C. Ap.* 2, 23, 196) says that at Jewish sacrifices one must first "pray for the general welfare" and only afterwards for himself, he agrees with Nahum the Mede, and both imply the use of the developed Tefillah in the Herodian Temple.

Furthermore, the schools of Shammai and Hillel discussed the formulation of the Amidah for a festival that falls on a Sabbath. Both parties took for granted that seven blessings should be recited on an ordinary Sabbath, these being the first three and the three concluding sections of the Eighteen Benedictions plus a blessing for the sanctification of the day inserted between them.<sup>26</sup> That makes it very likely that the present tripartite structure of the Tefillah (Three Praises – Petitions – Three Formulae from the Temple Liturgy) goes back to an early age. Thus,

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<sup>24</sup> The prayer service of the priests in the Temple consisted of an introductory blessing, the Torah reading (the Decalogue, Deut. 6, 4–9; 11, 13–21; Num. 15, 37–41), and three formulae: the eulogy after the Torah reading ("True and firm"), the *Abodah* and a Priestly Blessing (*Tamid* 5, 1). The *Abodah*, that is a benediction concerning the sacrificial service, must have been similar to the 16th section of the Amidah. The last (18th) Benediction of the Amidah was also called "Priestly Blessing" (*Birkat kohanim: M. Rosh Hash.* 4, 5). Can we identify these two Priestly Blessings? Cf. Elbogen, p. 59; Finkelstein, p. 21, n. 48.

<sup>25</sup> *Ab. Z'ara* 7b–8a. Later discussions: *Ber.* 16b–17a and 34a.

<sup>26</sup> *T. Ber.* 3, 13. In *M. Rosh Hash.* 4, 5 these six sections are enumerated: Abot (1), Geburot (2), Kedosh ha-shem (3), Abodah (16), Hodaah (17), and Kohanim (18). The sanctification formula (*ib.*, and *T. Ber.* 3, 10 *kedoshat hayom*) of course varied according to the character of the festival day.

the original Tefillah, which concluded with the appeal: "Hear our voice" must go back to the Herodian age, at least, though some petitions and many expressions may have been inserted much later. As we have mentioned, the wording of the Tefillah remained free and fluid even after the fixation of its schema by Gamaliel ben Simeon. Some early Jewish<sup>27</sup> and Christian<sup>28</sup> prayers reflected these variations in the synagogal worship.

### III

Each formula in the Tefillah is now concluded with a blessing which summarizes the meaning of the preceding lines. For instance, the first paragraph of the Prayer praises the God of the forefathers. Accordingly, the eulogy reads: "Blessed art thou, O Lord, the shield of Abraham". In this way eighteen benedictions divide the Tefillah into eighteen sections. This schematic arrangement obviously betrays the hand of a redactor.

On the other hand, the openings of paragraphs vary. In some of them "lord, our God" is invoked; in others God is called "Our Father", but in several sections no term of address for the Deity is employed. Now, a petition or a praise which does not name the addressee is anomalous. We may suppose that a formula of this kind originally was a part of the preceding paragraph, or was appended later to a section where the Deity was addressed by name. Thus, the first two benedictions, composed of Biblical quotations, are stock praises of God which

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<sup>27</sup> A. Marmorstein, *JQR* 34, 1943-1944, believed that "The Oldest Form of the Eighteen Benedictions" appears in a Greek prayer preserved on a codex leaf written in the fourth or fifth century in Egypt (P. Edgerton, 5 ap. H.I. Bell, T.C. Skeat, *Fragments of an Unknown Gospel*, 1935, pp. 58-59). But, as A.D. Nock kindly advises me, there is no reason to suppose that the prayer is Jewish and not Christian. Since both Jewish and Christian prayers used the Old Testament phraseology, there are necessarily some verbal parallels to the Amidah in P. Edgerton, 5.

<sup>28</sup> Jewish prayers which were superficially christianized and included in the "Apostolic Constitutions" are again variations of Biblical motifs also used in the Amidah. Thus Const. Ap. 7, 33, 2-7 deals with the merits of the patriarchs. Const. Ap. 7, 34 speaks of God's powers (cf. the Amidah, 2) but in the creation of nature. Cf. generally E.R. Goodenough, *By Light, Light*, 1935, pp. 306-358 and cf. K. Kohler, *Jewish Encycl.* 4, p. 593 and *The Origin... of the Eighteen Benedictions*, *HUCA* I, 1924, pp. 387-425; Idelson (above, n. \*), pp. 301-308. Cf. also I Clem. 59. *Physis, dynamis* and *erga* of a deity were also praised in Greek hymns. Plato's words, *Leg.* 9, 862b, remind one of the phraseology of *Geburot*. Cf. A.J. Festugière, *HTR*, 42, 1949, p. 226.

in similar terms reappear in other post-Exilic prayers and hymns. For instance, the Prayer of Manasseh, just like the Tefillah, begins with the invocation of the God of the patriarchs, and then, again like the Tefillah, praises God's powers. The order of these two topics is reversed in Ezra's prayer (Neh. 9).<sup>29</sup> Thus, it is probable, or at least possible, that the second section (*Geburot*) of the present Tefillah originally continued the first paragraph (*Abot*) of the Prayer.

On the other hand, the third section which also contains no term of address was probably a later insertion. It proclaims the uniqueness of the holy and awe-inspiring Deity. "There is no God besides Thee". In the story of Daniel and the Dragon, the pagan sovereign uses the same expression to declare the greatness of the Lord God of Daniel. The formula which is already attested in the second millennium B.C. was no symbol of monotheism, but stressed the preëminence of the extolled deity.<sup>30</sup>

Among the petitions, five benedictions again lack a term of address for the Deity. One of them (7) is isolated and will be dealt with presently. The other four, although disparate as to content, are placed together in the Tefillah as sections 10–13 where they are sandwiched between two petitions of the group *YHWH Eloheinu*. We may imagine that they were added, one after another, when the need arose. As an old prayer says, the needs of Israel were many.<sup>31</sup> For instance, in 124 B.C. the Jews in Jerusalem offered a public prayer for their brethren in Egypt (II Macc. 1, 6). At some date the competent authority inserted a general supplication for the Diaspora into the Tefillah.

Thus, the Tefillah now contains a petition for the return of the exiled. The theme was Biblical, and the Jews after the Restoration

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<sup>29</sup> Cf. Enoch, 84, a prayer probably written in the third century B.C.: "Blessed be thou, O Lord, King, Great and Mighty and Thy Greatness, etc." A praise of God's might follows. Then, Enoch prays God to destroy the wicked only. "And hide not thy face from the prayer of Thy servant, O Lord". Again, the invocation of "Lord God of our forefathers" opens the Prayer of Azariah. Cf. E. Urbach, *The Sages*, 1975, p. 89.

<sup>30</sup> On the formula: N. is the sole god, cf. E. Peterson, *Heis Theos*, 1926; M. Smith, *JBL* 74, 1952, p. 138.

<sup>31</sup> *Ber.* 29b. The ancient rabbis, for whom the whole Amidah was composed by the Elders of old or by the Men of the Great Assembly (Elbogen, p. 28), tried to find a Biblical support for the structure of the Prayer, quoting for instance the fact that the name YHWH is invoked eighteen times in Ps. 29. Cf. Strack-Billerbeck (above, n. \*), 4, 1, p. 209. Modern tentative explanations of the same kind are no more convincing. See M. Liber, *Structure and History of the Tefillah*, *JQR*, 40, 1950, pp. 331–357.

often played it with variations. The petition in the Amidah is based on Isaiah 27, 13 and 11, 12. It is remarkable that the destruction of the world empires, already alluded to in Isaiah, and described with gusto by Ben Sira in his prayer for the ingathering of the Diaspora, is not mentioned in the Amidah. At the time when the Jews of Jerusalem daily offered sacrifices for their heathen overlord, it probably appeared unseemly to ask God directly, in a public prayer, to crush the power of the same sovereign.<sup>32</sup>

The next petition asking for the return of the Judges as of old is obscure for us.<sup>33</sup> The twelfth section is the famous *Birkat ha minim*, the malediction of sectarians.<sup>34</sup> The next section was a prayer for various groups of godly men, such as the converts to Judaism, the enigmatic "Elders" and the no less obscure "Remnant of the Scribes".<sup>35</sup>

Three formulae, which are still placed together (4–6), originally began each with the invocation of God as "Our Father".<sup>36</sup> They also

<sup>32</sup> Cf., e.g., Is. 11, 11; Ps. 147, 2; Jer. 30, 3; Ezech. 20, 34, etc. Sir. 36, 1–17; II Macc. 1, 27. Ps. Sol. 8, 28. Cf. P. Volz, *Die Eschatologie der jüdischen Gemeinde*, 1934, pp. 344–345. The mention of "liberation" in the Amidah prayer agrees with II Macc. 1, 27.

<sup>33</sup> The petition, based on Is. 1, 26–27, must mean that Zion shall be redeemed by justice. But it is not a criticism of the administration of justice (Elbogen, p. 34). The accent is rather on the second verse: "Reign over us Thou alone". Cf. Jos. *Ant.* 14, 3, 2, 41.

<sup>34</sup> Samuel the Little merely added a malediction against the sectarians to a much older formula against the separatists. This *birkat ha-paroschim* is still recognized as a separate blessing in *T. Ber.* 3, 25. Cf. S. Lieberman, *Tosefta-ki-Fshutah*, Zeraim I, 1955, p. 54. The first words of the present Section (12) are directed against "apostates". Professor Boaz Cohen (Jewish Theological Seminary of America) kindly called my attention to the definition of a *meshumed* in *Tos. Horayot* 1, 5 (p. 474, ed. Zuckermann), "he who eats carrion, *terepha*, (cf. Moore 2, p. 74) detestable and creeping things, he who eats swine, and drinks wine offered as libation, he who profanes the Sabbath... R. Jose b. Judah said, who wears clothes of mixed wool and linen, R. Simeon ben Eliezer said: who does anything (of the forbidden things) defiantly", that is in defiance of the Law. Cf. also *Hor.* 11a. The antinomian motif is a later interpretation. Originally it was not the *religio animae*, but *acta*, to use Augustine's contradistinction (*de civ. Dei* 6, 10) which counted. A much later text can still speak of men who eat *terepha*, carrions, creeping things, and become converts to eat good food as the Jews do, and to observe Jewish festivals. *Tanna de Be Eliyyahu*, p. 146, ed. M. Friedmann quoted in C.G. Montefiore, H. Loewe, *A Rabbinic Anthology*, 1960, p. 577.

<sup>35</sup> On the "Elders" in the Thirteenth Benediction of Babylonian recension cf. Elbogen, p. 52; Kuhn (above, n. 8), p. 21. Originally this Blessing was a separate one. Even after the final redaction of the Amidah, the rabbis recognized the legitimacy of reciting it separately. *T. Ber.* 3, 25. Cf. Lieberman (above, n. 37), p. 54. He also shows that the mention of "the remnant of the scribes" in the same Benediction (Babyl. recension), enigmatic as it is, must also be very old. Cf. *Megill. Taanit* on the 17th of Adar.

<sup>36</sup> On the term "Our father" in the Fifth Benediction, see n. 12. Despite Is. 63, 16,

form a meaningful unit: the petition for knowledge (4) leads to the request for God's help in bringing about repentance (5).<sup>37</sup> To know God is to acknowledge Him and the Torah. Repentance, as the rabbis already observed,<sup>38</sup> is the prerequisite of the prayer for forgiveness (6). Section 7 is an appeal to divine compassion. Since it contains no term of address, it was probably a conclusion of the *Abinu* prayer. In the same way, for instance, in the first Song of the Three Children, the prayer for deliverance which follows the confession of national sins, ends the psalm.<sup>39</sup>

Thus, the Benedictions 4–7 form a group centered on the idea of sin. They enlarge upon the appeal to God's forgiveness made by the High Priest on the Atonement Day. The Sixth Benediction more or less repeats this pontifical prayer.

The need of confession of sins in affliction and of humbling one's self in sorrow brought about the composition of numerous penitential psalms in post-Biblical Israel such as, for instance, the Prayer of Manasseh. They were couched in general terms as timeless expressions of the eternal truth that to us pertains confusion of face and to the Lord our God belong compassion and forgiveness. The *Abinu* prayer was of this class.

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Origen (*de orat.* 22, 1) believed that the "boldness" of addressing God as Father in a prayer was lacking in the Old Testament. The great exegete was right as to the formal prayers in the Hebrew Bible. But he neglected the Apocrypha. Ben Sira (23, 1) and Eleazar in III Macc. 6, 8 in their prayers boldly appeal to God as Father.

<sup>37</sup> Cf. II Macc. 1, 1–6. In 124 B.C. the Jews in Jerusalem prayed for their afflicted brethren in Egypt, that God might give them a mind to do His will (cf. Fifth Benediction) and enlighten them "with His Law and His statutes". Cf. the mention of the Law in the Fourth Benediction. Afterwards God will listen to their (penitential) prayers (cf. Sixth Benediction) and be reconciled to them (cf. Seventh Benediction). Sir. 17, 7ff. says that God filled men with knowledge of wisdom (Fourth Benediction), and gave them the Torah so that they might praise His holy Name and beware of wrongdoings. The right knowledge is the basis of the right behavior. Lucian, *Navig* 24: cf. B. Gaertner, *The Areopagus Speech*, Acta Seminarii Neotest. Upsalensis 21, 1955, p. 91. Again, the blessing for knowledge is a part of a hymn which expresses confidence in forgiveness of sins in the sectarian "Manual of Discipline" (11, 14–15). Later, the rabbis stressed the connection between understanding and repentance. *P. Ber.* 2, p. 4d. On other, rather far-fetched, similarities between the Amidah and the sectarian prayers cf. M.R. Lehmann, *Talmudic Materials*, *RQ* I, 1958, p. 403; S. Talmon, *The Manual of Benedictions of the Sect.*, etc, *RQ* II, 1960, p. 492.

<sup>38</sup> *P. Ber.* 2, 4 (5) p. 4d. On the *selicha* of the High Priest, cf. above, n. 23.

<sup>39</sup> Commentators strangely misjudge the meaning of the Seventh Benediction, refer it to the restoration of national independence, and accordingly believe it is misplaced. Cf. Elbogen, p. 35; Liber (above, n. 31) p. 347. Yet, the phraseology of petition is derived from Ps. 119, 153–154.

We cannot know when and why this expression of penance was included in the Tefillah. But before the destruction of the Temple, in A.D. 70, there was no reason for the Jews of Jerusalem to feel the burden of sin so heavily every day. On the contrary, they confided in expiating efficacy of the Day of Atonement. R. Simeon b. Gamaliel still remembered that there used not to be more joyous days in Israel than the fifteenth of Ab and Yom Kippur. So long as the Temple stood, the Altar atoned for Israel. But afterwards Israel could only offer prayers, and the contrite heart.<sup>40</sup>

#### IV

Three benedictions remain unaccounted for: the Eighth, Ninth and Fourteenth. They form a unit as to content and frame. All three, and only these three petitions out of the twelve, deal with material needs of man. Again, only these three blessings among the twelve petitions invoke God as *YHWH Eloheanu*, that is by the same name which was used in the Benedictions (Sixteenth and Seventeenth) taken over from the prayer formula of the sanctuary and appended to the Tefillah.<sup>41</sup>

The same divine name is also used in the opening sentence of the First and the Fifteenth Benedictions. Read together, these five paragraphs form a single prayer. After the invocation of God of the patriarchs (1. *Abot*), people pray for health (8. *Refua*), a prosperous agricultural year (9. *Birkat ha shanim*) and for Jerusalem (14). The appeal (15): "Hear our voice, O Lord, our God" concludes the prayer.

We have here the nucleus of the Tefillah. All other formulae in the Prayer as we have seen are later additions or insertions. On the other hand the fact that the appendix to the Tefillah, which now forms Sections 16–18 follows Section 15 and that the inserted petitions 10–13 precede Section 14, proves that the 14th and 15th Sections had been welded into a unit long before these changes were made. But the 14th

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<sup>40</sup> *M. Taan.* 4, 8. The reference to 15th Ab is puzzling. On penance as a substitute for atoning sacrifice cf. Moore I, p. 502. It is stated in *Taan.* 27b that reciting of the "order of offerings" in the synagogal service equals sacrifice and brings atonement.

<sup>41</sup> Finkelstein, p. 23, already grouped the Benedictions according to the terms of address and emphasized the importance of this criterion for the history of the Tefillah. On the historical meaning of variations in the use of divine names cf. S. Lieberman, *Light on Cave Scrolls*, *EAJR* 20, 1951, p. 400. The appellation *YHWH Eloheanu* is Biblical (Ex. 3, 18; I Chr. 29, 16). For the rabbinic usage cf. A. Marmorstein, *The Old Rabbinic Doctrine of God I*, 1927, p. 70 f.



Section is a part of the *YHWH Eloheinu* prayer and the 15th Section originally concluded the Tefillah. Thus, the original Tefillah, and the *YHWH Eloheinu* prayer were identical.

As we have mentioned, the Schools of Hillel and Shammai both already assumed that the First-Third and Sixteenth-Eighteenth Benedictions belonged to the Tefillah. The *YHWH Eloheinu* prayer which antedates the growth of the Tefillah into such a complex structure accordingly must have been already recited in Hellenistic Jerusalem. At that time prayers of the same structure<sup>42</sup> and of the same meaning were heard in Greek cities.<sup>43</sup>

As soon as the *polis* as a living unit appears before us in the poem of Hesiod, her citizens pray for peace, health and food.<sup>44</sup> Paralleling private devotions,<sup>45</sup> this collective prayer now emphasized “health and prosperity”, now “health and safety”, or “peace” of the city, of the

<sup>42</sup> Parallel structures of the Eighteen Benedictions and Greek prayers were already noted in Ed. Norden, *Agnostos Theos*, 1913, p. 206. Cf. also A. Spanier, Die Formgeschichte des altjüdischen Gebets, *MGWJ* 78, 1934, pp. 438–443, and Y. Baer, *Yisrael ba Ammim*, 1955, pp. 32–35, who rightly stressed similarity to prayers from Aeschylus, quoted below, n. 44.

<sup>43</sup> Institutional religion being neglected by modern scholars who are rather interested in reflections of poets, philosophers, and so on, about religion, we still lack a comprehensive work dealing with state rites of the *polis*. Some pertinent material for Civic Prayer may be found in K. Keyssner, *Gottesvorstellung und Lebensauffassung in griechischen Hymnen*, 1932, p. 146ff. J. Rudhardt, *Notions Fondamentales de la Pensée Religieuse... dans la Grèce classique*, 1958, p. 187f. K. v. Fritz, *Review of Religion* 10, 1945, pp. 5–39; E. des Places, *La religion grecque*, 1969, pp. 153–171. The text of public prayer was often fixed. Cf. e.g. Thuc. VI, 32, 2; Arist. *Thesmoph.* 295–302; *SIG* 1025, line 25; F. Sokolowski, *Lois sacrées de l'Asie Mineure*, 1955, no. 19; Id. *Lois sacrées des cités grecques*, 1969, no. 46, 20; Id. *Lois sacrées des cités grecques, Suppl.* 1962, no. 90, 137. Cf. also below n. 71.

<sup>44</sup> Hesiod, *Op.* 225ff.: Justice let the *polis* flourish. There is peace, neither famine, nor plague, the earth produces abundantly, sheep and women are fertile. In the prayer of the Danaids for Argos, Aeschylus (*Suppl.* 625ff.) varies the same traditional themes. For instance, the suppliant maidens ask the gods to ward off both foreign war and civil strife. Again, conforming to the dramatic situation, they pray that the Argives may honor Zeus the guardian of strangers. But peace, health and fertility remain the three topics of their prayer. In Aesch., *Eumen.*, 916ff. the chorus prays for Athens. The poet – naturally – again plays the same theme with variations: no harm to trees and fruits, increase of flock, fertility of earth, no untimely death for men, no civil war. The tripartite prayer is comparable to, yet differs from, the traditional blessing (and malediction) formula which promises life and progeny or death and sterility to pious men and violators of an oath respectively. Cf. Hom., *Od.* 19, 109–114. For oaths, cf. L. Robert, *Études épigraphiques* 1938, p. 313.

<sup>45</sup> An Athenian father prayed for the health and prosperity of his family (ὕγιειαν... καὶ κτήσιν ἀγαθήν) Isacus 8, 16. An eternal variant of the same timeless prayer is that of older men (Plut. *q. conv.* 3, 6, 4): ἀναβαλλ' ἄνω τὸ γήρας ὃ καλὰ Ἀφροδίτα.

citizens, of their children, spouses and property.<sup>46</sup> Numerous inscriptions attest the rite.<sup>47</sup> Theognis of Megara, toward the middle of the fifth century, already used the themes of the civic supplication playfully. “May peace and wealth own this city that I may make merry with my boon companions. I love not evil war”.<sup>48</sup> To quote an example chronologically nearer to the prayer *YHWH Eloheanu*, the city of Magnesia in Asia Minor, ca. 200 B.C., at the annual sacrifice for Zeus the Saviour, prayed for the safety (*soteria*) of the city, of her country, of the citizens and their children and wives, and of all other inhabitants, for peace and wealth, for fruitfulness of the land and of cattle. If such a prayer was heard by Heaven, the annual magistrate of Hellenistic cities used to record that under their guidance the city had enjoyed health, peace, and prosperity.<sup>49</sup>

These contemporaneous parallels show that the group of blessings which invoke to “the Lord, our God” really form a single prayer. The Greek parallels also make clear the meaning of the three quoted petitions addressed to “the Lord, our God”. The original Tefillah was the Civic Prayer for Jerusalem. Both, the Greeks and the Jews, asked for health and food. But while the Greek also prayed for peace or salvation

<sup>46</sup> Aristoph., *Aves*, 736: under the rule of the Birds men will have wealth with health, happiness, life, and peace. The comic poet also adds: revelry, dance, etc. The Civic prayer in Arist., *Aves*, 878, after the pattern of Athenian ritual, mentions “health and safety” (διδόναι ὑγίειαν καὶ σωτηρίαν). At the end of his “Persians”, Timotheos asks Apollo to come to the city with gifts of prosperity and peace under the Law (*eunomia*). J.M. Edmonds, *Lyra Graeca* 3, p. 324. Menander, *Colax* fr. 1 Koerte (Athen. 14, 659d), the gods are asked: δίδονα σωτηρίαν, ὑγίειαν, ἀγαθὰ πολλά. Cf. Philodem. *de pietate*, 25; O. Weinreich, *SB. Heidelb. Akad.*, 1919, no. 16, p. 26; Ad. Wilhelm, *Abh. Preuss. Akad.* 1939, no. 22, p. 28; Ed. Norden, *Aus römischen Priesterbüchern*, 1939, p. 123; L. Robert, *Hellenica* II, 1946, p. 142; XI–XII, 1960, p. 547.

<sup>47</sup> The usual Athenian prayer was for health and safety of the Council and the People. Every priest of the State cults uttered this petition during a sacrifice. Cf., e.g., Ch. Michel, 1490. Some variants are interesting. In 332 B.C. sacrifice and prayer were offered ἐφ’ ὑγίαια καὶ σωτηρία of the Athenian people “and children and wives and of all in the country” (καὶ τῶν ἐν τῇ χώρῃ πάντων), Michel, *ib.*, 106. In a decree of the third century B.C. (Michel, *ib.* 1483) health and safety are also requested “for all those who are well-minded toward the People” (καὶ τῶν ἄλλων ἀπάντων ὅσοι εἰσιν εὖνους τῷ δήμῳ). On another occasion, the prayer also covers “the produce of the country-side” (καὶ τῶν καρπῶν τῶν ἐν χώρῃ). *SIG* 388 The formula used in Olbia was ὑπὲρ εἰρήνης καὶ πολυκαρπίας καὶ ἀνδραγαθίας τῆς πόλεως καὶ τῆς εἰσόντων (the officers) ὑγείας (*vel simile*). I.I. Tolstoi, *Ostrov Belyi i Tavrika*, 1917, p. 72.

<sup>48</sup> Theogn., 885–886. Tutelary gods “hold” their city. Using the same verb (ἔχου) Theognis substitutes peace and wealth for the Olympians.

<sup>49</sup> *SIG* 589 = F. Sokolowski, *Lois sacrées de l’Asie mineure* (1955), 32. Cf. *SIG* 695 = Sokolowski, 33.

of the city, the covenanted Jew expressed the same idea by supplicating the Deity to have mercy on Jerusalem. "He himself who has His dwelling in heaven, He is guardian and helper of this place smiting and destroying those who come to harm it" (II Macc. 3, 39).

## V

The Greeks prayed for their city because she was really *their* city: "the *polis* of the Athenians". The hands of Pallas Athena, as Solon says, protected Athens from above, and in a society without clergy, there was no intermediary between the city and her "magnanimous guardian". But as long as a Davidide, the anointed of the Lord, reigned in Jerusalem it was his right and duty to represent the nation before the Lord of Zion.

The king furnished the daily regular sacrifice. Whether the enemy besieged Jerusalem or the people committed a ritual offense, it was the king's obligation to pray for them to "the God of his fathers".<sup>50</sup> The people rather prayed for the king.<sup>51</sup> "May men bless themselves by him".<sup>52</sup>

Only in the restored, kingless Jerusalem, under the Persian or Greek domination, could the idea take hold that the nation should pray for herself.

Yet, the Civic Prayer was an anomaly even in post-exilic Jerusalem. The place of Jewish worship was the Temple. As long as the Temple existed, the Jew of Jerusalem went to the Temple to pray. Supposing

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<sup>50</sup> Cf., e.g., I Reg. 19, 15; II Chr. 30, 19. King and sacrifices: II Chr. 8, 12. Cf. I Sam. 13, 18; II Sam. 6, 13; 14:21. Ezek. 45, 17. In II Reg. 16, 15 voluntary sacrifices of "all the people of the land" are distinguished from the royal sacrifices. In II Chr. 29, 21 the king offers expiatory sacrifices for himself, the temple and the people ("Judah"). Then (v. 31) the people present voluntary offerings. Of course, individual men and groups, say a village, could sacrifice and pray that the earth yields its increase. See, e.g., Ps. 85, 12. Cf. also Ps. 67, 6; 132, 15; Is. 30, 23; Jer. 31, 12; Jub. 12, 17. Ps. 28 adds the petition for the people and the country.

<sup>51</sup> Cf. good wishes for the king in pre-exilic psalms, as, e.g., Ps. 61, 8. Cf. 28, 8; 63, 12; 84, 9; I Sam. 2, 10. Cf. Ps. 20 prayer for king's victory and Ps. 72 a prayer for the king.

<sup>52</sup> The same principle operated in other Oriental monarchies. See, e.g., ANET, p. 396; The Hittite King or a priest on his behalf daily prayed to the gods to favor the ruler and his house, to grant life, health and fertility, and destroy the enemy. The people answered: "Let it be so". But in Seleucid Babylon, the priest asked the Deity to grant mercy to the city. ANET, p. 331.

there were regular prayer meetings outside the Temple in the fourth or third century B.C. Jerusalem, it is inconceivable that the Civic Prayer should have been formulated for these assemblies and thereby bypassed the Temple. In fact, as R. Joshua b. Levi ca. A.D. 300 noted, the recitation of the Tefillah corresponded with the Tamid, the continuous sacrifice offered twice daily for Israel.<sup>53</sup> The idea of introducing the obligatory recitation of the Tefillah in the evening, that is to make the prayer unrelated to the daily sacrifices, was an unsuccessful innovation of R. Gamaliel after the destruction of the Temple.<sup>54</sup> Yet, private prayer was already spoken in the third century B.C. three times daily.<sup>55</sup> Accordingly we must presume that the Tefillah, or at least its nucleus, the Civic Prayer was originally spoken in the Temple in connection with the statutory sacrifices for the people. However, there is an intrinsic difficulty in this hypothesis.

The sacrifice is an action which like every action exercises influence by itself. A verbal formula can only strengthen, or if required, direct the action.<sup>56</sup> For the latter reason a prayer may be necessary when a sacrifice is offered on some special occasion. Nehemiah, having recovered the holy fire of the Solomonic Temple, offered a sacrifice. While it was being consumed, the priests asked God to accept the offering on

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<sup>53</sup> *Ber.* 26b. Cf. *M. Ber.* 4, 1 and *T. Ber.* 3, 1 where the rule is stated that the morning Tefillah may be said until Midday, and the evening Tefillah in the afternoon because the continual burnt-offering was offered in the corresponding hours. The Tefillah was also recited when the additional statutory sacrifices were offered on Sabbaths and festal days. *M. Ber.* 4, 1.

<sup>54</sup> Elbogen, p. 102; Moore, 2, p. 220.

<sup>55</sup> *Dan.* 6, 11. Cf. *Judith* 9, 1.

<sup>56</sup> The sacrifice, as its Latin and Greek (*hierourgia*) names show, is "action within the sphere of things sacred to gods". W. Robertson Smith, *The Religion of the Semites*, ch. VI. On the sacrificial act as action, cf. A. Loisy, *Essai historique sur le sacrifice*, 1920, p. 25 and p. 88. The sacrifice without prayer seems to have been neglected by students of religion. For the formula of surrendering an offering to a god in primitive worship, cf. F. Heiler, *Das Gebet* (4th ed. 1920), p. 76. Among the Arabs sacrifice, and every slaughtering, is accompanied by the formula of presentation ("In the name of God") but there is no prayer, though in the *piacula* the worshipper identifies himself expressly to the victim. J. Chelhood, *Le sacrifice chez les Arabes*, 1955, p. 55; p. 176; p. 201. In the Egyptian daily ritual, the priest simply presented food and drink to the idol with the appropriate formula, as, e.g., "Take the whole offering". M. Alliot, *Le culte d'Horus à Edfu*, 1949, p. 58. Prayers for the king were inserted in this ritual of the Ptolemaic period on festivals and independently from the oblation (*ib.*, 155) though a reference to the king also appears in some parts of the daily service. The surrendering formulae in the worship of the dead are similar. See, e.g., E.A.W. Budge, *The Liturgy of Funeral Offerings*, 1909, p. 68: "I have brought it to thee, place thou it in thy mouth". Cf. generally H. Bonnet, *Realexion der ägyptischen Religionsgeschichte*, 1952, p. 548 and p. 551.

behalf of Israel, to gather the Diaspora and to afflict the oppressors of the holy city.<sup>57</sup> But there is no hint in the Bible or in later sources that the statutory sacrifices in the Temple of Jerusalem were accompanied by prayer. By means of an offering, man persuaded a deity to “ally” with him, as the Greek expression said.<sup>58</sup> But in the covenanted system of daily oblation a sacrificial prayer would be superfluous and obnoxious. The priests and the lay assistance at the daily sacrifices in Jerusalem only prayed to the merciful Deity for gracious acceptance of the offering of His people.<sup>59</sup>

It is true that Psalms were sung at the statutory sacrifices. However, these Hymns were praises (*Tehillot*) and not supplications (*tefillot*) and did not refer to the offering. For instance, Psalm (24) sung on Sundays just proclaimed that the earth is the Lord’s.<sup>60</sup>

It is true again that in the last decades of the Temple the priests every morning celebrated a prayer service. Yet, it was held outside the Temple-court, and was unrelated to the sacrificial service.<sup>61</sup> The priests were not prayer virtuosi but skilled butchers. When the eyewitnesses admiringly described the Temple daily sacrifice, they praised the dexterity of priests in throwing up parts of the victim on the

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<sup>57</sup> II Macc. 1, 23. The whole episode is patterned after Elijah’s miracle on Mount Carmel. Here, too, a prayer is spoken before the oblation (I Reg. 19, 36) and the fire of the Lord consumes not only the victim but the wood, the stones of the altar and the water poured on the altar. For prayer during a private sin offering: Job, 42, 8. When Is. 56, 8 calls the Temple “house of prayer”, he speaks of prayers and voluntary sacrifices of the aliens.

<sup>58</sup> When Solomon offered a thousand burnt offerings at Gibeon he obviously formulated no petition on this occasion. For God asked him in a dream what was his request. On the other hand, at the dedication of the Temple of Jerusalem, God heard and then, in a vision, answered Solomon’s prayer. But this prayer was uttered not during a sacrifice but between two series of sacrifices, though before the Temple altar. Voluntary public or private sacrifices were necessarily accompanied by prayers stating the meaning of the offering. Cf., e.g., Ps. 26, 5; 27, 7; 81, 4; 116, 7.

<sup>59</sup> The prayer is quoted in Targum Canticles 4, 6, p. 89, ed. R.H. Melamed, 1921. I was referred to this remarkable text by Strack-Billerbeck (above, n. \*) 2, p. 79. The same prayer is paraphrased in *Taan.* 27b. The priestly prayer for acceptance of the sacrifice became the sixteenth section of the Tefillah. A rabbinic text stresses the fact that only on one occasion (Deut. 26, 13) the Jews supplemented the offering by a demand. Cf. S. Lieberman, *Tarbiz* 27, 1958, p. 186, n. 34. The rabbis noted that prayer was nowhere enjoined in the Torah. *P. Ber.* 1, 5 quoted by Ch. Taylor, *Sayings of the Jewish Fathers*, 1897, p. 13.

<sup>60</sup> *M. Tamid*, 7, 3. Cf. II Chr. 29, 27; II Macc. 1, 30. According to Sir. 50, 16 the Levites sang only after the libation. Songs were performed only over the prescribed public offerings. *Arak.* 11b.

<sup>61</sup> *M. Tamid*, 4 and 5, 1.

altar. It was the silence of the priests during the sacrificial operations which impressed the observer.<sup>62</sup> The offering itself was self-sufficient to conciliate Heaven. "The blood makes atonement" (Lev. 17, 11). The daily sacrifices atoned daily for Israel's transgressions.<sup>63</sup> Only personal sin offerings were statutorily preceded by confessions of sins and by requests for forgiveness.<sup>64</sup>

The High Priest, after burning incense in the Holy of Holies on Atonement Day, in the anteroom of the Temple building, prayed for a prosperous year, sometimes adding other requests, for instance for the people.<sup>65</sup> Again, prayer was here separated from the sacrificial act. On the same day, he prayed for the Temple, the priests and Israel in the Court of Women,<sup>66</sup> that is outside the Altar enclosure where sacrifices were offered.<sup>67</sup> It is significant that at this prayer meeting he was not required to wear the hallowed garment necessary for his sacrificial office.<sup>68</sup>

The king, at the time when the post-exilic Jerusalem again had a king, that is under the Hasmoneans and the Herodians, once in seven years prayed for the nation at the last day of the Feast of Tabernacles at the end of the Sabbatical Seven Year Cycle.<sup>69</sup> But these interventions of the King and of the High Priest were exceptional while the Civic Prayer was recited twice daily. Where was its place in the Temple Liturgy?

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<sup>62</sup> Aristeas, *Epist. ad Philocr.*, 92 and 98. *Tos. Yoma* 1, 4; *Sukk.* 50a. Cf. A. Büchler, *Die Priester und der Kultus*, 1895, p. 70, n. 5. When Jeremiah (14, 11) describes God's refusal to hear pleading for Israel he let the Deity say: "Though they fast, I will not listen to their cry, and though they offer up burnt-offering and meal-offering, I will not accept them". Supplication is a part of a fast service.

<sup>63</sup> Lev. 17, 11. Cf. *Jub.* 6, 14; 50, 11. The stones of the Altar established peace in Jerusalem; Johanan b. Zakkai, *Mekh.* Exod. 20, 21 (3, p. 290, ed. Lauterbach). S. Schechter, *Aspects of Rabbinic Theology*, p. 226 and p. 300; Bonsirven, 2, p. 95.

<sup>64</sup> Lev. 5, 5; *M. Yoma*, 3, 8; 4, 2; 6, 2.

<sup>65</sup> *M. Yoma*, 5, 1. On the High Priest's prayer in the Temple, cf. also *Yoma*, 53a; *P. Yoma*, 5, 2, p. 42c; *Taan.* 24b; *Lev. R.* 20, 4, p. 455, ed. Margules.

<sup>66</sup> *M. Yoma*, 7, 1. The High Priest spoke the confession of sin for the people before sending the scapegoat off to the desert (Lev. 16, 21; *M. Yoma*, 6, 2) but he did not pray when the sin-offering bullock and the sin-offering goat were sacrificed (Lev. 16, 27; *M. Yoma*, 6, 6). The rabbis only discussed whether he read Lev. 16 after the sending away of the scapegoat. Cf. *P. Yoma*, 6, 6.

<sup>67</sup> Those who were present at the reading of the Torah (and prayer service) in the Court of Women could not see the sacrifice prescribed in Lev. 16, 27, because both actions were performed simultaneously (*M. Yoma*, 7, 1).

<sup>68</sup> Cf. *M. Yoma*, 7, 1, and the discussion of this rule in *Yoma* 68b.

<sup>69</sup> *M. Sota*, 7, 8.

## VI

Between 150 and 145 B.C., the High Priest Jonathan wrote to the Spartans that the Jews unremittingly remember them at festivals and “at other days” (Sabbaths and New Moons), “at the sacrifices which we offer and in prayers”.<sup>70</sup> In the same way Greek cities remembered friends and allies in their public prayers. For instance, during the Peloponnesian War, the Athenians prayed jointly for themselves and the Chians “and at libations in public sacrifices likewise prayed to the gods to give good things also to them”.<sup>71</sup> There was no other regular prayer but the Tefillah where the Jews could have mentioned their Spartans, “as it is right and proper to remember brothers”.<sup>72</sup> Jonathan, imitating the gentile custom, inserted a reference to the Spartans in the Civic Prayer, an example which illustrates the growth of the Tefillah.

The Letter of Jonathan also confirms the inference that the Civic Prayer was integrated into the sacrificial system. Its exact place is given in an earlier document, the description of the pontifical service by Ben Sira.

After the sacrifice and libation, the priests shouted and sounded the trumpets. The people prostrated themselves, the Levites sang Psalms. The priestly blessing followed. So far, the sequence is normal (cf. II Chr. 29, 29), but between the libation and the priestly blessing the people “besought the Lord Most High in prayer before Him who is merciful”.<sup>73</sup> A collective supplication in the Temple during the continuous sacrifice offered by and on behalf of the nation could be only a national

<sup>70</sup> I Macc. 12, 11. Cf. the intercession prayer for the Egyptian Jews in 124 B.C. (II Macc. 1, 6). The Greeks equally prayed for their political friends (Athenians and Plataea: Herod. 6, 11) and for co-religionists. W.S. Ferguson, ‘The Athenian Orgeones’, *HTR*, 37, 1944, p. 101.

<sup>71</sup> Theopomp. 115, fr. 104 *FGH* (Schol. Arist., *Aves*, 878). Cf. Xen. *de vect.* 5, 10. Cf. Ad. Wilhelm, *Jahreshefte des Österr. Archäol. Inst.* 5, 1902, p. 127. F. Sokolowski, *Lois sacrées*, 1969, no. 46, line 20 with his commentary. Cf., e.g., *SIG* 661: the prayer for health and safety of the citizens, etc. “and of friends and allies”.

<sup>72</sup> The prayer for the pagan overlord accompanied the special sacrifice on his behalf, just as, say, the Captivity in Babylon, according to Baruch, 1, 11, sent money to the Temple to offer a sacrifice and pray for the life of Nebuchadnezzar and Belshazzar. Cf. Aristaeas, *Ep.* 45. These voluntary offerings should not be confused with the statutory service. Jonathan, as the wording of his letter shows (“on every occasion”, “unceasingly”), speaks of the regular sacrifices on festivals.

<sup>73</sup> Sir. 50, 19. The Cairo Hebrew version of Ben Sira has the verb *ranan*, shout, but in Hebrew, with reference to a prayer, it would rather mean “shout praise” and not supplicate. *Proseuche* is *tefillah* (so also in the Cairo version) or *tehinna*. For the expression “supplicate with prayer”, cf. Dan. 9, 18 and 20.

prayer.<sup>74</sup> The only continuous prayer of this kind was the Tefillah. The evidence of Jonathan's Letter and that of Ben Sira are in agreement and complementary.<sup>75</sup>

As a matter of fact, Ben Sira elsewhere<sup>76</sup> and, on the other hand, the author of the Book of Jubilees, which is roughly contemporaneous with Ecclesiasticus, allude to the Civic Prayer.

Ben Sira composed a prayer for the ingathering of the Captivity, a fact which implies incidentally that the public Tefillah did not touch the subject at his time.<sup>77</sup> He ends his composition as follows: "Have mercy upon the people that is called by Thy name, even upon Israel... have mercy upon the city of Thy sanctuary, Jerusalem".

It is a variation of the Fourteenth Blessing of the Amidah. In the latter God's mercy is also asked for Zion, "the abiding place of Thy Majesty". Ben Sira again varies: he calls Jerusalem "the place of Thy

<sup>74</sup> Ellbogen, p. 73 identifies this supplication with the *Tachanunim*, that is the individual petitions which follow the Amidah in the synagogal service. But Ben Sira speaks of a collective prayer. Further, this supplication, and also the Amidah in the Synagogue, preceded the priestly blessing (cf. *M. Ber.* 5, 4; *T. Ber.* 5, 6). The *Tachanunim* follow the priestly blessing. Last but not least: the *Tachanunim* are no part of the statutory liturgy.

<sup>75</sup> Note that Ben Sira describes the pontifical service. According to *Jos. Ant.* 5, 5, 7, 236, the High Priest sacrificed on Festivals, the New Moon Days, and Sabbaths. But the Temple service on these days was distinguished only by additional sacrifices. Philo, *de sp. leg.* 3, 23, 131, says that the High Priest daily offers prayers and sacrifices and asks for good things (*agatha*) for the whole nation so that it may obtain peace and good order (*eunomia*). Does Philo refer to a form of the "Civic Prayer"?

<sup>76</sup> A Hymn inserted in the Cairo Hebrew recension of Ecclesiasticus after 52, 12, though modeled after Ps. 136, often agrees in wording with the Amidah and sometimes with the prayers of the Covenanters of Qumran. Cf. W.O.E. Oesterly, *The Jewish Background of Christian Liturgy*, 1925, pp. 55–57; Ch. Rabin, *Qumran Studies*, 1957, p. 56; S. Talmon, "Manual of Benedictions" *RQ* 2, 1960, p. 492. The Hymn cannot be authentic, because its author, quoting Ps. 132, 17, gives thanks to God "who makes a horn to sprout for the house of David". That agrees with the Fifteenth Benediction in the Babylonian recension of the Amidah, that is with a text inserted in the Prayer at least three centuries after Ben Sira. Cf. above, n. 17. Again in v. 14 God is called "the King of the Kings of Kings". In the Bible God is just "King". In the Hellenistic age, he becomes "King of Kings" (e.g., *Enoch* 9, 4; *Jub.* 8, 20; *III Macc.* 5, 35). But the title in the Hymn presupposes the existence of earthly rulers who called themselves "Kings of Kings". The latter title was not used in the time of Ben Sira, but was re-introduced by the Parthian kings in the first century B.C. Accordingly, God is sometimes called "King of Kings of Kings", in rabbinic sources. *M. Abot* 3, 1; and other passages quoted in Bonsirven I, p. 143.

<sup>77</sup> Ben Sira concludes the description of the service in the Temple by formulating his own prayer which repeats motifs of the Civic Prayer: gladness of heart, peace, and divine favor. He again adds the hope for deliverance (*Sir.* 50, 23). The Syriac version (followed by the Cairo Hebrew) adds the petition for the High Priest Simeon, which has been omitted by the Greek translator who worked after the fall of the high priestly dynasty of the Oniads.



rest” and supplicates God to “fill Zion with the stories of wonders” (as Ben Sira’s grandson translated the text) that is to prove God’s majesty by returning the Exile.<sup>78</sup>

In Jubilees, Abraham after having eaten, blessed the Most High God. His prayer is tripartite: he thanks God for food and drink, he thanks God for health and prosperity, and he asks God’s mercy on the seed of his sons, the chosen nation. We have here the three petitions of the Civic Prayer: food, health (and prosperity) and safety.<sup>79</sup>

## VII

The Civic Prayer in the Temple signified a double change in the system of Jewish worship, based on priestly sacrifice. Public prayer was for the Jews only a substitute for sacrifice. The Synagogue still prays that God will speedily restore the sanctuary so that the sacrificial service might be celebrated again. On the other hand, even the private devotion in the Temple required some offering. “None shall appear before Me empty handed” (Ex. 34, 20).

The insertion of the Civic Prayer in the daily ritual of the Temple betrays the new feeling that the sacrifice alone, *ex opere operato*, does not suffice to bring about a union between God and His people. We should be wary of interpreting this fact anachronistically, as if it were an expression of any anti-ceremonial feeling. A Psalmist could say that a broken heart rather than a burnt-offering pleases God. Ben Sira could say that he who gives alms sacrifices a thank-offering, but such passages refer to private and voluntary sacrifices.<sup>80</sup> Nobody ever doubted the meaning of the statutory national sacrifices as effecting reconciliation in the system of the covenant. But the deepened sense of sin dominated the religious outlook of the Jews after the Exile. A fuller apprehension of their unworthiness led the Jews to the intensification

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<sup>78</sup> Sir. 36, 13–14. The Greek version speaks of “aretalogia”. Cf. Nilsson, *Geschichte der griechischen Religion*, 2, p. 216.

<sup>79</sup> Jub. 22, 6–9. Cf. the Athenian table song asking the goddess Athena to set straight the city, save it, and the citizens from sickness, sedition and untimely death (Athen. 15, 694c). L. Finkelstein, *The Birkat ha-Mazon*, *JQR*, NS, 19, 1929, p. 219f. has shown the structural analogy between Abraham’s prayer in Jub. 22, 6–9 and the Grace after Meals, and has proven that the earliest text of the third blessing in the Grace was identical with the Twelfth Benediction of the Amidah.

<sup>80</sup> Ps. 51, 18; Sir. 35, 1.

of worship. The Civic Prayer supplemented the daily sacrifice because the unfaithful nation had impaired the right relationship between Israel and the God of the covenant.

It is more difficult to appreciate the historical significance of a second aspect of the Civic Prayer. The Temple liturgy was the exclusive office of the priests and Levites. The laymen were not even admitted near the sacrificial altar. They were mute spectators of the sacerdotal performance. At certain times, at a signal, they uttered the response to the Levitic hymns and to the priestly blessings by shouting the prescribed doxologies such as "Blessed be the name of the glory of His kingdom for ever".<sup>81</sup>

In the late Hellenistic period representatives of the people were delegated to stand by at the sacrifices in the Temple. These standing layposts (*ma'amadol*) prayed that the offerings of the Jews who remained at home in their towns and villages might be accepted.<sup>82</sup> Modern scholars naïvely and anachronistically think that the purpose of the institution was to assure the participation of laity in religious life. The rabbis knew better. They derived the idea of the popular representation from Num. 28, 2 where the "children of Israel" are commanded to make offerings. This interpretation means that the priests who officiated in the Temple were only agents of the laity. "How can the offering of a man be offered and he does not stand by it"?<sup>83</sup>

This view is completely un-Biblical and incompatible with the principle of consecrated priesthood. The idea could hardly take hold of the Jewish mind before the introduction of the half-shekel poll-tax levied under the Hasmoneans to cover the costs of the sacrifices.<sup>84</sup>

Yet, the notion that the daily ritual in the Temple some way involves every Jew must have been widespread after the Exile. When the Second Temple was being built, the Elders of the Jews explained to the Persian administration that "our fathers had provoked the God of heaven". The guilt was national: at the dedication of the new house of God twelve he-goats according to the number of the tribes of Israel were offered as expiatory victims.<sup>85</sup> Accordingly, the "remnant that has escaped" felt

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<sup>81</sup> Cf. *T. Taan*, 1, 11 (12) according to the text and interpretation in S. Lieberman, *Tosefta-ki-Fshutah* 5, 1961, p. 1074.

<sup>82</sup> Cf. Moore 2, p. 12.

<sup>83</sup> *M. Taan*, 4, 2.

<sup>84</sup> Cf. above p. 168.

<sup>85</sup> Ezra 5, 12 and 17.

themselves responsible for the fulfillment of the divine Law be it the marriage interdictions or the Temple oblations.

But if the sense of guilt and of their own unworthiness demanded an insistent daily prayer supplementing the continuous sacrifice, who could offer this prayer? The High Priest prayed at the Atonement Day only. The priests while performing the daily sacrifice did not voice supplications.

But the pilgrims who came to Zion sometimes prayed for the holy city. “*Shalom* be within thy ramparts, security within thy palaces”. Another post-exilic Psalmist, again referring to the walls of the holy city, rebuilt by Nehemiah, invited Jerusalem to praise the Lord who gave *shalom* and plenty of fine wheat to the city.<sup>86</sup> The Civic Prayer standardized such feelings and made the petitions a continuous offering.

Yet, the composition of the Civic Prayer for Jerusalem occasions surprise. *Shalom* was the word which for the Jew embraced the idea of well-being and all its aspects: peace, prosperity, health. But in the Civic Prayer, in the same manner as in Greek patriotic supplications, modes of well-being are specified: health, prosperity, safety. Was the Civic Prayer for Jerusalem constructed after a Greek model?<sup>87</sup>

## VIII

The essential result of this study can be summarized as follows. In five sections (1, 8, 9, 14, 15) of the Palestinian recension of its daily Prayer (Tefillah), the Synagogue has preserved the Civic Prayer for Jerusalem, uttered in the Temple by the people after the libation rite of the continuous sacrifice (Tamid). The prayer was post-exilic, and is first attested ca. 200 B.C. It was first said on festival days only, but became a part of the daily sacrificial service after 145 B.C.

How and when the Civic Prayer of the Temple became the Tefillah of the Synagogue is another question which is beyond the scope of this paper and of the author's competence.

<sup>86</sup> Ps. 12, 6 and 147, 14. Cf. 29, 11; 72, 7; 128, 6.

<sup>87</sup> The notion that God protects Zion was, of course, a current one (cf., e.g., Ps. 25, 22; 51, 20; 69, 36; 130, 8). Again men asked for prosperity for themselves or their children (e.g., Tob. 10, 11), and so on, but the Tefillah was a common supplication. Yet, the formula of the city prayer does not need to be of Greek origin. Darius I prays: “may there come no enemy, no famine, nor lie (= rebellion)”. R.G. Kent, *Old Persian*, 1953, p. 136. Cf. the prayer for Ashurbanipal *ap.* E. Weidner, *Archiv für Orientforschung* 13, 1939, 210. Cf. above n. 52.

## Studies in Jewish and Christian History

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## BLESSING AND PRAYER

“In praying do not heap up empty phrases as the Gentiles do... Pray then like this: ‘Our Father who art in heaven...’” (Matt. 6:7).<sup>1</sup> We find the same simplicity in the improvised prayer of pious souls in Israel: “Susanna cried out with a loud voice, and said, ‘O eternal God... I have done none of the things that they have wickedly invented against me!’” (LXX Dan. 13:42f.); “The tax collector... beat his breast, saying, ‘God, be merciful to me a sinner!’” and even the Pharisee, with head held high, offered a prayer without adornment: “God, I thank you...” (Lk. 18:1ff.). In order to obtain rain, R. Aqiba prayed: “Our Father, our king... have pity on us.” At Tiberias, in the fourth century, a man prayed to God in Greek: “Lord, send a heavy rain...”<sup>2</sup>

In Jewish worship, this direct form of prayer has its place in private devotion. Obligatory prayer was – and still remains – subordinated to benediction. R. Meir estimated that a Jew blesses God one hundred times a day.<sup>3</sup> And in fact, the only prayer of request in daily synagogue worship, the prayer *par excellence* (the *Tefillah*), is that of the “Eighteen” Benedictions, which begins: “Blessed are you, YHWH...” The historian of the Hasmoneans, writing at an early date, i.e. between 135 and 104 B.C.E., begins the supplication of the army with a benediction: “Blessed are you, O Savior of Israel...” (1 Macc. 4:30). When and how were benediction and prayer united in the communal worship of Israel?

Like the curse, the blessing is a ritual form which is efficacious thanks to its own inherent power.<sup>4</sup> “A father’s blessing strengthens the houses

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<sup>1</sup> On the origin of the *Tefillah*, cf. the preceding essay in this volume.

<sup>2</sup> R. Aqiba: *b. Taan.*, 25b (p. 193, ed. H. Malter). Prayer for rain: S. Lieberman, *Greek in Jewish Palestine*, 1965, pp. 31–36.

<sup>3</sup> *T. Berak.* 6(7).24. Cf. *Historia Monachorum* 8.5 (ed. A.-J. Festugière, 1971), on a monk who pronounces one hundred prayers each day and each night.

<sup>4</sup> Bibliography: H. Beyer, in *TWNT* II, 1935, p. 751; G.A. Keller and C. Wehmeier, in E. Jenni and C. Westermann, ed. *Theologisches Handwörterbuch zum AT* I, 1971, pp. 353–375; J. Scharbert, in G.J. Botterweck and H. Ringgren, ed. *Theological Dictionary of the Old Testament* II, 1974, pp. 279–308. Cf. also J. Audet, *RB* 65 (1958), pp. 371–399; W.S. Towner, *CBQ* 30 (1968), pp. 386–399. Ugaritic texts confirm the derivation of the ritual term *barak* from *berek* (= “knee”); cf. G.R. Driver, *Canaanite Myths and Legends*, 1956, Index p. 156 *s.v.* On the significance of this etymology, cf. M. Cohen, in *Memorial Henri Basset* I, 1928, p. 293; A. Murtonen, *VT* 9 (1959), p. 158. Egyptologists believe

of the children, but a mother's curse uproots their foundations" (Sir. 3:9); and we recall how Jacob obtained his father's *berakah* by means of a trick (Gen. 27).<sup>5</sup>

It is easy to understand how a starving man, who sees nothing but distress and darkness, should pronounce in his anger a curse against "his king and his God" (Is. 8:21). The law forbids one to curse God, the chief of one's people, or one's parents (Ex. 21:17; 22:27; Lev. 24:15; cf. Job 2:9). But one is surprised to see the Hebrew blessing God, as if he could increase the power of Heaven, for as Augustine says: *Non augetur ille benedictione nostra nec minuitur maledictione nostra* (In Ps. 46, PL 36, 802). Nevertheless, Israel must bless God after eating its fill, just as Isaac makes ready to bless Esau for a present (Deut. 8:19; Gen. 27). Jael will be blessed among women for having killed Sisera, and the Psalmist blesses God "who has trained my hands for combat" (Judges 5; Ps. 144). In the temple at Jerusalem, the priests, the levites, the house of Israel and the "God-fearers" were invited: "Bless the Lord!" and they exclaimed: "Blessed is YHWH from Zion, he who dwells in Jerusalem. Halleluiah!" (Ps. 135). On the other hand, a "blessing of idols" was an abomination (Is. 46:3). The root *brk* is found in several of the semitic languages of the east, where it expresses the idea of the blessing bestowed by the gods.<sup>6</sup> It is only the Hebrews who bless God.<sup>7</sup>

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that the word *brk* ("prayer, gift"), which appears in Egyptian under the New Empire, is borrowed from the semitic languages; cf. *Wörterbuch der ägyptischen Sprache* I, p. 466.

<sup>5</sup> *Cum benedicit nos Deus, nos crescimus*: Augustine, *Enarr. in Ps. 46* (PL 26, 802). The Hebrews saw benediction primarily as a recipe for multiplication: it multiplies posterity or other riches. Cf. Chrysostom, *ad Ps. 113:3* (PG 55, 312); the object of the Jewish blessing is a large number of children, and the exegete explains this attitude by saying that Israel lacks faith in the life to come. — A fertile field is a field that God has blessed (Gen. 27:27); when God blessed Isaac, his harvest increased a hundredfold (Gen. 26:12). The sellers of sheep can say: "Blessed be YHWH, now I am rich!" (Zech 11:15).

<sup>6</sup> Cf. C.-F. Jean and J. Hoftijzer, *Dictionnaire des inscriptions sémitiques de l'Ouest*, s.v. Cf. e.g. a Phoenician text in A. Dupont-Sommer, *PEQ*, 1949, p. 55: "I bless you by Baal Saphon and by all the gods of Taphanes, that they may grant you..." On the Palmyrian expression *bryk smh*, cf. J. Février, *La Religion des Palmyréniens*, 1931, p. 121; H. Seyrig, *Syria* 26 (1949), p. 34. In classical Arabic, the various derivations of the verb *barak* are employed to bless the human person and to praise God; cf. E. Bishop in *I. Golziher Memorial Volume* I, 1948, p. 82. On the blessing in Islamic countries, cf. J. Chelhod, *RHR* 148 (1955), pp. 68ff., and the works by Doutte and E. Westermarck which he quotes.

<sup>7</sup> The Latin formula *macte esto* is sacrificial; K. Latte, *Römische Religionsgeschichte*, 1960, p. 43. Cf. H. Oldenberg, *Die Religion der Veda*, 4th edn. 1923, p. 436. The Greek macarism is not a blessing (*makarios* has the same meaning as *beatus*). In the classical Orient, the Egyptians could say that Isis loves the one who loves her, but this reciprocity has nothing to do with the transmission via blessing of the power that bestows fertility. Cf. É. Drioton, *Analecta Biblica* 12/3 (1959), p. 57.

Does this mean that Israel was more fetishistic than the Babylonians (for example)? Or did the Jews not know that “it is the inferior who is blessed by the superior” (Heb. 7:7)?<sup>8</sup>

One solution to this problem – adumbrated in the Septuagint,<sup>9</sup> known to Philo at Alexandria, and accepted in the New Testament – was to make a distinction between εὐλογητός and εὐλογημένος. In the *Benedictus* of Zechariah, the Lord who has delivered his people is εὐλογητός, but Elizabeth calls Mary εὐλογημένη (Lk. 1:68 and 42). As Philo of Alexandria, and later Chrysostom, explain,<sup>10</sup> the verbal adjective εὐλογητός makes the affirmation that God by nature deserves to be called blessed, while the perfect participle εὐλογημένος signifies the result of the blessing: God is blessed, and the human person can be seen to have received a blessing. Philo notes that the former is a reality, whereas the second is a matter of opinion. Unfortunately, this distinction is not observed in the Greek Bible,<sup>11</sup> nor was it ever expressed in the Latin Bible. This is why the Greek and Latin fathers are confronted with the awkward problem of explaining how God can be blessed by human beings.<sup>12</sup>

<sup>8</sup> The *karabu* of the Babylonians was basically a formula of greeting; B. Landsberger, *Mitteilungen der Orientalischen Gesellschaft* 4 (1928), p. 295. When a Babylonian priest “blesses” a divinity, this means that he is calling down upon it the blessing of the *dii maiores*. See the ritual in F. Thureau-Dangin, *Rev. Assyriol.* 20 (1923), p. 125. Cf. also L.M. King, *Babylonian Magic and Sorcery*, 1896, p. 42; R.W. Rogers, *Cuneiform Parallels*, 1912, p. 146. However, when a human being “day and night” gives back to the gods the beneficial power (*salmuua*) which he has received from them, one has the impression that an exchange of favors is taking place. Cf. e.g. the inscription of the mother of King Nabonidus in *ANET*, p. 560.

<sup>9</sup> It appears that the Septuagint translators were shocked by the parallelism of the benedictions in Gen. 14:19–20. They translated the passive participle *barik* first by εὐλογημένος (Abram) and then by εὐλογητός (God). The perfect participle εὐλογημένος expresses the result of an action: Abram is in a state of blessing because God has handed over his enemies to him. Cf. E. Mayer, *Grammatik* II/1, 1926, p. 193. Like all the verbal adjectives ending in -τος, εὐλογητός expresses a quality: God “deserves to be called blessed.” Philo, *De migr. Abr.* 108, compares ἐπαινετός and ἐπαινεῖσθαι. We should note that the nuance of probability which appears in classical usage (λυτός means *solutus*, but also *solubilis*) has disappeared in hellenistic Greek; cf. Mayer, *ibid.*, p. 357.

<sup>10</sup> Philo, *De migr. Abr.* 108; on the verbal adjective and the verb: τὸ μὲν γὰρ τῷ πεφυκέναι, τὸ δὲ τῷ νομίζεσθαι λέγεται μόνον. Chrysostom, *In Ps. 134:19* (PG 55, 399): God εὐλογητός ἐν τῇ φύσει ἔχων τὴν εὐλογίαν.

<sup>11</sup> Abraham is called εὐλογητός at LXX Gen 12:2, and it is in this context that Philo discusses the difference between εὐλογητός and εὐλογημένος. In the Septuagint, the latter form is applied always (or almost always) to human beings who are blessed by God or in the name of God. But in the manuscripts, εὐλογητός is often substituted for εὐλογημένος, and vice versa.

<sup>12</sup> Cf. e.g. Chrysostom, PG 55, 399; Theodoret, *ad Ps. 66:7* (PG 80, 1373); Augustine, PL 36, 802.

This question did not occur to the rabbis, who thought in Hebrew. First of all, in Hebrew, the action of blessing (or of cursing, cf. 2 Sam. 16:7) is not linked to the usage of the verb *barak*.<sup>13</sup> Rebekah was “blessed” by means of the formula: “Our sister, be the mother of thousands of ten thousands!” (Gen. 24:60). God (Gen. 9; 22; 26; 28; 35), the patriarchs (Gen. 27; 48; 50), and Moses (Deut. 28) have no need of the sacramental term in order to confer their blessings. In reality, a benediction is any word that determines the good fortune of the one to whom it is addressed.

This is why the blessing is generally formulated in the second person, even when it is reduced to a simple wish: “May YHWH protect you and guard you” (Num. 6:24; cf. Ruth 2:4); “May El Shaddai bless you” (Gen. 28:3). In this case, the verb *barak* is in the Piel. But those who pass by can also say: “The blessing of YHWH be upon you!” (Ps. 129:8). When he employs the verb *barak* to utter a blessing, the human person is in fact invoking God, to call down his kindnesses upon someone else. Only God can bring about the effects of this benediction; but the formulae used by the relatives of Rebekah, Jacob, or Joseph are automatically effective. Accordingly, the noun *berakah* acquires the meaning “favor,” “gift,” or even “agreement.”<sup>14</sup>

Things are different when it is the human person who blesses God. In this case, he always employs the sacramental term *barak*, but he does not employ the Piel or another conjugation expressing an action directed by the human will. The verb is used in the passive participle of the Qal, which expresses the aspect of duration: *barûk*, i.e., “Blessed (is) God.” The human person does not “send” his blessing; he does not claim to transmit his own stream of blessing in the direction of the divinity. All he does is to affirm that the divinity is “blessed,” i.e. full of effective kindness. This is why God is blessed in the third person. When, in exceptional cases, the blessing is oriented to the future, there is also a grammatical modification. When Job wishes to emphasize that even in the midst of all his distress he intends to trust in God, his formula of blessing is expressed in the Pual participle: *sit nomen Domini benedictum* (Job 1:21; cf. Dan. 2:20). Modern translators are wrong to eliminate

<sup>13</sup> Cf. 1 Sam. 9:13 (Samuel blesses the sacrifice). Deut. 29:18 affirms that it is in vain for a sinner to “bless himself in his heart” by saying, “Peace (*shalôm*) be upon me . . .,” for this will not annul the force of the curse uttered against the impious.

<sup>14</sup> Cf. Gen. 33:10–11; 1 Sam. 25:27 (cf. 30:26); 2 Kg. 15:15. In the sense of “agreement”: 2 Kg. 18:31.

this distinction between the indicative and the optative. They translate the passive participle of the Qal, *barûk*, as “may he be blessed”; but the ancient translators did a better job when they used the adjectives εὐλογητός (εὐλογημένος) and *benedictus*, which are declaratory expressions, not pious wishes.

With the exception of the doxologies,<sup>15</sup> the term *barûk* is followed by relative proposition which explains the blessing. “Blessed (is) YHWH, who has avenged the insult I received” (1 Sam. 25:39); “Blessed (is) YHWH, for he hears my prayer” (Ps. 28:6); “Blessed (is) YHWH, who inspires Artaxerxes” (Ezra 7:27), etc. The reason for the exclamation “Blessed!” is always a mighty work of God.<sup>16</sup> Human beings declare that God is *barûk* because the divine *berakah* has just manifested itself. *Benedictus Dominus Deus Israel qui facit mirabilia solus* (Ps. 72:18). The “benediction” addressed to God is an affirmation of his benevolent power.<sup>17</sup> Thus, Deborah and Barak appeal to the Hebrews to bless YHWH, because he has come to the aid of his people (Judges 5).

Similarly, when its subject is a human being, the participle *barûk* indicates a state of affairs: “*Barûk* is the human person who puts his trust in YHWH” (Jer. 17:7).<sup>18</sup> A woman who had been robbed had uttered a curse against the unknown thief. When she discovered that the thief was her own son, she wished to remove the evil spell, and

<sup>15</sup> Cf. 1 Cor. 16:36; Ps. 41:14; 68:36; 79:52; 106:48. Cf. Ezek. 3:12, where the cherubim in heaven proclaim: “Blessed is YHWH in the place of his dwelling.” Cf. the voice of the seraphim: “Holy, holy, holy is YHWH of hosts” (Is. 6:3). In Noah’s words, “Blessed is YHWH, the God of Shem” (Gen. 9:26), the determinative form gives the reason for the blessing.

<sup>16</sup> Cf. J.-P. Audet, *RB* 65 (1958), p. 376. Similarly, in related languages, the passive participle *brk* has the attributive meaning. The Neo-Punic formula *n'm wbrk* means that the day in question is “beautiful and blessed” (e.g. *RÉS* I, p. 304). In the funerary steles (in Aramaic) of Memphis, the dead person is blessed (*brk*, *brkh*) by Osiris (e.g. *RÉS* III, 1788), and the demotic text adds: “His soul lives in the presence of Osiris”; cf. I. Lévy, *J. Asiatique* 211 (1927), p. 291. Cf. the formula: “he (*sc.* the god) has blessed (*brk*) him” in the Phoenician dedications (e.g. *RÉS* I, 331). Cf. also the *benedictio vocativa*, e.g. *RÉS* I, 109; A. Dupont-Sommer, *Semitica* 3 (1950), p. 37 (the inscription of Yehawamilk of Byblos), etc.

<sup>17</sup> After having written this essay, I discovered that T. Plassmann had already noted that the formula *barûk* indicates “blessedness” in a thesis which – I do not hesitate to say – has been justly forgotten: *The Signification of Beraka*, dissertation, Catholic University of America, 1913, p. 127.

<sup>18</sup> The same formula is found in Ps 40:5, where *asrei* is substituted for *barûk*. Cf. Jer. 20:14; Ps 118:26. In order to express an optative benediction, Ruth 2:19 adds the jussive to the Qal participle (*yehi... barûk*). Cf. P. Joüon, *Grammaire*, 1923, p. 471. Cf. a letter discovered at Elephantine: “I bless you (*brtk*) by Yaho and Hn(?)”; A. Dupont-Sommer, *RHR* 130 (1945), p. 18. Cf. also J.-B. Frey, *CIJ* II, nr. 974 and 961.

therefore said: “Blessed (is) my son by YHWH” (Judges 17:2; cf. 1 Kg. 2:45). God warns Balaam not to pronounce a curse against Israel, “for he (is) *barûk*” (Num. 22:12).

Accordingly, when the exclamation *barûk* refers to a human being, it affirms that God has manifested his blessing in the person in question.<sup>19</sup> This is why the blessing is followed by an explanation in these instances too. For example, David tells Abigail: *barûk* is God who sent you to me, and *barûk* are you who prevented me from killing Nabal (1 Sam. 25:32), and Saul says: “You are blessed by YHWH; for you have had compassion on me” (1 Sam. 23:21). Sometimes, the source of the benediction is not mentioned explicitly, since everyone knows that it comes from God. Thus, after David spares the life of Saul, the Lord’s anointed, the king can say to him: “You are blessed, my son David” (1 Sam. 26:25). Here, as in some other passages, the reason for the benediction is implicit in the situation. Abimelech tells Isaac: “Now you are blessed by YHWH” (Gen. 26:9), because he has seen with his own eyes that God is with the patriarch. Melchisedek says: “Blessed is Abraham by the Most High God,” because Abraham has just won a victory under the protection of the God of Melchisedek (Gen. 14:19).

Let us now turn to prayer, which is always – even in the most spiritual form – an imploration addressed to God. *Desiderium semper orat, etsi lingua taceat*. In the terminology of Origen,<sup>20</sup> the simple δέησις is an appeal to God: one example he cites is Moses’ prayer to the Eternal, “YHWH, why does your wrath burn hot against your people...?” (Ex. 32:11). A human being speaks to God and waits for a reply. Prayer is one half of a dialogue, so to speak – one may recall here Abraham’s intercession for the people of Sodom (Gen. 18:23).

In order to persuade the divinity, one may say that one’s appeal ought to be heard because of one’s merits – or even because of one’s distress. Fasting is one way to put pressure on God. In a manner reminiscent of eastern monks, Honi, the Jewish miracle worker, drew a circle on the

<sup>19</sup> In the prophecies, a future event is often represented as taking place at the very instant in which the word is uttered. Since the participle is atemporal, the form *barûk* is employed to describe the future state in the blessings announced in Deut. 28: “All these blessings shall come upon you and overtake you... Blessed are you in the city and blessed are you in the field...”

<sup>20</sup> Augustine, *Sermo* 80.7 (PL 38, 498); Origen, *De orat.* 14.

ground and took his place inside it, swearing that he would not move from the spot until God heard his prayer.<sup>21</sup>

But one can also appeal to God's own interest, where this is properly understood. This (in Origen's terminology) is *προσευχή*, where the request is accompanied by words of praise.<sup>22</sup> Votive prayer belongs to this category (Origen cites the prayer of Hannah in 1 Sam. 1), but the major example of this type is the prayer of petition. The rabbis taught that the request for a divine favor ought to be preceded by praise, and they supported this teaching by appealing to biblical examples (e.g. Deut. 3:24).<sup>23</sup> Even a cry of distress can remind God indirectly of his duty: "My God, my God, why have you abandoned me?" (Ps. 22:2).<sup>24</sup> This is why rabbinic piety insisted that one should bless God in the same way both for distress and for happiness.<sup>25</sup>

Canticles in honor of the divinity do not contain any request, apart from an occasional discreet reminder: "Though I walk in the midst of trouble, you preserve my life" (Ps. 138:7).<sup>26</sup>

The blessing of God affirms, while prayer to God implores; the latter envisages the future, the former is located in the present. When Abraham's servant is sent to look for a wife for Isaac, he prays: "O YHWH, God of my master Abraham, grant me success today, I pray you..." After finding Rebekah, he says: "Blessed is YHWH, the God of my master Abraham, who... has led me in the way..." (Gen. 24:12 and 27). After the dedication of the temple, Solomon stands and blesses God, who has fulfilled his promise to David. Then he kneels down before the altar and offers his "prayer and entreaty." Then he gets up and blesses once more the God who has given rest to his people Israel. Clearly, supplication and benediction require different bodily postures.<sup>27</sup>

The exile and the restoration taught the Jews both their own

<sup>21</sup> Cf. e.g. Ps. 30:12; 35:13. On Honi, cf. *M. Taan.* 3.8; cf. Bonsirven, II, 1935, p. 151.

<sup>22</sup> Cf. H.L. Ginzberg, in *L. Ginzberg Volume*, 1945, p. 64 n. 14.

<sup>23</sup> Cf. e.g. 1 Kg. 3:6; 8:22; 2 Kg. 19:15; cf. Bonsirven, *ibid.*, p. 149.

<sup>24</sup> Cf. C. Westermann, *ZAW* 66 (1954), p. 73.

<sup>25</sup> *M. Berak.* 9.7.

<sup>26</sup> We should note that the biblical canticles, with the exception of Ps. 144, do not begin with a benediction.

<sup>27</sup> On genuflection during prayer, cf. 1 Kg. 19:18; 2 Kg. 1:13; Is. 45:23; Ps. 95:6; Ezra 9:5; Dan. 6:10. When pronouncing a blessing on the king, one prostrated oneself: 2 Sam. 14:22; 18:19.



insignificance in the divine plan and the absoluteness of the divine threats and promises. The only thing equal to the wickedness of the chosen people was the faithfulness of God (Neh. 9:33). God was reminded of his former kindnesses, in order to move him to repeat them. The prayer of Ezra in Neh. 9 is an abbreviated version of sacred history. The prayer in *Apostolic Constitutions* 7.37–38, which has a Jewish origin, lists the favors of God, from Abel down to Judith, Esther, and the Maccabees. The blessing, which (as we have noted) is an affirmation of a divine favor, functions now as an appeal to the fidelity of God: his benefactions in the past have an impact on the future. According to the Chronicler, the people assembled in the valley of *Berakah* after Josaphat's victory, and there they blessed God (2 Chron. 20:26).

Besides this, in a world where the fact of speaking a common language – first Aramaic, then both Aramaic and Greek – intensified religious rivalry, the formula of benediction inspired confidence. After telling Moses: “Blessed is YHWH who has delivered you out of the hand of the Egyptians,” Jethro adds: “Now I know that YHWH is greater than all gods” (Ex. 18:10).<sup>28</sup> After the exile, the angel Raphael tells Tobit (12:6f): “Bless God and give thanks to him; exalt him and give thanks to him in the presence of all the living for what he has done for you... It is good to guard the secret of a king, but gloriously to reveal the works of God.” The formula of benediction now functions as the legitimate and propitious opening to a petition. The most ancient example of this kind is the prayer of Solomon, composed by a redactor of the Books of Kings towards the mid-sixth century (1 Kg. 8:56). At the time of the Chronicler, in the fourth century, this style was *de rigueur* for a national supplication. The author has David begin his prayer with these words: “Blessed are you, O YHWH, God of Israel our father, for ever and ever” (1 Chron. 29:10; cf. 2 Chron. 17:27). Here, the benediction is simply a doxological formula. But we should also note that here, for the first time, the blessing of God is expressed in the second person, in conformity with the style used in prayers.<sup>29</sup> In

<sup>28</sup> Cf. M. Smith, *JBL* 71 (1952), p. 135.

<sup>29</sup> Ezra still blesses God in the third person (Ezra 7:27). The alphabetic Ps. 119:12, where we find the formula: “You are blessed, YHWH,” is probably from the same period as the work of the Chronicler. Later, some hymns of the Qumran community begin with the formula: “You are blessed, Adonai.” On the religious significance of this second-person address, cf. M. Kaduschin, *The Rabbinic Mind*, 1932, p. 266. Naturally, the blessing of God in the third person did not disappear; cf. e.g. Tob 13. We should note that in the temple of Jerusalem, until the time of its destruction, God

the same way, the Chronicler (Neh. 9:4) describes a liturgical assembly<sup>30</sup> in which the levites command the people: “Stand up and bless YHWH your God” (Neh. 9:5). The benediction (in the second person) introduces a series of praises and ends with a petition. The formula: “You are blessed...” opens the prayers of request in the Book of Tobit (3:11; 8:5). The function of the blessing changes imperceptibly, so that it now becomes an instrument of praise.<sup>31</sup> For Philo, benediction is “praise” or thanksgiving. When he speaks of the blessings announced in the oracle at Deut. 28 (and formulated in the optative in the Septuagint), he calls them: “The prayers... which are customarily known as benedictions.”<sup>32</sup> At a later date, the rabbis understand the benediction at the beginning of the daily prayer as a means of persuasion; they compare it to the flatteries in a lawyer’s pleading or in the mouth of a slave who asks for his rations of food.<sup>33</sup>

In this way, the exclamation *barūk* disappeared from usage as an address by witnesses to one who had just received a sign of divine grace; the miracles of Jesus no longer call forth this reaction. In the New Testament, the term εὐλογημένος is found most frequently in a quotation from Ps. 118:26, “Blessed is he who comes in the name of the Lord.” The “blessed of my Father” (Matt. 25:34) are all the children of God. But God continues to be blessed for his acts of kindness.<sup>34</sup>

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was always blessed in the third person. Cf. *Taan.* 16b (an important passage to which G. Cohen, professor at the Jewish Theological Seminary of America, has kindly drawn my attention).

<sup>30</sup> Cf. I. Elbogen, *Der jüdische Gottesdienst*, 3rd edn. 1931, p. 7; Towner, *op. cit.* (n. 4 above), p. 391. Cf. also e.g. Ps. 119:12; Enoch 63 and 84; the canticle of Azariah; prayers of Qumran (e.g. the War Scroll 13.2, etc.). Naturally, others continued to beseech God in the ancient way: cf. e.g. Jubilees 1.19; 10.3; 11.19; 2 Macc. 15:34; etc.

<sup>31</sup> On the term εὐλογεῖν in the Jewish inscriptions, cf. L. Robert, *Hellenica* 11–12 (1961), pp. 392–396, and *Nouvelles Inscriptions de Sardes*, 1964, pp. 29–32. His remarks on p. 30 nn. 1–2 have obliged me to correct and rewrite this note. Cf. the “Complementary Note” below.

<sup>32</sup> Philo, *De praem. et poen.* 79: τὰς εὐχὰς... ἄς εὐλογίας εἶωθεν ὀνομάζειν. Cf. *De mut. nom.* 125; *De fuga*, 73: τὸ μὲν εὐλογεῖν τοὺς ἀξιους ἡγεμονίαν ἔχει τὴν ἐν ἐγκωμίῳ. Cf. *De migr. Abr.* 70 and *De sobr.* 58. Commenting on the explanation of the name “Judah” – “I shall give glory (LXX ἐξομολογήσομαι) to the Lord” – Philo writes (*De plant.* 135) that this means: ὁ εὐλογῶν τὸν θεὸν νοῦς καὶ τὰς εἰς αὐτὸν εὐχαρίστους ὑμνωδίας ἀπαύστως μελετῶν. – In a collection of liturgical texts in Qumran, one group of hymnic praises is entitled: “*Hodayoth* of the sabbath day”; cf. M. Baillet, *RB* 68 (1961), p. 213.

<sup>33</sup> Bonsirven, II, 1935, p. 173.

<sup>34</sup> The rabbis deduced from Lev. 19:24, where the sacred text speaks of “praises” (*hillulim*) of God, the obligation to pronounce benedictions on fruit: *b. Ber.* 35a. Cf. the Rule of the Qumran community (1QS 10): human beings must bless the creator.

The formula of benediction, which is an expression of power, lives on today in the synagogue and in the church. God is invoked, in order that his gifts may descend upon us. This means that the essential distinction between the volitional invocation and the declaratory benediction continues to exist in today's faith. On the other hand, for reasons which I do not feel competent to elucidate, the liturgy of the church, which took over so many traditions from the synagogue, did not accept the subordination of prayer to benediction.

*Complementary note*

The term εὐλογεῖν does not belong to the religious vocabulary of the Greeks.<sup>35</sup> The praxis of giving this verb, or the noun εὐλογία a religious meaning is found only in the cults of some indigenous deities: the God of Jews and some divinities in Lydia and Egypt. In Lydia,<sup>36</sup> this word is attested primarily within a narrow radius of Kula on the river Hermos,<sup>37</sup> roughly fifteen kilometres to the north. Outside this region, it is found only on two steles at Philadelphia and on an inscription discovered at Sardis.<sup>38</sup> The deities whose power is celebrated here are the local gods of the villages and small market towns. The grace bestowed on the believer is glorified:<sup>39</sup> ἀνέστησα Μητρὶ θεῶν στήλην εὐλογῶν σου τὰς δυνάμεις. Naturally, another Greek word could be used for this thanksgiving; for example, we read on a stone discovered at Kula:<sup>40</sup> δυνατῆ θεῶ εὐχαριστῶ Λητῶ. A Greek word might even be used in a meaning that it could not actually have.<sup>41</sup> But people in the region of Kula thought,

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Cf. S. Talmon, *Rev. de Qumrân* 2 (1960), p. 475. Origen, *ad Rom. 12:14* (PG 14, 1221), notes that we find two different meanings of "blessing" in the Bible. God's blessing of the human person always brings him a certain advantage (*aliquid muneris*); *homines vero Deum benedicere pro eo quod est laudare et gratias referre dicuntur*.

<sup>35</sup> A. Letronne, *Recueil des inscriptions grecques et latines d'Égypte* II, 1848, p. 252.

<sup>36</sup> Cf. Robert, *op. cit.* (n. 31 above), pp. 28–30.

<sup>37</sup> Only two steles have been found in Maconia outside the region of Kula: at Menye and at Sandal. E. Lane, *Corpus monumentorum religionis dei Menis* I, 1971, nr. 55 = P. Herrmann, *Denkschrift Oesterr. Akad.* 80, 1962, nr. 227; F. Steinleitner, *Die Beichte im Zusammenhange mit der sakralen Rechtspflege in der Antike*, dissertation, Munich 1913, nr. 4. On Kula, cf. L. Robert, *Villes d'Asie Mineure*, 2nd edn. 1962, p. 293.

<sup>38</sup> Steinleitner, *op. cit.*, nr. 18–19; Robert (n. 31 above), p. 23.

<sup>39</sup> Steinleitner, *op. cit.*, nr. 18 = *BCH* VII, 1883, p. 504. Cf. Lane, *op. cit.*, nr. 43 = *SEG* IV, 647; Lane, nr. 44 = *SEG* IV, 648; *SEG* VI, 248.

<sup>40</sup> L. Robert, *Hellenica* 10 (1955), pp. 55–59.

<sup>41</sup> Cf. the cultic usage of the word γαλακτοφόρος by the worshipers of Cybele (L. Robert, *Rev. de Phil.*, 1974, p. 199), and also as the translation of an Egyptian term (U. Wilcken, *UPZ* II, 180a, col. 35).

rightly or wrongly, that the word *eulogein* was particularly appropriate to express in Greek the quality of the Lydian term for cultic praise. Their usage thus constitutes a parallel to the Jewish praxis of employing the same Greek word to translate the term *brk*.

The Egyptians too possessed several words for the praise of the divinity,<sup>42</sup> but they never used the verb *eulogein* when they translated these into Greek. Among the numerous texts of adoration of the god “of a good way,” called Min by the Egyptians and Pan in Greek,<sup>43</sup> the word *eulogein* is employed only by two Jews, who were thinking of their own God.<sup>44</sup> However, two graffiti which J.G. Wilkinson (1797–1875), one of the pioneers of Egyptology, read and copied in a grotto to the south of Antinoe, and which were published by Letronne, inform us that (no doubt under the Ptolemies) Aischron, the son of Diodotus, a Thracian by origin, used the noun *eulogein* to thank the “god of a good way” and also Isis.<sup>45</sup> Is he the only one who used this word?<sup>46</sup> I do not know the answer to this question.

Finally, my friend Morton Smith tells me that the words *eulogein* and *eulogia* are not rare in magical texts. But the importance of the Jewish element in this milieu is well known.<sup>47</sup> Jewish influence on the “hermetic” texts is also clear,<sup>48</sup> and this is why we find the term *eulogein* there. For example, in Asclepius 40, a text falsely attributed to Apuleius, we read: *benedicentes deum orantesque*. Apart from this one passage, which is translated from Greek, we find the verb *benedicere* in the religious sense only in Christian Latin.

<sup>42</sup> A. Barucq, *L'expression de la louange divine et de la prière en Égypte*, 1962, p. 32. Cf. n. 4 above.

<sup>43</sup> A. Bernard, *De Koptos à Kösseir*, 1972; Idem, *Le Paneion d'El Kanais*, 1972. Cf. *BE*, 1973, nr. 527 and 530.

<sup>44</sup> *OGIS*, 73 and 74.

<sup>45</sup> Letronne, *op. cit.* (n. 35 above), p. 455, nr. 508–509. Cf. *CIG* III, 7805b and c, Addit. P. 1190, which is the source of F. Preisigke, *SB* V, nr. 8562 and 8563: Εὐλογῶ τὸν Ἐὐσοδοῦ θεόν and εὐλογῶ τὴν Ἐΐσιν.

<sup>46</sup> Athenodorus, a Roman soldier who was healed by the Egyptian gods, relates his story to posterity on the wall of a temple: ἀνοΐξιας τὴν θύραν τῷ (sic) εὐλογοῦμενον ἱερὸν (sic) Ἀμενώθην. A Bataille, *Les inscriptions grecques du temple de Hatshepsout*, 1951, nr. 126, 6–7. But here, the adjective means *laudabilis*.

<sup>47</sup> A.D. Nock, *Essays on Religion*, 1972, pp. 324–330; M. Smith, *Clement of Alexandria and a Secret Gospel of Mark*, 1975, pp. 217–220.

<sup>48</sup> Nock, *ibid.*, p. 413.

THE ALTARS OF GENTILES  
A NOTE ON THE JEWISH "IUS SACRUM"\*

I

According to rabbinic teaching which presumably codified the practice of the Temple of Jerusalem, Gentiles like Israelites, were allowed to present voluntary oblations to God, for instance in payment of a vow. Therefore, they could offer two kinds of sacrifices: The holocaust ('*olah*) and the peace-offerings (*shelamin*), eaten before the Lord. They might not, however, bring obligatory offerings which were to be brought by the Jews at specified times and occasions in fulfilment of the ritual laws set down in the Torah.<sup>1</sup> Thus, a gentile mother, after the birth of a

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\* Abbreviations: B.C., = Information supplied by Prof. B. Cohen. Cook = A.B. Cook, *Zeus* I–III, 1914–1940. Cumont = F. Cumont, *Les religions orientales dans le paganisme romain*, 4th ed. 1929. Goodenough = E.R. Goodenough, *Jewish Symbols* I–VI, 1953–1956. Juster = J. Juster, *Les Juifs dans l'Empire Romain* I–II, 1914. MAMA = *Monumenta Asiae Minoris Antiqua*. Maim. = Maimonides, *Mishneh Torah, Abodah*. Engl. transl. Maimonides, *Code Book VIII* transl. M. Lewittes, Yale Judaica Series XII, 1957. Nilsson = M.P. Nilsson, *Geschichte der griechischen Religion* II, 1950. Robert = L. Robert, *Hellenica* I–X, 1940–1955. In dealing with rabbinic materials I received invaluable assistance from my friend Professor Boaz Cohen (The Jewish Theological Seminary, New York). References to him, by his initials, in notes, acknowledge only a part of my obligations to his learning. My warmest thanks are due also to my friend Professor S. Lieberman (The Jewish Theological Seminary) and to my friend and colleague, Professor Morton Smith, for their generous aid.

<sup>1</sup> M. *Shek.* I, 5: "This is the general rule: They accept from them (the Gentiles) all that is vowed or offered voluntarily". A discussion between R. Akiba and R. Jose the Galilean, perhaps conducted with regard to the expected restoration of the Temple service in the Bar-Kochba rebellion, about the year 130, concerned the sacrificial rights of the heathens. According to R. Akiba (R. Jose in *Menah.* 73b): "You accept from them holocausts, peace-sacrifices, birds, meal offerings, wine, wood, frankincense, and salt". Holocausts and peace-offerings (*shelamin*) were animal sacrifices. Birds are pigeons which could be offered as holocausts (Lev. 1, 14). Meal offerings (*menahot*) could be brought by themselves as flour (wafers, etc.) with salt, oil and frankincense (*lebonah*). Cf. Maim. 5, 12. Wine was a part of a "drink offering" (wine and salted flour) which accompanied the animal sacrifice. Yet, a man could offer flour, or wine, or frankincense, or oil by itself (Maim., 5, 14, 1). All animal and cereal offerings required salt (Maim., 5, 5, 11). Salt and wood (for altar fire) had to come from the Temple stores (Maim., 4, 5, 13) but could be offered to the Temple (Maim., 5, 14, 1, who mentions wood alone). In the list of R. Akiba oil, by chance, is lacking. He deduced the permissibility of the above named gentile offerings from a rather strained interpretation of Lev. 22, 18. In fact the verse mentions the vow and free-will holocausts of the sojourners. Accordingly R. Jose (R. Akiba in *Menah.* 73b) permits the whole burnt offerings only. This restric-

son, was able to offer any animal authorized for sacrifice, say a lamb one year old, at any time, in recognition of the blessing bestowed on her. But she was not permitted to bring a one year lamb for a burnt offering and a pigeon as sin-offering as an Israelite woman of means was required to do forty days after the birth of her son.<sup>2</sup>

On the other hand, the didrachma tribute, collected annually for the Temple, the offering of the first-born of clean cattle, tithes, and other sacred levies imposed on the Jews in the Torah, were not accepted from a gentile. This disability must have been quite agreeable to the pagan subjects of the Maccabees and the Herodian dynasty.<sup>3</sup>

Whether agreeable or not to gentiles, these discriminatory rules with regard to the sacred rights and duties, followed from the principle that the commandments of the Torah were addressed to the children of Israel alone, just as, say, the Roman *ius divinum* was no concern of the Jews and other *peregrini*. Though the Roman government protected the burial places of the provincials, these tombs were not *loca religiosa* in the meaning of the pontifical law, but *pro religiosa*, as Gaius, a contemporary of R. Akiba, says. Trajan reminded his governor of Bithynia that a temple on foreign soil, though consecrated to a deity (*Mater Magna*) worshipped by the Roman State, could not be "dedicated" to her in the terms of "our law".<sup>4</sup>

Yet, the fact that some oblations of gentiles were accepted in the Temple of Jerusalem necessarily involved the pagan offerers in the intricacies of Jewish sacral law. Obviously a victim offered by a

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tion was accepted by Maimonides (5, 3, 2). Cf. T. *Shek.* I, 7; *Menah.* 73b; *Sifra* on Levit. 22, 19; p. 96a, ed. I.H. Weiss; *Sifre* on Numer. 15, 3, § 107, p. 111 ed. H.S. Horowitz. These texts are mostly translated in H.L. Strack, P. Billerbeck, *Kommentar zum Neuen Testament III*, 1924, p. 549. *Sifra*, and *Sifre* are translated in B. Ugolinius, *The. Antiq. Sacr.* vol. XIV, XV. German transl.: Jacob Winter, *Sifra*, 1938, p. 569. Cf. also P. Levertoff, *Midrash Sifre*, 1926, p. 91.

<sup>2</sup> Cf. Lev. 3, 1 and on the other hand, Lev. 12, 6. It is said expressly (*M. Shek.* 1, 5) that the atonement sacrifice after childbirth is not accepted from a gentile mother.

<sup>3</sup> See *M. Shek.* 1, 5; *M. Bekorot* 1, 1 (first-born), *Aboda Zara*, 21a (tithes). This was obviously the reason of the rabbinic rule forbidding the sale or rental of houses or fields to gentiles in the Holy Land (*M. Aboda Zara* 1, 9) of which a rather anachronistic explanation, in the spirit of modern nationalism, has been proposed. Cf. Louis Ginzberg, *On Jewish Law and Lore*, 1955, p. 85. In fact, the parallel interdiction of sale of cattle to gentiles had been already enacted before the destruction of the Temple, and probably goes back to the Maccabean period, as Ginzberg, *ib.* p. 83 has shown.

<sup>4</sup> Gaius, 2, 2-7; Plin., *Epist. ad Traj.* X, 50. Cf. also X, 70-1. On the protection of burial-grounds in Palestine cf. the famous *diatagma* so often discussed since its first publication in 1930. Cf. L. Robert, *Collection Fröhner*, 1936, no. 70 = *Fontes Juris Rom.* I, no. 69.

gentile was to be slaughtered by a Jew, practically by a priest, for the simple reason that a gentile might not enter the forecourt of the Temple altar.<sup>5</sup> For the same reason he could not perform the rite of laying on his hands on the slaughtered victim.<sup>6</sup> He could not offer a wine-oblation which was to accompany the animal sacrifice because his wine was stained with idolatry.<sup>7</sup> But he could give money for this purpose. Let us now suppose that a gentile from far away sent his victim (or money to buy it) alone. A decision of the Jewish court (*beth-din*) established the legal precedent. In this case wine and cereal offering completing the holocaust were to be bought at the expense of the Temple.<sup>8</sup> Another legal question concerned the peace-offering of gentiles. In this sacrifice the greater part of the flesh was given back to the worshipper, to be eaten by him in Jerusalem. This flesh, consecrated by its presentation at the altar, could be eaten only by persons ceremonially clean. A gentile lacked this ritual purity. What was to be done with his portion? According to one opinion, he could give it to a Jew. The other view was that the peace offering of a gentile was to be treated as a holocaust and burned altogether. As a later rabbi explained, a gentile makes his offering, "having Heaven in mind", that is dedicated wholly to God, and not in order to participate in a sacrificial meal.<sup>9</sup>

The sources, however, state clearly that peace-offerings were accepted from gentiles in the Temple of Jerusalem, and a Mishnah explicitly frees

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<sup>5</sup> The Court set apart for the sacrificial worship was open to Israelite men in a state of ritual purity. It was preceded by the so called Court of the Women where Jewesses in a state of ritual cleanness were also admitted. Aliens were allowed to enter the lower fore-court only. Greek and Latin inscriptions placed on the balustrade before the flight of stairs leading up to the upper courts warned the pagans not to go farther "or else". On these inscriptions and the warning formula cf. above p. 483 f.

<sup>6</sup> Cf. Lev. 1, 4. The rule (*M. Menah.* 9, 8) that pagans and women do not perform the laying on of hands was based on the same reason that they could not enter the slaughtering place. Cf. *M. Menah.* 9, 8. On the other hand, the cereal oblation of both had to be brought to the altar. Cf. Lev. 2, 8 and *M. Menah.* 5, 4.

<sup>7</sup> Ritual uncleanness of wine of gentiles is already taken for granted in Daniel I, 8. Cf. *M. Shek.* 7, 6; *Menah.* 73b; *Sifre* Num. § 107, p. 111, ed. Horovitz. Cf. also S. Lieberman, *Hellenism in Jewish Palestine*, 1950, p. 151.

<sup>8</sup> *M. Shek.* 7, 6. *M. Menah.* 5, 3 expressly states that the cereal offering of a gentile required both oil and frankincense.

<sup>9</sup> Lev. 7, 20. The rabbinic discussion is recorded in *Menah.* 73b. Cf. above n. 1. But the earlier view is laid down in *T. Shek.* 3, 12. The argument that the offering of a gentile is always a holocaust because "his heart is for Heaven" was advanced by R. Huna (End of the IIIrd c.) and repeated by Maimonides 5, 3, 3. Note that there was no obligatory private peace-offering, except the ram of a Nazirite at the expiration of his vow. Cf. Num. 6, 14. *Maim.* 5, 9, 3.

a Jew slaughtering a victim of a gentile from the penalty of excision (*karet*) attached in the Law to the offence of eating the flesh of the victim left over beyond a stated time. On this occasion, the Mishnah adds a clause which is the proper topic of this paper. "And he (the Jew) who sacrifices them (offerings of a gentile) outside (the Temple) is exempt (from the penalty of excision). These are the words of R. Meir (Variant: R. Simeon). But R. Jose holds him liable". The disagreement between two views concerned the gravity of transgression, but both rabbis agreed that a Jew should not slaughter a sacrifice by a gentile to God outside the Temple,<sup>10</sup> as it is in direct violation of the Torah.

But the question remained whether a Jew was allowed to help a gentile. In the beginning of the fourth century, in Palestine, R. Abba in the name of R. Judah (III) who was the Patriarch in the time of Diocletian, declared that a Jew may not assist a gentile or act as his agent. Somewhat later, in Babylonia, the further question was discussed whether a Jew may teach a gentile how to offer a sacrifice. In the name of R. Assi, R. Jacob b. Aha answered in the negative. But Raba (bar Joseph), head of a school in Babylonia, permitted the Jews to instruct the heathens with regard to their offerings to God. Disagreeing about the participation of a Jew in sacrifices offered by gentiles to God outside the Temple, all parties to the discussion implicitly admitted the legitimacy of these oblations.<sup>11</sup>

This view is spelled out in an authoritative tradition transmitted "outside" (*baraita*) of the Mishnah. In the beginning of the fourth century, in discussing the sacrificial system, R. Hisda, head of the school at Sura (Babylonia) quotes a *baraita* as follows: "Before the tabernacle was set up, high places (*bamoth*) were permitted, and the service was performed by first born (sons)". At that time, all clean animals, domesticated and

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<sup>10</sup> *M. Zebah.* 4, 5 (also *T. Zebah.* 5, 6). Cf. Exod. 29, 34; Lev. 7, 17. The form of the punishment called *karet* in the Torah remains unknown. Note that according to rabbinic interpretation, taken for granted in this text, slaughtering the victim with the intention of eating it after the right time or outside Jerusalem is equally punishable. Cf. W. Robertson Smith, *The Religion of the Semites*, ch. VI: "The plain meaning of these rules is... that the act of eating... is a part of service, which is to be completed before men break up from the sanctuary".

<sup>11</sup> *T. Zebah.* 13, 1; *Zebah.* 116b. *P. Meg.* 1, 13, p. 72b. R. Eleazar adds that victims with a missing limb are forbidden (*Zeb.* 117a). According to one view cited in *Tosafot Hullin*, 22b. s.v. we-Hevi, Gentiles could even offer chickens on the Bamah, according to another opinion cited by them, no fowl could be offered by them on the Bamah. (B.C.).



wild, and birds, even with a blemish, were permissible as victims. "And gentiles are permitted to do so (until) now".<sup>12</sup>

At first glance this view violates the principle of centralization of the sacrificial worship in the Temple of Jerusalem, enjoined in the Torah, and, of course, fully accepted by the rabbis: "When Israel came to Jerusalem, *bamoth* were forbidden definitely, and never again permitted".<sup>13</sup> But the effect of this rule is counterchecked by the principle, already referred to, that the Jewish *ius sacrum* concerns the Jews only. The rabbis deduced the permissibility of gentile sacrifices to God from the wording of the commandment: "Whosoever he be... who offers his oblation". From the fact that the interdiction of sacrifices without the Tabernacle is addressed to "the children of Israel", it followed that this injunction is not binding on gentiles. Each one of them "may build himself an altar (*bamah*) and offer thereon whatsoever he wishes" (to God).<sup>14</sup>

Traditional Jewish interpreters of the Talmud did not comment on this rule, which must have appeared to them obvious legally and outdated practically.<sup>15</sup> It is strange, however, that, so far as I see, modern scholars were no more curious, though rabbinical views on the *goyim* have been discussed excessively.<sup>16</sup> Perhaps, the rabbinical ruling in this matter appeared to modern authors as an example of legal quibbling to the discussion of which the rabbis were allegedly addicted.<sup>17</sup>

<sup>12</sup> *Ze'ebah*. 115b and *Sifra* Lev. 22, 18, p. 83c, ed. Weiss.

<sup>13</sup> Lev. 17, 4; Deut. 12, 5. Cf. *M. Ze'ebah*. 14.

<sup>14</sup> On the repetition of the word *ish ish* in Lev. 22, 18 cf. *Hull.* 13b; *Menah.* 73b, etc. On the interpretation of Lev. 17, 2ff. ("Speak... unto all the children of Israel") cf. *Ze'ebah*. 116b and *Sifra* Lev., p. 83b, ed. Weiss. Cf. above n. 1. In the latter text the decisive passage is formulated as follows: "*Goyim* are permitted to erect *bamah* everywhere and offer sacrifices to Heaven". Maimonides explains that gentiles are permitted to offer burnt offerings everywhere, provided the offerer had built the altar himself (that is without Jewish help). A Jew is forbidden to slaughter sacrifices of gentiles outside the Temple. (B.C.).

<sup>15</sup> According to *Menahot* 109b, sacrifices were offered to God in the (Jewish) Temple in Leontopolis (Egypt). The Tosaphists, the commentators of the twelfth and thirteenth centuries, whose explanations are printed in the standard editions of the Talmud, were astonished that a Jew would act contrary to Jewish law. Hence, they explained that Onias offered free-will and votive sacrifices on behalf of the Gentiles. The later commentators were surprised at this explanation for a Jew, according to the Mishna (*M. Ze'ebah*. 4, 5) may not slaughter a victim, even in behalf of a Gentile, outside the Temple of Jerusalem. (B.C.).

<sup>16</sup> There is nothing on the topic in Bonsirven, Moore, or in handbooks of E. Schuerer, and W. Bousset-H. Gressmann, *Die Religion des Judentums*, 1927. Likewise, the monographs of A. Bertholet, *Die Stellung der Juden zu den Fremden*, 1896, and of M. Guttman, *Das Judentum und seine Umwelt*, 1927, ignore the problem.

<sup>17</sup> It is, perhaps, not superfluous to state that cleaning rites, even if they involved

## II

In fact, the rearing of gentile altars to the God of the Jews is directly attested by evidence extending from the second century B.C. to the end of the sixth century A.D.

In 139 B.C., P. Cornelius Scipio Hispalus, the *praetor peregrinus*,<sup>18</sup> enjoined the astrologers<sup>19</sup> ("Chaldeans") to leave Rome and Italy within ten days. These adepts of the false and foreign science of the stars by their lies fogged fickle and silly minds, in order to make money.<sup>20</sup> At this date, astrology was a new infection in Rome that affected lower classes.<sup>21</sup> Cato warns the farm-overseer against consulting the "Chaldeans". But even later, under the Caesars, when the influence of astrology was dominant, and the austere Emperor Tiberius as well as the zealous sectarians on the Dead Sea, his subjects, believed in occult action of stars on men, complaints against the practitioners of this art never ceased. Tiberius himself drove the "Chaldeans" out of Rome.<sup>22</sup>

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sprinkling with blood, as in the case of leprosy (Lev. 14) or in the purification by a red heifer (Num. 19), were not sacrificial offerings in the meaning of the Jewish *ius sacrum*. These purifications were performed away from the Temple. Thus purified the unclean person, say a cured leper, had to offer a prescribed sacrifice. For this reason the puzzling passage of Josephus, *Ant.* XVIII, 1, 5, 19 where he seems to speak of the sacrifices of the Essenes offered outside the Temple, cannot be understood as referring to their lustrations. Cf. W.H. Brownlee, in *The Scrolls and the New Testament*, ed. K. Stendahl, 1957, p. 38.

<sup>18</sup> The full name of the magistrate is given in his funerary inscription. H. Dessau, *Inscript. Latinae Selectae* I, 6. Valerius Maximus (see the next note) calls him Hispalus. Cf. T.R.S. Broughton, *The Magistrates of the Roman Republic* I, 1951, p. 482.

<sup>19</sup> Valerius Maximus related the episode in his chapter "On superstitions" (I, 3, 3). His source was the now lost Book LIV of Livy. An epitome of Livy, found at Oxyrhynchus (Egypt) contains a reference to Hispalus' action: in 139, *Chaldaei urbi <e>t It[alia]*. Livy followed some contemporary annalist who in turn used the official documents that are Hispanus' edicts. The official diction is still recognizable in our sources. Unfortunately, the relevant pages of Valerius Maximus have been lost in the archetype of our medieval manuscripts. Thus his notice is only known from two abridgments (by Iulius Paris and Ianuarius Nepotianus) which supplement one another.

<sup>20</sup> Val. Max. I, 3, 3. (Nepotianus): *Chaldaeos igitur Cornelius Hispalus urbe expulit et intra decem dies Italia abire iussit, ne peregrinam scientiam venditarent. Iudaeos quoque, qui Romanis tradere sacra sua conati erant, idem Hispalus urbe exterminavit arasque privatae et publicis locis abiecit.* (Paris): *Cn. Cornelius Hispalus praetor peregrinus M. Popilio Laenate L. Calpurnio coss. edicto Chaldaeos citra decimum diem abire ex urbe atque Italia iussit, levibus et ineptis ingenii fallaci siderum interpretatione quaestuosam mendacium suis caliginem imicentes. Idem Iudaeos, qui Sabazi Iovis cultu Romanos inficere mores conati erant, repetere domos suas coegit.*

<sup>21</sup> Cf. generally Cumont, ch. VII; Fred. H. Cramer, *Astrology in Roman Law and Politics* (1954).

<sup>22</sup> Cato, *de re rust.* I, 5, 4; Tac, *Ann.* II, 32. On astrology among the Jews, cf. S. Lieberman, *Greek in Jewish Palestine*, 1942, p. 97ff.; J.T. Milik, *Dix Ans de découverte*, 1957, p. 38.

The second ruling of the praetor concerned the Jews "who attempted to infect the Roman manners by the worship of Iuppiter Sabazius". No reference is made to immoral practices. Used metaphorically, the verb *infectere* means no more than "influence", "affect", mostly in a bad sense. But everything disagreeing with the *mos maiorum*, or even with the personal view of the speaker, could be presented as a corrosive. For Pliny the Younger athletic games "infect" the manners.<sup>23</sup>

Further, while the Praetor banishes the astrologers from Rome and Italy, he orders the Jews "to go back to their domiciles". It is obvious that if these Jews had come to Rome, say from Asia Minor, the Praetor would hardly care and be unable to check whether they disembark in Smyrna or Alexandria. The expression means that they and their domiciles remained under his jurisdiction, that is that they were residents of Italian cities. In this sense, the edict of Hispanus enters into the series of orders promulgated again and again, for instance in 187, in 177, in 168, in 95 B.C., compelling the Latins and the Italics to leave Rome and to return to their cities. Note also that the edict as it is worded does not affect the Jews domiciled in Rome.<sup>24</sup>

These philological observations demolish the props on which the current explanation of the episode leans: Hispanus expelled Jewish-Sabazian sectarians from Asia Minor whose licentious rites offended public order and decency.<sup>25</sup> In fact, the Praetor threw out "the Jews"

<sup>23</sup> The Emperor Trajan and his advisers discuss whether a *gymnicus agón* in Vienna (Gaul) should be permitted. *Placuit agona tolli qui mores Viennensium inficerat ut noster hic omnium*. Plin. *Ep.* IV, 22. 7. In 182, the Macedonian prince Demetrius who was hostage in Rome, is accused of influencing the Macedonians who came to Rome. They returned *imbuti illinc et infecti Romanis delinimentis*. Liv. XL, 11, 3. Cf. generally *Thesaurus Linguae Latinae* s.v. VII, 1414.

<sup>24</sup> For the sense *domus* = *domicilium* e.g. cf. Liv. I, 50, 6; II, 14, 9, and generally *Thes. ling. lat.* s.v. V, 1, 1972. On expulsions of foreigners from Rome cf. R.W. Husband, *Class. Phil.* XI, 1916, p. 315ff. Cf. e.g. Liv. XLI, 9, 9: *ut omnes in suam quisque civitatem ante Kalendas Novembres redirent*.

<sup>25</sup> The hypothesis, first advanced, I believe, by F. Cumont, in *Comptes Rendus de l'Académie des Inscriptions*, 1906, pp. 63–79 gained a general acceptance. Cf. e.g. R. Reitzenstein, *Die hellenistischen Mysterienreligionen* (3rd ed. 1927), p. 105f.; H. Gressmann, in *Jewish Studies in Memory of Israel Abrahams*, 1927, p. 170ff.; W. Fink, *Der Einfluss der jüdischen Religion auf die griechisch-römische*, Diss. Bonn, 1932, p. 40ff.; H. Last, *JRS* XXVII, 1937, p. 87; Nilsson, p. 636ff.; G. de Sanctis, *Storia dei Romani* IV, 2, 1, 1953, p. 369, however, remained sceptical. Cumont *ib.* p. 66 quotes three passages where the God of the Jews is identified with Sabazios. The Ms. of Plut., *quest. conviv.* IV, 6, p. 172A, reads: *σάμβρα τιμῶσι*. The context shows that the usual interpretation *σάββατον* (or *σάββατα*) is right. Cumont's conjecture: *Σαβάζτιον* is unnecessary. Tac., *Hist.* V, 5 speaks of *Liber Pater*, the conqueror of the Orient, and not of Sabazios. Lydus, *de mens.* IV, 51, p. 106, ed. R. Wuensch, says that Liber is Dionysos Eleutheros, whom some call Sabazios. In a different context, c. 53, p. 111, he deals with the "God

(and not, say, the Phrygians), that is members of the nation at this date ruled by the High Priest Simon. In 142, the Senate received his embassy, renewed the alliance with the Jewish nation, and sent a circular note to kings and cities of the East in favor of the Jews.<sup>26</sup> Thus, Hispanus, and the senatorial annalist, say, Calpurnius Piso, who recorded his edict, could hardly confuse the God of the Jews with Sabazius, who, at this date, for the Romans, was an obscure Asiatic deity.<sup>27</sup>

The "Chaldeans" from overseas, who spoke Greek, tricked the fickle multitude of Greek-speaking freedmen and slaves. Besides, a fortune-teller does not need to be proficient in the language of his clients. But the missionary sermon which could corrupt the Roman customs must have been spoken in Latin. The common man in Rome at this date, even a veteran of the last war in Greece (149–146 B.C.), who could understand such words as *athletice* and *trapezita*, would be unable to follow a Greek discourse.<sup>28</sup> Coming from (southern) Italy, Jewish missionaries announced their God in Latin: Juppiter Sabazius.

The God of the Jews was nameless. To describe Him to foreigners it was necessary to use the terms of their language and theology. Under the Persian Kings who worshipped the heavenly Ahuramazda, the Jews officially designated their Deity as "the God of Heaven". In the Hellenistic Age, the nameless Lord of Zion was officially described as "the Most High God". Simon, the Roman ally in Jerusalem, was the High Priest of the Most High God.<sup>29</sup> The most high deity of Rome

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worshipped by the Hebrews", whom he identifies with Osiris, Dionysos, Cronos, Iao. The name of Sabazios does not occur here.

<sup>26</sup> I *Macc.* XV, 15. On the date of this embassy see *Gnomon*, VI, 1930, p. 357 and F. Muenzer, *Klio*, XXIV, 1931, p. 333ff. and Broughton (supra n. 18), p. 476.

<sup>27</sup> Cicero, *de leg.* II, 15, 37 and *de nat. deor.* III, 23, 58 mentions Sabazius but both times quoting Greek books. There is no trace of his worship in Rome (and Italy) before the second century A.D. Cf. G. Wissowa, *Religion und Kultus der Römer* (2nd ed. 1912), p. 376. The inscription from year 3 referred to *s.v. Sabazius RE*, I A, 1947, is from Egypt.

<sup>28</sup> On Greek in Rome cf. T. Frank, *Life and Literature in the Roman Republic*, 1930, p. 69ff.; P. Boyancé, *Revue des études latines* XXXIV, 1957, p. 111ff. Note that virtually all private cults of Oriental gods came to Rome by way of Southern Italy. See e.g. for the Egyptian gods, Cumont, p. 76.

<sup>29</sup> On the titles of God see Bonsirven I, p. 116ff. The High Priest Simon succeeded his brother Jonathan, the first Maccabean pontiff whose title was "priest of 'El 'Elyon". *R. Hash.* 18b. Hyrcanus II is designated ἄρχιερεὺς θεοῦ ὑψίστου in Caesar's edict, *Jos. Ant.* XVI, 6, 2, 162. Cf. *sacerdotes Summi Dei (Assump. Mosis)*, 6). This name of God, corresponding to 'El 'Elyon (Gen. 14, 18) was very popular among the Jews in the Hellenistic and early Roman periods. Cf. e.g. *Ecclus.* 42, 18; 46, 5 (cf. W.O.E. Oesterley ad loc.), *Test. XII Patr.* I note that this title is used by Aseneth before her conversion. See *Joseph et Aseneth*, 4 ed. M. Philonenko, 1968.

was Juppiter. Speaking in Latin, a Jewish missionary in Rome would call his God: Juppiter.<sup>30</sup> But the added appellation: Sabazius could not impress his hearers. In Rome Sabazius was a god of some Asiatic slaves and freedmen who themselves rather looked to the power of the Roman gods for help.<sup>31</sup>

Juppiter Sabazius is a Latin adaptation of the Greek name: Zeus Sabazios. The equation between the latter and the God of the Maccabees could have been thought of only at a place where Zeus Sabazios was a great deity.<sup>32</sup> Two letters of the King Attalus III, written in 135 B.C., attest the role of Zeus Sabazios as the royal god of the rulers of Pergamum. He is named here as the ancestral god of the Queen-Mother Stratonice, a Cappadocian princess, and his priesthood is described as being "in great honor with us".<sup>33</sup> The Cappadocian dynasty being of Persian ancestry, probably identified Sabazios, an Anatolian (Phrygian) deity with Ahuramazda, called Zeus in Greek. After the Roman victory over Antiochus III, in 188 B.C., Jewish residents of

<sup>30</sup> August, *de cons. evang* I, 22, 31: *Varro... deum Iudaeorum Iovem putavit, nihil interesse censens quo nomine nuncupetur, dum eadem res intelligatur*. Cf. August, *de civ. Dei* IV, 9, 3, on Juppiter: *hunc Varro credit etiam ab his coli, qui unum deum solum sine simulacro colunt, sed alio nomine nuncupari*. Both passages are quoted and commented upon by Ed. Norden, in *Festgabe für Ad. v. Harnack*, 1921, p. 298ff.

<sup>31</sup> Cf. the massive adhesion of Oriental slaves and freedmen at Minturnae, in the first century B.C., to Italian cults. Cf. Joth. Johnson, *Excavations at Minturnae* II, 1, 1933.

<sup>32</sup> Fascinated by Sabazios, modern writers outdo the syncretism of the ancient mythologists. Thus, in the compilation of W.O.E. Oesterley, *The Cult of Sabazios in The Labyrinth*, ed. S.H. Hooke, 1935, pp. 113–59, to quote only some instances, Vincentius, a priest of Sabazios, whose tomb was attached to the Christian catacomb of Praetextatus in Rome, becomes a Jew under the ban of the synagogue for his sabazian beliefs, to whom the Christians "with a true Christian instinct" gave a burial place (p. 157). Goodenough II, p. 45, has already opposed this idea. On the meaning of Vincentius' inscriptions cf. A.D. Nock, *Gnomon*, XXVII, 1957, p. 565. Votive bas-reliefs found near Cyzicus are attributed to "a synagogue of worshippers of Zeus Hypsistos", though they do not form a uniform group. Cf. Robert, VII, p. 41. On one of these reliefs, with dedication to Zeus Hypsistos, a banquet is represented with a naked woman dancing. See Cook II, 2, pl. XXXIX; Nilsson, pl. XIV. This monument, where Sabazios is not mentioned, is adduced as a proof of the licentious character of the mysteries of Sabazios. Cf. e.g. Cumont, p. 306, n. 25. We read also (Oesterley ib. p. 129) that under the influence of the cult of Sabazios the Phrygian Jews became "renegades to their faith", as it is definitely stated in the Talmud. The relevant passage in the Talmud (*Sabb* 147b) does not speak of the Phrygian Jews nor of any apostasy, either. Cf. Isid. Lévy, *REJ* XLI, 1900, p. 183. Note also that the title *pankoiranos* of Sabazios, "equivalent to *pantokrator*" of the Septuagint (Oesterley ib. p. 134) is a misreading of the (geographical) designation of the god: Narisaranos. Cf. Robert, VII, p. 45.

<sup>33</sup> C.B. Welles, nos. 65–6. Cf. generally Cook I, p. 390ff.; II, 1, p. 282ff. On representations of Sabazius cf. E. Wili, *Le relief cultuel*, 1955, p. 135ff.

the western Asia Minor became subjects of the Attalids. Attalus III himself was among the addressees of the Roman note of 142 B.C. Speaking to the royal administration and to the Greeks generally, these Jews described their anonymous God by the fashionable name of the royal god: Zeus Sabazios. The assonance between Sabazios, Sabaoth and Sabbat favored this equation which was purely nominal. In the same way, the Phoenicians, and later men of Palmyra, speaking in Greek, gave the name of Zeus to their anonymous deity of heaven. It is true that the Jews seem to have shunned such equations. Yet, only thirty years earlier the Lord of Zion had been worshipped in Jerusalem under the name of the Olympian Zeus. There were wide variations in orthodoxy. It took time, and the prestige of the conquests of John Hyrcanus, the heir of Simon, to give the pre-dominance among the Jews of the Diaspora to the orthodoxy as preached in Jerusalem. Let us remember that Artapanus, a contemporary of the Jews who called their God: Zeus Sabazios, could identify Moses with the Egyptian god Thot, and ascribe to the Jewish lawgiver the invention of the worship of sacred animals in Egypt.<sup>34</sup>

From Pergamum, Jewish immigrants reached Italy and settled here. As coins, and such monuments as the Faunus of the Casa del Fauno in Pompeii attest, the worship which we call "Dionysiac" had a great vogue in southern Italy in the second century B.C.<sup>35</sup> Sabazius had been already or could be easily equated with or related to Dionysios. As Zeus Sabazios, the God of the Jewish newcomers again outrivalled local deities, may these Dionysiac gods be called just Dionysius, or Bacchus, Bromios, Zagreus and so on. Let us again stress that this verbal assimilation did not involve any theological modification. The God of the Jews did not become a Dionysiac deity whose votaries celebrated orgiastic mystery rites in secret conventicles. On the contrary, the Praetor intervened because the foreign rite invaded public places.

The polytheistic fabric of Roman religion made it difficult for the authority to regulate private worship. But the government could and did interfere against the practice of unwanted rites in public places.<sup>36</sup>

<sup>34</sup> Cf. generally "Symbolism in the Dura Synagogue," below. Cf. A.D. Nock, *HTR* XXVII, 1934, p. 69ff. = Id. *Essays on Religion*, 1972, pp. 357-401. On Artapanus cf. J. Freudenthal, *Alexander Polyhistor*, 1875, p. 143ff.

<sup>35</sup> Cf. P. Wuilleumier, *Tarente*, 1939, p. 496; H. Jeanmaire, *Dionysos*, 1951, p. 428; A. Bruhl, *Liber Pater*, 1953; K. Schauenburg, *Charites* (Festschrift E. Langlotz), 1957, p. 170ff. M.P. Nilsson, *The Dionysiac Mysteries of the Hellenistic and Roman Age*, 1957.

<sup>36</sup> Cf. e.g. Liv. IV, 30, 9: *in omnibus vicis sacellisque peregrina atque insolita piacula*. Liv. XXV,

Following the usual pattern of such police actions, the praetor Hispanus not only expelled the Jewish missionaries but also "pulled down private altars on public places". It is this mention of altars which (besides the name of Sabazius) convinced modern scholars that the missionaries of 139 could not have been true Jews. For a Jew could not sacrifice outside the Temple.<sup>37</sup> But the altars in Rome were reared for the use of the pagans persuaded by the missionaries that the Lord of Zion was the supreme Deity. In point of fact at this early date, the Jews, so far as we know, did not aim at a full conversion of gentiles. What they tried to do was to make God's power manifest to many peoples. The author of Third Maccabees does not imagine that the miraculous deliverance of the Jews made King Ptolemy a proselyte. But he let the King proclaim that the Most High God, Who domineers over all powers, exacts vengeance for ill-treatment of His children. Peculiar people by virtue of their exclusive worship, Jewish residents in the Diaspora needed the recognition of their God as a Might to be feared and revered by the heathens. This was the only way, short of conversion, to bridge over the chasm which separated the Jew from his idolatrous neighbours. Even if they continued to serve vain things, their sacrifices to God drew them near to otherwise isolated worshippers of the Lord.<sup>38</sup>

### III

The remaining literary evidence can be presented briefly. In Caesar's time, a decree of the city of Sardis granted a piece of land to the Jewish residents, in which they might gather with their families and "offer the ancestral prayers and sacrifices to God". The reference to sacrifices occurs in the part of the decree which reproduces the request of the Jews, and it is not repeated in the authorization clause. Thus, this provision can hardly be a mistake of the city secretary. The Jewish congregation needed a place for sacrifices to be offered to God by them

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1, 6: the urban praetor orders *ne quis in publico sacrove loco novo aut externo ritu sacrificaret*. Liv. XXXIX, 16, 8: *quotiens... negotium est magistratibus datum uti sacra externa fieri vetarent, sacrificulos vatesque foro, circo, urbe prohiberent... omnem disciplinam sacrificandi praeterque more Romano abolerent?* Cf. J. Bayet, *Histoire... de la religion romaine*, 1957, p. 146ff.

<sup>37</sup> Reitzenstein (above n. 25) says that the cult of Juppiter Sabazius in Rome could not have been true Jewish because of its immorality and because of the altars.

<sup>38</sup> III *Macc.* VI.

and the God-fearing pagans of Sardis. It is hardly surprising that the Jews did not spell out this intention in the petition. As several texts show, in this age of Roman civil wars, which devastated the Roman province of Asia again and again, the relations between the Greek cities of the province, and the Jewish residents were often strained to the limit. About the same time a Roman magistrate had to protect the rights of a Jewish association in Sardis.<sup>39</sup>

More than two centuries later, a Roman ruler, who appears in rabbinical texts as "Antoninus" and who is represented as a good friend of the Patriarch (and the redactor of the Mishnah) Judah I, asked the latter: "What about the building of an altar"? The rabbi told him: "Build it and hide its stones" (after the use). Antoninus, then, asked, whether it is permitted to prepare incense (to burn on the altar). The rabbi authorized it, on the condition that one of the ingredients of the incense, prescribed in the Torah, should be omitted, and charged R. Romanus, one of his disciples, who is also known elsewhere, to assist Antoninus. It is important to note that later rabbis, retelling the story, asked, why the composition of incense should be changed, since the Biblical law forbidding the use of the Temple incense for ordinary purposes is addressed to the Jews only. But, as they rightly observed, the participation of R. Romanus involved a Jew in this gentile sacrifice to God.<sup>40</sup>

<sup>39</sup> Jos. *Ant.* XIV, 10, 24, 260: δοθη τε και τόπος εις ὃν συλλεγόμενοι μετὰ γυναικῶν και τέκνων ἐπιτελώσι τὰς πατρίους εὐχὰς και θυσίας τῷ θεῷ. The mention of sacrifices embarrassed commentators. Cf. Juster, I, p. 354. But see Morton Smith, *Palestinian Parties and Politics* (1971), p. 97. On the form of the decrees of Sardis cf. Robert, IX, p. 7ff. The date of these decrees remains uncertain. The clause mentioning the restoration of the laws and freedom of the Jews by Rome must refer to Caesar's decision taken in 47. Cf. Juster, I, p. 216; F.-M. Abel, *Histoire de la Palestine* I, 1952, p. 310ff. This explains the passage where modern authors find a self-evident interpolation. Cf. e.g. W.W. Tarn, *Hellenistic Civilization* (3rd ed. 1952), p. 221, n. 9: Οἱ κατοικοῦντες ἡμῶν ἐν τῇ πόλει ἀπ' (ἀρχῆς is added in the Ms. P after Jos. *Ant.* XIV, 10, 17, 235) Ἰουδαῖοι πολῖται. "The Jewish citizens" living in Sardis and making the request are subjects of Hyrcanus II. There were, on the other hand, also groups of votaries of the God of Jerusalem who were Romans, citizens of Sardis, and so on. Cf. Jos. *Ant.* XIV, 10, 17, 235. On the importance of the *metuentes Dei* in Jewish Diaspora communities cf. M. Hengel, in *Festgabe für K. G. Kühn*, 1972, p. 1174.

<sup>40</sup> *P. Meg.* I, 13, p. 72b 46. The text has been often translated. Besides the translations of the whole treatise *Megillah* in B. Ugolini, *Theos. ant. sacr.* v. XVIII and M. Schwab, *Le Talmud de Jérusalem*, vol. VI, see e.g. M. Hoffmann, *Magazin für die Wissenschaft d. Judentums* XIX, 1892, p. 39; S. Krauss, *Antoninus und der Rabbi*, 1910, p. 42. Professor S. Lieberman referred me to the passage and translated it for me again. According to a textual conjecture, quoted in Hoffmann and Krauss, Judah I suggested that the altar



We do not need to attempt an identification of "Antoninus". The story may have been wrongly attached to his name. In our context the important fact is that toward the end of the second century, the head of Palestinian Jewry authorized a gentile votary of God, probably in Rome, to rear an altar and helped him in offering sacrifices to God on this altar.

A similar incident occurred about a century later in Babylonia. A Sassanian queen, wife of Hormizd II and mother of Shapur II (who reigned from 309 to 379) showed friendship to the Jews on many occasions. She also sent an offering (*gorban*) to Rabba (bar Joseph) to sacrifice it "to Heaven" (*shamaim*). Rabba ordered two of his disciples to fetch two (gentile) young men and instruct them about the requirements necessary for building an altar and offering a victim to God.<sup>41</sup>

The Roman Empire was already Christian when Pope Gregory I learned that in Sicily "a certain Nasas, a most wicked Jew, on the pretext (of the example) of the blessed Elias had reared an altar in his criminal foolhardiness, and tricked many Christians to worship there by his sacrilegious seducing".

The rabbis wondered how the Prophet Elijah could sacrifice at Mount Carmel in violation of the Law which centralizes all sacrifices in Jerusalem. They assumed that the Prophet had received a special divine authorization in order to put to shame the priests of Baal. Like Elijah of old, Nasas erected an altar for gentiles so that they might worship the true God.<sup>42</sup>

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be built of hewn stones. The Temple altar was made of unhewn stones. Cf. Exod. 20, 25. On incense cf. Exod. 30, 37. Some anecdotes about Antoninus are translated in S. Krauss, *Griechen und Römer*, 1913, Index s.v.

<sup>41</sup> *Ẓebah*. 116b. On the Queen "Ifra Hormiz" cf. Th. Noeldecke, *Geschichte der Perser*, 1879, p. 52. Cf. J. Neusner, *History of the Jews in Babylonia* IV, 1969, pp. 35–39. The incident is related by Rabbah, son of Nahman, in support of his view. He should not be confused with Raba (b. Joseph). Cf. H.L. Strack, *Introduction to the Talmud*, 1931, p. 130. On the term *lishmah* cf. S. Schechter, *Some Aspects of Rabbinic Theology*, 1909, p. 159ff.

<sup>42</sup> Gregor. *Epist.* III, 37 (*Monumenta Histor. Germaniae, Epistolae* ed. P. Ewald, L.H. Hartmann I, p. 195): *Nasas quidam, sceleratissimus Iudeorum, sub nomine beati Heliae altare puniunda temeritate construxerit multosque illic Christianorum ad adorandum sacrilega seductione deceperit*. Modern scholars misunderstand the passage. See S. Katz, *JQR* N.S. XXIV, 1933–4, p. 127 and the papers he quotes. The altar was not erected to the prophet Elias. *Sub nomine* means in latin: "Under the pretext". Cf. e.g. Gregor, *Ep.* VI, 28, p. 406: *monasterium... cupis sub curandarum rerum atque causarum nomine praegravare*. Valent. III, Nov. XVIII, 4: *incesta perversitas religionis nomine lupanaribus quoque ignota vel pudenda*. On the altar of Elijah cf. L. Ginzberg, *The Legends of the Jews* VI, p. 319, n. 13.

## IV

Altars inscribed to gods are innumerable. But there is little chance of identifying those which were erected to the Lord by the God-fearing gentiles. One sole Deity was nameless. *Nec Deo nomen quaeras: Deus est.*<sup>43</sup> A polytheist had to call Him by the name of some of his own gods, say, Jupiter Sabazius. In such cases, the idolatrous associations of the divine pseudonym conceal the religion of the dedicant for us. But he and his God knew the addressee of his prayer. Another method of interpretation was to use circumlocutions describing some quality of the anonymous deity. As there were dedications to the "god who gives ear (to the prayer)",<sup>44</sup> so an association of gentile Sabbath-observers called their Deity: "the Sabbath god".<sup>45</sup> But, as we have mentioned, the God of the Jews was officially denoted in Greek as *Theos Hypsistos*, the Most High God. Several altars dedicated to *Theos Hypsistos* have been rediscovered.<sup>46</sup> Unfortunately, we cannot be sure whether the dedicant referred to the God of the Jews.<sup>47</sup> Under the government of the Caesars, paralleling their universal monarchy, many local gods aspired to the rank of the supreme ruler of the universe.<sup>48</sup> The Phygian

<sup>43</sup> Min. Felix, *Octav.* 18. Moore, I, p. 425 says of Jewish monotheism: "The very emblem of its triumph was that it sufficed to say 'God'".

<sup>44</sup> E.g. cf. the dedication of an altar found at Hephaistia in Lemnos: Ἐπηκόω θεῷ Ὑψίστῳ βεΐθως ὁ καὶ Ἄδωνις εὐχὴν. *Inscr. graec.* XII, 8, 24. Cf. Cook II, 2, p. 878. Dedication to *Theos Megas*, *Theoi Soteres*, and so on, belong to the same class. For instance, a native of Casius (near Pelousion, in Egypt) at Delos consecrated altars to *Theos Megas*, Zeus Kasios and Tachnepsis. P. Roussel, *Les cultes égyptiens à Délos*, 1916, p. 95f.

<sup>45</sup> On the *Σαββατισταί* now cf. Nilsson, p. 638; F. Sokolowski, *Lois sacrées de l'Asie mineure*, 1955, no. 80; *CPJ* I, p. 95.

<sup>46</sup> The evidence on *Theos Hypsistos* has been collected several times. See F. Cumont, s.v. *Hypsistos*, *RE* IX, 444–50; Cook II, 2, pp. 876–890; III, 2, pp. 1162–3.

<sup>47</sup> It has been thought that the divine name "Iao" appears in some dedicatory inscriptions. Ch. Avezou, Ch. Picard, *BCH* XXXVII, 1913, p. 100 = Cook III, 2, p. 1162; θεῷ Ὑψίστῳ κατ' ἐπιταγὴν Ἴουες. W.M. Calder, *Journ. of Hellenist. Stud.* XXXI, 1911, p. 196 = *MAMA* I, 11: Ὑψη Ορπνδῖω. Cf. A.D. Nock, *HTR* XXIX, 1936, p. 63 and p. 65. But these letters unintelligible in Greek rather represent a transcription of Latin *Iovi*, *Iovis* as Calder *l.c.* tentatively suggests. The inscribed altar, *Corp. Inscr. Latin.* VI, 1, 390, where the words *Domini metuens* occur, needs a new examination. Cf. J. Bernays, *Gesammelte Abhandlungen* II, 1885, p. 80.

<sup>48</sup> P. Foucart, *BCH* XI, 1887, p. 84 = K. Buresch, *Aus Lydien*, 1889, p. 9 = Cook II, 2, p. 881 = *Inscr. Graecae ad res Romanas pertinentes* IV, no. 1176. Cf. L. Robert, *Villes d'Asie Mineure*, 1935, p. 89: Τειμόθεος Διαγόρου Λαβραντίδης καὶ Μόσχιον Τειμοθέου ἡ γυνὴ αὐτοῦ θεῷ Ὑψίστῳ εὐχὴν τὸν βωμόν. Διάγορας Τειμόθεος Πύθευς οἱ Τειμοθέου τοῦ Διαγόρου υἱοὶ Λαβραντίδαι τὰς λυχναψίας Ὑψίστῳ ἀνέθηκαν. Who is this *Theos Hypsistos*? Ceremonial lamps were often dedicated in synagogues, also by gentile

gods, for instance, were *omnipotentia numina*. These ambitious gods were flattered by the appellative: "the Most High".<sup>49</sup> On the other hand, the extreme holiness of the proper personal names of the highest Syrian and Phoenician gods brought about the use of complementary titles, be it "The Face of the Lord" or Hypsistos.<sup>50</sup>

Further, the unification of the Roman world led to a wide homologization of formerly distinct faiths and gods. An inscription of the third century perpetuates the thanks of a certain Aurelius Epithymetos and his family to "the Most High God (or Zeus)", "the undying god". Do the votaries refer to Him Who is God "from everlasting to everlasting"? Perhaps. But the thank offering may also have been made to some *deus aeternus* of late paganism.<sup>51</sup>

As a matter of fact, the difficulty of identifying gentile altars to God is deeper. In the second century, for some reason, Baal Shamin, the Lord of Heavens, was denoted in Palmyra by a further periphrasis: "Whose Name be blessed forever". Toward the end of the second century, Malchos, son of Bareas, who belonged to the highest aristocracy of Palmyra (for some time he presided over the council of his city), offered an incense altar "to the One and Only Merciful God".<sup>52</sup> Did

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worshippers. Cf. S. Krauss, *Synagogale Altertümer*, 1922, p. 313. Yet, under the influence of and in rivalry with Oriental religions, the use of lamps in cult became common in paganism. Cf. Nilsson, p. 356. Did Timotheos call his native god, Zeus Labrandos of Caria (cf. Cook II, 1, p. 585ff.) *Hypsistos*, perhaps having learned his power in the foreign land, in Lydia, where the altar was dedicated? He erected it near a temple of the "Persian goddess" in vicinity of Magnesia ad Sipylum. Cf. Robert, VI, p. 55ff. Did he think of the consort of this goddess? Or was he a *theosebes* and the vow was to the God of the Jews? ... *Deus innumerabilis unus*. Cf. H. Levy, *HTR* XXXIX, 1946, p. 243ff.; Orig. *c. Cels.* I, 23 and V, 41; Cumont, p. 300, n. 22; A.D. Nock, *HTR* XXIX, 1936, p. 66. Cf. also nn. 30 and 53.

<sup>49</sup> Arnob. VII, 32. Cf. Cumont, ch. III, n. 58. On the use of the appellation Hypsistos for any god treated as the supreme being cf. A.D. Nock, *HTR* XXIX, 1936, p. 55ff.

<sup>50</sup> Cf. Cumont, p. 117ff. Cf. Greek dedication to "Kronos" and θεννειθ (θινιθ) φενη (φανε) βαλ found in a Punic sanctuary at Constantine. BÉ, 1956, n° 356. Cf. also G. Charles-Picard, *Les religions de l'Afrique antique*, 1954, p. 56ff.

<sup>51</sup> G. Mendel, *BCH* XXV, 1901, p. 25 = L. Robert (n. 48), p. 287 (not in Cook's list): Ἀγαθῆ τύχη. [θεῶ] Ὑψίστῳ Ἀὐρ. Ἐπιθυμητὸς καὶ Βασιλικὴ σὺν τοῖς παιδίοις εὐχαριστοῦμεν θεῷ ἀθάνατῳ. On eternal gods cf. Cumont, p. 162ff.; A.D. Nock, *HTR* XXVII, 1934, p. 78ff.; Nilsson, p. 478ff. Late paganism also stressed immortality of the cosmic gods. Cf. e.g. Orpheus, *Hymni* (ed. G. Quandt) X, 27 (to the deified Nature): ἀίδιος ζῶν ἢ δ' ἀθανάτη τε πρόνοια. Cf. ib. XII, 13 (on Herakles); *Orphic Fragmenta*, ed. O. Kern, 1922, fr. 248b: ἄφθιτον, ἀθάνατον... μέγιστε θεῶν πάντων. Cf. also Hans Lewy, *Chaldean Oracles*, 1956, p. 406.

<sup>52</sup> H. Seyrig, *Syria* XIV, 1933, p. 270: Εὐχαριστεῖ Μάλχος Βαρέα τοῦ Μαλίχου ἐνὶ μόνῳ ἐλεήμονι θεῷ. Cf. A.D. Nock, *HTR* XXIX, 1936, p. 65. On Malchos see

he mean the God of the Jews? If asked, Malchos, probably, would say that our question was meaningless. For Malchos, God, whom the Jews at this time usually called "Heaven", or "The Holy One blessed be he", would be undistinguishable from the Lord of Heavens worshipped at Palmyra.<sup>53</sup> A "God-fearing" gentile remained *theosebes* and did not embrace the faith of Abraham, Isaac and Jacob, precisely for the reason that the contradiction between Jewish monotheism and his polytheistic ideas was not evident to him. He just wanted to add the Eternal God, or let us say another Eternal Deity, to his pantheon.

Magic texts, where, for instance, Athena and "Iao" are invoked together in a love charm, and, on this occasion, "Iao" is identified with Osiris, illustrate this inclusion of the God of Israel in the polytheist government of the universe.<sup>54</sup> The famous oracle, uttered by Apollo of Klaros, again identified "Iao" with Zeus and Sarapis. Using the tools of comparative religion, Plutarch concluded from Jewish rites that the God of the Jews was Dionysos.<sup>55</sup> According to Cyril of Alexandria, as late as the beginning of the fifth century, there were men in Phoenicia and Palestine, who, calling themselves "God-fearers", worshipped "the Most High God" of the Jews but also "accepted other gods".<sup>56</sup> A sepulchral inscription from Alexandria may exemplify this attitude. Stricken by a untimely death, Arsinoe invokes "God the Most High and Surveyor of all" against her enemies. The title *Theos Hypsistos* was not used, it seems, in addressing Egyptian gods. Thus, the author of the epitaph, in all probability, refers to the God of the Jews. The latter, under the same Greek name, is called to avenge the death of two Jewish girls in

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H. Seyrig, *Syria XXII*, 1941, p. 245ff. On Zeus Hypsistos (Baal Shamen) of Palmyra cf. J.G. Février, *La religion des Palmyréniens*, 1931, p. 120ff.; H. Seyrig, *Syria XXVI*, 1949, p. 34ff. J.T. Milik, *Dédicaces faites par des dieux*, 1972, p. 180; 293.

<sup>53</sup> On "Heaven" as metonymy for God cf. Moore, I, p. 367. On the formula of blessing cf. L. Finkelstein, *HTR XXXVI*, 1943, p. 36ff. and S. Esch, *Der Heilige Er sei gepriesen*, 1957. Cf. Moore II, p. 102ff.; Bonsirven I, p. 141f.

<sup>54</sup> Cf. Goodenough II, p. 199; Morton Smith, *Jesus the Magician*, 1978.

<sup>55</sup> Macrobian *Sat.* I, 18, 19. Cf. Nilsson, p. 457; Plut. *quest. conv.* IV, 6.

<sup>56</sup> Cyrill. *de ador.* PG. LXVIII, 281. He speaks of Jethro, who, though offering sacrifices to the Theos Hypsistos still believed in other gods (cf. Exod. 18, 11–12). Jethro was a type of imperfect convert for the rabbis. Cf. S. Schechter, *Some Aspects of Rabbinic Theology*, 1909, p. 25. Cyril interprets "all the gods" in Jethro's saying as the cosmic powers (Earth, Heaven, stars). Cf. H. Doergens, *Eusebius von Caesarea*, 1922, p. 104ff. Cyril, then, adds: φρονούσι γὰρ ὧδε παραληροῦντες ἔτι τῶν ἐν τῇ Φοινίκῃ καὶ Παλαιστίνῃ τινές, οἱ σφας μὲν αὐτοῦς θεοσεβεῖς ὀνομάζουσιν, οἶμον δέ τινα θρησκείας διαστείχουσι μέσην, οὔτε τοῖς Ἰουδαίων ἔθεσι καθαρῶς, οὔτε τοῖς Ἑλλήνων προσκείμενοι, εἰς ἀμφοῦ δὲ ὡσπερ διαρρυπτούμενοι καὶ μεμερισμένοι.

two inscriptions from Delos. But Arsinoe also appeals to "Helios and to (two) Nemesis", that is to Egyptian gods Re, Isis and Nephthys.<sup>57</sup> Why not? The only commandment of the Decalogue which would appear queer and unreasonable to a pagan was the injunction: "Thou shalt have no other gods besides Me". After two thousand years of monotheist discipline we need to be reminded that the second (first) commandment is not a commonsense statement, but a paradox. Julian the Apostate still knew that it was one.

On the other hand, a God-worshipping gentile, who, realizing the exclusivity of his God, would like to mark by some word or symbol the peculiarity of his faith, learned from his Jewish masters and friends that their and his God had chosen Jerusalem as the place of sacrifices. If he lived after the destruction of the Temple, the first thing he would have learned was that the Jews offered no sacrifices at all, but weeping and lamenting over Jerusalem, awaited the coming of the one anointed to deliver God's people and to re-establish the Temple service. Again, he would not be prone to rearing an altar to dissociate himself from the chosen people.<sup>58</sup>

Thus, a gentile altar clearly marked as dedicated to God must have been a rarity. By chance such an altar was rediscovered at Pergamum in 1913, and published recently.<sup>59</sup> It is a small flat-topped stone block bearing two inscriptions which may, on grounds of lettering, be referred, I believe, to the advanced period of the Roman Empire, say second century. The lower text contains the dedication: "Zopyros (dedicated)

<sup>57</sup> Néroutos, *Bulletin de l'Inst. Égyptien*, 1872-3, n° 12, p. 116 (*non vidi*) = F. Preisigke, *Sammelbuch I*, 1323 = Cook II, 2, p. 889: θεῶν Ὑψίστων καὶ πάντων Ἐπόπτη καὶ Ἠλίφ καὶ Νεμέσεσι αἶρει Ἀρσινόη ἄστρος τὰς χεῖρας ἢ τις αὐτὴ φάρμακα ἐποίησε ἢ καὶ ἐπέχαρε τις τῶ θανάτῳ ἢ ἐπιζαρεῖ, μετέλθετε αὐτούς. On two (Egyptian) "Nemesises" cf. Isid. Lévy, in *Cinquantième de l'École Pratique des Hautes Études*, 1921, p. 277ff. On those who died untimely cf. A.D. Nock, *Vigiliae Christianae* IV, 1950, p. 9ff. The Delian curses: Ad. Wilhelm, *Jahreshefte des Österr. Arch. Inst.* IV, 1901, Beiblatt, p. 9ff. = A. Deissmann, *Light from the Ancient East*, 1927, p. 413ff. = Cook II, 2, p. 880. On Julian and monotheism cf. P. de Labriolle, *La Réaction païenne*, 1954, p. 402.

<sup>58</sup> Cf. gifts to a synagogue of such gentiles as the *theosebēs* Claudia Capitolina, L. Robert (n. 48), p. 409ff. or Eustathios ὁ θεοσεβής, who transliterating the Aramaic word for a wash-basin gives τὸν μασκαλήν. J. Keil, A. v. Premerstein, *Denkschr. Akad. Wien* XXXVII, 1, 1914, p. 32.

<sup>59</sup> M.P. Nilsson, *Eranos* LIV, 1956, p. 167ff. θεὸς Κύριος ὁ ὢν εἰς αἰεῖ. Nilsson compares LXX Exod. 3, 14: ἐγώ εἰμι ὁ ὢν. Note that the word-order *Theos Kyrios* is not Jewish, but follows the pattern of such names as *Zeus Kyrios*, *Theos Hypsistos*, and so on. Zopyros did not know that *Kyrios* is the substitute for the proper name of God. The other inscription reads: Ζόπυρος τῶ Κυρίῳ τὸν βωμόν καὶ τὴν φωιτόφορον μετὰ τοῦ φλογόχου. On terms for lamp cf. Nilsson's commentary.

to the Lord this altar and the lamp-stand with the lantern". The upper text is a declaration of faith quoting God's word said to Moses at Horeb: "God Lord who is forever".<sup>60</sup>

## V

In the Greco-Roman age the principle that all offerings are to be made in one place "which the Lord your God shall choose, to cause his name to dwell there" was uncontested among the votaries of the Lord. The Jew and the Samaritan disagreed as to the chosen place, but concurred as to the oneness of this place. When Zion was desecrated by heathenism and illegal pontificates, Onias, an heir of the last legitimate High Priest, with the blessing of the Ptolemaic court, built a new temple at Leontopolis, in Egypt, instead of the one in Jerusalem. The new edifice imitated the old sanctuary. But the traditional attachment to the holy mountain and the lustre added to it by the Maccabean victories prevailed over the royal favor. The Alexandrian Jews ignored the temple of Onias, and continued to revere Zion as the one and sole sacrificial place.<sup>61</sup> Outside Zion only prayer meetings were possible, and the Egyptian Jews, misusing Greek, called their houses of worship just "prayer".<sup>62</sup>

In the course of centuries, particularly after the destruction of Jerusalem and the closing of Onias' Temple by the Romans, the Jews naturally became more and more attached to their prayer-houses. Sometimes synagogues were called "holy places", "very holy", and so on.<sup>63</sup> Speaking in Greek and for the pagan ear, the Jews sometimes

<sup>60</sup> Further cf. Goodenough II, p. 105 and III, fig. 958 and 960: A lamp (from Malta) showing a tripod altar with burning flame (?) and two snakes coiled up from either side of the flame, also an image of the Jewish candlestick (*menorah*). We lack any direct evidence as to sacrificial worship among the "Sabbath-observers" (above n. 45) and in the cult of the Most High God in the kingdom of Bosphorus. On the latter cf. E.R. Goodenough, *JQR* XLVII, 1957, p. 221ff. and B. I. Nadel, *Vestnik Drevnei Istorii*, 1958, no. 1, p. 137ff.

<sup>61</sup> Deut. 12, 5. On Onias' temple cf. Schürer III, p. 145ff. and *CPJ* I, pp. 44-6.

<sup>62</sup> On the term *proseuche* cf. Juster I, p. 451; *CPJ* I, p. 8. Cf. P. Hibeh II, 183 (written about the middle of the third century B.C.). In poetry you should use the word *euche*. Τὴν δὲ προσευχὴν [οὐκ εἰσδέχονται εἰς π]οίησιν, τὴν αὐτὴν γὰρ δύναμιν ἔχει τῆι εὐχ]ῆι πρὸς τὸ εὐσεβεῖν. The term *synagoge* first means "assembly", "session". Cf. *CPJ* I, 138 = *P. Rylands* IV, 590. Only in the Roman time the word became applied to a place of prayer-meetings.

<sup>63</sup> See e.g. Philo, *q. omn. prob. liber* 12, 81 (speaking of the Essenes): εἰς ἱερῶς

called their local synagogue "temple" to put it on a level with the pagan sanctuaries on the city.<sup>64</sup> They might bow before a synagogue. Yet it was never a holy place in the Jewish *ius sacrum*, for it never was a sacrificial place.<sup>65</sup>

There are remains of numerous synagogues. Several Jewish writers of the Graeco-Roman age sourly expose sins of their co-religionists. But they never mention sacrifices outside the Temple, though denunciations of high places abound in the Bible. Christian authors rebuke the Jews for worshipping angels, but never speak of unlawful oblations.<sup>66</sup> The rabbis frankly discussed deviations from ritual correctness. They quoted the usurer declaring that the Torah (which forbids interest) was a fraud. They mentioned a man's statue standing in a Babylonian synagogue. They permitted sacrifices of uncircumcised Jews. They recorded that

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ἀφικούμενοι τόπους οἱ καλοῦνται συναγωγαί. The synagogue at Stobi is called ἅγιος τόπος. N. Vulic, *BCH* LVI, 1932, p. 291. Robert, III, p. 105: ἀγιωτάτη συναγωγή. The synagogue of Naarah ('Ain Duq), five miles from Jericho, is called "holy place" in Aramaic inscriptions. Cf. *CIJ* II, 203. A Jewish benefactor gave a *pronaos* to the synagogue at Mantinea. G. Fougères, *BCH* XX, 1896, p. 159. Cf. Goodenough II, p. 76.

<sup>64</sup> Jos. *B. J.* VII, 3, 3, 43 calls prayer-house at Antioch *synagoge* and, then, *hieron*. Cf. Juster I, p. 457. The falsified petition of Onias to the Ptolemaic kings (Jos. *Ant.* XIII, 3, 1, 66) says that in many places the Jews have *hiera* and disagree because of them. For this reason, he wants or build his temple (*naos*) to establish concord between the Jews. Pagan writers naturally speak of Jewish "temples". Agatharch. ap. Jos. *C. Ap.* I, 22, 100; Tac. *Hist.* V, 5, in both cases with reference to the Jewish prayer-places in Jerusalem and Palestine. As the Attic form of the vocable he uses shows, Procop. *de aedif.* VI, 2 calls a Jewish synagogue *νεσ* for stylistic reasons. Cf. Hesych. *νὰς*: οἶκος ἔνθα θεὸς προσκυνεῖται.

<sup>65</sup> S. Krauss, *Synagogale Altertümer*, 1921, p. 85ff. and s.v. Synagoge *RE* IV A, 1291 f. contends that sacrifices were offered in some synagogues. The eminent Talmudist, unable to find any rabbinic text supporting his hypothesis, had recourse to Greek and Latin. But he misunderstood the use of the terms *hieron*, *templum*. See above n. 64. His second reference, that to the "Damascus" document (of the Dead Sea Covenanters) is also erroneous. At last, he refers to incense offerings of Chinese Jews, and animal sacrifices of the Falasha in Abyssinia, on which now cf. W. Leslau, *Falasha Anthology*, 1951, p. xxviff. Again, the Jews may have burned spices for several reasons and on various occasions, even censoring the scrolls of the Torah. Cf. Goodenough IV, p. 197ff. Yet, nowhere is there any mention of incense sacrifices in synagogues. The rabbis insisted on decorum in the prayer houses, and honors were to be paid to synagogues, but also to houses of study. Cf. Krauss, *ib.* p. 93ff. and p. 428ff.; Goodenough I, p. 183. But these buildings were no holy places. The rules of ritual purity that expressed the holiness of the Temple were never applied to the synagogues. Cf. above p. 475. The church-building (which is consecrated), has an altar, and its apse is reserved for clergy in imitation of the temple of Jerusalem. Again, in the church, the (Christian) sacrifice is performed. In the synagogue the description of the Temple sacrifices is read.

<sup>66</sup> Cf. Goodenough I, p. 178ff.; II, p. 70ff. On Christian polemics cf. Juster I, p. 40ff.; M. Simon, *Vetus Israel*, 1948, p. 196ff. On the alleged worship of angels cf. Simon, *ib.* p. 401ff.

a rabbi wanted to permit slaughtering of passover lamb in Rome. They discussed and recognized the (inferior) rank of offerings made at Onias' Temple. But with this exception, nowhere, in the whole range of rabbinic information, is there any hint at Jewish sacrifices performed away from the Temple in the Graeco-Roman age.<sup>67</sup>

Yet, for a gentile the sacrifice was a part of his everyday life, from the cradle to the grave, from dawn to dusk. Lighting of a lamp at dusk was accompanied by a libation. Meal was shared with gods. The ironical syllogism of a Greek unbeliever: "If the altars exist, gods must exist", only caricatured the most conspicuous feature of paganism. Gentiles ready to worship the Most High God, say a certain Antipater and his wife Antonia, who after the birth of a child, thanked this deity on a slab erected near Dorylaeum (Phrygia), would be bewildered, snubbed, lost to the true faith forever, were they forbidden to offer their sacrifices to God. Speaking of the godless sect of the Christians, the pagans asked irritably: *Cur nullas aras habent?*<sup>68</sup>

The jurists of the Temple of Jerusalem and then rabbinic doctors of the Law approved of gentile altars to God. Rabbinic discussions of this topic were no idle speculation, but dealt with practical questions. The situation was paradoxical. While the sons of Abraham, after the destruction of the Temple, were no more able to make offerings to God, a sweet savor continued to go up to God of Abraham, Isaac and Jacob from sacrifices offered by God-fearing gentiles. Yet the rabbis abetted this impairment of the privileges of the chosen people.

It happened that a disciple of Gamaliel, "a doctor of the Law", in a city full of idols "found also an altar with the inscription: To an Unknown God". As Chrysostom explains, the pagans dreading that there might be some god not yet known to them but worshipped elsewhere, to be on the safe side, erected altars to such uncertain gods.<sup>69</sup>

<sup>67</sup> Cf. Lieberman (above n. 7), p. 34, n. 39. On the statue see *Abod. Zara* 43b. Cf. Krauss (above n. 65), p. 215. On uncircumcised Jews cf. *Maim.* 3, 2, 12. Cf. B. Cohen, in *M.M. Menah. Jubilee Volume*, 1953, p. 110 = *Jewish and Roman Law*, 1966, II, p. 32. On passover lamb cf. *Juster* I, p. 357, n. 1; *Goodenough* I, p. 14. On Onias' Temple cf. *M. Menah.* 13, 10. On the Essenes cf. above n. 17.

<sup>68</sup> Prayers: Cf. *Festugièrè* (below n. 69), p. 245; Evening libation: *Heliod. Aeth.* III, 5. Altars: *Lucian. Iupp. Trag.* 51. Sharing of food: A.D. Nock, *HTR* XXXVII, 1944, p. 148ff. Antipater: *MAMA* V, p. 187. On Christians cf. *Min. Fel. Oct.* 10; *Arnob.* VI, 1.

<sup>69</sup> *Act. Apost.* XVII. *Joh. Chrysost. Hom. XXXVIII* in *Acta Apost. P.G.* LX, 268: The Athenians δεδοικότες, μή ποτε καὶ ἄλλος τις ἢ αὐτοῖς μὲν οὐδέπω γνώριμος, θεραπευόμενος δὲ ἀλλαχοῦ, ὑπὲρ πλείονος δῆθεν ἀσφαλείας καὶ τούτω βωμὸν ἔστησαν.



For many pagans, the God of the Jews, nameless, imageless, hidden in the inmost recess of his unapproachable sanctuary in Jerusalem, was a deity of this kind. The altar seen by Paul in Athens was set by a gentile worshipper to the, for him, unknown God of Jerusalem. At least, the apostle to the gentiles identified it as such. He equated the Unknown God of this altar with "the God who made the world and all things therein".<sup>70</sup>

It was, probably, the Antiochene school of exegesis that put the commentators of Paul's speech before the Areopagus off the track. In contradistinction to the allegorical method, this school insisted on verbal and historical interpretation. They accordingly wanted to identify the altar seen by Paul in Athens with one known from secular evidence. Thus, they tried to associate Paul's words with the altars set by the Athenians of old to anonymous gods following the advice of the seer Epimenides. Another conjecture, repeated by Jerome, was that Paul had seen an altar dedicated to the gods of Asia, Europe, and Africa, "gods unknown and foreign". But since the missionary did not need several unknown gods but just one, he used the singular. The exegetes did not consider the possibility that Paul could have seen the inscription on a private altar, which would not be mentioned in guide-books, a block raised by a God-fearing Athenian before his house on some sidestreet.<sup>71</sup>

In fact, the speech in Acts is an adaptation of a Jewish missionary sermon on monotheism. As often in ancient literature, say in Petronius, a monument (inscription, painting) allegedly seen by the speaker, set the

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καὶ ἐπειδὴ οὐκ ἦν δῆλος ὁ θεός, ἐπετέγραπτο ἄγνωστω θεῷ. Cf. Philostr. *V. Apoll.*, I, 1: Pythagoras worships Apollo, Athena, the Muses, καὶ θεοὺς ἑτέρους, ὧν τὰ εἶδη καὶ τὰ ὀνόματα οὐκ οὖν τοὺς ἀνθρώπους γινώσκειν. Min. Felix, *Oct.* 6: The Romans receive gods of conquered peoples, *dum aras extruunt etiam ignotis numinibus et manibus: sic dum universarum gentium sacra suscipiunt, etiam regna meruerunt.* A Hymn to Apollo: ἐπ' ἄγνωστοις ἐπιλοιβαί. J.U. Powell, *Journ. of Philology* XXXIV, 1915, p. 111; Eurip. *Melanippe* ap. D.L. Page, *Greek Literary Papyri* (= SP. III), p. 112: ἀωνόμος θεόν. *Deus ignotus*, thus, is properly *deus incognitus*. This is the meaning of the predicate *agnostos* in Paul's speech. Related but distinct is the idea that deity is unknowable except by esoteric "gnosis". Cf. Ed. Norden, *Agnostos Theos*, 1913; Jacques Dupont, *Gnosis*, 1949; A.J. Festugière, *La Révélation d'Hermès Trismégiste* IV, 1954.

<sup>70</sup> Lydus, *de mens.* IV, 53, p. 110 ed. R. Wuensch states that Livy called the God of the Jews ἄγνωστον. Ed. Norden (above n. 69) unnecessarily denied that it was so.

<sup>71</sup> On patristic interpretation of Paul's speech cf. K. Lake in *The Beginnings of Christianity* ed. F.J. Foakes Jackson and K. Lake V, 1933, p. 242ff. Cf. H.J. Cadbury, *The Book of Acts in History*, 1955, p. 46ff. On public monuments which Paul could see in Athens cf. O. Brooner, *Biblical Archaeologist* XXI, 1958, p. 2ff.

discourse going. Wherever the monotheistic preacher had to speak, he could refer to the Unknown God on a gentile altar: "What therefore you worship in ignorance, this I set forth unto you".<sup>72</sup>

At this occasion, the former Pharisee, using the scheme of a Jewish missionary sermon, makes clear the reason of rabbinic approval of gentile altars: "That they should seek God, if haply they might feel after him and find him". If by the means of sacrificial worship some pagans may be induced to call upon God's name, let them sacrifice. "The Holy One, blessed be He, said to Israel: If you will not declare my Godhead among the nations of the world, I shall punish you". This rabbinic interpretation of the Biblical injunction to a witness not to withhold evidence in his possession gives the meaning of and to the clauses of the *ius sacrum* discussed in this paper.<sup>73</sup>

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<sup>72</sup> Ed. Norden (above n. 69), p. 2ff. has proved that Paul's speech followed the scheme of Jewish missionary preaching. Cf. also M. Dibelius, *Studies in the Acts of the Apostles*, 1956, p. 26ff., p. 152ff. A.D. Nock, *Gnomon XXV*, 1953, p. 504ff. On speeches occasioned by a sight cf. Ed. Norden ib. p. 31ff.; O. Schissel v. Fleschenberg, *Philologus LXXII*, 1913, p. 83ff.

<sup>73</sup> Midrash *Lev. Raba* on Lev. 5, 5, p. 142 ed. Margulies, 1953. Cf. Schechter (above n. 56), p. 93 and p. 131ff.

## THE JEWISH HISTORIAN DEMETRIOS\*

The remains of Jewish literature of the Hellenistic Age, written in Greek or translated into Greek have come down to us through the channel of the Christian Church. The Church, the new and true Israel, cared very much for the Bible, the proof of her antiquity and of her identity with the Chosen People of God. But the Church, naturally, was not interested at all in Jewish literature as such. In the same way and for similar reason, the pages of other Oriental writers in Greek, of Manetho, Berossus, or Philo of Byblus, preserved by the Church Fathers, were copied as materials for Christian apologetics. Accordingly, the Jewish books or their parts preserved by the Church, are all para-biblical. The Christians copied or quoted them because the theme or the author's fictitious name attached these books to Scripture and the history of the Mosaic dispensation. For instance, from Demetrios and Eupolemus, two Jewish historians in Greek, we have only a few quotations re-telling biblical events.

The recent finds at Qumran have revealed the existence of numerous Hebrew and Aramaic books of the Hellenistic and early Roman Age by-passed by the Christian tradition. But the sectarians of the Dead Sea scrolls no less than the Church Fathers were men of one book only: Scripture. The manuscripts they wrote or copied were variations on biblical themes and verses. The so-called "Zadokite" work is almost entirely a cento of biblical sentences and expressions.<sup>1</sup>

Yet the para-biblical books written in Greek form a separate group. The Greek style demanded the name of the author;<sup>2</sup> a book written in Greek could not be ascribed to Enoch or Moses. Jewish books in Greek had openly to be works of modern authors or fathered on Greek worthies of old, for instance, Orpheus. Thus, these books in style and mentality imitated Greek classics and not Hebrew models. Further, the writer in Hebrew or Aramaic spoke to his spiritual brethren. The audience of the writer of a para-biblical book in Greek was extramural. The author may have had in mind the Jewish reader, but this reader

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\* OG = *Origines Gentium* (*Classical Philology*, 47, 1952, pp. 65-81).

<sup>1</sup> Ch. Rabin (ed.) *The Zadokite Documents* (2nd ed., 1958).

<sup>2</sup> *Rivista ital. Filol. class.* 1973, p. 33.

would have been a Jew of Greek tongue and education. No rabbi outdid Philo in veneration of Scripture, but biblical heroes appear as phantoms, or, if you prefer, as symbols in Philo's Greek prose, whereas Moses or Abraham are living, almost contemporary, persons in the conversations of the talmudic Sages. Last but not least: The para-biblical books written in Greek have a tinge of apologetics. Consciously or not, the Jewish author of Greek upbringing, for the sake of his own peace of mind, sought to vindicate the ancestral tale which sounded strange to his ear and to his Hellenized listeners.

The same was true of other Oriental intellectuals writing in Greek of their national history and religion. Of the Egyptian author Apion, a Roman writer<sup>3</sup> says that he sought "to free from blame the rites of his own people". Cast down, but representing hieratic and now immovable civilizations, Egyptian, Babylonian, Phoenician and Jewish intellectuals looked back to the primeval age. Contemporaries of Euclid and Archimedes, they spoke of Abraham and Oannes. Berossus in his Greek history of Babylon coolly stated that the pre-diluvian Man-Fish Oannes had taught arts and crafts to mankind "and since that time nothing more had been invented".<sup>4</sup>

Speaking *qua* Orientals but in Greek, these intellectuals from the East all display the same apologetical accent and are univocal in the face of the Greek conqueror. Josephus and Philo of Byblus, Manetho and Berossus, reproach the Greeks of their ignorance of Oriental history and wisdom. Josephus explicitly opposes the true glory of the Orient to the pretentious self-praise of the Hellenes.<sup>5</sup> Yet he writes his book on the antiquity of the Jews in answer to a pamphlet of the above mentioned Egyptian Apion. The peoples of the Greek East, naturally, envied one another and vied one with another in trying to win the ear of their Hellenistic masters. Though primarily seeking to persuade themselves, but speaking in Greek, these apologists necessarily adopted the Greek mode of reasoning. Accordingly, in order to secure the historical claims of their respective peoples, these Oriental intellectuals had first and above all to deal with the Hellenocentric dogma of Greek historiography. As Josephus states, every nation tries to trace

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<sup>3</sup> Plin. *n.h.* 30, 99, says that Apion offers a (rationalist) explanation of Egyptian worship of beetles *ad excusandos gentis suae ritus*.

<sup>4</sup> Berossus 680 fr. I, 4 *FGH*. On Oannes-Adapa, cf. W.G. Lambert, *Journ. of Cuneiform Studies*, 16 (1962), p. 74.

<sup>5</sup> Jos. C. *Ap.* 1, 6. Cf. *OG*, p. 74.

its own origin to the remotest antiquity so as not to appear to be the imitators of other peoples.<sup>6</sup>

Beginning with the first Greek historian, Hecataeus of Miletus (ca. 500 B.C.), Greek scholars, by rationalizing their myths, established a scientific pre-history which no other people of the ancient world could match or had even thought of. Greek method being evolved from Greek material, the scientific pre-history was Hellenocentric, and the beginnings of “barbarian” peoples were integrated into the Greek system.<sup>7</sup>

The ancient Egyptian capital *nive. t* (Cf. *No* in Jer. 46, 25), that is “the City”, for some unknown reason, from Homer on (*Il.* IX, 381) was called in Greek, Thebes.<sup>8</sup> Greek savants accordingly stated that the Egyptian city was a foundation of Greek colonists from Thebes in Boeotia. Aeneas, son of the Homeric Priamus, became the ancestor of the Romans, and Ninus the Assyrian, was reckoned by Herodotus as the third in descent from Heracles. Even the Persian kings issued from the Greek hero Perseus.

Unfortunately for Greek claims, the Greeks were unable to antedate the beginning of their history. A Greek savant, contemporary with the “Seventy” translators of the Torah, placed Cecrops, the first Athenian king, in 1582 B.C.E.<sup>9</sup> But the Egyptian priests, trusting their holy books assured Greek inquirers that civilization originated in Egypt more than ten thousand years before Alexander the Great, and that their Pharaohs reigned for 5000 years before Cleopatra. Heracles was an Egyptian general, and Athens was founded by the Egyptians. All great Greek thinkers were disciples of the Egyptians and brought from Egypt everything by which they gained admiration among the Hellenes. In short, the Greeks simply appropriated to themselves the glory of Egypt as well as that of the colonies founded by the Egyptians.<sup>10</sup>

<sup>6</sup> Jos. C. *Ap.* 2, 152.

<sup>7</sup> Cf. my discussion of this problem in *OG*.

<sup>8</sup> Cf. H. Bonnet, *Reallexik. der aegypt. Religion*, 1952, p. 792. Pherecydes 3 fr. 178 *FGH* (with Jacoby’s commentary). Aeschylus, *Pers.* 37 calls the Egyptian city “Oxygian”, a poetic epithet of Boeotian Thebes (Paus. 9, 5, 1).

<sup>9</sup> *The Parian Chronicle* (259 *FGH*), composed in 264 B.C.

<sup>10</sup> Diod. I, 44, 4; 96, 2. Egyptian priests also asserted that Homer (*Il.* 14, 201) and Thales depended on Egyptian wisdom when they named water as origin of all things. Plut. *de Isid.* 34 (564d). The claim was reasonable insofar as Homer and Thales agreed with Egyptian creation myth which placed a “watery void” before the creation. John A. Wilson, *The Culture of Ancient Egypt* (1951), p. 59. Egyptian priests also claimed that Plato’s Atlantis story was recorded in Egyptian texts. Crantor *ap.* Proclus, *In Platonis Timaeum* p. 73 ed. E. Diehl.

This inversion of Hellenocentric claims was impressive. The Greeks knew, and the Orientals who read Plato or Herodotus knew, that the Greeks knew this essential fact: the Greeks were striplings and upstarts, lately civilized disciples of the East. Many of the barbarians, says a Greek author, hold that they are the aborigines of their countries, and that they were the first of men to discover the things which are of use in life and that the events in their history were the earliest to be recorded.<sup>11</sup> The author of *Epinomis* could assert that the Greeks had improved what they had borrowed, but this was feeble comfort; for the Greeks were persuaded that wisdom is at the beginning, and that descendants must be like the ancestors.<sup>12</sup>

In the contest for the glory of having the oldest recorded history the Jews were handicapped by the Torah, which presents them as a junior branch of mankind, and as invaders of their promised land. Yet it was possible to adjust the biblical chronology to the demands of the Greek Age.

From the lifetimes of the Patriarchs, as stated in Genesis, the time elapsed between the Creation and the Exodus can be ascertained accurately. As the earliest extant Jewish work of chronology, the *Seder Olam Rabbah* probably written about 150 A.D., computes, the Flood occurred 1656 years after the creation of Adam; Abraham was born 292 years after the Flood; and Moses led the Chosen People out of Egypt 500 years after the birth of Abraham, that is 2448 years after the Creation.<sup>13</sup> As the Exodus connected sacred and profane history, these figures were inadequate not only in the face of the fabulous antiquity of Egypt, but even with regard to Greek calculations. Dicaearchus, a pupil of Aristotle, dated the first Pharaoh, whom he called Sesostris, to 3719 B.C., according to our reckoning. The great Greek chronologist Eratosthenes, a younger contemporary of the "Seventy" translators of the Torah into Greek, put the Greek flood ca. 2400 B.C., probably in order to adjust Greek chronology to the high figures of Oriental

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<sup>11</sup> Diod. I, 9, 3. The Greeks were ready to believe that Homer (or Plato) was a disciple of Egyptian sages. Cf. e.g. Plut. *de Isid.* 10 (with the commentary of Th. Hopfner, 1941). Cf. Clem. Alex. *Strom.* I, 15, 78 and, generally, A.-J. Festugière, *La Révélation d'Hermès Trismégiste I*, 1944, pp. 19–44.

<sup>12</sup> Plato, *Epin.* 987c; Julian, *Misopog.* 348 b.

<sup>13</sup> Alex. Marx, *Seder Olam* (Diss. Koenigsberg, 1903), Hebrew text, ch. 1, 1, and line 15; ch. 3, 1 and p. x. Gerson D. Cohen, *Abraham Ibn Daud, The Book of Tradition* (1967), p. 65; Is. Lévy, *REJ* 51, 1906, p. 186.

reckonings.<sup>14</sup> By manipulating the figures referring to the Patriarchs, the Seventy succeeded in putting the Flood 2,242 years after the Creation, and the birth of Abraham 1072 years after the Flood.<sup>15</sup> These figures offered a large chronological range for the pre-Abrahamic period, notably a millenium for the interval between the Flood and Abraham. Thus some eighty years after the compilation of the *Seder Olam Rabbah*, the Christian chronologist Africanus, using the figures in his Greek Bible, could calculate that Moses led the Hebrews from their Egyptian bondage in 1785 B.C., according to our reckoning; that is in the time of the Ogygian flood in Greece, some 190 years before Cecrops, the first king of Athens. The anteriority of the Chosen People, thus, has been proven mathematically.<sup>16</sup> More than 1400 years after Africanus, the Jesuits in China, confronted with the (fictitious) long chronology of Chinese annalists, used the figures of the Septuagint and not the dates of the Latin Bible, translated from the Hebrew, in their discussions with Chinese intellectuals.<sup>17</sup>

Proud of the antiquity of their peoples, Oriental authors, Berossus, Manetho, Menander, Dios, and others, began to present their respective national histories in Greek, using Greek forms of historical thinking, but

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<sup>14</sup> Dicaearchus fr. 57 ed. Wehrli. On Eratosthenes' computation, cf. Jacoby's commentary (p. 709) on 241 fr. 1c, *FGH*. According to Manetho the Pharaohs reigned since 4244 B.C. Cf. *OG*, 80, n. 63, where the figure "4242" is a misprint. Cf. Diod. I, 44, 4. Josephus, *Ant.* 1, 13 places the Creation about five thousand years before his time. The sixteenth century debate on the origins of the European nations was similarly a manifestation of a new national consciousness. Cf. John L. Brown, *The Methods... of Jean Bodin*, 1939, 79.

<sup>15</sup> Cf. J. Skinner, *Genesis* (2nd ed. 1912), p. 153; p. 233. Computations of the Septuagint chronology may differ somewhat because of manuscript variants. Thus Demetrios, writing toward the end of the third century B.C., and Africanus, writing ca. 225 A.D., both computed 2262 years from Adam to the Flood. J. Freudenthal, *Alexander Polyhistor*, 1875, p. 50; J. Finegan, *Handbook of Biblical Chronology*, 1964, p. 142. The only serious discrepancy is the figure "942" given by Eusebius for the time interval between the Flood and Abraham, a figure which agrees with the Samaritan Torah, as Eusebius himself noted. Eusebius, *Die Chronik aus dem Armenischen übersetzt* (ed. J. Karst), p. 44. The Book of Jubilees, written ca. 200 B.C. and, like the Samaritan Torah, following some current ("vulgar") copy of the Hebrew text agrees with the Samaritan Torah as to the interval between Adam and the Flood (1307 years), but allows only 567 years to the period between the Flood and the birth of Abraham.

<sup>16</sup> Ed. Schwartz, "Die Königlisten des Eratosthenes und Kastor", *Abhandl. Goettinger Gelehrter. Gesellschaft* 40, 1894, p. 22. On the flood of Ogyges, cf. Philoch. 328 fr. 92 *FGH*.

<sup>17</sup> Cf. *OG*, p. 80, n. 69. Hegel, *Philosophie der Geschichte* (First Section) was still worried by the discrepancy between the Bible and the Oriental chronology.

following their own national sources and so avoiding the Greek bias. A certain Demetrios, the earliest Jewish writer in Greek whom we know, undertook during the reign of Ptolemy (IV 221–205) the similar task of eliciting a pragmatic narrative from the Bible. The preserved fragments deal with the events narrated in Genesis and Exodus, but in a chronological note (see Excursus below) he refers to the fall of Samaria and the captivity of Jerusalem. Thus his history continued until the end of the kingdom of Judah (586 B.C.) at least. But since the Christian authors, Clement of Alexandria and Eusebius of Caesarea, who alone quote him, knew his work only through excerpts in the compilation of Alexander Polyhistor, a Greek polygraph who wrote “On the Jews”, it is rather difficult to appreciate the man and his book.<sup>18</sup>

It seems that Demetrios, like Berossus and Manetho, gave a matter-of-fact abridgment of his materials, placed skillfully in an accurate chronological framework. These Oriental historians wanted to replace the romances of Herodotus, Ctesias, Megasthenes, and other Greek authorities on the Orient, with a dry but authentic recapitulation of native records. Isaac’s binding by his father for the sacrifice, one of the most moving episodes of Genesis (22) and one of the central themes of Jewish theology, was recorded by Demetrios in the same dry manner as the birthdates of Jacob’s sons. Jacob’s wrestling with the Angel (Genesis 32) was retold as follows: When Jacob was on his way to Canaan, God’s angel wrestled with him and “touched the hollow of his thigh, so that the latter grew stiff, and he limped”.

History in Genesis is recorded as a succession of generations, a *geneologia*, to use the Greek term.<sup>19</sup> With the help of genealogies Greek authors arranged men and events in a chronological sequence. For instance, Hellanicus was able to calculate that Theseus was fifty years old when he carried off Helen who was only seventeen.<sup>20</sup> Demetrios organized the biblical material in the same way. His readers learned

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<sup>18</sup> The fundamental work, which after a century has remained unsurpassed is that of J. Freudenthal, *Hellenistische Studien, Alexander Polyhistor*, 1875, pp. 35–82. Freudenthal also collected (p. 219) Demetrios’ fragments which are reedited as 722 *FGH*. Later studies rarely added anything of value to the work of Freudenthal. For bibliography, cf. G. Delling, *Bibliographie zur jüdisch-hellenistischen... Literatur, 1900–1965*, 1969 and A.-M. Denis, *Introduction aux pseudépiques grecs d’Ancien Testament*, 1970, p. 248. Further see N. Walter’s translation and commentary in *Jüdische Schriften aus der hellenist. Zeit*, ed. W.G. Kummel, III, 2, 1975.

<sup>19</sup> Cf. Philo, *Mos.* 2, 47.

<sup>20</sup> Hellanicus, 4, fr. 168 *FGH*.



that Jacob had fled to Haran at the age of 77 and married Leah and Rachel at the age of 84.

Sometimes Demetrios complemented the source by simple remarks: Joseph in Egypt did not send for his family on account of Egyptian hostility toward shepherds. Demetrios got this information from Genesis 46:34. Sometimes he propounded historical problems using the well-known introductory formula of Greek scholarly discussion: "A question arises...". Some problems ventilated by Demetrios reappear in talmudic controversies. The question of where the children of Israel obtained their weapons during the Exodus is based on the Septuagint text. The reference shows that Greek-speaking Jews discussed the Greek version of the Torah.<sup>21</sup>

Having constructed the primordial events as a jejune but punctilious chronicle, Demetrios, again like Greek chronologists, related the remote past to his own time by calculating the number of years which elapsed from the fall of Samaria and from the captivity of Jerusalem to the accession of his own sovereign, Ptolemy IV.<sup>22</sup>

The resolution of the epic of the Bible into ordinary history, the purely historical approach to the Torah, the attention to chronology, the rationalization of exegetical difficulties—all these follow the pattern set up by Greek historians, like Hellanicus, who continued to be popular in the third century for retelling Greek pre-history. This does not mean, of course, that no Babylonian before Berossus or no Jew before the Greek Age used his sources rationally. The Chronicler already explains Solomon's building a house for his Egyptian wife outside of the City of David (I Reg. 9, 24) by the fact that the Ark was kept in the City (II Chr. 8, 11).<sup>23</sup> The sign of Greek thinking is, rather, the systematic use of the rational method. As Morton Smith aptly reminded us,<sup>24</sup> the "distinction between the precedent (which is often unimportant) and active influence (which is usually contemporary)" is essential for historical interpretation of texts and ideas.

<sup>21</sup> Freudenthal, *o.c.*, p. 45. Cf. S. Lieberman, *Hellenism in Jewish Palestine*, 1950, pp. 42–68. G. Bardy in his survey of *quaestiones* (*RB* 1932) overlooks Demetrios.

<sup>22</sup> See Excursus.

<sup>23</sup> On the historical method of the Chronicler, cf. my *From Ezra to the Last of the Maccabees* (1962), pp. 21–30. The "Seventy" (or their Hebrew Ms.) inserted a second Reuel in the stemma of Zipporah (Gen. 25, 3) to make her coeval with Moses, her husband. Further cf. L. Ginzberg, *The Legends of the Jews* 5, p. 240, n. 126.

<sup>24</sup> M. Smith, *Bull. of the John Ryland Library* 40, 1958, p. 475, n. 2.

The establishment of a system of biblical reckoning was the essential achievement of Demetrios. The author of the Book of Jubilees and the author of *Seder Olam Rabbah*, Africanus as well as Eusebius, and the scholars of medieval and modern times followed in his steps. When in 1624 the learned Petavius computed that the rains of the Flood started on November 23 in 2329 B.C., he continued the work of Demetrios.<sup>25</sup>

But Demetrios' influence on Greek historiography was nil. The same was the case with the historical works of Manetho and Berossus. The latter became famous as an astrologer, and Manetho's theological dissertations became an important source for Greek writers on Egyptian religion. But nobody read or believed their historical works, and Greek scholars, despite Berossus' indignation about it continued to repeat that Babylon had been founded by the Assyrian queen Semiramis.<sup>26</sup>

As a matter of fact, the same Greek compiler, Alexander surnamed Polyhistor, some time after 80 B.C., saved from oblivion both Berossus and earlier Jewish writers in Greek, among them the historian Demetrios, by publishing excerpts from their works. Josephus and Christian writers knew Berossus through Alexander Polyhistor and his abbreviators. The only extant pagan quotation from the *Babyloniaca* of Berossus occurs in the work of Athenaeus, another polygraph. No Greek historian or chronologist ever took note of Berossus.<sup>27</sup>

The average Greek continued to regard the Greek sagas as historical. An ambassador of the city of Teos, at the end of the third century, quoted mythical tales in order to prove the ancient friendship between his city and the Cretans.<sup>28</sup> But since Ephorus (ca. 340) Greek scholarship had given up the pretension of being able to discover the historical facts underlying the myths. The realm of legend began beyond ca. 1200 B.C. In the days when Eratosthenes refused to discover history in the Homeric tale of Odysseus' wanderings,<sup>29</sup> Berossus asserted that in his land kings had reigned for more than 30,000 years before Alexander the

<sup>25</sup> D. Petavius, *Rationarium temporum*, 2, 2, 1, p. 54 (ed. 1724).

<sup>26</sup> On the reputation of Berossus, see Jos. *C. Ap.* 1, 129. Orosius, *Historia* 1, 1, 4 observes that the period of 3,154 years between Adam and Abraham and the Assyrian king Ninus, contemporary of the latter, was neglected by all (pagan) historians.

<sup>27</sup> Ed. Schwartz, *RE* 3, 314; Athenaeus 14, 639c = 680 fr. 2 *FGH*. Ps. Apollodoros 244 fr. 83–87 seems to have used Berossus. See Jacoby's commentary (p. 752).

<sup>28</sup> M. Holleaux, *Études* 4, 1952, pp. 176–203.

<sup>29</sup> Strabo 1, 24 C.

Great, and Demetrios computed the dates of events before the Flood. But the Oriental historical tradition was hallowed by sacred memories. The primeval history of the Hebrews was enshrined in the Torah ark. The priests transmitted to their successors the holy books of Egyptian history. Manetho and Berossus were priests<sup>30</sup> and the latter appeared as a spokesman of the god Bel. The Greeks lacked both priestly caste and sacred history. Even the tales about the gods were just “tales” (*mythoi*), and the first Greek historical work, that of Hecataeus of Miletus, began as follows: “I write what in my opinion is true. For the stories told by the Greeks, as it seems to me, are ludicrous”.<sup>31</sup> Josephus, however, again in agreement with other Eastern intellectuals, asserted that the proof of historical veracity was universal agreement, and contrasted the singleness of the Hebrew tradition with the diversity of Greek opinions. Greek historians disagreed among themselves and censured each other in their works.<sup>32</sup> The incapacity of Oriental historians, even when writing in Greek, to reject ancestral traditions made their works unpalatable to the Greeks. Last but not least, the Greeks knew that by writing in Greek the Oriental historians “wanted to glorify” their respective peoples, and not the sons of Javan who now reigned in the east.<sup>33</sup> Unable to refute the Oriental claims, the Greeks ignored them.

Thus, the works of Berossus, Manetho, or Demetrios show that Oriental intellectuals, as long as they continued to be attached to native tradition, could not become Hellenes spiritually. One had to choose between Athens and Jerusalem, or Memphis, or Babylon.

### *Exkursus*

(1) Demetrios fr. 6 Freudenthal = 722 fr. *FGH*. = Clem. Strom. 1, 21, 403 (p. 87 ed. O. Staehlin) gives three chronological equations as follows:

1. From Sennacherib’s campaign in Judah to the Captivity of Jerusalem, 128 years and 6 months.

<sup>30</sup> Diod. I, 44, 4; Sen. *Q.N.* 3, 21: *Berosus qui Belum interpretatus est.*

<sup>31</sup> G. Nenci, *Hecatei Milesii fragmenta*, 1954, p. 1.

<sup>32</sup> Jos. *C. Ap.* 1, 19.

<sup>33</sup> Alex. Polyhistor, 609 T 11 *FGH*. On the unreliability of Oriental chronologies, cf. Diod. 1, 4 and Cicero, *de divin.* 1, 19, 36; 2, 46, 97 (with A.S. Pease’s notes). We may here quote the decree of a “barbarian” city (Mylasa?) that, as late as the second century of our era, praises a certain T. Claudius Anteros, who, as historian of the city, τὰ τῆς πατρίδος καλὰ εἰς μέσους τοὺς Ἕλληνας προήγαγεν διὰ τῶν ἐπιχωρίων ἱστοριῶν ἐνδοξότερα εἶναι. J. Crampa, *Labraunda, The Greek Inscriptions II*, 1972, no. 66. Cf. J. and L. Robert, *BE* 1973, no. 414.

2. From the Exile of the Ten Tribes to the reign of Ptolemy IV, 573 years and 9 months.
3. From the Captivity of Jerusalem to the reign of Ptolemy IV, 338 years and 3 months.

Thus, according to statements 2 and 3, the fall of Samaria preceded the fall of Jerusalem by 235 years. This must be a mistake. In his source, II Kings 18, 9–13, Demetrios read that Samaria had been taken in the sixth year of King Hezekiah of Judah and that Sennacherib came up to Jerusalem in the fourteenth year of Hezekiah. On the other hand, the regnal years of the kings of Judah in the same source make certain that the interval between both deportations must be about 135 and not 235 years.<sup>34</sup> Accordingly Th. Reinesius (1587–1667) corrected the figure “573” in the second equation to “473”. H. Graetz in 1856 suggested increasing the figure “338” in the third equation to “438”.<sup>35</sup>

Thus we have two schemes both reckoned back from the accession of Ptolemy IV in 221, probably in February:

- A.  $221 + 473 = 694$  (Fall of Samaria)  
 $221 + 338 = 559$  (Fall of Jerusalem)
- B.  $221 + 573 = 794$  (Fall of Samaria)  
 $221 + 438 = 659$  (Fall of Jerusalem).

As both figures widely disagree with our Julian dates for the same events (722 or 721 for the fall of Samaria, 587 or 586 for the Captivity of Jerusalem), modern scholars tried to adjust Demetrios’ figures to our chronology by taking our dates as the basis of their calculations. Thus, no less a scholar than J. Freudenthal concluded that Demetrios referred to the accession of Ptolemy III and not to that of Ptolemy IV. Unfortunately, Freudenthal subtracted the (postulated) figure “473” of Demetrios from the wrong date for the fall of Samaria (719) to obtain the Julian date of Ptolemy III (246 B.C.).<sup>36</sup>

<sup>34</sup> *Jos. Ant.* 10, 185.

<sup>35</sup> H. Graetz, *Geschichte der Juden*, 3, 1, note 2. O. Staehlin, in his edition of Clement of Alexandria, names J. Raška as the author of the conjecture. But the latter’s book (*Chronologie der Bibel*) appeared only in 1878.

<sup>36</sup> Freudenthal, *o.c.*, p. 60 rightly observed that Demetrios could not have known the cuneiform dates. But Demetrios also could not have known the Julian dates laboriously constructed by M. v. Niebuhr, *Geschichte Assurs und Babels*, 1857, p. 88, and accepted by Freudenthal. Niebuhr himself (p. 103), from the same passage of Demetrios, obtained the Julian date 716 for the deportation of the Ten Tribes. As A. v. Gutschmid, *Kleine Schriften* 2, 1890, p. 186, observed, the figures in Demetrios exclude Freudenthal’s postulate that the historian speaks of the third deportation from Jerusalem (Jer. 52,

In fact, Demetrios' point of reference was necessarily the accession of Ptolemy IV, his sovereign. How could he have known the true dates of the fall of Samaria or of the capture of Jerusalem? The Jewish historical sources say nothing about the duration of the Exile. This is the reason why later Jewish and Christian chronologists clung to the "70" years of the Exile predicted by Jeremiah (25:12) and referred to by Zechariah (1, 12; 7, 5). Zechariah's words spoken in the second and fourth year of Darius made the joining of biblical and profane chronology possible. Yet, as we shall see below (p. 358), four and five centuries after Demetrios, learned Christian chronologists still widely disagreed about the date of the Exile. At the time of Demetrios (221–204), Eratosthenes had just laid the foundations of Greek chronology, but that of the Near East remained hidden. Ctesias, writing at the Persian court and following the Persian theory of three Empires (Assyrians, Medes, Persians) ended Assyrian history in 843–2 and fabricated a fictitious list of Assyrian kings from Ninus to Sardanapal. Four hundred years after him, Diodorus still copied Ctesias. The chronologist Castor did the same.<sup>37</sup>

More than four centuries after Demetrios, the Christian chronologist Africanus still followed Ctesias, though he also referred to Berossus.<sup>38</sup> He knew from his Bible that Cyrus, in the first year of his reign, had allowed the Jews to go back to Jerusalem. In Greek chronological lists, the accession of Cyrus was placed in 560–559. By combining this date and the 70 years of the Exile predicted by Jeremiah, he assigned the capture of Jerusalem to 630.<sup>39</sup> Hippolytus of Rome, Africanus' contemporary, by some calculation which eludes us, placed the Exile in the year 660 before the nativity of Christ, that is, in 657 according to our reckoning.<sup>40</sup> Eusebius knows from Berossus that Cyrus became the king of Babylon in 539, and copies Berossus' list of Babylonian kings, which according to him confirms the biblical account. He also nicely explains that there are two ways to understand the prophecy of Jeremiah (25, 11; 29, 10): by counting 70 years from the beginning

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30). For further conjectures about the quoted passage of Demetrios see Gutschmid *o.c.*, pp. 185–196; Isid. Lévy, *REJ* 51 (1906), p. 184; R. Eisler, in *Gaster Anniversary Volume* 1, 1936, p. 118.

<sup>37</sup> Diod. 2, 33 ff. Cf. Ed. Schwartz, *RE* 5, 672. On the historical conception of Ctesias, cf. *OG*, 72. Cf. Plato, *Leg.* 3, 685c; Castor, 250 *FGH*.

<sup>38</sup> Schwartz (*supra* n. 16), 40. Africanus refers to Berossus. See 680 fr. 8c, *FGH*.

<sup>39</sup> Schwartz, *o.c.*, p. 26.

<sup>40</sup> Hippolytus, *Die Chronik*, ed. R. Helm, 2, 1929, p. 115; p. 360.

of his preaching to Cyrus, or by counting from the destruction of the Temple to its rebuilding in the second year of Darius.<sup>41</sup> Then he simply picks up the Greek date of Cyrus' accession, decrees that the capture of Jerusalem preceded Cyrus' reign by 30 years, and places the Exile in 590 and, accordingly, its end in 520, the second year of Darius (cf. Zech. 1, 12).<sup>42</sup> He does not even pause to notice that one of his authorities, Clement of Alexandria, inferred from the same passages of Zechariah that the Exile occurred in the first year of the next (48th) Olympiad, that is in 588–587.<sup>43</sup> He also refers the fall of Samaria to 740, extending the interval between the two deportations to 150 years in disregard of his own list of the kings of Judah.<sup>44</sup> Again, two Jewish calculations quoted by Josephus referred the first year of Cyrus to 586 and 576 respectively.<sup>45</sup>

In the absence of eras and fixed years, the complexity of synchronistic equations made errors unavoidable. Two Greek scholars of the generation preceding Demetrios, working with the same materials, placed the capture of Troy, one in 1209, the other in 1184. According to Diodorus, Persian rule in Egypt, from Cambyses to Alexander (535–332), lasted 135 years.<sup>46</sup> Eusebius, no mean chronologist, states in the same chapter that Cyrus became king in 560–559 and that 483 years elapsed between him and the conquest of Jerusalem by Pompey in 63. Clement of Alexandria equates his date of the fall of Jerusalem (588–7) with the seventh year of Nebuchadnezzar (598–7) and quotes Berossus who, allegedly counted 40 years from this event to Cyrus, whose accession Berossus referred to 539.<sup>47</sup>

<sup>41</sup> Eusebius *Chr. Arm.* (*supra* n. 15), 15 = Berossus 680 fr. 5 *FGH*. Euseb. *ib.* p. 57, rightly counts 40 years for the interval between Jeremiah's call to prophecy (Jer. 1, 2) and the fall of Jerusalem, but arbitrarily places the latter event 30 years before Cyrus.

<sup>42</sup> Eusebius, *ib.*, 138. Cf. Eusebius, *Die Chronik des Hieronymus* ed. R. Helm I (1913), 102.

<sup>43</sup> Clem. Alex. *Strom.* 1, 21, 71.

<sup>44</sup> Euseb. *Arm.* (*supra* n. 15), 145; 182 Eusebius-*Hieronymus* (*supra* n. 42) 1, 88; 2, 246.

<sup>45</sup> *Jos. Ant.* 13, 471; 20, 234. Cf. Isid. Lévy (*supra* n. 36), p. 161. The byzantine "Paschal Chronicle" places the Exile in 605. Ed. Schwartz, *RE* 3, 2462. Let us add two observations: First, Berossus apparently did not mention the fall of Jerusalem, but referred to Nabopolossar's and Nebuchadnezzar's operations in Syria generally. See Berossus 680 fr. 8 *FGH* = *Jos. C. Ap.* 1, 137–8. Secondly, the so-called "Ptolemaic" Astronomical Canon remained unknown to ancient historians. Cf. my *Chronology* (1968), 107.

<sup>46</sup> See 259 fr. 24 *FGH* and 241 fr. 1 *FGH*; *Diod.* 1, 44, 1.

<sup>47</sup> Euseb. *Dem. evang.* 8, 2, 53 and 68; Clem. Alex. *Strom.* 1, 21, 127.

To sum up, the figures in the transmitted text of Demetrios may have been corrupted by copyists, but in our ignorance of his work we should avoid tampering with these data, if they agree one with another. We should not demand our level of chronological knowledge from an Alexandrian author writing toward the end of the third century B.C.

## ANADEIXIS

The Gospel of Luke relates that John the Baptist remained in the wilderness from his earliest childhood until the day of his *anadeixis* before Israel:

ἦν ἐν ταῖς ἐρήμοις ἕως ἡμέρας ἀναδείξεως αὐτοῦ πρὸς τὸν Ἰσραήλ (Lk. 1:80).

How are we to understand and translate the rather rare noun ἀνάδειξις which the evangelist uses here? There is no consensus among translators on this point. Some hold that Luke refers to the “installation” of the Forerunner in his prophetic dignity,<sup>1</sup> while others hold that he has in mind the “manifestation” of John the Baptist to the chosen people.<sup>2</sup> Neither of these explanations is completely clear, and even the commentators on the Gospel do not seem to be sure about how they wish to interpret the text.<sup>3</sup> Obviously, before we can attempt to grasp its specific meaning in the sentence we have quoted from Luke, we must first know what was its precise meaning in Greek.

The noun ἀνάδειξις is found only in the *koiné* of the Alexandrian period, but it is derived from the composite verb ἀναδείκνυμι which is already found in Ionian prose.<sup>4</sup> Δείκνυμι is the equivalent of the Latin *ostendere*, i.e. to show something distinctly.

Plato writes:

Τὸ δὲ δεῖξαι λέγω εἰς τῶν ὀφθαλμῶν αἴσθησιν καταστήναι.<sup>5</sup>

Consequently, ἀναδείκνυμι designates specifically the action by which one lifts something up and thus makes it visible. This is the meaning of the verb in the oldest passages where it occurs, in the *Inquiries* of

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<sup>1</sup> This is how the word is translated e.g. by E. Klostermann (*Einsetzung*), H.J. Holtzmann, W. Bauer (*Wörterbuch zum Neuen Testament*), Plummer (“the inauguration of his office”), etc.

<sup>2</sup> This is how the word is translated by Osterwald, Lagrange, Loisy (*manifestation*), the Revised Version (“his shewing”), Codex Aureus (*ostensio*), etc.

<sup>3</sup> Cf. E. Schlier in *TWNT* II, p. 31.

<sup>4</sup> Cf. J. Gonda, ΔΕΙΚΝΥΜΙ, Amsterdam 1929, pp. 58ff. My collection of examples is independent of those assembled by Gonda.

<sup>5</sup> Plato, *Crat.* 430E, quoted by Gonda, *op. cit.*, p. 15.



Herodotus.<sup>6</sup> To give the agreed signal to his troops, Xerxes ordered a shield to be raised aloft: ἀνέδεξε σημήτιον. The Alcmeonidae promised ἀναδέξαι Πέρσησι ἐκ συνθήματος ἀσπίδα.

I believe that one can derive from this primordial meaning of the word its two principal senses, to which all the more specific meanings are linked (there are about eighteen of these).<sup>7</sup> These two principal meanings are *efficere ut appareat*, and *monstrare*. The origin of the first meaning can be readily grasped in those examples where the verb indicates that something previously hidden has become visible by appearing on the surface. The river Eurotas, at first subterranean,

κατὰ τὴν ἀρχὴν τῆς Βλεμινάτιδος ἀναδείξας τὸ ρεῖθρον... ἐκδίδουσι κ.τ.λ.<sup>8</sup>

Treasures hidden in the earth sometimes reappear:

ἡ γῆ ῥαγεῖσα χρυσοῦ τινα ἀνέδειξε θήκην.<sup>9</sup>

Related meanings are obviously attached to this fundamental meaning of the word, e.g. “to escape from an ambush,”<sup>10</sup> “to reveal oneself,”<sup>11</sup> or “to show oneself from a new side,” as in the reproach addressed by Philodemus to certain philosophers: ἀνέδειξαν αὐτοὺς ῥητορικῆς ζηλωτάς.<sup>12</sup> Further, the meaning “to reveal” in religious language belongs to the same class. For example, Isis proclaims: ἐγὼ μυσθεῖς ἀνθρώποις ἀνέδειξα.<sup>13</sup>

<sup>6</sup> Herodotus, 7.128; 6.121 and 124. Cf. also Dio Cassius, 78.13,5: αὐτὸς τὴν ἀσπίδα ἀναδείξας.

<sup>7</sup> Gonda, *op. cit.*, pp. 58ff. I leave out of consideration here those passages where the composite verb is understood in the sense of the simple verb, as is often the case in *koinḗ* (e.g., Polybius, 2.46,5: πρόδηλον δὲ καὶ πικρὸν ἀναδεικνόντα σφίσα πολέμιον ἑαυτόν, or Josephus, *Ant.* 15.288).

<sup>8</sup> Strabo, 8.343C.

<sup>9</sup> Philostratus, *Vita Apollon.*, p. 42, 12, ed. Kayser, quoted by Gonda, *op. cit.*, p. 62.

<sup>10</sup> E.g. Polybius, 2.67,1.

<sup>11</sup> E.g. Plutarch, *Themist.* 25.2: Themistocles ἀναδείξειεν ἑαυτὸν τῷ ναυκλήρῳ (according to Thucydides, 1.127.2: ἦν γὰρ ἀγνώσ τοῖς ἐν τῇ νηϊ... φράζει τῷ ναυκλήρῳ ὅστις ἐστὶ); Plutarch, *Caes.* 38; *Mor.* 319c.

<sup>12</sup> Philodemus, *Rhet.* 2, p. 262 ed. Sudhaus. Cf. also e.g. Polybius, 2.46,5; 5.10,9; 11.29,3; Diodorus 4.4,2; 23.28a; Strabo, 13.618 C; Plutarch, *Pyrrh.* 16.4; *Crass.* 26.4; Lucian, *Navig.* 9; Philostratus, *Heroikos* p. 188 ed. Kayser. The word already has this meaning in Xenophon, *Cyrop.* 8.7,23.

<sup>13</sup> *SIG* 1267,19. In the parallel text of the same date from Cyme (*BCH* 1927, 378 line 22), we find in the same passage the verb ἐπέδειξα. Cf. also J. Keil and A. von Premerstein, *Zweite Reise*, nr. 208: ὁ θεὸς ἀνέδεξεν τὰς εἰδίαις δυνάμεις. Cf. also Aristophanes, *Clouds* 304; Plutarch, *Mor.* 417c; Cornutus, *Theol.* 27; Orphic Hymns

In the other class of example, the meaning of the verb seems at first sight rather far removed from that which we have just explained, and it seems hard to perceive a link to the original meaning of the word. When Strabo writes of Alexander Jannaeus, the Jewish prince:

πρῶτος ἀνθ' ἱερέως ἀνέδειξεν ἑαυτὸν βασιλέα,

this entails neither a revelation nor a manifestation. Polybius employs the following expressions synonymously:

βαιλέα δὲ προσφάτως αὐτὸν ἀναδεδειχῶς and βασιλέα προσαγορεύσας αὐτόν.

In 2 Maccabees, we read that Nicanor Ἰούδαν αὐτοῦ διάδοχον ἀναδειῖσαι, and that Antiochus IV promised ἐλευθέραν ἀναδειῖσαι the city of Jerusalem.<sup>14</sup>

Here, the verb primarily designates administrative acts by which a dignity is bestowed, a proclamation is made, etc. Why is the verb ἀναδείκνυμι employed in these cases?

Let us turn to the fifth Book of Polybius. The historian relates that, three or four days after the death of Ptolemy IV, the regents summoned the guards and the officers of the front-line troops. When all had assembled, the regents ascended the platform which had been built in the courtyard and announced the decease of the sovereign. "After this, having placed the diadem on the head of the royal infant [Ptolemy V], they showed him as king" (ἀνέδειξαν βασιλέα).<sup>15</sup> By appearing in public for the first time with the royal diadem on his head, the heir presumptive to the throne proclaims himself sovereign and presents himself as monarch to the eyes of his faithful subjects. This is why Polybius employs the verb ἀναδείκνυμι, which means "to show something by raising it aloft," to describe the enthronement of Ptolemy V.

This public act of investiture symbolized the acquisition of kingly status: a hellenistic prince was installed in office by his presentation to the people. In order to associate his son Antiochus with the throne, Seleucus I presented him to his subjects in a popular assembly as his co-regent. In order to associate his son with the exercise of power,

84.3, ed. Abel; Sibylline Oracles 3.15; *Inscripfen von Olympia* 53, 38.

<sup>14</sup> Strabo, 762C; Polybius, 4.48,3 and 12; 2 Macc. 9:14 and 14:26. Cf. also Diodorus, 1.66,2; Strabo, 796 C; Josephus, *Ant.* 13.113; 14.280; 2 Macc. 9:25; 10:11; 14:26; Herodian, 2.12,3; Eusebius, *Hist. Eccl.* 3.5,1.

<sup>15</sup> Polybius, 15.25,5 (ed. Hultsch).

Ptolemy I abdicated publicly and presented Ptolemy II to the people of Alexandria, who responded with acclamations. When Herod the Great granted the “royal honors” to his sons, he showed them, robed in their new dignity, to the people who were assembled in the sanctuary on Zion. In 34 B.C.E., Mark Antony summoned the people of Alexandria to the *gymnasion* where thrones had been placed on a silver platform for the triumvir, for Cleopatra, and for their children. From this platform, the Roman proclaimed Cleopatra queen of Egypt, and her children kings of the other lands in the East.<sup>16</sup>

The *right* to the throne does not derive from this presentation, and the modern theory which identifies the source of the hellenistic kings’ power in the election or acclamation of the prince by the “Macedonians” is mistaken.<sup>17</sup> The populace in Alexandria had no right to bestow the possession of the Roman provinces in Asia Minor which the triumvir, Mark Antony, granted to the children of the Egyptian queen. But the notification to the people of the ascent of the new sovereign to the throne was the necessary formality which allowed him to take over his public function. This rite is indispensable to the validity of the action, just as the publication of a law is indispensable for its validity. One episode in Seleucid history will make clear the significance of this act.

In order to confirm the rights of Laodike, his wife whom he had repudiated, Antiochus II recommended her, in the presence of a great assembly of the people, to Ephesus and to the devotion of her subjects, and proclaimed her sons heirs to the throne.<sup>18</sup> It is obvious that the Ephesians themselves could not bestow the Seleucid diadem and that the decision of Antiochus II was valid independently of the acclamations of the crowd who had gathered in Ephesus. Nevertheless, the party of Berenice, the other wife of Antiochus II, claimed that Antiochus II was already dead when this ceremony was held, and that a double had taken his place. In other words, in order to nullify the investiture of the sons of Laodike, their adversaries denied the authenticity, not of a written document conferring the royal dignity, but of the rite of presentation of the princes to the crowd. For the performance of this rite sufficed to make valid the transmission of power.

This is why the verb ἀναδείκνυμι comes to mean “to name someone

<sup>16</sup> Appian, *Syr.* 60, and Plutarch, *Dem.* 38; Justinus, 16.2,7; Josephus, *Antiquities* 16.132 and *Bell. Jud.* 1.457; Plutarch, *Anton.* 54.

<sup>17</sup> See my *Institutions des Séleucides*, p. 8.

<sup>18</sup> Pliny, *Natural History* 7.53; Valerius Maximus, 9.14 ex. 1.

king.” When Antiochus IV, who was at that time in Persia, proclaimed his son (who had remained behind in Syria) his co-regent and heir, he necessarily effected this nomination in writing. But in order to express his will, he uses the verb ἀναδείκνυμι in his letter:

ἀναδέδειχα τὸν υἱὸν βασιλέα, and ὁ πατήρ (i.e., Antiochus III) ἀνέδειξεν τὸν διαδεξάμενον.<sup>19</sup>

A number of dignitaries in the service of the crown were also installed in office in a public ceremony,<sup>20</sup> and it was natural that the verb ἀναδείκνυμι should be used to designate this act too.<sup>21</sup> This leads to the abuse of employing the word to speak of nominations in general;<sup>22</sup> however, the technical vocabulary of government administration avoids this error. This is why, as far as I know, the verb ἀναδείκνυμι has not yet been found in any document issued by the bureaucracy of Ptolemaic Egypt.

The word then comes to designate the promulgation of other royal acts, since these too were made known by a herald: acts of pardon, declarations of war, etc.<sup>23</sup> It is possible that the use of this verb to speak of religious consecrations is linked to the same usage. For example, we read in a letter of Eumenes II (167/166):

τῆς πόλεως (sc. Miletus) μόνης τῶν Ἰάδων μέχρι τοῦ παρόντος τέμενος ἀναδεδειχοῖας ἡμῖν.<sup>24</sup>

But since the verb ἀποδείκνυμι has been used in this sense since Herodotus (5.67), it is not impossible that these two words with such similar meanings were employed indiscriminately in this case; for ἀποδείκνυμι often means “to promulgate.”<sup>25</sup> For example, in two Cretan decrees concerning the rights to asylum in Teos, which were drawn up according to the same pattern, we read in one inscription:

τὰν τε καθιέρωσιν,

and in the other:

<sup>19</sup> 2 Macc. 9:23 and 25.

<sup>20</sup> 1 Macc. 10:62, and C.W.L. Grimm, *ad loc.* Cf. H. Willrich, *Klio*, 1909, p. 416.

<sup>21</sup> 2 Macc. 10:11. Cf. 1 Esdras 8.23; Diodorus, 13.98,1.

<sup>22</sup> E.g. 2 Macc. 14:26; Luke 10:1; Diodorus, 32.10,9.

<sup>23</sup> 2 Macc. 9:14; *OGIS* 234,24; 441,49. Michel, 252,23; Diodorus, 17.16,4; *SIG* 742,55.

<sup>24</sup> Welles, 52,64.

<sup>25</sup> Gonda, *op. cit.*, pp. 63 and 73.

ιερὰν καὶ ἄσυλον ἀποδείκνυμεν.<sup>26</sup>

Nevertheless, Greek ears remained very sensitive to the difference between the two verbs. We have already observed that the word ἀναδείκνυμι is not employed in the technical vocabulary of the hellenistic administration, where the word ἀποδείκνυμι is common. Another example: it is common to say:

ἀποδείξαι τόπον... ἐν ᾧ στηθήσεται ἡ στήλη,

but the verb ἀναδείκνυμι is not used in this construction. While ἀποδείκνυμι generally means *ostendo*, the verb ἀναδείκνυμι has a more restricted and specific sense: *ostendo quid in altum tollens*.<sup>27</sup>

Let us now return to the noun ἀνάδειξις. Although it is very rare, its meaning is clear enough: it is linked to the meaning *monstrare* of the verb ἀναδείκνυμι. Polybius, the first witness to the use of this term, writes: τὰς ἀνάδειξεις τῶν βασιλέων, i.e. the “coronations” of the Lagid kings.<sup>28</sup> Towards the end of the second century B.C.E., the grandson of Sirach uses the same word to translate the Hebrew participle *mmšlt*. He writes that the moon shines periodically, “presiding over the seasons.”<sup>29</sup> The translator has chosen the noun ἀνάδειξις to suggest both the idea of proclamation and the idea of domination. When Diodorus speaks of the ἀνάδειξεις of Apis,<sup>30</sup> he transposes the technical term for a royal coronation to the manifestation of the divine bull. Further, the ἀνάδειξις of a sanctuary is the ceremony in which the idol of the temple is shown to the worshipers for the first time.<sup>31</sup> Finally, Plutarch

<sup>26</sup> Michel, 55,20 and 57,27. On the redaction of these inscriptions, cf. M. Holleaux, *Klio*, 1913, pp. 140ff. Cf. also Athenaeus, 213f.: τύραννον αὐτὸν ἀποδείξας ὁ φιλόσοφος καὶ τὸ τῶν Πυθαγορικῶν ἀναδείξας δόγμα. *Inscriptionen von Magnesia* 100a (line 24): τὴν δὲ ἡμέραν, τὴνδε ἀναδεδειχθαι εἰς τὸν αἰὶ χρόνον ἱερὰν. Line 37: ἐν τῇ G ἀποδεδειγμένη ἱερὰ ἡμέρα. Strabo, 192C: τὸ τὲ ἱερὸν τὸ ἀναδειχθὲν ὑπὸ πάντων κοινῇ τῶν Γαλατῶν Καίσαρι, and 329C: in the temple of Dodona, σύνναος τῷ Διὶ προσαπεδείχθη καὶ ἡ Διώνη.

<sup>27</sup> D. Wyttenbach, *Lexicon Plutarcheum*, s.v.

<sup>28</sup> Polybius, 15.25,11:

ἐπεξώρισκε τὸν ὄρκον ὃν ἦσαν ὀμνύειν εἰθισμένοι κατὰ τὰς ἀνάδειξεις τῶν βασιλέων.

<sup>29</sup> Sir 43:6. Cf. Israel Levi *ad loc.*, in his edition of Sirach/Ecclesiasticus.

<sup>30</sup> Diodorus, 1.85,4: the soul of Osiris

διατελεῖ μέχρι τοῦ νῦν αἰὶ κατὰ τὰς ἀνάδειξεις αὐτοῦ μεθισταμένη πρὸς τοὺς μεταγενεστέρους.

<sup>31</sup> Strabo, 8.381: Lucullus asks permission to borrow statues to decorate the temple of Fortune μέχρι ἀναδείξεως εἶτ' ἀποδώσων. Cf. Dio Cassius, 22.76,2: Mummius lent

applies this hellenistic term to the procedure whereby new Roman magistrates were appointed,<sup>32</sup> since this involved the proclamation of the result of the election by the magistrate who presided over the assembly of the people. The juridical meaning here corresponded exactly to the presentation of the hellenistic dignitaries.<sup>33</sup>

The rare and solemn word ἀνάδειξις is employed only by Luke among ancient Christian authors, and only in this passage. We may sum up our investigation by saying that Luke is affirming that John the Baptist remained in the desert until the day when he was presented to his people by his God.<sup>34</sup> St Jerome has rendered the evangelist's thought perfectly by translating the Greek phrase: *usque ad diem ostensionis*. We need only note here that the word *ostensio* itself carries considerable weight in the language of the Vulgate.<sup>35</sup> *Quod enim nos apparitionem vel ostensionem dicimus Graeci epiphaniam vocant.*<sup>36</sup>

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Lucullus some πρὸς τὴν τοῦ Τυχαίου... καθιέρωσιν. We should note that the essential action in the consecration of a Greek temple was the discovery of the idol of the divinity, which was shut up in the *naos*. We should probably understand in the same sense the occurrence of the verb ἀναδείκνυμι in *Inscripfen von Magnesia* 98 (SIG 589). The bull for sacrifice must be chosen at the beginning of the time of sowing, and "presented" to Zeus (ὕπερ τοῦ ἀναδείκνυσθαι ἐκάστου ἐνιαυτοῦ τῷ Διὶ τὰδρον, etc.). I agree with Robert Bellarmine that the formula ἀναδείξας σοι τῷ Θεῷ καὶ πατρὶ (*sc. τὸν ἄρτον*) in the liturgies of St Basil and St James refers to the elevation of the bread; and I see no compelling reason to link this Christian formula to the rather obscure expressions in the inscription from Magnesia cited above, as does E. Peterson in *Festgabe für Adolf Deissmann*, 1925, p. 320.

<sup>32</sup> Plutarch, *Cato min.* 44 and 46; *Mar.* 8. We should note that in his *Life of C. Gracchus* 12, Plutarch makes a clear distinction, following the praxis of the imperial age (Mommson, *Droit public* VI/1, p. 481), between ἀναγόμενοι (= *renuntiatio*) and ἀνάδειξις (= *designatio*). But *consul designatus* is translated into Greek as ὑπάτος ἀποδεδειγμένος.

<sup>33</sup> T. Mommson, *loc. cit.*

<sup>34</sup> Cf. 1 Esdras 2.3: τάδε λέγει – Κύριος · ἐμὲ ἀνέδειξεν βασιλέα τῆς οἰκουμένης ὁ Κύριος τοῦ Ἰσραήλ. Cf. Eusebius, *Hist. Eccl.* 1.10.7.

<sup>35</sup> Cf. F. Kaulen, *Sprachliches Handbuch zur Vulgata*, 1904, p. 74.

<sup>36</sup> Ps.-Jerome, *Ep.* 26.1. Cf. Apocalypse of Ezra 12.8 and 13.39, where *ostendere* translates ἀποκαλύπτειν. *Designare* too can also mean "to reveal" (Stadius, *Silv.* 3.1,2, and F. Vollmer, *ad loc.*).

## JOHN THE BAPTIST IN THE WILDERNESS

*Ascendamus ad divinam scripturam per expositiones probabiles patrum, velut per quamdam scalam visionis.* Modern biblical criticism neglects this counsel of Cassiodorus.<sup>1</sup> Itself a child of the struggle against tradition, it turns its back on the patristic exegesis of Scripture, although it could find there something it itself necessarily lacks, viz. an independent means of assessing the value of its researches.

Since it reads the biblical books as human texts, this criticism naturally finds in them imperfections, mistakes, and contradictions; but the Byzantines knew that all the inspired authors had “one and the same master alone,”<sup>2</sup> and thought that they had been preserved from all error. It is primarily our own “stupidity” which conceals from us the truth of Scripture.<sup>3</sup> Even the obscurities of the Bible are providential: God’s intention is that those who seek instruction “should have to do some work.”<sup>4</sup>

This is why the Byzantine commentators can give modern criticism the greatest critical help which it can hope or expect, viz. the capacity to see the sacred Scriptures from another point of view than one’s own. I should like to demonstrate this by means of an example taken from the Gospel of St Luke.

After relating the circumstances of the marvelous birth of John the Baptist, the evangelist offers only this brief and curious piece of information about the childhood and youth of the forerunner: “And the child grew and became strong in spirit, and he was in the wilderness until the day of his manifestation to Israel” (Lk. 1:80).

Since they are uninterested in the precise details of a narrative they consider “legendary,” modern exegetes have nothing to say about this child who lives in the wilderness.<sup>5</sup> But the Byzantine readers found

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<sup>1</sup> Cassiodorus, *De inst. div. litt.*, PL 70, 1107.

<sup>2</sup> Patriarch Gennadius, *Confession of the Faith*, in E.J. Kimmel, *Libri symbolici eccles. orient.*, 1843, p. 21. Cf. Augustine, *De doct. christ.* 1.37.

<sup>3</sup> Photius, PG 101, 816.

<sup>4</sup> Justin, *Dial.* 90. Cf. Augustine, *De doct. christ.* 2.6: *facile investigata plerumque vilescunt.*

<sup>5</sup> Cf. e.g. the commentaries by J.M. Creed, W. Manson, A. Loisy, etc., *ad loc.*, or the specialist studies of the infancy narratives, e.g. M. Goguel, *Jean-Baptiste*, 1928; A. von

this detail of the forerunner's life astonishing: "Your father is a priest, and your aged mother devotes herself to prayers," says Chrysippus of Jerusalem in his eulogy of John the Baptist. "Why then did you flee into the desert?"<sup>6</sup>

It would surely have been more normal for this only child, born to elderly parents, to remain in the bosom of his venerable family; and a Coptic legend relates that his parents took St John every day to the temple in Jerusalem.<sup>7</sup> But Luke does not know this version. According to his account, John the Baptist remained in the desert from his early infancy. The fathers of the church had no doubt of the historical truth of this statement, and they looked for a rational explanation of this extraordinary fact.<sup>8</sup>

## I

Some of the ancient exegetes thought that John the Baptist was obliged to leave his family in order to escape the slaughter of the Holy Innocents. The Byzantine chronographers accepted this rationalistic interpretation, which we find for the first time, as far as I know, in the Protevangelium of James.<sup>9</sup> But this will not hold water, for the simple reason that the third Gospel knows nothing of the extermination of the male infants in Bethlehem ordered by Herod, which we find only in Matthew's Gospel.

Another interpretation, belonging to the realm of spiritualizing speculation, was proposed by Origen,<sup>10</sup> and later authors offered variations on

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Harnack, *Beiträge* I, p. 108; G. Erdmann, *Die Vorgeschichte des Lukas- und Matthäusevangeliums*, 1932; M. Dibelius, *Sitzungsber. Heidelb. Akad.* 1931–1932, nr. 4.

<sup>6</sup> Chrysippus, ed. A. Sigalas (*Texte und Forschungen zur byzantinisch-neugriech. Philologie* 20, 1937), p. 34.

<sup>7</sup> *Texts and Studies* IV/2, pp. 163 and 236. This story also found its way into the Arabic apocryphal literature. Cf. R. Reitzenstein, *Hellenistische Mysterienreligionen*, 3rd edn. 1927, pp. 199 n. 1.

<sup>8</sup> Byzantine art sometimes depicts St John being carried off by an angel into the desert. Cf. N. Pokrovski, *The Gospel in iconography* (in Russian), 1892, p. 179.

<sup>9</sup> Prot. Jac. 22, Cedrenus I, p. 328; Nicephorus Callistus, 1.14 (PG 145.78); A. Vassilicoff, *Anecdota graeco-byzantina* I, 1893, nr. 1; Cod. Athos 1007, in A. Kirpitschnikoff, *Vizant. Vremennik* I, 1896; Syriac text in A. Mingana, *Woodbrook Studies* I, p. 239.

<sup>10</sup> Origen, *Hom. 11 in Lucam*, ed. M. Rauer, p. 69: *non exspectavit ut a patre nutrireretur et matre... sed recessit, fugiens tumultum urbium... et abiit in deserta, ubi purior aer est et caelum apertius et familiarior Deus, ut quia necdum sacramentum baptismi nec praedicationis tempus advenerat, vacaret orationibus et cum angelis conversaretur.*



the same theme.<sup>11</sup> According to Origen, John sought the desert “where the air is purer, the heaven more open, and God closer.”

More than once, men inspired by God have sought solitude, and have then emerged prepared to engage in spiritual battle.<sup>12</sup> After spending twelve years devoted to prayer in a grotto, Simon ben Jochai became a formidable worker of miracles, from whose eyes fiery flames came forth. Rabbi Hanina ben Dosa, St Pachomius, and St Cyprian acquired their spiritual power only in periods of withdrawal from human society, for – as the angel told St Zosimus, who had spent forty years in solitude – “one who does not see the human face, sees beside him the face of Christ the high king.”<sup>13</sup>

There are however two details that make the case of the forerunner distinctive, indeed unparalleled. In the instances cited above, the one who flees from this depraved world is a man who has the use of his reason. Even St David of Mytilene, who fled to Mount Ida while still a child and remained there for thirty-six years, was nine years old when he fled in 725, according to his hagiographer.<sup>14</sup> But John the Baptist “fled the din of the cities” while still in his swaddling clothes.<sup>15</sup> Origen vigorously emphasizes this detail and remarks on this difference between John the Baptist and Moses, who likewise lived in the desert.<sup>16</sup> He explains the puzzle by means of a miracle: *et nativitas Ioanni plena miraculo est*. But when he speaks of the period spent by the forerunner in the wilderness, Luke abstains from any allusion to a supernatural event.

<sup>11</sup> Cf. e.g. Theodoret, PG 84, 45; Theophylact, PG 123, 720; Titus of Bosra in I. Sickenberger, *TU* 21, p. 146; a Syriac *vita* in F. Nau, PO 4, 526; a Latin hymn in *AASS*, June V, p. 592. According to Chrysostom (*De bapt. Christi*, ed. Montfaucon, II, p. 439), the Holy Spirit sent St John into the desert in order that the might be able to bear witness to Jesus with total objectivity (following the indication in Jn 1:31).

<sup>12</sup> Cf. A.D. Nock, *HTR*, 1934, p. 59.

<sup>13</sup> *Sabb.* 33b; *Kethub.* 62b; Sozomen, *Hist. Eccl.* 3.14 (PG 67, 1072); cf. *AASS*, May III, p. 338; L. Radermacher, *Sitzungsber. der Wiener Akademie* 206/4, p. 35; *Vita S. Zosimae* in A. Vassilieff, *Anecdota graeco-byzantina* I, p. 166. Cf. Suplicius Severus, *Dial.* 1.17: *eum qui ab hominibus frequentaretur, non posse ab angelis frequentari*. Cf. in general R. Reitzenstein, *Sitzungsber. der Heidelberger Akademie* 1919, nr. 8, pp. 12ff.

<sup>14</sup> *Anal. Boll.*, 1899, p. 213. Cf. PO 5, 704. St Aaron chose the monastic life at the age of five.

<sup>15</sup> Cf. Origen, *Hom. 11 in Lucam*, ed. Rauer, p. 70; Theodoret, PG 84, 45. In order to make this less remarkable, some authors make John older at the time of his withdrawal to the wilderness: five (PO 4, 523) or seven (A. Berendts, *Studien über Zacharias-Apokryphen*, dissertation, Dorpat 1895, p. 67).

<sup>16</sup> Origen, *Hom. 11 in Lucam*, *ibid.*

Secondly, in his retreat from society, the future prophet has dealings with heavenly forces. In order to save Abraham from a wicked king, his mother conceals him in a cavern immediately after his birth. The angel Gabriel visits him there, and twenty days later, the newborn child is walking and talking and proclaiming that there is no God other than the One and only God.<sup>17</sup> In the same way, Origen assures us that John the Baptist “devoted himself to prayer and conversed with the angels” in the wilderness. But Luke does not say this. The phraseology which he employs to speak of the growth of the child in power and wisdom is borrowed from the biblical stories of Samson and Samuel,<sup>18</sup> and was intended to remind the reader of those sacred narratives. These, however, do not mention any supernatural events in the youth of the ancient heroes; and this means that Origen’s hypothesis, although attractive at first, contradicts the data of the problem.

We cannot accept the patristic interpretations of this enigmatic passage in Luke. They are nevertheless immensely valuable for us, since the efforts undertaken by the teachers of the church show that we are not raising imaginary objections here. Rather, there is a genuine exegetical difficulty in the strange statement of the third Gospel. Let us therefore take up once again the question posed by the patristic exegetes:<sup>19</sup> why was John the Baptist in the desert?

## II

In order to appreciate properly a striking detail in a narrative, we must consider the ensemble of which it forms a part.

The story of John the Baptist begins with the apparition of the angel to Zechariah. Naturally enough,<sup>20</sup> there are no witnesses to this vision.

<sup>17</sup> Cf. the variants of this story in B. Beer, *Leben Abrahams*, 1859, p. 5; A. Wünsche, *Aus Israels Lehrhallen I*, pp. 14 and 35; Micha bin Gorion, *Die Sagen der Juden*, p. 191. The gnostic Terebinthus was *de virgine natum... ab angelo in montibus enutritum* (H. Usener, *Weihnachtsfest*, 2nd edn. 1911, p. 73).

<sup>18</sup> Cf. Judges 13:24; 1 Sam 2:21; 2:26; 3:19. On the meaning of such imitations, cf. F. Dornseiff, *ZNW*, 1936, pp. 130f. The same biblical formula is employed in an apocryphal story about Moses (Bin Gorion, *op. cit.*, p. 417).

<sup>19</sup> Theophylact, PG 123, 720: Διὰ τί δὲ ἦν ἐν τοῖς ἐρήμοις;

<sup>20</sup> Cf. e.g. Gen 16:7 and 17:19; Judges 13:1; Dan 10:7; Acts 9:7; *Taan*. 23b; Achilles Tatius, 3.18,2; Proclus, *Commentary on Plato’s “Republic,”* ed. W. Kroll, II, p. 119; *Doctrina Jacobi* in Bonwetsch, *Nachr. Götting. Wiss. Ges.*, 1921, p. 27; etc. Origen (*Hom. 3 in Lucam*, ed. Rauer, p. 20), explains this point very well: the heavenly powers are visible to human beings only to the extent that they themselves wish.

The surprising feature is that the people are unable to learn the contents of the vision, since the angel strikes Zechariah dumb. The fathers sought to find a theological reason for this dumbness, since this detail is not found in the parallel biblical narratives.<sup>21</sup> Nevertheless, the constructive role of this element in the composition of the story is clear: in this way, the secret is known only to Zechariah and to the reader.

After becoming pregnant, Elizabeth hides herself (Lk. 1:25). Why is this? The ancient commentators attempted unsuccessfully to discern the reason for this withdrawal.<sup>22</sup> But we can easily grasp its function in the structure of the narrative as a whole:<sup>23</sup> in the annunciation to Mary, the angel can give the virgin a sign by telling her about the grace which God has bestowed in secret on Elizabeth (Lk. 1:36).

When the forerunner is born, the neighbors of the family naturally<sup>24</sup> celebrate the divine mercy. The first miracle is the name of John, which his parents both give him without any prior agreement; everyone is surprised (Lk. 1:65). The second miracle is the release of Zechariah's tongue. All are astonished and wonder: "What then will this child be?" (1:66). After Zechariah's vision, the people see the hand of the Lord but cannot grasp the meaning of the divine intervention; the same applies here. This affirmation is somewhat surprising; nothing like it is said in the biblical narratives which served as models for Luke's composition.<sup>25</sup>

In the final scene, "Zechariah was filled with the Holy Spirit, and prophesied" (Lk. 1:67). This prophecy, the *Benedictus*, is not addressed to the people; rather, Zechariah apostrophizes his son (1:76ff.). Origen

<sup>21</sup> Cf. e.g. Origen, *Hom. 5*, ed. Rauer, p. 39; Eusebius, PG 24, 532; Athanasius, PG 27, 1392. We should note that Zechariah is not the only person in the Bible to ask for a sign before believing in something miraculous – but that the others are not reprimanded. Cf. e.g. Gen. 15:8; Judges 6:37; 2 Kg. 20f.

<sup>22</sup> Origen (*Hom. 6 in Lucam*, ed. M. Rauer, p. 34) says that Elizabeth was ashamed at becoming pregnant at such an advanced age. This explanation, which was adopted by St Ambrose (*In Lucam* 1.43) and Theophylact (PG 123, 701), does not correspond to Jewish ideas (cf. e.g. Apocalypse of Ezra 9.45; H. Gunkel, *Das Märchen im Alten Testament*, 1922, p. 112), and also contradicts Lk. 1:26.

<sup>23</sup> A. Loisy, *Les Évangiles synoptiques* I, p. 285.

<sup>24</sup> Cf. e.g. Gen. 19:19.

<sup>25</sup> Cf. the passages in the LXX cited by A. Resch, *TU* 10/5, p. 30, and in general G. Erdmann, *Die Vorgeschichte des Lukas- und Matthäus-Evangeliums*, 1932, p. 11. According to his hagiographer, the future of Isaac (patriarch of Antioch from 686 to 689) was predicted to him during his baptism. Delighted, his parents blessed God, and all his fellow disciples bowed down before Isaac (PO 11, 305). The Talmudic legend elaborates in a similar way the statements of the Bible about the childhood of Samuel: L. Ginzberg, *The Legends of the Jews*, 1909–1928, IV, p. 59.

asks why Zechariah speaks thus to a newborn child, who was incapable of understanding his words.<sup>26</sup> And once again, the exegete explains this by means of a miracle. Let us accept this interpretation; it does not prevent us from noting that this scene, like all the preceding scenes of the story, has no troublesome witness. Zechariah's psalm is heard only by the forerunner himself and by the reader of Luke.

We can now see Luke's narrative strategy. Zechariah is dumb, Elizabeth hides herself away, the miracles remain unintelligible to their contemporaries, the oracles are heard only by Zechariah and John the Baptist – and the latter dwells in solitude from his birth onwards. In other words, from the beginning to the end, the characters in the sacred drama are isolated from their contemporaries, and the world knows nothing of the secret of John the Baptist until the day when the forerunner begins to preach on the banks of the Jordan.

This mystery which shrouds the “pre-history” of St John is surprising, when we recall that Luke's account imitates the stories of the births of Isaac, Samson, and Samuel. After their marvelous births, these biblical saints openly follow the path of grace in the world and under the eyes of the whole world: “And Samuel grew, and the Lord was with him and let none of his words fall to the ground” (1 Sam. 3:19). Why is the forerunner's biography different?

### III

The birth of the forerunner is closely linked in the third Gospel with the nativity of the Savior. The two stories run parallel, and they intersect in the visitation. The story of Jesus has five scenes: the annunciation (Lk. 1:26–36), the visitation (1:39–57), the nativity (2:4–21), the purification of Mary (2:22–39), and the finding of Jesus in the temple (2:41–52). The two first scenes have no witnesses, but we as readers are present at the meeting between Gabriel and Mary, and we hear the *Magnificat*. In the three following scenes, the divinity of the child is revealed. At Bethlehem, the shepherds hear the *Gloria in excelsis*. At his presentation in the temple, Jesus is recognized as Messiah by Simeon and Anna. At the age of twelve, seated among the teachers, he proclaims himself

<sup>26</sup> Origen, *Hom. 10 in Lucam*, ed. Rauer, p. 63:

ἐξήτουν κατ' ἑμαυτόν διὰ τί τὴν περὶ Ἰωάννου προφητείαν οὐκ εἶπεν ὡς περὶ αὐτοῦ, ἀλλ' ὡς πρὸς αὐτόν... περισσὸν γάρ' ἔστι τὸ λέγειν τῷ μὴ ἀκούοντι.

the Son of God.<sup>27</sup> But in all these three instances, the good news is not understood. All who hear the words of the shepherds “are astonished” (2:18);<sup>28</sup> when they hear the oracle of Simeon, the parents of Jesus (the only persons present in this scene) “marvel at what was said about him” (Lk. 2:33);<sup>29</sup> and they subsequently fail to understand that Jesus saw himself as the Son of God (2:50).

Why is this mystery only unveiled in part? Why does Mary preserve these oracles in her heart (Lk. 2:19 and 51)?<sup>30</sup> According to Origen, she alone already suspected that her son was more than a human being; she alone knew “that the time would come when what was hidden in Jesus would be made manifest.”<sup>31</sup>

#### IV

The narrative structure of the sacred history is the same in both these parallel stories, and the mystery of Jesus corresponds to the isolation of St John. We can now see that our initial question – “Why was the forerunner in the desert from his birth onward?” – is subordinate to a wider problem. Why did John the Baptist and Jesus spend the beginnings of their lives in obscurity? In order to understand this, we must consider the place of the two infancy narratives, which are so closely linked together in the structure of the third Gospel.

The infancy narrative is only a prologue to the ministry of Jesus, but is clear that it contradicts the story of his public career, to which it serves as an introduction. According to this story, Jesus was about thirty years old when he began his mission (Lk. 3:22). During his baptism, the Holy Spirit descended upon him, and God acknowledged him as his beloved Son. On that day, the day of the epiphany, “the divinity of Christ was revealed to the world by the solemn testimony

<sup>27</sup> Cyril, PG 72, 510; Timothy, PG 86, 248. Cf. I. Lévy, *La légende de Pythagore*, 1927, p. 299.

<sup>28</sup> On the meaning of this expression, cf. G. Bertram in *TWNT* III, p. 38.

<sup>29</sup> Cf. Photius, PG 101, 826. Luke does not repeat this formula after the intervention of Anna (1:38), in keeping with his well known tendency to avoid repetition.

<sup>30</sup> These verses are not meant by Luke as a discreet hint at the source from which he derives his information (as Orthodox exegesis suggests). Rather, the formula comes from Gen 37:1, and its meaning is explained by Josephus, *Ant.* 2.15.

<sup>31</sup> Origen, *op. cit.*, p. 260: εἰδούτα ὅτι ἔσται καιρός καθ’ ὃν τὸ κεκρυμμένον ἐν αὐτῷ φανερωθήσεται.

of the divine voice.”<sup>32</sup> But according to the infancy narrative, Jesus the Son of God was holy in virtue of his birth and consecrated from the moment of his conception. As soon as the child was born, he was proclaimed Messiah by the heavenly powers and recognized as such by pious Israelites. The two ideas are incompatible. And this is why, for a long time, some regions of the church celebrated his nativity as the “epiphany,” and other regions his baptism.<sup>33</sup>

In the same way, according to the main body of the narrative, the word of God was not addressed to John until the fifteenth year of the reign of Tiberius, and it was then that the prophet came forth from his desert to preach repentance (Lk. 3:1ff.). But according to the preliminary narrative, John the Baptist, who was born in the days of Herod (1:5), was filled with the Holy Spirit “even from his mother’s womb” (1:15).<sup>34</sup> The Holy Spirit is the divine power with which the biblical heroes acted on behalf of God. This means that the work of salvation begins twice in the third Gospel, both under Herod and under Tiberius, both at the birth and in the grown manhood of John the Baptist and of Jesus.

The difficulty created by this double start is not necessarily dogmatic; it is primarily logical. Given that the saint is revealed only at the determined hour, how can he have manifested himself before that date? On the literary level, this is the same problem which we encounter in all those narratives where the manifestation of the hero is postponed for some reason or other: how are we to understand this delay, and the fact that the other characters in the story fail to recognize the hero? Whether it is a folktale or a sacred narrative, the answer is always the same, since the techniques of story-telling do not depend on the dignity of the subject. Either the hero remains on the sidelines until the date when he is to be manifested, or else, if he does appear on stage, one can fail to recognize him.

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<sup>32</sup> Apostolic Constitutions 8.33,7.

<sup>33</sup> Cf. B. Botte, *Les origines de la Noël et de l'Épiphanie*, 1932; H. Lietzmann, *Geschichte der alten Kirche* III, 1928, pp. 324ff. It seems that the debates about the history of the Christmas feast pay insufficient attention to the importance of the fact that the epiphany could be identified either with the incarnation or with the baptism. The marriage feast at Cana was celebrated on January 6 (Botte, *op. cit.*, pp. 42ff.) because according to the fourth Gospel, the miracle at Cana was the beginning of the epiphany of Christ (Apostolic Constitutions 5.13,2). Cf. Justin, *Dial.* 87.

<sup>34</sup> Augustine (*Sermo* 292) underlines this difference between the forerunner, who was chosen from his birth, and the other prophets and disciples of Christ, who were adults when they were called.

## V

Wrapped in a sleep of death, Snow White or Epimenides can await indefinitely the moment when they are to reappear on stage.<sup>35</sup> Similarly, according to Shiite doctrine, the Imam is already present, but he does not yet reveal himself; he is isolated from the world. Hidden in the desert or on a mountain in Hejaz, he awaits the messianic age; at his side are honey and water.<sup>36</sup> The strange Mandaean account dates the beginning of the preaching of John the Baptist to the period when he was twenty-two years old. In order to explain this delay in the manifestation of the chosen one, the Book of John relates that Anosh-Uthra had taken away the infant, as soon as he was born, to Parwdan, the white mountain, where John had spent twenty-two years learning wisdom. After this, dressed in vestments of glory, he appeared by the Jordan and began his apostolate.<sup>37</sup> Likewise, Buddhist tradition unanimously affirms that Siddhartha was twenty-nine years old when he left his palace and adopted the eremitical life. In order to explain this astonishing delay on the part of a bodhisattva who has deigned to descend from heaven to earth as the savior of the world, and whose miraculous birth and childhood manifest his nature, the tradition employs the theme of the hero who is isolated from the world. Warned by diviners that his son will choose the monastic life as soon as he sees an old man, a sick man, a corpse, and a monk, the father of the future Buddha did everything he could to ensure that his son lived separated from the world in his palace. But when the date drew near, the gods ensured that the prince saw the four sights, and he fled from the palace.<sup>38</sup> According to the Mazdaean tradition, Zoroaster received illumination on the fifteenth day of the month of Artavahista in the thirty-fifth year of King Vistâspa, when

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<sup>35</sup> According to a Buddhist variant of the theme of Epimenides, the hero is transported to heaven until the date for his return to human society (H. Günther, *Buddha in der christlichen Legende*, 1922, p. 148). In the same way, Elijah, who is kept in reserve until "the appointed time" (Sir. 48:10), dwells in heaven where, according to one Jewish tradition, he writes down the deeds of his people (*Seder Olam*, ch. 17, in M. Zobel, *Gottes Gesalbter*, 1938, p. 64).

<sup>36</sup> Cf. E. Blochet, *Le Messianisme dans l'hétérodoxie musulmane*, 1901, p. 37; Schahrastani, *Religionsparteien*, trans. T. Haarbrücker, I, 1850, p. 198. There is no reason to see this theme as an indication of gnostic ideas (cf. T. Andrae, *Die Person Mohammeds*, 1918, p. 295).

<sup>37</sup> Cf. A. Loisy, *Le Mandéisme*, 1934, pp. 38ff.

<sup>38</sup> Cf. H. Kern, *Histoire du bouddhisme I*, 1901, pp. 33ff.

he was thirty (or thirty-seven) years old.<sup>39</sup> In order to explain this late début of the son of Ormuzd, the classical authors (certainly following the version of a Mazdaean theologian) posit a retreat of thirty years before the beginning of his apostolate. At the age of seven, when his education began, Zoroaster resolved to observe silence and fled from other people to a mountain (or to deserted places), where he remained until the beginning of his mission. His nourishment was a cheese that never became moldy.<sup>40</sup> As we see, when John the Baptist awaited in the desert the day of his manifestation, he was not an isolated case.

In other cases, the hero remains among people but his outward appearance is altered so that he cannot be recognized. Cinderella is obliged to hide her beauty under the clothes of a poor servant girl until the ball where she is to meet Prince Charming. Athene makes Odysseus unrecognizable even to his wife, and when the old nurse recognizes him by means of a scar, the gods turn aside the eyes of Penelope, who is present at this scene. Is it not astonishing that no one appears to believe in the words of the shepherds who had heard the *Gloria in excelsis*, and that the evangelist simply has them return home – although in principle, one who has received a divine message must not cease to proclaim it to all the world?<sup>41</sup> For analogous reasons, in the first Book of the *Odyssey*, Penelope prevents the court poet from singing of the return of the Achaeans – for otherwise, as the scholiast says, Telemachus and the suitors would have learned of the adventures of Odysseus too soon, and the entire narrative tension of the epic would have been destroyed.<sup>42</sup>

Hagiography too is fond of employing the theme of the masked hero in order to explain the delay in his manifestation. In the rabbinic schools, it was said that the Messiah had already been born, and people asked: “Where is he?” The reply was that he was sitting in concealment at the gate of the city of Rome, among the incurably sick, waiting for the moment of his manifestation.<sup>43</sup> According to his biographer, Mahāvîra, the saint of the Jains, decided only at the age of thirty to

<sup>39</sup> Cf. A.-W. Jackson, *Zoroaster*, 1899, p. 40.

<sup>40</sup> Cf. J. Bidez and F. Cumont, *Les mages hellénisés* II, 1938, pp. 27f., and I, pp. 24ff.

<sup>41</sup> Cf. e.g. Plutarch, *De Is. et Os.* 12; *De def. orac.* 17; Livy, 5.32; Cicero, *De divin.* 1.26,55; Jamblichus, *Vita Pythag.* 148.

<sup>42</sup> Schol. *Odys.* 1.328.

<sup>43</sup> I. Lévy, *REJ* 77 (1923), p. 3. Cf. M. Zobel, *Gottes Gesalbter*, pp. 79, 137, and 154.



lead the eremitical life.<sup>44</sup> The hagiographer explains this delay by telling us that from his earliest days, the saint had resolved not to become a hermit before his parents were dead. According to a chronicler, Hakim, the savior of the Druses, appeared in 1009/1010 of the Common Era, but he concealed his nature and did not make himself known as god until eight years later: it was in fact in 1017/1018 that the Caliph Al-Mansur proclaimed himself god.<sup>45</sup> Sometimes, legends speak of saints who performed miracles before their first public manifestation, such as Nicholas of Myra or those ascetics who spent their lives in the world disguised as a man, or an actor, etc. But these anticipated revelations always occur in some private sphere.<sup>46</sup>

## VI

In secular literature, the theme of the secret is employed to intensify the drama. When Xouthos demands that his meeting with Ion must not be revealed to Creusus, this is simply a means of delaying the dénouement of the plot invented by Euripides. In hagiography, the same proceeding is meant to explain the abnormality of a delayed manifestation: for the divine summons is a unique action which will not brook either delay or procrastination on the part of the one who has received it.

“The Eternal will take hold of you, and you will become another man.” St Paul and St Augustine experienced this, just like the ancient prophets, and the pagans did not disagree.<sup>47</sup> In view of this experience, the case of a man inspired by God who did not immediately begin his apostolate seemed an anomaly that demanded a reasonable explanation.

<sup>44</sup> A. Guérinot, *La religion Djaina*, 1926, p. 34. Cf. A. von Glasenapp, *Der Jainismus*, 1925, p. 23.

<sup>45</sup> S. de Sacy, *Religion des Druses I*, 1838, pp. 98ff. Cf. E. Graefe in *Encycl. de l'Islam* II, 10, p. 288.

<sup>46</sup> *Vita S. Nicolai per Michaellem*, chs. 17 and 21, in G. Anrich, *Hagios Nikolaos I*, 1913. Cf. *ibid.* 57 and II, pp. 264 and 511; W. Bousset, *Archiv f. Religionswissenschaft* 20 (1922), pp. 7ff.; H. Reitzenstein, *Historia Monachorum*, 1916, pp. 56ff. While still on his way to the monastery, the future St Dometius performed a miracle, but he asked his traveling companions not to divulge it (*AB*, 1900, p. 299; cf. P. Peeters, *AB*, 1939, p. 72). On the “messianic secret” of Jesus, cf. my essay “The Messianic secret and the composition of the Gospel of Mark,” in this Volume, below.

<sup>47</sup> Cf. e.g. Virgil, *Aeneid* 6.77ff., with the commentary by E. Norden; Lucan, 1.677; Livy, 5.15.5; Pausanias, 9.23.2; H. Lietzmann, *An die Galater, ad* 1:13–14; for the prophets, cf. J. Hempel, *Gott und Mensch im Alten Testament*, 1936, p. 95.

In reality, this anomaly is due only to the mutual contamination of discordant doctrines and traditions. When the Apocalypse of Zerubbabel affirms that the Messiah, born in the days of David, lives in hiding in Rome,<sup>48</sup> this is because the author of this text is trying to harmonize two contradictory ideas, namely that the Anointed is still to come and the belief that he must be the son of David. The Manichean tradition offers another example of similar redactional processes. Mani himself relates<sup>49</sup> that the Paraclete revealed to him all wisdom at the time of the ascent to the throne (?) of King Ardasher. Towards the end of the same reign, Mani began to preach. He set out for India, and returned to Persia in the first year of Shapur, when he was about twenty-five years old.<sup>50</sup> The doctrine of the Manichean church, interpreting this illumination by the Paraclete as the call to the apostolate, neglected the evangelization of India and considered the appearance of Mani at Shapur's coronation as the beginning of his preaching. Thereby, it created an exegetical difficulty, viz. his delay in starting his apostolic mission. In order to resolve this, it introduced the theme of the secret: at the age of thirteen, we are told, Mani received the revelations of the king of the paradise of light, but the angel told him that because of his youth, the time had not yet come for his manifestation. At the end of his twenty-fourth year, the angel returned and told him that the time had come for him to appear in public and to proclaim his teaching. And Mani manifested himself on the day on which Shapur ascended the throne.<sup>51</sup>

According to one version, the divine revelations to Muhammad began when he was forty years old; according to another account, he did not receive the illumination until he was forty-three. In order to harmonize these two traditions, Muslim hagiography invented a "pause" of three years after the first revelation.<sup>52</sup> When the Druse source moves the appearance of Hakim eight years back into the past and relates that he passed himself off as a descendant of Muhammad in order to conceal

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<sup>48</sup> I. Lévy, *REJ* 68 (1914), p. 148.

<sup>49</sup> Mani, *Kephalaia*, ed. H.-J. Polotski, pp. 14f.

<sup>50</sup> Mani was born in 216/217, the fifth year of the reign of Artaban V (Al-Birumi, in H.-J. Polotski, *Real-Enc.*, Suppl. VI, c. 243). I note that this important synchronism allows us to determine the chronology of the last Arsacid, which is completely confused in our textbooks of history. Cf. e.g. N.-C. Debevoise, *History of Parthia*, 1938, p. 263.

<sup>51</sup> An-Nadim in K. Kessler, *Mani*, 1889, pp. 384ff. Cf. H.-C. Puech in *Mélanges R. Dussaud*, 1939, p. 597.

<sup>52</sup> A. Sprenger, *ZDMG*, 1859, p. 173.

his divinity, he is led into this error by an ordinance of Hakim published in 1009/1010, which he knows but does not properly understand.<sup>53</sup>

A hagiographer who is not concentrating on his work may however overlook the need to explain the procrastinations of his hero. Pârschva, a Jain saint like Mahâvîra, did not abandon life in the world until the age of thirty, but his biographer did not find it necessary to give any reasons for this delay.<sup>54</sup> Mar Abdulmasich, a Jewish child who was slain by his father because he had converted to Christianity, had the time before his martyrdom to convert his mother, to be blessed by a bishop, etc. In order to explain this delay, his biographer imagined that the child had been hidden by his mother after her conversion and that it was only later that his father, too much preoccupied by other matters, met his son.<sup>55</sup> We find the same narrative elements in the *vita* of St Constantine, but here the hagiographer is not in the least interested in understanding how the holy child was able to remain among the unbelieving Jews until his martyrdom, without feeling any fear of them.<sup>56</sup>

This means that the theme of the hidden life of a saint prior to his manifestation, which is employed twice in the Gospel of Luke, is not a creation of pious legends; it is a device employed by a logical and historical spirit which juxtaposes contradictory traditions and then tries by this means to resolve the resulting inconcinnities. One might be tempted to think that this reasoning does not do justice to the intention of the sacred author; but St John Chrysostom explains in exactly the same way the strange fact that Jesus did not perform any miracles before his baptism. "If, while still a child, Jesus had worked miracles from his earliest years, he could not have remained unknown for so long," and the entire "structure" of his life would have been turned upside-down by his premature manifestation.<sup>57</sup>

## VII

Let us now return to the Gospel of Luke. For the story of the ministry of Jesus, Luke follows the narrative of Mark, but this begins only with the baptism, when the Holy Spirit descended upon Jesus. Luke's

<sup>53</sup> S. de Sacy, *Religion des Druses* I, p. 100.

<sup>54</sup> Cf. H. von Glasenapp, *Der Jainismus*, 1925, p. 19.

<sup>55</sup> *AB*, 1886, p. 17.

<sup>56</sup> *AASS* Nov. IV, p. 628.

<sup>57</sup> Chrysostom, *Hom. 21 in Joh.*, PG 59, 130; cf. his *Hom. 8 in Matt.*, PG 57, 85.

other principal source, the collection of logia of Jesus, contained by definition only the words which the Master had uttered in his preaching. From the perspective of faith, the words and discourses of a man inspired by God became interesting only from the date of his vocation onward. As the ancient biographer of Cyprian says,<sup>58</sup> *unde igitur incipiam, nisi a principio fidei et nativitate caelesti? siquidem hominis dei facta non debent aliunde numerari, nisi ex quo Deo natus est*. This is why the entire story of a prophet or a worker of miracles is essentially an “aretalogy” which begins only with his illumination. And this is why the real or fictitious date of his vocation is particularly important in the narrative of his virtues and his miracles.<sup>59</sup>

It is a remarkable fact that the ancient Christian tradition offered no chronological data about Jesus. The “good news” lies outside both chronology and geography. But Luke, who was writing for Gentiles, needed chronological points of reference. For lack of anything better, he employed the date given by the Baptist’s disciples for the vocation of their master: “in the fifteenth year of Tiberius Caesar... the word of God was addressed to John, the son of Zechariah” (Lk. 3:1).

We should note that this detailed chronological note, which contains several synchronisms, comes from Baptist groups; it is probable that their literature included a collection of oracles of John the Baptist, composed in imitation of the prophetic books of the Bible.<sup>60</sup> It is well known that the vocation of the prophet, which necessarily coincides with the beginning of his public activity, is always dated precisely in the canonical books. Luke regarded the date of the illumination of

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<sup>58</sup> Pontius, *Vita Cypriani* 2 (Cypriani *Opera*, ed. W. Hartel, III, p. xc). Pontius is imitating Cicero, *De fin.* 2.31,103: *quodsi dies notandus fuit, eumne potius quo natus [sc. Epicurus] an eum quo sapiens factus est?*

<sup>59</sup> Cf. R. Reitzenstein, *Hellenistische Wundererzählungen*, 1906, p. 97, and my remarks on this in my essay on “The Messianic Secret,” below. The Gospel of Marcion, like that of the Ebionites, began with a chronological note on the public appearance of John the Baptist or (in Marcion’s text) of Jesus. The tradition dates exactly the first manifestation of Mani, Zoroaster, etc. Cf. also e.g. the beginning of the story of Audi, the founder of a gnostic sect: “In the thirtieth year of the reign of the Emperor Constantine, there appeared a man named Audi of Edessa” (Agapius, in PO 7, 562; on this gnostic, cf. H.-C. Puech, in *Mélanges Cumont* II, pp. 935ff.).

<sup>60</sup> As the system of synchronisms employed in this text shows, this chronological note was composed before the reign of Caligula, who bestowed on Agrippa I the tetrarchies of Herod Antipas and of Philip, and the principality of Lysanias. Since this date is borrowed from a Baptist source, it does not indicate, as has been claimed (M.-J. Lagrange, *ad loc.*), that Luke was writing before 66.

John the Baptist, which corresponds to 27/28 CE,<sup>61</sup> as an approximate indication of the beginning of the public career of Jesus too. From the Baptist source, he had learned that St John was born under Herod (Lk. 1:5). He believed that Jesus was the same age as his forerunner, and he drew the inference that Jesus was about thirty years old at the beginning of his ministry (3:22). The entire chronology of the life of Jesus has no other foundations than these two conjectures by Luke.<sup>62</sup>

After “many had undertaken to compile a narrative of the things which have been accomplished among us,” Luke proposed to offer a more complete account and to treat his subject “from the beginning.” He also inserted into his work traditions about the antecedents of Jesus, adding the Baptist account of the origins of St John.<sup>63</sup> But to begin with, these miraculous stories were incomplete: the legend relates the marvelous conception of the hero, but it has nothing to say about his growing up and his education, since these experiences are common to all human beings.<sup>64</sup> Besides this, the legend which embellishes the hero’s cradle is generated outside of history, and it is not interested in locating at precise dates in the biography of the saint the miracles which it relates.

Luke, who was writing for Gentiles, intended to give an “ordered account,” as he states in the preface to his book. Since the traditions about the childhood of the Son of God and of his precursor represented an anticipation of the story of the preaching of John and the salvific ministry of Jesus, Luke was obliged to harmonize these apparently contradictory versions and to fill in the gap between the accounts of the births and the beginning of the public lives of Jesus and John the Baptist. As historiographers did in such cases, Luke too had recourse to conjectures.<sup>65</sup>

<sup>61</sup> Cf. Lagrange, *ad* Lk 3:1; C. Cichorius, *ZNW*, 1923, p. 17. The fifteenth year of Tiberius began in Syria on October 1, 27.

<sup>62</sup> On the assertions of the fourth Gospel about the age of Jesus, and the polemic of Irenaeus on this subject (*Adv. Haer.* 2.22), cf. A. Loisy, *Les origines du Nouveau Testament*, 1926, pp. 59ff.

<sup>63</sup> On the Baptist origin of this tradition, cf. M. Goguel, *Jean-Baptiste*, 1928, p. 71; M. Dibelius, *Sitzungsber. d. Heidelb. Akademie*, 1931–1932, nr. 4, p. 4 and 10. Dibelius identifies (correctly, as it seems to me) a number of independent accounts which Luke has interwoven in his narrative of the childhood of Jesus: a Baptist legend about St John, the account of the birth of Jesus (Lk. 1:26–38), the visit of the shepherds (2:1–19), the presentation in the temple, etc.

<sup>64</sup> Similarly, on the Egyptian monuments which depict the origins of the king, the artists choose only the critical moments of his existence: his conception, birth, and coronation. Cf. G. Maspero, *J. des Savants*, 1899, p. 413.

<sup>65</sup> I cite only one example here, taken from Greek historiography. According

The anecdote of the finding of Jesus in the temple showed the Savior at the age of twelve. In order to conceal his lack of information about the life of Jesus before and after this episode, Luke, following his custom,<sup>66</sup> inserted innocent formulae of transition, made up of biblical reminiscences: "The child grew in age and in wisdom" (Lk. 2:40 and 52).<sup>67</sup>

The evangelist had no information about the early years of John the Baptist. Once again, a formula of transition, composed in intentional imitation of the passages in the Septuagint which describe the development of Samson and Samuel, serves to cover the chronological interval between two independent traditions, one concerning the origins of the forerunner, the other concerning his preaching: "And the child grew and became strong in spirit" (1:80). We note that Luke, who speaks as an historian, refrains from filling in the gaps in his information by inventing material. He relates the facts as these have been "delivered by those who were eyewitnesses and ministers of the word" (1:2) and he coordinates these by means of conjectures which are as discreet as possible.

As a next step, in order to resolve the contradictions created by the juxtaposition of independent traditions, Luke introduces into the "pre-history" of the Gospel the theme of the hidden life. Could he have done anything else? When he arranged in chronological order the facts reported by his sources, he saw that Jesus had been called Savior from his birth. According to the narrative of Mark, from which Luke borrowed the primary outlines of his work and whose order he scrupulously respects, it was only at the baptism, when Jesus was aged about thirty, that God adopted him as his Son. Modern criticism explains this double installation of Jesus as the Son of God by two different stages of belief: an adoptionist christology has been juxtaposed to the idea

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to Herodotus (1.65), Lycurgus acted as legislator while he was the tutor of King Charilaos. But since Ephorus believed that Lycurgus waited until his pupil had come of age before carrying out his plans, he filled in the "hole" which was thus created in the biography of Lycurgus by sending the future reformer on lengthy foreign voyages (Ephorus *apud* Strabo, 10.4,19; Justinus, 3.2,5. Cf. K. Kessler, *Plutarch's Leben des Lykurgus*, 1910, p. 17).

<sup>66</sup> On these devices whereby Luke makes the transition from one scene to another, cf. H.J. Cadbury in *The Acts of the Apostles* V, 1933, and J. Jeremias, *ZNW*, 1938, p. 206.

<sup>67</sup> The official theologians of the church held that this progress in wisdom concerned the human intelligence of the child, and was not in any way miraculous. Cf. J. Turmel, *Histoire de la théologie positive*, 1904, p. 40; J. Lebreton, *Histoire du dogme de la Trinité* I, 1926, p. 573.

that Jesus possessed divinity on the basis of his origins. But since Luke did not know this hypothesis, he was obliged to think that there was only an apparent contradiction between the two versions, and that the enthronement of Jesus as Son of God on the day of his baptism was not a doublet of the miracle of his conception, but merely reiterated and made manifest the earlier wonder.

Similarly, when Luke saw that he could not date the vocation of John the Baptist earlier than the fifteenth year of Tiberius – although John had been clothed with the divine power since his birth – the experience of his own century, his Christian experience, and the examples in the Bible (which provided the models and rules for all experience)<sup>68</sup> taught him that this delay could be only apparent: in reality, the inspiration which makes the chosen person speak and act for God without delay was effective in the case of the forerunner too. Like all hagiographers who were confronted by such contradictions, Luke conjectured that initially, the world did not know that the divine Spirit had taken hold of Jesus and John the Baptist. By means of a few harmless retouches, therefore, he isolated those miracles which had preceded or accompanied the births of his heroes and which really ought to have revealed from the very outset the divine essence of the Savior and the prophetic election of the forerunner. And since he knew nothing about the early years of the latter, he filled in this gap with the hypothesis which offered the best explanation of this absence of information about the voice which cried in the desert: the prophet had been hidden in the wilderness until the day when God called him and revealed him to Israel.<sup>69</sup>

## VIII

Ancient readers understood perfectly the intention of the evangelist here. Chrysostom asks why it is not the day of Jesus' birth, but the day of his baptism that is called "Epiphany." Why do we celebrate on

<sup>68</sup> On this role of Scripture, cf. the penetrating observations by L. Baeck, *Das Evangelium als Urkunde der jüdischen Glaubensgeschichte*, 1938, pp. 17ff. Cf. also N.-N. Glatzer, *Untersuchungen zur Geschichtslehre der Tannaiten*, 1933, pp. 32ff.

<sup>69</sup> On the meaning of the noun ἀνάδειξις (Lk. 1:80), cf. the preceding essay in this volume. This is basically a technical term for the manifestation of a quality which hitherto had been concealed. Cf. e.g. Apostolic Constitutions 5.13,2: on January 6, the feast of the Epiphany,

καθ' ἣν ὁ κύριος ἀνάδειξιν ὑμῖν τῆς οἰκειᾶς θεότητος ἐποίησατο.  
Cf. *ibid.* 2.55,1; 8.33,7.

that day the appearance of the saving grace? “It is because his manifestation to all people dates, not from his birth, but from his baptism. Until that day, he was unknown to the multitude.”<sup>70</sup> The fathers insist that his nativity remained a secret, and that the world knew nothing of him until the beginning of his ministry.<sup>71</sup> *Homo apparuit inter homines latens Deus.*<sup>72</sup>

What of John the Baptist? Let us hear once more the testimony of Origen. The forerunner lived in the wilderness from his earliest childhood “because the times had not yet come for the sacrament of baptism and the preaching.”<sup>73</sup>

The fathers asked a question, and we have found an answer in conformity with their own teaching – with the one exception that, where they discerned a sequence of events unfolding according to the designs of divine providence, our eyes, less perspicacious, see only a literary structure. But this difference of perspective must not prevent us from looking humbly for teaching from men who were closer than us to the language and the spirit of the Gospels. No classical scholar neglects the scholia on the ancient authors; but the exegetical work of the church is surely no less imposing than the work of the Alexandrian grammarians, and no one has ever surpassed the elegance of Chrysostom or the subtlety of Origen. And it is from St Ambrose<sup>74</sup> that we borrow the hermeneutical rule for the third Gospel which we have followed here, viz. the awareness that Luke was writing as a conscious and conscientious historian: *est enim historicus*.

<sup>70</sup> John Chrysostom, *De bapt. Christi*, ed. Montfaucon, II, p. 369 (PG 49, 366):  
ἐπειδὴ οὐχ ὅτε ἐτέχθη τότε πᾶσιν ἐγένετο κατάδηλος ἀλλ’ ὅτε ἐβαπτισατο. Μέχρι  
γὰρ ταύτης ἡ γνοεῖτο τῆς ἡμέρας τοῖς πολλοῖς.

<sup>71</sup> Cf. e.g. Jerome, PL 25, 18: the nativity of Jesus is not yet his epiphany. *Tunc enim absconditus est et non apparuit*. Cf. also Ps.-Jerome, PL 30, 221; etc.

<sup>72</sup> Augustine, *Sermo* 293.5.

<sup>73</sup> Origen, *Hom. 11 in Lucam*, ed. Rauer, p. 69 (Latin text: n. 11 above). Cf. Theophylact, PG 123, 720.

<sup>74</sup> Ambrose, *Expos. in Lucam* 1.



## THE HERODIANS

A miraculous healing performed on a sabbath day aroused the anger of the Jews against Jesus. The Pharisees joined forces “with the Herodians” (μετὰ τῶν Ἡρωδιανῶν) to find a way to destroy him, but Jesus withdrew with his disciples in the direction of the sea (Mk. 3:6).<sup>1</sup> This happened in Galilee, perhaps at Capernaum. But in Jerusalem too, his enemies sent “some of the Pharisees and the Herodians” (τινας τῶν Φαρισαίων καὶ τῶν Ἡρωδιανῶν) to Jesus to entrap him with the celebrated question: “Is it lawful to pay taxes to Caesar, or not?” (Mk. 12:13ff.).<sup>2</sup>

In these two Gospel pericopae,<sup>3</sup> Jesus’ adversaries are the Pharisees and the Herodians. The former group is sufficiently well known, but who are these Ἡρωδιανοί?

### I

In his commentary on Matt. 22:16, St Jerome collects the various explanations of the term “Herodians” which had been proposed by the ancient exegetes. *Mittunt igitur Pharisei discipulos suos cum Herodianis, id est militibus Herodis, seu quos illudentes Pharisei quia Romanis tributa solvebant, Herodianos vocabant et non divino cultui deditos. Quidam Latinorum ridicule Herodianos putant, qui Herodem Christum esse credebant, quod nusquam omnino legimus.*<sup>4</sup>

The opinion which St Jerome indignantly rebuts is not in fact found in any father of the church.<sup>5</sup> But he himself reproduces in another text<sup>6</sup>

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<sup>1</sup> In the parallels (Matt. 12:14 and Lk. 6:11), the Herodians are not mentioned.

<sup>2</sup> Matt 22:15ff. essentially agrees with Mark. According to Matthew, it is the Pharisees who send their disciples “with the Herodians” (μετὰ τῶν Ἡρωδιανῶν) to Jesus. Lk. 20:20ff. does not mention the Herodians.

<sup>3</sup> The warning at Mk. 8:15, “Beware of the leaven of Herod,” has nothing to do with the “Herodians.”

<sup>4</sup> Jerome, PL 26, 162.

<sup>5</sup> It is cited only by late compilers such as Theophylact (PG 123, 521), *Catena ad* Mk. 12:3.

<sup>6</sup> Jerome, *Contra Luciferian.* 23 (PL 23, 178): *taceo de Iudaismi haereticis qui ante adventum Christi legem traditam dissiparunt... Dosithaeus... Saducaei... Pharisei a Judaeis divisi... quod Herodiani Herodem regem suscipere pro Christo.* This passage is copied from Ps.-Tertullian, *Adversus omnes haereses.* See the following note.

the information about the Jewish sect of the “Herodians” which he has borrowed from Ps.-Tertullian’s treatise *Against all the Heresies*. This latter text mentions in passing “the Herodians who have declared Herod to be the Messiah.”<sup>7</sup> In his *Panarion*, Epiphanius too reckons the same false teaching as the “twentieth” heresy.<sup>8</sup> And somewhat later, in his discussion of the Jewish heresies, Philastrius of Brescia identifies the Messiah of the sect of the “Herodians” with Herod Agrippa I.<sup>9</sup>

We thus find ourselves confronted by two Jewish groups in the days of Jesus Christ, both known as “Herodians.” Before we can attempt to identify the “Herodians” of the Gospels, we must first take account of the character of the “Herodians” of the anti-heretical treatises.

Let us begin by noting that the sect of the “Herodians” is mentioned only in the three treatises cited above, and that all the later writers who mention this depraved opinion depend directly or indirectly on them.<sup>10</sup> As late as the twelfth century, the *Treasure of the Faith* of Nicetas Acominates condemns this doctrine. But apart from the three authors mentioned here, no other ancient writer against heresies, from Justin and Hegesippus to Pacian and Isidore of Seville, is acquainted with the “Herodians” or their teaching, and no ancient exegete mentions them.<sup>11</sup>

<sup>7</sup> Ps.-Tertullian, *Adv. omn. haer.* 1: *taceo... Iudaismi haereticos. Dositheum inquam Samaritanum, qui primus ausus est prophetas quasi non in spiritu sancto locutos repudiare, taceo Sadducaeos, qui ex huius erroris radice surgentes ausi sunt ad hanc haeresim etiam resurrectionem carnis negare, praetermitto Phariseos, qui additamenta quaedam legis adstruendo a Iudaeis divisi sunt, unde etiam hoc accipere ipsum quod habent nomen digni fuerunt, cum his etiam Herodianos, qui Christum Herodem esse dixerunt.*

<sup>8</sup> Cf. n. 42 below. Epiphanius composed this work between 375 and 377 (K. Holl *ad p.* 153, 1 of his edition of the *Panarion*).

<sup>9</sup> Philastrius, *Haeres.* 28 (PL 12, 1138): *Herodiani sunt ab Herode rege Iudaeorum ita appellati. Isti resurrectionem confitentur, legem et prophetas accipiunt, Herodem autem regem Iudaeorum percussum ab angelo ipsum ut Christum sperantes expectant.* Philastrius’ work was composed between 385 and 391 (M. Schanz and G. Krüger, *Geschichte der lateinischen Literatur* IV, §960), and probably after 388 (A. von Harnack, *Marcion*, 1924, p. 381 n. 1). For the “Herodians” in the Byzantine formula used by those renouncing Judaism, cf. J. Juster, *Les Juifs dans l’Empire Romain* I, 1914, p. 117, n. \*\*.

<sup>10</sup> The passages about the “Herodians” which I know in the literary compilations are the following: Scholion on Persius, *Satir.* 5.180, ed. O. John and F. Leo, 4th edn. 1910, p. 54: *Herodis ergo diem natalem Herodiani observant aut etiam sabbata*; John Damascene, PG 94, 689; Ps.-Jerome, *Indiculus de haeresibus* 9 (in F. Oehler, *Corpus haeresiol.* I, p. 281).

<sup>11</sup> Justin, *Dial.* 80 (cf. A. von Harnack, in *TU* 39/1, pp. 58ff.); Hegesippus, *apud* Eusebius, *Hist. Eccl.* 4.22,7; Hippolytus, *Philos.* 9.18,2–29,4; Apostolic Constitutions 6.6–8; Ps.-Clement, *Recognitions* 1.54 (cf. H. Waitz, *ZNW*, 1929, p. 264); Ephrem (in Schmidtko, *TU* 37/1, p. 200); Pacian, *Epist. ad Sympron.* 1 (PL 13, 1053); Isidore, *Etymol.* 8.4. Likewise, we find nothing about the Herodians in the Arabic account by Al-Qirsani of the Jewish sects (cf. L. Nemoy in *HUCA* 7 [1930]), nor in the oriental authors (cf. F. Haase, *Altchristliche Kirchengeschichte nach orientalischen Quellen*, 1925, pp.

Not even an indefatigable reader like St Jerome found any information about them in his Greek books.

Let us next note that the three authors in question depend on one another. Philastrius employed the *Panarion*,<sup>12</sup> and the close links between this work and the treatise of Ps.-Tertullian are also obvious.<sup>13</sup> Without entering here into the unresolved debates about the sources of these anti-heretical works and their reciprocal relationships, let us limit ourselves to this indisputable conclusion: the three ancient witnesses to the heresy of the “Herodians” are in fact one single witness, viz. the common source from which the three authors directly or indirectly draw their information about the Jewish sect.

This unique testimony is very ancient. The author of the treatise *Adversus omnes haereses* may have been Pope Zephyrinus (199–217) or his Latin interpreter, Victorinus of Pettau,<sup>14</sup> but it is also possible that this little work, which was preserved under the name of Tertullian, has a less illustrious genealogy. At any rate, there can be no doubt that it was compiled in the first decades of the third century.<sup>15</sup> This means that the source of Ps.-Tertullian takes us back to the time of Irenaeus.

Nevertheless, it appears that this ancient testimony was only imperfectly understood by the authors who transmitted its contents, for it is difficult to conceive of a Jewish sect which saw in an Idumaeen the Messiah promised to Israel.<sup>16</sup> And the reader who has some acquaintance with Epiphanius or Philastrius will realize that one is fully justi-

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119ff.). – Irenaeus, Augustine (PL 43, 587), Marutha (in A. von Harnack, *TU* 19/1, p. 17), Leontius (PG 86, 1193), Theodoret (PG 83, 335), and Ps.-Augustine (PL 53, 587) mention only Christian sects.

<sup>12</sup> Cf. P. de Labriolle, *Histoire de la littérature latine chrétienne*, 1920, p. 399, and especially the notes by K. Holl in his edition of Epiphanius (e.g. *ad* p. 206, 6; 207, 13; etc.).

<sup>13</sup> Cf. R. Lipsius, *Zur Quellenkunde des Epiphanius*, 1865, pp. 5 and 35; Idem, *Die Quellen der ältesten Kirchengeschichte*, 1875, pp. 91ff.; E. Schwartz, *Sitzungsber. Bayer. Akad.*, 1936, nr. 3, pp. 37ff.

<sup>14</sup> Cf. most recently E. Schwartz, *op. cit.*, p. 41.

<sup>15</sup> Cf. Lipsius, *Quellen*, pp. 141ff.; P. de Labriolle, *Histoire*, p. 299.

<sup>16</sup> It suffices here to refer for example to J.C. Leuschner, *De secta Herodianorum*, 1751. – According to the story of “Paul the priest” in a Syriac manuscript written in 875, this priest arrived in a town of the Samaritans, “and they belonged to the heresy of the Herodians, those who followed Herod, the one who was the friend of Jesus of Nazareth” (F. Nau, *RB*, 1930, pp. 396 and 399). Obviously, this account is apocryphal. The existence of Samaritans who rejected Deuteronomy because of Deut. 21:23 – which is unfavorable to the claims of the Samaritans in the Hebrew Pentateuch, but not in the Samaritan Bible – is highly unlikely. Herod as the “friend of Jesus” is an invention of Christian legend (based on Lk. 23:8).

fied in having doubts about the information given in the anti-heretical works.<sup>17</sup> For example, Epiphanius constructs a Jewish sect of “scribes,” based on what the Gospels say about the γραμματεῖς.

I believe that it is only thanks to an analogous error that the heresy of the “Herodians” appears in our sources.

Αἵρεσις certainly means “heresy”; but its primary word, in conformity with the original sense of this Greek noun, is “a particular opinion.” Thus, the writers against the heresies insert in their catalogues erroneous interpretations of various passages in Scripture, although those who put forward such interpretations never formed any “sect.” The Bible tells us that the eyes of Adam and Eve were “opened” when our ancestors tasted the fruit from the forbidden tree. Simple people – *imperitum vulgus*, in Augustine’s phrase<sup>18</sup> – deduced from this that the first two human beings were created blind; and Philastrius inserts this childish interpretation as the “116th” heresy in his list of sects. Heb. 7:1–6 is an enigmatic passage which gave rise to a number of strange ideas about Melchizedek. Epiphanius invented a sect which called itself the “Melchizedekians,” and he attributed to this group some heterodox opinions about the patriarch.<sup>19</sup> Unless I am much mistaken, the sect of the “Herodians” too is nothing more than a materialization, created by the anti-heretical writers, of a Jewish interpretation with which the church disagreed and which it registered as false in the ancient source which lies behind Ps.-Tertullian, Epiphanius, and Philastrius.

## II

Both Jews and Christians agreed that the Messiah was to be a descendant of David and that his coming was foretold by scripture. But whereas the Christians asserted that the promised Anointed one had already arrived, the Jews were still awaiting their Messiah. The entire discussion between Jews and Christians depended therefore on the answer given to this preliminary question: *an qui venturus Christus adnuntiabatur iam venerit an venturus adhuc?*<sup>20</sup> In turn, the solution to this

<sup>17</sup> Cf. e.g. Lipsius, *Quellenkunde*, pp. 79 and 138; Justin (*Dial.* 80) includes the Pharisees among the sects “which no good judge would ever recognize as Jewish.”

<sup>18</sup> *City of God* 14.17.

<sup>19</sup> *Panarion* 55. Cf. G. Bardy, *RB*, 1926, p. 505.

<sup>20</sup> Tertullian, *Adv. Iudaeos* 7.

problem depended on the interpretation of the messianic prophecies of the Bible. Chrysostom demonstrates the usefulness of chronology by means of the following argument:<sup>21</sup> one who does not know the time when a prediction is to be realized, will not be able to demonstrate the meaning of the prophecy. “This is the source of our controversies with the Jews... who have committed the gravest of errors thanks to their ignorance of the times. They heard the patriarch say: ‘There will never be lacking a prince from Judah, etc.’; but if they had paid attention to the time of his coming, they would not have fallen away from Christ and fallen into the clutches of the Antichrist.” Ignorance of chronology leads to great errors!

Christians held that the verse from Jacob’s blessing (Gen. 49:10) which Chrysostom quotes in the LXX version was a very clear sign of the messianic epoch.<sup>22</sup> We need not attempt here to elucidate the enigmatic oracle which announces that the scepter will not be removed from Judah until *Shiloh* comes. It suffices to note that the Jews in the first centuries of the Common Era took the obscure word *Shiloh* as a designation of the Messiah,<sup>23</sup> that the Targums translate it as “the Anointed” and “the anointed king,”<sup>24</sup> and that the Jews also understood the oracle as a promise that Israel would be powerful. On the Day of Atonement, the high priest prayed that the scepter might not be taken away from Judah.<sup>25</sup>

It was therefore natural for Christian authors to establish a direct link between this prophecy and the coming of Jesus, as well as the end of the Jewish state in 70 C.E., which was chronologically subsequent

<sup>21</sup> John Chrysostom, *Hom. 2 in Oziam* (Is. 6:1), PG 56, 111 (VI, p. 127 ed. Montfaucon): ὁ τοίνυν τοὺς καιροὺς ἀγνοῶν τῶν εἰρημένων πραγμάτων ἢ τῶν ἐκβάντων, πῶς δυνήσεται δεῖξαι τῷ φιλονεικῶντι τὸ τῆς προφητείας ἀξίωμα; ἀντεῦθεν ἡμῖν καὶ οἱ πρὸς Ἑλληνας ἀγῶνες καὶ νίκαι, ὅταν πρεσβύτερα ἀποφαίνομεν τὰ ἡμέτερα τῶν παρ’ ἐκείνοις· ἐντεῦθεν ἡμῖν καὶ πρὸς Ἰουδαίους ἀποδείξεις περὶ τῆς ἀληθείας εἰσί· πρὸς Ἰουδαίους τοὺς ἀθλίους καὶ ταλαιπώρους, οἱ διὰ τὴν τῶν χρόνων ἄγνοιαν τὸ μέγιστον σφάλησαν. Εἰ γὰρ ἤκουσαν τοῦ πατριάρχου λέγοντος οὐκ ἐκλείψει ἄρχων ἐξ Ἰούδα κτλ., καὶ εἰ παρετήρησαν μετ’ ἀκριβείας τοὺς τῆς παρουσίας καιροὺς, οὐκ ἔμελλον, ἐκπεσόντες τοῦ Χριστοῦ, τῷ Ἀντιχριστῷ περιπίπτειν.

<sup>22</sup> Theodoret, PG 80, 217: τοῦτο τῆς τοῦ Κυρίου παρουσίας σημεῖον σαφέστατον.

<sup>23</sup> Cf. especially A. Posnanski, *Schiloh*, 1904, who has collected most of the texts concerning the interpretation of Jacob’s oracle. I have not been able to consult A. Lukyn Williams, *Adversus Iudaeos*, 1935.

<sup>24</sup> Posnanski, *op. cit.*, p. 57. Cf. *Berak*. 57a (from the beginning of the third century), where Gen. 49:11 is implicitly recognized as a messianic prophecy.

<sup>25</sup> *Ioma* 53b. Cf. Testament of Judah 4.20.

to the Master's coming. The most ancient explicit testimony to this interpretation<sup>26</sup> is found in the First *Apology* of Justin, who writes to the Emperor Antoninus Pius and his sons:<sup>27</sup> "Search with care and you will see up to what point in time the Jews had a leader and king of their own, namely until the appearing of Jesus Christ... thus it was fulfilled... that the scepter will not be lacking to the Jews until there comes the one for whom the kingdom is reserved." Irenaeus and Tertullian recognized the same chronological sign in the oracle of Jacob.<sup>28</sup> All three authors are drawing on a common tradition, probably that of the lists of biblical "testimonies"<sup>29</sup> which were compiled to demonstrate to the Jews the messianic character of Jesus.<sup>30</sup>

This interpretation met with objections, however, for the scepter was in fact taken from the race of Judah when Herod, an Idumaeon, seized the throne of David. In his *Dialogue with Trypho*, Justin responds to this objection by alleging that until the time of Jesus, the Jews had at any rate preserved their autonomy, the high priests, etc.<sup>31</sup> This reply was reproduced by many other writers,<sup>32</sup> but it was a poor instrument in debate, since the Jews turned the argument around to deny that the oracle had in fact been fulfilled. Until the end of the debates between

<sup>26</sup> It is however possible that when Aquila translates the word רבן in Gen. 49:10 as "doctor of the law" (ἀκριβαζόμενος), he intended to remove the possibility of the Christian interpretation, which was based on the word ἡγούμενος in the LXX translation. However, the Targums and the Talmud (cf. e.g. Posnanski, p. 33) interpret this word in the same way as Aquila.

<sup>27</sup> Justin, I *Apol.* 32: ὑμέτερον οὐν ἐστὶν ἀκριβως ἐξετάσαι καὶ μαθεῖν, μέχρι τίνος ἦν ἄρχων καὶ βασιλεὺς ἐν Ἰουδαίῳ ἴδιοις αὐτῶν· μέχρι τῆς φανερώσεως Ἰησοῦ Χριστοῦ... ὡς προεῤῥέθη... μὴ ἐκλείψειν ἄρχοντα ἀπο Ἰουδαίων, ἕως ἂν ἔλθῃ ὁ ἀπόκειται τὸ βασίλειον.

<sup>28</sup> Tertullian, *Adv. Marc.* 4.40; Irenaeus, *Adv. Haer.* 4.40, and *Demonstration* 57 (J. Barthoulet, PO 12, 5): "They did not lack a leader... until the coming of Christ. But from the time of his coming onward, warriors skilled at the bow took up their weapons, and the land of the Jews became subject to the domination of the Romans."

<sup>29</sup> A. von Ungern-Sternberg, *Der alttestamentliche Schriftbeweis*, 1913, pp. 76ff. Cf. W. Bousset, *Der jüdisch-christliche Schulbetrieb*, 1915, pp. 298ff.

<sup>30</sup> Cf. Cyprian, *Testim.* 1.21; but Cyprian quotes Gen. 49:8-10 only as a prediction of the conversion of the Gentiles.

<sup>31</sup> *Dial.* 52: ὅτι οὐδὲποτε ἐν τῷ γένει ὑμῶν ἐπάσατο οὔτε προφήτης οὔτε ἄρχων... μέχρις οὐ οὗτος Ἰησοῦς Χριστὸς καὶ γέγονε καὶ ἔπαθεν, οὐδ' ἀναισχύντως τοιμήσετε εἰπεῖν ἢ ἀποδειξάι ἔχετε. Καὶ γὰρ Ἡρώδην... Ἀσκαλωνίτην γεγονέναι λέγοντες, ὅμως ἐν τῷ γένει ὑμῶν ὄντα λέγετε ἀρχιερέα, ὥστε καὶ τότε ὄντος ὑμῖν κατὰ τὸν νόμον Μωσέως καὶ προσφοράς προσφέροντος καὶ τὰ ἄλλα νόμιμα φυλάσσοντος... ὃς κύριος καὶ ἡγούμενος καὶ ἄρχων τοῦ λαοῦ ὑμῶν ἦν.

<sup>32</sup> E.g., Hippolytus, *Werke*, ed. Achelis and Bonwetsch I, p. 59; *De bened. Iacobi* 17 (TU 38/1), p. 39.

Jews and Christians, the former appealed to the existence of their patriarchs, their leaders in exile, etc. as proofs of the authority which the race of Judah enjoyed even after the coming of Jesus.<sup>33</sup>

Christian instruction tended to take the form of questions and answers,<sup>34</sup> and we can easily see how the “dilemma” of Jacob’s oracle could be an appealing topic.<sup>35</sup> The most widespread solution, whose author I do not know,<sup>36</sup> was to claim that the reign of Herod was indeed the moment when the scepter left Judah – but it was precisely during his reign that the Anointed of the Lord was born.<sup>37</sup> “When the scepter of the Jews came into the hands of Herod, he whom the prophet calls ‘the one whom the nations await’ was already standing at the door.”<sup>38</sup>

However, the eschatological interpretation of the term *Shiloh* in Jacob’s prophecy was not accepted by all the Jews. For example, some read it as foretelling the last king of the race of David, Zedekiah, who was seized and taken to Babylon as a captive by Nebuchadnezzar.<sup>39</sup> Others

<sup>33</sup> Cf. Posnanski, *passim*. This argument was put forward by R. Judah Hanasi as early as ca. 200 (cf. Posnanski, p. 32). Origen (*De princ.* 4.3) and Cyril of Jerusalem (PG 33, 744) rebut this Jewish argument. For the same reason, Theodoret of Cyr claims that these “patriarchs” are descended from Herod. He denies that they belong to the race of David (*Eranistes* 1; PG 83, 61).

<sup>34</sup> Cf. G. Bardy, *RB*, 1932, p. 220.

<sup>35</sup> Some, like Hippolytus (n. 32 above), maintained that the prophecy was accomplished in 70 C.E.: cf. Athanasius, *De inc. Verbi* 40 (PG 25, 165); Cyril of Jerusalem, *Catech.* 12.17 (PG 33, 744); Diodorus of Tarsus (PG 33, 1579); Gennadius (PG 84, 1660); and Procopius of Gaza (PG 87, 497). Origen (*Ad Matth.* 14.3) saw the fulfillment of the sign in the Jews’ loss of jurisdiction, which he dated to the execution of John the Baptist; Chrysostom, *Contra Iudaeos et gentes* (PG 48, 816), links this loss of jurisdiction to the birth of Christ and the Roman census carried out under Quirinius.

<sup>36</sup> In the first publication of this essay, I attributed this solution by an oversight to Origen; I had forgotten that the 17th Homily on Genesis (PG 12, 258) is incorrectly attributed to the great exegete. This text is in fact dependent on Rufinus, *De bened. patriarch.* (PL 21, 297). Cf. W. Bachrens in Origen, *Werke* VI, p. xxix.

<sup>37</sup> As far as I know, the oldest text which gives this interpretation is the *Chronicle* of Eusebius, *Ad Olymp.* 186, compiled before 313. Eusebius discusses this hypothesis in depth in his *Demonstratio Evangelica* 8.

<sup>38</sup> Eusebius, *Hist. Eccl.* 1.6,4: εἰς δὴ οὖν τον τοιουτον της Ἰουδαίων περιελθούσης βασιλείας, ἐπὶ θύραις ἦδη καὶ ἡ των ἔθνων ἀκολούθως τη προφητεία προσδοκία παρην, ὅτε διαλελοιπόταν ἐξ ἐκείνου των παρ’ αὐτοῖς ἐξ αὐτου Μωυσέως κατα διαδοχην ἀρξάντων τε καὶ ἡγησαμένων. Cf. also e.g. Eusebius of Emesa, quoted by R. Devreesse, *RB*, 1936, p. 209; Theodoret, PG 80, 217; Cyril of Alexandria, PG 49, 356; Chrysostom, PG 54, 574; Rufinus, PL 21, 303; Augustine, *City of God* 18.45; etc.

<sup>39</sup> Cf. Julian the Apostate *apud* Cyril, PG 76, 885; Hilary, *In Ps.* 59.10 (PL 9, 388); Jerome, *Ad Ezech.* 21.29–32 (PL 25, 207); Ephrem the Syrian, quoted in Lamy, *RB*, 1893, p. 179. It is possible that Justin already knew this interpretation: cf. *Dial.* 52.

identified the one who was to come at the end of Jewish power with one or other historical usurper who had supplanted the kings of the Jews.<sup>40</sup> For example, the prophet Samuel proclaimed Saul, who was of the tribe of Benjamin, king at Shiloh (1 Sam. 1:24). Some Jewish teachers understood the oracle as an allusion to this event.<sup>41</sup>

Some Jews argued as follows: they agreed with the Christians that the national authority had ceased to be located in the house of Judah after Herod became king, but they applied the oracle to Herod himself. The patriarch had predicted that the Jews would not lack a leader “until there comes the one for whom it is reserved...” It followed, therefore that “the one for whom it is reserved” was Herod, since there were no more Jewish leaders from that date onwards, and Herod belonged neither to the tribe of Judah nor even to the race of Israel.

We have summarized here the only substantial account of the doctrine of the “Herodians,” viz. that given by Epiphanius.<sup>42</sup> It is clear that this “heresy” is born of a misunderstanding. Since in the eyes of Christians “the one for whom it is reserved” was necessarily Christ, they attributed to those Jews who identified the person prophesied by Jacob with Herod, the strange idea that Herod was the Messiah. In reality, the “Herodians” simply believed that Herod was “Shiloh,” i.e. the one who would put an end to the national kingdom. The Byzantine compilers who made use of Epiphanius’ information understood this situation perfectly. For example, Theophylact writes<sup>43</sup> that the “Herodians” were the spokesmen of an idea which was as yet recent in the days of Jesus: “Herod was the Messiah, because it was with him that the succession

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<sup>40</sup> Some Jews attached great weight to the fact that princes descended from Judah had not in fact reigned after the end of the dynasty of David, since the Maccabees came from the tribe of Levi. In order to refute this argument, Diodorus of Tarsus (PG 33, 1579) appeals to Aquila’s translation, which renders as “scepter” the word translated in the LXX as “prince.” Diodorus infers from this that the oracle is speaking of the national authority of the Jews in general, which did not end until 70 C.E.

<sup>41</sup> Posnanski, p. 42.

<sup>42</sup> *Panarion* 20.1: Ἡρώδην δε οὗτοι ἡγουντο Χριστόν... καὶ ἐπ’ αὐτῷ ἀπατάμενοι ἐσεμύντο τῷ Ἡρώδῃ, ἐκ τοῦ ῥήτου συναρπασθέντες (μετα τοῦ καὶ εἰς χάριν τοῦ τότε βασιλέως κενοδοξῆσαι) τοῦ εἰρημένου· Ὅυκ ἐκλείπει ἄρχων ἐξ Ἰούδα κ.τ.λ. (6): ἐπει οὖν ἐξ ἀλλοφύλων οὗτος βασιλεύει... καὶ οἱ ἐκ τοῦ Ἰούδα ἄρχοντες καὶ πατριάρχαι <ἐξέλιπον>, μετέστη δε βασιλείον εἰς ἀλλόφυλον, πιθανὸν ἔδοξεν ἐν τῇ ὑπολήψει ταν πεπλανημένων το ἀπατηθῆναι καὶ νομίσαι αὐτον Χριστον εἶναι, ἀπο τῆς ἀκολουθίας τοῦ προειρημένου ῥήτου τοῦ οὐκ ἐκλείπει ἄρχων ἐξ Ἰούδα, ἕως ἀν ἔλθῃ ὡ ἀπόκειται, ὡς εἶναι τοῦτο <οὕτως> παρ’ αὐτοῖς νοητέον, ὅτι τοῦτω ἀπέκειτο, φησὶν· ἐξέλιπον γαρ ἔκεινοι καὶ οὗτος οὐκ ἀπο γένους τοῦ Ἰούδα, ἀλλ’ οὔτε ὄλως τοῦ Ἰσραηλ ὑπάρχει· τ<οι>οῦτω δε ἀπέκειτο <το> εἶναι Χριστόν.

<sup>43</sup> Theophylact, PG 123, 521; Nicetas Choniates, PG 139, 1124.



of the Jewish kings ended.” A Byzantine addition to the Russian text of Josephus imagines a debate at Jerusalem on the question whether Herod is the Anointed: for it was after his ascent to the throne that the scepter departed from Judah.<sup>44</sup>

Philastrius, who did not grasp the relationship between the oracle and the opinion of the “Herodians,” attributed to this group the belief that Herod Agrippa I was the Messiah. This erroneous hypothesis was probably suggested by Acts 12:22, which relates that superhuman homage was paid to this prince: “The voice of a god, and not of a human being!” Unfortunately, modern scholars have followed Philastrius in his initial mistake, and have engaged in a lively but sterile debate on the origin and the opinions of a so-called “Herodian” sect which existed only in relation to the oracle of Jacob.<sup>45</sup>

### III

These “Herodians” have nothing to do with the “Herodians” of the Gospels, and St Jerome was perfectly correct to refuse to identify the two. However, the two alternative explanations of the term in the Gospels which he offers his reader are inadequate.

The first was proposed by Origen, who writes: “It is plausible to think that those who recommended that the tribute due to Caesar be paid, were called ‘Herodians’ by those who did not wish this to be done.”<sup>46</sup> This elegant conjecture,<sup>47</sup> approved by H. Grotius and reproduced (with some modifications) by a number of modern scholars,<sup>48</sup> offers an ingenious explanation of the role of the “Herodians” when they join

<sup>44</sup> Josephus, *The Capture of Jerusalem*, ed. V. Istrin, A. Vaillant, and P. Pascal, I, 1934, p. 54. Cf. my essay “On the Old Russian Version of Flavius Josephus,” below.

<sup>45</sup> For bibliographical information on this subject, cf. L.C. Wole, *Bibliotheca Hebraica* II, p. 819, and Calmet, *Dissertations* I, 1720, p. 236.

<sup>46</sup> Origen, *Ad Matth.* 22.16 (PG 12, 1553; p. 636, ed. E. Benz and E. Klostermann): εἶκος γὰρ ὅτι ἐν τῷ λαῷ τότε οἱ μὲν διδάσκοντες τελεῖν τὸν φόρον Καίσαρι ἐκαλοῦντο Ἡρῳδιανοὶ ὑπο τῶν μὴ θέλοντων τοῦτο γίνεσθαι.

<sup>47</sup> The sixth-century Arian author (Morin, *Rev. Bénéd.*, 1925, p. 239) of a commentary on Matthew (the *Opus imperfectum*) misunderstood Origen. He believes that the “Herodians” were pagans (PL 56, 866). Cyril of Alexandria modifies Origen’s hypothesis a little: the “Herodians” were tax collectors (*In Isaiam* 11.4, PG 70, 317).

<sup>48</sup> Cf. e.g. W. Otto, *RE, Suppl.* II, p. 202; L. de Grandmaison, *Jésus Christ* I, 1931, p. 251. Others see the “Herodians” as partisans of the house of Herod: cf. e.g. E.L. Gould, E. Klostermann, and H.S. Swete in their commentaries on Mark, on Mk. 3:6; A. Momigliano, *Annali della R. Scuola Normale*, 1934, p. 383.

the Pharisees in interrogating the Master about the tax due to Caesar; but it cannot help us understand their role in the pericope about the man with the withered hand, nor does it agree with the form of their name. In Latin, *Herodiani* would be a suitable name for the partisans of a man called Herod, but in Greek one used terms such as οἱ τὰ Ἡρώδου φρονούντες, Ἡρωδαιοί,<sup>49</sup> etc.

For the same reasons, we must eliminate the second hypothesis supported by St Jerome and maintained in the Antiochene school of exegesis. Chrysostom mentions this *en passant* in a homily, as if this explanation were completely natural: “the Herodians, that is to say, the soldiers of Herod.”<sup>50</sup> This conjecture is probably suggested by another passage in Scripture which mentions the troops of Herod Antipas, who accompanied him to Jerusalem during Holy Week (Lk. 23:11). Chrysostom may be thinking of the imperial legions who called themselves *Constantiniani*, etc.

A plausible explanation of the term Ἡρωδιανοί must meet the following conditions: it must make the form of the word comprehensible, and it must be in conformity with the role played by the Herodians in Galilee and at Jerusalem, according to the Gospels. Of all the ancient and modern conjectures, only one appears to me to meet these requirements. I believe that Erasmus was the first<sup>51</sup> to identify the “Herodians” with the servants who belonged to the household of Herod Antipas.<sup>52</sup>

#### IV

The word Ἡρωδιανοί is not a Greek formation.<sup>53</sup> It is constructed on the lines of the Latin adjectives which end in *-ianus*, and this is the first point which we should note. In the Latin of the imperial period, these adjectives, which had their origin in popular speech and had been accepted in literature, were often employed as nouns.<sup>54</sup> There are two

<sup>49</sup> Josephus, *Bell. Jud.* 1.319; *Ant.* 14.450.

<sup>50</sup> Chrysostom, *Ad Matth.* 22.16 (PG 58, 655): τοὺς Ἡρώδου στρατιώτας ἔπειπον.

<sup>51</sup> Cf. Calmet, *Dissertations* I, 1720, p. 240.

<sup>52</sup> This hypothesis is also admitted by A. Loisy and M.-J. Lagrange in their commentaries on Mk 3:6; M. Goguel, *Vie de Jésus*, 1932, p. 330 n. 1.

<sup>53</sup> Cf. P. Chantraine, *La formation des noms en grec*, 1933, p. 197.

<sup>54</sup> Cf. H. Schnorr von Carolsfeld, *Archiv für lateinische Lexicographie* I, p. 185; F.T. Cooper, *Word formation in the Roman Sermo Plebeius*, 1895, pp. 145ff.

classes of such nouns. In the singular, we find proper names such as *Marcianus*, which had been fashionable since the time of Augustus.<sup>55</sup> In the plural, these nouns designate persons who follow a common master: the *Galbiani* are the partisans of Galba, the *Augustiani* are the paid crowd who applaud the “august” Nero,<sup>56</sup> the *Proculiani* are the school of the distinguished legal scholar Proculus, etc.

The Latin adjectives ending in *-ianus* penetrated the Greek language only as technical terms. In Latin, *fundus Narcissianus* designates the domain of which Narcissus had once been the proprietor; in literary Greek, a whole phrase is required to express the same idea: της πρότερον Ναρκίσσου ούσίας. The scribes made their work easier by imitating the Latin phrase in Greek: Πετρωνιανης ούσίας.<sup>57</sup> Subsequently, the type of proper name ending in *-ianus*, which was in fashion among the Romans, was often imitated by Greek speakers. In inscriptions, especially of the second and third centuries, we very often meet names such as Ἡρωδιανός, Τληπολεμιανός, Σωσικρατιανός, Διογετιανός, etc.<sup>58</sup>

The Latin adjectives which were employed as plural nouns designating a party or group were not adopted or imitated by the Greek language, for the simple reason that Greek already possessed sufficient suffixes to express this relationship between a proper name and a class of persons designated by means of this name.

The *Ciceroniani* become in Greek, naturally enough, Κικερώνεοι,<sup>59</sup> the *Caesariani* are the Καισάρεοι, and the word *Augustiani* is translated by Ἀυγούστειοι.<sup>60</sup> In Greek, the nouns Ἀγριππῆσιοι or Ἀγριππισταί express the Latin term *Agrippiani*.<sup>61</sup> The adepts of Apollonius of Tyana were called Ἀπολλωνεοι,<sup>62</sup> on the model of the Ἐπικουρεοι or the Ἀντιγονεοι of the classical age. It would therefore be a unique exception – and hence highly improbable – to learn that a sect or party called

<sup>55</sup> Cf. E. Fränkel, *RE* XVI, p. 1662, s.v. “Name.” Cf. Tacitus, *Hist.* 1.13, on Icelus, a freedman of Galba *quem anulis donatum equestri nomine Marcianum vocitabant*.

<sup>56</sup> Cf. Tacitus, *Ann.* 14.15; Suetonius, *Nero* 25.

<sup>57</sup> Wilcken, *Chrest.* 176 and 365. Cf. also the formula: τα Ἀττικιανά ἀντίγραφα (Dziatzko, *RE*, s.v., IV, p. 2237).

<sup>58</sup> Greek “nationalists” protested against the use of names which imitated the Roman style (Apollonius of Tyana, *Epist.* 71), and purists changed the Roman name Τιττιανός in Greek to Τυτιάνιος (Lucian, *De hist. conscr.* 21).

<sup>59</sup> Appian, *BC* 3.50 and 51.

<sup>60</sup> Cf. *Thesaurus linguae latinae* II, p. 1409, and *Onomasticon*.

<sup>61</sup> Cf. *Thesaurus linguae latinae* I, p. 1437.

<sup>62</sup> Philostratus, *Vita Apoll.* 8.21.

after a man named “Herod” bore the name Ἡρωδianoί. Instead, one would have expected a term such as Ἡρωδαιοί or Ἡρωδισταί.<sup>63</sup>

In the Greek of the Roman period, I find only three adjectives employed as nouns and formed on the model of the Latin type which ends in *-ianus*. These are Καίσαριανοί, Χριστιανοί, and Ἡρωδianoί. The names of Christian sects – Ὀυαλεντινianoί, Μαρκianoί, etc. – simply imitate the formation of the word Χριστιανοί, and where there is no intention to imitate this term, it is a matter of course that the names of heresies are composed in keeping with the classical form: Σαμψαιοί, Ναζωραιοί, Μανιχαίοι, etc.

Of the three adjectives mentioned in the preceding paragraph, only Καίσαριανοί has an undisputed origin: it is a simple copy of the Latin word *Caesariani*, a collective designation of the emperor’s household.<sup>64</sup>

*Nemo suos, haec est aulae natura potentis,  
sed domini mores Caesarianus habet.*<sup>65</sup>

The role of the *familia Caesaris* in the administration of the imperial fisc is well known.<sup>66</sup> At a later period, from the end of the third century onward, *Caesarianus* became the technical term for one class of fiscal agents. The *Caesariani* had a great deal to do with the life of the people in the provinces, but since there was no adequate Greek term that could designate their position exactly, the administrative offices transcribed the Latin word into Greek, as they did with other terms such as *vicarius* (*servus*). We read the following article in a fiscal code from Roman Egypt: “It is forbidden to the Καίσαριανοί to buy at a public auction.”<sup>67</sup> The term passed from the bureaucracy into common usage. It was avoided by stylists such as Dio Cassius, but it is employed in the *Conversations* of Epictetus without any explanation – it is assumed that everyone knows this word.<sup>68</sup> Καίσαριανοί and Χριστιανοί are the only adjectives of this type that we find in the papyri before the Byzantine period.<sup>69</sup>

<sup>63</sup> See n. 49 above, and my essay “The Name of Christians,” below.

<sup>64</sup> Cf. *Thesaurus linguae latinae, Onomasticon* II, pp. 38, 80, *s.v.*; O. Hirschfeld, *Kaiserliche Verwaltungsbeamte*, 1905, p. 472; T. Mommsen, *Hermes*, 1899, p. 151; M. Bang, *Hermes*, 1919, p. 182; T. Reinach, *Nouvelle revue hist. du droit*, 1920, p. 104.

<sup>65</sup> Martial, 9.79.

<sup>66</sup> Cf. Westermann, *RE*, *s.v.* “Sklaverei,” *Suppl.* VI, p. 1039.

<sup>67</sup> *Gnomon* §109.

<sup>68</sup> Epictetus, *Dissert.* 3.24, 117. In Appian, *BC* 3.91, this word designates the partisans of Julius Caesar.

<sup>69</sup> Cf. O. Gradenwitz, *Konträrindex der griechischen Papyruskunden*, 1931, p. 70.

Originally, the word Χριστιανοί does not designate the adherents of Christ as such.<sup>70</sup> Tertullian regards it as analogous to terms such as *Epicurei* and *Platonici*.<sup>71</sup> But it is precisely this comparison that clearly shows the difference between the formation of the word *Christiani* and the composition of the word *Epicurei*.

Properly speaking, the Χριστιανοί are the “servants of the Lord Christos,”<sup>72</sup> just as the Καισαριοί are the “servants of the Lord Caesar.” We know that until the first decades of the second century, believers in Jesus avoided using this name, which had been given them by the pagans in Antioch.<sup>73</sup>

The word Ἡρωδαιοί is likewise formed by analogy. By bearing the name “Caesar,” Octavius gave this *cognomen* the value of an imperial title. The heirs of Herod the Great imitated Augustus, and employed the name “Herod” as a designation of their dynasty.<sup>74</sup> As Roman citizens and possessors of huge *familiae* of slaves and freedmen, they gave (I imagine) their households the name “Herodians,” analogous to names like *Caesariani*, *Agrippiani*, etc.

This hypothesis is consistent with the composition of the term Ἡρωδαιοί. Unless I am much mistaken, it also explains the role played by the “Herodians” in the two Gospel scenes in which they appear. It is natural that the Pharisees should have joined forces in Galilee with servants of Herod Antipas, the prince of the country, in order to destroy Jesus. It appears that, according to the Gospel tradition, Jesus subsequently left the principality of Antipas, in order to escape this plot.<sup>75</sup>

One is at first sight surprised to see the household of Herod plotting against Jesus in Jerusalem; but we should not forget that even after Jerusalem had become a provincial Roman town, the princes of the house of Herod remained the natural leaders of the Jewish nation and its authoritative representatives vis-à-vis the administration of the procurator.<sup>76</sup> They possessed a palace in Jerusalem where they frequently resided, surrounded by their household and protected by their own guards. It is therefore not in the least surprising that the Pharisees should

<sup>70</sup> Cf. A. von Harnack, *Mission und Ausbreitung des Christentums*, pp. 424ff.

<sup>71</sup> Tertullian, *Apol.* 3.

<sup>72</sup> Cf. A. Deissmann, *Licht vom Osten*, 4th edn., pp. 300ff. and 323.

<sup>73</sup> Cf. my article “The Name of Christians,” below.

<sup>74</sup> W. Otto, *RE, Supp.* II, p. 171.

<sup>75</sup> E. Meyer, *Ursprung des Christentums* I, p. 188.

<sup>76</sup> Cf. e.g. Josephus, *Bell. Jud.* 2.309.

have enlisted the aid of the servants of Herod when they interrogated the Master about his attitude to the Romans.

I do not imagine that these observations provide definitive proof of my hypothesis. For even if the word Ἡρωδιανοί was in fact formed on the model of the term Καισαριανοί, one certainly cannot prove that it *could not* have had any meaning other than that suggested by the mode of its composition; and although we find the “Herodians” ca. 30 C.E. in Palestine, we do not find the technical term *Caesariani* (as far as our present information goes) before the reign of Domitian.<sup>77</sup> But it is enough for me to have shown that one can take seriously the hypothesis that the “Herodians” were the members of Herod’s household. Need I add that I would willingly accept any other explanation, provided that it is backed by better arguments? *Non enim vincimur quando offeruntur nobis meliora sed instruimur.*<sup>78</sup>

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<sup>77</sup> The oldest text is probably the epigram of Martial quoted above (cf. n. 65).

<sup>78</sup> Cyprian, *Epist.* 71.3. Cf. P. Jouon, *RSR* 28 (1938), pp. 585–588.

## THE MESSIANIC SECRET AND THE COMPOSITION OF THE GOSPEL OF MARK

(1) Even before Peter's confession of faith, Mark has the demons acknowledge Jesus as Messiah three times (1:24; 3:11; 5:7). But Mark also emphasizes three times that Jesus forbids the demons to make him publicly known (1:25 and 34; 3:12).

Six times, Mark presents public miracles of Jesus (1:23 and 29; 2:5; 3:5; 5:25; 7:26; cf. also 1:32 and 39; 3:10; 6:55), and four times he emphasizes that Jesus performed his healings in secret (1:44; 5:43; 7:36; 8:23; cf. 7:24). Nevertheless, Mark tells us explicitly that Jesus' orders to keep the miracles a secret were not obeyed (1:45; 7:36; cf. 7:24). Twice, Mark states clearly that Jesus expressed his teaching openly to his disciples (4:11 and 33), and he assures us four times that the disciples did not understand Jesus (4:13; 6:52; 7:18; 8:17; cf. 1:40).

(2) These two tendencies – secret and revelation – thus intersect in the Gospel of Mark, and they create three dilemmas. *First*, “the messianic character breaks through with tremendous force, and yet it is not merely *meant* to remain hidden: it *does* in fact remain hidden.”<sup>1</sup> *Secondly*, some miracles are performed by Jesus in public, while others are done in secret. *Thirdly*, “the disciples are meant not to notice anything – and yet they are sometimes rebuked for not noticing anything.”<sup>2</sup>

(3) Various explanations have been offered for these dilemmas, which presented difficulties even to the earliest exegetes.<sup>3</sup> In the patristic age, it was affirmed that the key to the puzzle lay in the intentions and wishes of Jesus;<sup>4</sup> a modern explanation finds the solution in the dogmatic theories of Mark. It is up to the historian of religions to determine how credible these supposed theories or wishes may be; but from the perspective of literary investigation, they fail to do justice to

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<sup>1</sup> J. Wellhausen, *Das Evangelium Marci*, 1903, p. 12.

<sup>2</sup> *Ibid.*

<sup>3</sup> Cf. e.g. Augustine, *De cons. Evang.* 4.4, and Ps.-Augustine, *Quaestiones in vet. et nov. Test.*, q. 66 and 73.

<sup>4</sup> E.g. Tertullian, *Adv. Marc.* 4.7,12,8; Origen, *Homily 6 in Lucam* (= PG 13, 1815).

the question itself, and they are incorrect from a formal point of view. Both these hypotheses, the patristic and the modern, stumble over the second dilemma.<sup>5</sup> They may perhaps explain the ultimate reason (the “why”), but not the “how” – and that is the decisive question. Let us accept that Jesus acted in such and such a way, Mark was pursuing goals of one kind or another; but Mark could have told the same story and achieved the same dogmatic goals along quite different literary paths. And any other path would have been better, for the simple reason that it was free of dilemmas.

In Book 6 of the *Aeneid*, Virgil attempted to set out his theological ideas. He made use of many contradictory sources, and his book contains many discrepancies. But the most remarkable part of his teaching, viz. the individual pre-existence of bodies, which is the greatest deviation from his Homeric model (the episode of Palinurus), can be explained only on the basis of the literary character of the *Aeneid*. The given form of the *κατάβασις* – leaving aside here the separate question of why precisely this kind was chosen – has conditioned a whole number of unusual characteristics in the presentation of the material.<sup>6</sup>

The messianic secret is a problem of the history of religions, but the dilemmas of the second Gospel are a literary puzzle. In order to explain this, we must concentrate our investigation on the primary structures of the composition of the Gospel.

(4) Amos said: “I am a herdsman, and a dresser of sycamore trees, and the Lord took me from following the flock and the Lord said to me: ‘Go, prophesy to my people Israel’” (7:15–16).

In this very concise account, Amos mentions two (and only two) events which were decisive for his life as a revealer of God. First, the individual transformation:<sup>7</sup> the utterly insignificant creature has become the instrument of God. Then the external turning point, the social metamorphosis in which an unknown shepherd appears before the people as a man of God. And we should note that these

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<sup>5</sup> “Why does it occur to him [i.e., Jesus] in these individual instances to order silence, when he does not do so in other instances?” asks W. Wrede (*Das Messiasgeheimnis in den Evangelien*, 1901, p. 48). The apologetic subtype of the dogmatic theory has been refuted by R. Bultmann, *ZNW*, 1920, pp. 166ff.

<sup>6</sup> E. Norden, *Vergils Aeneis, Buch 6*, 1916, pp. 46, 179f., 352, 359.

<sup>7</sup> On *ἀλλογή*, cf. R. Reitzenstein, *Historia Monachorum und Historia Lausiaca*, 1916, p. 135. Cf. R. Reitzenstein, *Poimandres*, 1904, pp. 200ff. and 220ff.



two turning points have coalesced, so to speak, in one single moment of time. The revelation follows immediately upon God's proclamation to Amos.

In their confessions, Isaiah and Jeremiah – and indeed Hesiod too<sup>8</sup> – emphasize the same facts: a sudden transformation leads to an appearance in public. The Muses suddenly breathed the divine song into the ears of the shepherd Hesiod, telling him: “Sing!”<sup>9</sup>

For the history of religions, this congruence of such widely different sources doubtless has important consequences. The important point in our present context is that this basic idea, which is rooted in real life, is common in the literary tradition. Whether it be Ezekiel and John the Baptist,<sup>10</sup> Ennius<sup>11</sup> and Montanus,<sup>12</sup> Manszur<sup>13</sup> and R. Solomon Molcho<sup>14</sup> – and one could easily add other names to this list<sup>15</sup> – this type continually recurs, in both authentic and stylized narratives: two transformations, closely linked in time, are decisive for the life of the prophet.

The close link in the literary tradition between the two turning points (or even the mere fact of retaining them) is not however necessary. The two events can be connected in a quite different manner. Four combinations are logically possible, but one of these is ruled out by the nature of things: the revelation cannot disappear from the biography of the revealer. Three other variants are in fact present in the tradition.

*First*, the external turning point disappears. From the beginning of his life, the hero enjoys divine favor and is honored by human beings. The biography takes a straight course. For example, *Zarathustra-Name* relates the life of Zoroaster,<sup>16</sup> and there are countless parallels in every volume

<sup>8</sup> E. Schwartz, *Charakterköpfe aus der antiken Literatur* I, 1903, pp. 4–5.

<sup>9</sup> Hesiod, *Theog.* 22f.

<sup>10</sup> Lk. 3:2–3.

<sup>11</sup> Cf. J. Vahlen, *Ennianae poesiae reliquiae*, 1903, p. cxlix.

<sup>12</sup> P. de Labriolle, *Les sources de l'histoire du montanisme*, 1913, esp. Eusebius, *Hist. Eccl.* 5.16,7.

<sup>13</sup> Schahrastani, *Religionsparteien*, translated by T. Haarbrücker, I, 1850, p. 205.

<sup>14</sup> J. Winter and A. Wünsche, *Jüdische Literatur*, 1894–1896, III, p. 349 (from Joseph ha-Cohen, 16th century).

<sup>15</sup> For example, Plato's account of Socrates' experience of his vocation (cf. U. von Wilamowitz, *Platon* II, 1920, pp. 52ff.) is stylized according to the same structure. Similar stories were told e.g. of Jesus (W. Bousset, *Kyrios Christos*, 2nd edn. 1921, pp. 211f.) and Elchasai (*Elxasai libri fragmenta* in A. Hilgenfeld, *Novum Testamentum extra Canonem receptum*, 1866). Much similar material can be found in H. Leisegang, *Der Heilige Geist* I, 1919, pp. 119ff.

<sup>16</sup> F. Rosenberg, *Le livre de Zoroastre*, 1904.

of the *Acta Sanctorum*. Simeon Metaphrastes offers a good description of the essential character of such a *vita*: εὐθὺς μὲν οὖν πρώτη βλάστη ὁποῖον ἔσται τὸ φυτὸν παρεδήλου καὶ τῶν ἀρετῶν αἱ σκιαὶ ἤδη τῷ διὰ φωτὸς ὀδεύοντι ἠκολούθουν.<sup>17</sup>

*Secondly*, the external turning point precedes the internal one. Although the hero has already chosen the path of God in the presence of other people, he has not yet been permitted to see God. Examples are the biographies of Apollonius and of St Antony. The temporal gap between the two turning points is filled with the hero's endeavors to attain beatitude. This type tends to be ancient: *neminem nasci sapientem, sed fieri*.<sup>18</sup>

*Thirdly*, the revelation may occur some time before the external turning point. Such a combination is strange, and is found seldom, for as Amos says: "The Lord God has spoken; who can but prophesy?" (3:8).<sup>19</sup> There are however cases where the biographical tradition is inclined to make use of this subtype in its presentation. Naturally enough, it always begins with the external turning point, and sometimes it seeks to predate the revelation.

The Manichean church knew very well<sup>20</sup> that Mani "first appeared in public on the day on which Shapur, the son of Ardashir, began to rule. This was on a Sunday, the first day of Nisan." Thanks to his own writings,<sup>21</sup> Mani's exact age at this time was also known: he was twenty-five years old. However, a widespread belief<sup>22</sup> presupposed that the revelation must already have been communicated to the man of God during his puberty, and the Manichees did in fact relate that Mani received it in his thirteenth year. Nevertheless, the angel forbade him to appear in public, and it was only in his twenty-fifth year that he received a new commandment from the angel to proclaim his teaching.<sup>23</sup>

Baha-Allah, the future successor of the Persian religious hero Bab, had only a secondary position in the first years after Bab's death, and it was only in 1868 that he proclaimed himself Messiah.<sup>24</sup> The Bahai

<sup>17</sup> *Vita S. Danielis*, PG 116, 973.

<sup>18</sup> Seneca, *De ira* 2.10,6.

<sup>19</sup> Cf. Virgil, *Aeneid* 6.77 and E. Norden, *ad loc.*; Lucan, 1.677; Livy, 5.15,5.

<sup>20</sup> K. Kessler, *Mani* I, 1899, p. 384.

<sup>21</sup> P. Alfarcic, *Les écritures manichéennes* II, 1918, p. 54.

<sup>22</sup> Cf. e.g. the doctrine of the gnostic Justin *apud* Hippolytus, *Ref.* 5.26,29; AASS Jan. I, p. 269; Jubilees 11.18; L. Rademacher, *Wien. Stud.*, 1920, pp. 238ff.

<sup>23</sup> Kessler, *Mani* I, pp. 384ff.

<sup>24</sup> Cf. H. Roemer, "Die Bab-Behai," *Reich Christi* XII, 1912.

tradition relates that Baha-Allah deliberately remained concealed in the intervening years, for political reasons.<sup>25</sup>

It is possible that this temporal gap arises wholly by chance; but the delay may also play an essential role in the story. Joseph Smith, the prophet of the Mormons, related<sup>26</sup> that he had found the alleged tablets containing the revelations four years before he publicly announced this. But the angel ordered him to leave the tablets undisturbed until a later date. – In the case of Muhammad, we know that after receiving his revelation, he spread his teaching only in secret for three years. This delay was due to political reasons; but pious tradition informs us that the angel had commanded him to wait for three years before preaching the new religion.<sup>27</sup>

I do not know why the author of the biography of Baal-Shem, the founder of Hassidism, needed or wished to predate the revelation. At any rate, he did so, with the inevitable literary result: Baal-Shem is commanded by heaven not to reveal himself before he is thirty-six years old.<sup>28</sup>

These narratives have very different origins and literary forms, but they all share two characteristics: (1) a period of time elapses between the revelation and the first public appearance; (2) during this period, the hero remains silent, concealed, and unknown.

It is obvious that the second trait is logically correlative to the first; quite apart from all dogmatic presuppositions, (2) necessarily follows on (1). The *Messias designatus* in Judaism and the Imam who will return in the future in Islam remain hidden until the beginning of their activity. A more distant example is perhaps the clearest example of the logical process which is involved here. The author of the *vita* of St Liborius had no information about the miracles performed by the saint during his lifetime, but his relics have worked many miracles: *ex quo datur intellegi, hac eum gratia nequaquam in praesenti vita caruisse, quamois... indica... non habeantur.*<sup>29</sup> The divine grace manifested itself only at one particular point in time, and the conclusion drawn from this fact is that the grace was earlier latent. The biographer

<sup>25</sup> E.G. Browne, *Materials for the Study of the Babi Religion*, 1918, p. 20; *A Traveller's Narrative* II, 1891, pp. 62–63.

<sup>26</sup> E. Meyer, *Ursprung und Geschichte der Mormonen*, 1912, pp. 17–19.

<sup>27</sup> V. Caura, *Récits sur la vie de Mohammed*, 1916, p. 12.

<sup>28</sup> S. Birnbaum, *Leben und Worte des Baalschems*, 1920, p. 34.

<sup>29</sup> *AASS* July VI, p. 410; cf. L. Zopf, *Das Heiligenleben im X. Jahrhundert*, 1910, p. 184.

explains that either the saint concealed his deeds, or else the tradition is incomplete.

The first result of our analysis is therefore that in the biography of the revealer, the period between the antecedent internal turning point and the subsequent external turning point is shrouded in mystery. To put it differently: the concept of the messianic secret is correlative to that of the *Messias designatus*.

(5) The Gospel of Luke offers an excellent illustration of this point. Luke's source, the Gospel of Mark, began the story of Jesus with his public appearance, and Luke affirms that Jesus was already thirty years old at that time. Other sources, however – narratives of Jesus' childhood – portrayed him from his birth as the acknowledged Messiah. Like every historian, Luke had to harmonize his sources.

Jesus' divine nature is revealed three times during his childhood: in Bethlehem to the shepherds, at the presentation of the boy in the temple, and once again in the temple when Jesus is twelve years old. Luke found this in the tradition, and he himself<sup>30</sup> inserts a strange piece of information into each of these three narratives: he tells us that those present did not understand the revelations.<sup>31</sup> Those present are in fact only the parents of Jesus, since Luke has cleverly excluded everyone else. As 2:18 (πάντες οἱ ἀκούσαντες) shows, the tradition related that many persons were present when the shepherds paid their homage. Luke specifies that the shepherds found Mary, Joseph, and the child (2:16). Does this mean that no other eyewitnesses were there? Luke does not say so explicitly, but he certainly gives the impression that only the holy family were present.

Were the parents of Jesus the only ones who heard the words of Simeon? Once again, Luke mentions only Mary and Joseph, and thereby suggests that there were no other eyewitnesses. He does not do violence to his sources, but he knows how to accommodate them to his own intentions. From the outset, Jesus enjoyed the favor of God, but no one knew this – hence the formulation in 2:20, καὶ ὑπέστρεψαν

<sup>30</sup> Luke's authorship of two of these remarks cannot be doubted: the same formula is repeated in two narratives which have completely different origins (H. Gressmann, *Das Weihnachtsevangelium*, 1914, pp. 3ff.). The case of the third remark (2:50) is distinct from these. Originally, this meant something very different (E. Meyer, *Ursprung und Anfänge des Christentums*, 1921–1923, I, p. 69). As the parallel between verses 51 and 19 shows, Luke has made use of this third remark for his own purposes.

<sup>31</sup> Lk 2:18 (ἔθαύμασαν); 2:33 (θαυμάζοντες); 2:50 (οὐ συνήκαν).

οἱ ποιμένες. For it is a natural and necessary presupposition that an individual who receives the divine message that is intended for everyone, should ἀνεπιεῖν μετὰ βοῆς, as a hellenistic Egyptian parallel to Luke puts it.<sup>32</sup> The shepherd who hears the voice of Philolaus,<sup>33</sup> the Egyptian Thamys in the story of the death of the great Pan,<sup>34</sup> the high priest to whom a voice from heaven announces the victory<sup>35</sup> – all these at once proclaim the message to others. But it is a specifically Lukan trait<sup>36</sup> to have the shepherds return to their flocks, although a very faint trace of the correct tradition can still be detected in his account.<sup>37</sup> The conclusion must surely be that he has intentionally limited the number of initiates; indeed, even Joseph does not know the true nature of his own son. In order to grasp the difference between the legend itself and Luke's pragmatic reshaping of it, it suffices to compare the detailed and loving description in Matthew of the many people who are involved in the story of Jesus' birth – both those who are well disposed and those who seek to kill the child. This shows us why Luke states that the revelation was not understood: this provides a further assurance that the secret was preserved. Mary was the only one for whom there was no mystery. As Luke emphatically notes, she understood everything.<sup>38</sup>

Many parallels, especially from Buddhism, have been adduced to the infancy narratives in Luke, but none of these has this strange element of non-understanding. On the contrary, as soon as a prophet gives even the slightest hint, everyone recognizes Buddha. There is a remarkable parallel to Luke in the *Acta Sanctorum* for March 1, the *Vita S. Davidis*,<sup>39</sup> but this too lacks the element of non-understanding.

There are, however, appropriate parallels to Luke. The future St

<sup>32</sup> Plutarch, *Is. et Osir.* 12. Cf. Gressmann, *Weihnachtsevangelium*, pp. 23f. Cf. also J. Geffcken, *Hermes*, 1914, pp. 321ff.

<sup>33</sup> Jamblichus, *Vita Pythagor.* 148.

<sup>34</sup> Plutarch, *De def. orac.* 17. Cf. Cicero, *De div.* 1.26,55, and H. Peter, *Hist. Rom. reliq.*, 1914–1916, I, 2nd edn., pp. 27f.

<sup>35</sup> J. Bergman, *Jüdische Legende*, 1919, p. 83 (*Sota* 33a). Cf. also e.g. *AASS* Jan. III, p. 509; A. Wünsche, *Aus Israels Lehrhallen*, 1907–1910, I, p. 6; Livy, 5.32,6.

<sup>36</sup> Gressmann, *Weihnachtsevangelium*, pp. 21ff.

<sup>37</sup> Lk 2:20, δοξάζοντες καὶ αἰνοῦντες τὸν θεόν.

<sup>38</sup> Lk 2:19 and 51. Here, Luke is imitating Gen 37:1. This passage was already interpreted by Josephus (*Ant.* 2.15; cf. H. Bloch, *Die Quellen des Flavius Josephus*, 1879, p. 33) in the sense set out above, and this shows us what Luke's words mean.

<sup>39</sup> *AASS* March I, pp. 41ff.

Pachomius was a pagan by birth. One day,<sup>40</sup> his parents took him to a pagan temple. The priest was compelled to interrupt his service, and deduced from this that the child was an enemy of his god. Pachomius' parents were greatly distressed: *ambigebant ergo parentes eius, quid de eo fieret*. The priest's words are clear. How then are we to explain this sudden lack of understanding? A subsequent passage in the biography quotes an autobiographical account by the saint of his late and unspectacular conversion. The author has retained this external turning point, but he predates the internal turning point (i.e., the grace of God), and the inevitable consequence is: a secret. Likewise, one of the disciples of Bab once related, with a delightful naïveté, that although a saint had once told him that Bab was the Messiah, "We did not, however, apprehend his meaning until His Holiness was manifested."<sup>41</sup>

In his redactional work, Luke has introduced the element of non-understanding, i.e. of mystery, into the story of Jesus' "prehistory." Before his public manifestation, the divinity of Jesus was hidden. And Luke's readers got the point: as one homily puts it,<sup>42</sup> *licet enim olim natus esset ex Maria et triginta iam annorum explesset aetatem: tamen ignorabatur a mundo. Eo tempore cognitus est, quod ad Iohannem... advenit.*

(6) *Ignorabatur a mundo*. This is the essence of the messianic secret, which basically amounts only to the refusal to say something. Enoch was caught up, John lived in the wilderness<sup>43</sup> – we are told nothing more. But the narrative needs a positive element, and in the life of a "man of God" there is only one thing that is supremely positive and important, viz. the revelation of the divinity by the hero.

The biography<sup>44</sup> of the founder of Hassidism, R. Israel ben Eliezer, known as Baal-Shem or Besht, was written by his secretary's son-in-law and was first printed in 1815. Besht appeared in public as a man of God when he was about forty years old. The author has retained this turning point, and the consequence is the messianic secret: "He

<sup>40</sup> PL 73, 232. In the Greek text, which is printed in *AASS* May III, pp. 22\*ff., no indication of the date is given, but it is present in the manuscripts. According to the translation by H. Mettel (Bibliothek der Kirchenväter 31, 1917, Appendix p. 25), the best witness (Cod. Vat. 819) reads: "They [i.e., his parents] reflected and were at a complete loss. They said to one another: 'What can this mean?'"

<sup>41</sup> E.G. Browne, *Tarik-il-Jadid*, 1893, p. 341.

<sup>42</sup> Ps.-Jerome, *Epist.* 26.1 (= PL 30, 221). Cf. Melito, frag. 6; Justin, *Dial.* 88.

<sup>43</sup> Lk 1:80. See my essay "John the Baptist in the Wilderness," above.

<sup>44</sup> I quote this from Birnbaum, *Leben und Worte des Baalschem*.

was hidden. At that time, no one knew him as yet.” In accordance with this presupposition, the narrator tells us that Besht concealed his extraordinary knowledge; indeed, Besht’s own brother-in-law thought he was an idiot. And yet, even before his public manifestation, “many sick people were brought to him, but he did not wish to receive them.” The truth emerges only gradually. What else does the narrator tell us? After a sign is given, a man recognizes the fourteen-year-old boy as the one chosen by God – but the young Besht adjures him: “Let no one know this apart from yourself.” He was a poor man, and married a bride from a prominent family. He revealed his true nature to her, but made her swear “not to reveal even the least detail of this matter.” Two sons of a rabbi and his own brother-in-law almost reveal him; he is obliged to disclose himself to a rabbi, “but he commanded the rabbi to say nothing at all about this.” Naturally, a woman possessed by an evil spirit also recognized him. Finally, the time for his public manifestation came: “now, he welcomed the man who was possessed by an evil spirit, and healed him. He abandoned his professional work as a teacher and made my father-in-law his secretary. People came to him from every quarter.” How do we explain this striking agreement between the biography of Baal-Shem and Mark’s presentation of the story of Jesus?

The author of the biography had no historical or dogmatic reason to relate the life of Baal-Shem in such a complicated manner. Nevertheless, he retained the external turning point, while wishing at the same time to relate the “prehistory.” This made the secret a logical, indeed a necessary correlative of the *Messias designatus*. It was however also a literary necessity to breach the mystery, since it was impossible to say anything about the man of God without at the same time speaking of the act whereby God had revealed himself.<sup>45</sup> Two necessities acted jointly to create the first dilemma of the Gospel of Mark, and we shall now present a brief analysis of the composition of this text.<sup>46</sup>

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<sup>45</sup> In his pioneering work, W. Wrede makes the pointed observation: “It is not possible to offer a real description of the Jesus who hid himself” (*Messiasgeheimnis*, p. 126). Cf. also *Vita S. Symeonis*, PG 93, 1707ff.

<sup>46</sup> It will probably interest New Testament scholars to hear that D.S. Horodetzky, writing in the Hassidic tradition, has given a faithful account of the legend of Baal-Shem in his history of Hassidism: *Mystisch-religiöse Strömungen unter den Juden in Polen im XVI.–XVII. Jahrhundert*, 1914, pp. 74–75.

(7) When the biography of a man of God retains the internal and external turning points in his story, it naturally has nothing to say about the earlier life of its hero. The story of the doings of an insignificant creature is completely uninteresting. Christians venerated the martyrs very highly, yet all the accounts of martyrdom begin with the turning point, viz. the heroic confession of the hero. All the earlier incidents in his life are omitted.<sup>47</sup> Theodoret<sup>48</sup> was not only a contemporary and an admirer of Simeon Stylites; the saint had also given him autobiographical information.<sup>49</sup> Nevertheless, he begins his narrative with the turning point, the revelation in a dream and Simeon's flight to the hermits. He does not even tell us the name of the saint's father. One of the earliest Christian biographers expressed clearly the principle that is involved here: *siquidem hominis Dei facta non debent aliunde numerari, nisi ex quo Deo natus est*.<sup>50</sup> The oldest Christian tradition followed this principle with regard to Jesus himself.<sup>51</sup> The Gospels of John and of the Ebionites<sup>52</sup> begin the story of Jesus with his baptism; Mark too begins with the bestowal of the divine sonship on Jesus and with his first appearance in public (the internal and external turning points). And yet we find something strange in Mark's book: it is only in the middle of the narrative that people recognize Jesus as the Son of God. Peter is the first to do so, near Caesarea Philippi. In other words, the external turning point is transposed from the beginning of the narrative to its midpoint. As the example of the biography of Baal-Shem has shown, this transposition is the basic reason for the first dilemma.

The second and third dilemmas follow, thanks to the specific character of Mark's account. Here, the external turning point is not only in the midpoint of his presentation of Jesus' life: it is also in the midpoint of the "plot" of the book, i.e. in the midpoint of Jesus' activity. The veil is torn asunder from within, the hero reveals himself – and yet he reveals himself reluctantly.

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<sup>47</sup> Cf. H. Delchaye, *Les Passions des martyrs et les genres littéraires*, 1921, pp. 24, 220, 308.

<sup>48</sup> *Hist. Rel.* 26.2. A different path is taken by a Syriac eulogy of Simeon (H. Lietzmann, *TU* 32/4, p. 80).

<sup>49</sup> Lietzmann, *op. cit.*, pp. 215ff.

<sup>50</sup> Pontius, *Vita Cypriani* 2.

<sup>51</sup> Cf. Meyer, *Ursprung I*, pp. 53f.

<sup>52</sup> The most recent collection of the fragments with a commentary is by M.J. Lagrange, *RB*, 1922, pp. 167ff. Cf. Acts of the Apostles 10:37; 13:24.



The great truth which is recognized only with great difficulty and at a late point in the course of Mark's presentation of Jesus' life is made known to us readers beforehand, without any delay. The title of the book, on its very first page, reveals to every reader that Jesus is the Messiah, the beloved Son of God. This is why the action is preceded by a prologue. These scenes (1:2–15) precede the public activity of Jesus. None of the participants in the subsequent action, apart from Jesus himself, plays a role here, and the heavenly voice which rings out here will not be heard again until after Peter makes his confession. In accordance with Aristotle's definition,<sup>53</sup> this prologue tells us readers the meaning and purpose of the story which now unfolds: viz., the true nature of Jesus, which is then disclosed in and through the action. This means that we follow the disclosure of a secret which we already know. In the same way, the audience of Euripides' *Bacchae* had been informed by the prologue, and then followed the revelation of the true nature of the new prophet before the eyes of Pentheus and the Lydian women.<sup>54</sup> The attentive reader of the tragedy will easily detect the first dilemma in Euripides. In the same way, the scene at Caesarea Philippi is a recognition scene, and the action in the Gospel of Mark is ἡ πεπλεγμένη πράξις, where ἡ μετάβασις μετὰ ἀναγνωρισμοῦ ἐστίν.<sup>55</sup>

The fundamental law of a recognition scene is the two layers of knowledge: the readers know more than the participants in the scene. It is this law that makes possible a literary work like the Gospel of Mark, which both reveals Jesus in his deeds and at the same time conceals these deeds. The intention of Mark's text – one of many competing texts of the oriental religions – was to proclaim the divinity of Jesus as loudly as possible. It might appear that the fundamental law of the “secret” would obviate this aim, but Mark has successfully resolved

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<sup>53</sup> Aristotle, *Rhet.* 3.14. Cf. F. Leo, *Plautinische Forschungen*, 1895, p. 203. It goes without saying that this and the following references to Aristotle do not intend to assert that Mark had read Aristotle; for the story of Joseph in Genesis and a thousand other stories before and after Aristotle were composed according to the same rules. But it was the great philosopher who discovered the eternal rules of poetic creation. Is it not remarkable that both the Gospels and the Attic tragedies follow the rule of the three persons? (Cf. R. Bultmann, *Die Geschichte der synoptischen Tradition*, 1921, p. 186.)

<sup>54</sup> M. Croiset, *Journal des Savants*, 1909, pp. 251–252, writes about the “Bacchantes”: “The god lets himself be glimpsed everywhere, and never discloses himself. The public was meant to admire this patience and serenity.” At an early date, Celsus compared Jesus with Dionysus in Euripides: cf. Origen, *Contra Celsum* 2.34.

<sup>55</sup> Aristotle, *Poet.* 10.

the contradiction. His solution is the second dilemma of the Gospel of Mark, which we must now formulate a little differently: whereas the readers know all the miracles, the contemporaries of the story know only a few. What principle has guided Mark in his selection here?

(8) It is immediately obvious that all the exorcisms are public;<sup>56</sup> that almost all the public healings<sup>57</sup> are exorcisms or, like 5:25ff., very easy actions; that all the messianic healings (in accordance with Is 35:5 and 42:7)<sup>58</sup> are secret;<sup>59</sup> and that the only initiates who are permitted to experience the miracles of nature are the disciples.<sup>60</sup>

This means that Mark classifies all the miraculous deeds of Jesus in two categories: the easy miracles are public, and the “impossible” miracles are secret.<sup>61</sup> The former category cannot betray the secret, since the world in those days was full of exorcists; but since the second category revealed the nature of Jesus, it is kept hidden.<sup>62</sup> Only we, the readers, have seen everything.

It may seem uncertain whether we can presuppose such a classification in Mark. One can indeed adduce some supporting evidence;<sup>63</sup> but

<sup>56</sup> 1:27, 31, 34, 39; 5:2; 6:55; 3:11; 7:25. – Fever too is a form of possession, as we see not only from Lucian, *Philops.* 9; *Confessio Cypriani* 7; and a text cited by Reitzenstein (*Poimandres*, p. 18 n. 8), but also from the parallel text in Lk 4:39. Healings were nothing exceptional: cf. J. Preuss, *Biblisches-Talmudische Medizin*, 1911, pp. 183ff., and especially Acts 28:8–9.

<sup>57</sup> Apart from 2:5; 3:5 (see below); and perhaps 5:25ff., a healing which was performed by Jesus unintentionally (cf. F. Preisigke, *Die Gotteskraft der frühchristlichen Zeit*, Heidelberger Papyrus-Institut, Heft 6, pp. 2ff.).

<sup>58</sup> K. Bornhäuser, *Das Wirken Jesu durch Taten und Worte* (Beiträge zur Förderung christlicher Theologie, 2nd series 2, 1921), pp. 60–61.

<sup>59</sup> Mark emphasizes that these actions are not exorcisms (E. Klostermann on 7:23 and 8:23, in H. Lietzmann, *Handbuch zum Neuen Testament*, 1925).

<sup>60</sup> Matt 8:27 and Mk 6:50 (πάντες) show that this limitation was not present in the original accounts.

<sup>61</sup> Cf. Bornhäuser, *Wirken Jesu*, pp. 47ff.

<sup>62</sup> Recently, it has been justly observed (M. Dibelius, *Die Formgeschichte des Evangeliums*, 1919, p. 51; Bultmann, *Geschichte der synoptischen Tradition*, p. 138) that the removal of potential eyewitnesses to the miracles has *per se* nothing to do with the messianic secret. (I should like to add two passages which are relevant here: *Taan.* 23b [R. Jonah], Achilles Tatius, 3.18,12.) In Mark, however, this information is important only on the level of the literary composition, and the original meaning of a motif does not in the least explain the use which any particular author makes of it. For example, Ovid (*Ars amoris* 3.55; cf. K. Prinz, *Wien. Stud.* 36, pp. 42ff.) repeats the motif of the divine vocation, but are we to look to Hesiod to explain the text of Ovid?

<sup>63</sup> Cf. the important observation on the miracles in Flavius Josephus by A. Schlatter, *Das Wunder in der Synagoge*, 1912, p. 5.

the most important proof is the fact that one can discern the same classification in two similar literary works.<sup>64</sup>

Philostratus regards Apollonius as a divine being; other people and even Domitian recognize him as such,<sup>65</sup> but Apollonius himself rejects this honor.<sup>66</sup> Only Indian wise men are divine, but he himself is only a human being. Nevertheless, he performs many miracles; all are exorcisms or common sorcery (such as the discovery of a treasure).<sup>67</sup> The deeds which Jesus keeps secret in Mark's Gospel are performed only by the divine Indian wise men.<sup>68</sup> Apollonius too reveals himself once, when he frees himself from fetters without pronouncing any kind of spells. The only eyewitness, his disciple Damis, says: "It was then that I recognized his divine nature for the first time."<sup>69</sup>

John too confirms our thesis. He seeks to depict the revealed Son of God, and his Jesus clearly refuses to carry out any exorcisms. The author omits all the little details transmitted in the tradition and retains only the miracles of nature and the "impossible" healings of the paralytic and the man born blind, the rescue of one on the point of death, and the raising of a dead man.<sup>70</sup>

In order not to betray Jesus' secret, while demonstrating at the same time that he is the Messiah, Mark employs the two layers of knowledge: the characters in the story encounter only the secret, but the readers see the truth plainly.<sup>71</sup> Does this mean that Mark wanted to deceive his readers, to lead them astray? Mark knew the narratives which show Jesus clearly as the Messiah, but since he believed that it was only at Caesarea Philippi that Jesus was recognized, he had to make sense of this contradiction. In order to do so, he conscientiously corrected his sources in keeping with this fundamental conviction.

<sup>64</sup> It is also interesting to note that the theology of Islam likewise knows this classification of miracles (Farabi *apud* M. Horten in H. Lietzmann's *Kleine Texte* 119, p. 5).

<sup>65</sup> Philostratus, *Vita Apoll.* 7.32; 8.7 (p. 310 Kayser); 8:15.

<sup>66</sup> Philostratus, *Vita Apoll.* 7.32.

<sup>67</sup> Cf. E. Meyer, *Hermes*, 1917, pp. 395ff.

<sup>68</sup> Philostratus, *Vita Apoll.* 7.38.

<sup>69</sup> *Ibid.*: τότε πρῶτον ὁ Δάμις φησὶν ἀκριβῶς ξυνεῖναι τῆς Ἀπολλωνίου φύσεως, ὅτι θεία τε εἶη καὶ κρείττων ἀνθρώπου.

<sup>70</sup> Jn. 2:11; 6:6, 16; 5:1; 9:1; 4:48; 11:1.

<sup>71</sup> He uses this method at 5:19–20 (cf. Wellhausen, *ad loc.*); 2:3, 6, and 19; and in the "Son of Man" passages (2:10 and 28; cf. 3:28). This allows us to answer W. Wrede's question (*Das Messiasgeheimnis*, p. 7), "What prevented Mark... from placing these passages elsewhere?" The passages occupy their present position in the Gospel because they are meant only for the readers: and only the readers can understand them.

There remain however two episodes where no “interpretation” could get rid of the inconvenient eyewitnesses. The healings of the paralytic and of the lame man were part of the polemic against the Pharisees, and they had to remain in these stories as eyewitnesses. It is remarkable to see the detail and emphasis in Mark’s description of the exceptional zeal displayed by the friends of the paralytic.<sup>72</sup> Similarly, he takes pains to present the healing of the lame man as a consequence of Jesus’ angry outburst (3:5ff.). In both cases, Mark is seeking to explain the extraordinary public character of these miracles. Is the way in which Jesus is shown behaving here only a solution to Mark’s dilemma, or is he using his literary skill to glorify Jesus?

The apostles performed their miracles, the signs of the truth that they were proclaiming, almost *en passant*, as something utterly natural. In Mark’s account, the sick beg desperately for a cure – they almost have to force Jesus to heal them. Mark tends to avoid any direct description of the persons in his story,<sup>73</sup> but his miracle narratives often include psychological explanations of why Jesus grants the request.<sup>74</sup> He always seeks to show that Jesus’ miracles are no more than the reluctant surfacing of his true nature.<sup>75</sup> We note that even after they have recognized him, the disciples use only the address “Rabbi” for Jesus,<sup>76</sup> and we are inclined to suspect that it is not only the basic principle of the “secret” that compels the evangelist to portray Jesus in this way: it seems in fact that Mark is attempting to make a distinction between Jesus and many others at that period who declared themselves to be divine.<sup>77</sup> Jesus does not claim this title for himself; it is only those whom he has healed, and his contemporaries, who celebrate him and praise him – and no matter where he goes, he cannot escape notice (1:45; 6:33; 7:24). In this way, Mark’s literary artistry makes use of the “secret” in order to

<sup>72</sup> In his note on 2:4, Wellhausen (*op. cit.*) remarks that Mark overdoes this here.

<sup>73</sup> P. Wendland, *Urchristliche Literaturformen*, 1912, p. 271. Cf. Bultmann, *Geschichte der synoptischen Tradition*, p. 118.

<sup>74</sup> 1:23 and 41; 3:5; 4:38; 5:6 and 22; 7:29; 8:2.

<sup>75</sup> Wellhausen, *Einleitung*, p. 157.

<sup>76</sup> Similarly, Philostratus has the disciples of Apollonius address their master as ὁ Τυανεύ (‘‘O man of Tyana’’); things are different with Pythagoras (Jamblichus, *Vita Pyth.* 255) and Alexander of Abonutichus (Lucian, *Alexander* 55); cf. R. Reitzenstein, *Hellenistische Wundererzählungen*, 1922, p. 37 n. 2. Athanasius tones down the miraculous element in Antony’s life (R. Reitzenstein, ‘‘Athanasius Werk,’’ *Heidelberg. Sitz.-Ber.*, 1914, VIII, p. 25). Cf. Dio Chrysostom, 13(12).18.

<sup>77</sup> G. Wetter, *Der Sohn Gottes*, 1916; R. Reitzenstein, *Gött. Gelehrt. Anz.*, 1911, pp. 556ff.

glorify Jesus. Nevertheless, the truth emerges. Skillfully and step by step,<sup>78</sup> Mark's narrative prepares the recognition. People already think that Jesus is a prophet (6:4, 14–15), but Mark now shows that Jesus is greater than this, by inserting into his story two variants of collections of Jesus' mighty deeds: the duplication is intended to intensify the impression made on the reader.<sup>79</sup> Mighty deeds follow one after the other: three miracles of nature, and the healings of the deaf man and the blind man. Mark underlines the exceptional character of these miracles. They must surely reveal Jesus – and he himself asks in astonishment, “Do you not yet perceive or understand?” (8:17). The eyes of the disciples (the only eyewitnesses) are in fact opened, and Peter recognizes Jesus: “You are the Christ!” (8:29).

(9) Why so late? After all, Peter and other disciples had been eyewitnesses to everything Jesus did! This late recognition was a given fact, and all Mark can do is to attempt an explanation. In all such cases, there is only one solution, viz. the lack of understanding on the part of human beings. A Jewish scholar<sup>80</sup> asks why the halacha sometimes decides against R. Meir, and answers: “only because his companions were not able to understand him completely.” The *Zarathustra-Name* has an answer to the question why a king repents so late: “These were the dealings of Zoroaster with the king, whose intelligence had not yet reached the level required.”<sup>81</sup> Mark too employs this instrument in order to glorify his protagonist.<sup>82</sup> He has Jesus himself reproach the disciples for their lack of understanding – and this is the most effective and oldest means of raising the status of the protagonist. We all know it from Plato's *Symposium*.<sup>83</sup>

(10) The first dilemma is a result of the position occupied by the external turning point, and its central position in Mark's narrative generates

<sup>78</sup> Meyer, *Ursprung* I, pp. 108ff.

<sup>79</sup> The doublets in Daniel, in the Revelation of John, in Genesis (H. Gunkel, *Genesis*, Introduction 3, §20), and apparently also in the so-called Demotic Chronicle (cf. E. Meyer, *Berlin. Sitz.-Ber.*, 1915, pp. 287ff.), have a similar significance. Cf. also Hermas, *Vis.* 5.5, and W. Bauer *ad. Jn* 6:63.

<sup>80</sup> Sherira Gaon (10th century) *apud* Winter and Wünsche, *Jüdische Literatur* II, p. 43.

<sup>81</sup> Rosenberg, *Livre de Zoroastre* V, pp. 885ff. Cf. 2 Cor 3:15; Philo, *Vita Mosis* 1.95 and 102.

<sup>82</sup> Cf. P. Wernle, *ZNW* 1, p. 45; W. Wrede, *Messiasgeheimnis*, p. 107.

<sup>83</sup> Plato, *Symp.* 204b. Cf. *Poimandres* 1.20; Ps.-Apuleius, *Ascl.* 36.

the other two dilemmas. It follows that after Jesus has been recognized, the dilemmas ought to disappear.

This is in fact what happens: Jesus conceals himself no longer. Immediately after the recognition, we have the well known group of dogmatic affirmations about the Messiah,<sup>84</sup> which Jesus proclaims openly before the people. He almost goes so far as to call himself openly the Son of God (12:7), and the crowd understands him (12:12 and 37), although only a moment ago, the disciples did not understand him. Indeed, healings are already being performed in his name (9:38)! The blind Bartimaeus addresses him as Messiah, and although his friends urge the man to be silent, Jesus himself does not command the pre-scient blind man to do so (10:46ff.). Finally, he enters Jerusalem openly as the Messiah (11:1ff.). Naturally enough, all the descriptive devices which had gradually prepared the recognition of Jesus now disappear.<sup>85</sup> No more deliberate and gradual descriptions of the crowds around Jesus are given. We find only simple designations: "the multitude," "crowds," "a great multitude" (8:34; 10:1 and 46). Nor do we find any more miracles, since these have fulfilled their purpose.<sup>86</sup> The only two miracles which are now related are public (9:14 and 25); the same applies to the healing of the blind man. Nor are we told that those present were "astonished," although Luke does not omit this detail in his much shorter version (Lk. 9:43; 18:43).

All the literary skill lavished on the first part of the Gospel disappears, since it is no longer necessary. In the second part, one motif alone is dominant, viz. the approaching death of the Son of Man and his resurrection.

(11) The death motif too is linked to a secret, which may perhaps be thought to contradict our thesis: for the secret is repeated four times after the recognition (8:30; 9:9 and 30; 10:52). In order to understand this mystery, let us take a brief detour and look at the secrets in 2 Esdras.

At 13:52, we read: *non poterit quisquam super terram videre filium meum vel eos qui cum eo sunt, nisi in tempore diei.* And at 12:37–38: *scribe ergo omnia ista in libro, quae vidisti, et pones ea in loco abscondito, et docebis ea sapientes de populo tuo, quorum scis corda posse capere et servare secreta haec.* Are the two

<sup>84</sup> Wellhausen, *Einleitung*, p. 70.

<sup>85</sup> Meyer, *Ursprung* I, pp. 108ff.

<sup>86</sup> *Ibid.*, I, p. 114.

secrets identical? The first is (a) absolute (no one knows it); (b) negative (we are not told what *filius meus* is actually doing in his hidden state); and (c) unexplained (why should *filius meus* be invisible?). The second secret, on the other hand, is (a) not absolute (from the outset, it is known to a limited number of initiates); (b) positive (a particular teaching is to be kept secret); and (c) explained (it is to remain unknown to the profane person who lacks knowledge).

It is obvious that the two secrets are completely different from a formal point of view; they are also diametrically contradictory. But both are employed by the same author in one and the same text. The first is the messianic secret, the second is another apocalyptic secret: a specific teaching is to remain hidden. The nearest parallel to this is Mark's theory about parables (4:10–12): the parables are kept secret as far as the crowd is concerned, but their real meaning is made known to the disciples, and Jesus explains the reason for this.<sup>87</sup> Exactly the same is true of the secret in the second part of the Gospel of Mark. From the outset, it is known to a limited number of initiates; indeed, one might say that Jesus hammers it into them (unlike the messianic secret). The specific substance of this mystery is the doctrine or vision, and it is explained (9:31). I believe that we have here a full parallel to the apocalyptic mystery of 2 Esdras, and a complete antithesis to the messianic secret. – It is however clear that we cannot regard all religious secrets in exactly the same way. Lao-Tze wanted to remain anonymous and hidden,<sup>88</sup> a hymn says: “The Angires have found you, O' hidden Agni.” Are we to look for a messianic secret here too? At the close of the Gospel, the angel tells the women who have seen the empty tomb that they must proclaim the resurrection. Is the messianic secret involved in the women's silence? After seeing the mystery of the divinity, they were frightened and remained silent.<sup>89</sup> Horace's words *recenti mens trepidat metu* (*Odes* 2.19) are surely the best commentary on the last sentence in the Gospel. And yet it is precisely this terrifying mystery that forms the substance of the proclamations with which the secret of the second part of the Gospel is linked.

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<sup>87</sup> Cf. also *Götting Nachr.*, 1919, p. 17 (an alchemical text); 2 Dan 8.28; 12.4 and 9; Assumption of Moses 1; R. Liechtenhan, *Die Offenbarung im Gnostizismus*, 1901, pp. 45ff.

<sup>88</sup> E. Lehmann and H. Haas, *Textbuch zur Religionsgeschichte*, 2nd edn. 1925, pp. 25 and 87.

<sup>89</sup> Cf. Meyer, *Ursprung* I, pp. 11ff.

Mark casts a mysterious veil not only over the resurrection itself, but also over its proclamation. This mystery, however – in an unmistakable and decisive contrast to the messianic secret – creates no dilemmas, since the disciples faithfully preserve the mystery. We do however find once again the motif of non-understanding. The disciples fail to understand the prediction of the resurrection. The same scene is repeated four times:<sup>90</sup> Jesus predicts the mystery of Christianity, he forbids them to speak of this, and the disciples fail to understand the mystery. This link is not the product of chance: in hellenistic theological literature, the teaching is always secret and, where this literature takes the form of an instruction of the disciples by the master, it is not understood. We need add nothing to what has been said by A. Dieterich, E. Norden, and R. Reitzenstein on this subject;<sup>91</sup> but we can add one new example. According to Philostratus,<sup>92</sup> the disciples of Pythagoras were to keep silent about his teaching, since this contained much that was ineffable and divine, and was difficult to understand. Here we see the same triad – teaching, mystery, non-understanding – that we find in Mark. This is not the only example of the influence of hellenistic theology on Mark's presentation,<sup>93</sup> and we may safely assume that this meant more to him than a merely literary affectation. He probably thought that the mystery of the resurrection was difficult to understand, both in the past (for the women at the grave) and in the present.

This must remain conjectural, of course; the important point for us is that the motif of non-understanding allows us to see something of Mark's atelier, so to speak. There are two versions of this motif in the hellenistic theological literature: either the disciple himself admits his incomprehension,<sup>94</sup> or the master reproaches him for this.<sup>95</sup> Mark employs the second version of this motif exclusively for the messianic secret. Here, he goes beyond the framework of his prototype, for the disciples fail to understand, not only the teaching (as is always the

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<sup>90</sup> A. Loisy, *Les évangiles synoptiques* I, 1907, p. 92, has noted the similarity between 8:32, 9:32, and 10:35–45. These are merely three variants on the motif of non-understanding. This is confirmed by Luke, who replaces the scene at Mk. 10:35ff. with the remark: "But they understood none of these things; this saying was hid from them, and they did not grasp what was said."

<sup>91</sup> A. Dieterich, *Mithrasliturgie*, 2nd edn. 1925, pp. 51ff.; E. Norden, *Agnostos Theos*, 1913, pp. 290ff.; Reitzenstein, *Poimandres*, pp. 216f.

<sup>92</sup> *Vita Apoll.* 1.1.

<sup>93</sup> Norden, *Agnostos Theos*, pp. 197ff.

<sup>94</sup> E.g. *Poimandres* 13(14).2,3 and 7; *Hermas*, *Vis.* 3.9,10; 3.6,5; 4.3,1.

<sup>95</sup> E.g. *Poimandres* 1.28; M. Berthelot, *Collect. des alchem. grecs*, 1887–1888, II, p. 65.



case), but also the miracles (4:40; 6:52), and Jesus rebukes them for this (8:17). This is a completely new element, and certainly comes from the pen of Mark himself. Only the redactor could combine various miracles or even two variants of one and the same miracle in the words of Jesus.

It is still possible to discern traces of Mark's redactional activity in connection with the messianic secret. The disciples' lack of understanding when Jesus walks on the water is astonishing. The parallel at Matt. 14:33 tells us that they immediately recognized Jesus as God, and Mark must have found some such remark in his source, since he offers a special explanation of the disciples' failure to recognize Jesus. This explanation is nothing less than a reference to the divine will: "their hearts were hardened" (6:52). Q had related that Jesus gave the disciples authority over unclean spirits, illnesses, and diseases (Matt. 10:1 and 8; Lk. 9:1–2). In Mark, of course, Jesus could not give more than he himself did, and this is why the disciples receive authority only over the spirits (Mk. 6:7). In his account of their activity, however, the tradition breaks through: they heal the sick. Scholars agree that Mark has corrected the account of Jesus' baptism which he found in the tradition, since this was incompatible with the messianic secret. He likewise altered the story of Jesus' temptation.<sup>96</sup> All this shows that Mark was the inventor of the messianic secret in this context.

(12) This is confirmed by Matthew and Luke. W. Wrede has shown that these younger contemporaries of Mark no longer understood the secret, which they took over as an incomprehensible element. No other source contains even a minimal reference to the messianic secret. This fact furnishes even stronger evidence in support of my thesis, when we consider that other sources too know the secret of the resurrection and the failure of the disciples to understand this; here, I need mention only the Emmaus story (Lk. 24:13ff.), the inauthentic conclusion to the Gospel of Mark (16:13ff.), and the Gospel of John. Unlike Mark, however, all the other sources say that Jesus performed his miracles in public.

It is impossible *a priori* for the messianic secret to have been taken over by Mark from the tradition, since it is generated only by the deliberate work of a redactor who is attempting to reconcile contradictory

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<sup>96</sup> Cf. A. von Harnack, *Beiträge zur Einleitung in das NT*, 1911–1914, II, p. 137; Wellhausen, *Einleitung*, p. 51; Dibelius, *Formgeschichte*, p. 65.

accounts. The oldest biography of Muhammad can give us some idea of Mark's "atelier." Its author collected numerous accounts, and mentioned the name of the source of each narrative. Naturally, these accounts contradict each other: one says that Muhammad was known to all as God's chosen one from the day of his birth, while another tells us that only his mother knew this; a third account believed that before Muhammad was "sent," only the demons or sorcerers recognized his true nature.<sup>97</sup> Ibn Ishiq has related faithfully all that he found in his sources; but Mark harmonized the various accounts. He took Peter's confession as the center of his narrative. His reason for placing such extraordinary emphasis on this event is a separate historical question.<sup>98</sup> – For us, this is a given fact of the text: Peter's confession is the center of Mark's narrative and of his composition. By giving this position and importance to the confession of Peter, he inevitably also created three dilemmas.<sup>99</sup>

#### *Additional Note*

In the second edition of his *Geschichte der synoptischen Tradition*, Rudolf Bultmann summarily dismissed the above article,<sup>100</sup> and his view was naturally accepted.<sup>101</sup> His main argument is that even after Peter's confession, Jesus commands the disciples to keep silence (8:30; 9:9). But this was already refuted in my essay (cf. §11): these passages have nothing to do with the messianic secret. The miracle of the transfiguration (9:2–9) is an ecstatic experience,<sup>102</sup> and as such, it must remain a secret. In Mark, this secret, together with the mysterious character of the predictions of Jesus' suffering, serves to emphasize the uniqueness of the Son of Man. It was not expected that the Anointed one

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<sup>97</sup> Ibn-Hischam, *Leben Mohammeds*, trans. by G. Weil, I, 1864, pp. 77, 81, 86, 91. Only his mother knows him: I, p. 80. The demons' knowledge: I, pp. 97ff.

<sup>98</sup> The most recent studies of the significance of the vision of Jesus' transfiguration by E. Meyer (*Ursprung* I, pp. 152ff.) and A. von Harnack (*Berlin. Sitz.-Ber.*, 1922, pp. 60ff.) may offer an explanation of this.

<sup>99</sup> Dibelius remarked: "one might call the messianic secret a biographical idea": *Formgeschichte*, p. 51.

<sup>100</sup> I refer to the third edition, 1951, p. 371 n. 4.

<sup>101</sup> Cf. e.g. H.J. Ebeling, *Das Messiasgeheimnis und die Botschaft des Markus-Evangeliums*, 1939, p. 63, and H. Räisänen, *Das Messiasgeheimnis im Markusevangelium* (Schriften der Finnischen exegetischen Gesellschaft 28), 1976, p. 79.

<sup>102</sup> Morton Smith, in *Union Seminary Quarterly Review*, 1980, p. 39.

of the Jews would die, or at any rate not before his triumph. *Iudaei etiam Christum quem sperant moriturum esse non sperant* (Augustine, *City of God* 17.18). The secrecy in 8:30–35, 9:30, and 10:32 concerns not the messianic character of Jesus, but the paradox of his life here on earth, viz. his lack of success as the Jewish Messiah (cf. Lk. 24:21, “But we had hoped that he would be the one to redeem Israel”) who nevertheless conquered death by means of his own death.

This means that my explanation of the messianic secret in Mark as a consequence of the literary structure of the second Gospel remains valid. It also allows us to understand better two other literary counterparts, which I have cited above (§§4 and 6).

The Cologne Mani Codex<sup>103</sup> shows how the protagonist conceals his true nature until the time of his self-revelation. As he himself later related, Mani was protected by angels from the fourth year of his life onward, but no one knew this (p. 12); he kept silence about the signs and revelations which he received (pp. 4 and 24); he understood the language of a palm-tree, but this “mystery” remained hidden (p. 7). No one discovered his true being before his self-revelation (p. 72). It is possible that parts of this biography are historically accurate: since he lived in a Baptist sect and was poor and had no family to support him, Mani may well have wondered whether he dared reveal himself (p. 31).

Another example is the first collection of stories about the Baal-Shem Tob, the founder of Hasidism, which was published in 1814, fifty-four years after his death.<sup>104</sup> Most of these approximately 250 narratives describe the miracles he performed after his self-revelation, but some stories concern his life before he first appeared in public. During this period, Baal-Shem conceals his true being and his deeds. He is unknown and despised, and he commands anyone who happens to witness his miraculous deeds to keep silence.<sup>105</sup>

The significance of these two books for our problem, and indeed for synoptic research in general, is obvious. The authors of the Mani Codex and of the book about Baal-Shem name their sources precisely, e.g.

<sup>103</sup> A. Heinrichs, *Zeitschrift für Papyrologie und Epigraphik*, 1975. Page references are to the codex itself.

<sup>104</sup> D. Ben Amos and J.R. Mintz, *In Praise of Baal Shem Tob*, 1970. Cf. narratives 7, 8, 13, 14, 15, 19, 20, 22, and 31, which are taken from four different sources: Admor, Shochet, Adam, and Gedaliah.

<sup>105</sup> The messianic secret is also found in the history of Sabbatai Sevi: G. Scholem, *Sabbatai Sevi*, 1973, pp. 140 and 205.

Adam and the others in the collection of traditions about Baal-Shem, or Abiessous and Inaios and others in the Mani Codex.

First of all, these witnesses, who are unconnected and independent, and belong to two mutually hostile religions, employ the motif of the messianic secret in the same way and with the same intention as Mark – and for the same literary reason.

Secondly, these two works permit us to understand the literary genesis of the Gospels. The evangelists collected numerous oral accounts of the life and deeds of Christ. Why did they omit to mention their sources? The reason is that they wanted to write Greek books – or, to make the same point with two Greek nouns, we may say that the evangelists wrote *euangelia*, not *hypomnēmata*.

## THE RECOGNITION OF CHRIST IN THE GOSPELS (LATENS DEUS)

When he speaks of the earthly career of the Savior, Augustine says: “He appeared, a man among men, the hidden God.”<sup>1</sup> This striking formula draws attention to the specific manner in which Jesus’ ministry is portrayed in the canonical Gospels. According to the sacred writers, Jesus sought to hide his true nature, his miracles, his teaching, and indeed even his presence – and yet, he never ceased to manifest himself: “He wanted no one to know it, but he could not remain hidden” (Mk. 7:24). The fathers of the church, from Justin to Athanasius and Chrysostom, emphasized this chiaroscuro in the Gospel portrait of the Son of God.<sup>2</sup> Similarly, Melito of Sardis says that from his baptism onward, the miracles and deeds of Jesus revealed the divinity which was hidden in his flesh.<sup>3</sup> Tougher spirits merely shrugged their shoulders: if Jesus was in fact recognized despite his wish to remain unknown, this shows that his will was powerless;<sup>4</sup> and if he forbids people to talk about his miracles and yet these same miracles in fact spread his fame, this shows that his foreknowledge was imperfect.<sup>5</sup> As early as the second century, Jewish polemic formulated this dilemma: *either* Jesus wished to remain unknown, but in this case why was he publicly proclaimed the Son of God by a heavenly voice during his baptism? *Or else*, if he did in fact manifest his divinity, why then was he tortured and led off to execution?<sup>6</sup>

Some heretics seized on this problem – with scandalous results. Marcion deduced that Jesus knew that he was not the Messiah whom

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<sup>1</sup> *Sermo* 293.5 (PL 38, 1331): *et homo apparuit inter homines, latens deus*. Cf. *Sermo* 220 apud H. Lietzmann, *Augustinus Fuenf Festpredigten* (Kleine Texte 13): *deum latentem hominem apparentem*.

<sup>2</sup> Cf. e.g. Ignatius, *Eph.* 19.1 and the passages cited *ad loc.* in J.B. Lightfoot, *The Apostolic Fathers* II/2; Justin, I *Apol.* 35.1; Tertullian, *Ad Praxean* 21; Eusebius, *Ad Stephanum* 1.1 (PG 22, 881); Theodore of Mopsuestia, PG 66, 710; Chrysostom, *Hom. 6 in Philipp.* (PG 72, 223); *Hom. 53.2 in Matt.* (PG 58, 528), and many other texts; Augustinus, *Tract. 28 in Joh.* (PL 35, 1622). Cf. also the passages cited in W. Bauer, *Das Leben Jesu im Zeitalter der Neutestamentlichen Apokryphen*, 1909, pp. 142 and 523.

<sup>3</sup> Melito, frag. 7 (PG 5, 1221).

<sup>4</sup> Ps.-Augustine, *Quaest. in vet. et nov. test.*, q. 73 (77): *si ergo voluit et non potuit, infirmata voluntas eius videtur*.

<sup>5</sup> Augustine, *De cons. evang.* 4.4. Another (Jewish) argument against the foreknowledge of Jesus is mentioned by Chrysostom, *In quatriid. Lazari* 1 (PG 48, 780).

<sup>6</sup> Origen, *Contra Celsum* 2.72.

the Jews were awaiting, nor the Son of their God.<sup>7</sup> On the basis of the same texts, the school of Antioch, from which the Nestorian heresy emerged, affirmed that the disciples did not regard Jesus as the Christ during his earthly life; it was only after the cross that they believed him to be the Messiah.<sup>8</sup>

The fathers looked for a fitting response to objections of this kind. Some exegetes, including Origen, thought that Jesus had concealed his divine nature “in order to deceive the deceiver,” as Gregory of Nyssa puts it,<sup>9</sup> i.e., in order to prevent the devil from realizing that the Son had come.<sup>10</sup> According to the evangelists, however, it is in fact the demons who are the first to perceive and proclaim the true identity of the Nazarene! For this reason, another school of thought explained the secrecy by invoking the pedagogical concerns of Jesus: the Master mingled with the Jews without making himself known, in order to show consideration for the susceptibilities of this obtuse and wicked people. That is why he revealed himself only as the cross drew near, entering Jerusalem as the Messiah.<sup>11</sup>

This historical theory was always maintained in traditional exegesis,<sup>12</sup> and nineteenth-century biblical criticism gave it a new twist. The so-called “liberal” school postulated that Jesus could only gradually have come to believe that he was the Christ, and these scholars understood the Master’s reservations as indicating the progress, not of his revelation, but of his psychological development.<sup>13</sup> In the Gospels, however, there is no trace of any evolution in Jesus’s consciousness; indeed, the entire concept of a progressive manifestation contradicts what these texts tell us. One who from the outset calls himself the Son of Man,

<sup>7</sup> Marcion *apud* Tertullian, *Adv. Marc.* 4.21: “*immo*” inquis “*quia non recte senserat, noluit mendacium disseminari.*” For other passages, cf. A. von Harnack, *Marcion*, 1921, p. 129.

<sup>8</sup> Theodore of Mopsuestia, PG 66, 707; 712; 720; and the passages cited by H. Kihn, *Theodor von Mopsuestia*, 1880, p. 185.

<sup>9</sup> Gregory of Nyssa, *Catech.* 26 (PG 45, 68).

<sup>10</sup> Origen, *Hom. 6 in Lucam* (M. Rauer, ed. *Origenes Werke IX*, p. 37). Cf. Chrysostom, *Hom. 66,1 in Matt.* (PG 58, 627).

<sup>11</sup> Ps.-Victor in *Catenae in Novum Testamentum*, ed. J.A. Cramer, I, 1844, p. 389. On Ps.-Victor, cf. R. Devrèsse in *Dict. de la Bible*, Suppl. I, p. 1177. Cf. e.g. Athanasius, PG 25, 419; Chrysostom, PG 57, 361; 58, 622; etc. According to Tertullian, *Adv. Marc.* 4.9, Jesus hides himself out of humility.

<sup>12</sup> Cf. e.g. C.J. Cadoux, *The Historic Mission of Jesus*, 1941, p. 51.

<sup>13</sup> For a history of this problem in the nineteenth and twentieth centuries, cf. H.J. Ebeling, *Das Messiasgeheimnis und die Botschaft des Markus-Evangeliums*, 1939.

publicly forgives sins,<sup>14</sup> and emphatically opposes his own “I” to the divine law,<sup>15</sup> does not look very much like the doctor who initially avoids frightening a sick man.<sup>16</sup>

In the twentieth century, the “radical” criticism undermined the “liberal” position. Taking up anew (apparently without realizing it) an idea of Theodore of Mopsuestia, these scholars affirmed that the apostles did not believe the Nazarene to be the Messiah until after his death. Consequently, the fiction of the “messianic secret” which enshrouds Jesus was invented in order to portray him as Christ during his ministry.<sup>17</sup> According to another theory,<sup>18</sup> Mark introduced the “messianic secret” in order to explain why Jesus was not recognized as Messiah by his people.<sup>19</sup> These hypotheses are based on inadmissible presuppositions, viz. that the apostles shared the historical concerns of modern critics, and that they intended to express these concerns in the Gospels. The opposite is true: they saw the refusal of the chosen people to listen to the voice of the Messiah as the providential blinding of Israel: “for the heart of this people has grown dull” (Matt. 13:14).<sup>20</sup>

## I

Besides this, all these hypotheses – the traditional no less than the radical – start by begging the question, and ignoring the improbability which

<sup>14</sup> Mk. 2:1. Cf. Irenaeus, *Adv. Haer.* 5.17,2 (PG 7, 1170), who remarks that the forgiveness of sins manifests the divine power of Jesus.

<sup>15</sup> Chrysostom underlines that the use of the pronoun ἐγώ by Jesus expressed his supreme power and inevitably terrified the Jews (*Hom.* 25.1 in *Matt.*, PG 57, 327).

<sup>16</sup> The image is Chrysostom’s: *In Ps.* 49:2 (PG 55, 243).

<sup>17</sup> W. Wrede, *Das Messiasgeheimnis in den Evangelien*, 1901. This theory was refuted by A. Schweitzer, *Geschichte der Leben-Jesu-Forschung*, 1913, p. 381, but it is still maintained by numerous exegetes. Cf. e.g. C. Guignebert, *Jésus*, 1933, p. 174; A. Loisy, *Les Origines du Nouveau Testament*, 1936, p. 85; W. Manson, *Jesus the Messiah*, 1943, p. 96; etc.

<sup>18</sup> Cf. e.g. M. Dibelius, *From Tradition to Gospel*, 1934, p. 67; R.H. Lightfoot, *History and Interpretation in the Gospels*, 1934, p. 67; Alan Richardson, *The Miracle Stories of the Gospels*, 1942, p. 102; F.C. Grant, *The Earliest Gospel*, 1943, p. 254.

<sup>19</sup> H.J. Ebeling (cf. n. 13 above) holds that the secrecy which surrounds Jesus in the second Gospel serves to emphasize the extraordinary character of the Gospel message. Without realizing it, Ebeling is taking up in a new form the theory of S. Reimarus that the reason why Jesus played hide and seek was to intensify people’s curiosity: cf. S. Reimarus, *Von dem Zwecke Jesu und seiner Jünger*, 1778, p. 142. This ingenious solution, however, simply relocates the question: in this case, why does Mark choose to paint the career of Jesus in chiaroscuro?

<sup>20</sup> Cf. A. Charue, *L’incrédulité des Juifs dans le Nouveau Testament*, 1929.

this entails. They suppose that all the commands to keep silence have one single goal, viz. to prevent the premature revelation of the Christ. But in reality, the idea of “secret” has such a general meaning that we must *a priori* suppose that there are different reasons for the apparently unrelated mysteries which surround the Master. For example, when Jesus withdraws to the desert before his final Passover, he is simply seeking to avoid arrest (Jn. 11:54).<sup>21</sup> And when he does not want anyone to know of his presence in the region of Tyre, nothing prevents us from assuming, with Origen, that Jesus is hiding from the Pharisees or (to cite another patristic explanation) that he is avoiding contact with the Gentiles.<sup>22</sup>

On the other hand, the disciples’ lack of understanding, a prominent theme in Mark, has nothing to do *per se* with the secret about the person of the Master. Rather, it is a literary device which was often employed from Plato onwards to underline the depth of the teaching imparted.<sup>23</sup> Accordingly, there was nothing here to scandalize the fathers; rather, they found it natural that the disciples’ understanding was not always perfect.<sup>24</sup> We should however note *en passant* that the same device can be used with a completely different intention. As Chrysostom remarks, the fact that the disciples do not understand the multiplication of the loaves (Mk 8:4) means that no suspicion at all can be attached to the reality of this miracle.<sup>25</sup> Besides this, the doctrines of the parables and of the saving death of Christ are imparted in secret. It was fashionable in both Greek and Jewish religious literature to present the ultimate *arcana* as an esoteric doctrine.<sup>26</sup> As Augustine puts it: *omnibus accessibilis, quamvis paucissimis penetrabilis*.<sup>27</sup>

The demons who address Jesus as “Son of God” are commanded to be silent, and this has greatly puzzled exegetes both ancient and

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<sup>21</sup> Cf. section 3/II in my article “Utilitas crucis,” below.

<sup>22</sup> Origen, *ad Matt.* 15:21, p. 60 (E. Klostermann, ed. *Origenes Werke X*). Cf. Chrysostom, *Hom. 52.1 in Matt.* (PG 58, 518); *Catena* I, p. 337.

<sup>23</sup> Cf. e.g. Plato, *Symposium* 204b.

<sup>24</sup> Cf. e.g. Chrysostom, *Hom. 67 in Matt.* (PG 58, 633); Jerome, PL 26, 131 (*necdum habentes plenissimam fidem*); *Catena* I, pp. 70, 313, and 332. According to Origen, *Contra Celsum* 2.15, the reproaches addressed by Jesus to the apostles in the Gospels prove that the sacred authors were telling the truth.

<sup>25</sup> Chrysostom, *Hom. 53 in Matt.* (PG 58, 527).

<sup>26</sup> Cf. now A.J. Festugière, *RB*, 1939, p. 50. Cf. I. Lévy, *La Légende de Pythagore*, 1927, p. 308.

<sup>27</sup> *Epist.* 137.18. Cf. *Catena* I, p. 162.



modern<sup>28</sup> – the fathers were perplexed because they attributed their own christology to the evangelists, while the modern scholars have forgotten the nature of evil spirits. To understand this command, it suffices to recall Jacob's combat with the angel. By uttering Jesus' true name, the powers of hell are trying to get control of him, but the divine exorcist deprives them of speech.<sup>29</sup>

Let us now turn to the miracles. Since these belong to the supernatural world, they are generally performed off-stage. Like Elijah of old, Jesus removes the witnesses before raising to life the daughter of the ruler of the synagogue (Mk. 5:40). In the days of Jesus, however, there was no shortage of magicians who produced fake miracles, and this led some workers of miracles to act in public, in order to escape any suspicion of sleight-of-hand. In the same way, Jesus performs some miracles in public to confound the incredulous. For example, he heals the paralytic in the presence of a large crowd (Mk. 2:10).<sup>30</sup>

At this point we observe a peculiarity of the Gospel tradition. It was expected that one who had experienced a miraculous cure would spread the glory of the divinity who had saved him and that he would bear witness to the power of the wonder-worker.<sup>31</sup> Christian exorcists boasted of their successes.<sup>32</sup> Malevolent critics depicted Jesus as a boaster because he made public the healing of the woman with the flow of blood, which had happened without his knowledge.<sup>33</sup> – In the Gospels, however, the witnesses to the mighty deeds give glory to God (not to Jesus himself)

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<sup>28</sup> Mk. 1:23; 3:11; 5:7. According to Tertullian (*Adv. Marc.* 4.8), Jesus wanted to be recognized by human beings, not by unclean spirits. A variant of this explanation is offered by Jerome *ad* Mk. 1:13 (in D. Morin, *Anecdota Maredsolana* III/2, p. 335) and is reproduced by the Scholiast *ad* Mk. 1:23 (*Catena*), citing Acts 16:18. Other explanations are given by Origen, *Hom. 6.15 in Lucam*; Eusebius, *Dem. Ev.* 9.6,434; Theodore of Mopsuestia, PG 66, 720; Cyril of Alexandria, *ad* Lk. 4:41 (PG 72, 552); Ps.-Augustine, *Quaest. in vet. et nov. test.* 66.

<sup>29</sup> Cf. A. Fridrichsen, *Le Problème du Miracle dans le Christianisme Primitif*, 1925, p. 78. Cf. C. Bonner, *HTR*, 1943, p. 41.

<sup>30</sup> This anecdote is imitated in a fragment of a Gospel found in Egypt: H.I. Bell and T.C. Skeat, *Fragment of an Unknown Gospel*, 1935.

<sup>31</sup> Cf. e.g. the aretology of Asclepius of Pergamum *apud* R. Herzog, *Sitz. Ber. Preuss. Akad.*, 1934, p. 753. Cf. A.D. Nock, *Conversion*, 1933, p. 83; A.D. Nock in *The Beginnings of Christianity* V, 1933, p. 185; J. Bonsirven, *Le Judaïsme Palestinien* I, 1934, p. 184. Cf. my essay "Heliodorus in the temple in Jerusalem" above.

<sup>32</sup> A. von Harnack, *Mission und Ausbreitung des Christentums* I, 4th edn. 1924, p. 157.

<sup>33</sup> Chrysostom, *Hom. 31.1 in Matt.* (PG 57, 371). Cf. Origen, *Contra Celsum* 8.39 and 41; Jerome (n. 28 above), p. 340; Cyril, PG 72, 638 (*ad* Lk. 8:45), explains the reasons why Jesus made this miracle public.

for what has happened.<sup>34</sup> In one exceptional anecdote,<sup>35</sup> the tradition shows Jesus ordering a man who has experienced a miraculous cure “to tell all that the Lord has done for you” (Mk. 5:19). Elsewhere, Jesus takes direct action to prevent the news of his miraculous deeds from spreading.<sup>36</sup> “But the more he forbade it, the more they made it known” (Mk. 7:36; 1:45; Matt. 9:30). On this remarks Chrysostom that those who had been miraculously cured “could not prevent themselves from becoming heralds and evangelists, and although they were invited to conceal the event, they could not do so.”<sup>37</sup> In other words, it is precisely the reticence of Jesus that draws attention to his theurgic power. As another ancient commentator writes, Jesus seeks to be humble, but the greatness of his works itself creates his fame.<sup>38</sup> We may compare his attitude with one famous magician who offered a poor proof of his skill: after being present at a miracle wrought by Pachrates, the emperor gave him a double salary.<sup>39</sup>

The tradition of the Gospels marks a clear distinction between the Savior and the vulgar workers of wonders and the pseudo-Messiahs of the period; in the same way, the writers of Scripture intentionally avoid the phraseology of other, rival religions.<sup>40</sup> While Jesus was still alive, his enemies made him out to be a magician, and anti-Christian polemic never wearied of repeating this accusation.<sup>41</sup> But Jesus refuses to produce a miracle as a sign of his mission (Mk. 8:10). He heals only out of compassion,<sup>42</sup> and is harassed by the suppliants<sup>43</sup> to such an extent that he takes refuge on a boat “in order not to be crushed”

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<sup>34</sup> Cf. e.g. Mk. 2:12; Matt. 15:31; Lk. 7:16; 8:43; 17:15. Speaking of the healing of the possessed man in Gerasa (Mk. 5:19), one ancient commentator emphasizes that Jesus gives the glory to his heavenly Father, not to himself: Titus of Bostra *apud* J. Sickenberger, *TU* 21/1 (1901), p. 179.

<sup>35</sup> On the story of the demoniac of Gerasa, cf. H. Gunkel, *Das Märchen im Alten Testament*, 1921, p. 87; R.H. Lightfoot (n. 18 above), p. 88; C.C. Torrey, *Our Translated Gospels*, 1936, p. 81; I. Lévy in *Études Horatiennes*, 1937, p. 151.

<sup>36</sup> Mk. 1:43; 5:43; 7:36; 8:26; Matt. 9:26.

<sup>37</sup> Chrysostom, *Hom. 32.1 in Matt.* (PG 57, 377).

<sup>38</sup> *Catena ad Mk.* 5:39. Cf. *ibid.* I, p. 282, and Tertullian, *Adv. Marc.* 4.9.

<sup>39</sup> C. Preisendanz, *Papyri Graecae Magicae* I/4, 2445.

<sup>40</sup> A.D. Nock, *JBL*, 1933, p. 134.

<sup>41</sup> Mk. 3:22; Matt. 27:63; Jn. 7:12; Justin, *Dial.* 69.7; Chrysostom, *In Ps. 8* (PG 55, 120); etc. Origen emphasizes the limited number of Jesus' miracles (*Contra Celsum* 2.48), and he adds (in a comment on Jn. 5:4) that Jesus did not perform many miracles, lest the ease with which he cured people might diminish their admiration.

<sup>42</sup> Mk. 1:41; 2:5; 5:34; 6:34; 7:29; 8:2; 10:51.

<sup>43</sup> Cf. Mk. 1:33; 2:2; 3:20; 4:1; 6:31; 6:55; 7:24; 8:1; 9:25; 10:1.

(Mk. 3:9). Chrysostom notes that Jesus insisted on being implored, before he healed anyone.<sup>44</sup> Thus, as Origen observes, Jesus' conduct cannot be compared to that of the magicians and wonder-workers.<sup>45</sup>

The plurality of meanings of the "secret" explains why this device is found in all the sources of the Gospels. Even Luke, a historian who prunes away the exotic traits from his narrative, borrows the episode of the disciples on the road to Emmaus from a tradition which only he knows (Lk. 24:21). In the material found only in Matthew, the healing of the two blind men is followed by the command not to spread the news of the miracle, and then by its divulgation (Matt. 9:30). Jesus' logion about celibacy is presented as an *arcanum* (Matt. 19:12). In the Q source, the collection of logia of Jesus which is used by Matthew and Luke, we read that the revelations made to the humble have been hidden from the wise (Matt. 11:25 = Lk. 10:21).<sup>46</sup> According to the same source, Jesus avoids giving a direct answer to John the Baptist's question whether he is the Messiah, but at the same time he tells him to consider his miracles – which fulfill the messianic prophecy of Isaiah (Matt. 11:2 = Lk. 7:18). Jesus' teaching in the fourth Gospel is esoteric, and his instruction in some passages of the logia source and of the non-canonical narratives is wrapped in mystery.<sup>47</sup>

Nevertheless, the references to the secret remain more or less accidental and isolated in the tradition. Since this was formed by the collection and selection of scattered individual testimonies, it is natural that some narrators omitted or contradicted the idea of the secret. For example, according to one version Jesus heals in secret a man who is dumb (Mk. 7:31), whereas the parallel accounts emphasize that the miracle was performed in the presence of a crowd (Matt. 9:32; 12:22; Lk. 11:14). We find the same divergence in the healing of the blind man or men (Matt. 9:27; Mk. 10:46). The healing of the demoniac in Gerasa is public, and Jesus even commands the one who has been cured miraculously

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<sup>44</sup> Chrysostom, *Hom. 32.1 in Matt.* Cf. *Hom. 36.1*; *Hom. 49.1* (PG 57, 378 and 413; 58, 497).

<sup>45</sup> Origen, *Contra Celsum* 1.68. Cf. *Catena* I, p. 71. Origen remarks that the faith of those who receive miraculous cures attracts the miracle like a magnet (*ad* Matt. 13:58, p. 25, ed. E. Klostermann).

<sup>46</sup> On this passage, cf. T. Arvedson, *Das Mysterium Christi*, dissertation, Uppsala 1937.

<sup>47</sup> Cf. e.g. P. Oxy. IV 655; passages cited by E. Preuschen, *Antilegomena*, 2nd edn. 1905, p. 28 nr. 16 and p. 27 nr. 9; the apocryphal conclusion to Mark (16:14); and another text which offers a conclusion to the same Gospel in Codex W; etc.

to announce his healing everywhere (Mk. 5:1ff.).<sup>48</sup> But a doublet of the same episode does not contain this order (Matt. 8:28).

By their selection and arrangement of the isolated narratives, the evangelists accentuate the notion of the secret in keeping with their own ideas about the ministry of Jesus. Thus, in the fourth Gospel, all the miracles of Jesus, from the changing of water into wine at Cana to the resurrection of Lazarus, take place in public; but his teaching remains unintelligible to the Jews, and even to his own disciples, since they are accustomed to think in temporal categories. In the same way, Matthew and Luke understand and retain the idea of the doctrinal secret. They agree with Mark that only the disciples were permitted to know the *arcana* which had been hidden since the creation of the world (Matt. 13:35 = Lk. 8:8), and they are not in the least surprised that the doctrine of the suffering Messiah continued to scandalize the apostles, who had not even grasped it by the time of Jesus' ascension into heaven (Acts 1:6). Since they were Jews, the disciples imagined that Jesus would be the political Messiah who would deliver Israel (Lk. 24:21).

When he quotes Jesus' indirect response to the question whether he was the Messiah for whom Israel was waiting, Matthew (11:15) concludes with an admonition which turns the spotlight on this mixture of clarity and mystery: "Let him who has ears hear." Clement of Alexandria remarks about this passage that the ear of the soul is faith.<sup>49</sup>

## II

It is only in the second Gospel that the order to maintain secrecy is applied systematically. Here, all the mysteries concerning Jesus are given a christological meaning, and this messianic secret determines the framework of the story. And since Matthew and Luke depend on Mark for the layout of the message they proclaim, Mark's conception leaves a very definite imprint on all three synoptic Gospels.

According to Mark, it is the demons who from the very beginning recognize the Christ in Jesus, but each time, they are ordered to be silent.<sup>50</sup> We do not find this outside the Markan tradition; the secret

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<sup>48</sup> This command seems very enigmatic to modern commentators (cf. e.g. Lightfoot, n. 35 above), but it is explained perfectly by Origen, *ad* Lk. 8:39 (ed. M. Rauer, p. 277).

<sup>49</sup> Clement of Alexandria, *Strom.* 5.1,2,1. Cf. Tertullian, *Adv. Marc.* 4.25.

<sup>50</sup> Cf. n. 28 above.

surrounding the miracles of Jesus is found only in the material chosen by Mark.<sup>51</sup> Four times, Jesus tells those he has cured to keep their healing secret (Mk. 1:44; 5:43; 7:36; 8:23); otherwise, we find this command only in the episode of the two blind men (Matt. 9:30). Where the presence of the crowd is an integral part of the narrative, Mark takes great care to preserve the incognito status of the divine wonder-worker. According to Matthew, when the multitude see Jesus healing the dumb and the blind, they perceive that he is the “Son of David” (Matt. 12:23); according to Mark, the multitude is only filled with admiration. In the second Gospel, the apostles are the only witnesses of those miracles which contradict the laws of nature (for example, the multiplication of the loaves),<sup>52</sup> but Mark adds that they did not understand the meaning of these miracles (Mk. 4:41; 6:52; 8:17); he also emphasizes that the Master imparts his teaching “in private” (4:34; 6:31; 9:28; 13:3), and ancient exegetes noted this distinction in the Gospel narrative between the disciples and the outsiders.<sup>53</sup>

According to the earliest tradition, the lesson communicated in the form of a parable was intended as a rule of life (Matt. 7:24 = Lk. 6:47). Mark seems to have known this interpretation (Mk. 4:33), but he insists on the esoteric character of Jesus’ preaching in parables: the intention is that outsiders will hear it, but will fail to understand it (4:12). This interpretation, which is reproduced by both Matthew (13:13) and Luke (8:10), embarrassed the fathers of the church just as much as it embarrasses modern commentators. The Master reveals his teaching only to the disciples (Mk. 4:11; 4:34), and yet they are judged

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<sup>51</sup> The miracles related in Q are: Matt. 8:5 (Lk. 7:1) and Matt. 12:22 (Lk. 11:44). Two miracles are found in Matthew alone (9:32; 17:27) and five only in Luke (5:7; 7:11; 13:10; 14:1; 17:11).

<sup>52</sup> Mk. 4:35; 6:30; 6:45; 8:1. The formulations at Mk. 6:50 (“they all saw” Jesus walking on the waves) and Matt. 8:27 (“the men marveled” at the miracle) show that Mark has adapted the traditional material to his idea of the “messianic secret.” We also note that all the supernatural miracles related in the synoptic Gospels come from Mark, with the exception of the miraculous catch of fish (Lk. 5:7), which is also found in another redaction in Jn. 21:1ff. It is important to remember that people in ancient times made a distinction between miraculous healings and mighty works which broke the natural order. Origen emphasizes that raisings of the dead are very rare in the Gospels (*Contra Celsum* 2.48). On Jesus’ walking on the waters, cf. Eusebius, *Dem. Evang.* 9.12; Chrysostom, *Hom. 50 (51) in Matt.* (PG 58, 506). Jerome (PL 26, 107) suggests a rationalistic explanation of Jesus’ calming of the winds: *quae post nimias procellas interdum et casu fieri solet*. On folkloristic themes in the invention of miracle stories, cf. H.J. Rose, *HTR*, 1938, p. 134.

<sup>53</sup> Origen, *ad Matt.* 14:22 (ed. E. Klostermann, p. 39).

incapable of comprehending it (Mk. 4:13; 7:18; 8:17; 9:5; 9:17; 10:23; 10:38; 14:7).

In the second Gospel, Jesus goes unrecognized because he hides his messianic and divine character. Mark explicitly says that Jesus tells the demons to be silent “because they knew him” (1:34), and he later writes that Jesus ordered them “not to make him known” (3:11). Similarly, whereas the exorcisms are performed in public (the expulsion of unclean spirits was a common practice at that time),<sup>54</sup> the healing miracles are shrouded in secrecy,<sup>55</sup> because (according to Is. 35:1) they were signs announcing the coming of the Messiah. On the other hand, according to Q, Jesus pointed to these miracles as proof that he was the Messiah (Matt. 11:2 = Lk. 7:18), and the tradition affirmed that Jesus had given the Twelve the gift of healing all infirmities (Matt. 10:1 = Lk. 9:1), a power which they used very widely in the Acts of the Apostles. Mark knows this tradition (cf. Mk. 6:13), but he does not leave it untouched. He has Jesus give the apostles only the power to expel the demons (Mk. 3:15). His redactional work extends even to the title given to Jesus. According to Q, his contemporaries often addressed Jesus as “Lord” (Κύριε).<sup>56</sup> But since this polite address<sup>57</sup> was also a messianic title,<sup>58</sup> Mark replaces it with the title which was customarily given to the wise men of the synagogue: “Master.”<sup>59</sup> Thus, although Jesus’ fame spreads everywhere as soon as he begins to preach in public, and people bring to him all who are incurably ill and possessed by demons,<sup>60</sup> his true nature remains hidden all the time. This contradiction astonishes the evangelist himself, and in order to explain it, Mark repeats that the apostles’ heart was hardened (6:52; 8:17).

In reality, no matter how much care he may take to make himself invisible behind his message, and no matter how humble and prudent he may otherwise be, no prophet can avoid announcing the authority which he claims to have. And yet the Jews ask Jesus in vain to tell them

<sup>54</sup> Cf. Acts 19:13. On Jesus’ use of traditional formulae of exorcism, cf. A. Dupont-Sommer, *Revue d’Assyriologie*, 1941–1944, p. 59.

<sup>55</sup> The healing performed on a sabbath day (Mk. 3:1) and the healing of the paralytic at Capernaum (Mk. 2:1; a doublet is preserved at Jn. 5:2ff., cf. E.R. Goodenough, *JBL*, 1945, p. 155) take place in public because these miracles provide an opportunity to attack the Pharisees who are present.

<sup>56</sup> Cf. e.g. Matt. 7:21 (Lk. 6:46); 8:2 (Lk. 5:12).

<sup>57</sup> L. Robert, *Rev. Archéol.* 1936, I, p. 235.

<sup>58</sup> Cf. Mk. 12:35.

<sup>59</sup> Cf. e.g. Mk. 4:38 (“Master ...”) in comparison with Matt 8:25 (“Lord ...”).

<sup>60</sup> Mk. 1:28; 1:32; 1:45; 3:7; 5:21.

the authority which justifies his actions (Mk. 11:27). As Chrysostom observes, Jesus nowhere proclaims his divinity clearly. He makes use of others – both friends and enemies – to proclaim it.<sup>61</sup>

### III

In order to understand this enigma, let us note that the veil is rent asunder on the path that leads from Caesarea Philippi, and is finally removed on Jesus' last day at Jerusalem. During his ministry in Galilee, Jesus leads the Twelve with the help of his miracles<sup>62</sup> to a profounder perception of his nature.<sup>63</sup> For example, the disciples wake Jesus and he commands the winds which were threatening to capsize his boat (Mk. 4:35). Chrysostom says that the apparent sleep of Jesus indicated that he was a human being, "but the waves that were calmed revealed God."<sup>64</sup> And since the apostles grasped only insufficiently the significance of the mighty works they had seen, Jesus reminded them of his miracles and reproached them: "Do you not yet understand?" (8:22). Their eyes were opened, and on the way to Caesarea Philippi, the Master asked what they thought of him. Peter replied: "You are the Messiah" (8:30).

Classical terminology calls this messianic confession an *anagnôrismos*, the transition from ignorance to knowledge which constitutes the central point of the narrative and determines (according to Aristotle) how it is structured. There is nothing new or arbitrary about this interpretation of the scene at Caesarea Philippi. The fathers of the church speak continually of the *agnitio Christi* by his disciples, i.e. their recognition that Jesus is the Messiah announced and described by the oracles of the Old Testament. For example, Irenaeus offers the following demonstration: *Pater... Filii sui dat agnitionem... Nathanael... cognovit Israelites regem suum... Petrus edoctus cognovit Christum Filium Dei.*<sup>65</sup>

<sup>61</sup> Chrysostom, *Hom. 29 in Matt.* (PG 57, 359). Cf. Origen, *Contra Celsum* 1.48.

<sup>62</sup> On the relationship between the teaching and the miracles of Jesus, cf. Chrysostom, *Hom. 25.1 in Matt.* (PG 57, 328).

<sup>63</sup> Chrysostom, *Hom. 50.2 in Matt.* (PG 58, 506).

<sup>64</sup> *Hom. 28.1 in Matt.* (PG 57, 352).

<sup>65</sup> Irenaeus, *Adv. Haer.* 3.11,6. Cf. Tertullian, *Adv. Praxean* 21: *Petrus agnovit Dei Filium Christum.* Cf. Tertullian, *Adv. Marc.* 3.2; 4.7; 4.20; Clement of Alexandria, *Strom.* 6.15,132,4; Origen, *In Matt.* 16:13 (ed. Klostermann, p. 82); Ambrose, *Expos. in Lucam* 10 (PL 15, 1825). See already Jn. 6:69.

Once we accept this, we can understand the structure of Mark's narrative. The idea of the *anagnôrismos* logically demands that the hero remains unknown before he is recognized.<sup>66</sup> To begin with, Nathanael did not believe in the Christ, but as soon as he met him, he recognized in the rabbi from Nazareth "the Son of God and the king of Israel" (Jn. 1:49); but Peter and the apostles were slow to recognize the Christ. Accordingly, the development of Mark's account brings a partial disclosure of the hero, but his manifestations contain an element of reserve, or else are not understood, until Caesarea Philippi. The classic example of this technique, which is found in every recognition narrative, is the *Odyssey*. When he arrives in disguise in Ithaca, Odysseus discloses himself to Telemachus but forbids his son to make him known. The old nurse recognizes him, but he forbids her to make his return known. During this premature recognition, the gods, who know what is going on, distract the attention of Penelope, who is present at the scene. None of the allusions to the hero's return is understood. Eumaeus remains incredulous on two occasions, when the disguised Odysseus promises that his master will arrive soon. A seer proclaims that Odysseus is already on his native soil, but in vain: the suitors refuse to believe him.

In the same way, by the simple fact of placing the recognition of Christ by the apostles at the end of his ministry in Galilee, Mark was compelled *nolens volens* to introduce the theme of the messianic secret into his narrative, obeying the logical principle of non-contradiction.<sup>67</sup>

#### IV

After the *anagnôrismos*, Jesus discloses himself to the disciples. He calls himself the Christ (Mk. 9:41) and identifies himself with the Messiah for whom Israel is waiting (9:12). He explains the mystery of redemption to the apostles (9:9; 9:31; 10:32). Although the Twelve do not yet grasp the idea of the salvific death of the Messiah, they no longer doubt the identity of the Master, but dispute about who shall have the places of honor beside him in the kingdom of God (9:33; 10:45). The

<sup>66</sup> Cf. the Scholion to Sophocles, *Oedipus Rex* 354: the allusions of Tiresias to the identity of Oedipus are not understood, because if people had believed the seer at the beginning of the story, "the rest of the drama would have been meaningless." Cf. the Scholion to *Odyssey* 1.328 and 4.796.

<sup>67</sup> Cf. my essays "John the Baptist in the Wilderness" and sections 9–12 of "The Messianic Secret and the Composition of the Gospel of Mark," above.



heavenly voice, which spoke to Jesus alone during his baptism (1:11), now consecrates the Son of God in the presence of Peter, James, and John (9:7).

But this recognition of the Messiah remains a secret for outsiders. When the disciples recognize him as the Christ, Jesus commands them “not to speak of this to anyone” (8:30). As he makes his way towards Jerusalem, Jesus does not tell the people that he is the Messiah, although he gives hints of this: he calls himself the Son of the heavenly Father in the presence of the crowd (8:34), healings are performed in his name (9:38), and children are brought to him so that he may touch them (10:13). As he is drawing near to Jerusalem, the blind man in Jericho, who was more enlightened than those who saw clearly (as Tertullian puts it),<sup>68</sup> calls Jesus “Son of David,” and the Master does not command him to be silent (10:48).<sup>69</sup> All this prepares the reader for the cries of “Hosanna!” which will accompany the messianic entry into Jerusalem (12:8).

Why does Jesus hide his messianic dignity from the people, who (as Chrysostom says) are only intermittently witnesses to his works, and “as it were by chance”?<sup>70</sup> The traditional answer, viz. that the time had not yet come for him to manifest himself,<sup>71</sup> merely postpones the same question: why? This secret has the same function as the secret which Jesus maintains vis-à-vis the disciples before Caesarea Philippi, i.e. to delay recognition. But why the delay? An example chosen intentionally from a completely different literary genre will show us the reason – for the technical procedures of a narrative are independent of the dignity of its subject.

Many folk tales elaborate the theme of a fairy disguised as an animal, who marries a man. Her husband learns the secret, and then keeps it to himself, and the fairy can do him good service in the course of all kinds of trials. In another branch of the same family of stories, however, the animal envelope of the fairy is destroyed not at the end, but in the first part of the story, and reveals to everyone the woman’s beauty almost as soon as the story begins. This displacement of the

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<sup>68</sup> Tertullian, *Adv. Marc.* 4.36. This pointed formulation is taken over by Chrysostom, *Hom. 66.1 in Matt.* (PG 58, 625).

<sup>69</sup> It is true that the crowd rebukes the blind man, but this detail serves only to underline the ardor of his faith, as Chrysostom notes *ad loc.*

<sup>70</sup> Chrysostom, *Hom. 16.2 in Matt.* (PG 57, 240).

<sup>71</sup> Cf. e.g. Chrysostom, *Hom. 49.1 in Matt.* (PG 58, 497).

*anagnôrismos* immediately changes the theme in a very drastic manner: thanks to the lust which she now attracts, the wife entangles her husband in even greater dangers.<sup>72</sup>

The lesson of this literary analogy is clear. If the disciples had preached the good news of Jesus Christ immediately after the *anagnôrismos* at Caesarea Philippi, the story of the Nazarene would have received a completely different orientation. Let us hear what Clement of Alexandria has to say about this. Jesus forbids people to make his divinity known, because if his enemies had known that he was God, they would not have laid hands on him. Death itself would not have laid hands on the Lord, because it would have known that it was impossible for him to die. And this would have meant that “the incarnation failed to achieve its purpose.”<sup>73</sup> Accordingly, Jesus offers glimpses of himself everywhere and to everyone, but he reveals his glory only to the Twelve. When we read the parable of the workers in the vineyard (Mk. 12:1ff.) or the logion “He who receives me, receives him who sent me” (9:37), the deeper meaning of these words is known to the disciples (and to the reader), but it remains enigmatic for the Jews. Jesus does indeed enter Jerusalem as the Messiah, but after he has driven out the sellers from the temple, he still refuses to tell the Jews by what authority he is acting (11:27). One might say that he leaves it up to them to recognize him spontaneously, just as Peter had confessed his faith in him. It is only on the eve of his death, in reply to the high priest’s solemn adjuration when he asks him if he is the Messiah, that Jesus reveals himself to his people: “I am.” However, the Jews see nothing but arrogance in this confession:<sup>74</sup> “And they all condemned him as deserving death” (14:64). It is this final *anagnôrismos* that creates the messianic secret vis-à-vis outsiders throughout Jesus’ entire public career.

<sup>72</sup> E. Cosquin, *Les Contes Indiens et l’Occident*, 1922, p. 315.

<sup>73</sup> Clement of Alexandria, *Excerpta ex Theodoto* 5 (ed. R.P. Casey, p. 5; PG 9, 682). Here, as is often the case in his “Extracts,” Clement is not quoting the gnostic writer Theodotus, but is presenting his own observations; cf. Casey, *op. cit.*, p. 29; E. de Faye, *Gnostiques et Gnosticisme*, 2nd edn. 1925, p. 259. We find the same explanation in Chrysostom, *Hom. 54.3 in Matt.* (PG 58, 535), PG 57, 358, etc.; and in Cyril of Alexandria (e.g. *ad Lk.* 9:21; PG 72, 649). Cf. Augustine, *De pecc. merit.* 2.29,48 (PL 44, 180), on the human nature of Christ: *ut ad mortem videatur etiam senescendo illa caro pervenire potuisse, nisi iuvenis fuisset occisus.*

<sup>74</sup> On this meaning of the word βλασφημεῖν, cf. section I/III of the article “Utilitas crucis,” below.

## V

The structure of the message in Mark's Gospel cannot have its origin in the oral tradition of the earliest community, since it presupposes an intentional structuring of the whole story of Jesus. Why then did Mark group the narratives about Jesus around the two *anagnôrismoi*? A tradition which goes back to the beginning of the second century<sup>75</sup> asserts that his Gospel represents the catechesis of Peter. Whether or not this is correct, Mark knows and accepts the tradition, which he finds in his sources, that at Caesarea Philippi, after the supernatural miracles had opened their eyes,<sup>76</sup> the Twelve followed Peter in recognizing in Jesus the Messiah whom God had promised and Israel had awaited.<sup>77</sup> Nevertheless, Mark knows that Jesus was the Son of God, and that he manifested himself in words and deeds from the time of his baptism onward. The only way in which Mark could make sense of the delay of the apostles' recognition was the hypothesis that the Master wished to shroud himself in a mystery until they came to Caesarea Philippi. – The passion narrative was certainly a fixed literary unit which predated Mark,<sup>78</sup> who found there the messianic declaration of Jesus before the high priest, the claim which led to the crucifixion of the "king of the Jews." Mark made the logical inference that Jesus had veiled his identity from the Jews before this meeting of the Sanhedrin. In conformity with these fixed points of the story of Jesus, Mark arranged and understood the data of the tradition about the Master's esoteric teaching, his command to the demons and to those whom he had cured miraculously that they must be silent, and his reticence in general. Mark sought to explain to himself the concatenation of events which he was going to relate, and to make this comprehensible to his readers.

Under the same logical and literary constraint, Luke introduced into the infancy narratives the theme of the hidden life.<sup>79</sup> According to Mark's narrative, which Luke is following here, Jesus was proclaimed Son of God during his baptism by John; but Luke, following other traditions, relates that Jesus was consecrated from his divine conception onward.

<sup>75</sup> Eusebius, *Hist. Eccl.* 3.39,15.

<sup>76</sup> Tertullian, *Adv. Marc.* 4.21.

<sup>77</sup> Cf. C.H. Dodd, *The Apostolic Preaching*, 1937, p. 104. On the relationship between the Markan tradition and the tradition which lies behind the fourth Gospel, cf. E.R. Goodenough, *JBL*, 1945, p. 156.

<sup>78</sup> Cf. now F.C. Grant, *The Earliest Gospel*, 1943, p. 57.

<sup>79</sup> Cf. n. 67 above.

In order to resolve this contradiction, the sacred writer conjectures that the miraculous birth of the Savior (like that of his forerunner) remained unknown to the world until the time came for him to be manifested. Since however it is impossible to relate the words and deeds of one's protagonist without giving at least some glimpse of his identity, Luke (in the first chapters of his Gospel) and Mark (in his Gospel as a whole) present their protagonist in a chiaroscuro before he is recognized. The events which precede and prepare the recognition will interest the reader only if he himself – unlike the characters in the story – knows what is going on.<sup>80</sup> The first line of Mark's book announces that Jesus is the Messiah, and thus it will be easy for the reader to decipher the signs and words which remain obscure to the Jews, and even to the apostles before their recognition of Christ.

Mark was able to implement his preconceived idea because he did not have a great deal of information about Jesus (let us recall that, according to the tradition,<sup>81</sup> he is simply reproducing the catechesis given by Peter). His material included only a few pericopae which contradicted his structure, with its two recognitions. The other evangelists had a much greater quantity of material at their disposal – and this material was diverse and contradictory. Hence, although Matthew and Luke followed the general plan of the second Gospel, they destroyed the structure of its *anagnôrismoi* by the simple act of inserting discordant episodes into it. For example, according to Matthew (14:33), the apparition of Jesus walking on the waters already calls forth a messianic declaration on the part of the apostles, and this makes the confession of Peter superfluous; nevertheless, Matthew goes on to relate this at 16:15. Matthew and Luke adopt the idea of the doctrinal secret, but they run contrary to Mark, their principal source, who prevents Jesus from manifesting himself. They attach no importance to the secrecy which surrounds the miracles: for example, Luke relates a raising of the dead which Jesus performs on the street (7:11), and only then relates the raising of the daughter of Jairus, which – in keeping with Mark (5:37) – is performed in secret (Lk. 8:51). Whether out of reverence

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<sup>80</sup> Cf. D. Diderot, *De la poésie dramatique*, ch. 11 (*Œuvres Complètes* VII). On this *praeparatio*, cf. the remarks of classical writers collected by P.W. Harsh, *Studies in Dramatic "Preparation" in Roman Comedy*, 1935, p. 2. Cf. G.E. Duckworth, *Foreshadowing and Suspense in the Epics*, dissertation, Princeton 1933; N.T. Pratt, *Dramatic Suspense in Seneca*, dissertation, Princeton 1939.

<sup>81</sup> Cf. the texts collected in H.B. Swete, *The Gospel according to St. Mark*, 3rd edn. 1912, p. xx.

for the apostles or for other reasons, Matthew and Luke suppress a number of Markan passages which underline the apostles' lack of understanding.<sup>82</sup> Since they do not understand the function of the messianic declarations by the demons, Matthew omits them, and Luke reduces their number.<sup>83</sup> Matthew quotes Jesus' order to those he has healed not to make him known (12:17), but he sees this as the fulfillment of Isaiah's words about the humble Messiah. When Jesus withdraws, it is for political reasons (Matt. 12:4) or to pray (Lk. 5:16; 6:12). Besides this, the instructions with which Jesus sends the apostles out on their mission (Matt. 10:5) are incompatible with the command to keep silence which Matthew (16:20) takes over from Mark. This incoherence was a great source of embarrassment to Origen.<sup>84</sup>

When the other evangelists follow Mark in presenting Peter's *anagnôrismos* of the Christ, they remove the pivotal compositional role of this episode. According to John (1:41), the first disciples of Jesus know from the beginning: "We have found the Messiah." According to Matthew (14:33), the disciples prostrated themselves before Jesus after he calmed the wind. According to Luke (5:8), the miraculous catch of fish led Simon Peter to see in Jesus the Christ at their very first meeting. In the same way, Jesus' messianic declaration in the presence of the high priest (which John omits) is only the confirmation of a truth which is already known and has been proclaimed many times. According to John, the Jews know from the start that Jesus is the Messiah and the Son of God, since they have heard this from his own lips. Nevertheless, in their blindness they bring about his death, "because he makes himself the Son of God" (Jn. 19:17).<sup>85</sup> In the synagogue at Nazareth, according to Luke (4:16ff.), even before he calls the first apostles, Jesus declares himself to be the expected Messiah. According to Matthew (7:21), Jesus declares himself the Son of God from the very beginning of his teaching.<sup>86</sup> Aware of the incommensurability of the Savior, the evangelists

<sup>82</sup> Cf. e.g. Matt. 17:1 and Mk. 9:10; Lk. 8:9 and Mk. 4:13.

<sup>83</sup> Matthew retains only the declaration by the possessed men of Gerasa (8:29). Luke retains two passages (4:35 and 4:41).

<sup>84</sup> Origen, *In Matt. 16:20* (ed. E. Klostermann, p. 101).

<sup>85</sup> When Jesus withdraws from a man whom he has healed miraculously (Jn. 5:13), it is to prevent the Jews from considering the man as a suborned witness to the miracle. Cf. Chrysostom, *C. Anomeos* 12 (PG 48, 808).

<sup>86</sup> The ancient commentators already noticed that the (redactional) comment at Matt. 7:28 contradicted the esoteric theory expressed at Matt. 5:1. Cf. Hesychius, PG 93, 1404. Cf. G. Bardy, *RB*, 1933, p. 226.

were not surprised that in spite of everything, he remained unknown, and people did not listen to him. As St Augustine puts it: *Quid mirum? Verbum Dei nunquam tacet sed non semper auditur.*<sup>87</sup>

## VI

Behind the literary problem of the structure of the second Gospel lies an historical enigma. “No one works in secret if he seeks to be known openly” (Jn. 7:4), and a missionary who dissimulates his mission is a contradiction in terms.<sup>88</sup> This means that the unveiling of a prophet always precedes his preaching, which opens with the presentation of the messenger: for example, John the Baptist remains in the wilderness “until the day of his presentation to Israel” (Lk. 1:80).<sup>89</sup> According to Mark, however, the *anagnōrismos* of Jesus takes place in the middle, or even at the end of his ministry. As far as I know, there is nothing like this in any of the other works which likewise seek to glorify a chosen one.<sup>90</sup> It is indeed true that the Dionysus of the *Bacchae*, with whom Celsus compares the Jesus of the Gospels,<sup>91</sup> takes on the outward appearance of his own priest in order to introduce his own cult at Thebes, works miracles, gives glimpses of his divine nature by means of the words he speaks, and reveals himself only at the close. But Euripides’ intention in this play is to achieve dramatic effect.

However, the structuring of the message in Mark seems paradoxical only to those who consider his testimony from an exclusively historical point of view,<sup>92</sup> and Mark was not writing for them. Like the

<sup>87</sup> Augustine, *Sermo* 51.17 (PL 38, 342).

<sup>88</sup> Cf. Celsus *apud* Origen, *Contra Celsum* 2.70: τίς δὲ πόποτε πεμφθεὶς ἄγγελος, δέον ἀναγγέλλειν τὰ κεκελευσμένα, κρύπτεται;

<sup>89</sup> Cf. my essay “Anadeixis” in this volume, above.

<sup>90</sup> In the legend of Pythagoras, as reconstructed by Isidore Lévy (*La Légende de Pythagore*, 1927, p. 44), the sage – who is Apollo incarnate – conceals his true nature in order not to terrify mortals, but Abaris recognizes him. Nevertheless, this recognition has no effect on the structure of the story, since Pythagoras is in fact considered from the outset to be a divine being, and all Abaris does is to discover with *which* of the Olympian gods the wonder-worker is to be identified. – We find the same situation in Horace, *Odes* 1.12, where the poet recognizes in the god Augustus the incarnation of Mercury. Similarly, when the gods appear in Greek tragedy, their divinity is recognized by the chorus, but their specific identity cannot be recognized. Cf. Denniston *ad* Euripides, *Electra* 1223.

<sup>91</sup> Origen, *Contra Celsum* 2.34.

<sup>92</sup> Augustine calls such persons: *illi semper terrena sapientes* (*Tractatus* 39.11 in *Joh.*, PL 35, 1681).

Christian missionaries,<sup>93</sup> Mark begins with the story of Jesus' baptism; but he breaks off his narrative on the threshold of the resurrection,<sup>94</sup> since he sees this as inaugurating the present day, where Christ reveals himself unceasingly in his church. In this way, the ministry of Jesus, which the evangelist relates, is only "the beginning of the good news of Jesus Christ, the Son of God" (Mk. 1:1). Seen from this Markan perspective, the *anagnôrisimos* of Jesus is given its legitimate and natural position in the second Gospel. The recognition takes place at the end of the "prehistory" of the chosen one, and opens the way for him to enter into glory – but this time, it is the glory of the cross.

The ancient church understood perfectly the meaning of the paradoxical reticence of the Messiah vis-à-vis the people whom he had been sent to save.<sup>95</sup> After Peter's messianic confession, Jesus forbids the apostles to make him known (Mk. 8:30), because – according to Origen – he must first suffer and rise from the dead. "And it would be pointless to preach the Christ but say nothing about his cross."<sup>96</sup>

It is under the sign of the cross that one understands the paradoxical structure of the good news. Rousseau remarked that if it had not been for his martyrdom, "One would have doubted that Socrates, for all the greatness of his spirit, was anything other than a sophist."<sup>97</sup> Without the cross, the myopic eyes of the people of old would have seen in Jesus one of the numerous crazy men who claimed to be the Messiah or even the Son of God at the period when the Gospels were written. Not even his miracles made Jesus an exceptional figure, as Celsus remarks;<sup>98</sup> and Luke confirms this by relating the even more extraordinary miracles which the apostles performed. Not even the faith that can move mountains was exceptional among the contemporaries of Jesus. During the reign of the Emperor Claudius, for example, Simon

<sup>93</sup> Acts 10:37.

<sup>94</sup> Cf. R.H. Lightfoot, *Locality and Doctrine in the Gospels*, 1938.

<sup>95</sup> On this paradox, cf. Augustine, *Tract. 53 in Joh.* (PL 35, 1774), and Ps.-Justin, *Quaest. ad orthodox.* 108 and 140 (PG 6, 1356; 1393). On the author of this treatise, cf. G. Bardy, *RB*, 1933, p. 212.

<sup>96</sup> Origen, *In Matt. 16:20* (ed. E. Klostermann, p. 111): *inutile autem est ipsum quidem praedicare, crucem autem eius tacere*. Cf. *ibid.*, p. 110, and Origen, *Ad Lucam* frag. 148 (ed. M. Rauer, p. 286). Cf. *Catenae* I, p. 389.

<sup>97</sup> J.J. Rousseau, "La Profession de foi du vicaire savoyard" (*Emile*, l. IV).

<sup>98</sup> Origen, *Contra Celsum* 1.68; 2.49. Chrysostom observes that the miracles of the apostles were more extraordinary than those of Jesus: *In princ. Actor.* 4.7 (PG 51, 108). On the inadequacy of miracles as the proof of a mission, cf. Tertullian, *Adv. Marc.* 3.3. Cf. Gobineau, *Les Religions et les Philosophes dans l'Asie Centrale*, ch. 11.

of Gitton in Samaria (Simon Magus) claimed to be an incarnation of God, and worked miracles. He was considered a divine being, not only by most of his compatriots, but also by many foreigners.<sup>99</sup> It is his death and his resurrection in fulfillment of the prophecies that make Jesus unique and incommensurable. According to the dispensation of a divine plan, his entire life on earth is nothing other than a preparation for the cross.<sup>100</sup> Chrysostom says that Jesus performed no miracles as a child, lest the envy of his enemies might hand him over to the cross before the right time had come.<sup>101</sup> Hence, it was necessary that the earthly powers did not recognize the Christ prematurely. We find this doctrine even earlier than Mark: Paul is certain of it (1 Cor. 2:8), and he tells us that although Jesus was in the form of God, he became like human beings and was recognized as a man in his external form. He humbled himself even to death on the cross (Phil. 2:5).

As in the passion narrative<sup>102</sup> and indeed in the “good news” as a whole, the structure of those elements which constitute the messianic secret can be explained only by the message of the cross – that *verbum crucis* which is folly to unbelievers, but the power of God to those who believe (1 Cor. 1:18).

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<sup>99</sup> Cf. now P. Casey in *The Beginnings of Christianity* V, 1933, p. 151.

<sup>100</sup> Acts 2:23.

<sup>101</sup> Chrysostom, *Hom. 21 in Joh.* (PG 59, 130). Cf. Eusebius, *Dem. Ev.* 9.4.

<sup>102</sup> Cf. section 4/V of my article “Utilitas crucis,” below.



## THE EMPTY TOMB

(1) As with any other change in a state of affairs, there are only two ways to demonstrate or prove that a man once dead now lives (whether on earth or in heaven): either by registering the fact that something has happened, or else by observing the process by which it happens. For example, in the divinization of the Roman emperors, the second procedure was followed: a witness swore that he had seen the ascent to heaven of the emperor who had just been buried.<sup>1</sup> The first form of proof is however more frequent: for example, Apollo proclaimed that the Emperor Trajan had “ascended,”<sup>2</sup> and a certain M. Lucceius Nepos appeared in person after his death to his grieving father and told him to rejoice: *quid o me ad sidera caeli ablatum quaeris, desine flere deum.*<sup>3</sup>

Since these are the only possible forms of proof, it is natural that we find both of them in the Christian resurrection narratives: one sees either the risen Jesus or (in the Gospel of Peter and in Matthew) the resurrection itself. There is only one exception to this, viz. the story of the empty tomb in Mark. Its exceptional character was perceived at an early date, and the attempt was made to tone it down by means of interpolations. The inauthentic conclusion to the Gospel of Mark offers the first proof, and the insertion after 16:3 in Cod. Bobiensis contains the second proof. However, the genuine Mark knew neither the first proof nor the second. This text tells us only *first*, that the women found the tomb open and empty; *secondly*, that “a young man in a white robe” declared to them that Jesus was risen; and *thirdly*, that he commanded them to tell the disciples that Jesus would appear in Galilee. But the women fled from the tomb “and they told no one anything of this, for they were afraid.”

No matter what one makes of this strange conclusion, one thing is clear: the resurrection is *not* demonstrated by this announcement of a future christophany, which the women then keep secret. Mark must

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<sup>1</sup> S.O. Weinreich, *Archiv für Religionswissenschaft*, 1915, pp. 36ff.

<sup>2</sup> P. Giss. 3 = Wilcken, *Chrestomathie*, 491.

<sup>3</sup> Buecheler, *Carmin. Epigr.* 1109 = *CIL* VI, 21521.

have *another* proof, for otherwise he could not have ended his Gospel in such a strange way, without even giving an account of the promised apparition of Jesus. Is the appearance of the “young man” a proof? Most likely not, since Mark leaves it up to the reader to guess the nature of the bearer of the proclamation. The young man does not speak like one sent by God, nor does he refer to any revelation that he may have received. He appeals exclusively to the simple fact that the tomb is empty: ὁ δὲ λέγει αὐταῖς· μὴ ἐκθαμβεῖσθε. Ἰησοῦν ζητεῖτε τὸν Ναζαρηνὸν τὸν ἐσταυρωμένον· ἠγέρθη, οὐκ ἔστιν ὧδε· ἴδε· ὁ τόπος ὅπου ἔθηκαν αὐτόν.

*Ut si meis verbis non creditis, vacuo credatis sepulcro* – this is how Jerome interprets this passage.<sup>4</sup> And Mark refers twice to this proof, i.e. to the fact of the empty tomb (16:3 and 16:4), and he prepares the way for the decisive words at 15:47.

This means that Mark considers the fact that the body of Jesus was not found to be proof, and in fact the only proof, of the resurrection. This argument does not sound convincing, for the natural explanation would be that either friends (Matt. 28) or enemies (Jn. 20:13) had removed the body. From the start, this “proof” was of doubtful value; indeed, it was so difficult to defend that it proved unusable. Matthew is aware that the justification offered for this story – the fable of Jesus’ enemies mounting watch at his tomb – could not protect the “proof” from the suspicion of his adversaries: “to this day,” the Jews say that the reason why the tomb was found empty was that the disciples had stolen Jesus’ corpse. Although all the later writers faithfully took over the story of the empty tomb, it recedes completely into the background, since the christophanies are now *the* proof of the resurrection. How did Mark come by this unsuitable proof?

(2) Leontius, bishop of Neapolis in Cyprus, relates<sup>5</sup> that a converted Jew heard the heavenly music at the burial of Simeon the Fool, who lived in Syria during the reign of Justinian. They then went to the tomb in order to give the dead saint a splendid burial: “but when they opened the grave, they did not find him, for the Lord had glorified

<sup>4</sup> Quoted by E. Klostermann, *ad loc.* (= PL 26, 216).

<sup>5</sup> PG 93, 1745: ὡς οὖν ἤνοιξαν τὸν τάφον, οὐχ εὗρον αὐτό. Μετέθηκεν γὰρ αὐτὸν δοξάσας ὁ Κύριος. Τότε ἅπαντες ὡσπερ ἐξ ὕπνου ἀνένησαν, καὶ ἐξηγοῦντο ἀλλήλοις, ὅσα ἐποίησεν ἐνὶ ἐκάστῳ θαυμάσια καὶ ὅτι διὰ τὸν Θεὸν προσεποιεῖτο τὸν σαλόν.

him and taken him up. Then they all awoke as if from sleep and told one another of the wonders he had done for each one of them, and that he had played the fool for the sake of God.”

The decisive point here is that the corpse is not found. This opens people’s eyes, and is reason enough to praise the fool as a saint. The revelation, i.e. the heavenly music, is only the prelude to this event. And the emptiness of the tomb leads directly to the conclusion that he has been caught up to heaven.

A remarkable story about the death of the apostle John is no later than the third century.<sup>6</sup> We are told that his disciples buried him alive. When they returned to the tomb on the following day, they did not find his body: they found only the apostle’s sandals.<sup>7</sup> They then recalled the words of Jesus at Jn. 21:22, praised the miracle, and returned home giving glory to God. Many of the church fathers explain even more clearly the meaning of this miracle:<sup>8</sup> like Moses and Elijah, John was taken up alive into heaven.

Roughly one hundred years later, the following story of Mary’s departure from this life began to circulate: before her death, she summoned all the apostles to come to her upon the clouds – with the exception of Thomas. They saw how her soul ascended to heaven in the light, and they then buried her body. When Thomas arrived in Jerusalem, he was reproached for his absence, but he – the “unbelieving” man – maintained that Mary’s tomb was empty. And so it was: the apostles did not find her body. Thomas explained to the apostles what had happened. While Mary was being buried, he experienced a miracle: *tunc beatissimus Thomas subito ductus est ad montem oliveti et vidit beatissimum corpus petere celum.*<sup>9</sup>

Once again, the empty tomb and the disappearance of the body are only correlative to the rapture of Mary into heaven. This conclusion is confirmed even more impressively by another narrative, which is so similar to that of the Gospel that it was long suspected that it was influenced by the Gospel account.

<sup>6</sup> Acts of John, ed. Zahn, pp. 164 and 250. Cf. R.A. Lipsius, *Apokryphe Apostelgeschichten, Suppl.*, p. 26.

<sup>7</sup> This means that the narrator adopted in full seriousness the motif of the Greek satire on “raptures” to heaven (cf. Diogenes Laertius 8.69; Lucian, *Philops.* 27). The Slavonic version (I. Srenewski, *Svedenja i Zametiki*, St Petersburg 1876, p. 400) omits this motif.

<sup>8</sup> See the texts cited by R.A. Lipsius, *op. cit.* I, pp. 498ff.

<sup>9</sup> Version A in Tischendorf, *Apocal. Apocr.*, p. 119.

In his dramatic – indeed, one might say: cinematographic – second-century novel, Chariton relates that Callirhoe, who only seems to be dead, is stolen from her grave by pirates on the night after her burial. In the morning, her husband comes to lay garlands of flowers on the tomb and make drink-offerings. However, he finds “the stone rolled away and the entrance open.” When he enters the tomb, he does not find the body. People come and say that the mound has been opened and its contents removed. This must be the work of grave-robbers! But where is the corpse? Callirhoe’s husband stretches out his hands to heaven and at once gives the answer: τίς ἄρα θεῶν ἀντερραστής μου γενομένος Καλλιρρόην ἀπενήνοχε καὶ νῦν ἔχει μεθ’ αὐτοῦ μὴ θέλουσαν, ἀλλὰ βιαζομένην ὑπὸ κρείττονος μοίρας;... οὕτω καὶ Θησέως Ἀριάδνην ἀφείλετο Διόνυσος καὶ Σεμέλην ὁ Ζεύς. Μὴ γὰρ οὐκ ἤδειν, ὅτι θεὰν εἶχον γυναῖκα καὶ κρείττων ἦν ἢ καθ’ ἡμᾶς. ἀλλ’ οὐκ ἔδει ταχέως αὐτὴν οὐδὲ μετὰ τοιαύτης προφάσεως ἐξ ἀνθρώπων ἀπελθεῖν.<sup>10</sup>

The same two inferences are made here too: the woman who was buried has been caught up to heaven by a god, and her person is divine. It is particularly interesting to note that the protagonist of the novel, despite his explanation, immediately sets off to search for his wife. This means that Chariton has applied this motif to his heroine in a rather clumsy manner. In our present context, however, the point is that this episode presupposes the belief that dead persons can be caught up to heaven, and that this rapture is demonstrated infallibly by the inexplicable disappearance of the corpse. Rapture and disappearance are in fact linked from very ancient times: “Enoch disappeared, for God had taken him” (Gen. 5:24).<sup>11</sup> The one who is taken up is freed from death by the grace of the divinity in the very moment of his dying, and is transferred to some other place – paradise, heaven, or a far distant land – where he continues his life in the body. He is no longer present on our earth, neither dead nor alive; and since he does not die, he leaves no mortal remains. Rapture and tomb, corpse and divinization are thus mutually exclusive; in cultic praxis, a hero whose tomb could not be identified was held to have been caught up to heaven.<sup>12</sup> In the context of these ideas, the false inference flourished: i.e., the inference

<sup>10</sup> Chariton 3.3 (R. Hercher, *Erotici Graeci* II, p. 51). On the final sentence, cf. Lucian, *Cynic*. 13: Heracles ἐξ ἀνθρώπων ἀπήλθεν.

<sup>11</sup> On what follows, cf. especially E. Rohde, *Psyche* (where sources are not explicitly mentioned, the parallels are taken from his book).

<sup>12</sup> F.S. Pfister, *Der Reliquienkult im Altertum* II, pp. 480ff.

from an empty tomb to an exaltation to heaven, from an inexplicable disappearance<sup>13</sup> to a rapture. Logically speaking, the two proofs mentioned at the beginning of this essay are the only possibilities; but in this constellation of ideas (and only here), a third form of proof appeared. Absence here on earth proves that the person exists elsewhere; rapture and disappearance are mutually complementary.

Two athletes of the fourth century B.C.E., Cleomedes and Euthymus, are said to have acquired divine honors in precisely this way. Naturally, Plutarch, who tells this story, did not believe in the pagan idea of rapture<sup>14</sup> any more than Porphyry believed in the Christian idea;<sup>15</sup> but he presupposes the existence of such a belief among the people. Educated people rejected the myths of Ganymede or Romulus; in order to explain the cult, they found some rationalistic explanation for the disappearance of the body of the hero in question, while taking it for granted that the people would honor the man who had disappeared. For example, it was argued that Heracles was not taken up to heaven in a fiery chariot from his funeral pyre: rather, his bones were not found in the ashes,<sup>16</sup> or else Philoctetus kept secret the place of his cremation.<sup>17</sup> Naturally, Ganymede was not snatched away by an eagle;<sup>18</sup> rather, his lover and his brother tore him to pieces – and the crowd venerated the one who had disappeared.<sup>19</sup> Flavius Josephus finds very rational grounds why Scripture explicitly mentions the death of Moses:<sup>20</sup> for otherwise, people would have believed that he had been changed into a god. This precautionary measure proved however insufficient. It was in fact often claimed that Moses had been caught up to heaven, since his grave did not exist.<sup>21</sup>

There is therefore nothing surprising in the fact that even serious people could believe that the philosopher Heraclides Ponticus or Alexander the Great wanted their corpses to be hidden, in order thereby

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<sup>13</sup> It was taken for granted that a disappearance which could be explained was never a sign of rapture (cf. e.g. Xenophon, *Anab.* 1.6,11, and Plutarch, *De gen. Socr.* 13).

<sup>14</sup> Cf. Rhode II, p. 373.

<sup>15</sup> Porphyry, frag. 35 Harnack.

<sup>16</sup> Diodorus, 4.38,5.

<sup>17</sup> Servius, *ad Aeneid* 3.402.

<sup>18</sup> Herodian, 1.11,2.

<sup>19</sup> Cf. also Diodorus, 2.20,1; Lucian, *Dea Syr.* 6; Macrobius, 7.19,24; Athenaeus, 14.620.

<sup>20</sup> *Ant.* 4.326.

<sup>21</sup> See E. Schürer, *Geschichte des jüdischen Volkes*, 4th edn. III, p. 303.

to attain divine honors. Even a great church leader at the end of the hellenistic period was convinced that many persons were regarded as “superhuman,” *τέχνας τισὶν ἔξ ἀνθρώπων ἀφανισθέντας καὶ διὰ τοῦτο θεοῦ νομισθέντας*.<sup>22</sup>

(3) This customary proof of rapture was applied by *Mark* to the resurrection. It is perfectly appropriate to situate his narrative in the literary tradition which begins roughly with the story of Aristeus in the sixth century B.C.E. and continues for twelve centuries, until the novel about Simeon. However, the verb ἠγέρθη is out of place in this tradition, since the one who is caught up is freed from death and crosses over directly from one world into another. A human being becomes a god, and there is no intervening time between these two states of existence. The risen one, on the other hand, conquers death. He must experience it, since it is only by overcoming death that he receives a share in divinity. This inevitably requires an intervening time, viz. the time when one is dead – *mortuos [sic] nec ad deos nec ad homines acceptus est*.<sup>23</sup> In this time, of course, something can happen to the corpse that explains its disappearance: it has been stolen,<sup>24</sup> concealed, exposed to be eaten by wild animals,<sup>25</sup> etc.

Early Christianity was aware of this interval, and filled it with Jesus’ descent to the realm of the dead: the resurrection is always paired with the harrowing of hell. The concept of resurrection could not dispense with the three days of death – but this excludes the idea of a rapture to heaven.

(4) The empty tomb is proof of rapture; but a resurrection is never characterized or demonstrated by the disappearance of the corpse, but only by the apparition of the one who has been restored to life. Resurrection is a miracle, and the standard conventions of miracle narratives require above all an authentic sign of the miracle that has occurred: “The dead man came out, his hands and feet bound with bandages, and his face wrapped with a cloth. Jesus said to them, ‘Unbind him, and let him

<sup>22</sup> Gregory Nazianzen, *Or.* 5.14 (PG 35, 681); cf. *Or.* 4.59 (PG 35, 581).

<sup>23</sup> Dessau, *ILS*, 8749 = *CIL* I, 2,1012 (ed. 2). *Defixio*.

<sup>24</sup> This is claimed by the Jews *apud* Justin, *Dial.* 108; likewise Cyril, *Catech.* 14 and 20.

<sup>25</sup> This is claimed by the Jews *apud* Tertullian, *De Spectac.* 30.

go'” (Jn. 11:44). The failure of Simon Magus shows how important these signs are. He almost succeeded in apparently restoring life to the dead, but Peter objected: *loquatur mortuus, surgat si vivit, solvit sibi, mentum ligatum manibus suis*. And Simon Magus was unable to accomplish this.<sup>26</sup> For the same reason, Philostratus explicitly writes, in his description of the raising of the dead: καὶ φωνήν τε ἡ παλὶς ἀφήκεν ἐπανήλθε τε ἐξ οἰκίαν τοῦ πατρός.<sup>27</sup> The Gospel of the Hebrews has Jesus give his funeral shroud to the priest’s servant.<sup>28</sup> *Qui efferreretur foro, domum remeasse pedibus* – Varro’s words can serve as a concise formulation of the typical authentication in such narratives.<sup>29</sup>

In some instances, the authenticating signs are related only in part, or even omitted, but this does not affect the principle that *one* sign remained absolutely essential, in view of the very nature of this miracle, viz. the apparition of the one who had been raised from the dead.<sup>30</sup> A few examples will make clear the difference on this point from the narratives of rapture.

In the story of the “Bride of Corinth,” the narrator is not content just to note that the grave is empty. He also goes to the house, in order to *see* with his own eyes the body of the woman who has been brought back to life.<sup>31</sup> According to one version of the *Transitus Mariae*, she is restored to life by her Son and then brought into heaven. Unlike other versions of Mary’s rapture, this text has her *appear* to the apostles.<sup>32</sup> The Gospel of Nicodemus relates that it was not enough for the Jews to find the empty graves of those who had risen again (according to Matt. 27:53). They hastened to Arimathea in order to *see* them there.<sup>33</sup> In the Book of Revelation, the two witnesses are raised from the dead and at once ascend into heaven. Although their reanimation is only a transitional stage, the author notes that “they went up to heaven in the *sight* of their foes” (11:12).

There is thus a fundamental difference between a narrative of rap-

<sup>26</sup> Acts of Peter 28.

<sup>27</sup> Philostratus, *Vita Apoll.* 4.45.

<sup>28</sup> Ev. Hebr. frag. 5 Klostermann.

<sup>29</sup> Varro *apud* Pliny, *Natural History* 7.176.

<sup>30</sup> Cf. Proclus *ad* Plato, *Republic* 2.113 Kroll: καὶ γὰρ ἐφ’ ἡμῶν τινες ἤδη καὶ ἀποθανεῖν ἔδοξαν καὶ μνήμασιν ἐνετέθησαν καὶ ἀνεβίωσαν καὶ ὤφθησαν οἱ μὲν ἐγκαθήμενοι τοῖς μνήμασιν, οἱ δὲ καὶ ἐφροσύνωτες.

<sup>31</sup> Phlegon, *Mirab.* 1 (p. 61 Kell).

<sup>32</sup> Version B lat. In Tischendorf, *Apocal. Apocr.*

<sup>33</sup> Ev. Nicodemi 17.

ture and a narrative of resurrection. For the former, evidence of the disappearance of the body suffices; but the latter requires proof that the dead person is once again alive. This contrast also finds cultic expression. The sacred ritual of the mysteries of the resurrection consists precisely in the discovery and reanimation of the one who has died: *idolum sepelis, idolum plangis, idolum de sepultura proferis*, as a newly-converted Christian<sup>34</sup> told the pagans. The risen one was displayed on the third day of the feast of Adonis in Alexandria.<sup>35</sup>

All this is very different from the ideas of rapture, which at the very least do not *require* an epiphany.

(5) In Mark's account, however, we find the announcement of a christophany, preceded by the interpretation by the angel of the discovery of the empty tomb. How are these motifs related to the story of the tomb?

Most of the narratives of rapture contain only one motif, viz. that of the disappearance of the body, since this is sufficient in order to explain the cultic veneration of the hero. The story looks something like this: *Aeneas in Numicum fluvium cecidit... cuius corpus cum... Ascanius requisitum non invenisset in deorum numerum credidit relatum, itaque ei templum condidit.*<sup>36</sup>

Frequently, however, an authority (or some coincidence) is also invoked to provide the interpretation of the disappearance and document its authenticity. For example, the disappearances of Heracles,<sup>37</sup> of Semiramis,<sup>38</sup> and of John were understood once people recalled a corresponding prophecy. In other cases, the oracle of Delphi supplied the interpretation. When Empedocles disappeared, a friend helped interpret the event; a coincidence helped explain the disappearance of Aristeus.<sup>39</sup> When Apollonius was exalted on high, a heavenly voice rang out.

This rounds off the story, and the cult can now be founded. The fact that the one who was caught up continued to live somewhere or other has nothing to do with the story of his or her disappearance: Iphigenia in Aulis and Iphigenia in Tauris are completely separate figures. Elijah

<sup>34</sup> Firmicus Maternus, *De errore prof. rel.* 22.

<sup>35</sup> G. Glotz, *REG* 33 (1920), pp. 201ff.

<sup>36</sup> Servius *ad Aeneid* 1.259.

<sup>37</sup> Diodorus, 4.38,5.

<sup>38</sup> Diodorus, 2.20,1.

<sup>39</sup> Herodian, 4.14.



often visits pious Jews, but these stories are not told with the intention of authenticating the account in the Book of Kings. On the contrary, these stories presuppose that the rapture has already taken place. The rapture is the main thing; the protagonist appears, because he continues to live. Strictly speaking, of course, his apparition contradicts the meaning of his disappearance – for the disappearance resembles death in that it separates the departed one from those who are left behind, and this is why a recurrent motif in rapture narratives is: “They did not find him.” When Elijah is caught up to heaven, the disciples of the prophets are convinced not by the testimony of Elisha, but by the three days in which they search for Elijah in vain.

The ἀφανισμός and the ἐπιφάνεια are strictly speaking incompatible,<sup>40</sup> and if we find them juxtaposed in one and the same story, we can be sure that here two different ideas or sources have been conflated. This is particularly clear in the case of the legend of Romulus. Livy (1.16) relates this as follows: (1) the disappearance of Romulus; (2) his cult; (3) the appearance of Proculus, who, in order to overcome the suspicions of some who think that a crime lies behind the disappearance, (4) tells of the epiphany of Romulus. It is still possible to see<sup>41</sup> that two independent versions have been conflated here. One related only the disappearance of Romulus, while the other sought to explain the identity of Romulus and Quirinus. This is why the second version closed with the founding of the cult of Romulus-Quirinus. Livy (or more precisely, his source) omitted this doublet of motif (2), and employed motif (3) to link the two stories.<sup>42</sup>

These typological considerations are fully confirmed by Mark’s narrative, for in view of what we have said, the interpretation by the angel is a necessary part of the story. The christophany will not have been found in the original narrative, and the commission to the women is only a link to join the two traditions. As is well known, New Testament scholarship has arrived at precisely this conclusion in the analysis of this pericope.<sup>43</sup>

<sup>40</sup> Cf. e.g. Servius, *ad Aen.* 6.321: Apollo bestows immortality on the Sybil – *si Erythraeam, in quo habitabat, insulam, relinqueret et eam nunquam videret.* Cf. Ovid, *Metamorphoses* 15.536.

<sup>41</sup> See Carter in Roscher, *Myth. Lex.*, s.v. “Romulus,” and Wissowa, *ibid.*, s.v. “Quirinus.”

<sup>42</sup> Cf. the stories of Aristeus (Herodian), Apollonius (Philostratus), and Peregrinus (Lucian).

<sup>43</sup> See D. Völter, *Die Entstehung des Glaubens an die Auferstehung*, 1902, p. 7; E. Meyer, *Ursprung des Christentums* I, pp. 18f.

(6) Instead of offering a proof of the resurrection, Mark relates a story of rapture. How are we to explain this? Two questions must be answered: one about the origin of the material, and the other about Mark's relationship to the story he relates. The latter is easy to comprehend. Everywhere in his Gospel, he faithfully reports the contents of the Palestinian tradition, while at the same time vigorously attempting to adapt this to the framework of the hellenistic theology.<sup>44</sup> This is how the dating "on the third day," which contradicts the meaning of the story, arose. Precisely because the idea of resurrection was something Mark took for granted, he was able to take over the story of the tomb, which had a completely different orientation, and use it in support of his own position. Similarly, Lk. 1:33; Acts 5:31; Jn. 3:10; 12:32 and 34; and Paul (Phil. 2:10) occasionally employ the word "exaltation" instead of "resurrection." For according to their faith, the latter term necessarily presupposed the former.

The story of the tomb points to another, and probably older stage of faith in Christ. In the circles where it arose, people believed that Jesus had been exalted and caught up to heaven immediately after his death. Naturally, we must not press this too far; we need not suppose that they believed that Jesus was only apparently dead when he was laid in the tomb. Rather, they were simply not interested in the brief hours in which Jesus was dead. The disciples did not spare a thought for this interval of time, any more than the monks who related the story of Simeon, or the citizens of Thebes who told the fable of Alcmene's rapture from her coffin while she was being buried, or Jose ben Joeser who slumbered and saw the bed on which the corpse of Joachim lay floating in mid-air, and cried out: "In a little while, he will go before me to the garden of Eden."<sup>45</sup> On this view, it was unimportant how the death itself was understood; the only important point was the identity of the Son of Man, who appeared in heaven, with the crucified Jesus.

As a distinguished scholar has pointed out,<sup>46</sup> the specific character of this "seeing," of the first christophanies,<sup>47</sup> testifies to the belief of the first disciples that Jesus had been exalted (i.e., caught up to heaven) immediately after his death. Likewise, the localization of the visions

<sup>44</sup> See R. Bultmann, *Geschichte der synoptischen Tradition*, pp. 211f.

<sup>45</sup> *Genesis R.* ch. 65; cf. S. Bergmann, *Die Legenden der Juden*, p. 29.

<sup>46</sup> J. Weiß, *Arch. Rel. Wiss.*, 1913, pp. 474ff. Cf. Wellhausen, *Einleitung*, p. 85.

<sup>47</sup> These were "visions, not of the man Jesus nor of the crucified one, but of Jesus as the Son of Man in glory" (A. von Harnack, *Berl. Sitzungsberichte*, 1922, p. 70).

in Galilee – “la bizarrerie d’un rendez-vous donné à si grande distance”<sup>48</sup> – can be explained by the idea of rapture, which is always linked to a transfer to some other place. The one who has been caught up is seen again only at some distance from the place where he disappeared.<sup>49</sup> If this localization is in fact historical – if, that is to say, the disciples did in fact experience the first christophanies in Galilee – then they could scarcely have been induced thereby to believe that Jesus was *risen*. They could only have believed in his *rapture*, because a person who has been raised from the dead is seen neither in heaven nor at such a distance from his tomb, but walking about on the earth and close to the place where he was buried. And this is why Matthew inserts into Mark’s account the apparition to the women.<sup>50</sup>

It is in fact not easy to understand why the disciples should have thought of a resurrection when they saw the exalted one. Naturally, they hoped for a resurrection, but only at the end of time. In the present age, the lot of God’s chosen ones was rapture.<sup>51</sup> The Son of Man was expected to ascend to heaven on the clouds, and the contemporary “sons of God” claimed that they had done so.<sup>52</sup> But the figure of a Messiah raised from the dead was wholly foreign to Judaism. The transfiguration scene, which reflects the oldest form of the disciples’ faith,<sup>53</sup> juxtaposes Jesus with Moses and Elijah; why should we suppose that his lot after death was different from that of these saints? Scripture explicitly says that Moses died, but no one (as Augustine noted with surprise) inferred from this apparition that Moses had been raised from the dead; they simply assumed that he had been caught up: *quia scriptum est eius sepulcrum*

<sup>48</sup> A. Loisy, *L’Évangile selon Marc*, 1912, p. 483.

<sup>49</sup> As long as the tradition regarded Mohammed’s ascension as a vision, it had the prophet remain in Medina; but when the ascension was understood as a bodily rapture, this brought him at the end of his heavenly journey to Jerusalem (T. Andrae, *Die Person Mohammeds*, 1918, pp. 39ff.). When Croesus is caught up, Apollo bears him to the Hyperborean country (Bacchylides, *Epin.* 3.53ff.). When Peregrinus is caught up, he does not appear at the place where he was burnt, but in “the hall where seven notes resound” (Lucian, *Peregr.* 40). The head-scarf of Plautilla disappears from the place of Paul’s martyrdom and appears beside Plautilla, who is waiting at the city gate (*Passio S. Pauli* 14 and 17). Other examples could be cited.

<sup>50</sup> Cf. e.g. Matt. 27:53; Plutarch, *Qaest. Graec.* 40; Xenophon, *Eph.* 5.7.7.

<sup>51</sup> L. Ginzberg gives a list of those believed to have been caught up to heaven: *Jew. Enc.* II, p. 164. To this, we should add Phinehas (according to Origen, *ad Jn.* 1:21). Cf. S. Krauß, *JQR*, 1893, p. 153.

<sup>52</sup> G. Wetter, “Der Sohn Gottes,” ch. VI.

<sup>53</sup> E. Meyer, *op. cit.* III, pp. 209ff., and E. Lohmeyer, *ZNW*, 1922, pp. 189ff.

*non inveni, et apparuit cum domino in monte, ubi et Elias fuit, quem mortuum legimus non esse, sed raptum.*<sup>54</sup>

The christological formula adopted by Paul in 1 Cor. 15, which emphasizes the death and resurrection of Jesus as the substance of the Christian faith – and which is the most important piece of evidence against our view of the development of faith in Christ – was neither the only nor the most ancient cultic formula.<sup>55</sup> It was coined in the hellenistic circles which were familiar with the figures who die and rise again in the mystery cults. This is why the new view conquered not only the new world, but also the old world of the earliest Christian community. Like the Last Supper, so too the death of Christ now appears in the tradition only in the light of the more recent soteriology.

Such reflections go far beyond the framework of this study in *Formgeschichte*, and this is why I prefer to conclude this essay, not with the preceding paragraph, but with an eloquent parallel.

Jesus promises the good thief: “Today you will be with me in paradise” (Lk. 23:43). This means that both men will experience the same lot after death, and so it turned out: Enoch and Elijah, until then the only ones to enjoy the garden of Eden, suddenly found themselves in the presence of a “wretched creature” carrying a cross on his shoulders.<sup>56</sup> In other words, the good thief entered paradise immediately. On earth, when Joseph of Arimathea searched for the corpses of the men who had been crucified with Jesus, he saw that of the bad thief in the form of a dragon, but he did not find the body of the good thief.<sup>57</sup> The heavenly story is related in the Gospel of Nicodemus, the earthly in the *Narratio Iosephi*. The agreement of these mutually independent texts shows once more how rapture and the disappearance of the body are connected.<sup>58</sup> It also shows what Jesus and his body would have experienced after death,<sup>59</sup> had not the hellenistic Jews from Damascus and Antioch won acceptance for their mystical view.

<sup>54</sup> Augustine, *Tract. in Johannem* 124 (PL 35, 1970).

<sup>55</sup> W. Heitmüller, *ZNW*, 1912, pp. 330ff.; M. Dibelius, *Die Formgeschichte des Evangeliums*, pp. 10ff.

<sup>56</sup> *Descensus ad Inferos* 10 (26).

<sup>57</sup> *Narratio Iosephi* 4.1 (Tischendorf, *Ev. Ap.*, 2nd edn., p. 467).

<sup>58</sup> J. Kroll, *Beiträge zum Descensus ad Inferos (Braunsberger Vorlesungs-Verzeichnis, 1922/1923, p. 35)*, shows how ancient the motifs of the harrowing of hell are.

<sup>59</sup> Similarly, in the *Questions of Bartholomew* (Tichonravov, *Denkmäler russischer apokr. Literatur* II, p. 18), the body of Jesus disappears from the cross during his descent to the dead.

*Additional Note*

Despite its inadequacy, the preceding article – which should now be read together with the outstanding study by P. Benoit, “L’ascension”<sup>60</sup> – is reprinted here for two reasons. Firstly, G. Bertram called my article a “bold attempt” to study the theme of the “empty tomb” from the perspective of the history of religions (in the *Festschrift für A. Deissmann*, 1927, p. 208); it would however have been more accurate to say, “in the context of the history of literary genres,” and this meant that my essay was misunderstood and passed over in silence.<sup>61</sup> I am happy to read now in a Catholic lexicon that “the oldest tradition emphasizes the rapture on Easter day itself.”<sup>62</sup>

Secondly, the theologians have not yet grasped the incompatibility of rapture and resurrection. But this is why the contradiction between the words Jesus addresses to the good thief on the cross, “Today you will be with me in paradise” (Lk. 23:43), and the logion that Jesus will spend three days and three nights in the heart of the earth (Matt. 12:40) compelled some believers to conclude that the verse in the third Gospel was a forgery (cf. Origen, *In Joh.* 13:33). Indeed, the Manichees deduced from this verse that the bodily resurrection was an illusion.<sup>63</sup> Here, I should like to refer to J. Weiss’ book *Das Urchristentum*, 1917, p. 61 (when I wrote my article, I was a young student; I read Bultmann and Dibelius, but not the “outdated” Weiss). Weiss underlined that “resurrection and rapture are mutually exclusive” and that the older view held that Jesus was caught up to heaven in the instant of his death (or rather, out of his grave). We must distinguish between two independent traditions, that of the rapture and that of the resurrection. As I noted in section (4) of my article, the “empty tomb” belongs to the theme of rapture, and cannot confirm the reality of the resurrection: the apostles do not believe the message of the women who have seen the empty tomb. Resurrection means that the restored body returns to normal earthly life; the risen one must be seen emerging from the grave (cf. the apparitions of Jesus near his tomb), or else give proof of his identity when he returns to life (cf. the episode of the unbelieving

<sup>60</sup> *RB*, 1949, pp. 161–203 (= *Idem*, *Exégèse et théologie I*, 1961, pp. 365–401). Cf. *Idem*, “Marie-Madeleine et les disciples au tombeau selon *Joh.* 20,18,” in *Festschrift für Joachim Jeremias*, 1961, pp. 141–151.

<sup>61</sup> See however M. Goguel, *La foi à la résurrection de Jésus*, 1933, p. 215.

<sup>62</sup> J. Bauer, *Bibeltheologisches Wörterbuch I*, 1967, p. 728.

<sup>63</sup> Chrysostom, *Hom. 7 in Gen.* (7.1), PG 54, 613.

Thomas in the fourth Gospel; the conclusion to Luke; the inauthentic conclusion to Mark; and the Gospel of the Hebrews).

The account of the empty tomb does in fact point to a rapture. The angel tells the women at the tomb: “He has risen (ἠγέρθη), he is not here” (Mk. 16:6); cf. 14:28, where Jesus says: “After my resurrection (ἐγερθῆναι), I will go before you to Galilee” – i.e., he will not appear near the tomb (cf. section (6) above). When Mark employs this verb in the sense of “resurrection,” he clearly stipulates “from the dead” (6:13; 12:26), in keeping with Greek usage (cf. e.g. Sir. 48:5). The usual expression for the return of a dead person to earthly life is *anistanai*, *anastasis*, and Mark accordingly uses these words when he wishes to speak of the “resurrection” (8:31; 9:9; 10:34; 12:18).

Under the influence of the “history of religions school,” which was dominant in scholarship at the time I wrote my article, I understood the antithesis between two traditions as a contrast between the “Jewish” (resurrection) and “Greek” views. As a matter of fact, however, both traditions circulated in the earliest community, and I must leave it to the theologians to explain this duality. I would however like to point out that the first attempt to explain the Easter narrative from the perspective of the history of religions was undertaken by Justin Martyr, who compares the exaltation of Jesus with the pagan stories of rapture, from the rapture of Asclepius and Hercules to the *consecratio* of the Roman emperors (First *Apology* 20). The fundamental point here is that the dying of the hero is not denied; but it is treated as inessential. The dead man ascends to heaven in his body.

In his exegesis of 1 Thess. 4:13, Augustine writes that those whom the Lord finds still alive when he returns will be caught up (*rapti*). They will die in the air and immediately receive immortality: *ad immortalitatem per mortem mira celeritate transibunt* (*City of God* 20.20).

The evangelists, however, had to accommodate the rapture, and hence the episode of the empty tomb, to the tradition about Jesus’ resurrection. As Origen says in his explanation of the discrepancies between the evangelists about the number of women who went to the tomb, they were not historians. Rather, they were concerned about the “mysteries” which were “generated” by historical facts: *evangelistarum propositum fuit respiciens ad mysteria, et non satis curaverunt ut secundum veritatem historiae enarrarent, sed ut rerum mysteria quae ex historia nascebantur exponerent.*<sup>64</sup>

<sup>64</sup> Rufinus’ translation: Origen, *Comment. in Matthaeum*, ser. 77, ed. E. Klostermann, p. 181.

## UTILITAS CRUCIS

### *Observations on the accounts of the trial of Jesus in the canonical Gospels*

The present essay is a modest attempt at interpretation. In the four Gospels, we read three different accounts of the trial of Jesus (Matthew follows Mark's narrative closely). We shall seek to grasp the apparent meaning of the text and to situate the juridical facts reported by Mark, Luke, and John within the framework of the institutions of the Roman empire. We do not intend here to examine the trial itself; we are interested, not in the historical unfolding of events, but in the way in which each narrator has pictured the sequence of these events.

We take each account as a literary totality, and seek to perceive how its author understood the "structure of the passion,"<sup>1</sup> without examining the presumed redactions of the text, or questions of its unity and its origins. I am well aware that research into the Gospels for the past century and more has been guided precisely by these perspectives; but I am equally well aware that they have not yet produced the results one was entitled to expect. It remains highly probable that materials of varied provenance have been incorporated into the passion narratives, but it is not possible to pin this down precisely. What we actually read are individual works which correspond to the specific conceptions of their authors. While admiring the ingenuity employed by critics in their work of dismembering, I prefer to keep close to the texts which have been handed down to us, and to explain them as we actually have them. The only principle which will guide this study *a priori* is the basis of all interpretation, viz. the presumption that the author did not group the episodes of his story together for no reason, but that he was obliged to explain to himself the sequence of the events he relates.

We will proceed in a very simple way, beginning with the Gospel of Mark, on which Luke depends, and which John apparently uses.<sup>2</sup> After examining the three accounts separately, we will attempt to compare

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<sup>1</sup> ἐγγιζούσης τοίνυν τῆς κατὰ τὸ πάθος οἰκονομίας (Origen, PG 14, 745).

<sup>2</sup> Cf. J. Finegan, *Die Überlieferung der Leidens- und Auferstehungsgeschichte Jesu*, 1934. In order to reduce the number of footnotes, I limit myself as far as possible to quoting the either the most recent studies or else general works with fuller bibliographical references.

them, in order to see better the divergences between these narratives and to form a judgment about the tradition which was common to all three evangelists.

### 1. *Mark's narrative*

#### I

For Mark, the passion is a consequence of the hatred felt by the authorities of official Judaism for Jesus of Nazareth. Mark carefully notes the hostile reactions by the “scribes,” the “Pharisees,” and the “Herodians”<sup>3</sup> to the Master during his ministry in Galilee.<sup>4</sup> At Jerusalem, Jesus comes into conflict with the Sadducean aristocracy: as soon as he arrives, he drives the merchants out of the temple. “And the chief priests and the scribes heard it and sought a way to destroy him; for they feared him, because all the multitude was astonished at his teaching” (11:18). This is the first time that Mark mentions the chief priests among those enemies who will destroy the Savior. For the first time, he tells us that they were afraid of the people, who were devoted to the Master. According to Mark, these two ideas explain the story of the five days between Palm Sunday and Good Friday.

Indeed, if we may borrow St Justin’s felicitous expression, Jesus immediately became an “embarrassment” to the leaders of the people in Jerusalem.<sup>5</sup> On Monday,<sup>6</sup> he drove out the merchants (11:15). On the following day, in numerous debates (11:27), he confounded all his adversaries – the men of the Sanhedrin, the Pharisees, the Sadducees, the scribes, and the “Herodians,” “and after that no one dared to ask him any question” (12:34). He then preached against the scribes and Pharisees, and foretold the destruction of the temple (12:35–13:2). On the following day (14:1), “the chief priests and the scribes were seeking how to arrest him by stealth, and kill him; for they said, ‘Not during the feast, lest there be a tumult of the people’” (14:1f.). This

<sup>3</sup> Cf. my essay “The Herodians,” above.

<sup>4</sup> Mk 1:22; 2:7; 2:18; 2:24; 3:6; 3:22; 7:1; 8:11; 9:14; 10:2.

<sup>5</sup> Justin, *Dialogue* 17: δύσχητος γὰρ ὑμῖν ἔδοξεν εἶναι, βοῶν παρ’ ὑμῖν· γέγραπται κ.τ.λ. (Matt 21:13).

<sup>6</sup> On the chronology of the passion in Mark, cf. e.g. A. Loisy, *L’Évangile selon Marc*, 1912, p. 386.



fear of the people, the second motif in the composition of the narrative, explains why Jesus was not arrested in Jerusalem that Tuesday, as Mark himself tells us (12:12). Since Jesus went out of the city each evening (11:19), the priests needed someone to show them how they could seize the Master outside Jerusalem. On Wednesday, Jesus was betrayed by Judas (14:10), and he was arrested in Gethsemane on the evening, once Judas had found a suitable occasion (14:11) to hand him over to arrest secretly, without attracting the attention of the people. In this way Mark seeks to explain both the role of the traitor and the extraordinary hatred of the Jewish authorities, who have Jesus arrested on the very night of Passover.

We may find this composition artificial, but we must bear it in mind if we wish to appreciate the isolated events which the evangelist has inserted into this framework; otherwise, we risk misunderstanding his account. From Reimarus to Loisy and Lietzmann, critics have tended to claim that Mark sees the final catastrophe as precipitated primarily by the messianic demonstration when Jesus entered Jerusalem (Mk. 11:1). But this is in fact the only episode in the ministry in Jerusalem in which Mark does *not* confront Jesus with his enemies.

## II

According to Mark, Jesus was arrested on the Mount of Olives on Thursday evening. "Judas came, one of the twelve, and with him a crowd with swords and clubs, from the chief priests and the scribes and the elders" (14:43). Commentators ask whether these troops were the temple guard or a band of individuals who had been assembled for the attack on Jesus. It seems that Mark is thinking rather of local militia.

Under the empire, even in Egypt where there was no municipal organization in the strict sense of the term, public security was largely the responsibility of the municipalities.<sup>7</sup> The inhabitants of the town were conscripted for this task.<sup>8</sup> It is obvious that militia recruited in this way looked like a "band" and had no other weapons than those that lay to

<sup>7</sup> O. Hirschfeld, *Kleine Schriften*, 1913, pp. 593ff. = *Sitzungsber. der Preussisch. Akademie* 1891; I. Lévy, *REG*, 1899, pp. 283ff. — It is important to note that the "irenarch" had his post alongside the proconsul at Ephesus (L. Robert, *BCH*, 1928, p. 498).

<sup>8</sup> P. Jouget, *Vie municipale dans l'Égypte*, 1911, pp. 261ff.; F. Oertel, *Die Liturgie*, 1917, p. 270; S. Eitrem and L. Amundsen, *Papyri Osloenses* II, p. 20.

hand, i.e. clubs<sup>9</sup> and short swords. The “liturgical” obligation incumbent on the population to aid the police to capture criminals whom they were seeking is attested for Roman Judea too. When an imperial slave committed a burglary near Bethhoron, the procurator Cumanus (48–52 C.E.) “had the inhabitants of the neighboring villages brought before him in chains, and accused them of not having pursued and arrested the brigands.”<sup>10</sup> Similarly, we read in an Egyptian document<sup>11</sup> that if those who are summoned to arrest brigands fail to turn up, they are to be sent in chains to the prefect. If the operation to arrest Jesus was carried out with the aid of a militia like this, his reproach would take on a new depth: “Have you come out as against a brigand, with swords and clubs to capture me?” (14:48).<sup>12</sup> Mark also mentions that these troops included a “slave of the high priest” (14:47). Josephus too speaks of these slaves in one passage,<sup>13</sup> and an ancient song which is preserved in the Talmud complains about them, because they struck the people with their rods.<sup>14</sup>

After being seized, Jesus is handed over to the high priest (14:53). If the “warrant” for his arrest had been issued by Pilate, the municipal police would have had to bring the criminal to him; this is what happened to saints like Felicity and Perpetua, or to Polycarp, whose arrest was ordered by the proconsul. The irenarch, chief of the militia, went out with his men, “armed with the usual weapons, as if they were going to seize a brigand.” They arrested Polycarp and brought him before the proconsul in the stadium.<sup>15</sup>

But it was the Sanhedrin which had ordered the arrest of Jesus (14:43), and hence this body was the first to examine the defendant. The Sanhedrin was the local authority with responsibility for public security, as the narratives in the Acts of the Apostles about the arrests

<sup>9</sup> Cf. C. Lécrivain in *Dict. des Antiq.* III, p. 864.

<sup>10</sup> Josephus, *Bell. Jud.* 2.229: Κουμανός δὲ περιπέμψας τοὺς ἐκ τῶν πλησίον κομῶν δεσμώτας ἐκέλευσεν ἀνάγεσθαι πρὸς αὐτόν, ἐπικαλῶν ὅτι μὴ διώξαντες τοὺς ληστὰς συλλάβοιεν.

<sup>11</sup> U. Wilcken, *Chrestomathie*, nr. 472.

<sup>12</sup> Even today, the shepherds in the region around Jerusalem usually wear a cutlass in their belt and carry a club in their hand (M.J. Lagrange, *Évangile selon saint Marc*, ad 14:13).

<sup>13</sup> *Ant.* 20.181: τοσαύτη δὲ τοὺς ἀρχιερεῖς κατέλαβεν ἀνάιδεια... ὥστε καὶ πέμπειν δούλους ἐτόλμων ἐπὶ τὰς ἄλωνας κ.τ.λ.

<sup>14</sup> *T. Men.* 13.21; *Pes.* 57a.

<sup>15</sup> *Martyrdom of Polycarp* 5ff. The passage quoted from ch. 7 runs: ἐξῆλθον διωγμίται καὶ ἰπιεῖς μετὰ τῶν συνήθων αὐτοῖς ὅπλων ὡς ἐπὶ ληστήν τρέχοντες.

of Peter, Stephen, and Paul attest.<sup>16</sup> While Saul (later Paul) was still a persecutor, the chief priests granted him the right to throw the Christians into prison.<sup>17</sup> There was nothing exceptional about the situation in Jerusalem. Throughout the empire, the municipal authorities had the right to summon suspect individuals to appear before them, and to interrogate those who were arrested.<sup>18</sup> For example, the African saints Saturninus, Dativus, and their companions, who had gathered to celebrate Sunday worship, were arrested by the magistrates of the city and brought to the forum, where they were interrogated in the presence of these municipal magistrates.<sup>19</sup>

### III

“And they led Jesus to the high priest; and all the chief priests and the scribes and the elders and the scribes were assembled” (14:53).

No part of the passion has received worse treatment at the hands of ingenious critics than the trial of Jesus before the Sanhedrin. Since they entangle the explanation of the text with the question of its historicity, the exegetes shed no light on the conception of the author – although they declare their intention of telling us what Mark intends. For example, a list is drawn up of the breaches of the Talmudic rules which the Jewish council is said to incur when it proceeds in the way described by Mark. Scholars rightly find it very remarkable that the members of this important assembly should gather in the middle of the night to deal with Jesus and to interrogate witnesses; nor is it easy to explain how these witnesses too come to be present at such a late hour. Let us for the moment leave aside the insoluble question of whether the Talmud regulations for court proceedings (i.e. the Pharisaic precepts which were drawn up two centuries later) were applicable as early as the reign of Tiberius to the council, which was mostly made up of Sadducees.<sup>20</sup> Mark explains all the irregularities committed that night

<sup>16</sup> Acts 4:5; 6:12; 22:30; cf. Josephus, *Ant.* 20.200.

<sup>17</sup> Acts 26:10.

<sup>18</sup> T. Mommsen, *Droit pénal romain*, 1907, p. 362.

<sup>19</sup> *Acta sanctorum Saturnini, Dativi, etc.* (in T. Ruinart, *Acta martyrum*). On this passion, cf. H. Delchaye, *Les Passions des martyrs*, 1921, pp. 114ff.

<sup>20</sup> Cf. e.g. E. Lohse in *TWNT* VII, 1964, p. 866, s.v. *Synedrion*. A. Jaubert, *RHR* 16 (1965), pp. 27–32, has shown that the Targumic tradition, implicitly confirmed by Philo (*Vita Mos.* 2.192–245), insists on the judges' duty to act slowly in cases which potentially involve the death sentence. Cf. M. *Sanh.* 4.1.

by the haste of the nation's leaders to get the matter over and done with, since the arrest of Jesus could have stirred up a revolt among the crowds of visitors who had come for the feast (14:2). After Jesus' revolutionary action in the temple, the government did not dare to arrest the preacher, but merely asked the reason for his conduct (11:27); but it is certainly possible that they came together, even though it was the night of Passover, in view of the ready promise by one of the prophet's disciples to deliver him into the hands of the police at that late hour. From the perspective of Mark, who regards Jesus as the central figure in Jewish life at that period, there is nothing unnatural about this whole chain of events. And to understand his narrative, we are compelled to look at the matter from the author's own point of view.

Besides this, imaginary difficulties are raised. For example, this annoying methodology begins with the evangelist's affirmation that the Sanhedrin sought testimony against Jesus, "but they found none. For many bore false witness against him, and their witness did not agree" (14:55f.). Aha, says critical scholarship,<sup>21</sup> see how the clumsiness of the redaction betrays the evangelist! If we are to believe Mark, these witnesses, despite all the preparation they had received for their testimony against Jesus, were unable to stick to their agreement about what they wanted to say! But Mark nowhere says that the witnesses had been tutored beforehand. His thinking was well understood by Origen:<sup>22</sup> the words and deeds of Jesus were so utterly irreproachable that even his enemies, who had come with the express intention of making charges against him, could not formulate any legitimate accusation. According to Mark, the only valid testimony was brought by the Savior himself, when Jesus declared before Caiaphas that he was the Messiah.

The messianic declaration has likewise given birth to numerous dissertations. When the high priest hears it, he says (14:63): τί ἔτι χρείαν ἔχομεν μαρτύρων; ἠκούσατε τῆς βλασφημίας· τί ὑμῖν φαίνεται;

The commentators infer from these words that the Jewish tribunal condemned Jesus for his blasphemy, in conformity to the law of Moses (Lev. 24:16). But now they encounter a new difficulty: according to the Hebrew law, blasphemers were to be stoned – and Jesus was crucified. The most fearless exegetes make the perfectly logical deduction that

<sup>21</sup> Cf. e.g. A. Loisy, *Les Évangiles synoptiques* II, 1908, p. 600.

<sup>22</sup> PG 13, 1755: *sic omnia irreprensibiliter et dixit et fecit ut nullam verisimilitudinem reprehensionis invenirent in eo.*

the scandal of the cross is a mere fiction, and that Jesus was killed by stoning.<sup>23</sup> Others are astonished that the man from Nazareth was condemned contrary to the Mishnaic rule (*Sanh.* 7.5) that a blasphemer is guilty only if he pronounces the name of God – something Jesus did not do.<sup>24</sup> I am afraid that all these difficulties are fictitious, and that they owe their origin to a misunderstanding by the translators.

The high priest says to the Sanhedrin: ἠκούσατε τῆς βλασφημίας, and this is usually translated: “You have heard the blasphemy.” However, βλασφημία does not mean “blasphemy.” This Greek word does not express the idea of an offense committed against the divinity; it was the Latin translations of the Bible, the Itala and the Vulgate, which borrowed this word from Greek and gave it this precise meaning, which is at the roots of its usage in modern languages.<sup>25</sup> In Greek, βλασφημία means only an insult, which may be addressed to anyone at all.<sup>26</sup> When the Jews were dissatisfied with the procurator Cumanus, they insulted him: Josephus writes, τὸν Κουμανὸν ἐβλασφήμουν (*Ant.* 20.108). If an author wishes to express the idea of insulting the divinity, he must specify this either explicitly or at least by means of the context: Ὁ δὲ βλασφημῆσαι τολμήσας θεὸν καταλευσθεὶς κριμνάσθω (*Ant.* 4.202). When a philosopher proclaims that the gods are not interested in human beings, he is told: ἐπίχει τῶν βλασφημιῶν (Lucian, *Iupitt. trag.* 35).

The same is true of the New Testament. The root βλασφημεῖν signifies an attack on the divine majesty only when it is accompanied by a specific indication: blaspheming the name or the word of God, God himself, God and Moses, the Good, or the angels.<sup>27</sup> This is one

<sup>23</sup> This is the idea of Grätz (cited by Doerr, *Der Prozess Jesu*, 1920, p. 38 n. 30), and of H.P. Cooke (cited by Finegan, *op. cit.*, p. 72 n. 3).

<sup>24</sup> Cf. H.L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament I*, 1924, pp. 1011ff. However, it appears that this rule was not formulated before the second century (J. Klausner, *Jésus de Nazareth*, 1933, p. 497).

<sup>25</sup> Cf. *Thesaurus linguae latinae* II, s.v. Pagan authors do not know this word; Christian authors in the third and fourth centuries still occasionally use *blasphemari*, etc., in the sense of “to calumniate,” etc., but the religious meaning is predominant by Augustine’s time: *est... blasphemia, cum aliqua mala dicuntur de bonis, itaque iam vulgo blasphemia non accipitur nisi mala verba de deo dicere* (quoted in *Thesaurus* II, p. 2043).

<sup>26</sup> Cf. e.g. a significant formulation in Diodorus, 29.1: Antiochus III ὑπὸ τῶν Ἑλλήνων ἐβλασφημεῖτο τὴν ἀρχὴν τοῦ πρὸς Ῥωμαίους πολέμου πεποιημένος ἐξ ἀσεβείας. Cf. Josephus, *Contra Apionem* 2.143; *Bell. Jud.* 2.406; *Ant.* 6.177; Diodorus, 1.22,7; Polybius, 11.5,8; etc.

<sup>27</sup> Rom. 2:24; 1 Tim. 6:1 (cf. Jas. 2:7); Tit. 2:5; 2 Pet. 2:22; Rev. 16:11 and 21; 13:6; Acts 6:11; Rom. 14:16; Jude 8; Rom. 3:8; 1 Cor. 4:13; 10:30; 1 Tim. 1:13; 4:10; Rev. 2:9; Acts 13:45; 18:6; 26:11; 1 Pet. 4:4.

specification of a wider idea, that of “insulting”: Jesus, the devil, Artemis, or one’s relatives.<sup>28</sup> For example, Paul says of himself: βλασφημοῦμαι, “I am insulted” (1 Cor. 10:30). The catalogues of sins list βλασφημία between envy and pride, alongside “the dishonest word,” false witness, quarrels, and offensive shouts.<sup>29</sup> The Letter to Titus affirms that μηδένα βλασφημεῖν, “to insult no one,” is a Christian duty.<sup>30</sup> The only passage in the New Testament where the word βλασφημεῖν *tout court* has the meaning of “blasphemy” is Jn. 10:33. This special meaning is clear from the context itself, and is then made explicit by the author.<sup>31</sup>

At Mk. 14:63, the word βλασφημία is employed without any special indications. Accordingly, its primary meaning is “offensive language.” We are not entitled to understand it in the sense of “blasphemy,” unless this interpretation is demanded by the context in which it occurs.

It is in fact difficult to detect anything blasphemous in Jesus’ words. Most modern exegetes<sup>32</sup> agree that Jewish thinking at that time would not have seen the messianic declaration of Jesus as an insult to God; the church fathers, however, thought that the Sanhedrin was shocked by the affirmation of Jesus’ divine sonship.<sup>33</sup> We shall not discuss this

<sup>28</sup> Matt. 27:39 par.; Jude 9; Acts 13:6; 2 Pet. 2:10.

<sup>29</sup> Mk. 7:22 (cf. 2 Tim 3:2); Col 3:8; Matt. 15:19; 1 Tim. 6:4; Eph. 4:31.

<sup>30</sup> Tit. 3:2.

<sup>31</sup> These remarks also clarify the meaning of a celebrated passage in the synoptic Gospels which is perfectly clear *per se*, but has been obscured by the work of the exegetes. The scribes declare that Jesus drives out the demons by the power of Beelzebul, and Jesus replies (Mk. 3:28 = Matt. 12:31 = Lk. 12:10), “All sins will be forgiven the sons of men, καὶ αἱ βλασφημῖαι ὅσα ἐὰν βλασφημήσωσιν, but whoever makes offensive remarks (ὅς δ’ ἂν βλασφημήσῃ) against the Holy Spirit never has forgiveness.” When they translate βλάσφημεῖν here as “to blaspheme,” the exegetes must torture their brains to grasp the difference between the two supposed classes of blasphemers. But all that Jesus, speaking good Greek (cf. Justinian, *Novell.* 77.1.1), is saying here is that every calumny will be forgiven human beings, with the exception of calumny against the divine inspiration (cf. Cyril, PG 72, 729). As Mark notes, Jesus spoke thus “because they had said, ‘He has an unclean spirit’” (3:30). In the same way, when the scribes say βλασφημεῖ in the pericope about the paralytic in Capernaum (Mk. 2:5 = Matt. 9:3 = Lk. 5:21), this cannot mean: “He is blaspheming,” since the teachers of the law would not have been able to hear a blasphemy without at once reproaching Jesus himself – and here, they are only speaking “in their hearts.” They simply find the words: “Your sins are forgiven” impertinent on the lips of this “nobody” (οὗτος with a pejorative nuance, like *iste* in Latin).

<sup>32</sup> Cf. e.g. H. Lietzmann, *Sitzungsber. Preuss. Akad.*, 1931, p. 316: “It is completely impossible to understand what is supposed to be blasphemous here.” Cf. E. Klostermann, *Das Markusevangelium*, 1926, ad 14:35–64; M. Goguel, *Vie de Jésus*, 1932, p. 494; Strack and Billerbeck I, p. 1017; J. Blinzler, *Le Procès de Jésus*, 1962, pp. 186ff.

<sup>33</sup> Cf. e.g. *Catenae* I, p. 430. Anthony Collins, *A Discourse on the Grounds and Reasons of*

historical question here. In keeping with the question we are examining, let us rather look at this matter from the point of view of Mark.

In his reply to the high priest, Jesus calls himself directly “Son of Man” (14:62). According to Mark, this is the title which he commonly uses from the beginning of his ministry onwards, without thereby irritating the Pharisees.<sup>34</sup> Indirectly, Jesus declares that he is the Anointed one, the Son of God: “I am,” he proclaims before the Jewish council (14:62), after several times forbidding the demons, and later his own disciples, from divulging the secret of his messianic identity. According to Mark, it is the high priest himself who asks Jesus this question: “Are you the Christ, the Son of the Blessed?” (14:61).<sup>35</sup> If we suppose that an affirmative answer would be a blasphemy – since God cannot have children – we would be obliged to admit that the question itself is no less blasphemous. Besides this, Mark himself does not yet know the thesis that the Father has begotten the Son; and he knows that the Jews in the days of Jesus were awaiting the Messiah, and that they were still awaiting the Messiah in the days when he wrote his Gospel.<sup>36</sup> In casting both the high priest’s question and Jesus’ answer in the linguistic forms used customarily by the rabbis (“He who is Blessed” and “the Power” as substitutes for the sacred name of God),<sup>37</sup> Mark also clearly shows that he does not believe that the Jews could find anything blasphemous in the words of Christ.<sup>38</sup>

This means that the noun βλασφημία at 14:63 cannot mean a “sacriligious word.” It must be translated in keeping with its general meaning

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*the Christian Religion*, 1712, p. 36, cited Deut 13:2ff. to justify the condemnation of Jesus; but the members of the Sanhedrin did not reproach Jesus for the crime of idolatry. Collins was repeating a hypothesis found in mediaeval Jewish sources, which he knew through the intermediary of J.C. Wagenseil, *Tela ignea Satanae*, 1681. On this accusation, cf. W. Horbury in E. Bammel, ed. *The Trial of Jesus*, 1970, p. 113 n. 56; cf. also Blinzler, p. 209. For the rabbinic tradition, cf. J. Derenbourg, *Essai sur l'histoire... de la Palestine*, 1867, p. 203.

<sup>34</sup> Mk 2:10; 2:28.

<sup>35</sup> The church fathers explain this double question with considerable ingenuity: there were several “anointed ones” (e.g., the high priests), but none of them was also the “son of God” (*Catena* I, p. 430; Theophylact, PG 123, 660).

<sup>36</sup> Cf. also Mk 12:12; 12:35.

<sup>37</sup> Cf. J. Bonsirven, *Le Judaïsme palestinien* I, 1935, pp. 128ff.

<sup>38</sup> We should note that the case of Stephen in Acts is completely different: he is stoned because he affirms that Jesus, the one who was condemned for leading the people astray, is standing at the right hand of God (Acts 7:55). The importance of Jesus’ condemnation from this perspective is underlined both by the Jews (cf. Justin, *Dial.* 22) and by Celsus (Origen, *Contra Celsum* 2.8ff.).

of “outrage” or “insult.” Our next question, with Chrysostom, is: “Why then did they [i.e., the Jews] declare his words to be outrageous?”<sup>39</sup>

To understand this, we must look at Mark’s general conception of the conflict between Jesus and the Jews. The βλασφημία of Jesus does not consist in an abstract claim to some religious title or other; it is the declaration that he – Jesus, the adversary of the law and the enemy of all the Jewish parties – dares to pose as Messiah and to announce that he will come with the clouds of heaven. The enormity consists, not in the claim, but in the antithesis between this claim and the person of the claimant. Origen gives a perfect explanation of the high priest’s exclamation:<sup>40</sup> *blasphemiam autem arbitratus est esse magnitudinem verborum Christi et gloriam existimavit Judaicam et fabulosam historiam litterae occidentis.*

According to Mark, therefore, the Sanhedrin are not voting on the question whether God has been offended, but on whether Jesus of Nazareth, who dares to call himself the Anointed one, has a right to this title. On Golgotha, the chief priests and the scribes mock a pseudo-Messiah, not a blasphemer: “Let the Christ, the King of Israel, come down now from the cross, that we may see and believe” (15:32). The ancient exegetes<sup>41</sup> always understood the verdict of the Jewish council in this way. Modern scholars were the first to misunderstand the meaning of the sentence passed by the Sanhedrin, obviously because they were misled by the erroneous identification of the words βλασφημία and blasphemy. It is better to follow the interpretation of an Origen and a Chrysostom, especially since this is in keeping with Greek usage.

#### IV

After Jesus’ declaration, the high priest tears his garments as a sign of his indignation – as Paul and Barnabas do when they are taken for Hermes and Zeus (Acts 14:14)<sup>42</sup> – and exclaims: “Why do we still need witnesses? You have heard his outrageous words. What is your decision?” Chrysostom explains<sup>43</sup> that when the high priest calls Jesus’ messianic declaration “outrageous,” he wishes to put pressure on the

<sup>39</sup> Chrysostom, PG 58, 754: πὼς οὖν νῦν βλασφημίαν τὸ εἰρημένον ἐκάλουν;

<sup>40</sup> Origen, PG 13, 1759.

<sup>41</sup> *Catena* I, p. 430.

<sup>42</sup> Cf. also Josephus, *Ant.* 11.141; *Bell. Jud.* 2.601; Strack and Billerbeck I, p. 1007.

<sup>43</sup> PG 58, 754.



judges. They too will be indignant and will pronounce their fatal vote without first examining Jesus' unquestionable rights to the title of Messiah. Thus, Mark presents their judgment as worthless. If we recall that for the Jew in Justin's *Dialogue*, the condemnation of Jesus by the Sanhedrin was still *the* stumbling block,<sup>44</sup> we will easily grasp what Mark's intention is here.

The vote of the Sanhedrin is unanimous: οἱ δὲ πάντες κατέκριναν αὐτὸν ἔνοχον εἶναι θανάτου (14:64). These words are usually understood as a death sentence; indeed, all the commentators are agreed on this, and they leave it to the legal scholars to explain the contradiction that Jesus was condemned by the Jews but executed by the Romans. However, we need not labor this point, since once again, the contradiction is generated by a misunderstanding on the part of the translators. Let us examine the grammar of this sentence.

The subject, πάντες, certainly refers to "all" the members of the Sanhedrin, but the verb is less clear. There is a consensus that κατακρίνειν can mean "to condemn in a court of law," and this is the most widespread meaning of the verb; but it has another meaning, which is in fact its original meaning from an etymological perspective, viz. "to pronounce a judgment against someone," *iudicare adversus aliquem*.<sup>45</sup> When Jesus says that the men of Nineveh will arise at the judgment against this generation and "condemn" it (κατακρινουσιν, Matt. 12:41; Lk. 11:31), he does not envisage the repentant pagans of Nineveh as magistrates of the people, presiding over the last judgment; but their presence will bring one more piece of evidence against the Jewish incredulity. Josephus provides another example (*Ant.* 3.308): in the desert, Joshua and Caleb exhort the people, θαρσεῖν δεόμενοι καὶ μήτε ψευδολογίαν κατακρίνειν τοῦ θεοῦ μήτε πιστεύειν τοῖς... καταπληξαμένοις.

In these two passages, it is clear that the verb takes on the nuance of "to accuse." In order to determine what it means in Mk 14:64, let us examine the rest of the sentence. The Sanhedrin declares Jesus ἔνοχον εἶναι θανάτου. He is the object of the verb κατακρίνειν, and

<sup>44</sup> *Dial.* 22; 90; 99.

<sup>45</sup> Cf. e.g. Ps.-Aristotle, *Rhet. ad Alexandr.* 3 p. 1423b, 28: ὡς πολλὴν ἄνοιαν τούτων καὶ οἱ θεοὶ καὶ οἱ ἄνθρωποι κατακρίνουσιν, ὅσοι παρὰ δυνάμιν τι ποιοῦσιν. Dio Cassius, 39.19,2: (Πομπήιον) λόγῳ μὲν τὸν Μίλωνα κατακρίνεσθαι, ἔργῳ δὲ αὐτὸν μὴδ' ἀπολογούμενον ἀλίσκεσθαι; Michel, nr. 694, 86; ὁ δὲ ἱερεὺς ἐπικρινέτω περὶ τῶν δραπετικῶν... καὶ ὅσους κατακρίνει, παραδότη τῶς κυρίως. Josephus, *Bell. Jud.* 6.108: τοὺς ὑπὸ τοῦ θεοῦ βιάζομαι κατακρίτους σώζειν. Idem, *Ant.* 10.238. Cf. E. Maysen, *Grammatik der Papyri* II/2, 1906, p. 238.

this phrase makes the meaning of the verb unambiguous, since the Greek term *ἔνοχος θανάτου* does not mean one who is condemned to death, but rather one who is still awaiting sentence.

Three passages from the orator Lycurgus illustrate this usage:

*Lyc.* 4: ὁ μὲν γὰρ νόμος πέφυκε προλέγειν ἂ μὴ δεῖ πράττειν, ὁ δὲ κατήγορος μὴνύειν τοὺς ἐνόχους τοῖς ἐκ τῶν νόμων ἐπιτιμίαις καθεστῶτας, ὁ δὲ δικαστὴς κολλάζειν τοὺς ὑπ' ἀμφοτέρων τούτων ἀποδειχθέντας αὐτῷ.

*Lyc.* 53: ὁ δῆμος... ἐψηφίσατο ἐνόχους εἶναι τῇ προδοσίᾳ τοὺς φεύγοντας τὸν ὑπὲρ τῆς πατρίδος κίνδυνον, ἀξίους εἶναι νομίζων τῆς ἐσχάτης τιμωρίας.

*Lyc.* 55: ὡς μὲν οὖν ἔνοχος ἐστὶ τοῖς εἰσηγγελέμενοις ἅπασι, ὃ ἄνδρες Λεωκράτης φανερόν ἐστι.

These passages, and a number of others where this word is used,<sup>46</sup> prove that the *ἔνοχος* is not a condemned man, but one who may expect to pay a penalty. The ancient dictionaries translate this word into Latin as *reus, obnoxius*,<sup>47</sup> and this means that in the legal vocabulary, it signifies not only one who deserves punishment, but also one who has incurred guilt by infringing a legal or customary precept and therefore risks punishment. We read: ὁ φωραθεὶς θανάτῳ ἔνοχος ἔσται,<sup>48</sup> or: ἔνοχον εἶναι ἀσεβείᾳ.<sup>49</sup> But I believe that this word is never used to designate one on whom sentence has already been passed. For example, we read in Diodorus<sup>50</sup> that the senate has decided (ἐψηφίσατο) that those sacrilegious soldiers who do not bring back the money they have stolen from the temple “may expect the death penalty” (ἐνόχους εἶναι θανάτῳ). In other words, this word always envisages the condemnation as something imminent, but never as something that has already been pronounced.<sup>51</sup>

<sup>46</sup> I quote here only a few examples, where the construction is similar to that in Mk. 14:64. Wilcken, *Chrestomathie*, 70, 18: τὸν δὲ φανησόμενον θανάτῳ ἔνοχον εἶναι. – *CIG* 2715: ἐνόχους αὐτοὺς εἶναι τοῖς αὐτοῖς (the same penalties). – Achilles Tatius, 8.10,2: ὅταν οὖν ἀποδείξω δύοσι θανάτοις ἔνοχον ὄντα. – P. Yale 56 (100 B.C.E.). – A. Steinwenter, *Jus*, 1952, p. 483 n. 6, cites *Martyrium S. Aemil.* (*AASS*, July 18). – The usage in the Septuagint is the same; cf. e.g. LXX Lev. 20:9ff. – Cf. E. Mayer, *Grammatik der Papyri* II/2, 1933, p. 149; W. Schmid, *Der Attizismus* II, 1889, p. 205.

<sup>47</sup> *Corpus Glossar. Latinorum*, ed. G. Goetz, VII s.v.

<sup>48</sup> *Berliner Griechische Urkunden* VIII, 1730, 8. Cf. e.g. Wilcken, *Chrestomathie*, 13; LXX Gen 26:11; *SB* VI, 9497; VIII, 9763.

<sup>49</sup> Welles, 70, 15. Cf. 2 Macc. 13:6; Demosthenes, 53.1; 58.59; Polybius, 30.32,5; Achilles Tatius, 8.13,1; *SB* VIII, 9449; etc.

<sup>50</sup> Diodorus, 27.4,7.

<sup>51</sup> We read in a Roman decree (*SIG* 3rd edn., nr. 684, 2 = 2nd edn., nr. 316): ἐγὼ παρασχομένων τῶν κατηγορῶν ἀληθινὰς ἀποδείξεις, Σῶσον μὲν... κρίνας ἔνοχον εἶναι θανάτῳ, παρεχόμενα. But the meaning of the last word remains unknown.

In Mk. 16:64, therefore, the word ἔνοχος should be understood in the same sense,<sup>52</sup> and this is how Matthew understood it. He reproduces the vote of the council as follows: “They replied, ‘He deserves death’” (ἔνοχος θανάτου ἐστίν, Matt. 26:66). The verb κατακρίνειν in Mk. 14:64 cannot therefore mean “to condemn by passing sentence”;<sup>53</sup> it means “to express a judgment against someone,” and the verse should be translated: “All declared against him that he had deserved death.”

What – one may perhaps ask – is the point of insisting on such a clear point? Do not all conscientious translators, from St Jerome until A. Loisy and M.J. Lagrange, translate this passage just as we have done? In the Vulgate, we read: *condemnaverunt eum esse reum mortis*, and Lagrange translates: *déclarant qu’il avait mérité la mort*. No translator actually writes: “They condemned him to death.” Yet everyone explains the text as if that was what the Greek expression meant. This is not the case at all,<sup>54</sup> here, the exegesis does violence to the grammar.

At first sight, however, the common interpretation seems to find support in another passage in Mark. Jesus predicts: “And the Son of Man will be delivered to the chief priests and the scribes, and they will condemn him to death, and deliver him to the Gentiles (καὶ κατακρινοῦσιν αὐτὸν θανάτῳ)” (10:33). Is Mark indicating, by means of these words of Jesus, how we are to comprehend the vote of the Sanhedrin, the words in 14:64, κατέκριναν αὐτὸν ἔνοχον εἶναι θανάτου?

Yes and no. Certainly, the Christians saw the execution of Jesus as the work of the Jews.<sup>55</sup> Paul writes: “They killed both the Lord Jesus and the prophets, and drove us out” (1 Thess. 2:15); and Justin reproaches the Jews: “You crucified him, the only one who was irreproachable and just.”<sup>56</sup> But no one would infer from this that Paul or Justin – or a later writer like Augustine,<sup>57</sup> who expressed the same conviction that

<sup>52</sup> The usage in the New Testament is the same. Here, the word always means “liable to” a penalty: Matt. 5:21; Mk. 3:4; 1 Cor. 11:27; Jas. 2:10. Cf. Heb. 2:15.

<sup>53</sup> If this were the meaning intended, the verb would have required the specification of the penalty: κατακρίνειν... θανάτῳ. Cf. e.g., Josephus, *Ant.* 10.124; *Bell. Jud.* 5.530; *Dan.* 4.34a; Polybius, 4.35,5; 30.31,20; Marcus Aurelius, 9.29; Epictetus, 3.1,24; etc.

<sup>54</sup> The presumed content of the Aramaic original of the Gospel would have had the same meaning: “liable to death” (A. Schlatter, *Der Evangelist Matthäus*, 1933, ad 26:66). Cf. A. Schalit, *ASTI* 2 (1963), p. 91.

<sup>55</sup> Cf. M. Goguel, *RHR* 42 (1910), pp. 165ff. Cf. R. Bultmann, *Die Geschichte der synoptischen Tradition*, 1921, p. 171; M. Dibelius, *Die Formgeschichte des Evangeliums*, 2nd edn. 1933, pp. 185ff.

<sup>56</sup> Justin, *Dial.* 17.

<sup>57</sup> Cf. J. Juster, *Les juifs dans l’Empire romain* I, 1914, p. 301.

the Jews were guilty, since they had compelled Pilate to pronounce the death sentence – ever forgot that juridically speaking, Jesus was condemned by the Roman procurator, and that he was handed over to Pilate “to be crucified according to the judgment and in virtue of the authority of the governor.”<sup>58</sup> May we not apply exactly the same reasoning to Mark?

We can thus specify in what sense the vote of the Sanhedrin, although it was not a “judgment,” condemned Jesus to death, according to the structure of the events of the passion in the second Gospel. But in order to do so, we must reconstruct the procedure which Mark envisages in his narrative.

## V

The Sanhedrin has Jesus arrested and brought before it. This was a normal procedure in the Roman empire; there is no doubt that the municipal authorities had the power to have suspect individuals arrested and to interrogate them.<sup>59</sup> Nevertheless, the application of this procedure by the Sanhedrin demanded an adaptation to Jewish customs, since the law of Moses knows nothing of a public prosecutor or of an accusation brought by the state.<sup>60</sup> Only the witnesses of a crime are allowed to bring a legal action; this makes them the accusers and, if the defendant is condemned, it is they who carry out the sentence. When the death penalty is pronounced, it is they who “throw the first stone.” Here, the carrying out of a criminal trial is identical with the exercise of justice.

This is why we see witnesses speaking before the Sanhedrin with the intention of destroying Jesus. But since they do not agree, their testimony is considered worthless and non-existent (although this does not mean that the witnesses themselves are prosecuted for bearing false witness). The tribunal follows the Sadducean interpretation of the law (Deut. 19:19) which was in vogue in the times of Flavius Josephus.<sup>61</sup>

<sup>58</sup> Augustine, *In Johannem* 116.9 (PL 35, 1944).

<sup>59</sup> Cf. T. Mommsen, *Droit pénal* I, p. 362.

<sup>60</sup> For the Jewish penal procedure, it suffices to refer to the article by Bronstein, “Beweis,” *Encyclopaedia Judaica* IV, p. 451, or to F. Doerr, *Der Prozess Jesu*, 1920 (with bibliography).

<sup>61</sup> *M. Maccoth* 1.6 and S. Krauss *ad loc.* in his German translation: *Sanhedrin-Maccoth*, 1933; Josephus, *Ant.* 4.219.

Mark gives the following example of this false testimony: “We heard him say, ‘I will destroy this temple that is made with hands, and in three days I will build another, not made with hands’” (14:58). Rivers of ink have been poured out in the attempt to explain this verse. The fathers of the church<sup>62</sup> already wondered how this testimony could be false, since it reproduces almost exactly the logion attributed to Jesus in the fourth Gospel (Jn. 2:19).

In Mark’s eyes, however, this accusation refers to the prediction which Jesus had publicly made about the temple: “There will not be left here one stone upon another” (13:2). The testimony distorts the meaning of these words of the Master. The destruction of the temple, as a symbol of catastrophe, is a theme of Old Testament prophecy, and the Jews at that time feared that these prophecies might be fulfilled: when the people were preparing to attack the Samaritans in the reign of Claudius, the leading men endeavored to make them change their mind, “because they were concerned for their native land which would be ruined and for the temple which would be destroyed.”<sup>63</sup> From 62 onward, day and night, a man named Jesus proclaimed the imminent destruction of the sanctuary.<sup>64</sup>

The witnesses who have been prompted to speak against Jesus change his eschatological prediction into the promise of criminal activity: in the eyes of both Romans and Jews, the destruction of a sacred building was a crime,<sup>65</sup> and an attack on the Jewish cult was an offense against the emperor, who had permitted the Jews to live according to their own laws. We may recall the charge leveled against Stephen: “We have heard him say that this Jesus of Nazareth will destroy this place [i.e., the temple], and will change the customs which Moses delivered to us” (Acts 6:14).

According to the witnesses, Jesus added a messianic proclamation to his criminal declaration.<sup>66</sup> The Psalms of Solomon 17.30 affirm that it is the Anointed One who will renew Jerusalem, and Tobit says that in the messianic times, the “house of God” will be replaced by a “glorious building” which will last for all eternity (14:5). The idea

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<sup>62</sup> J.A. Cramer, *Catena in Novum Testamentum* I, ad Matt. 25:59 and Mk. 14:55; Jerome, *ad Matt.* 26:61; Origen, PG 13, 1756.

<sup>63</sup> Josephus, *Ant.* 20.123.

<sup>64</sup> Josephus, *Bell. Jud.* 6.300.

<sup>65</sup> Cf. Juster, I, pp. 459ff.

<sup>66</sup> Cf. Strack and Billerbeck, I, p. 1004; W. Bousset and H. Gressmann, *Die Religion des Judentums*, 1926, p. 239.

that the Anointed One will rebuild the holy city is in fact older than the catastrophe of 70 C.E. Even in the days of Jesus, it was already thought that the Savior of the people would replace the present-day city, "which is in slavery," with the "new Jerusalem" promised by the prophets, "the Jerusalem on high, which is free" (Gal. 4:25f.).<sup>67</sup>

Thus, the false testimony interprets the prophecy of Jesus as the announcement of a messianic revolution; and the unbelieving and blind Jews saw Jesus as one of those "impostors" (to use Josephus' term)<sup>68</sup> who appeared on the scene in the last period of the temple's history and always announced to the people "startling miracles and signs due to the divine providence." This, at any rate, was how the early church saw this matter. According to Mark (8:11),<sup>69</sup> the Pharisees put Jesus to the test by asking for a sign from heaven. The synoptic apocalypse warns the faithful beforehand to be on their guard against false Christs who "will do signs and wonders to lead people astray" (Mk. 13:22). According to Luke, when Gamaliel, "a teacher of the law held in honor by all the people," intervened before the Sanhedrin in favor of the apostles, he compared Christianity to the movements provoked by Judas the Galilean and by Theudas, "who gave himself out to be somebody" (Acts 5:35ff.). Theudas promised that he would part the waters of the Jordan in two.<sup>70</sup> According to the false testimony, Jesus promised to destroy the temple and rebuild it in three days. This identifies him as one of the messianic seducers of the people<sup>71</sup> who claim divine inspiration but in reality "work to promote revolution and sedition, by inciting the crowds to a furious madness."<sup>72</sup> Mark himself confirms this interpretation of the episode when he shows us the Jews mocking the crucified Jesus: "Aha! You who would destroy the temple and build it in three days, save yourself, and come down from the cross!" (15:29f.). In other words, they regard Jesus as a "seducer whose words were mere bluff," one who promised miracles but turned out to be powerless.

But let us return to the meeting of the Sanhedrin. Since the testimonies of the witnesses about the messianic words of Jesus do not agree, they too have no effect. Since Jesus still remains silent, the high

<sup>67</sup> Cf. A. Loisy, *Apocalypse de Jean*, 1926, p. 365.

<sup>68</sup> Josephus, *Ant.* 20.168 = *Bell. Jud.* 2.259; 6.285–287.

<sup>69</sup> Cf. Matt. 27:63.

<sup>70</sup> Josephus, *Ant.* 20.170.

<sup>71</sup> E. Meyer, *Ursprung des Christentums* I, 1921, p. 192; A. Loisy, *Les Actes des apôtres*, 1920, p. 314.

<sup>72</sup> Josephus, *Bell. Jud.* 2.259 and 264.

priest asks him: “Have you no answer to make? What is it that these men testify against you?” Jesus says nothing, and the high priest then asks him directly if he is the Anointed one. When Jesus says, “I am,” the high priest cries: “Why do we still need witnesses? You have heard his offensive words. What is your decision?” A direct link is made here between Jesus’ words about the temple and his messianic declaration, as the proof and the avowal of a crime, viz. the claim to be Messiah. This is the nub of the accusation.<sup>73</sup>

After hearing the declaration of the defendant, the high priest asks the opinion of the members of the Sanhedrin. This tribunal could have released Jesus, as it later released Peter and John after their first arrest (Acts 4:18); it could also have had Jesus beaten. This was the penalty imposed on John and Peter after their second arrest (Acts 5:50). It was inflicted five times on Paul (2 Cor. 11:24), and was predicted to the believers: “They will deliver you up to councils; and you will be beaten in synagogues” (Mk. 13:9). In his days as a persecutor, Saul imprisoned and beat the Christians “in every synagogue” (Acts 22:19). In Jewish praxis, the penalty of scourging was applied wherever no other punishment was laid down for a crime.<sup>74</sup> But the council members took the view that Jesus deserved the death penalty. “And as soon as it was morning . . . the whole council held a consultation; and they bound Jesus and led him away and delivered him to Pilate” (15:1).

## VI

After voting for Jesus’ death, the Sanhedrin handed him over to the Roman tribunal. Mark does not tell us whether this was done because of the lack of authority on the part of the Jewish assembly, or as a spontaneous decision; we shall return to this point in our closing remarks. In our study of the procedures, we can pass over this question, since the way in which the accused was handed over to the praetorium of Pilate was the same in either case.

<sup>73</sup> Cf. the anonymous commentary on Mk. 15:29ff. in Cramer, *Catenae* I: καὶ, ὃ πάντων χαλεπότερον ἦν καὶ ἐπ’ αἰτία ἀπατεῶνος καὶ πλάνου τὰ αὐτὰ παθεῖν. Cf. Justin, *Dial.* 69: καὶ γὰρ μάγον εἶναι αὐτὸν ἐτόλμων λέγειν καὶ λαοπλάνον. Cf. Strack and Billerbeck I, p. 202.

<sup>74</sup> Cf. Strack and Billerbeck, III, p. 529; Juster, II, p. 161.

Jesus appeared before Pilate because Judea had been a Roman province since 6 C.E. The allied peoples were exempt from the repressive power of the Roman magistrates: at Rhodes, Roman citizens were crucified as late as the reign of Claudius.<sup>75</sup> In the provinces, however, it was the governor who exercised jurisdiction.<sup>76</sup> But he was not the only one to enjoy jurisdiction in the province; the magistrates of the subject cities and peoples enjoyed a certain power of coercion. It is very difficult to make out the borders here between the authority of the Roman tribunal and of the local courts;<sup>77</sup> sometimes, the border was very fluid, being regulated differently from one province to another according to the individual case, the local customs, and the *mandata*<sup>78</sup> of the emperors.<sup>79</sup>

In any case, however, the general tendency was to reserve capital jurisdiction for the governor's tribunal. It is noteworthy that (as far as I know) no Christian was ever executed on the orders of the municipal judges. The rescript of Hadrian to Fundanus and the letter of Pliny to Trajan<sup>80</sup> show that the local inhabitants did not themselves inflict the penalty of death on the Christians; they urged the governors to do this. When we bear in mind that the provincials certainly hated this new superstition, and that the Christians did not enjoy any kind of privileges, it seems that we must conclude that the municipal magistrates did not have the "power of the sword" at this period. This is stated explicitly in two texts referring to the free city of Smyrna,<sup>81</sup> and a letter of Alexander Severus to the cities of Asia assumes that it was the governor who was responsible for conducting trials involving the death penalty.<sup>82</sup>

<sup>75</sup> Dio Cassius, 60.24. Cf. T. Mommsen, *Droit public* VI, 1884, p. 334.

<sup>76</sup> It suffices here to refer to Mommsen, *Droit pénal* I, pp. 273ff.

<sup>77</sup> Cf. Mommsen, *op. cit.* I, pp. 133ff.; I. Lévy, *REG*, 1899, pp. 278ff.; H. Volkmann, *Zur Rechtsprechung im Principat des Augustus*, 1935, pp. 128ff.

<sup>78</sup> Cf. M. Finkelstein, *Tijdschrift voor Rechtsgeschiedenis*, 1934, pp. 150ff.

<sup>79</sup> One example of this fluid situation with regard to authority may be the case mentioned by Josephus, *Ant.* 20.200, where some Jews were angered by a death sentence uttered by the high priest Ananos and contested his right to set up the tribunal; but Josephus' narrative is very obscure. Cf. J. Lengle, *Hermes*, 1935, pp. 312ff. On the penal jurisdiction of the high priest, cf. Josephus, *Contra Apionem* 2.194.

<sup>80</sup> Eusebius, *Hist. Eccl.* 4.9 = Justin, *I Apol.* 68; Pliny *ad Traianum* 96; *Hist. Eccl.* 5.1.8.

<sup>81</sup> Philostratus, *Vitae Sophist.* 1.25,2; *Martyrium Pionii* 10.4. Cf. Mommsen, *op. cit.* I, p. 278.

<sup>82</sup> P. Oxyrhynch. XVII, 2104. Cf. U. Wilcken, *Archiv für Papyrusforschung* 10, p. 90; P.M. Meyer in *Studi in onore di P. Bonfante*, 1929, II, p. 343.



Two recently published inscriptions indicate that this situation was already taking shape under Augustus. An edict concerning Cyrene issued by the emperor shows that only the governor possessed authority for “the accusations involving the death penalty, where he himself must judge and decide, or else set up a tribunal of sworn judges.”<sup>83</sup> The same applies to trials where the parties came from different cities.<sup>84</sup>

An ordinance of Augustus concerning Palestine<sup>85</sup> prescribes that if someone is denounced for having overturned tombs or for disinterring the dead, etc., criminal proceedings are to be taken.<sup>86</sup> The emperor writes: “It is my will that one convicted of violating a tomb is to suffer the penalty of death.” This text shows that the procurator of Judea had the power to pronounce the death sentence even in matters concerning religion. We do not know whether he did so concurrently with the Jewish authorities.

Although the governor’s coercive power was widened in this way, the means for criminal investigation at his disposal were not in fact extensive: he had only a few soldiers stationed at various points scattered throughout the province, and the correspondence between Pliny the Younger and Trajan shows that the installation of such a military post was exceptional.<sup>87</sup> It was up to the provincials themselves to hand

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<sup>83</sup> The fourth edict: αἵτινες ἀμφισβητήσις ἀνὰ μέσον Ἑλλήνων ἔσονται κατὰ τὴν Κυρηναϊκὴν ἐπαρχίαν, ὑπεξειρημένων τῶν ὑποδίκων κεφαλῆς, ὑπὲρ ὧν ὅς ἂν τὴν ἐπαρχίαν διακατέχη αὐτὸς διαγεινώσκειν κ[αί] ἰστάναιη συμβούλιον κριτῶν παρέχειν ὀφείλει, ὑπὲρ δὲ τῶν λοιπῶν πραγμάτων πάντων Ἑλλήνας κριτὰς δίδοσθαι ἀρέσκει. The text is found e.g. in A. von Premerstein, *Zeitschrift der Savigny-Stiftung*, 1928, p. 475; J. Stroux and L. Wenger, “Die Augustusinschrift,” in *Abhandlungen Bayerisch. Akad.* 34/2, 1928; V. Arangio-Ruiz, *Riv. di filol.*, 1928, p. 336; H. Malcovati, *Augusti operum fragmenta*, 1928, p. 42.

<sup>84</sup> I agree with this interpretation of the text by A. von Premerstein and V. Arangio-Ruiz. Cf. A. von Premerstein, *art. cit.* (n. 82 above), p. 445.

<sup>85</sup> F. Cumont, *Rev. hist.* 143 (1930), p. 241; J. Carcopino, *Rev. hist.* 146 (1931), p. 77; L. Wenger, *Zeitschrift der Savigny-Stiftung*, 1931, p. 369; F. de Zulueta, *JRS*, 1932, p. 184.

<sup>86</sup> ἐὰν δέ τις ἐπιδίξῃ τινὰ ἢ καταλελυκότα... ἢ κατόχους ἢ λίθους μετατεθεικότα, κατὰ τοῦ τοιούτου κριτήριον ἐγὼ κελεύω γενέσθαι... τοῦτον ἐγὼ κεφαλῆς κατὰ κριτον ὀνόματι τυμβωρυχίας θέλω γενέσθαι. On the procedure envisaged by this ordinance, cf. de Zulueta, *op. cit.*, p. 191, and Wenger, *op. cit.*, p. 394. Ἐπιδεικύναι is *nuntiare*, “to denounce.” Cf. Josephus, *Ant.* 19.308. The hypothesis of J. Carcopino, *op. cit.*, p. 88, about the date and the circumstances which determined the promulgation of this imperial decree is attractive: he suggests that it was a consequence of the Samaritan attempt to desecrate the temple in Jerusalem with the bones of the dead ca. 8 B.C.E. (cf. Josephus, *Ant.* 18.29).

<sup>87</sup> Pliny, *Ad Trai.* 20; 77; 78.

over accused persons to the Roman tribunal. In general, the procedure involved a private accusation, and the municipal security officers were charged with the investigation, and then with finding the accused and ensuring that he appeared before the governor.

The municipal authority arrested the suspect and interrogated him in the form of a debate, to decide whether charges entailing the death penalty should be brought (unless the accused had already been summoned to appear before the governor). For example, the martyrs of Lyons were “led to the forum, where they were submitted to interrogation before the tribune [of the praetorian cohort, which had its garrison in Lyons] and the magistrates of the city. After they admitted [that they were Christians], they were thrown into prison until the governor should arrive.” The case of Pionius in Smyrna is parallel: after he was arrested, he was interrogated by the *neôkoros* of the city. He professed his faith, and was put in prison. When the attempt was made to take him to participate in a pagan sacrifice, he made use of a procedural detour and claimed that his case came under the jurisdiction of the proconsul. When the crowd demanded the death of the martyr, the *neôkoros* told them: “We have no fasces, and we do not possess the ‘right of the sword’.” When the proconsul finally held court at Smyrna, Pionius was brought before the governor.<sup>88</sup> The Passion of Marianus and James, like that of Saint Felix of Thibiuca, shows us the same difference between the preliminary information gathered by the municipal magistrates and the jurisdiction involving the death penalty: the latter was exercised by the proconsul.<sup>89</sup> It is important to note that the municipal authority ordered the torture of James. Valerian’s persecution, during which this martyr died, affected only clergymen higher in rank than the deacons, and it was suspected that when Marianus declared himself (correctly) to be a lector, he was seeking to escape punishment by saying that he belonged to an order lower than that of the diaconate.<sup>90</sup> Thus, it was the local authority that examined the accused, and decided who would appear before the tribunal of the governor. The Egyptian papyri show the functioning of the same system.<sup>91</sup> The *stratêgos* did not himself

<sup>88</sup> Acts of the Martyrs of Lyons 1.8; *Martyrium Pionii* (in R. Knopf and G. Krüger, *Ausgewählte Märtyrerakten*).

<sup>89</sup> *Martyrium Mariani et Jacobi* 5; *Martyrium Felicis*, in Knopf and Krüger, *op. cit.*

<sup>90</sup> Cf. H. Delchaye, *Les Passions des martyrs*, 1920, p. 80.

<sup>91</sup> Cf. e.g. *Pap. Oslo* II, 18. Cf. R. Taubenschlag, *Bullet. Acad. Polonaise*, 1919–1920, pp. 55ff.

possess jurisdiction, but it was he who started the process, interrogated the witnesses, etc., before sending the matter further (if need be) to the competent judge.

The same cooperation between the local magistrates, who were charged with maintaining security, and the praetorium of the governor was practiced in Judea. The procurator held regular courts.<sup>92</sup> It was he who condemned or acquitted the criminals who were held in preventive custody in the prison at Jerusalem.<sup>93</sup> Sometimes, these prisoners were taken captive by soldiers. For example,<sup>94</sup> Felix sent troops to disperse the bands who followed a false Messiah, an Egyptian. These soldiers killed four hundred persons and took two hundred prisoners. Sometimes, however, the brigands were “led” to the procurator;<sup>95</sup> in these cases, the arrest was made by the local magistrates. Cumanus punished the inhabitants of some villages for their failure to pursue brigands;<sup>96</sup> Albinus freed “the brigands who had been arrested by the former procurators and by the municipal councils.”<sup>97</sup>

In reality, if the procurator wished to take police action, his only option was to send a troop of soldiers; as we have seen, if he wished to search for criminals, he had to turn to the Jewish magistrates for help. When Gessius Florus was insulted by the crowd, he ordered the authorities in Jerusalem to hand over the guilty men to him.<sup>98</sup> When inhabitants of the town of Dora profaned the synagogue, the proconsul Petronius sent a centurion to fetch the criminals, and invited the magistrates of the city to point these persons out to the officer.<sup>99</sup> And it is of course clear that all the various false prophets who were “led before” the procurators and punished by them can have been handed

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<sup>92</sup> Juster, II, p. 147 n. 2, gives a list of the cases reserved to the jurisdiction of the procurator according to Josephus. It is obvious that these stories in Josephus refer only to events concerning crimes against the state.

<sup>93</sup> Josephus, *Ant.* 20.215; cf. 20.209.

<sup>94</sup> Josephus, *Ant.* 20.171; 18.87; *Bell. Jud.* 2.229; 253.

<sup>95</sup> E.g. Josephus, *Ant.* 20.5: ἀναιρείται δὲ καὶ θολομαῖος ὁ ἀρχιληστής μετ’ οὐ πολὺν χρόνον ἀχθεὶς δέσμιος ἐπ’ αὐτὸν.

<sup>96</sup> Josephus, *Bell. Jud.* 2.229.

<sup>97</sup> Josephus, *Bell. Jud.* 2.273: τοὺς ἐπι ληστεία δεδεμένους ὑπὸ τῆς παρ’ ἐκάστοις βουλῆς ἢ τῶν προτέρων ἐπιτρόπων ἀπελύτρου τοῖς συγγενέσιν. On these Jewish tribunals, cf. *Bell. Jud.* 2.571 and *Ant.* 4.214; 287; H. Weyl, *Die jüdischen Strafgesetze bei Josephus*, Berlin 1900, p. 13.

<sup>98</sup> Josephus, *Bell. Jud.* 2.301.

<sup>99</sup> Josephus, *Ant.* 19.308.

over only by the Jewish Sanhedrin.<sup>100</sup> Here is one further example:<sup>101</sup> Jesus the son of Ananus predicted day and night the destruction of Jerusalem. This did not in any way trouble the tribune of the cohort, whose garrison was in the city, since he certainly did not understand the Aramaic which the prophet spoke. It was the Jewish “magistrates” who found this man’s style too bizarre and led him before the Roman governor. The circumstances of this collaboration between the Sanhedrin and the procurator are strongly reminiscent of the case of another Jesus – Jesus of Nazareth.

Let us stop at this point, since we now understand the legal significance of the vote by the Sanhedrin. It was acting in accordance with penal practice in the provinces. The Jewish authority initiated the trial and found the accused worthy of the severest punishment; thereby, its competence in this matter ended, and it handed over the criminal to the Roman tribunal. This means that there is only an apparent contradiction between Mk 10:31 and 14:64, i.e. between the prediction of the Jewish verdict and the contents of the actual decision that was taken. The Sanhedrin did not pronounce the death penalty. It had the power to release Jesus or to have him beaten,<sup>102</sup> but it found him deserving of death, and handed him over to the Romans so that he could suffer this penalty. Is not this “to condemn him to death and deliver him to the Gentiles”?<sup>103</sup>

## VII

The Sanhedrin voted during the night. In the morning, Jesus was led before Pilate. Between these two events, Mark situates a third event: he relates that when the sun rose, the cock (as Jesus had predicted to Peter) crowed twice. “And as soon as it was morning the chief priests held a consultation with the elders and scribes. And the whole council, after binding Jesus, led him away and delivered him to Pilate” (15:1).

<sup>100</sup> Josephus, *Ant.* 20.168.

<sup>101</sup> Josephus, *Bell. Jud.* 6.303: νομίσαντες δ’ οἱ ἄρχοντες ὅπερ ἦν, δαιμονιώτερον εἶναι τὸ κίνημα τάνδρος, ἀνάγουσιν αὐτὸν ἐπὶ τὸν παρὰ Ῥωμαίων ἑπαρχόν.

<sup>102</sup> Cf. J. Jeremias, *ZNW*, 1938, pp. 210ff. According to the Jewish law, the accused had first to be warned. The crime is created only by the violation of this warning. Cf. Acts 4:18 and 5:17.

<sup>103</sup> Cf. e.g. Lysias, *C. Agorat.* 2: ἄνδρας ὄντας ἀγαθοὺς... ἐπὶ τῶν τριάκοντα ἀπέκτεινε, μηνυτῆς κατ’ ἐκείνων γερόμενος.

This translation seeks to be a faithful rendering of Mark's Greek, but a truly exact translation is impossible, both because the details of the text are not certain and because the expression *συμβούλιον ποιήσαντες*<sup>104</sup> is somewhat obscure; ancient readers too found it hard to grasp. It can mean "to deliberate," but it seems that it can also indicate a decision taken after a deliberation.<sup>105</sup> All we need to do is note the general meaning of these words: it is only in the morning that the Sanhedrin decides how the matter is to be pursued.

But what is the meaning and the subject of this *sumboulion* on Friday morning? Mark links it to the handing over of Jesus to Pilate, and this means that his words are open to very different interpretations; for this reason, we do not intend to insist too much on the fact that 15:1 is perfectly coherent with our explanation of the nocturnal verdict of the Sanhedrin. After finding Jesus worthy of the penalty of death, the assembly deliberated on the following morning about how its decision could be carried out, and concluded that the false Messiah should be handed over to the Roman tribunal.

Mark emphasizes that "the whole council" led Jesus, bound, to Pilate after holding two meetings, and these details are important. A reader who was not alerted in advance might be given the impression that the narrative of Jesus' appearance before the Roman tribunal shows the Sanhedrin acting as private accusers – just as they will incriminate Paul before the procurator Felix some decades later (cf. Acts 24). This is a consequence of the Roman principle that criminal proceedings in general could take place only with a formal accusation and a responsible prosecutor, even when cases were brought to the court of the provincial governor. According to Luke, the procurator Felix says: "It is not the custom of the Romans to give up any one before the accused meets the accusers face to face, and has opportunity to make his defense concerning the charge laid against him" (Acts 25:16).

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<sup>104</sup> In Sinaiticus and the Codex Ephraemi, the verb *ποιήσαντες* is replaced by *ἐτοιμάσαντες*, although this does not make the sentence any easier to understand. [The English translation of Mk. 15:1 here is made from the Greek in the light of Bickerman's French translation.]

<sup>105</sup> We find the same phrase at Mk. 3:6, οἱ Φαρισαῖοι εὐθὺς μετὰ τῶν Ἡρῳδιανῶν *συμβούλιον ἐδίδουν κατ' αὐτοῦ, ὅπως αὐτὸν ἀπολέσωσιν*. Matthew always writes: *συμβούλιον λαμβάνειν* (12:14; 22:15; 27:1 and 7; 28:12). A number of exegetes hold that Mark is speaking of the "decision" to hand over Jesus to Pilate. Cf. Blinzler, p. 206; A.N. Sherwin-White, *Roman Society and Roman Law in the New Testament*, 1963, p. 44.

Generally speaking, therefore, the governor brought a case to court only on the basis of a complaint brought by the person who intended to present the formal accusation. In this case, the only function of the police was to investigate the matter of the denunciation and to ensure that the defendant appeared before the Roman tribunal. The trial of Paul in the Acts of the Apostles (chs. 23ff.) is an example of this kind of penal prosecution, which was common under the Caesars.<sup>106</sup>

But this did not mean that the public authority had no other means for the investigation and the punishment of crimes. A summary procedure was carried out against dangerous individuals, since the governor's office was obliged "to cleanse the province of wrongdoers."<sup>107</sup>

In crimes of this magnitude, such as brigandage and sedition, and later in the case of the crime of Christianity, the bodies charged with ensuring security (i.e. the military posts and the native magistrates) could take the place of the accuser. In this case, the matter was introduced by a police report (*elogium*) which functioned instead of the act of accusation.<sup>108</sup> Thus, in the martyrdom of Agape, Chionia, and Irene, the court proceedings begin with the reading of a letter from the *beneficiarius* which states that the accused have been brought to trial because of their refusal to eat the meat of pagan sacrificial victims.<sup>109</sup>

Sometimes, however, the personal appearance of the defendant was demanded by the chief of local security. This is why the martyrs of Lyons and Pionius in Smyrna waited in prison until the proconsular courts sat in their cities. Tertullian praises a proconsul who has declined to read the *elogium* about one who has been accused of Christianity, and instead has asked an accuser to appear in person.<sup>110</sup> To understand these words of the apologist, we must recall that the police authorities were responsible for their reports, and that they were required to defend and explain them in the deliberations in the praetorium.<sup>111</sup> Thus, the principle of accusation was applied even to the inquisitorial procedure. Accordingly, the imperial constitutions prescribed that the ordinary forms of accusation and defense must be observed even in

<sup>106</sup> Cf. P.M. Meyer, *Juristische Papyri*, 1920, pp. 279ff.; R. Taubenschlag, "Le Procès de l'apôtre Paul à la lumière des papyri," in *Bulletin de l'Académie Polonaise*, 1919–1920, p. 55, and Idem, *Das Strafrecht der Papyri*, 1916, pp. 100ff.

<sup>107</sup> *Dig.* 1.18,3; 48.13,4,2.

<sup>108</sup> Cf. Mommsen, *Droit pénal* I, p. 363.

<sup>109</sup> *Martyrium Agapae*, in Knopf and Krüger, *Ausgewählte Märtyrerakten*.

<sup>110</sup> Tertullian, *Ad Scapul.* 4.

<sup>111</sup> *Dig.* 48.3,6,1. Cf. *Dig.* 48.16,6,3. *Cod. Just.* 12.22,1 = *Cod. Th.* 6.29,1.

the case of defendants who had been brought before the governor by the local authorities: "The accused who are brought before the higher court on the basis of a report by the security officers (*elogium*) must be heard *ex integro*, whether they have been sent with an accompanying letter or have been brought by the irenarchs."<sup>112</sup>

Thus, Pilate was obliged not to be content with the results of the information supplied by the Sanhedrin, but to conduct a trial in depth. Mark begins his account with the decisive question which Pilate puts to the defendant: "Are you the king of the Jews?" (15:2). The first question which the governor puts to the accused about the nature of the accusation is whether he accepts the description which the accusation gives of him. When Cyprian was led before the proconsul, his identity was established, and the minutes of the court then record the following exchanges: *Galerius Maximus proconsul cl. vir Cypriano dixit: tu te papatem sacrilegae mentis hominibus exhibuisti? Cyprianus dixit: ego.*<sup>113</sup> In the provincial procedure, if the accused admitted the charge, no further proof was needed.<sup>114</sup> But Jesus' reply was evasive and ambiguous, as the ancient commentators already remarked:<sup>115</sup> "You have said so" (15:2). Now the Sanhedrin confirmed their denunciation: "And the chief priests accused him insistentlly."<sup>116</sup> Jesus made no answer (15:3).

The silence of Jesus before the procurator leads the narrative into an impasse. Certainly, Pilate could have accepted the accusation without waiting for an admission on the part of the defendant. It often happened that defendants who were sent by their own cities to the Roman praetorium were "considered as condemned" beforehand by the governor.<sup>117</sup> But in this case, the Roman judge would have recognized officially that Jesus was one of the messianic adventurers.

<sup>112</sup> *Dig.* 48,3,6,1. Cf. E. Le Blant, *Mémoires Ac. Inscr.* 30.2,46.

<sup>113</sup> *Passio S. Cypriani*, in R. Reitzenstein, "Die Nachrichten über den Tod Cyprians," *Sitz.-Ber. der Heidelberger Akademie*, 1913, p. 21).

<sup>114</sup> Mommsen, *Droit pénal* II, p. 117.

<sup>115</sup> Apostolic Constitutions 5.14,4. E. Klostermann, *Das Markusevangelium*, *ad loc.*, cites other passages.

<sup>116</sup> This is the meaning of the expression κατηγοροῦν... πολλά. Cf. E. Mayser, *Grammatik der Papyri* II/2, pp. 319 and 323. Cf. Tertullian, *Adv. Marcionem* 4.42: *onerare coeperunt quod se regem diceret.*

<sup>117</sup> *Dig.* 38.3,6; *Passio S. Mariani et Jacobi* (in Knopf and Krüger, *op. cit.*) 9: *eos Cirtensium magistratus elogio fortissimae confessionis honoratos transmitterent cum parte iam damnationis ad praesidem.*

At this point, the *coup de théâtre* occurs:<sup>118</sup> the people come on the scene and demand the liberty of a prisoner on the occasion of the feast (15:6). Pilate offers them the release of Jesus, but the crowd, prompted by the chief priests, demand the release of Barabbas and the crucifixion of Jesus. The parallels which scholars have adduced to this episode are not conclusive. In virtue of his unlimited power with regard to the punishment of crime, the governor could impose or remit a penalty and even acquit one who was guilty, whether on his own initiative or in response to the clamoring of the crowd.<sup>119</sup> But Mark speaks of a regular pardon linked to a Jewish feast, and this is something quite different from a caprice on the part of the “emperor of his province” (to use Petronius’ term for the Roman proconsul).<sup>120</sup> In the present state of our knowledge, the episode of Barabbas is the only part of the procedure envisaged by Mark which cannot be fitted into the framework of the imperial institutions.

Pilate grants the double demand of the crowd: he releases Barabbas, who was guilty of insurrection, and delivers Jesus to be crucified.

In keeping with the accusation by the Sanhedrin, Jesus was condemned as a false Messiah: the inscription at the head of his cross, which indicated the reason for his condemnation, contained the words: “the king of the Jews” (15:26).

## VIII

We have studied the account of Mark as it stands, *ad litteram*, and this has required us to elaborate the brief indications which the author gives and to fill in the gaps in his juridical information. This method is perfectly legitimate. Mark is writing for subjects of the Caesars, for people who have often bent their backs before the Roman tribunal, and for Christians who are much less interested in the juridical formalities than in the truth of the Good News. If we misunderstand the character

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<sup>118</sup> Here, I need only quote a Catholic exegete: “the appearance of the crowd – once again a completely sudden event – overcomes the dead point in the trial”: K. Kastner, *Jesus vor Pilatus*, 1912, p. 26.

<sup>119</sup> Pliny, Letter *ad Traj.* 31 and 32; Mitteis, *Chrestomathie*, 80, line 61; H. Grégoire in *Anatolian Studies presented to W.M. Ramsay*, 1924, p. 164 (a Byzantine edict issued ca. 441).

<sup>120</sup> Petronius, *Satyricon* 111.5: *imperator provinciae*. We shall return at the close of this study to the question of the episode of Barabbas.



of the Markan narrative by treating it more or less as the minutes of a trial, we risk serious misinterpretations. Let me give one example.

Mark tells us that as soon as Jesus appears before Pilate, the procurator asks him if he is the king of the Jews (15:2). This disturbs the exegetes, who do not see why Pilate – who as yet knows nothing – “should confront Jesus with the accusation that will lead to his death.” The critics add: “The system of Roman justice worked in a much more formal manner.”<sup>121</sup> Another scholar presents the following subtle reasoning on the subject of Pilate’s question: “The fact that it is put before the Jews have the chance to inform Pilate about the trial which is now being submitted to his judgment, is a trace of a tradition according to which this was a purely Roman affair: it was on the initiative of the procurator himself that Jesus appeared before him.”<sup>122</sup>

There is no basis to any of these objections to the probability of the narrative. According to the rules of the Roman bureaucracy, Jesus could not be handed over by the Sanhedrin to the procurator’s office without the necessary information about the results of the preliminary investigation.<sup>123</sup> And this is how Pilate learned the contents of the accusation. Mark describes this procedure clearly enough to his readers when he says (15:1) that Jesus was “handed over” to Pilate. The narrative does not dwell on details that are irrelevant to the events which follow, such as the presentation of the defendant at the *officium* of the procurator, or the preliminary questions about the identity of the accused, who was first required to give his name and his rank; Mark begins with the principal question, as do many other accounts of trials (e.g. the Acts of Justin, the passion of the Scillitan martyrs, etc). If one prefers pagan testimony here, it suffices to read an extract from the official minutes of a trial from the year 136 which have been found in Egypt. Here we find the very same way of beginning the narrative, without indicating the formal opening actions of the meeting, which so shocks the susceptibilities of the exegetes of Mark: “Extract from the commentaries of the *stratēgos* N.N. After A.B.C. was introduced, the *stratēgos* [said] to Haronnesis: ‘What do you have to say about this matter?’”<sup>124</sup>

<sup>121</sup> C. Guignebert, *Jésus*, p. 570. Cf. A. Loisy, *Les Évangiles synoptiques* II, 1908, p. 635.

<sup>122</sup> M. Goguel, *Vie de Jésus*, 1932, p. 499.

<sup>123</sup> It suffices here to refer to E. Le Blant, *Mém. Ac. Inscr.* 30,2.211ff.

<sup>124</sup> P. Oslo II, 17: ἐξ ὑπομνηματισμῶν Θεάνοος. Date. Προσελθόντων Νααρῶτος κ.τ.λ. ὁ στρ(ατηγός) Ἀροννήσει· τί περὶ τούτων ἔλεγε;

A correct interpretation of Mark's narrative delivers us not only from a poorly informed erudition which can play unpleasant tricks on us, but also from the two greatest difficulties which have challenged every explanation of the trial of Jesus since the birth of critical scholarship. The first is the question how the simple fact that Jesus claimed the title of Messiah could appear blasphemous in the eyes of the Sanhedrin. This question does not in fact arise, because the notion of "blasphemy" has been introduced into the Markan account only by a lexicological misunderstanding on the part of the exegetes. The second difficulty is the "stacking" of two judgments and two scenes in which Jesus is condemned: both before Caiaphas and before Pilate. This doublet has rightly troubled the commentators. But in fact it is only the procurator who pronounces judgment, since the Sanhedrin does not pass any sentence. It establishes that Jesus has committed a crime deserving death, and ends its responsibility for the matter by handing over the defendant to the Roman tribunal, as was customary in the provincial jurisdiction.<sup>125</sup>

A poorly informed criticism has put forward many objections, most of them rash; but we can affirm that the legal framework of Mark's account is in accord with what we believe we know about the judicial organization of the provinces under the Caesars. We can adduce indubitable parallels to each juridical element mentioned or presupposed in this narrative, with the exception of the episode of Barabbas.

The sequence of events may well have been such as Mark describes it, but was it so in reality? It seems that Luke and John had their doubts: at any rate, in their narratives of the trial of Jesus, they both modified Mark's order of events.

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<sup>125</sup> This is why formal errors which scholars rightly or wrongly detect in the procedure of the Sanhedrin do not call into question the validity of the decision taken by this assembly: in this instance, it was not sitting as a court of law to pronounce sentence, but was deliberating the question whether a man had committed a crime deserving the death penalty and should be handed over to the Roman tribunal. This means that the Jewish regulations governing criminal trials were not applicable to this particular meeting of the Sanhedrin.

2. *Luke's narrative*

In his passion narrative, Luke follows Mark's account fairly closely, but as an historian, he supplements the information drawn from the second Gospel with other testimonies, and he corrects the data in his sources in order to see the sequence of events more clearly and to make it more comprehensible to the Greek readers of his work.<sup>126</sup> For example, in Mark, the messianic entry of Jesus has no consequences for his story of the passion. Luke understands it differently, and has the Pharisees rebuke Jesus in this context (Lk. 19:39). We shall note the changes introduced by Luke and attempt to understand the picture he gives of the procedure that led Jesus to Golgotha.

## I

According to Luke, it is Jesus' preaching in the temple that kindles the animosity of the leaders of the nation against the Master. But they did not know how to destroy him: "all the people hung upon his words" (19:48), and "they feared the people" (22:2). At this point, Judas offered his services to betray Jesus "in the absence of the multitude" (22:6). After the supper on the day of Passover, Jesus went out to the Mount of Olives "as was his custom" (22:39), and "there came a crowd, and the man called Judas, one of the twelve, was leading them" (22:47). Jesus was arrested and taken to the house of the high priest. In the morning, "the assembly of the elders" gathered. Immediately, the messianic question was put in explicit terms: "If you are the Christ, tell us." Jesus, who avoided proclaiming himself the Anointed one of the Lord, acknowledged that he was "the Son of God" (22:67ff.). "And they said, 'What further testimony do we need? We have heard it ourselves from his own lips.' Then the whole company of them arose, and brought him before Pilate" (22:71–23:1), where they denounced him as a revolutionary who had been caught *in flagrante delicto* (23:3).

How are we to understand this procedure, which deliberately deviates from the sequence of events described in Mark? The central episode of Mark's account, the judgment of the Sanhedrin about Jesus' guilt, is missing in Luke. The leaders of the nation do not interrogate witnesses,

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<sup>126</sup> Cf. Meyer, *Ursprung* I, pp. 1ff.

and it is they themselves who act as witnesses against Jesus before the Roman tribunal.

It is indeed true that Luke retains Jesus' appearance before the Jewish council; this is one sign of his dependence on the second Gospel. Like all Greek historians, Luke never hesitates to arrange the data in his sources according to his own personal ideas; but he never finds it easy to jettison completely an incoherent tradition. For example, Mark speaks of a plot against Jesus while he is still in Galilee (Mk. 3:6), but this has no consequences in the rest of the second Gospel. Luke does not simply drop this information in his source, but he portrays the enemies of the Master as hesitant: they simply discuss what they could do to Jesus (Lk. 6:11).<sup>127</sup> In the same way, Luke borrows from Mark the episode of the meeting of the Sanhedrin, but he deprives it of all legal significance. No witnesses are heard, and the answer made by Jesus is not the answer of a defendant. Jesus is even ready to start a theological discussion (Lk. 22:68). The members of the Sanhedrin interrogate him about his claim to the role of Messiah in the same way as they had earlier asked him about his mission (Lk. 20:1) and then about the taxes due to Caesar (20:20), seeking to obtain a response that would compromise Jesus. After hearing his messianic admission, they immediately bring the accused man to the Roman tribunal. Here, the role of the Sanhedrin is the same as that of the Jews and their magistrates at Corinth, where they bring Paul before the proconsul Gallio (Acts 18:12). At Iconium, according to the apocryphal Acts of Paul,<sup>128</sup> Thamyras, the jealous fiancé of the beautiful Thecla, and the magistrates of the city go to the house where the apostle is staying, accompanied by municipal slaves and by a numerous crowd armed with clubs. Paul is seized and taken before the Roman tribunal, accused of sorcery. Other parallels to the intervention of the Sanhedrin, as described by Luke, can be found in the Acts of the Martyrs.<sup>129</sup>

Let us note a point of reference here. According to Luke, the Sanhedrin is not the first legal body to get involved in the matter (as in Mark's presentation). It immediately hands over Jesus to the Roman tribunal.

<sup>127</sup> Cf. M.J. Lagrange, *L'Évangile selon saint Luc*, 1941, *ad loc.*

<sup>128</sup> Acts of Paul and Thecla 18. This work was written by a "presbyter" in the second half of the second century. Cf. E. Hennecke, *Neutestamentliche Apokryphen*, 1924, p. 196.

<sup>129</sup> E.g. *Passio S. Symphoriani*; *Passio S. Basilii Ancyran* (in T. Ruinart, *Acta martyrum*).

This change is not fortuitous. Luke returns several times to the trial of Jesus in the Acts of the Apostles, the second Book of his historical work, and blames the Jews for the death of the Savior:<sup>130</sup> "...Jesus, whom you delivered up and denied in the presence of Pilate, when he had decided to release him" (Acts 3:13; 4:27; 7:52). However, Luke never mentions a condemnation pronounced by the Jews. Besides this, in his Gospel, he borrows from Mark Jesus' predictions of his passion. As long as Mark has Jesus announce that he will be rejected by his people, Luke remains in agreement with his source (Mk. 8:31 = Lk. 9:22 = Matt. 16:21; Mk. 9:31 = Lk. 9:44 = Matt. 17:22; cf. Lk. 17:25). But when the Markan Jesus proclaims that "the Son of Man will be delivered to the chief priests and the scribes, and they will condemn him to death, and deliver him to the Gentiles..." (Mk. 10:33 = Matt. 20:18), Luke (18:31f.) omits the first words of this prophecy: "Everything that is written of the Son of Man by the prophets will be accomplished. For he will be delivered to the Gentiles..."

Luke intentionally changes the character of the procedure before the Jewish authorities. What is his reason for doing so? Let us begin by noticing a small but significant fact. Mark has two meetings of the Sanhedrin, in the night and once again in the morning, but Luke retains only the second meeting. His knowledge of the regulations of the assembly (Acts 4:3) probably led him to find the story of the first meeting improbable. In the Acts of the Apostles, we see the Sanhedrin exercising full jurisdiction and judging on its own.<sup>131</sup> The Jews stone the blasphemer Stephen (Acts 7:58) and authorize the persecution of the Christians (8:1) without any involvement on the part of the Romans. This means that Luke cannot have found it easy to understand why Jesus was handed over to Pilate by the Jews.

According to Acts, the Jewish authorities freely exercise their religious jurisdiction in Palestine and even in the diaspora. When the Jews rise up against Paul on the pretext that he is stirring up the people "to worship God contrary to the law" (18:13), the proconsul Gallio dismisses the accusers and refuses completely to be a judge in controversies of this kind. But the magistrates of the city of Thessalonica intervene when the Jews bring forward political accusations against Paul and Silas: "They are all acting against the decrees of Caesar, saying that there

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<sup>130</sup> Cf. M. Goguel, *RHR*, 1910, pp. 170ff.

<sup>131</sup> Cf. Juster, II, p. 139.

is another king, Jesus” (17:7). Again, Paul is accused of the crime of sedition (and of the profanation of the temple) when he is brought before the procurator Felix (24:5),<sup>132</sup> but he and the other apostles are led before the Sanhedrin only because of their religious doctrine.

In Acts, therefore, Luke makes a distinction between the exclusive competence of the Jewish tribunals in religious matters, and the jurisdiction in public law which was exercised by the Gentile powers. In the Gospel, he insists on the exclusively political character of the accusations which are brought against Jesus before Pilate. The members of the Sanhedrin say: “We found this man perverting our nation, forbidding<sup>133</sup> us to give tribute to Caesar, and saying that he himself is Christ a king” (Lk. 23:2). They insist: “He stirs up the people, teaching throughout all Judea, from Galilee even to this place” (23:5). Pilate declares: “You brought me this man as one who was perverting the people” (23:14). It is very significant that Marcion, who was incapable of appreciating this attitude on the part of the leaders of the Jewish nation, introduced even more accusations of a confessional nature into the text of the Gospel: Jesus is charged with destroying the law of Moses and leading astray the women and children.

If Jesus is accused of a crime against the state, the Sanhedrin has nothing to discuss in this matter. Thus, the suppression of the vote by the Jewish council and of the circumstances concerning this vote corresponds in the third Gospel to the terms of the Jewish denunciation in this narrative. It is highly unlikely that this agreement is fortuitous; rather, we are inclined to think that Luke has deliberately reworked Mark’s account in keeping with his own ideas about the Jewish and Roman jurisdictions. We know these ideas from the narratives in Acts, and the sequence of events in the passion story of the third Gospel is in perfect accord with them.

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<sup>132</sup> On the trial of Paul, cf. the instructive note by R. Taubenschlag in *Bulletin de l’Académie Polonaise*, 1919–1920, p. 55. Cf. A. von Premerstein, *Zeitschrift der Savigny-Stiftung, Roman. Abt.*, 1928, pp. 462ff. The article on this subject in K. Lake and F. Jackson, *The Beginnings of Christianity* IV, contributes nothing new.

<sup>133</sup> I believe that καὶ has an explanatory sense here. Διαστρέφειν (“to turn in a crooked direction”) is found in the sense of political propaganda in Polybius, 5.41,1 (ἀφίστασθαι καὶ διαστρέφειν ἐνεχείρησαν τὰς ἄνω σατραπείας), and in the Septuagint (3 Kg. 18:17; cf. Ex. 5:4).

## II

According to Luke, the judicial proceedings begin with the accusation presented by the Jews against Jesus before Pilate (Lk. 23:2). The procurator refuses to accept this complaint, but when the Jews insist, Pilate sends the matter to Herod Antipas (23:7).

In the unanimous view of the critics, the episode of Herod is a pure invention. Most scholars hold that it was suggested by Ps. 2:1 (cf. Acts 4:26): "The kings of the earth set themselves, and the rulers take counsel together, against the Lord and his anointed."<sup>134</sup> Others suppose that Luke's text depends here, as elsewhere, on a written document which is inauthentic.<sup>135</sup> Our task is to discover the place of this episode in the structure of the judicial proceedings, for it is difficult to accept that the author of the third Gospel, this cultured Greek who corrects the sources on which he draws for information when their data might astonish the reader, should have offered "His Excellency Theophilus" a scene "whose improbability cries aloud."<sup>136</sup>

Ancient commentators<sup>137</sup> explained this sending of Jesus to Herod by the well known rule of Roman law<sup>138</sup> whereby the defendant must (or least can) be sent to the competent magistrate of his place of residence. Here, the *forum domicilii* has the advantage over the *forum delicti commissi*. "Conservative" exegetes are fond of brushing the dust off this explanation, and they even adduce an analogous case: in 67, at Tarichaeae, Vespasian granted to Herod Agrippa the Galilean subjects of this prince, who had been guilty of sedition in the Jewish revolt against the Romans.<sup>139</sup>

This explanation may be perfectly acceptable in Theophylact, but it is astonishing to find it in the works of modern commentators – who ought to have a better knowledge of the institutions in the early Roman empire than an eleventh-century patriarch.

To begin with, Luke himself specifies that Jesus was not a subject of Herod. He was born at Bethlehem and belonged to the house of David: legally speaking, he was a Jew, not a Galilean.<sup>140</sup> We might per-

<sup>134</sup> Finegan, *op. cit.*, p. 27.

<sup>135</sup> Loisy, *Les Évangiles synoptiques* II, p. 639.

<sup>136</sup> M. Goguel, *Vie de Jésus*, p. 499 n. 3.

<sup>137</sup> Theophylact, *ad Lk 23:6* (PG 123, 1093).

<sup>138</sup> *Dig.* 1.18,3; 48.3,11; cf. 2.22; Mommsen, *Droit pénal* I, p. 274; II, p. 23.

<sup>139</sup> Josephus, *Bell. Jud.* 3.541.

<sup>140</sup> This was pointed out as long ago as 1677, by W. Gocius, *Pilatus iudex*, p. 44.

haps think that Luke had forgotten the beginning of his own Gospel; but the contrary is true. When he introduces the person of Herod in this little episode, Luke himself insists on the fact that he was a guest in Jerusalem (Lk. 23:7). And how could he, as tetrarch of Galilee, exercise jurisdiction in Roman territory? Finally, Herod sends Jesus back to Pilate (23:11), and this is not in keeping with the theory of the *forum domicilii*. Accordingly, while I agree completely with the ancient and the modern theologians that Roman law attached great significance to a person's place of birth, I am far from convinced that this Roman tendency can explain anything about the episode of Herod in Luke's passion narrative.

If we are to explain this satisfactorily, we must recall that when a complaint was presented to a governor, he could either investigate the matter in person or entrust to a third person of his own choice the task of evaluating the request and pronouncing judgment.<sup>141</sup> This transfer of judicial competence, expressed in Latin by the verb *remittere*, was indicated in Greek by the technical term ἀναπέμπειν,<sup>142</sup> and this is the precise word which Luke employs when he writes that the matter was referred to Herod (Lk. 23:7, 11, 15). Let us suppose that the evangelist pictures Herod here as the judge delegated by Pilate. Does this provide a good explanation of the course of events?

Initially, the governor is in charge of the organizational question: it is he who must decide whether the complaint is admissible in court.<sup>143</sup> Luke's account begins with this preliminary investigation. The Jews accuse Jesus; Pilate finds nothing criminal in the man (23:4), but the Jews insist, saying that Jesus has been stirring up agitation throughout Judea, and even in Galilee. "Pilate asked whether the man was a Galilean" (23:6). He must have known the birthplace of Jesus from the beginning of his interrogation of the accused man, but now he is informed that Jesus is *de Herodis potestate*. Luke has earlier related that Jesus was warned of Herod's hostility and left Galilee for Jerusalem

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In any case, what *domicilium* could an itinerant preacher have, other than his place of origin (*origo*)? When the procurator Festus wishes to know from which province Paul comes, he is told that the apostle (born at Tarsus) is from Cilicia; the capital of that province was Tarsus (cf. Acts 23:24). — Cf. *Dig* 48.3.7.

<sup>141</sup> Cf. Mommsen, *Droit pénal* I, p. 289; M. Wlassak, "Der Judikationsbefehl im römischen Prozesse," *Sitz. Ber. Wiener Akademie* 187/4, 1921.

<sup>142</sup> On ἀναπέμπειν, cf. e.g. L. Mitteis, *Chrestomathie*, 85. For *remittere*, cf. e.g. Tacitus, *Ann.* 3.10.

<sup>143</sup> Cf. e.g. Mitteis, *op. cit.*, 372 c. 1.



(13:31); and 23:8 refers the reader back to 9:9. Herod could have asked for the extradition of Jesus,<sup>144</sup> but Pilate very courteously sends him to Herod on his own initiative (23:7).

When he hears the full extent of Jesus' seditious propaganda, Pilate finally accepts the complaint of the Jews and entrusts Herod with the examination of the charges brought against the preacher. This is the first phase of the proceedings. If after a first hasty examination the magistrate finds the matter serious, he names the delegate judge before whom the parties are to bring their evidence: in a parallel case, the prefect of Egypt tells the litigant, "I give you the judge."<sup>145</sup> In the Greek legal vocabulary, the examination of the case was called *ἀνάκρισις*.<sup>146</sup> This noun can denote any kind of examination (e.g. at Acts 17:11), but Luke likes to employ it in its technical meaning of interrogation (Acts 4:9; 12:19; 24:8),<sup>147</sup> and he uses it in Acts precisely for the first phase of the Roman *cognitio* (Acts 25:26; 28:18).<sup>148</sup> In the Gospel (Lk. 23:14), Pilate employs the same technical term to characterize his own action, before he sends Jesus to Herod. Unless I am much mistaken, this confirms my analysis of the legal proceedings.

The matter was passed on to Herod (23:8). Jesus and his accusers, "the chief priests and scribes," appear before the prince. But since Jesus did not answer any of Herod's questions,<sup>149</sup> he was unable to form any clear impression of the defendant, and sent him back to Pilate. We find a similar coming and going in the Egyptian papyri. For example, we see a prefect delegating the *stratēgos* of the district to which the defendant belongs, so that he may settle the matter; but after both parties have stated their case, the *stratēgos* declares that the religious question has not been clarified, and sends the parties back to the prefect.<sup>150</sup> In another text,<sup>151</sup> it is the *epistratēgos* who sends the *stratēgos*, but the latter decides:

<sup>144</sup> Mommsen, *Droit pénal* II, p. 23.

<sup>145</sup> Mitteis, *Chrestomathie*, 372 line 3.

<sup>146</sup> Cf. e.g. G. Semela, *Ptolemäisches Prozessrecht*, 1913, p. 41.

<sup>147</sup> Cf. also e.g. O. Guéraud, *Enteuxeis* nr. 28, 5; Michel, 1340; Josephus, *Ant.* 17.131; 15.173; 8.30.

<sup>148</sup> Cf. *Dig.* 48.3,6; *SIG*, 3rd edn. 780, 25; Apostolic Constitutions 2.52.

<sup>149</sup> Herod mocks Jesus (23:11) by having him clothed in a festal garment: ἐσθήτα λαμπράν (for this expression, cf. *Inscr. graec. rom.* IV 1756). According to the ancient commentators, this was the *vestis purpurea* (K. Kastner, *Jesus vor Pilatus*, p. 75).

<sup>150</sup> B.P. Grenfell and A.S. Hunt, *The Oxyrhynchus Papyri* II, 1898, 237 c. 6, 32ff.

<sup>151</sup> L. Mitteis, *Chrestomathie*, 121. Cf. *Papiri Societ. Italiana* X, 1160. On the "limited delegation" of the prefect of Egypt, cf. M. Humbert, *Aspects de l'empire romain* (Travaux

“The declarations of the parties have been registered. I send on the matter (ἀναπέμπω [οὖν τὸ π]ράγμα) to His Excellency the *epistratēgos*.”

Considered as one phase of the provincial procedure, there is nothing abnormal about the episode of Herod. It was quite in order for the governor to delegate the decision of a matter to the head of the district to which the defendant belonged.<sup>152</sup> And I see no problem about admitting that the delegation of judgment by the governor to a prince who was an imperial vassal, in a case where the accused man belonged to the country of this prince, would certainly have appeared as an act of deference towards Herod. After all, Luke tells us: “Herod and Pilate became friends with each other that very day” (23:12).

### III

The case of Jesus is now sent back to Pilate, and the procurator summons the Jews, both the accusers and the people (23:13). The parties had to wait until they were summoned,<sup>153</sup> and sometimes the people too were called to witness a judgment.<sup>154</sup> Pilate explains to the Jews that he has found “nothing deserving death” in Jesus, and proposes to have him beaten (23:16).

Luke employs a similar structure in his second book. Festus, another Roman governor of Judea, must make a decision in the case of Paul, but he does not understand anything of the accusation, since this refers to grievances concerning the Jewish religion (Acts 25:19, 26). When Herod Agrippa II arrives in Caesarea, the Roman takes the opportunity to “pass on” (*anetheto*) the case to the Jewish prince (25:14), and Paul is interrogated by Agrippa. This is a public audience in the presence of his officers, the leading men of Caesarea, and Queen Berenice, who “sit together” with Agrippa (26:30).<sup>155</sup> After the interrogation, Agrippa and the counselors who have sat with him rise and withdraw for a private

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et recherches de la Faculté de droit... de Paris, série Sciences historiques 1), 1964, pp. 112ff.

<sup>152</sup> E.g. Mitteis, *Chrestomathie*, 79; 86; Wilcken, *Chrestomathie*, 393; T. Mommsen, *Gesammelte Schriften* I, p. 452 n. 1.

<sup>153</sup> P. Meyer, *Juristische Papyri*, 1920, p. 85.

<sup>154</sup> Cf. E. Le Blant in *Mém. Ac. Inscr.* XXX 2.108.

<sup>155</sup> For the term οἱ συγκαθήμενοι, the presence of Berenice, and the court session in general, cf. *Acta Isidori* in H. Musurillo, *Acta Alexandrinorum = Corpus Papyr. Iudaic.* II, p. 156.

discussion. Agrippa then communicates to Festus the verdict, which exonerates the apostle of the Gentiles (26:32). As Luke says (25:26), this is an *anakrisis*.<sup>156</sup>

We return to the trial of Jesus. The Jews “were urgent, demanding with loud cries that he should be crucified.” Pilate addressed the people three times, trying to calm them, but “their voices prevailed. So Pilate gave sentence that their demand should be granted” (23:23f.).

Critical scholarship has got to work on this passage, declaring it inconceivable and impossible that a Roman magistrate should display such weakness vis-à-vis the crowd. A Catholic exegete assures us: “It is scarcely imaginable – without further explanation – that a Roman officer who had the appropriate military power at his disposal should allow the crowd, who were subject to him, to dictate whom he should release.”<sup>157</sup> Unfortunately for Kastner, this idea of a harsh Roman magistrate who sends out his legions “at the drop of a hat” whenever anyone dares to murmur against him is merely a legend of scholarship. The imperial government *was* rather weak.<sup>158</sup>

The judge sat in public, and his tribunal was surrounded by the crowd, which intervened in the trial and not seldom secured the decision it demanded.<sup>159</sup> When Thecla is condemned to be thrown to the beasts at Antioch, the people cry: “A bad sentence, an impious sentence!”<sup>160</sup> But when Paul is led before the tribunal at Iconium, the crowd shout violently: “Kill him!”<sup>161</sup> When the people cry “without a break, and with one single voice,” they succeed in obtaining the release of the apostle Peter.<sup>162</sup> Out of fear of the crowd, the governor promises to set the apostle Andrew free.<sup>163</sup> Then we have the case of Saint Epipodius. When he is led before the tribunal, the crowd demands that the accused be handed over to them, that he be stoned, and that he be torn apart. The governor “feared that the pressure exerted by the people might increase and that his authority as judge would be diminished by their

<sup>156</sup> Cf. section 2/II of this essay, above.

<sup>157</sup> K. Kastner, *Jesus vor Pilatus*, 1912, p. 68.

<sup>158</sup> It suffices here to read Philo, *In Flaccum* 17 (II, 538 Mangey), or the political discourses of Dio Chrysostom.

<sup>159</sup> L. Vouaux, *Les Actes de Pierre*, 1922, p. 453, cites a number of significant passages.

<sup>160</sup> Acts of Paul and Thecla 27 (in *Acta apostol. apocr.* I).

<sup>161</sup> Acts of Paul and Thecla 20.

<sup>162</sup> Martyrdom of Peter 30 (in *Acta apostol. apocr.* I); cf. Josephus, *Bell. Jud.* 2.4.

<sup>163</sup> Passion of Andrew 13 (in *Acta apostol. apocr.* II, 1.29): δεδοικώς μή τι δεινόν πάθη, ἀναστὰς ἀπὸ τοῦ βήματος, συναπήει αὐτοῖς ὑποσχόμενος ἀπολύειν... Ἄνδρέαν.

sedition.” He yielded “to the fury of the mob” and ordered that the martyr be beheaded on the spot “in order to remove any reason for trouble.”<sup>164</sup> When Tertullian praises Septimius Severus “who openly resisted the popular fury against the Christians,”<sup>165</sup> this is surely an indication that not everyone possessed such civil courage.

As a matter of fact, the legal scholars too envisaged the possibility that a judge might yield to the cries of the crowd. Ulpian declares that it is possible to appeal against such a sentence (*Dig.* 49.1,12). Modestinus (*Dig.* 48.8,16) recommends that the judge follow a specific procedure in cases involving the death sentence, but he envisages an exception “if it is not possible to calm the tumult in any other way.” Diocletian admonishes the judges: *vanae voces populi non sunt audiendae: nec enim vocibus eorum credi oportet, quando aut obnoxium crimine absolvi aut innocentem condemnari desideraverint* (*Cod. Just.* 9.47,12).<sup>166</sup>

According to Luke, it was these *vanae voces populi* that led the Savior to Golgotha<sup>167</sup> and restored liberty to Barabbas, “who had been thrown into prison for insurrection and murder” (Lk. 23:25).

None of those who have studied Luke’s work will be surprised to learn that no particular difficulties are raised by the account of Jesus’ trial in the third Gospel. Saint Jerome says of Luke: *melius arbitratus est tacere quam id ponere quod legenti faceret quaestionem* (*Ep.* 20.4). As an astute historian and a skillful writer, he avoids the obscurities which Mark’s narrative presents. For example, he mentions the incident of Barabbas only in passing. He makes it clear why the Jews brought Jesus before Pilate, instead of stoning him in accordance with their own law. While he is dependent on Mark for his facts, he takes considerable editorial liberties and makes noticeable changes to the sequence of the court proceedings in his source. Thus, we have two accounts of the trial of

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<sup>164</sup> *Passio S. Epipodii et Alexandri* 6 (in Ruinart, *Acta martyrum*): *tunc subito populi terribilis clamor factus est, petentis ut sibi detur, obrueretur imbre saxorum, aut membratim divius saevientium insania carperetur... metuens autem praeses ne magis vim inferrent, et per seditionem potestas ac iudicii reverentia turbaretur... causamque commotionis exstinguens, eductum extra tribunal gladio raptim ferri jubet.*

<sup>165</sup> Tertullian, *Ad Scapul.* 4; cf. Josephus, *Bell. Jud.* 3.410.

<sup>166</sup> Under the Christian empire, the cries of the crowd during a judicial session were to be reported to the emperor (*C. Th.* 1.16,6,1). Saint Basil imagines that on the day of judgment, God himself will take account of the cries of those whom a rich person had helped here on earth. L. Robert, *Hellenica* 9–10 (1960), p. 570. Cf. Chrysostom, *Hom.* 3.7 (PG 48, 726).

<sup>167</sup> Augustine, *De cons. ev.* 3.13,42: *magis fuisse domini necatricem linguam Iudaeorum quam militum manus.*

Jesus, one by Mark and the other by Luke, which present the same events in a different sequence – and both are equally probable.

### 3. *John's narrative*

Jesus was rejected by his people because they had totally failed to understand him. In the fourth Gospel, this idea from the synoptic tradition becomes the decisive explanation of the conflict between Jesus and the Jews. In their blindness, they do not see Christ the light; deaf to all the prophecies, they misunderstand the word of Jesus. This voluntary hardening of the heart on the part of Judaism in relation to the “good news” helps us grasp the ambiguous role of the Jews in the drama of the earthly life of the Son of God. His people regarded the Savior of the world as one of those preachers who “under the pretext of divine inspiration”<sup>168</sup> stirred up the crowds in the final period of the temple, announcing the coming revolution. Like Simon Magus, they tended to boast that they possessed a divine power. The Jews were willing to acclaim Jesus the messianic liberator – but they put to death the Word incarnate.<sup>169</sup>

## I

Since the Jews did not understand the work which Jesus accomplished, they begged the wonder-worker to take on the role of Messiah: “How long will you keep us in suspense? If you are the Christ, tell us plainly” (Jn. 10:24). But they were angered whenever Jesus spoke or acted as the Son. They sought to kill him because “he called God his own Father, making himself equal with God” (5:19). These are the two erroneous ideas held by this people, which will later contribute to the formulation of the accusation before Pilate: the Jews regard the Redeemer as a claim-

<sup>168</sup> Josephus, *Bell. Jud.* 2.258.

<sup>169</sup> Cf. A. Loisy, *Le Quatrième Évangile*, 1921, p. 43; Meyer, *Ursprung des Christentums* I, pp. 326ff. The Christian world understood very well this fundamental idea in the fourth Gospel. The Byzantine interpolations in Josephus are based on the idea that Josephus, since he was a Jew, could not understand the Savior otherwise than in terms of the political Messiah. I refer to the pertinent analysis of the passages (Josephus, *La Prise de Jérusalem*, ed. V. Istrin, 1934, p. 150) by my friend Hans Lewy in his review of the celebrated book by R. Eisler (*Deutsche Literatur-Zeitung*, 1930, p. 492). Cf. my essay “On the Old Russian Version of Flavius Josephus,” below.

ant to the throne of David, but they reject the idea of the incarnate Word, holding this to be utter blasphemy. Inspired by their false ideas, the “Jews,” i.e. the multitude, sometimes rise up against Jesus and try to stone him in their zeal.

However, it is not the crowd, but “the chief priests and the elders,” the representatives of the nation, who bring about Jesus’ death. They appear for the first time in the narrative when the people in Jerusalem are ready to recognize Jesus as the Messiah. They send officers to arrest him (7:32), but these return empty-handed on the following day (7:37): they were so fascinated by Jesus’ words that they failed to carry out their orders (7:46). For some time, the authorities now allow Jesus to preach undisturbed. The Pharisees debate with him (8:13; 9:13; 9:40), but the chief priests remain on the sidelines, and John does not mention them in these chapters. We are told at 9:22 that “the Jews had already agreed that if any one should confess him to be Christ, he was to be put out of the synagogue.” It is the resurrection of Lazarus, indubitable proof of the supernatural powers of Jesus, that will win the crowd to his side (11:40; 12:9 and 17); at the same time, it attracts the attention of the Jewish authorities to the worker of miracles. The Sanhedrin decides to destroy the man from Nazareth in order to prevent him from becoming the focus of a messianic uprising which would lead to war with Rome. “It is expedient that one man should die for the people, and that the whole nation should not perish” (11:50).

Let us pause at this point. I believe that the framework of the Johannine narrative up to now does not prompt any well founded or reasonable objection. We have a preacher and worker of miracles who tries to reform the people, a man who kindles both unlimited devotion and fierce hatred. Like Savonarola or Gandhi, his popularity shelters him from official persecution. For a long time, they do not dare touch him; but finally, once the government loses patience, the authorities decide to display their power and to liquidate the popular hero.

## II

At this moment, Jesus disappeared from Jerusalem and withdrew “to the country near the wilderness” (11:54). From now on, Jesus remained hidden. With the exception of Palm Sunday, he no longer appeared in public (11:54; cf. 12:36). He is arrested in a secret place of shelter, beyond the river Kidron (18.1).

Ancient readers, both pagan and Christian, who were familiar with the ways of the Roman administration understood perfectly the juridical significance of these brief passages. Celsus reproached Jesus “for letting himself be arrested in the most shameful manner, while he was in hiding and in flight,”<sup>170</sup> while Origen sees here the “type” to be followed by the faithful who flee before the persecutors,<sup>171</sup> and Cyprian (who went into hiding in the reign of Decius, while others boldly accepted martyrdom) justified his *secessio* by the example of Jesus: one should not expose oneself unnecessarily to persecution.<sup>172</sup>

Origen, an Alexandrian, calls this flight by Jesus ἀναχώρησις.<sup>173</sup> In the vocabulary of the papyri, this is the official and common name for evasions of this kind.<sup>174</sup> Many of those who had conflicts with the authorities in Roman Egypt escaped pursuit by fleeing, and very often they went into the desert. Under Decius, an Egyptian Christian named Paul fled the persecution and came to the solitary places in the Thebaid. He was the first hermit, and the life of the desert fathers (or “anchorites”) can be traced back to his enforced ἀναχώρησις.<sup>175</sup>

The flight provoked repressive measures on the part of the Roman administration, e.g. the “requisition” of one’s property<sup>176</sup> or the “proscription” which made one an outlaw (as may easily be discerned from the Greek term προγραφή).<sup>177</sup> A letter addressed to an Egyptian who has failed to appear in court summons him to appear before the

<sup>170</sup> Origen, *Contra Celsum* 2.9: πῶς δ’ ἐμέλλομεν τοῦτον νομίζειν θεόν, ὅς... ἐπειδὴ ἡμεῖς (Ἰουδαῖοι) ἐλέγξαντες αὐτὸν καὶ καταγόντες ἡξιούμεν κολάζεσθαι, κρυπτόμενος μὲν καὶ διαδιδράσκων ἐπονειδιστότατα ἐάλω, ὑπ’ αὐτῶν δὲ ὧν ὠνόμαζε μαθητῶν προῦδόθη.

<sup>171</sup> Origen, *ad Jn* 11:54. Cf. Augustine, *In Joh.* 49.28 (PL 35, 1758).

<sup>172</sup> Cyprian, *De lapsis* 10: *Dominus in persecutione secedere et fugere mandavit atque ut id fieret et docuit et fecit.*

<sup>173</sup> Origen, *ad Jn* 11:54, τοὺς τόπους τῆς ἀναχώρησεως αὐτοῦ... διὰ τῶν τοιούτων διδάσκει ἡμᾶς ἐν διωγμοῖς καὶ ταῖς καθ’ ἡμῶν ἐπιβουλαῖς ἀναχωρεῖν.

<sup>174</sup> On the *anachōrēsis*, cf. U. Wilcken, *Grundzüge*, 1912, p. 324; M. Rostovzeff, *Gesellschaft und Wirtschaft zur Kaiserzeit*, 1930, s.v.; V. Martin, in *Papyri und Altertumswissenschaft* (Münchener Beiträge zur Papyrusforschung 19), 1934, pp. 248ff.

<sup>175</sup> Jerome, *Vita Pauli* (PL 23, 20). I prescind here from the question of the historicity of Jerome’s “novel”: cf. H. Delehaye, *Anal. Bolland.*, 1926, p. 64.

<sup>176</sup> Cf. Mommsen, *Droit pénal* I, p. 381, which discusses only the “requisition” of the property of those who refused to appear before the tribunal.

<sup>177</sup> The verb προγράφειν is employed in this sense as early as 69, in the edict of Tiberius Julius Alexander (*OGIS* II, 669, II, 22). The noun προγραφή is found in Wilcken, *Chrestomathe*, 19, 8; *ibid.*, 1, 19: Ζήτησις. Cf. A. Roos, *Papyri Groningenses.*, 1, and Wilcken, *Archiv f. Papyrusforschung* 19, p. 143.

*epistratēgos*, who was on the point of declaring him an outlaw.<sup>178</sup> Those who went missing – whether they failed to turn up in court, or were debtors fleeing from the fiscal authorities, or had left their place of residence or their birthplace in an irregular manner – were recorded in the registers of those who were wanted. We read in the Digests: *absens requirendus adnotatus est, ut copiam sui praestet*.<sup>179</sup> In a list of those from whom contributions were expected, drawn up under Tiberius, we find the word “wanted” beside one of the names.<sup>180</sup> Another papyrus from 154 mentions those who have been “outlawed” by the *stratēgoi* of the districts “for all kinds of reasons.”<sup>181</sup> Similarly, two men who were suspected of having cut down a vine and fled when they were summoned by the *stratēgos* were “outlawed” in 136.<sup>182</sup>

The system of “requisition” was applied to those suspected of Christianity, when they tried to escape state control by leaving their homes. Celsus tells the Christians: “If there is anyone among you who is forced to hide and wanders from one place to another, they pursue him in order to put him to death.”<sup>183</sup> Cyprian classifies the wandering life of these outlaws as the second degree of martyrdom.<sup>184</sup> The entire population was invited, and indeed actively encouraged, to denounce the hiding place of these “registered persons.”<sup>185</sup> Paul the hermit sought solitude because his brother-in-law, in whose house he was hiding, was on the point of handing him over to the authorities.<sup>186</sup> A denunciation of this kind is preserved in one of the Paris papyri:<sup>187</sup> “I denounce Sarapas, the son of Heracleides, whose mother is Diodora, because he is in the town. This is why I submit this document, in order that he may be pursued.” How did the author of this text, a cobbler in the village

<sup>178</sup> Grenfell, Hunt, and Smyly, *The Tebtunis Papyri* II, 401: οἷός τε ἦν καὶ προγράψαι, εἰ μὴ ἐπηγγελιάμην σήμερόν σε παρέσασθαι.

<sup>179</sup> *Dig* 48,17,1,1. Cf. *ibid.* 3,6,1; 49.14,1,3; and *Cod. Just.* 12.2,6.

<sup>180</sup> A.C. Johnson and H.B. von Hoesen, *Papyri in the Princeton University Collections*, 9 c. 3,19: ζητή(σιμος) (according to U. Wilcken, *Archiv f. Papyrusforschung* 10, p. 88).

<sup>181</sup> U. Wilcken, *Chrestomathie*, 19, 20: τοὺς ἐ[ξ] ἧς δήποτε αἰτίας ὑπὸ τῶν στρατη[γῶν] προγραφέντας.

<sup>182</sup> S. Eitrem and L. Amundsen, *Papyris Osloenses* II, 17, 10: [δι]ὰ τί ζητηθέντες ἐπὶ τῆς διαγνώσεως [τοῦ] πράγματος οὐκ ἐφάνητ[ε ἔ]ως προγράφητε;

<sup>183</sup> Origen, *Contra Celsum* 8.69.

<sup>184</sup> Cyprian, *De kaps.* 3; 10; *Ad Fort.* 12; *Ep.* 10.5; cf. Eusebius, *Hist. Eccl.* 6.42,2; 8.1,8.

<sup>185</sup> Cf. Athanasius, PG 35, 649; cf. Asterius, *Homily* 9 (*in Phocam*): ἐζητεῖτο δὲ πᾶς Χριστιανὸς ὡς κακοῦργος (PG 40, 305).

<sup>186</sup> Jerome, PL 23, 20.

<sup>187</sup> P. Collart, *Les Papyrus Bouriant*, 21: μηνύω Σαπαρῶν... εἶναι ἀνὰ πόλιν.



of Caranis, know that the authorities were looking for Sarapas? The answer is that the names of the “outlawed” were published everywhere. We have a copy of the declarations made under oath by the mayors of the Egyptian villages, in which they assure that no such “registered person” is in their districts.<sup>188</sup> Once his name was published, proscription made a “registered” Christian famous: Cyprian’s biographer writes of him, *proscriptionis gloriam consecutus est*.<sup>189</sup>

According to John, this was Jesus’ situation too. An order was issued for his arrest (Jn. 7:32). When the alleged delinquent refused to present himself to the magistrates, and escaped their clutches by leaving Jerusalem, his name was put on the register of the “wanted”: “The chief priests and the Pharisees had given orders that if any one knew where he was, he should let them know, so that they might arrest him” (11:57). Although this administrative measure seems not to have been noticed by commentators on John or historians who have studied the person of Jesus,<sup>190</sup> it makes it easier to understand a number of traits in the passion narrative of the fourth Gospel which at first sight seem strange.

John tells that when Jesus did not appear any more among the Jews, and he was declared an outlaw, people began to wonder whether or not he would come to Jerusalem for the imminent Passover feast (11:56). And Jesus did in fact take this risk. Six days before the feast, i.e. on Nisan 8, he reappeared in Bethany in the house of Lazarus whom he had raised from the dead. His arrival made a great impression on the crowd (12:9), and on the following day (Nisan 9, a Sunday) he made his messianic entry into Jerusalem (12:12). This time, the authorities were powerless in the face of popular enthusiasm (12:19). But that same day, Jesus “hid himself” once more (12:36).

The story resumes only on Nisan 13 (13:1), on the evening of the supper. Here, the devil enters into Judas and inspires him to hand over

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<sup>188</sup> *Papiri Societ. italiana* III, 229 and 232. Cf. *Dig.* 48.17,1,2; Tertullian, *De fuga* 13. Cf. *Dig.* 11.4,1,2. Cf. e.g. P. Rendel Harris 5 (62 C.E.); U. Wilcken, *Archiv. f. Papyrusforschung* 12, p. 235; E. Ziebarth, *Aegyptus* 13 (1933), p. 356.

<sup>189</sup> Pontius, *Vita Cypriani* 7.

<sup>190</sup> The juridical significance of this passage was not grasped by A.B. Walther, *Juristisch-historische Betrachtungen über das Leben und Sterben Jesu Christi*, 1757, on whom almost all the exegetes depend directly or indirectly for their observations on the legal aspects of the passion; nor by K. Kastner, *Jesus vor dem Hohen Rat*, 1930, who makes a compilation of all earlier scholarship and who quotes this verse (pp. 47 and 105); nor, as far as I know, by any of the commentators on John.

Jesus (13:3 and 27). He goes out to bring the denunciation to the chief priests. “And it was night” (13:31).

In the synoptic Gospels, the betrayal is preceded by negotiations between Judas and the Jewish authorities. The chief priests buy his help in order to be able to seize Jesus in secret, without thereby provoking a tumult among the people. In the fourth Gospel, the Iscariot can hand over the Master as soon as the devil inspires this idea in his heart.<sup>191</sup> In this book, the denunciation of Jesus is officially required.<sup>192</sup> All Judas has to do is to tell the Jews where the fugitive has gone. This too is how Polycarp, fleeing persecution, is handed over by his own servants – the new Judases, as the author of the passion of the bishop of Smyrna calls them.<sup>193</sup>

### III

After the supper, Jesus would be found in “a garden on the far side of the Kidron valley... So Judas, taking a band of soldiers and some officers from the chief priests and the Pharisees, went there with lanterns and torches and weapons” (Jn. 18:1ff.).

The exegetes discover a whole myriad of inextricable confusions in this brief text. In their curiosity, they wonder<sup>194</sup> what the lanterns were for, given that the moon was shining brightly – well, let us suppose that the clouds had covered the moon. Others<sup>195</sup> find it simply “impossible” that Judas should have become the leader of Roman troops. It is however perfectly natural that the informant should guide, and even direct, the police officers. Judas “takes” the cohort. Josephus employs exactly the same phrase when he speaks of an informant at Antioch: “having

<sup>191</sup> Cf. Loisy, *ad* Jn 18:1.

<sup>192</sup> Cf. *Cod. Just.* 9.40; *Cod. Theod.* 9.29; *Dig.* 47.16. As early as the time of Philo, the fiscal police tortured the relatives of fugitives who owed money, “to make them denounce the fugitive” (τὸν φυγόντα καταμηνύσωσι): Philo, *De spec. leg.* 2.236 (Mangey). Cf. Lumbroso, *Archiv f. Papyrusforschung* 4, p. 65. The servants of Polycarp were tortured for the same reason (cf. the following note). A relative of Saint Arcadius was thrown into prison because he refused to reveal the hiding place of the fugitive (*Passio S. Arcadii* 2, in T. Ruinart, *Acta Martyrum*).

<sup>193</sup> *Martyrdom of Polycarp* 6 (in Knopf and Krüger, *op. cit.*).

<sup>194</sup> Cf. Finegan, *op. cit.*, p. 44 n. 3.

<sup>195</sup> E. Schwartz, *Nachrichten der Gesellschaft der Wissenschaften zu Göttingen*, 1907, p. 352. It must of course be admitted that John’s turn of phrase embarrassed ancient readers too: cf. Chrysostom, *ad loc.* (PG 59, 448).

taken soldiers from the Roman governor.”<sup>196</sup> In the martyrdom of Conon,<sup>197</sup> we have a detailed description of the same police operation. Two citizens of the town of Magydos in Pamphylia offer their services to the governor: they will search out the fugitive Christians in the places where they are thought to be hiding. They are given a detachment of the municipal militia. They themselves direct the searches, and it is one of these two informants who “orders” the martyr to be attached to his horse and to be dragged along behind him. Judas Iscariot, who is not a prominent personality like the enemy of Saint Conon, simply moves to one side after he has led the troops to Jesus: “Judas, who betrayed him, was standing with them” (Jn. 18:3).

If I understand the critics correctly, it is the very fact of Roman intervention that astonishes them most.<sup>198</sup> “The band of soldiers and their captain and the policemen of the Jews seized Jesus” (18:12). Some scholars have even fancied that this indicates a specific tradition according to which it was the Roman authority that took the initiative in Jesus’ arrest.<sup>199</sup> But I cannot fully grasp why it should have been unthinkable for the Roman troops, the *stationarius miles* (i.e., the imperial security forces), to have collaborated with the municipal security forces, who in the case of Jerusalem were the Sanhedrin and its agents. A “registered” person was sought just as much by the military posts.<sup>200</sup> In the martyrdom of Saint Conon and in the Acts of Marianus and James, of Trypho and Respicus, and of Saturninus and Dativus (to name just a few texts that are readily available),<sup>201</sup> we find instances of collaboration between the two security forces: *a coloniae magistratibus atque ab ipso stationario milite apprehenduntur*.<sup>202</sup> Dionysius of Alexandria relates that he and other fugitives were seized and then led to the governor under a guard “of centurions, *stratēgoi*, soldiers, and policemen.”<sup>203</sup> This seems an excellent parallel to the manner in which Jesus was arrested.

<sup>196</sup> Josephus, *Bell. Jud.* 7.52: στρατιώτας παρὰ τοῦ Ῥωμαίων ἡγεμόνος λαβόν.

<sup>197</sup> *Passio S. Cononis* 1. (in Knopf and Krüger, *op. cit.*).

<sup>198</sup> See the commentaries by Loisy and W. Bauer, and F. Doerr, *Der Prozess Jesu*, 1920, p. 19 n. 13.

<sup>199</sup> M. Goguel, *Introduction au Nouveau Testament* II, 1924, p. 451.

<sup>200</sup> Cf. Wilcken, *Chrestomathie*, 19 c. 2.

<sup>201</sup> The Acts are in T. Ruinart, *Acta Martyrum*. The passion of Conon is in Knopf and Krüger, *Ausgewählte Märtyrerakten*.

<sup>202</sup> *Acta Saturnini et Dativi* 2.

<sup>203</sup> Eusebius, *Hist. Eccl.* 7.11,22: ἡμᾶς δεσμώτας ἀγομένους ὑπὸ ἑκατοντάρχου καὶ στρατηγῶν καὶ τῶν σὺν αὐτοῖς στρατιωτῶν καὶ ὑπηρετῶν.

Do the exegetes believe that if this were so, Jesus ought to have been led directly before Pilate?<sup>204</sup> Such an affirmation presupposes an intimate knowledge of the cogwheels of the imperial administration which I am certainly inclined to admire, since I do not possess it myself. As far as I am aware, we know nothing either of the ordinary mechanism of the relationships between the two services which had responsibility for public order, or of the application of this mechanism to the special case where the one arrested was a “registered person.” It seems natural that he would be handed over first to the magistrates who were looking for him – in this case, the Jewish authorities. In any case, we know of cases where an individual arrested with the aid of a military unit was handed over first to the municipal authority: I need only refer once again to the Acts of Saints Saturninus and Dativus, where they are arrested and then interrogated in the forum by the magistrates of the city, who then order them to be sent to the governor; or to the Acts of Marianus and James, where the same procedure is followed, although the military authorities take part in the preliminary interrogation.

The real difficulty in the narrative of the fourth Gospel is rather the fact that John skips the interrogation by the Jewish authorities who have instigated the search for Jesus and his arrest.

After he is arrested, Jesus is led first to Annas, and then to Caiaphas (Jn. 18:13 and 24). It has been suggested<sup>205</sup> that this double procedure is an attempt to reconcile divergent information in John’s sources: one source calls the high priest Caiaphas (as in Matt. 26:57), the other calls him Annas (cf. Lk. 3:2; Acts 4:6). In any case, the unfolding of the events of the passion made it necessary to have Jesus appear before the high priest, since Peter’s denial took place “in the courtyard of the high priest” (Jn. 18:15); but John drops the trial before the Jewish tribunal. We are right to feel surprised at this, since the general tendency in the Johannine passion narrative is to blame the Jews for the death of the Savior. Why then does the fourth Gospel omit the solemn judgment pronounced by the Sanhedrin in condemnation of Jesus? It is because the procedure which John envisages does not allow him to introduce the meeting of the Sanhedrin at this point.

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<sup>204</sup> This seems to be the idea of the critics. Cf. e.g. M. Goguel, *Les sources du récit johannique de la passion*, 1910, p. 106: “Although Jesus is arrested by the Romans, he is led not to the governor but to the high priest.” J. Finegan, *op. cit.*, p. 44 n. 2, likewise finds the sequence of events in John “very clumsy.”

<sup>205</sup> Cf. M. Goguel, *Introduction au Nouveau Testament* II, p. 454; E. Meyer, *Ursprung des Christentums* I, pp. 197ff.

Jesus was a “wanted man.” Those who were “outlawed” gave the impression of having denounced themselves by the very fact of their flight. The emperors had to warn the governors that one who was “registered” ought not to be regarded as already condemned.<sup>206</sup> an Egyptian ordinance of 154 stipulates that all those who remain fugitives after the publication of this edict are to be treated “no longer as mere suspects, but as avowed criminals.”<sup>207</sup> The prefect orders that they are to be sent directly to him once they are arrested. The acts of the martyrs illustrate this summary proceeding. The Christians who are arrested in their homes by the municipal police are first interrogated by the local authorities. On the basis of this first inquiry, they either close the matter or send the defendant to the competent judge. Naturally enough, the martyrdoms relate only those cases where the accused was in fact transferred to the criminal court, but it is obvious that many of those who were summoned or denounced were released after having attested that they had never been Christians, or after abjuring their faith (cf. Pliny’s description in his letter to Trajan). But fugitive Christians were brought immediately before the tribunal, even if they had been arrested by the municipal police. It suffices to compare the martyrdom of Polycarp with that of Pionius, or the acts of the martyrs of Lyons with those of Saints Epipodius and Alexander, for example, to grasp this characteristic difference in the way the trial was carried out.

According to Mark, Jesus was declared guilty only after the interrogation; according to John, however, he was arrested after being declared guilty. This is why, in the second Gospel, the Sanhedrin hears Jesus and then discusses what is to be done with the accused. In the fourth Gospel, the Sanhedrin does not need to settle such questions after the arrest of Jesus, since the matter has already been decided and brought to a conclusion when Jesus was declared an “outlaw.” This is why the high priest does not summon his council, but simply questions Jesus in his capacity as a magistrate of police.<sup>208</sup> According to Mark, the meeting of the Sanhedrin seeks to have Jesus admit that he is the Messiah; but according to John, the high priest never asks Jesus whether he is the Messiah, but questions him only about his disciples and his teaching (Jn 18:19). In the same way, after a brigand is arrested, the local

<sup>206</sup> *Dig.* 48.3,6,1.

<sup>207</sup> Wilcken, *Chrestomathie*, 19 c. 2,19.

<sup>208</sup> Cf. A. Loisy, *Le Quatrième Évangile*, 1921, p. 359.

authority is to demand that he reveal his accomplices (*Dig* 48.3,6,1). This is because both these persons – the brigand of the *Digests* and the fugitive Messiah of the fourth Gospel – are presumed to be guilty by virtue of the fact of their “proscription.” Here, the declaration of guilt precedes the interrogation.<sup>209</sup>

One little point is a clear indicator of this difference between the procedure envisaged by John and the sequence of events described by Mark. According to Mk. 15:1, Jesus is bound only when he is led to Pilate after the morning session of the Sanhedrin at which it has been decided to hand him over to the Roman tribunal – for it is only from that moment on that he is (technically speaking) an accused. In the fourth Gospel, on the other hand,<sup>210</sup> Jesus is bound as soon as he is arrested (18:12), since according to John, he is an “outlaw.”<sup>211</sup> In the same way, Saints Epipodius and Alexander, fugitives sought by the governor (*praecipit inquiri*), are put in prison as soon as they are found, even before they are interrogated: *itaque captos etiam ante discussionem carcer accepit, quia manifesti putabatur criminis nomen esse ipsa appellatio christiana*. One year before this, however, the martyrs of Lyons were put in prison only after the interrogation: this is because they were arrested in their homes.

But how are we to understand John’s idea of presenting Jesus as “outlawed” by the Jewish authorities? It seems that he too was struck by the paradoxical contradiction in the story of the passion, viz. that while it is the Jews who seek to destroy the just one, it is the Roman procurator who puts him to death on the cross of Golgotha. In order to explain Jesus’ death on the cross on the theological level, John finds appropriate words of Jesus (3:14 and 12:31). On the historical and juridical level,

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<sup>209</sup> I do not claim that this was the only procedure with regard to one who was “wanted.” The *cognitio* is extremely elastic in the application of the general norms. In the Oslo papyrus (cf. n. 182 above), the *stratēgos* confronts the “outlaws” with their accusers, etc. In this case, however, they have presented themselves spontaneously, and the matter at issue is trifling.

<sup>210</sup> Luke never tells us that Jesus was bound.

<sup>211</sup> It is possible that John’s idea that Peter required an authorization to enter the house of the high priest (18:15ff.) is in accordance with the procedure which the evangelist envisages. In the synoptic Gospels, Jesus is in a *custodia delicata*, where his friends can come to see him (cf. e.g. the case of Cyprian: Pontius, *Vita Cypriani* 15; or the case of Saint Philip of Heraclea according to ch. 7 of his Passion, in Ruinart, *Acta Martyrum*). According to John, Jesus has been declared guilty and outlawed, and he is in preventive custody, *in vinculis*.

we find the explanation<sup>212</sup> in the dialogue between Pilate and the Jews, when they bring Jesus to him. This dialogue embarrassed the ancient exegetes,<sup>213</sup> because the fourth Gospel has the Jews emphatically tell the governor that they are not permitted to put anyone to death.<sup>214</sup> The author comments: “This was to fulfill the word which Jesus had spoken to show by what death he was to die” (18:32).

Against the background of these ideas, John has omitted the appearance of Jesus before the Sanhedrin and his condemnation by this tribunal. But since the story required him to bring Jesus into the house of the high priest – where Peter was to deny him – and since he knew of the betrayal by Judas and the arrest by the officers of the Sanhedrin, he arranged all these isolated elements in a rather satisfactory order by means of the “proscription” of Jesus. This may have been affirmed by a special source on which he draws; or it may have been his own hypothesis, intended to accommodate in the best manner possible the data supplied by the tradition.

#### IV

Jesus is led to Pilate, while the Jews remain outside “so that they might not be defiled.”<sup>215</sup> Jesus is brought into the praetorium. This means that the accused is not present when the accusations are made; and he himself is interrogated in secret. The reason for this arrangement is obvious:<sup>216</sup> the author wishes to explain by this device how it is that the synoptic Gospels, which report only what happened in public, fail to relate the extremely important declarations (“My kingdom is not of this world,” etc.) which Jesus makes before Caesar’s procurator. But it does not in the least follow that the structure of the proceedings is fantastic or “unheard-of” (to quote the superficial affirmation of the

<sup>212</sup> Cf. Finegan, *op. cit.*, p. 45.

<sup>213</sup> According to Cyril and Chrysostom *ad loc.* (PG 74, 612; 59, 452), the Jews were not able themselves to kill Jesus, because it was the evening before Passover.

<sup>214</sup> On the other hand, it is perfectly reasonable that a municipal magistrate in the Acts of Pionius informs the crowd, who are demanding the martyr’s death: “We do not possess the fasces, and we do not have the power to pass the sentence of death.”

<sup>215</sup> The ancient commentators on Jn. 18:28 (in Cramer, *Catena graecorum patrum II*) perceived very well the cruel irony of the author with regard to the Jews: “They did not think they were defiling themselves by having an innocent man put to death, but they considered that they would be contaminated if they entered the praetorium.”

<sup>216</sup> Cf. M. Goguel, *Introduction II*, p. 220.

so-called critical exegesis).<sup>217</sup> The episode would not be very probable if we imagined Pilate – in keeping with Josephus and Philo – as a harsh man; but the picture is not impossible if we imagine Pilate in the way in which the Gospel tradition and Christian legends portray him.<sup>218</sup>

In reality, critical scholars have failed to understand the precise information given by John: viz., that Pilate, before whom Jesus was brought at the dawn of the new day, did not take his seat on his tribunal until about five hours later (Jn. 19:14).<sup>219</sup> According to the invariable rules of Roman procedure, crimes involving the death penalty (as was the case with Jesus) could be judged only *pro tribunali*.<sup>220</sup> This means that the preceding debates during these five hours, inside and in front of the praetorium, are only private conversations. Pilate acts here as an intermediary and arbiter, not as a judge.

Official conversations of this kind were said to be carried on “off the record” (literally: “without writing,” ἀγράφως).<sup>221</sup> They were not recorded in the minutes of the solemn sessions, the *commentarii* of the magistrate. In practice, the judge often tried to settle the matter in these private conversations. In the only absolutely authentic fragment of the minutes of a trial of Christian martyrs (which for some reason is not included in the modern florilegia of acts of the martyrs), i.e. the interrogation of Bishop Dionysius of Alexandria under Valerian,<sup>222</sup> the governor says to the defendant: “I have already spoken to you unofficially (ἀγράφως) of the grace which our emperors bestow,” i.e. of the amnesty promised to apostates. And Dionysius gives us a summary of this private conversation in which the prefect of Egypt endeavored to persuade the accused to deny their Christian faith. We find the same

<sup>217</sup> E. Schwartz, *Nachrichten der Gesellschaft der Wissenschaften zu Göttingen*, 1907, p. 357.

<sup>218</sup> Chrysostom's explanation (*ad Jn.* 18:37, PG 59, 455) would be excellent, if one accepted the historicity of the Johannine narrative: Pilate wanted to discover the exact truth about the case of Jesus without being disturbed by the cries of the Jews.

<sup>219</sup> It suffices to quote Goguel, *Vie de Jésus*, p. 510: “It is surprising that Pilate takes his place at his tribunal only about the sixth hour, although the trial has been going on since the beginning of the day.” We find similar sentiments in Loisy, *Le Quatrième Évangile*, p. 480, and in general among the independent commentators. The Catholics are embarrassed and try to excuse the evangelist: cf. e.g. M.J. Lagrange, *L'Évangile selon saint Jean*, *ad* 19:13. The information given by John was understood correctly by T. Zahn, *Das Evangelium des Johannes*, *ad* 19:13. Cf. Augustine, *De cons. evang.* 3.13,44.

<sup>220</sup> Mommsen, *Droit pénal* II, p. 28.

<sup>221</sup> Cf. L. Wenger, *Sitzungsberichte der Bayerischen Akademie*, 1928/4, pp. 62ff.

<sup>222</sup> Eusebius, *Hist. Eccl.* 7.11,6. Cf. H. Delehaye, *Les Passions des martyrs*, 1921, pp. 429ff.



distinction between the appearance before the tribunal and the private conversations between the magistrate and the accused in texts such as the martyrdom of Pionius, the Acts of Saint Felicity, and an Egyptian papyrus in which the *stratēgos* settles a civil matter in a conversation off the record (ἀγράφως) with the contending parties.<sup>223</sup>

Let us now consider the arrangement of these preliminary negotiations in the narrative of the fourth Gospel.<sup>224</sup> The Jews bring two accusations against Jesus: he claims to be king, and he claims to be the Son of God. As we have seen, the entire structure of the Gospel prepares the way for the enunciation of these two charges; but their order in the Johannine narrative is somewhat surprising.<sup>225</sup> The narrative consists of five episodes. *First*, the Jews bring Jesus, but Pilate refuses to investigate the matter (18:29–31). The accusation is not specified here; later, we learn that it concerns the messianic claim, because in the *second* episode Pilate, under pressure from the Jews, enters the praetorium again and asks Jesus if he is a king. He then declares to the Jews that Jesus does not deserve punishment (18:32–37). *Thirdly*, he proposes to set Jesus free. This is followed by the episode of Barabbas, and by Pilate's order that Jesus be scourged (18:38–19:5). But the Jews demand the death of Jesus, "because he has made himself the Son of God" (19:4–7). The *fourth* episode then shows Pilate interrogating Jesus about this new accusation. Once again, he declares that Jesus does not deserve any punishment (19:8–12). However, *fifthly*, the Jews return to their first accusation, which was political, and force Pilate to let the law take its course.

<sup>223</sup> *Acta Pionii* 9; *Acta S. Felicitatis* 1 (in Ruinart, *Acta martyrum*); L. Mitteis, *Chrestomathie*, 94. Cf. also the interrogation of Saint Paul in Acts 25:22ff.

<sup>224</sup> These negotiations begin with a question of Pilate about the nature of the accusation brought against Jesus (Jn. 18:28). Independent criticism finds this incompatible with the part played by the Roman cohort in the arrest of Jesus, according to 18:1. Traditional exegesis (Lagrange, *op. cit.*, *ad loc.*; J.H. Bernard, *Saint John*, 1928, *ad* 18:28) seeks to cast a veil over this incoherence by claiming that Pilate was obliged to ask an official question, even though he already knew everything. But this conversation is *unofficial*. It would be better to say that Pilate could ask any question he wished in a private conversation. Renan senses the bad mood of Pilate in his question. Besides this, in the narrative structure, the only function of this question is to prepare the declaration by the Jews that they have lost the right to put someone to death (18:31) – a fact of supreme importance for the structure of the fourth Gospel. (Cf. section 3/III, above.)

<sup>225</sup> On this change of the basis of the accusation, cf. Cyril, *ad Jn.* 19:12 (PG 74, 644). I should like to underline that this kind of incoherence well fits the way in which a Roman *cognitio* was carried out, even in the official session of the court. It suffices here to refer to the minutes of a public session in L. Mitteis, *Chrestomathie*, 84.

In these private negotiations, Pilate attempts to get the Jews to withdraw their complaint. This is why he proposes choosing Jesus as the one who is to be set free at Passover, according to custom; and this is why he has Jesus scourged, thinking that the accusers will find this punishment sufficiently severe.<sup>226</sup> The commentators wonder whether a penalty could be inflicted at the magistrate's whim, before the judgment was pronounced; but they forget that the coercive power of a governor was virtually unlimited, and that the legal scholars cite scourging as one of those punishments that a magistrate could inflict *de plano*, i.e. outside a solemn session of the court.<sup>227</sup> We know of cases where this punishment was meted out to criminals without any form of trial.<sup>228</sup>

All these attempts fail. The Jews do not withdraw their accusation, and Pilate takes his seat<sup>229</sup> at the tribunal "at a place called Lithostrotos, in Hebrew Gabbatha. Now it was the day of Preparation of the Passover; it was about the sixth hour" (19:13f.). By stating both the place and the hour, John underlines the importance of this scene. He does not tell us anything about the debates in the official court session, but he emphasizes that it is once again the Jews who bear the responsibility. They demand the crucifixion of the Savior, and insist: "We have no other king than Caesar."<sup>230</sup> "Then he handed him over to them to be crucified."<sup>231</sup>

If we allow that the Sanhedrin acted as prosecutors of defendants who had failed to turn up in court (something we do not in fact know), the legal canvas of John's narrative appears to have been embroidered

<sup>226</sup> Augustine says: *eorum furori satisfacere volens* (PL 36, 762). Cf. Cyril and Chrysostom, *ad Jn* 19:1 (PG 74, 629; 59, 455).

<sup>227</sup> *Dig.* 48.2,6. Cf. Mommsen, *Droit pénal* III, p. 335. This is the *fastium admonitio* (Callistratus, *Dig.* 48.19,7). Cf. Idem, *ibid.* 48.19,28,3; Mommsen, *Droit pénal* III, p. 335; *Dig.* 48.2,6 (Ulpian): in the case of *levia crimina*, the proconsul must *vel liberare eos, quibus obiciuntur, vel fustibus castigare*.

<sup>228</sup> It suffices to refer to Philo, *In Flaccum* 10 (2.528 Mangey).

<sup>229</sup> The interpretation of the verb ἐκάθισεν as transitive (i.e., Pilate "made Jesus sit down" at the tribunal) is ancient (cf. J.H. Bernard, *Saint John*, *ad Jn* 19:13). It is grammatically acceptable, but it offends the reader's common sense.

<sup>230</sup> Chrysostom (PG 59, 459) formulates the significance of this declaration: the Jews thereby deny that God is their king.

<sup>231</sup> Augustine (*In Joh.*, 116.9) emphasizes that it was not the Jews who executed Jesus: *iudicio ac potestate praesidis crucifigeretur*. He opposes the erroneous opinion expressed, e.g. by Lactantius, *Div. Inst.* 4.18,6: *nec tamen ipse sententiam protulit, sed tradidit eum Iudaeis ut ipsi de illo secundum legem suam iudicarent*. On the recent discussion in the light of the Temple Scroll, cf. Y. Yadin, *IEJ*, 1971, pp. 1–12; J. Baumgarten, *JBL*, 1972, pp. 472–481; A. Dupont-Sommer, *CRAI*, 1972, pp. 709–720.

very well. The Jewish authority declares Jesus an outlaw because of his messianic claims, and after finally arresting him, hands him over to the Roman governor. In private conversations, Pilate unsuccessfully tries to get the Jews to abandon their accusation. He then opens a public court session where he condemns “the king of the Jews” to death. It is true that we may be surprised to see the members of the Sanhedrin talking to Pilate as private accusers who hesitate to define exactly the crime with which Jesus is charged, when he has been brought to the governor as a “wanted” man whose crime is well known; and the Jewish authorities are acting here in their capacity as chiefs of the municipal police, who are responsible vis-à-vis the procurator. But John presents only the unofficial conversations here, and the doubts they awaken in the reader are primarily of a psychological nature. From the procedural point of view, the sequence of events in John is different from that in Mark or in Luke, but it seems no less possible than theirs.

#### 4. *The three Gospel narratives*

In the close analyses we have presented above, our only aim has been a sincere interpretation of the Gospel accounts. We cannot flatter ourselves that we have attained this goal, since too many obscurities remain. All too often, we must decipher allusions to juridical facts which the sacred authors assumed their readers knew, or which they themselves considered unimportant; and on the other hand, in the present state of our knowledge of the administrative organization of the empire, a genuinely historical explanation of the passion narratives is impossible. When we seek to understand these first-century texts which describe a trial held at Jerusalem in the reign of Tiberius, we gather and compare isolated elements drawn from sources of every kind, mostly written in other provinces, and sometimes one or even two centuries later than the death of Jesus. But since the comparison of the events related in the acts of the martyrs, in the Egyptian papyri, and in the works of the Roman legal scholars shows that the institutions of the empire remained basically unchanged from Augustus to Diocletian, as far as the provincial procedures in the non-autonomous regions are concerned, both on the banks of the Nile and on the banks of the Jordan, we may be permitted to infer from our analyses – imperfect as they doubtless are – some conclusions of a more general nature.

## I

First of all, my results do not appear to agree with the opinions of the independent criticism of the Gospels, which goes to great lengths to demonstrate how ill founded is the juridical basis in the Gospel tradition. I do not in the least wish to dispute the claim that these narratives may indeed contain such errors, but I suspect that our incomplete knowledge of the provincial procedure makes it impossible for us to unmask the "errors," and I doubt very much whether these efforts on the part of the critics lead to any very fruitful results.

I have followed the Gospel narratives episode by episode, without ulterior motives or tendentious intentions, but I have not detected any of those outrageous errors or obvious incoherencies which the critics find on virtually every page of the passion narratives. The only exception is the Barabbas episode. Perhaps I am just not capable of seeing so clearly; but I have done my best to respond to the critics' arguments, although I am fully aware that these arguments have an historical improbability and a legal incoherence which strike the informed reader at once. Is further proof necessary? Then let me quote a work which is apparently considered authoritative:<sup>232</sup> "It was not possible for Pilate simply to scourge Jesus and then release him, as Jn. 19:1 proposes, because scourging was a necessary corollary of the penalty of crucifixion, from which it was inseparable." This would indeed be a serious objection, were it not (unfortunately) in complete disagreement with Roman jurisprudence! Alongside this rash opinion, let us give an example of superfluous subtlety. John tells us that a Roman cohort took part in the arrest of Jesus. This so troubled a doctoral student in law that he declared that this Roman detachment was a Jewish troop of soldiers!<sup>233</sup>

Thus, the first result of our researches is to show the agreement between the legal frameworks of the passion narratives and the little we know about the provincial procedure. In general, it is the Gospel accounts that hold water, and the critics who are wrong.<sup>234</sup>

<sup>232</sup> J. Klausner, *Jésus de Nazareth*, 1932, p. 502.

<sup>233</sup> H. Regnault, *Une province proconsulaire au début de l'Empire romain*, dissertation, Paris 1909, p. 93. Blinzler, *op. cit.*, p. 83, repeats the same apologetic solution.

<sup>234</sup> We may note for example that the evangelists call Pilate *hégemôn*, which was his official title: [*praef*] *ectus Iuda[ea]*, as is proved by an inscription from Caesarea, whereas Josephus and even Philo indiscriminately use the terms *eparchos*, *epitropos*, and *hégemôn* (e.g. Josephus, *Ant.* 18.55). Cf. H. Volkmann, *Gymnasion*, 1968, p. 124.

## II

Our results likewise fail to agree with the ideas of traditional exegesis, which is based on the principle of the harmony of the evangelists and endeavors to reconcile their narratives. It takes for granted the axiom that the contradictions between the Gospel accounts can never be more than apparent. The methodology employed has not varied from Augustine's *De consensu evangelistarum* until the most recent commentaries of the traditional kind.

As long as the differences concern events, this procedure can work more or less well: one can suppose that the narratives supplement one another, and that they can even be harmonized and blended into one single narrative. Augustine says: *nihil interest si alius aliquid tacet quod alius commemorat.*<sup>235</sup> But if my evaluation is correct, the divergences between the passion narratives lie in the presentation of the events, rather than in the events themselves. One *could* try to introduce the episode of Herod into the narrative of Mark or of John – but each of the three authors envisages a precise procedure, which is different in each Gospel. The three accounts of the course of events are acceptable enough. It is not in the least impossible that Jesus was condemned under the legal conditions presupposed by Mark, or by John, or (if one prefers) by Luke; but as far as our knowledge goes, it is impossible to conflate these procedures, which are so palpably divergent, to form a fourth procedure. Such a procedure has nothing to do with the historical reality.

Let me give some examples of this impossibility. Mark's Sanhedrin acts strictly in accordance with the law of Moses, and does not declare Jesus an outlaw, as does John's Sanhedrin, since the Jewish procedure does not know an official act of accusation. In Jewish law, the accusation is always made by a private person, who appears before the court as the witness to the crime. This is precisely what happens at the Jewish tribunal in Mark's Gospel. If Jesus is "proscribed," as John tells us, the members of the Sanhedrin do not need first to interrogate him, so that they can then testify against him (as in Luke). For Luke, Jesus must first admit that he is the Messiah, before the accusation before Pilate can be formulated; for Mark, this admission on the part of Jesus sheds light on the religion of the Sanhedrin.

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<sup>235</sup> Augustine, *De cons. evang.* 3.8,34; cf. 1,1.

If Pilate had first spent several hours in private conversations, discussing the question of Jesus' guilt, it would not have been necessary to send him to Herod to verify the Jewish accusations. In other words, the procedure envisaged by John excludes the Lukan episode of Herod. Need we add that the account of the Roman trial in Mark cannot be adapted to fit the two other accounts? According to John, Jesus was condemned about the sixth hour (Jn. 19:14), while according to Mark, he was crucified at the third hour (Mk. 15:25). This divergence is not arbitrary, and it cannot be explained by a copyist's mistake,<sup>236</sup> nor by some special method of computing time,<sup>237</sup> nor by ritual variations in the Christian cult.<sup>238</sup> It is due quite simply to the fact that Mark knows nothing of the "off-record" conversations of Pilate, of which John informs us.<sup>239</sup> We have already observed (in section 3/III, above) that the procedural differences envisaged by each author explain another chronological divergence between Mark and John: in the fourth Gospel, Jesus is bound as soon as he is arrested, whereas in Mark he is bound only after the session of the Sanhedrin.

A synoptic table will make these divergences even clearer. A suspect could be arrested in his home (A 1), or while he was fleeing from justice (A 2). As the Egyptian papyri show, a criminal affair could be judged first by the local authority (B 1), but it could also be brought immediately to the governor's tribunal (B 2). The governor himself could make a decision about the matter (C 1); he could also delegate the judgment to a third party (C 2). He could try to settle matter in an amicable manner in a private conversation (D 1), or he could also attempt to achieve a reconciliation during the court session itself (D 2).

The sequence of events in the trial of Jesus according to Mark is: A 1, B 1, C 1, D 2.

In Luke, we have: A 1, B 2, C 2, D 2.

In John, we have: A 2, B 2, C 1, D 1.

It is easy to find in apocryphal texts and in the Acts of the Martyrs parallels to this kind of adaptation of the events to another procedural sequence which the author thinks is closer to historical reality.

<sup>236</sup> Jerome, *Breviar. in Ps.* 77 (PL 26, 1046).

<sup>237</sup> This is the solution of Augustine, *De cons. evang.* 3.13,50, and of several modern scholars, such as V.H. Stanton, *The Gospels as Historical Documents* III, 1920, p. 262.

<sup>238</sup> Thus e.g. Loisy *ad Jn* 19:14.

<sup>239</sup> Cf. Hesychius in *Catenae* I, p. 390.

A Jewish apocryphon relates that Jesus was executed by the Jews and buried in a ditch full of water: this was the way in which the Talmud commanded that criminals be buried.<sup>240</sup> The Gospel of Nicodemus fills out the story of Jesus' passion with details borrowed from the procedure in Byzantine trials.<sup>241</sup> The Acts of Saint Nestorius are preserved in two versions.<sup>242</sup> One, in Greek, relates that the governor sent the irenarch with soldiers to arrest the martyr and bring him in chains to his tribunal. The other, in Latin, has the saint appear before the magistrates of the town, where he is interrogated. On the basis of this preliminary inquiry, he is then sent to the governor. It would obviously be wrong to attempt to reconstruct a primitive text where both procedures coexisted. But the "harmonizers" of the Gospel passion narratives fall into the same mistake and pass off something as "original" that unfortunately is "original" only in a novel and rather clumsy sense.

### III

The observation that the passion narratives diverge in a striking manner is ancient. Porphyry the Neo-Platonist underlines this point in order to contest the documentary value of the Christian tradition: "The evangelists were inventors, not witnesses, of the events in the life of Jesus. For each of them relates a story that disagrees with the others instead of agreeing with them, and especially in the section about the passion."<sup>243</sup>

Nevertheless, the evangelists invent virtually nothing in an arbitrary manner. The number of elements found in only one passion narrative is minimal: the really striking thing is the common basis of the three narratives.<sup>244</sup>

They relate the same events, but look at them from various perspectives and place them accordingly.

<sup>240</sup> S. Krauss, *REJ*, 1934, p. 20.

<sup>241</sup> I shall demonstrate this on another occasion.

<sup>242</sup> B. Aubé, *L'Église et l'État dans la seconde moitié du III<sup>e</sup> siècle*, 1885, p. 507.

<sup>243</sup> Porphyry, frag. 15 (in A. von Harnack, *Abhandl. Preussisch. Akad.*, 1915): τοὺς εὐαγγελιστὰς ἐφευρετὰς οὐχ ἱστορας τῶν περὶ τὸν Ἰησοῦν γεγενησθαι πράξεων. Ἐκαστος γὰρ αὐτῶν οὐ σύμφωνον ἄλλ' ἑτερόφωνον, μάλιστα τὸν λόγον περὶ τοῦ πάθους ἔγραψεν. Cf. P. de Labriolle, *La Réaction païenne*, 1934, p. 251.

<sup>244</sup> Cf. M. Dibelius, *Die Formgeschichte des Evangeliums*, 2nd edn. 1933, p. 179.

To what extent can we use these divergent accounts to reconstruct the past? A reader who has followed my observations attentively up to this point will not find it difficult to answer this question.

A comparison of the Gospel accounts teaches us two things. *First*, that there existed one single tradition about the principal events connected with the condemnation of Jesus; and *secondly*, that the juridical significance of these events was not transmitted clearly enough, so that very divergent attempts at an interpretation remained possible.

If we seek to establish the historical value of the tradition about the passion, we must stick to the events themselves, and consider their presentation in the Gospels as nothing more than hypothetical attempts at a reconstruction of the past. We must then ask whether it is possible to arrive at an understanding of the trial of Jesus by following the order of these isolated events.

Let us begin with the events themselves. Jesus was arrested by the officers of the Sanhedrin, interrogated in the presence of the high priest, handed over to the Roman tribunal, and condemned to death for having claimed to be “the king of the Jews.” It is indeed true that the modern critics no longer find it easy to understand this sequence of events; but that seems to be their own fault. They begin by misunderstanding Mark’s account. They find there a condemnation of Jesus, and wonder why he was condemned a second time by Pilate. In order to escape from this imaginary difficulty, the theory was invented that a Jewish death sentence was valid only if it was confirmed by the procurator.

This theory, which seems to have been invented by a seventeenth-century Protestant theologian,<sup>245</sup> continues to dominate so-called “conservative” exegesis, although it disagrees with the procedure envisaged by the evangelists and with the very fact which it seeks to explain, viz. the punishment of crucifixion. It is indeed sometimes true that ratification is indispensable for the validity of a judicial decision, but I believe that in such cases, the superior authority does not open the inquiry anew. The decisions of the rabbinical tribunals in Roman Palestine, the judgments of the Jewish “patriarchs,” and the sentences passed by the bishops in the Christian empire could not be carried out before they

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<sup>245</sup> I have not been able to identify the author of this theory. If I understand him correctly, J. Steller, *Defensum Pontium Pilatum*, 1674, does not know it. But this hypothesis is already accepted by W. Goesius, *Pilatus iudex*, 1677, p. 25.



had been ratified by the secular power, but the secular authorities did not hold a second trial in order to judge the case in accordance with Roman law.<sup>246</sup> Similarly, when Augustus reserved to himself the right to ratify the death sentences which had been passed on Herod's sons by a Herodian tribunal, he did not examine the matter in depth.<sup>247</sup> Pilate superimposes the Roman trial on the Jewish trial. – Secondly, the members of the Sanhedrin do not submit a sentence of their own to Pilate for his ratification, but initiate a new procedure by accusing Jesus before the Roman tribunal. – One last point: after confirmation by the procurator, the execution of the condemned man would have been the task of the Jews: for example, once Augustus gave permission, Antipater was put to death by Herod. But Jesus died on a *Roman* cross. And the crowd did not cry out: “Condemn him!,” but rather: “Crucify him!” Crucifixion was the *summum supplicium* of the Roman penal code;<sup>248</sup> it was not a Jewish method of execution.

At present, another hypothesis seems to be dominant among the so-called “independent” critics.<sup>249</sup> On the basis of a few indications in our sources – although these are in fact very uncertain<sup>250</sup> – scholars assert that the Sanhedrin had the power to pass the death sentence, and argue as follows: it is certain that Jesus died on a Roman cross, so it follows that his condemnation by the Jewish council, which was ineffective, is a fiction. This hypothesis has given rise to debates about the competence of the Sanhedrin on penal matters, but this whole squabble among the exegetes simply misses the point. The alleged dilemma is that if Jesus was crucified by the Romans, *either* the Sanhedrin did not possess the fullness of criminal jurisdiction, *or else* it did not pass sentence on Jesus. I must confess that I do not understand this dilemma. I believe that it can be resolved without the slightest problem.

It is a fact that the procurator's jurisdiction in Judea coexisted with the system of Jewish justice.<sup>251</sup> This meant that the provincials, and

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<sup>246</sup> J. Juster, *Les Juifs dans l'empire romain* II, 1914, pp. 100 and 152; *Cod. Th.* 2.1,10; J. Gaudemet, *L'église dans l'empire romain*, 1958, p. 249.

<sup>247</sup> Josephus, *Ant.* 17.133 and 182.

<sup>248</sup> Callistratus, *Dig.* 48.19,28 pr. Cf. R. Bonini, *I Libri de Cognitione di Callistrato* I, 1964, p. 88.

<sup>249</sup> Cf. e.g. H. Lietzmann, *Sitzungsber. Preuss. Akad.*, 1931, p. 316; C. Guignebert, *Jésus*, 1933, p. 567. Cf. K. Kastner, *Jésus vor dem Hohen Rat*, 1930, p. 59 (indicating the predecessors of this hypothesis), and Blinzler, *Procès de Jésus*, appendix 6 and 8.

<sup>250</sup> Cf. Juster, II, p. 139; cf. H. Lietzmann, *ZNW*, 1932, p. 81.

<sup>251</sup> Cf. Plutarch, *De reip. ger. praec.* 19.

*a fortiori* the Sanhedrin itself, could always bring their complaints before the Roman tribunal rather than before the Jewish authorities.<sup>252</sup> The emperor's *mandata* might reserve jurisdiction in religious affairs to the Sanhedrin (for example), but no one could have prevented the Sanhedrin itself from denouncing to the procurator a seditious person, or one whose sedition took the form of a false claim to be the Messiah. *In reos maiestatis et publicos hostes omnis homo miles est.*<sup>253</sup>

The question of the competence of the Sanhedrin under the Romans is of interest for the history of this assembly, but it is of little relevance to the history of the passion. Even if it enjoyed the fullness of jurisdiction, the Sanhedrin could hand over Jesus to Pilate if it so wished, and could meet to take a decision about this. Did it in fact wish to do so? The fathers of the church, who had no doubts about the power of the Sanhedrin to pass the death sentence,<sup>254</sup> agreed that the Jews had spontaneously decided to hand over Jesus to Pilate.<sup>255</sup> Taken in isolation, the events of the story of the passion neither demand nor make impossible this ancient hypothesis; and if we are looking for a psychological motivation for this decision on the part of the Jews, we will find some rather ingenious explanations in the ancient exegetes. Here I quote only Augustine:<sup>256</sup> *etenim propterea eum dederunt iudici Pilato ut quasi ipsi a morte eius viderentur immunes.*

#### IV

The isolated events of the passion and their order are reasonably certain, but their interpretation appears so uncertain that one cannot even affirm that if Jesus was to die in accordance with the law, it was necessary to hand him over to Pilate. How are we to explain this apparent con-

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<sup>252</sup> Cf. D. Noerr, *Imperium und Polis in der hohen Prinzipatszeit*, 1966, p. 32. Rabbi Tarphon, a contemporary of Plutarch, recommends: "Do not have recourse to the non-Jewish tribunals, even when their judgments are similar to those of the Jews" (*Gitt.* 88b). Cf. B. Cohen, *Jewish and Roman Law* I, 1966, p. 157 n. 153. Nevertheless, many Jews did in fact have recourse to the Gentile tribunals; cf. Juster, II, p. 95. The same is true of the Christians: cf. 1 Cor. 6:1. Cf. also D. Daube, *Collaboration with Tyranny in Rabbinic Law*, 1966.

<sup>253</sup> Tertullian, *Apol.* 2.

<sup>254</sup> Cf. e.g. John Chrysostom, *Hom. 84 in Matt.* (PG 58, 755); Augustine, *In Joh.* 114.4 (PL 35, 1937).

<sup>255</sup> This view was also held by David Friedrich Strauss, *Leben Jesu* §128.

<sup>256</sup> Augustine, *In Ps.* 63 (PL 36, 762).

tradition? It seems to be a consequence of yet another contradiction: although the evangelists basically share the same framework, we cannot see any harmony among the various episodes which they have inserted into it. What strikes the critic is the oddness of these episodes.

Let us begin with the scene of Jesus' arrest. The evangelists agree that the chief priests hated him, but were afraid of the people – and yet Jesus is arrested by the officers of the Sanhedrin. The leaders of the nation were going to hand him over to Pilate as a seditious criminal on the following day; why then did they not denounce this “king of the Jews” to the Romans, without taking the detour of arresting Jesus themselves?<sup>257</sup>

There is another odd feature of the same episode: the disciples are not attacked in any way. They are not arrested, nor even summoned as witnesses, although one of them wounds a servant of the high priest during the police operation.<sup>258</sup> In a case of sedition, this is truly astonishing. John has noticed this point. He introduces into his narrative a gesture of Jesus, who ensures that his disciples are released in virtue of his own omnipotence.

Are we meant to suppose that the decision of the Sanhedrin to have Jesus put to death was taken only after the interrogation, as a consequence of the outcome of this inquiry? Perhaps; and this would make the episode of the arrest easier to understand. But the Gospel accounts of this session say nothing to explain the motivation behind the vote of the assembly – and it was precisely this point that astonished ancient readers. The Jews could have reproached Jesus for a thousand things, e.g. the violation of the sabbath or his triumphal entry into Jerusalem on Palm Sunday. Why then do they say nothing about these matters during the meeting of the Sanhedrin?<sup>259</sup> There is thus something abrupt about this session, which marks the beginning of the passion; here, the subject of the accusation is new, viz. Jesus' claim to be Messiah. Cyril perfectly interprets the thought which lies behind the text, when he explains that Jesus was charged “as a false Messiah who calls himself

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<sup>257</sup> This is in fact what happens in the interpolation into the Slavonic Josephus (Josephus, *Prise de Jérusalem*, ed. V. Istrin, 1934, p. 150). Here, the forger is dependent on the Acts of Pilate.

<sup>258</sup> Matt. 26:51; Mk. 14:47; Lk. 22:50; Jn. 18:10.

<sup>259</sup> John Chrysostom offers the following explanation (*Catena* I, p. 228): Jesus had already successfully refuted these reproaches. This is certainly correct, as far as the ideas of the evangelists go; but it fails to do justice to the point of view of the members of the Sanhedrin.

God, although he is not in any way different from other human beings, as far as the flesh is concerned.<sup>260</sup> However, the title “Son of God” in the Gospels bears the imprint of Christian theology; it would not have meant anything to the members of the Sanhedrin.<sup>261</sup> We are left with Jesus’ claim to be Messiah – but why should the Jewish council have decided that this simple affirmation rendered him liable to the death penalty? Everyone was waiting for the Anointed one, and there was no one single “type” of Messiah to which a claimant had to conform.<sup>262</sup>

Then we have the third episode, Jesus before Pilate. The modern scholars reproduce this very faithfully in their histories of Jesus, without being too much struck by the movements of the figures in this scene. The ancient readers, who were familiar with Roman procedures, never ceased to be astonished when they considered this episode, admiring the hand of providence which had arranged events in this unique way in order to give glory to the Savior.

First, we have the Barabbas episode, which plays a key role in the structure of the passion, since it leads directly to the death sentence. According to John (18:39), there was a Jewish custom of releasing one prisoner at Passover, and the fathers of the church tried to find evidence of this somewhere in the Bible.<sup>263</sup> But neither Scripture nor later Jewish sources give any indication that a paschal amnesty existed.<sup>264</sup> This is doubtless why modern commentators look for analogies to the liberation of Barabbas in the framework of imperial institutions.<sup>265</sup> However,

<sup>260</sup> Cyril, *ad Matt.* 26:67 (PG 72, 460: ὡς ψευδόχριστον αὐτὸν φονεύσωσιν ὡς λέγοντα ἑαυτὸν θεὸν οὐδὲν πλέον ἔχοντα τῶν λοιπῶν ἀνθρώπων κατὰ τὴν σὰρκα.

<sup>261</sup> Strack and Billerbeck, III, p. 19. Cf. n. 32 above.

<sup>262</sup> P. Volz, *Eschatologie der jüdischen Gemeinde*, 1934, p. 202.

<sup>263</sup> Origen, PG 13, 1774: *iudaico usus est more... faciens non secundum aliquam consuetudinem Romanorum*. He deduces the custom from 1 Sam. 14:24. This explanation is accepted e.g. by Ammonios (in Cramer, *Catena*, *ad Lk.* 23:7) and by Theophylact (PG 123, 1097). Cyril found another biblical verse: Num. 35:22 (PG 74, 625).

<sup>264</sup> It has been suggested that a trace of the custom of a paschal amnesty can be found in the Mishnah (*Pesachim* 8.6); cf. Blinzler, *op. cit.*, appendix 13; X. Léon-Dufour, *Dictionnaire de la Bible, Suppl.* VI, 1960, p. 1477. But this passage speaks, not of the remission of a penalty, but of the granting of leave to a prisoner in the “house of chains” so that he may eat the Passover lamb. Cf. e.g. E. Baneth, *Die sechs Ordnungen der Mischna* II, 1921, p. 225 *ad loc.*, and also M. Moed *Qatan* 3.1. On *vinculis liberare* in Roman law, cf. T. Mommsen, *Droit pénal* I, p. 351; R. Bonini, *I Libri de cognitione di Callistrato* I, 1964, p. 96. For the Greek legal systems, cf. W. Headlam on Herondas 5.8; Achilles Tatius, 7.12.3; F.W. Walbank, *Phoenix*, 1962, p. 178.

<sup>265</sup> They appeal to P. Flor. 61 (= L. Mitteis, *Chrestomathie*, 80), but without taking the trouble to read this document with even a little measure of attention. Here, in a civil trial, the prefect of Egypt learns that the petitioner has illegally imprisoned the debtor

Origen assures us that the privilege of the paschal amnesty was not Roman. In Luke's account, there is no reference to such a practice:<sup>266</sup> he represents this episode as an unforeseen event (23:13–23). The leaders of the people accuse Jesus of stirring up the people to rebellion, but the investigation of the affair has demonstrated his innocence. Pilate acquits him of the charge, but decides to punish him as an agitator who is stirring up trouble.<sup>267</sup> But when Pilate declares, "I will therefore chastise him and release him," the crowd – more royalist than the emperor's representative – cries out, "Away with this man, and release to us Barabbas!" There is nothing improbable about this incident. As we have seen in section 2/III above, Roman governors often yielded to the clamor of the populace.

Luke revises the account of Mark, which the modern commentators seem not to have understood. Mark (15:6), followed by Matthew (27:15), relates that at Passover, i.e. during his annual visit to Jerusalem (his residence was at Caesarea), Pilate liberated (Matthew: "had the custom of liberating") one prisoner "for whom they [i.e., the Jews] asked." This was the favor which Pilate granted to the Jews: καθὼς ἐποίει αὐτοῖς (Mk 15:8).<sup>268</sup> Once again, there is nothing improbable about this account. In the *cognitio*, the magistrate could stop the trial at any moment.<sup>269</sup> If Pilate wanted to please the Jews, he could grant them this request. Did he wish to do so? I do not know; but Mark certainly thought so.

This is where the real difficulties begin. First of all, according to the evangelists, it is not the people who demand that a prisoner of their own choice be liberated: it is Pilate who puts this proposal to the

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and his wife. In his anger, the prefect threatens to have him whipped. The creditor is terrified and declares his willingness to renounce his claim. Finally, the prefect pronounces sentence in the civil case, telling the petitioner: "You would have deserved to be whipped, but I will make a present of you to the crowd, and I will be more humane than you." Here, as in the cases cited in section 1/VII above or for example in Livy, 8.33,5 (*donatur populo romano*), the magistrate is exercising his discretionary power. Cf. also W. Waldstein, *Untersuchungen zum römischen Begnadigungsrecht*, 1964, p. 41.

<sup>266</sup> Lk 23:17 is a gloss. Cf. e.g. J.M. Boyer, S.J., ed. *Novi Testamenti Biblia graeca et latina*, 2nd edn. 1950.

<sup>267</sup> Paulus, *Sent.* 5.21,1: *vaticinatores, qui se deo plenos adsimulant... fustibus caesi civitate pelluntur*. On scourging as a punishment inflicted on those guilty of *crimina levia*, cf. *Dig.* 48.2,6. Cf. Mommsen, *Droit pénal III*, p. 335; cf. also n. 227 above.

<sup>268</sup> I am happy to note that my own interpretation was anticipated by H.B. Swete, *The Gospel according to St Mark*, 3rd edn. 1920, *ad loc.*: "Mark's ἀπέλυεν does not compel us to look further back than Pilate's own term of office for the origin of the custom."

<sup>269</sup> Mommsen, *Droit pénal II*, p. 3.

crowd. Chrysostom writes: “Things are turned around here: it is the governor who asks the people which man is to be taken and which released.”<sup>270</sup> Nevertheless, it is easy to understand why this oddity is inevitable in the composition of the narrative, since according to Mark (15:10), Pilate’s intention is to appeal to the people over the heads of the leaders of the nation, who are accusing the innocent man. If the crowd had already said which prisoner was to be released, Pilate’s plan would be fatally weakened from the outset. Or did this Pilate of the Gospels think – as Chrysostom interpreted him<sup>271</sup> – that if the Jews did not want Jesus to be acquitted, they would allow him to save Jesus’ life in view of the Passover feast?

This is not all. When the Jews prefer Barabbas to Jesus, the brigand to the Savior, Mark tells us (15:12 = Matt. 27:22) that Pilate, surely a quite exceptional governor, puts another question to the people: what is he to do with Jesus? This is an unexpected question; the only explanation which the church fathers could offer was that Pilate was attempting here to make the Jews ashamed of themselves.<sup>272</sup> It is easy to understand why Luke and John omitted this detail in their own narratives.

But why does Mark give a key role in his passion narrative to this odd episode of Barabbas, which already embarrassed Luke and John? For Mark too, it would have been much simpler to show Pilate being carried away by the spontaneous cries of the crowd – “Crucify him!” – as Luke and John portray the scene. Why does he bring in the story of Barabbas, which suddenly replaces the question of whether Jesus is guilty by the question of whether he ought to be executed? Are we to imagine that in the earliest tradition, this episode had its place after Pilate had issued Jesus’ death warrant, and that Mark’s apologetic concerns led him to move it to its present position in order to eliminate the fact that the procurator condemned Jesus to death? We do not know; but no author deliberately creates difficulties for himself.

Let us join Luke and John in passing over this unintelligible tradition; there are problems enough in what remains. To begin with, every reader will agree that the Pilate of the passion is not the cruel and

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<sup>270</sup> Chrysostom, *Hom. 86 in Matt.* (PG 58, 764): εἶδες τάξιν ἀντεστραμμένην; τὴν μὲν γὰρ αἴτησιν τὴν ὑπὲρ τῶν καταδίκων, τοῦ δήμου ἔθος ἦν εἶναι, τὴν δὲ δόσιν τοῦ ἄρχοντος· νῦν δὲ τοῦναντίον γέγονε, καὶ ὁ ἄρχων αἰτεῖ τὸν δῆμον. Cf. Augustine, *De cons. evang.* 3.8,33.

<sup>271</sup> Chrysostom, *Hom. 86 in Matt.* (PG 58, 765). Cf. Cyril, PG 74, 624.

<sup>272</sup> Origen, PG 13, 1774: *volens eis pudorem tantae iniquitatis incutere.*

harsh historical figure, the Pilate who, according to Lk. 13:1, one day mingled the blood of those who had come to offer sacrifice with the blood of their victims. As Chrysostom remarks, the Pilate of the passion is a “weak man without a heart.”<sup>273</sup> But here is the difficulty: although he refuses to hand over an innocent man to death, the methods he employs to save Jesus’ life are singularly inappropriate. Governors did indeed often yield to the demands of the crowd. At Lyons, the martyr Attalus was thrown to the wild beasts, although he was a Roman citizen: “The proconsul indulged the crowd.”<sup>274</sup> But Pilate resolutely opposes the demands of the Jews. Even if we admit that he did not dare to meet the anger of this people head-on, there were still many effective escape-hatches open to him. “You may perhaps tell me that it was risky for Pilate to save the life of Jesus, since he was accused of making himself a king. But it was necessary to prove this crime, the accused man had to be convicted of it, there had to be some signs of his plans to seize power.” May we not once more agree with Chrysostom?<sup>275</sup>

We may sum up as follows: both the Jews and the procurator act in a manner that counteracts their own intentions. The Jews, whom the evangelists describe as full of hatred against the prophet, go to great lengths to find a legally valid accusation against him; without his messianic declaration, they would have been stumped. Pilate, who wishes to save Jesus – and let us not forget that he is surrounded by the members of his *consilium*, to whom he must make a report – neglects all the legal means at his disposal and can only repeat to the Jews and to the reader that Jesus is innocent. “Pilate wants to save Jesus,” as Chrysostom writes, “but he employs nothing more than words.”<sup>276</sup> How are we to understand this incoherence in the Gospel account? Perhaps it is connected with the remarkable fact that none of the evangelists explicitly mentions the death warrant which Pilate issues. They all write that the procurator, wishing to satisfy the people’s demands, “handed

<sup>273</sup> Chrysostom, *loc. cit.* (PG 58, 765): ἄνανδρος σφόδρα καὶ μαλακός. Cf. Origen, PG 13, 1775.

<sup>274</sup> Acts of the Martyrs of Lyons 50 (in Knopf and Krüger, *Ausgewählte Märtyrerkarten*).

<sup>275</sup> Chrysostom, *Hom. 86 in Matt.* (PG 58, 764): ἀλλ’ οὐκ ἦν αὐτῷ ἀσφαλές, φησὶν, ἀφεῖναι, ἐπειδὴ εἶπον, ὅτι βασιλέα ἑαυτον ἐποίη. Ἐχρῆν οὖν ἀποδείξεις καὶ ἐλέγχους ζητῆσαι καὶ ὅσα τυραννίδος ἐστὶ τεκμήρια. Cf. Chrysostom, *Hom. 84 in Joh.* (PG 59, 457); Cyril, in *Catena* I, p. 388.

<sup>276</sup> Chrysostom, *Hom. 84 in Joh.* (PG 59, 457): Πιλᾶτος ἀπὸ ψιλῶν ῥημάτων ἐβούλετο ἀφεῖναι.

over” Jesus to them, so that he might be crucified (Mk. 15:15; Matt. 27:26; Lk. 23:25; Jn. 19:16).

Between 370 and 375 C.E., a Roman cleric wrote a treatise on the exegetical problems in the Bible.<sup>277</sup> He notes that according to the Gospels, Jesus was crucified by the Jews, not as a consequence of a sentence pronounced by Pilate. “For,” he adds, “it is difficult to prove the innocence of one who is punished on the basis of a judicial sentence,” *difficile est enim innocentem probare eum qui sententia iudicis punitur*.<sup>278</sup>

## V

I hope that this critique of the passion narrative will not be criticized for being partisan. It follows in the steps of the fathers of the church, especially Chrysostom.<sup>279</sup> But what they found surprising, is a stumbling block to us: they were filled with wonder, but we simply fail to understand.

This is an essential distinction. Every critique of the passion narrative is based on the principle that the court proceedings against Jesus of Nazareth would not have been noticeably different from the procedure applied to any other Galilean. This position permits us, indeed obliges us, to conclude that the Gospel story of the passion is improbable; but the fathers of the church denied this position. The evangelists offer neither the minutes of a trial, nor the story of a “rabbi” named Jesus, the son of Joseph, but “the good news of Jesus Christ, the Son of God.”

My dissection of the Gospel accounts has brought to light only some isolated legal facts which were of no importance to the evangelists. Matthew, Mark, Luke, and John knew that Jesus and his executioners were accomplishing a mission that was necessary in the divine plan. This did not exclude individual responsibility, but it did determine in advance the outcome of all these human endeavors.

On the level of literary composition, this means above all that Jesus is acting on a completely different level than that of a Pilate or a Caiaphas. He is outside earthly history. He consciously fulfills the divine will.

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<sup>277</sup> On this pseudonymous book and its unknown author, cf. G. Bardy, *RB*, 1932, pp. 343ff.

<sup>278</sup> Ps.-Augustine, *Quaestiones in Vet. et Nov. Test.*, q. 75, ed. A. Souter (CSEL 50).

<sup>279</sup> When one reads the exegetical writings of Augustine, Cyril, or Theophylact, or the *Catena*, one quickly realizes that they all draw to a large extent on Chrysostom’s riches; he himself sometimes depends on Origen.



This plan of God is revealed by the prophets and can easily be read in the Bible: “Christ died for our sins, in accordance with the scriptures” (1 Cor. 15:3). He had to be rejected by his people, handed over to the Gentiles, and put to death. In the light of this salvific truth, the reader immediately understands the fierce determination of the chief priests, the unexpected weakness of Pilate, and the silence of Jesus who “did not open his mouth” (Is. 53:8).<sup>280</sup>

Pagans such as Celsus and Porphyry, who did not in the least understand the mystery of salvation, were astonished to see that Jesus did not justify himself. Why did he not convince his judges or Pilate of his innocence, like Apollonius of Tyana?<sup>281</sup> It is always the same question that Pilate put: “Have you no answer to make?” Thus, while we are asking some earthly question, the Gospels give us a spiritual reply, and Saint Jerome interpreted this response well: Jesus says nothing, in order that he may not be acquitted – “in order that the usefulness of the cross might not be postponed.”<sup>282</sup>

*Ne crucis utilitas differretur.* This is the motto of the passion narrative, a story written under the sign of the cross. And for this very reason, the passion narrative will always appear strange to Clio, who remains a pagan. But for those who believe, it will always have an evidential character. As Augustine says, “the pious and the impious take a different view of the obscurities of the Gospels.”

### Postscript

The last word about the trial of Jesus will never be written. The reader who seeks information about the *status quaestionis* can consult the highly apologetic work of J. Blinzler, *Der Prozess Jesu* (4th edn. 1969).

<sup>280</sup> Cf. Origen, PG 13, 1756, who quotes Ps 38:2 in this context; Augustine, *In Joh.* 116 (PL 35, 1942); Chrysostom, *Hom. 86 in Matt.* (PG 58, 763).

<sup>281</sup> Origen, *Contra Celsum* 2.35; cf. 2.17; Porphyry, frag. 63 Harnack. Porphyry asks: “Why, when he was brought before the high priest or the governor, did not Christ speak one single word worthy of a sage or of a divine man? He could have instructed his judge and those who assisted him, and worked to make them better persons... if he had to suffer on the orders of God, he would have had to accept the punishment, but this would not have obliged him to endure his passion without any bold discourse, any vigorous and wise word, addressed to Pilate.” Chrysostom explains Jesus’ silence by referring to the wickedness of his judges (*Hom. 86 in Matt.* and *Hom. 84 in Joh.*: PG 58, 764, and 59, 457).

<sup>282</sup> Jerome, *ad Matt.* 27:15 (PL 26, 206): *Jesus autem nihil respondere voluit ne crimen diluens a praeside dimitteretur et crucis utilitas differretur.*

I have no reason to engage in polemic against the excessively abundant secondary literature on this subject, since what interests me is not the *trial* of Jesus, but the *accounts* of this trial in the canonical Gospels. A distinguished Catholic legal scholar, writing in a periodical published by the Catholic University of the Sacred Heart, has been kind enough to say that since I am “a foreigner to all prejudice,” my essay attempted to give “a new impulse” to research.<sup>283</sup> I must however state that my voice has not been heard. The exegetes pluck out from my article the data which confirm (or appear to confirm) their personal views, and neglect the data which weaken their hypotheses; but they refuse either to learn the methodological lesson of my essay or to refute it. The only exception is the long article by Father Giacinto del SS. Crocifisso.<sup>284</sup> After giving an excellent summary of my essay, he criticizes it; but since he does not have first-hand knowledge of the historical and legal sources, all he can do is present the obsolete opinions of yesterday’s apologists. Although he recognizes that my study is “genuinely accurate and erudite” (p. 232), he reproaches me for not taking into account the inerrancy of Scripture. From his point of view, he is perfectly correct, but that particular point of view lies outside the historical perspective. The historian is obliged by his professional work to read Scripture (in the words of Thomas Jefferson) “as he would read Livy or Tacitus.” It is possible, indeed it is even probable, that by doing so, he condemns himself to understand nothing of the history of salvation. But what else can he do, this poor scratcher of the surfaces of texts?

*Ne sutor supra crepidam.*

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<sup>283</sup> A. Steinwentner, *Jus*, 1952, p. 480.

<sup>284</sup> *Scuola Cattolica* 58 (1940), pp. 225–235 and 341–357; I am grateful to Mr G. Tibiletti for kindly drawing my attention to this article.

## THE NAME OF CHRISTIANS

The origins of the name Χριστιανοί are narrated in the *Acts of the Apostles* as follows. After Stephen's martyrdom, some believers from Cyprus and Cyrene, who had left Jerusalem, preached at Antioch. Their success became known at Jerusalem, and "the community which was in Jerusalem" sent Barnabas to Antioch. Barnabas in turn brought Paul from Tarsus. For a whole year they worked together and taught many people. Ἐγένετο δὲ αὐτοῖς καὶ ἐνιαυτὸν ὅλον συναχθῆναι ἐν τῇ ἐκκλησίᾳ καὶ διδάξαι ὄχλον ἰκανόν, χρηματίσαι τε πρώτως ἐν Ἀντιοχείᾳ τοὺς μαθητὰς χριστιανούς (*Αχτ, Απ. 11, 26*).<sup>1</sup>

### I

Modern commentators mostly understand the passage as saying that the new name was given (in jest) to the disciples of Jesus by the heathen population of Antioch.<sup>2</sup> Some scholars assume that the name Christians, having the Latin ending *-ianus*, must have been given to the new sect by Roman authorities at Antioch or even at Rome.<sup>3</sup> The verb χρηματίζω, used in *Acts*, seems to confirm this interpretation. For, as it has been recently stressed,<sup>4</sup> this verb indicates official or legal style. This latter observation is, of course, exact. When a contemporary of the Apostles signs his petition<sup>5</sup> as Λιμναῖος Λιμναίου κ(αὶ) ὡς χ(ρηματίζω) he does not refer to any nickname he may have, but to his title of deputy-secretary (ἐπίτροπος γραμματέως).

Although critics are not agreed whether the Roman administration or the population of Antioch bestowed the new name on the followers

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<sup>1</sup> Mss. Variants are not noted since they have no relevance to our subject.

<sup>2</sup> See, beside the commentaries and the articles in biblical dictionaries, H.J. Cadbury, in *The Beginnings of Christianity* V, 1933, 383–86 (who gives additional bibliographical items): A. v. Harnack, *Mission und Ausbreitung des Christentums*, 4th ed. 1924, I, 424–7; Th. Zahn, *Introduction to the N.T.* II, 1909, 191.

<sup>3</sup> The theory that the name really began at Rome comes from Bruno Bauer, quoted in Zahn, *l.c.*, while R. Paribeni, suggested the formation of it in the *officium* of the Roman governor of Syria. See E. Peterson, in *Miscellanea Giovanni Mercati* I, 1946, 8.

<sup>4</sup> E. Peterson, *op. cit.*, 3.

<sup>5</sup> *P. Osloenses* II. 21 (71 A.D.). Cf. E. Zucker, *Gnomon*, 1933, 655.

of the Nazarene, they all agree that the term was invented by non-Christians. That means that the commentators tacitly assume the passive meaning (“were called”) of the active aorist *χρηματίσαι*. This postulate goes back to Guillaume Budé, the illustrious restorer of Greek studies in France (1467–1540). Accepted by Henri Estienne in his *Thesaurus Graecae Linguae* (1572) *s.v.*, it acquired, one might say, canonical authority in the course of time.<sup>6</sup> But is Budé’s interpretation right? I think not, on grounds both grammatical and lexicographical.

First the lexicographical matter. The verb *χρηματίζω*, *negotiarī*, which already was a technical term of the Athenian chancellery in the time of Pericles,<sup>7</sup> acquired later, as one of its numerous meanings, the signification of an official designation. With this sense, the verb (in the extant Greek literature) occurs for the first time in Polybius. He says, for instance, that Prince Achaeus, in revolt against Antiochus III, proceeded to Laodicea in Phrygia, where “he put on the diadem and also for the first time ventured to bear the title of king and to write (sc. as *basileus*) to cities.”<sup>8</sup> We know the Hellenistic ceremonial referred to by Polybius.<sup>9</sup> A new king was installed in his office, when, wearing his regalia, he was shown to the multitude and proclaimed *basileus*. It is evident, on the other hand, that when Antiochus III protested to the same Achaeus ἐπὶ τῷ τετολημῆκεναι διάδημα περιθέσθαι καὶ βασιλέα χρηματίζειν, he remonstrated against Achaeus’ taking of the royal title officially.<sup>10</sup> That takes care of all other instances where *χρηματίζω* refers to the royal style.<sup>11</sup> The verb does not mean that someone was called “king,” but that he officially has assumed the title.<sup>12</sup>

The other group of passages deals with official designation of citizenship. For instance, Flavius Josephus asserts that Alexander’s

<sup>6</sup> I did not regard it necessary to follow the history of interpretation. I only note that as late as 1828, S.T. Bloomfield, *Recensio Synoptica Annotationis Sacrae* IV, 376, presents the now common explanation as a novelty.

<sup>7</sup> See, e.g., *IG* I, 57; 63, etc. On the same word in the meaning “give an oracle” cf. L. Robert, *Hellenica* I, 1940, 72 and II, 1946, 1948.

<sup>8</sup> *Pol.* V, 57, 5: διάδημά τε περιέθετο καὶ βασιλεὺς τότε πρώτων ἐτόλμησε χρηματίζειν καὶ γράφειν πρὸς τὰς πόλεις.

<sup>9</sup> See on this ἀνάδειξις my note, above, 631–637.

<sup>10</sup> *Pol.* V, 57, 2.

<sup>11</sup> See, e.g. *Diod.* I, 44, 1: XX, 53, 2; *Plut.*, *Anton.* 54; *Jos.*, *Ant.* VIII, 157; XIII, 318; *Euseb.*, *V Const.* 18; *H.E.* I, 7, 12; *Philostr.*, *V Apoll.* V, 35: ὡσπερ αὐτοκράτωρ χρηματίζων τε καὶ πρῶττων.

<sup>12</sup> Cf., e.g., *Philo*, *Leg. ad Gaium* 346: Caligula decided to introduce his cult at the Temple of Jerusalem ἵνα Διὸς Ἐπιφανοῦς Νέου χρηματίζη Γαίω.

successors allowed the Jewish settlers in Alexandria to use the name of “Macedonians.”<sup>13</sup> A papyrus, written under Augustus, makes clear the meaning of this claim: Alexander, son of Nicodemus (who was a Jew as another record proves), styles himself “Macedonian” in this document.<sup>14</sup> Again, *χρηματίζειν* cannot have here a passive meaning: nobody gave the appellation of “Macedonians” to the Jews in Alexandria; on the contrary, the Hellenic population resented their pretension to this status. Likewise, if Posidonius of Apamea in Syria later had the style of Rhodian,<sup>15</sup> that does not mean that someone gave him this appellation. He simply became a citizen of Rhodos. Plutarch mentions the law in Xanthus that citizens should be named after their mothers.<sup>16</sup> Again, the verb *χρηματίζειν* refers here to the name one indicates in official records.<sup>17</sup> Numerous documents make clear the usage.<sup>18</sup> For instance, at Oxyrhynchus, illegitimate children had to be styled after the mother. Thus we have the style:<sup>19</sup> *Εὐδαιμονίδι... χρηματιζούση μητρὸς Σινθώνιος*. In another instance,<sup>20</sup> in the time of the Apostles, a certain Pnephros styled himself in a contract: *Πέρση τῆς ἐπιγονῆς*. In another document it is said of him: *τὸν χρηματίσαντα Πέρσην τῆς ἐπιγονῆς κατ’ ἐτέραν συγχώρησιν*. This active meaning of the verb is established without doubt by the Roman regulation which punished with the confiscation of a fourth of his estate any person using a false appellation and those who knowingly concur therein.<sup>21</sup> It is evident

<sup>13</sup> Jos. *Bf* II, 488: *χρηματίζειν ἐπέτρεψαν Μακεδόνας*.

<sup>14</sup> *B.G.U.* IV, 1132: *παρὰ Ἀλεξάνδρου τοῦ Νικοδείμου Μακεδό(νος)*.

<sup>15</sup> Athen. VI, 252: *Ποσειδώνιος δ’ ὁ Ἀπαμεύς, ὕστερον δὲ Ῥόδιος χρηματίσας... φησί κ.τ.λ.* Cf. Strabo XIII, 609: Metrodorus of Scepsis made a rich marriage at Chalcedon, καὶ ἐχρημάτιζε Χαλκηδόνιος.

<sup>16</sup> Plut., *de virt. mulier.* 248d: νόμος ἦν τοῖς Ξανθίοις μὴ πατρόθεν ἀλλ’ ἀπὸ μητέρων *χρηματίζειν*.

<sup>17</sup> Cf., too, Jos., *Ant.* XI, 344; C. *Apion.* II, 30; App. *Sicil.* 6.: M. Antonius in Crete: οὐ πρῶξαι καλῶς, *χρηματίσαι δ’ ὅμως διὰ τὴν πρῶξιν Κρητικὸς*.

<sup>18</sup> For Papyri cf. W. Schubart, *Arch. für Papyrusforschung* V, 114; F. v. Woess, *Untersuchungen über Urkundenwesen*, 1925, 319; V. Arangio-Ruiz, *Bull. de l’Institut d’Égypte* XXIX, 1948, 105. The usage is the same in inscriptions. For instance, the athletes at the festival of Sebasteia at Naples were required *ἀ[πογρ]άφεσθαι ὀνό[ματα ὡς ἂν χρ]ηματίζη ἢ πα[τρόθεν]*, that is (as the editors observe) either the official (Roman) name or the usual Greek filiation (*Inschr. von Olympia*, 56, 24). An inscription from Sagalassos in Pisidia (*IGR* III. 354): *Ἀὐρ. Μειδιανὸς Ἀτταλιανὸς ὁ τάχιον* (before) *χρηματίσας Ἀτταλιανός*. Cf. Ad. Wilhelm, *Hermes*, 1928, 225. Cf. Michel., 1342: *ἐπέγραψαμεν εἰς στήλην κατὰ τὸν νόμον Ἐργόφιλον πατρός οὐ ἂν χρ]ηματίσζη*.

<sup>19</sup> *P. Oxyr.* III, 505. Philo, *q. deus sit immut.* 121 refers to the same usage.

<sup>20</sup> *P. Oxyr.* II, 271 (56 A.D.).

<sup>21</sup> *B.G.U.* V, S 42: *οἱ ἀκαταλλήλως χρηματίζ[ον]τες τεταρτολογούνται καὶ οἱ εἰδότες καὶ συνχρηματίσαντες αὐτοῖς[τε]ταρτολογούνται*.

that οἱ ἀκαταλλήλως χρηματίζοντες of this decree are not the people who receive an improper appellation, but those who assume it. These observations, by the way, make clear the sense of another passage in the New Testament. In *Romans* (7,3), Paul says that a woman, married to another man, while her first husband lives, μοιχαλῖς χρηματίζει. That is always rendered as meaning: “she shall be called an adulteress.” But Paul is very exact in legal terminology. The bigamous woman, with her name written in the *ketubah* or into *tabulae nuptiales* of the second marriage, styles herself (according to Paul’s view) as an adulteress. This interpretation is confirmed by the next verse: remarried as a widow she will not be an adulteress. As μὴ εἶναι here, χρηματίζει in the other part of the antithesis refers to the status of the woman and not to her reputation.

Let us now turn to the grammatical side of the question. To be sure, there are many active forms used as passives of other verbs.<sup>22</sup> But, as a rule, in this case both verbs have no passive or, at least, no passive of the required meaning. Πάσχω (which has no passive of its own) is used as the passive of ποιέω in the sense “suffer,” which the passive of ποιέω does not have. Now, the verb χρηματίζω in its general meaning *negotari* has a passive. On the other hand, the verbs of name-giving (καλέω, ὀνομάζω) also have their own passive forms. In the sense “bear name,” the verb χρηματίζω could hardly be used with passive inflexions, for the meaning is here reflexive: “I style myself.”<sup>23</sup> For the same reason, the nominative<sup>24</sup> goes with it. For instance: Εβριωναῖοι χρηματίζουσιν οἱ ἀπὸ Ἰουδαίων τὸν Ἰησοῦν ὡς Χριστὸν παραδεξάμενοι. Were the verb of passive signification, it would require the subject expressed by παρά or ὑπό with the genitive. I cannot remember having come across that construction.<sup>25</sup>

<sup>22</sup> B.L. Gildersleeve, *Syntax of Classic Greek* I. 1900, 171; E. Maysers, *Grammatik der Griechischen Papyri* II, 1, 1926, 90.

<sup>23</sup> In some cases the shade of meaning is: “bear name.” See, e.g. Euseb., *Laud. Constant.* 17,14 (*Eusebius Werke* I, 258 ed. Heikel): τὴν κυριακὴν χρηματίζουσιν ἡμέραν. Cf., too, Philo, *de migr. Abrah.* 25, Orig., *de orat.* 15,4; Orig., *Hom.* I, 5 in *Jer.*, p. 3, ed. Klostermann: Ἀβράαμ προφήτης ἐχρημάτισεν ἐν τῷ· προφητῆς ἐστὶ κ.τ.λ. (*Gen.* 20,7). Letter of the Constantinople Synod in Theodoret., *Ecc. Hist.* V, 9,4: Antioch, ἐν ἣ πρώτῃ το τίμιον τῶν χριστιανῶν ἐχρημάτισεν ὄνομα. Orig., *Hom.* II in *Lucam*, p. 13 ed. Rauer (cf. in *Mth.* t. X, 12, p. 13 ed. Klostermann): δυνατὸν δὲ ἐκ τοῦ μηκέτι ἀμαρτάνειν χρηματίζει ἀναμάρτητον. Appian., *B.C.* II, 111: Brutus and Cassius ἀεὶ παρὰ Καίσαρι τιμῆς καὶ πίστεως χρηματίζοντες ἄξιοι. J. Schweighauser in his edition (1785) Index *s.v.* suggests the meaning: *in rebus agendas versor.*

<sup>24</sup> Orig., *C. Cels.* II, 1. Cf. Orig., *ad Afric.* 6 (*PG*, XI, 61).

<sup>25</sup> Sometimes the verb is used transitively. E.A. Sophocles, *Greek Lexicon*, *s.v.* quotes

We conclude that there is no reason to assume for the passage in *Acts* a meaning which does not occur in Greek elsewhere. The author of *Acts* says that at Antioch the disciples started<sup>26</sup> to take on the style of Christians. That is also the unanimous interpretation of ancient readers who themselves used the same verb *χρηματίζω* almost daily.<sup>27</sup> They say that the Apostles “gave themselves the name of Christians.”<sup>28</sup> A Byzantine forger even fabricated the Apostolic decree ordering the

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Malalas, and Suicerus, *Thesaurus Ecclesiasticus s.v. Basilius in Ps. 7, 1* (PG, XXIX, 229), for this usage. But Origen already says *χρηματίζειν αὐτούς* (*C. Cels.* V, 42, p. 46 Koetschau; *ad Mth.* t. X, 14, p. 17 Klostermann).

<sup>26</sup> On *πρώτως* here see Petersen, l.c. 3.

<sup>27</sup> Since dictionaries and commentaries rarely quote instances from patristic works, I bring here some characteristic passages found in the early Church Fathers. The verb in the meaning of “calling” does not occur in the Apostolic Fathers or in the Apologists. The earliest instance seems to be in the “Letter of the Church of Vienne” (177 A.D.), in Eus., *H.E.* V, 1, 10. Erpagathas intervenes to defend the Christians, but is executed himself: *ἀνελήφθη... παράκλητος χριστιανῶν χρηματίσας*, that is by his act, he did style himself “comforter.” As the aorist form shows, the translation “he was called comforter” (when? during the *martyrium*?) is grammatically wrong. The verb (avoided by Clement of Alexandria) often occurs in Origen. See, e.g. *Hom.* X, 4 in *Jer.*: *κἄν μυριάκις χρηματίζωσιν παρ’ αὐτοῖς* (Jews) *σοφοί, οὐκ ἔστιν λόγος κυρίου ἔτι ἐν αὐτοῖς*. Hieronymus (PG, XIII, 362) renders it as follows: *qui sibi sapientiam vindicent*. Cf. Orig., *op. cit.*, X, 6; XIV, 2 about the Jews: *ἐν τῷ λαῷ τῷ χρηματίζονται τοῦ θεοῦ*; XV, 3. Orig., *C. Cels.* I, 57; II, 1: “Ebion” means “poor,” and those among the Jews who received Jesus as Christ *Ἐβιωναῖοι χρηματίζουσιν. ib.* III, 18: Egyptian priests who are styled “prophets” (*τοῖς χρηματίζουσιν αὐτῶν προφήταις*); V, 42; VI, 28 about the Ophites: *τῶν ἀπὸ τοῦ ὄψεως ὡς ἀρχηγῶν τῶν καλῶν χρηματίσαι βουληθέντων*. Orig., *Cohort.* 14: I will leave spiritual children *ἵνα παρὰ τῷ θεῷ... χρηματίσω πατήρ*. Orig., in *Jer. Hom.* XII, p. 89 ed. Klostermann: *ἐπεὶ ἱερεὺς τις ἐχρημάτισεν καὶ ἔδοξεν ὑπεροχὴν ὀνόματος ἔχειν*.

The usage of Eusebius is the same. Eusebius in *V. Const.* 17 says that in the Great Persecution, the Christians could not use their name: *οὐδὲ μέχρι ψιλῆς ἐπιγορίας τὸ τῶν θεοσεβῶν χρηματίζειν συνεχωρεῖτο γένος*. Eusebius in *h.e.* I, 2, 10 describing the appearances of angels remarks that they “styled themselves angels” (*ἀγγέλους χρηματίσαι λέγουσα*). In *h.e.* I, 2, 26 he writes: *τὸν ἡμέτερον σωτήρα... υἱὸν ἀνθρώπου... χρηματίζοντα*; in *h.e.* VII, 19 III, 7, 8: *James τοῦ Κυρίου χρηματίζων ἀδελφός*; that is, James who was styled the Lord’s brother (Cf. e.g. *Acta Philippi* p. 75 ed. Tischendorf: *μετὰ Ἰάκωβον τὸν χρηματίσαντα ἀδελφὸν τοῦ κυρίου*). The title of James is given in *Galat.* 1, 19. Eus., *h.e.* VIII, 13, 15: when Licinius was declared Augustus, that vexed Maximin, *μόνον καίσαρα παρὰ πάντας εἰς ἔτι τότε χρηματίζοντα*. In Eus., *Dem. ev.*, e.g. III, 2, 35: *ἀπὸ βασιλικῆς φυλῆς τῆς Ἰουδα τοῦ πᾶν Ἰουδαίων ἔθνος ἐχρηματίζεν, ὡς καὶ εἰς σήμερον Ἰουδαίους ὀνομάζεσθαι*.

<sup>28</sup> See e.g. Vigilius, *Contra Arianos* I, 138 (PL, LXII, 194): *Tunc Apostoli convenientes Antiochiam, sicut eorum Luca narrante, indicant Acta, omnes discipulos novo nomine, id est Christianos appellanti*. Eriph., *Haer.* XLII, 12, 3: *διὸ καὶ ὄνομα τῆς ἐκκλησίας οἱ πάντες ἐν ἐπέθεντο, οὐχ ἐναντῶν, ἀλλὰ τοῦ κυρίου αὐτῶν Ἰησοῦ Χριστοῦ, ἀπὸ Ἀντιοχείας ἀρξαμένων Χριστιανῶν καλεῖσθαι*.

Cf. Ps. (Eumen., *ad Act.* XI, 26 (PG, CXVIII, 192); Niceph. Callist., *Ecl. Hist.* II, 6 (PG, CXLV, 769); Theophyl., PG, CXXV, 953. Tertull., *Apol.* 3; Euseb., *h.e.* II, 3, 3; Orig., *ad Math.* XVI, 13 (p. 88 ed. Klostermann) express the same interpretation implicitly.

name of the followers of Christ to be changed from “Galileans” to “Christians.”<sup>29</sup> Chrysostomus ascribed the invention of the name to Paul.<sup>30</sup> A local patriot of Antioch gave the honor to Euodius, the first Bishop of Antioch.<sup>31</sup> Other people found in *Isaiah* 65,15 (“He shall call His servants by a new name”) a prophecy referring to the event. Accordingly Chrysostomus, Theodorus of Heracleia, Cyrillus of Jerusalem and Cyrillus of Alexandria think that the Holy Ghost (or Jesus himself) had inspired the Apostles at Antioch.<sup>32</sup>

The usual argument against this traditional interpretation is that the word does not occur in the earliest Christian writers, except in Ignatius, who was a native of Antioch. But why should these epistolary communications from a Church leader (Paul, Peter, James, Clemens, Barnabas, etc.) to his community exhibit the official name of the believers? It was destined for the outside world. So, it appears in the New Testament in the mouth of King Agrippa (*Act.* 26,28) and with reference to Christian martyrs (*I Pe.* 4,16), and then, with the apologists it becomes a current term to use. Between themselves, the Christians rather employed the names of “brethren,” “believers,” “Saints,” etc.<sup>33</sup> Cyprian addresses his work *De lapsis* to “brethren.” Although he is writing about those who adjured Christianity during the Decian persecution, the term *Christiani*,

<sup>29</sup> I.B. Pitra, *Iuris Ecclesiastici Monumenta* I, 1864, 91: τὸς εἰς αὐτὸν πιστεύοντας Γαλιλαίους ἐκάλουν οἱ τότε ἄνθρωποι. Συνοδὸν εὐσαντες οὖν οἱ ἀπόστολοι ἐν Ἀντιοχείᾳ τῆς Συρίας ἐχρημάτισαν τοὺς Γαλιλαίους χριστιανοὺς ἐν πρώτοις ὀνομάζεσθαι. On this forgery, allegedly found in Origen’s library, see A. Harnack, *Gesch. der altchrist. Literatur* I, 1893, 774.

<sup>30</sup> Chrysost., *Hom.* XXV, 1 in *Acta* (PG, LX, 192); *Hom.* XVIII (XIX), 3 in *Jo.* (PG, LIX, 122): we οἱ τοῦ Χριστοῦ καλούμεθα. Οὕτω γὰρ ἡμᾶς Παῦλος ὀνόμασεν. Cf., too, *Hom.* VII, 7 in *Mth.* (PG, LVII, 81) Ps. Ignat., *ad Magn.* 10 (long recension).

<sup>31</sup> Malalas, *PG*, XCVII, 377, p. 246 ed. Oxon. about Euodius: καὶ ἐπὶ αὐτοῦ Χριστιανοὶ ὀνομάσθησαν τοῦ αὐτοῦ ἐπισκόπου Εὐδόδιου προσομιλήσαντος αὐτοῖς καὶ ἐπιθήσαντος αὐτοῖς τὸ ὄνομα τοῦτο.

<sup>32</sup> Theodor. Heracl. *PG*, XVIII, 1373; Cyrill. Hieros., *Catech.* X, 16; XVII, 28 (*PG*, XXXIII, 681, 1000); Cyrill. Alex., *ad Is.* LXV, 16 (*PG*, LXX, 1417). Cf., too Hesychius, *Interpretatio Isaiae Prophetæ* (ed. M. Faulhaber, 1900) *ad loc*; Hieron. *ad loc* (*PL*, XXIV, 643) Chrys., *Hom.* XXV, 1 in *Acta* (PG, LX, 192: ὄντως διὰ τοῦτο ἐν Ἀντιοχείᾳ ἐχρημάτισθησαν καλεῖσθαι Χριστιανοί). But I suspect that the passive form ἐχρημάτισθησαν (in the meaning: receive revelation) is here an error for the active ἐχρημάτισαν (decided). For Theophylactus, who always copies Chrysostomus, says (*PG*, CXXV, 953): in Antioch, πρῶτον ἐχρημάτισαν οἱ μαθηταὶ καλεῖσθαι Χριστιανοί. Exactly the same wording in Ps. Œcumenius, *PG*, CXVIII, 192. Yet, one should perhaps recall the fact that in late Greek earlier words do take on queer new senses. See A.D. Nock on word-coinage in the Hermetic writings (*Coniectanea Neotestamentica* XI, 1947, 163).

<sup>33</sup> A. v. Harnack, *Mission und Ausbreitung des Christentums*, 4th ed. 1924, 413; Cadbury (see above n. 1). Ignatius uses the term “Christian” in the sense of “true Christians.” *Ad Magn.* 4,2; *ad Rom.* 3,2; cf. *ad Ephes.* 11,2 and *ad Polyc.* 7,3.



if I am not mistaken, occurs here in one passage only (ch. 28), when the bishop speaks of acknowledgment of the quality of a Christian before the World: *et Christianum se putat qui ad Christum pertinere aut erubescit aut metuit?* Thus, the earlier Christian writers, as later Cyprian, do not deliberately avoid the word. They simply take care to put it in the right place.

If the Christians at Antioch coined the term with respect to the outside world, how should we understand this use of the name? It was hardly meant as a substitute for the individual appellation of a follower of Christ. Later, some martyrs to all questions about their names, origin and status, gave one answer: *Christianus sum*. But the earliest instance of this use is, so far as I know, from 177 A.D.<sup>34</sup> The Apologist Justin, for example, gives his status exactly in the beginning of his work. Paul was rather proud to be a native of “no mean city.” The taking of an official name by the disciples at Antioch probably means that they constituted a guild of Christ<sup>35</sup> or perhaps a synagogue of Christians, as there was, let us say, the “synagogue of the Freedmen” at Jerusalem or “that of Agrippenses” in Rome. Speaking or writing in Aramaic, the disciples probably used the same Greek name of their community, for in Talmudic writings such terms as *Augustiani* are simply transliterated.<sup>36</sup> Later, as the author of *Acts* implies, the style was adopted by other Christian groups elsewhere and became their name for the pagan world and the Roman authorities.

## II

What does this new name mean? Tertullian<sup>37</sup> parallels it with that of Epicureans, of Platonists. But the proper name of the Palestinian teacher was Jesus, not Christus. The Christians, however, did not bear the name of the Master. They were not his “school,” similar to “Bet Hillel” or “Bet Shammai,” which flourished at Jerusalem in the days

<sup>34</sup> Euseb. *h.e.* V, 1,20. On the use of the name “Christians” in inscriptions, from ca. 275 on, see Robert, *BE*, 1956, 293; 1974, 573.

<sup>35</sup> On religious guilds see now A.D. Nock, *HTR*, 1936, 39.

<sup>36</sup> *Act. Ap.* 6,9. J. Juster, *Les Juifs dans l'Empire Romain* I, 1914, 415. On transliteration of the word *Augustiniani*, cf. S. Krauss, *Griechische Lehnwörter im Talmud* II, 1988, *s.v.*

<sup>37</sup> Tert., *Apol.* 3: *Quid novi si aliqua disciplina de magistro cognomentum sectatoribus suis inducit? Nonne philosophi de auctoribus suis nuncupantur Platonici, Epicurei, Pythagorici?* Epiphanius (*Haer.* 29,1) states that the disciples of Jesus at first were called *Ἰησοῦται* since they “proceeded from Jesus” (διὰ τὸ ἐξ Ἰησοῦ ὀρμᾶσθαι).

of the Apostles. The Christians got their appellation from “Christus,” that is “the Anointed,” the Messiah. For they were not disciples of a rabbi from Nazareth, but followers of the Scion of David.

Then, the formation of their name is exceptional.<sup>38</sup> In normal Greek the followers of Christ would be designated by an appellative with the suffix –ειος, like *Επικουρεῖοι*, *Απολλωνιεῖοι*, etc.<sup>39</sup> The term *χριστιανοί*, on the other hand, is formed by addition of a Latin loan-suffix *-ianus*. In Latin this suffix produced proper names of the type *Marcianus* and, on the other hand, derivatives from the name of a person, which referred to his belongings, like *fundus Narcissianus*, or, by extension, to his adherents, *Ciceroniani*.<sup>40</sup> In Greek it became a fashion, under the Empire, to form proper names with this Latin suffix, such as *Diogenianos*.<sup>41</sup> As to derivatives with the same suffix, we have to distinguish between transliteration, borrowing and imitation of the Latin expression.<sup>42</sup>

In the first place, the Greeks sometimes simply transcribed Latin formulae. *Αντωνειανοὶ Οὐηριανοί* in an inscription of Ephesus are (*sodales Antoniniani Veriani* in Rome.<sup>43</sup> *Ἰ. Αἴλιος Πορκιανὸς ἱερεὺς Σουκιτιανῶν* of a Greek inscription is *P. Aelius Porcianus, sacerdos Sucinianus* of a Latin inscription. Then,<sup>44</sup> some scribes, for brevity's sake, borrowed the Latin expression with reference to Roman names. The former property of Antonia (which now belonged to the Emperor) would be designated in Latin as *Antonianus* (*fundus*) and in Greek: *πρότερον Ἀντωνίας*. The

<sup>38</sup> For the following cf. above, 665–669.

<sup>39</sup> Cf. Orig., in *Math.* t. XII, 11, p. 88 ed. Klostermann; ἀλλὰ καὶ χριστοῦ μέλη ὄντες παρώνυμοι ἐχρημάτισαν χριστοί (cor Klostermann: Mss. *χριστιανοί*. Latin version: *secundum Christi nomen omnes qui sunt illius Christi dicuntur*). Likewise, Aramaic adjectives denoting sectarians received endings in –ειος in Greek, as, e.g., *Σαδδουκαῖος* (cf. Jul. Lewy, *HUCA*, XIV, 1939, 130). The names of religious groups were often formed by addition of the suffix *stai*, e.g. *Adonistai*: L. Robert, *Les monnaies grecques*, 1967, 12.

<sup>40</sup> The later usage comes, probably, from the style of clients and freedmen: *Demetrius Pompeianus* (Sen., *de tranq. anim.* 8,6) is Demetrius, a freedman of Pompeius. The later use of the same suffix *-ianus* to form derivatives from common names, for example, *magistrianus*, does not concern us here, although these words were also transcribed in Greek as *μαγιστριανός*. Cf. *Catholiciani* (C.J. IX, 49,9). See, e.g. L.R. Palmer, *A Grammar of the Post-Ptolemaic Papyri* I, 1, 1946, 46.

<sup>41</sup> See, e.g. M. Lambertz, *Glotta*, 1914, 149.

<sup>42</sup> These formations with the Latin suffix *-ianus* should not be confused with the adjective, ending in *-ανος* and derived from geographical names, mostly in Asia, like *Ασιανοί*, *Σαρδιανοί*. See W. Dittenberger, *Hermes*, 1907, 231.

<sup>43</sup> *Ephesos* III, p. 117. The inscription, referring to a Roman magistrate M. Nonius Macrinus, gives among his titles that of *Ἀντωνειανόν Οὐηριανόν*. Cf., too, *δημος Οὐλπιανῶν Ἀγγιαλέων* on inscriptions and coins, etc.

<sup>44</sup> *IG* XIV, 1082 = *IGR* I, 143, where the Latin inscription (*CIL* VI, 2179) is quoted.

Greek scribe sometimes shortened the Greek expression by borrowing the Latin appellation. Thence, Οὐσία Ἀντωνιανή, Γερμανικιανή in Greek papyri.<sup>45</sup>

The Greek, however, had native suffixes to express the idea of appurtenance. Accordingly, a Greek writer speaks of Καισάρει although Plutarch risks the formation Νερωνιανοί to denote freedmen and other favorites of Nero.<sup>46</sup> Rare, indeed, are Greek words on -ianus derived from Greek nouns. As adjectives of this type, I can quote the words: μαγιανόν (bracelet, 23 A.D.), Ατταλιανός (garment, ca. 110 A.D.)<sup>47</sup> Χαρακιανά (tiles, ca. 150 A.D.).<sup>48</sup>

The nouns of the same derivation are mostly the names of sects patterned after that of Christians in ecclesiastical literature. Independent of Christian usage are the names such as Ηρῳδιανοί (the Gospels), Χαρμιδεανοί (ca. 140 A.D.), Σεβαζιανοί, Ασσανοί (II<sup>nd</sup> c), astrological terms, denoting persons “under the influence” of a zodiacal sign (Σκορπιανοί, etc.).<sup>49</sup> The epigraphist would be able, surely, to quote

<sup>45</sup> See M. Rostovtzeff, *Gesellschaft und Wirtschaft im Römischen Kaiserreich* II, 295. The formula Γερμανικιανή οὐσία already appears in a petition written in 34 A.D. (*P. Rylands* I, 134). Likewise, a city is called δορδιανή, and so on. Robert, *BE*, 1970, 407.

<sup>46</sup> Dio Cassius always uses the form Καισάρει even when speaking of *Caesariani* of the Roman Emperors. Even Paul speaks of τοὺς ἐκ τῶν Ναρκίσσου (*Rom.* 16,11) where a Latin writer would have said *Narcissiani* (cf. Plut., *Galb.* 17). Cf. Epict. IV, 5,17. Through kindness of Prof. R. Marcus (Chicago), I could examine the list of derivatives on -ianus in C.D. Buck and W. Petersen, *A Reverse Index of Greek Nouns and Adjectives* (Univ. of Chicago Press, [1945]), p. 264. It confirms the observations I have made on material collected by myself. The Chicago list, unfortunately, is not free from mistakes. Here I note that συνοπο(ι)κιανός must be read συνοποικιακός (Ad. Wilhelm, quoted in Robert, *BE*, 1948, 194).

<sup>47</sup> *P. Oxy.* II, 259 (A.D. 23): ψελίου χρυσοῦ μοναίων δύο μαγιανού. *B.G.U.* IV, 1065 (A.D. 97): ψελίων μαγιανῶν. Both texts according to the reading of U. Wilcken, *Arch. für Papyrusforschung* IV, 561. Μαγιανός cannot come from “Magic” as F. Preisigke, *Wörterbuch* and Palmer, *op. cit.*, 46, assume, for the adjective in this case would be μάγος μαγευτικός or μαγικός. On the other hand, a note of hand for a gold bracelet will not mention whether the object serves as love-charm or not. Μαγιανός is a derivative from the name Μάγας or Μάγνος and refers to the manufacturer. A slave Μαγιανός is mentioned in an inscription of Samothrace (K. Lehmann-Hartleben, *AJA*, 1940, 348).

<sup>48</sup> These are tiles manufactured by Charax who is probably identical with Claudius Charax, the author, and benefactor at Pergamum, who lived under Antoninus Pius. See E. Groag and A. Stein, *Prosopogr. Imperii Romani* (2nd ed.) II, p. 189, # 831; R. Hepding, *Philol.* 1933, 93. “Attalianus” garment: *P. Giess.* 21. Ασπουργίανοι (Strabo). The meaning is not clear. Cf. I. Tolstoi, *Vestn. Drevn. Ist.* 1955, No. 1, 9–13.

<sup>49</sup> “Herodians” are mentioned *Mc.* 3,6 and 12,13 (*Mth.* 22,15). Cf. above, 665–669. The “synagogue of Herodians” (J.-B. Frey, *Corp. insc. jud.* I, 173) has never existed. See A. Ferrua, *Epigraphica* III, 1941, 34. Ον ὁ δῆμος ὁ Χαρμιδεανῶν see L. Robert, *Études Anatoliennes*, 1937, 242. A dedication to θεῷ ἐπικῶφ ὑψίστῳ ends with the mention of θιά[σος?] Σεβαζιανός. A.B. Cook, *Zeus* II, 2, 879. Ασσιάνων ὁ θιάσος: Ch. Edson, *HTR*,

more parallels. An inscription shows how easy the formation on -ianus from a name became in the times of the Apostles. In 74 A.D. the city of Cibyra decreed to designate the foundation of a Phylagros as [κτῆ]σεις | γυμνασ[ιαρ]χικᾶς Φι[λαγ]ρ[ι]ανᾶς.<sup>50</sup>

All these Greek terms, formed with the Latin suffix *-ianus*, exactly as the Latin words of the same derivation, express the idea that the men or things referred to belong to the person to whose name the suffix is added. In Greek as in Latin the suffix *-ianus* is a substitute for the possessive genitive. Χαρακιαναί tiles parallel the tiles Εὐμήλου, etc. The term Χαισαριανοί corresponds to the ellipse Καίσαρος (*Caesaris servus*) in other documents. The “Christians” belong to Christ; they are οἱ τοῦ χριστοῦ as Paul says.<sup>51</sup> Consequently, to understand their name, we have first to be clear about Jesus’ title. Now, “Christus” is, of course, a literal, and for this reason, unintelligible, rendering of the Hebrew *Mashiah* (Aramaic: *Meshiah*), meaning “Anointed,” a word, which, in turn, is an adjective referring to the king of the race of David who will redeem and restore Israel. In other words, it is a royal title, and the name “Christians” means *ministri regis*.

One may object, perhaps, that the corresponding Semitic expression (which would have been *abdei hamashiah* in Hebrew) does not occur in our sources. But in the Hebrew Bible, where the solemn appellation “Anointed” always has a defining genitive or adjective referring to the Lord, the word has no separate existence or political meaning. King as ruler is called here *melek*. Only in the use of later Jews did “the Anointed” become the title of the ruler of a redeemed and regenerated Israel. The Jews, however, expected the Messiah in an indefinite future, so they had no occasion to deal with the courtiers of a prince who would not come before the end of the world. For the Christians, on the other hand, the Messiah was already here. Jesus’ message announced: “the Time is fulfilled, and the kingdom of God is at hand” (*Mark* 1,15).

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1948, 154. For astrological terminology see *Cod. astr. gr.* VIII, 3, 138; VIII, 4, 191. The passages referred to are ascribed in Mss. to an Antiochus and an Harpocraton. On these authors cf. F. Cumont, *Mélanges Bidez*, 1934, 134; A.-J. Festugière, *La révélation d’Hermès Trismégiste*, 1944.

<sup>50</sup> *IGR* IV, 915. On Philagrus cf. L. Robert, *o.c.* 385. I am unable to understand *Inscr. v. Magnesia*, 309: a woman is styled as ὑποτρόφου θεῶν προατιανῶν. I suspect the reading. Cf. *Stablesiani*: Robert, *BE*, 1974, 565 & 573.

<sup>51</sup> A. Deissmann, *Light from the Ancient East*, 1927, 377 has already seen that relationship. The genitive χριστοῦ: *I Cor.* 1,12; 3,23; 15,23; *II Cor.* 10,7; *Gal.* 3,29; 5,24. On the vulgar form Chrestus and Chrestiani, cf. I.M. Tronski in the *Antichnost i Sovremenost*, published in honor of P.A. Petrovski, 1972, 34–41 (in Russian).

Accordingly, "the Messiah" as a technical term, appears for the first time, in Greek garb (ὁ χριστός), in the Gospels. Thus, differing from official Judaism, the believers in Jesus the Anointed had to deal with the officers of this king.

If we want to make precise the meaning of the term "Christians," we have again to go behind the Greek façade. As often in the New Testament, the lexical form is Greek while the idea is Jewish. The writers of the New Testament often mention Christ's slaves. Now, the word δούλος may have many meanings. For instance, in I *Cor.* 7,22-4, Paul uses the term and the Greek practice of the παραμονή to express the idea of the religious egalitarianism in Christ.<sup>52</sup> Likewise, the term is often used as a figure of speech, such as "Slaves of Sin" (*Rom.* 6,17), etc. Then, of course, the word δούλος often appears in the New Testament to designate slaves in the sense of civil law. Leaving out this normal Greek usage and (also normal Greek) metaphors, there remains in the New Testament a residue, where the word δούλος is employed in meanings which are completely foreign to the Greek. Nurtured in the Septuagint, Paul and other apostles use the term as an equivalent of the Hebrew *ebed*. *Ebed*, of course, means δούλος (although the Septuagint for this meaning prefers παῖς),<sup>53</sup> but, then, in Hebrew, (as corresponding terms in other Oriental languages), the word had taken on the significance of "subject." "All the slaves" of Pharaoh means all his subjects (*Dt.* 29,1). It was a principle of the Jews and a title of honor for them that they were subjects (literally slaves) of God alone.<sup>54</sup> When Jesus promises the Jews that the Truth will make them free, they answer indignantly: "We are Abraam's seed and never were subject to anyone" (*Jn.* 8,33). On the other hand, the same word *ebed* (and again corresponding terms in other Oriental languages) eventually acquired the meaning, depending on the context, of royal officer or agent. For instance, *Yā'azanyahn ebhedh ha(m)melech* on a seal means literally: Jaazaniah, slave of the king. He was, of course, not a slave,

<sup>52</sup> W.L. Westermann, *Proceed. Amer. Philosophical Society*, XCII, 1948, 55.

<sup>53</sup> Cf. K.H. Rengstorf, in *TWNT* II, 269.

<sup>54</sup> See, e.g., G.F. Moore, *Judaism* II, 1927, 372; J. Bonsirven, *Le Judaïsme Palestinien* I, 1935, 83; S. Schechter, *Some Aspects of Rabbinic Theology*, 1909, 85. On God as king of his people and the worshipper as servant see W.R. Smith, *Lectures on the Religion of the Semites*, 3rd ed. 1927, 62ff. Smith, of course, notices that *ebed* means "courtier." See also W. Baudissin, *Kyrios*, III, 1929, 555ff.

but a royal officer, mentioned in the Bible.<sup>55</sup> In Xenophon's *Anabasis*, a Persian is quoted as calling Cyrus the Younger "slave" (δοῦλος) of the Great King.<sup>56</sup> Darius I addresses his letter to his governor Gadatas as follows: Darius "thus says to Gadatas, slave."<sup>57</sup> Now, the Septuagint, as a rule, employs the word δοῦλος to express in Greek both these peculiar significations of *ebed*. As the passages just quoted from Xenophon and Darius' letter show, the Alexandrian translators, as often, followed the pattern of Persian official interpreters. Through the Septuagint, the eventual equation of δοῦλοι with *ministri* or *subditi* became customary to the New Testament writers. They often speak of God's or Christ's "slaves" (δοῦλοι) meaning *ministri Dei* or *subjecti Dei*.

Since the Messiah, according to Jewish thought, was God's vicar on earth until the consummation of his task, the New Testament writers often describe divine operations in terms either of God or of Christ. For Paul the tribunal of God is identical with the tribunal of the Messiah.<sup>58</sup> Nevertheless, with reference to the Messiah, the word δοῦλοι signifies in one instance only the "subjects," and even in this case I am not sure that this interpretation is necessary.<sup>59</sup> It is the passage in *Apoc.* 2,18–20 where "the Son of God" speaks of Jezebel who has seduced τοὺς ἐμοὺς δούλους. The reason for this aversion is that the Jews, as I have said, being subjects of God, were never regarded as "slaves" of the Messiah, who was only God's representative and envoy. For the same reason, the formula "slave of God" rarely means God's subject in the New Testament. For since all Jews were God's subjects, there was no use of making a point of it. When Mary answers to the angel that she is "a slave of the Lord" (*Luke* 1,38), that is simply a formula of politeness, which is, by the way, again non-Greek. When Paul says that it is the free man who is called the "slave of Christ" (*I Cor.* 7,22–4), he uses not only the non-Greek, but also non-Jewish

<sup>55</sup> Ch. McCown, *Tell-en-Nasbeh* I, 1947, 163. I reproduce the transcription of the editor. Cf. *II Kings* 25, 23; *Jer.* 40, 8.

<sup>56</sup> Xen., *Anab.*, II, 5,38. Cf. *ib.* I, 9, 29.

<sup>57</sup> Michel, 32: [β]ασιλεύς [β]ασιλέων Δαρείος ὁ Ὑστάσπεω Γαδάται δούλοι τάδε λέγει.

<sup>58</sup> *Rom.* 14,10 and *II Cor.* 5,10. See A.D. Nock, *St. Paul*, 1938, 79.

<sup>59</sup> *Eph.* 6,6 is another passage where the noun may have the same meaning. I leave out the usage of the verb δουλεύειν which already in classical Greek eventually took on the metaphorical meaning. See e.g. *Rom.* 16,18: they who serve (δουλεύουσιν) not Christ, but their own belly. But in *Rom.* 14,18 or *Coloss.* 3,23 the verb may express the idea of subjection to the Messiah.

concept of free persons who became self-devotees of an Oriental divinity.<sup>60</sup> But in the vision of the King of Kings and Lord of Lords in the Revelation, when God avenges the blood of His “slaves” at the hand of the great Babylon, the word clearly refers to all believers (*Apoc.* 19,2 and 5 with 18,24).<sup>61</sup>

In most cases, when δοῦλος is a transposition of *ebed*, the meaning is *minister*.<sup>62</sup> That is clear when the texts refer to God’s “slaves,” the prophets,<sup>63</sup> or Moses, “the slave of God” (*Apoc.* 15,3), or when a writer of a message to the faithful styles himself “a slave of Jesus Christ called to be his envoy.”<sup>64</sup> That conveys the meaning of the formula: “slave of Jesus the Messiah”<sup>65</sup> or “slave of God and of Jesus the Messiah”<sup>66</sup> or “slave of God”<sup>67</sup> with reference to Paul, or the other apostles or to their co-workers. When Paul says: if I pleased men, I should not be the “slave” of Christ (*Gal.* 1,10), the meaning is, I should not be an agent of the Messiah.<sup>68</sup> When writing to the Colossians, he introduces Epaphras, a man from the church at Colossae, as a “slave of Christ” who prays for his community (*Col.* 4,12); that would have no meaning if Epaphras were not recommended here as an officer of the King Messiah. This interpretation of the usage is directly confirmed by parallel passages where the writers have recourse to genuine Greek terms. In I *Cor.* 4,1; II *Cor.* 6,4, Paul speaks of “us, the ministers of Christ” (or of God: ὑπηρέτας Χριστοῦ, θεοῦ διάκονοι).<sup>69</sup> In II *Cor.* 11,23, he styles himself (and other apostles): διάκονοι Χριστοῦ. In *Colossians* (1,7) the same Epaphras is designated as σύνδουλος ἡμῶν... διάκονος τοῦ Χριστοῦ. Timothy is “the slave of the Lord” (II *Tim.* 2,24) and

<sup>60</sup> See Westermann, *op. cit.* 63.

<sup>61</sup> See, too, *Act. Apost.* 4,23; I *Pet.* 2,16; *Apoc.* 1,1.

<sup>62</sup> After having written these pages, I found that K. Holl, *Gesamm. Aufsätze* II, 1928, 107 had already pointed out that in Paul the term “slave of Christ” is a title, which a common Christian does not have. I do not recall ever seeing the relationship between this Pauline usage, the Septuagint and the Oriental style clearly put, but I did not read all the modern literature on Paul. I could not learn anything from the latest paper on the subject (G. Sass, *ZNW* 1941, 24–32).

<sup>63</sup> *Apoc.* 10,7; 11,18; 22,6. Cf. *Act. Ap.* 4,29; 16,17.

<sup>64</sup> *Rom.* 1,1; *Tit.* 1,1; II *Pet.* 1,1.

<sup>65</sup> *Phil.* 1,1; *Col.* 4,12; II *Tim.* 2,24; *Jude* 1,1.

<sup>66</sup> *James* 1,1.

<sup>67</sup> *Tit.* 1,1.

<sup>68</sup> Cf. *Act. Ap.* 20,19.

<sup>69</sup> Cf. *Rom.* 13,4: the secular ruler is θεοῦ διάκονος. *Jo.* 18,36: Speaking of his “kingdom” Jesus calls his disciples: οἱ ὑπηρέται... οἱ ἐμοί. Cf. also *Lc.* 1,2; *Act. Ap.* 26,16: Paul called by Jesus to be ὑπηρέτην καὶ μάρτυρα. *Col.* 1, 25: Paul is διάκονος of the Ecclesia which is Christ’s body.

“minister of God”: or of Jesus Christ (*I Thess.* 3,2; *I Tim.* 4,6): δοῦλος Κυρίου, διάκονος τοῦ θεοῦ, διάκονος Χριστοῦ Ἰησοῦ.

For, being the “Anointed” King, Jesus has to have his retinue, his officers in the new age, which was already here, of the Kingdom of Heaven.<sup>70</sup> Josephus tells us that the Pharisees promised to a eunuch of Herod that he will not only receive his manliness, but also the court rank of “father and benefactor” from “him who was according to their predictions to be their king.”<sup>71</sup> When the sons of Zebedee asked for privileged seats in Jesus’ glory, they wanted to become high courtiers of the messianic king. The narrator adds that other apostles were jealous of this request. The question by the apostles as to who is the greatest in the kingdom of heaven has the same earthly meaning.<sup>72</sup>

At Antioch, the common believer received his place and function in the messianic hierarchy. They became “slaves of God,” who were chosen and “sealed” from all the tribes of Israel (*Apoc.* 7,3). That, of course, did not make everybody equal to Paul or Barnabas. “There are diversities of grace... diversities of ministration” (*I Cor.* 12,4).

To express this relationship between the Messiah and his elect, the disciples at Antioch, speaking to the pagan world, could not style themselves: “slaves of Christ.” For, to a Greek ear, “James, slave of God and Lord Jesus Christ” would resound exactly as Κόρραγος δοῦλος τοῦ Σαράπιος καὶ τῆς Ἰσιος.<sup>73</sup> But the followers of Christ were no hierodules. Neither could they assume an appellation similar to Ἰσιακοί, Σαραπιασταί. For that would have suggested the blasphemous idea that they adored the Messiah as their God. The term χριστιανοί on the other hand, made it clear that they were agents, representatives of the Messiah. Augustine’s rhetorical antithesis put it expressively: *unus Christus et multi Christi*.<sup>74</sup>

<sup>70</sup> On this concept see, e.g., C.H. Dodd, *The Apostolic Preaching*, 1936, 66ff. C.C. Torrey, in *Quantulacumque...* presented to K. Lake, 1937, 317 points out that in the Gospels the term “Christ” is always either the descriptive adjective or the title, but never the proper name.

<sup>71</sup> Jos., *Antt.* XVII, 45.

<sup>72</sup> *Mth.* 20,20 (*Mc.* 10,35); *Mth.* 18,1. Cf. *Apoc.* 5,10. Cf. P. Volz, *Die Eschatologie der jüdischen Gemeinde*, 1934, 404.

<sup>73</sup> L. Robert, *Rev. Arch.* 1933, 140.

<sup>74</sup> If I am not mistaken, I found the expression in Augustine’s *Enarrationes in Psalmos*, but at present I am unable to supply the reference. The idea, however, often occurs in patristic writings. See, e.g. Origen’s passage quoted above n. 39; Methodius, *Conviv.* VIII, 8 or Rufin’s rendering of Pamphilus’ *Apology for Origen*, 5 (*PG*, XVII, 588): *ab uno enim Christo multi fiunt christi*.



The name which the followers of Jesus gave themselves officially at Antioch, about 40 A.D., is a precious relic which has survived from the short and obscure period between Jesus and Paul, whose preserved letters start a decade later. The name shows that at this date, in the first decade after the end and glory of Jesus, his followers continued to think of him according to Jewish patterns of thought. They were still a Jewish movement, who believed themselves to be the “third order”<sup>75</sup> called to enter the Kingdom of Heaven, and who, as such, declared to the pagan world that they were officers of the Anointed King in his kingdom, which was a present reality. “The darkness is passing and the real light is already shining” (*I Jo.* 2,9).

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<sup>75</sup> On the meaning and origins of the term *tertium genus hominum* see L. Baeck, in *Jewish Studies in memory of G.A. Kohut*, 1935, 41.

## PLINY, TRAJAN, HADRIAN AND THE CHRISTIANS\*

In the seventh book of his work *de officio proconsulis*, Ulpian collected legal rulings concerning the Christians. The compilers of Justinian's *Corpus juris* naturally omitted this material. The Church Fathers again were not interested in copying "the abominable rescripts" which instructed the Roman authorities "by which penalties should be afflicted those who acknowledged that they were worshippers of God."<sup>1</sup> Eusebius himself, when describing "the martyrdoms of our own time," does not reproduce the anti-Christian ordinances of the Tetrarchs, though he quotes in full the decrees of Galerius, Maximinus, Licinius and Constantine on behalf of the Church. Again, he copies Gallienus's letter to some bishops (of Egypt?) on restoration of Church property, but not the edict of Valerian on confiscation of this property.<sup>2</sup> In other words, the Christian tradition, quite naturally, preserved documents which attested "the gracious and favoring interposition of God,"<sup>3</sup> and did not care to retain the memory of the imperial legislation against the Church.<sup>4</sup>

Thus, only two imperial rescripts on trials of Christians have come down to us verbatim: a letter of Trajan to Pliny, and a letter of Hadrian.<sup>5</sup>

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\* A review article of Rudolf Freudenberger, *Das Verhalten der römischen Behörden gegen die Christen im 2. Jahrhundert dargestellt am Brief des Plinius an Trajan und den Reskripten Trajans und Hadrians* (Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte, 52. Heft). München, 1967, C.H. Beck, X + 258 pp. In this edition, the observations on Freudenberger's work have been omitted.

<sup>1</sup> Lact. *Div. inst.* V, 11: *Domitius de officio proconsulis libro septimo rescripta principum nefaria collegit ut doceret quibus poenis adfici oporteret eos qui se cultores dei confiterentur*. The compilation of Ulpian is mentioned as a source in a letter of a governor of Asia, cf. L. Robert, *RPh.* 1967, 46.

<sup>2</sup> Eus. *h.e.* 1, 1, 2. Gallienus: *ib.* VII, 13,2; Galerius: *ib.* VIII, 17,3 = Lact. *de mort. pers.* 34; Sabinus: *ib.* IX, 1,3; Constantine and Licinius: *ib.* X, 5 = Lact. *ib.* 48; Maximinus II: Eus. *ib.* IX, 9a; a collection of Constantine's orders: *ib.* X, 5-7.

<sup>3</sup> Eus. *h.e.* VIII, 16,1. It is true that Eusebius (IX, 7,3) also reproduces a letter of Maximinus II which encourages the cities to present anti-Christian petitions. But Eusebius omits to quote the part of the letter which attacked the Christians directly and quotes the rest to show that the hopes of the "tyrant" were thwarted by Heaven.

<sup>4</sup> There are, of course, many references to anti-Christian enactments of Roman emperors and governors. See e.g. Eus. *h.e.* VI, 28; VI, 41,10; VII, 10; VIII, 30,19; *Acta Cypriani* ap. Knopf-Krueger, p. 62; *Cypr. Ep.* 80,1; *SHA*, Sept. Sev. 17,1.

<sup>5</sup> It is curious that P.R. Coleman-Norton in his "collection of legal documents," entitled *Roman State and Christian Church*, 1966, without warning and without naming the original sources, reproduces two spurious documents after the old compilation of

The rescript of Trajan has been transmitted in the collections of Pliny's letters. Tertullian refers to it in his *Apology for Christians*. He also mentions a (spurious) letter of Marcus Aurelius in favor of Christians. It is worthwhile to note that Eusebius, who studiously collected evidence concerning the early Church, knew these Latin documents only from Tertullian's *Apology*.<sup>6</sup>

The textual history of Hadrian's letter, as we shall see later, was more complex.<sup>7</sup> Justin appended this Latin letter to his *First Apology* written in Greek. Addressed to a proconsul of Asia, the rescript of Hadrian remained unknown to Tertullian who wrote in Africa. Eusebius, writing in Palestine, had known the rescript only from hearsay until he read it in Justin. He turned the Latin text quoted by Justin into Greek for his *Ecclesiastical History*.<sup>8</sup> When Latin became unintelligible in the East, some copyist substituted Eusebius' Greek version for the Latin rescript in Justin's manuscripts. On the other hand, Eusebius in his *Ecclesiastical History* reproduced a (forged) letter of Antoninus Pius concerning the Christians. Again, some copyist of Justin, attributing this letter to Marcus Aurelius, added it to Hadrian's letter in Justin's *Apology*.<sup>9</sup> Lastly, the unique extant manuscript of Justin, copied in 1364, adds a third imperial document: a Greek version of the spurious Latin letter of Marcus Aurelius referred to by Tertullian.<sup>10</sup> The manuscript of Justin

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Haenel. In fact, the alleged letter of Maximinus (no. 6) comes from the *Passio S. Sabini* and the letter of "Aurelian" (no. 5) from the *Passio S. Symphoriani*. As Ruinart already noted "Aurelian" is here a mistake of a copyist, and the alleged author of the document was supposed to be Marcus Aurelius. Certainly, it may be of interest to collect Christian forgeries of Roman documents, but in this case the letter of Marcus Aurelius, reproduced in Justin's manuscript (see n. 10) or, let us say, the letter of Marcus Aurelius, invented by the author of the *Life of Abercius* (c. 48) should be included. The Christians, of course, were not alone in fabricating imperial rescripts in their favor. Cfr. L. Wenger, *Die Quellen des roemischen Rechts*, 1953, 431.

<sup>6</sup> Tert. *Apol.* 2,6; 5,6. Cfr. Eus. *h.e.* III, 33 (quoting Tertullian). Cfr. A. Cameron, *CQ*, N.S. XV, 1965, 291; *ibid.*, N.S. XVII, 1967, 421.

<sup>7</sup> Cf. W. Schmid, *Festschrift Th. Klauser*, 1964, 312.

<sup>8</sup> *h.e.* IV, 9,1-3.

<sup>9</sup> Eus. *h.e.* IV, 13. Note that even jurists could disagree about the authorship of an imperial rescript. The same letter to the Commonalty of Thessaly was attributed to Hadrian by Callistratus (*Dig.* V, 1,37) and to Antoninus Pius by Marcianus (*Dig.* XLVIII, 6,5,1).

<sup>10</sup> The spurious letter of Marcus Aurelius is reproduced in *PG*, VI, 436, in J.B. Lightfoot, *The Apostolic Fathers* (2nd ed.) II, 1, 1889, 485 and in the Loeb edition of Fronto II, 300. It is interesting to note that Eusebius was not certain of the existence of this letter. *Chr. Pasch.* p. 487: λέγεται δὲ ὡς καὶ ἐπιστολαὶ φέρονται Μάρκου τοῦ βασιλέως κ.τ.λ. A. Harnack, *Sitz.-Ber. Preuss. Akad.* 1894, 382 has shown that the

consulted by Eusebius did not exhibit this forgery. This Greek version, made after 311, was still unknown to Eusebius. We do not know how and when this spurious text became added to the *Apology* of Justin.

To sum up: only three imperial rescripts (one of them spurious) concerning the trial of Christians circulated in the Church before the universal persecution instituted by Diocletian; and Eusebius, though writing sixteen centuries ago, could reproduce only these three rescripts for the whole period of local persecutions, from Nero to Valerian. The second point to be made is that, thanks to Pliny and Justin, we would have known both authentic documents even without Eusebius. In other words, the letter of Trajan (in the West) and the letter of Hadrian (in the East) were the sole imperial documents for the whole period, from Nero to Valerian, which were remembered and treasured by the Church. Yet, there were other imperial enactments, for instance letters of Marcus Aurelius referred to by Melito, which could be used by Christian apologists. But these documents, probably, were less favorable to the Christians than the letters of Trajan and of Hadrian. On the other hand, it was not easy to obtain copies of relevant ordinances. In the beginning of Valerian's persecution the bishop of Carthage had to send men to Rome in order to learn *ut quomodocumque de nobis rescriptum fuisset*. But the rescript of Trajan could be found in the published collection of Pliny's correspondence, and the letter of Hadrian, as Eusebius states in his "Chronicle," was still in circulation in his time.<sup>11</sup>

The two short rescripts have produced volumes of controversial literature. Yet, a thorough reconsideration of Pliny's letter (and of Trajan's reply) would, probably, repay the effort, even after Freudenberger's detailed study and the excellent commentary in A.N. Sherwin-White's *Letters of Pliny* (1966). For instance, Pliny reports that the Christians bind themselves by oath not to commit theft, robbery and adultery. So far nothing surprising: the Christians follow the commandments of the Decalogue.<sup>12</sup> As Tertullian says of murderers, thieves, etc.: *nemo illic*

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forger of the letter had used Galerius' edict *ap. Eus. h.e. VIII, 17,9*. Further cf. T.D. Barnes, *JRS*, 1968, 37; R. Freudenberger, *Historia*, 1968, 251.

<sup>11</sup> Melito *ap. Eus. h.e. IV, 26,5*; Cypr. *Ep. 80,1*; *Eus. Chr. Ol.* 226.

<sup>12</sup> Besides the Decalogue, commentators quote I *Petr.* 4,15, the Didache, and the rules of a shrine of Agadistis in Lydia. Cf. A.D. Nock, *CR*, XXXVIII, 1924, 38. Cf. Tert. *Apol.* 44,3 and *de spect.* 3: the Christians follow the divine commandments: *non occides, non idolum coles, non adulterium, non fraudem admittes (Exod. 20; 15: furtum)*. Cf. Tert. *adv. Iud.* 2,3: *non fraudaberis (Ms. Q. furaberis)*; *Id. adv. Marc.* II, 17,4: *non furaberis*.

*Christianus*. But Pliny adds: *ne fidem fallerent, ne depositum appellati abnegarent*. Translators mistranslate the passage, and Tertullian already weakens its import by using the more general term *perfidia* in his summary of Pliny's letter.<sup>13</sup> But *fidem fallere* in legal language means to violate the informal (so-called consensual) contracts such as sale, loan, etc.<sup>14</sup> The reference to deposit (which belongs to the same class of obligations) underlines the meaning of the passage. Why did the Christians in Bithynia stress the inviolability of credit obligation? According to Tertullian, the Christians were rather reproached for being *infructuosi negotiis*.<sup>15</sup>

Another passage in the letter which seems strange is Pliny's question: *nomen ipsum, etiamsi flagitiis careat, an flagitia cohaerentia nomini puniantur?* The question itself is understandable. A senatus-consultum of A.D. 17 punished astrologers and such. Jurists, then, asked whether the science of forbidden arts or only their exercise and public avowal (*professio*) was punishable. Earlier authorities, says Ulpian, stated that the *professio* and not the knowledge was to be punished. Later authorities disagreed on this question. As a matter of fact, Paulus advised that it is better to stay away not only from the practice of (illegal) divination but also from its science and books.<sup>16</sup> Here, we have a counterpart to the problem posed to Pliny by the Christians. Is *professio nominis* (to use Tertullian's words)<sup>17</sup> punishable by itself? Tertullian, for his purpose, compares the Christians with philosophical schools and asks whether, say, the Platonists were persecuted because of their "name." (As a matter of fact, the Epicureans were expelled from some cities *qua* Epicureans).<sup>18</sup> But what does the term *nomen* mean in Pliny's letter? Commentators, following Christian apologists, say that the Christians were accused of

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H. Traenkle, in his edition of Tertullian's *adversus Iudaeos*, 1964, ad *loc. cit.* vainly tries to convince the reader that *fraus* can mean *furtum*. In fact, the passage Tert. *Adv. Marc.* V. 13,6 he quotes refutes him. God forbade stealing, yet ordered Israel to cheat the Egyptians out of gold and silver (cfr. *Exod.* 12,35).

<sup>13</sup> Tert. *Apol.* 2,6. On *perfidia* cfr. Ed. Fraenkel, *RhM*, LXXI, 1916, 29.

<sup>14</sup> *Thes. Linguae Latinae* VI, 1,185. The expression is used only twice in the whole juristic literature: *Dig.* XIII, 5,1, pr. *praetor... constituta ex consensu facta custodit, quoniam grave est fidem fallere*; *Dig.* XVIII, 3,5. Cfr. *Sen. de benef.* III, 15,3; IV, 35,2. The Bithynian Christians, speaking Greek, probably used the term  $\pi\acute{\iota}\sigma\tau\iota\varsigma$  which, in reference to contracts, corresponds to *fides*. Cfr. J. Partsch, *Griechisches Buergerschaftrecht*, 1909, 361.

<sup>15</sup> Tert. *Apol.* 42,1. Cfr. Tert. *de idol.* 10.

<sup>16</sup> *Coll. leg.* 15,2. The passage is misunderstood in F.H. Cramer, *Astrology in Roman Law and Politics*, 1964, 278; Paul. *Sent.* V, 21,4.

<sup>17</sup> Tert. *Apol.* 3,7.

<sup>18</sup> Athen. XII, 547a. Cfr. L. Robert, *Hellenica* XI–XII, 1960, 485; Lucian, *Alex.* 38; *M. Sanh.* 10,1.

“the name.” But this makes no sense. Punishable was rather the *professio*, the affirmation *ad acta* that one was Christian. Just as *nomen homicidae* (to use Tertullian’s phraseology again), “the name” of Christian was *delicti nomen*.<sup>19</sup> The Christians were punished on the charge (*nomen*) of being Christians, just as under the Christian emperors, Eunomiani, Arriani, Macedoniani, etc., were persecuted because of “the name.” For instance, an imperial constitution of 389 rules:

*quicumque sub nomine Manichaeorum mundum sollicitant... de hac urbe pellantur...*<sup>20</sup>

I would like to add an observation on the text of Pliny’s letter. According to the unique manuscript of the letter, Pliny boasts that after his persecution of Christians, *passumque venire victimarum cuius adhuc rarissimus emptor inveniebatur*. The transmitted text is obviously corrupt, and Beroaldus corrected it as follows: *pastumque venire victimarum*. But as Sherwin-White observed, victims, or rather, the livestock to be offered as victims, did not receive any particular fodder.<sup>21</sup> Nor were the Christians (or the Jews) ever forbidden to buy hay from a man who also furnished it to the pagans. On the other hand, the popular conjecture of A. Koerte is not satisfactory: *passimque (conj. Catanaeus) venire victimarum [carnem]*. In fact, if there were pagans to offer sacrifices, there would be pagans ready to buy the sacrificial meat. We should, rather, read: *passimque venire [vectigal] victimarum cuius adhuc rarissimus emptor inveniebatur*. The accidental omission of the word *vectigal* between two words beginning with *ve(vi)* cannot surprise us. Taxes on sacrifices are well attested in Roman Egypt.<sup>22</sup> On the other hand, Trajan would be hardly interested to know whether or not the flesh of sacrifices found ready buyers in Bithynia. Pliny’s first task, however, was to put the finances of this province in order. The Christians were blamed for the decline of *templorum vectigalia*,<sup>23</sup> and Trajan would be glad to learn that Pliny’s manner of dealing with the Christians had a welcome fiscal effect.

<sup>19</sup> Tert. *Apol.* 2,4; Gaius III, 209. An imperial edict punishes those who disturb burials *ὀνόματι τυμβωρυχίας*. Riccobono, 69. Cfr. F.E. Brown, *AJPh*, 1931, 28.

<sup>20</sup> *C. Th.* XVI, 5,18; Lact. *de mort. pers.* 48,4.

<sup>21</sup> On fattening of animals to be sacrifices cf. S. Lieberman, *Hellenism in Jewish Palestine*, 1950, 149.

<sup>22</sup> Sh. L. Wallace, *Taxation in Roman Egypt*, 1938, 248.

<sup>23</sup> Tert. *Apol.* 42,8.

As to the letter of Hadrianus, this important document has been neglected by scholars.<sup>24</sup> I wonder, however, whether the understanding of the rescript could not be advanced by paying attention to the case which led to Hadrian's letter. For the convenience of the reader I reproduce its text according to Eusebius:

Μινουκίῳ Φουνδανῶ ἐπιστολὴν ἐδεξάμην γραφεῖσάν μοι ἀπὸ Σερενίου Γρανιανοῦ, λαμπροτάτου ἀνδρός, ὄντινα σὺ διεδέξω. οὐ δοκεῖ μοι οὖν τὸ πρᾶγμα ἀζήτητον καταλιπεῖν, ἵνα μήτε οἱ ἄνθρωποι ταραττωνται καὶ τοῖς συκοφάντις χορηγία κακοῦ γρίας παρασχεθῆ. εἰ οὖν σαφῶς εἰς ταύτην τὴν ἀξίωσιν οἱ ἔπαρχιωται δύνανται δισχυριζεσθαι κατὰ τῶν Χριστιανῶν, ὡς καὶ πρὸ βήματος ἀποκρίνασθαι, ἐπὶ τοῦτο μόνον τραπῶσιν ἀλλ' οὐκ ἀξιώσεσιν οὐδὲ μόναις βοαῖς. πολλῶ λάρ μᾶλλον προσήκεν, εἴ τις κατηγορεῖν βούλοιο, τοῦτό σε διαγιγνώσκειν. εἴ τις οὖν κατηγορεῖ καὶ δείκνυσίν τι παρὰ τοὺς νόμους πράττοντας, οὐτ' ὡς ὄριζε κατὰ τὴν δύναμιν τοῦ ἀμαρτήματος. ὡς μὰ τὸν Ἡρακλέα εἴ τις συκοφαντίας χάριν τοῦτο προτεῖνοι, διαλάμβανε ὑπὲρ τῆς δεινότητος καὶ φρόντιζε ὅπως ἂν ἐκδικήσειας. καὶ τὰ μὲν τῆς Ἀδριανοῦ ἀντιγραφῆς τοιαῦτα (H.E. IV, 9,1-3).

Following the example of Quadratus and Aristides, who had submitted to Hadrian books on behalf of the Christian religion, Justin, between ca. 150 and 161, wrote his defense of Christianity in the form of a supplication for redress of wrongs. He addressed his petition to the reigning emperors, Antoninus Pius and his junior colleagues, L. Verus and M. Aurelius.<sup>25</sup> Justin called his *Apology* "a statement of facts and explanation."<sup>26</sup> In practice, the suppliant, if he could, collected precedents for his request, and added a copy of relevant documents to his own statement. Justin, accordingly, appended a letter of Hadrian to his supplication.

<sup>24</sup> Freudenberger, 216; T.D. Barnes, *JRS*, 1968, 7.

<sup>25</sup> Justin (29,1) mentions the Egyptian prefecture of (L.) Munatius Plancus, who governed the province from c. 150 to c. 152. Cf. O.W. Reinmuth, *Bulletin of the American Society of Papyrologists*, 1967, 97. The titles of the reigning emperors are corrupted in the present text of Justin's *Apology*. Cf. Ed. Schwartz, *Eusebius' Kirchengeschichte* II, 3, 1909, CLIV. It is curious that Justin designates Marcus Aurelius by his nickname *Verissimus*. Likewise in an inscription engraved in Ostia in 143 Antoninus Pius is Antoninus Augustus, Verus is Aelius Caesar, but M. Aurelius is called *Verissimus Caesar*. G. Calza, *Epigraphica* I, 1939, 29.

<sup>26</sup> Just. I *Apol.* 1: τὴν προσφώνησιν καὶ ἔντευξιν, *ib.* 68,3: τὴν προσφώνησιν καὶ ἐξήγησιν. For *prosphronēsis* cf. e.g. Wilcken, *Ch.* 397. For *enteuxis* cf. Orig. *de oratione* 14,2: ἔντευξιν δὲ τὴν ὑπὸ παρῆρησιαν τινὰ πλείονα ἔχοντος περὶ τινῶν ἀξίωσιν. A paper on the composition of Justin's *Apologies*, published in *Journal of Ecclesiastical History*, 1953 can only mislead the reader who is not at home in Roman diplomatics.

As Eusebius' translation shows, the superscription of Hadrian's letter in Justin was incomplete and contained only the name of the addressee: "(to) Minicius Fundanus." Yet, supporting documents were usually, and naturally, quoted in full. Thus, for instance, the forged letter of Marcus Aurelius which, as we have mentioned, was later added to the text of Justin offers a complete superscription, and Eusebius quoting the (spurious) letter of Antoninus Pius, also mentioned above, again preserves the full heading: "Emperor Caesar . . . to the Council of Asia, greeting." But when the addressee, for some reason, communicated a letter to a third party, he usually shortened the superscription. For instance, in A.D. 201, a governor sent to the city of Tyras, on the Black Sea, a copy of the imperial letter addressed to an official. The copy, published by the city on stone, begins as follows: *Exemplum epistulae ad Heraclitum. Quamquam Tyranorum civitas . . .*<sup>27</sup>

From these diplomatic observations we can infer that Hadrian's letter became known to Christians from a copy of it communicated to a third party, and I believe that we can guess at the identity of this party.

Hadrian answers a question submitted by Granianus, proconsul of Asia. A governor often consulted the Emperor when he was unable to make up his mind on some matter, or cautiously refused to take responsibility for the decision. In the slim volume of Pliny's correspondence with Trajan, there are thirty-nine letters in which he requests advice. Avidius Quietus, who was proconsul of Asia in 125/6, asked Hadrian "what to do" in such a routine business as a dispute about temple land.<sup>28</sup> Similarly, in 121/2, Granianus consulted Hadrian as to the petition against the Christians submitted by the "Provincials."

The term *provinciales*, of course, can refer to any group of provincials or to the provincials generally, according to the context.<sup>29</sup> Commentators believe that Granianus asked advice regarding accusations brought by "provincials." But the Emperor speaks of "this petition" submitted

<sup>27</sup> Dessau, 423 = Riccobono, 86. Cfr. e.g. Riccobono, 61; *OGIS* 502; Mitteis, *Chr.* 373; Wilcken, *Chr.* 373.

<sup>28</sup> Cfr. e.g. Ulp. *Dig.* XLIX, 1,1,1. The imperial rescripts quoted by Roman jurists have been collected in G. Gualandi, *Legislazione imperiale e giurisprudenza*, 1963. A. N. Sherwin-White, *The Letters of Pliny*, 1966, 546; *OGIS* 502: ἡρόμην τε ὅτι χρῆ ποιεῖν. On chronology see W. Eck, *Senatoren von Vespasian bis Hadrian*, 1970, 122, n. 332.

<sup>29</sup> Cfr. e.g. Claudius' speech on the admission of Gauls to the Senate (Dessau, 212): *non Italicus senator provinciali potior est? . . . sed ne provinciales quidem . . . reiciendos puto*. Plin. *Ep.* II, 11: *Marius Priscus accusantibus Afris . . . iudices petit, ego et Cornelius Tacitus adesse provincialibus iussi*; X, 3a, 2: *cum patronum me provinciales obtassent contra Marium Priscum*; III, 9,4: (*Marium Priscum*) *una civitas publice, multique privati reum peregerunt*.



by *provinciales* (Rufinus: ... *provinciales huic petitioni suae... adversum Christianos...*), and not by some provincials. The term *provinciales*, used without further qualification, in an official instruction to the governor of a province, means “all the inhabitants” of the said province.<sup>30</sup> Thus, it was the petition of the inhabitants of the province of Asia which originated the dispatch of Granianus and the reply of Hadrian. But how could “all the inhabitants” of the province of Asia present a petition to the governor? This question can be answered easily. It was the *koinon* of the Hellenes of Asia, that is a meeting of some 150 representatives of the province, which alone was qualified to petition the proconsul or to send an embassy to the Emperor on the interests of Asia and on behalf of all its inhabitants. *Ex consensu provinciae* means “according to the resolution of the Council of the province”.<sup>31</sup> The *provinciales* of Hadrian’s letter are not a mob or informers but the Commonalty of Asia which petitioned the proconsul to take measures against the Christians.<sup>32</sup> Hadrian’s reply to the query of the proconsul of Asia, who, incidentally, should have asked the Senate for advice since Asia was a senatorial province,<sup>33</sup> at the same time answered the petition of the Commonalty of Asia. Accordingly, the governor of the province forwarded a copy of the imperial letter to the Council of Asia, and this copy, in accordance with bureaucratic routine, shortened the superscription of the original to the address: “(to) Minicius

<sup>30</sup> Cfr. e.g. *CIL VIII, Suppl.* 17639 = Abbott-Johnson, no. 152; F. Preisigke, *Sammelbuch V*, 7622; Eus. *h.e.* IX, 9a and 10,8; Dessau, 396: *Commodus securitati provincialium suorum turres ovas instituit* (in Mauretania); *Fragm. Vat.* 37: *provincialium preces*.

<sup>31</sup> Cfr. e.g. Plin. *Ep.* III, 4,2: *legati provinciae Baeticae questuri de proconsulatu Caecilii Classici advocatum me... petierunt... factum est senatus consultum... ut daret provincialibus patronus*; III, 9, 31: *electusque tunc a provincia ad inquirendum*; III, 9,4: *in Classicum tota provincia incubuit*; VII, 6: *decretum concilii... legatos provinciae... decretum provinciae*. *CIL XIII*, 3162 = H.G. Pflaum, *Le marbre de Thorigny*, 1948, 8; *in concilio Galliarum... quasi ex consensu provin[ciarum]... accusationem instituere temptarent*. *CIL VIII, Suppl.* 17639 = Abbott-Johnson, no. 152: an imperial constitution against unlawful exactions was issued following a complaint of the provincial council (*decreto concilii*). *De qua re et proc (uratoribus) meis [litteras misi et rescriptum meum etiam pro]vincialibus innolescere vol[ui]*. Alburnius, a Roman officer, who served under Trajan’ received ψηφίσματα μαρτυρητικά καὶ τειμητικά παρὰ πολλῶν ἐπαρχειῶν. Dessau, 9471 = L. Robert, *La Caire II*, 1954, no. 78. Further cfr. A. Aymard, *Rev. Ét. Anc.* XLIII, 1941, 237. In the Theodosian Code the terms *provincia*, *provinciales* and *consilium provinciae* are interchangeable. E. Kornemann, *RE IV*, 821.

<sup>32</sup> After writing this paper, I noticed that A. Harnack has already stated that the letter of Hadrian deals with a petition of the Council of Asia. *Texte und Untersuchungen zur Geschichte der alchristlichen Literatur XIII*, 4, 1895, 62. However, no recent student of the document, including Freudenberger, as far as I know, has referred to Harnack’s explanation. But see M. Sordi, *Il Cristianesimo e Roma*, 1965, 152.

<sup>33</sup> Cfr. Sherwin-White, *op. cit.*, 407.

Fundanus.”<sup>34</sup> The permanent staff of the Commonalty (Secretary, Attorney, etc.) published the imperial rescript. Likewise, the Christian forger of the above-mentioned letter of Antoninus Pius to the Council of Asia imagined that this message was “publicly exhibited at Ephesus, in the Council of Asia.” Such a displayed public notice would have included the forwarding letter of the governor or, at least, a reference to it. The Christians could easily copy the imperial letter when posted by the Council of Asia and from the accompanying notice learn that the letter came from Hadrian. Thus, Melito, a bishop of Sardis under Marcus Aurelius, in his *Apology* could refer to Hadrian’s letter “to the proconsul Fundanus, who was governor of Asia.”<sup>35</sup> Eusebius in his “Chronicle” composed ca. A.D. 300, that is a dozen years before the first edition of the *Ecclesiastical History*, can give a summary of Hadrian’s letter to “Minicius Fundanus, proconsul of Asia.” It is interesting to note that Eusebius does not know anything more about Fundanus. He ignores his *praenomen*, his friendship with Pliny (whose letter to Trajan he knows from Tertullian); he places Fundanus’ proconsulship too late (126 Olymp. and the 11th year of Hadrian, that is A.D. 128); and though he tells us that Hadrian’s letter was still in circulation (or does he here reproduce the words of his source?), he had not seen it. He quotes it in the *Ecclesiastical History* from Justin’s *Apology*.

We can now explain a second problem in Hadrian’s letter. It is remarkable, though unnoticed by commentators, except Valesius, that the Emperor having received a query from the proconsul Granianus sends the reply to his successor Fundanus. Of course, Granianus could have died or ended his term of proconsulship in the meantime. But the question is why did Hadrian not await a new request for advice from the new proconsul. The answer is that, as we have seen, Hadrian in reality replies to the Commonalty of Asia. As he states in the second sentence of his letter, he does not want to leave the matter without examination and gives two reasons for his intervention.<sup>36</sup> In the first place, he states that “men” (ἄνθρωποι) should not be perturbed.<sup>37</sup>

<sup>34</sup> On Fundanus’ *nomen*. See E. Groag, *RE* XV, 2, 1280.

<sup>35</sup> Eus. *h.e.* IV, 26,10. Cfr. e.g. *CIL* IX, 2438 = Riccobono, 61 = U. Laffi, *Studi class. e orientali* XIV, 1965, 177.

<sup>36</sup> μήτε... καί (Rufinus: *ne et... et*). For the construction of the sentence cfr. *BGU* II, 628 recto = Riccobono, 91: *ne [aut] probi homines conflictarentur... aut callidiores... aucuparentur*. Cfr. A.A. Schiller, in *Studies in honor of Harry Caplan*, 1966, 293.

<sup>37</sup> μή... ταραττωνται. Rufinus: *ne... perturbentur*. Freudeberger, 220 thinks that *turbare* has as direct objects things and not persons, and, for this reason, supposed that

Rufinus, friend and later enemy of Jerome, who translated Eusebius' *History* into Latin, naturally believed that Hadrian was anxious to protect Christians. Accordingly, he made the Emperor speak of "innocent men" (*innoxii*). In his steps, Valesius translated: *Christiani homines*, and modern interpreters use such expressions as "the people." In fact, in the language of imperial bureaucracy, *homines* as an object of imperial benevolence means "subjects".<sup>38</sup> The Empire, in principle, embraced the whole human race or, at least, that part of it which was worthy of imperial care. Now, the first rule of the imperial government was to keep *homines*, if not always happy, at least quiet. With reference to such a minor question as distribution of money on festival occasions, Trajan admonishes Pliny to establish regulations *quae ad perpetuam eius provinciae quietem essent profutura*.<sup>39</sup> The Christian question disturbed the quiet of the province of Asia. Hadrian mentions the "outcries" which supported or preceded the petition of the province. Assembled in theatre, in circus, or before the tribunal of the governor, the people often demonstrated by shouting their demands. They could howl out together: *exaudi Caesar, delatores ad leonem*.<sup>40</sup> To Pilate, the crowd cried out: "Crucify him." In the amphitheater of Smyrna, the spectators shouted "Away with the

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Hadrian used the verb *terrere*, which, however, means "terrorize." But the grammatical argument is weak. Cfr. Ulp. *Dig.* I, 16,4,4: a new proconsul should announce the date of his arrival well in advance, since such questions *turbant provinciales*. Paul. *Sent.* V, 21: *vaticinatores expelli placuit ne... populares animi turbarentur*. Further cfr. *Cod. Theod.* XIII, 11,6; XVI, 4,3.

<sup>38</sup> Augustus quoting a Jewish decree in his honor, speaks of his εὐσέβεια toward "all men." *Jos. Antt.* XVI, 165. His proconsul in Asia and the Council of Asia, in 9 B.C., likewise say that Augustus was born to confer benefits upon men. *OGIS* 458 and now U. Laffi, *Studi classici e orientali*, XVI, 1967. Tiberius speaking of Augustus and Fabius Persicus, proconsul of Asia, speaking of Claudius, repeat the same *locus communis*. H. Seyrig, *Revue archéol.* 1929, 102; E.M. Smallwood, *Documents Illustrating the Principates of Gaius, Claudius and Nero*, 1962, no. 380. Cfr. *ib.* no. 33 (the decree of Assos). Hadrian uses the word *homines* in the same meaning. *Sent. Hadr.* in *corp. glossat. latin.* III, 38. A decree of the Lycian Commonalty (*IGR* III, 704 III B) and a decree of Ephesus (*OGIS* 493) state that Antoninus Pius, renders justice "to all men," saves "all men." Caracalla speaks of aliens who penetrate "among my men." (Riccobono, 88: εἰς τοὺς ἐμοῦ ἀνθρώπους). Further cfr. Ulp. *Dig.* I, 13,2; Galerius' edict ap. Lact. *de mort. pers.* 34; *OGIS* 569 = *Tituli Asiae Minoris* II, 3,785. On the affective value of poss. adj. ("my men," etc.) in the formulae cfr. P. Veyne, *Latomus* XXVI, 1967, 742. Roman devotional terminology goes back to the style of Hellenistic courts. Cfr. e.g. *OGIS* 56: the birth of Ptolemy III was the beginning of happiness for "all men." On the other hand, Christians (or the magicians: *Cod. Theod.* IX, 16,6) are enemies "of the human race."

<sup>39</sup> Plin. *Ep.* X, 117. Cfr. Ulp. *Dig.* I, 18,13, pr.

<sup>40</sup> *SHA* Commodus, 18; Tert. *Apol.* 40. Cfr. Cypr. *Ep.* 59,6 and passages quoted in J.E.B. Mayor's notes in his edition of Tertulian's *Apology*, and in J. Lortz, *Tertullian als Apologet* I, 1927, 45, n. 76.

atheists. Arrest Polycarp.”<sup>41</sup> The Roman governors, anxious to avoid riot, often acceded to the demands of the crowd, and the emperors for this reason were afraid of agitation which might lead to riots. Hadrian did not want to prolong uncertainty, liable to cause public disturbance.

On the other hand, he refused to offer a handle to professional accusers for practising their evil skill. Here again the Emperor followed the constant line of imperial policy. In a judicial system where almost all crimes, including treason, were persecuted by private pleaders, the plague of *delatores* was endemic despite all laws and edicts against calumnious accusers.<sup>42</sup> Melito illustrates Hadrian’s apprehensive words when, under Marcus Aurelius, he complains of “shameless accusers, lovers of other people’s property,” who, taking pretext of the “new decrees” against the Christians, rob and despoil innocent men.<sup>43</sup>

Let us now return to the anti-Christian petition of the province of Asia. The provincial councils often intervened with the imperial administration in questions of importance for the respective province, by sending embassies to Rome or petitions to the local governor.<sup>44</sup> For instance, the Council of Baetica requested more severe penalties for cattle-lifting (the jurists admitted scaling up or down of punishment for the same crime according to the needs and custom of the province), but Hadrian did not agree.<sup>45</sup> From Hadrian’s reign (if not earlier), provincial assemblies began to demand action against the Christians. The Emperors did not care for Christians or cattle-stealers, either; but they objected to meddling with the complex and delicate machinery of imperial administration. As Antoninus Pius put it: *nihil facile mutandum est ex sollemnibus*.<sup>46</sup> In “the golden age,” under a ruler “who united justice

<sup>41</sup> Eus. *h.e.* IV, 15,6. Cfr. generally above, 762–763.

<sup>42</sup> Cfr. Constantine’s edict quoted below 826, n. 72, and the imperial speech on the *accusatorum regnum* (Riccobono, 414).

<sup>43</sup> Eus. *h.e.* IV, 26,5. Cfr. Athenag. *Suppl.* I, 2. Antoninus Pius “having recognized that Iason was calumniated” (ἐπιγνοῦς[σικ]οφαντούμενον Ἰάσωνα) confirmed the decision of “the Lycian nation” concerning this Lyciarch. *IGR* III, 704. *Jos. Antt.* XVI, 170: the Jews of Cyrene complain to Agrippa ὡς ὑπὸ τινῶν συκοφαντῶν ἐπηρεάζονται. Cf. the edict of C. Valerius against anonymous accusation, *P. Michig.* IX,522 (A.D. 142).

<sup>44</sup> Dio Cass. LII, 30,9 insists that the provincials should submit their “petitions” to the governor and not forward them directly to the Emperor. Cf. L. Robert, *RPh.* 1967, 46.

<sup>45</sup> *Coll. legum* XI, 7,5 (shortened in *Dig.* XLVII, 14,1, pr.). Ulpian quoting the rescript notes: *eodem rescripto divi Hadriani diligentissime expressum est non ubique parem esse poenam abigeorum*. Cfr. also *Dig.* XLVIII, 19,9.

<sup>46</sup> *Dig.* IV, 1,7 pr.

with kindness," as a proconsul of Asia said of Hadrian,<sup>47</sup> it was impertinent to give the government advice how to deal with cattle-rustlers, Jews, Christians, or other troublemakers. Thus, Antoninus Pius wrote to the city of Larissa, to the Thessalonians, to the Athenians and "to all the Greeks" (this was a fancy name of the Achaean League) not to "make violent changes" with regard to the Christians.<sup>48</sup> The forged letter of Antoninus Pius to the Council of Asia (above, 153) likewise warns the Commonalty against starting persecution of the Christians as "atheists." Hadrian's letter to his proconsul C. Minicius Fundanus belongs to the same group of imperial rescripts which rebuff innovations fancied by the provincials.

In ecclesiastic tradition, from Justin on, the rescript of Hadrian was looked upon as decidedly favorable to the Christians. Justin implicitly and later writers (Jerome, Sulpicius, Severus, Orosius) explicitly stated that the Emperor had laid down the rule desired by the Christian apologists: the Christians should not be condemned on the charge (*nomen*) of being Christian, but only for ordinary crimes.<sup>49</sup> Thus, the rescript was the virtual authorization of the new faith. Mommsen himself accepted this view.<sup>50</sup> But the scholarship of today is almost unanimous in believing that Hadrian only demanded that the accuser furnish proof of Christianity of the accused person in a regular trial.<sup>51</sup> Yet, a man

<sup>47</sup> *Saec (ulum) aur(eum)* is the legend of a gold issue of Hadrian; *OGIS* 502.

<sup>48</sup> *Eus. h.e.* IV, 26, 10; μηδὲν νεωτερίζειν.

<sup>49</sup> Justin says (*I Apol.* 68) that on the ground of Hadrian's letter, we could demand to be judged following the procedure we have requested in this petition (*ib.* 7,4; 24,1). Hieron. *Chr. Olymp.* 226: Hadrian *scribit sine objectu criminum Christianos non condemnandos*; Sulp. Sever. II, 31,6" *iniustum esse, ut quisquam sine crimine reus constitueretur*; Orosius VII, 13. Cf. Tillemont, *Hist. des Empereurs* II, 1691, 329: "cet édit semble avoir quelque ambiguïté puisqu'il n'estoit pas difficile de prouver que la religion chrétienne en elle même estoit contraire aux lois de l'Empire."

<sup>50</sup> Th. Mommsen, *Hist. Zeitschrift* 1890, 420 = *Gesamm. Schriften* III, 1908, 415. Mommsen is followed by F. Pringsheim, *JRS*, XXIV, 1934, 142 = *Gesamm. Abhandlungen* I, 1961, 94, by H. Grégoire, *Les persécutions dans l'empire romain*, 1951, 139 and by W.H.C. Frend, *Martyrdom and Persecution in the Early Church*, 1965, 225.

<sup>51</sup> It seems that it was the paper of C. Callewaert, in the *Revue d'histoire et de littérature religieuses* 1903, which swayed the scholarly opinion as to the meaning of Hadrian's rescript, though Harnack (above, 810, n. 10) had already opposed Mommsen. As a matter of fact, Harnack, as he says himself, Callewaert, and their followers disagreed with the ecclesiastical tradition (and with Mommsen) to save the authenticity of Hadrian's rescript which, as they insisted was "simply aiming at the preservation of order." L.H. Canfield, *The Early Persecutions of the Christians*, 1913, 198. For the same apologetic reason, scholars speak of the "vagueness" of the rescript that "might be turned to the advantage of the Christians by those who were so disposed." A. Neander, *History of the Christian Church* I, 202 (the German original appeared in 1825). For W.M. Ramsay,

accused of being Christian generally could escape the punishment by denial of the “name,” for instance by taking part in a pagan sacrifice. The heresiarch Basilides taught that there was no harm in denying the faith during a persecution. What betrayed the Christian was his stubborn faith: *obstinationem saluti praeferamus*.<sup>52</sup> Hadrian’s rescript, as understood by modern scholars, could have helped only people falsely accused of being Christians. In this case, why should the Church of confessors and martyrs treasure the letter of Hadrian?

To understand really what Hadrian said we should have been able to read the petition of the province of Asia or, at least, the consultation of Granianus. Without Pliny’s letter, we would have misunderstood the meaning of Trajan’s reply to it. Yet, Hadrian’s rescript makes two essential points clear. In the first place, the Council of Asia did not simply say to the Christians: *non licet esse vos*.<sup>53</sup> The province of Asia rather accused the Christians of Asia of some specific crime or crimes: *adversum leges quicquam agere* to use Rufinus’ retranslation of Hadrian’s letter.

Thus, according to the (forged) letter of Antoninus Pius (above, 810) the Council of Asia accused the Christians of “atheism” and asserted that their impiety caused the gods to punish the province by earthquakes. Earthquakes as well as other calamities, war, pestilence or famine, as Origen complained, were attributed to the presence of Christians among the godly pagans. *Pluvia deficit, causa Christiani*.<sup>54</sup>

The second point is that the Council of Asia introduced its petitions as a matter for administrative relief. When the Emperor or his governor was requested to redress grievances, he generally proceeded by executive action, issuing an order to the competent local authority. For instance, a citizen of Antinoopolis protested to the prefect of Egypt that his privileges had been violated in the district of Thinis. The prefect on application issued the necessary instructions to the strategos of Thinis. The government proceeded in the same way in the case of complaints

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*The Church and the Roman Empire*, 1893, 23, in its “studied vagueness” (as to the crimes for which the Christians might be persecuted) “the rescript was a sarcasm.” Now cfr. M. Sordi, *Il Cristianesimo e Roma*, 1965, 154. As a matter of fact, Ruinart *Acta Martyrum, Praefatio* III, 32 already formulated the now generally accepted view: Hadrian wrote that the Christians should not be persecuted *absque sollempnibus iuris processibus*.

<sup>52</sup> Eus. *h.e.* IV, 7,7; Tert. *Apol.* 27,2. Cf. S. Lieberman, *AIB* VII, 1944, 418; 429.

<sup>53</sup> Tert. *Apol.* 4,4.

<sup>54</sup> Orig. *ad Matth.* 24,9 (*PG*, XIII, 1651); Aug. *de civ. Dei* II, 3.

against exactions, and so on.<sup>55</sup> The same method or remedy was applied in protecting “minority rights.” For instance, Marcus Agrippa sent a curtly worded letter to Cyrene stating that their Jews had complained about being prevented from sending the sacred monies to Jerusalem on the pretext of nonpayment of taxes which were in fact not owed. The Jews are in no way to be molested.<sup>56</sup> Such decisions, however, were contingent on the truth of allegations made by the petitioner: *proconsule... perspecta fide eorum quae allegas, ne quid iniuriose geratur ad sollicitudinem suam revocabit*. Accordingly, an imperial rescript procured by false assertions was invalid.<sup>57</sup>

When, however, the claim conflicted with the rights of a third party, the matter had to be settled in a formal *cognitio*, that is in judicial proceedings where both parties appeared and pleaded their causes before the Roman magistrate. The Emperor Claudius decided in the conflict between the citizens and the Jews in Alexandria “after having heard both parties.” Caracalla did likewise when judging between a Syrian tribe and a tax-farmer; a prefect of Egypt used the judicial procedure in examining the controversy between fullers and weavers of Arsinoe and the tax-collector, and so on.<sup>58</sup> Law and custom distinguished neatly between the judicial and the executive functions of the same magistrate. In the administrative procedure, he, as we have seen, decided on the unilateral application of an interested party, in the secrecy of his office, and issued his order by letter or *subscriptio* which he could change or correct at will or at whim. The magistrate exercised his judicial function *pro tribunali*, that is in an open court, under the control, and often under the pressure of bystanders, where evidence was produced by both parties, each arguing its case and contesting arguments of the

<sup>55</sup> Wilcken, *Chr.* 26 = *P. Wuerzb.* 9 = *Abh. Preuss. Akad.*, 1939, no. 6; Mitteis, *Chr.* 396; Dessau, 6870 = Riccobono, 103; *CIL* IX, 2438 = Riccobono, 61 = U. Laffi, *Studi class. e orient.* XIV, 1965, 177; *P. Oxy* 1,40, etc., etc.

<sup>56</sup> *Jos. Antt.* XVI, 169. Cfr. *ib.* XIV, 263; XVI, 172. L. Robert, *BE*, 1958, no. 341.

<sup>57</sup> Rescript of the Emperor Philip to Aragueni (Riccobono, 107); Hadrian's rescript (*Dig.* XLII, 1,33): *si tibi probaverit... rem severe vindica*. Cfr. *Dig.* XLVIII, 6,1; XLIX, 1,1,1; Wilcken, *Chr.* 28. On *sententia... sub condicione dicta* cfr. H. Kupiszewski, *Journal of Jurist. Pap.*, IX-X, 1955-56, 329.

<sup>58</sup> A. Hunt, C.C. Edgar, *Select Papyri* II, 212; P. Roussel, F. de Vissler, *Syria* XXIII, 1942-43, 173; Wilcken, *Chr.* 251; T.C. Skeat, E.P. Wegener, *Journal of Egypt. Arch.* XXI, 1935, 225 = F. Preisigke, *Sammelbuch* V, 7696; A. Kraenzlein, *Journal of Jurist. Pap.*, VI, 1952, 195 = F. Preisigke, *Sammelbuch*, VI, 9050; *OGIS* 484 (conflict between traders and money-changers in Pergamon); W.H.C. Friend, *JRS*, XLVI, 1956, 46.

opponent.<sup>59</sup> The magistrate had to ask the opinion of his *consilium*, a board of advisors, who sat with him on the tribunal, before formulating his decision. The proceedings of the *cognitio* were recorded in minutes (*commentariū*) of the magistrate, and the judgment, once pronounced and inserted in the *commentariū*, could not be changed. As to the use either of judicial or of executive procedure, Josephus states the principle clearly. He tells us that when the Jews appealed to Marcus Agrippa to protect their rights in Greek cities of Asia Minor, "There was no counter-plea from the Greeks since the Jews were not arguing about controversial questions as if in a court of law, but petitioned about wrongs done to them."<sup>60</sup>

It is important to realize that in the *cognitio causae* the same single form of procedure *pro tribunali* served indiscriminately for administrative, civil and criminal cases and that, on the other hand, the remedy for grievance could be granted without *cognitio* by means of executive practice and decision. Thus, Vespasian approves the petition of a town in Spain as to its urban extension and the imposts which "as you say, were granted to you by Divus Augustus." But as to the new levies the city wants to raise (probably on the countryside), he refers the Saborenses to the jurisdiction of the proconsul of Baetica. *Ego enim nullo respondente constituere nil possum.*<sup>61</sup>

Yet, in practice the dividing line between a grievance and a claim was not easy to draw. In fact, the mode of proceedings often depended on the choice made by the Roman magistrate. Thus, a Roman magistrate ordered the Milesians to respect the privileges of the Jews after a hearing given to both parties, while another Roman magistrate issued a similar order to the Ephesians on simple application by the Jews.<sup>62</sup> The magistrate could also make his executive order contingent on its acceptance by the other party in the suit. On account of representations made by the Jews, Marc Antony enjoined the Tyrians to withdraw from

<sup>59</sup> Cf. S. Lieberman, *JQR* XXXV, 1944, 18.

<sup>60</sup> *Jos. Antt.* XVI, 58: οὐδὲ γὰρ ὡς ἐν δικαστηρίῳ περὶ τῶν προκειμένων διελάβανον ἀλλ' ἦν ἔντευξις ὧν ἐβιάζοντο. According to *Jos. ib.* XII, 125, the "Ionians" (and not the Jews) appealed to Agrippa against the Jews, and each party pleaded its case before the Roman viceroy. Only Claudius, as caricatured by Seneca (*Apo.* 12,3: cf. 14,2), rendered judgments *una tantum parte audita*.

<sup>61</sup> Riccobono, 74 = Dessau, 6092 = Alvaro d'Ors, *Epigrafica jurídica de la España Romana*, 1953, 62. The passage is misunderstood in *Ancient Roman Statutes* ed. C. Pharr, 1961, 152.

<sup>62</sup> *Jos. Antt.* XIV, 244 and 225.



the places they had seized in Judea, but he allowed them to present a plea in justification should they disagree. A claimant having proved (*demonstravit*) to the satisfaction of the proconsul of Asia that a temple had been sold illegally, the order was issued to restore the property to the city, but at the same time the proconsul promised to reexamine the question after presentation of their cases by each of the parties, if the buyer of the temple lodged a protest against the order. In fact, a *definitiva sententia* could be rendered only *pro tribunali*, that is, the parties having been confronted with one another before the Roman magistrate.<sup>63</sup> Philo accuses Flaccus, the prefect of Egypt, of annulling the privileges of the Alexandrian Jews, without giving them a judicial hearing.<sup>64</sup>

We do not know the demands of the Council of Asia with regard to the Christians. But the "Provincials" following the ordinary course of administrative procedure expected that the proconsul would approve their request on the ground of the facts stated in the petition. They exercised pressure on the proconsul by organizing, or at least tolerating, anti-Christian manifestations. In the same way, Jewish crowds "shouted" to Agrippa their complaints against the Greeks in Ionia, and the people of Antioch asked Titus to expel the Jews from the city or, at least, abolish their privileges.<sup>65</sup>

The proconsul, however, consulted Hadrian. Replying to such consultations, the Emperors generally avoided expressing an opinion on the matter in consideration. When Pliny asks Trajan for what crime and how the Christians should be punished, the Emperor does not answer the question. The Emperors knew well that their pronouncements, even the *obiter dicta*, became "precedents." As Fronto impressed upon the young Marcus Aurelius: *quid in singulos decernis ibi universos exemplo*

<sup>63</sup> Jos. *Antt.* XIV, 313; *Suppl. epigr. grec.* XVIII, 555 = K.T.M. Atkinson, *RIDA*, VII, 1960, 227; A. d'Ors, *Studia et documenta historiae et juris* XXXII, 1966, 496. Cfr. *P. Oxy* VIII, 1119 = Mitteis, *Chr.* 397.

<sup>64</sup> Philo, in *Flacc.* 54. Cf. *Leg. ad Gaium*, 44. On the other hand, cfr. the letter of a proconsul of Asia to Chios: at presentation of a letter of his predecessor, he confirmed the latter's decision. Afterwards, however, he heard both parties (ἐκατέρου μέρους ἐξ ἀντικαταστάσεως... διήκουσα) and found the documents which confirmed the rights of Chios. It is interesting to note that ("according to my custom") he demanded "carefully written memoranda" from each party. G. Dittenberger, *SIG* 785 = V. Ehrenberg, A.H. M. Jones, *Documents Illustrating the Reigns of Augustus and Tiberius*, 1949, 317 = *Suppl. epigr. grace.* XXII, 507; W. Nesselhauf, *Madriider Mitteil. Deutsch. Archaeol. Inst.*, 1960, 149.

<sup>65</sup> Jos. *Antt.* XVI, 29; *B7* VII, 103. Cfr. *ib.* III, 410. The words attributed to Marcus Aurelius (Amm. Marcell. XXII, 5,5) that the Jews were more troublesome (*inquietiores*) than the Sarmatians, Quadi and Marcomanni, probably refer to such importunate crowds. Cfr. also Jos. *Antt.* XVIII, 263 and 270; Philo, *Leg. ad Gaium* 225.

*adstringis*.<sup>66</sup> Unwilling to settle a local question from Rome, Trajan refuses to frame a standard rule for the size of the city councils in Bithynia. Consulted about the duration and extension of immunity privileges in Africa, Antoninus Pius answers that the local law should be taken into consideration. Should the decision about the personal status of a minor be postponed until he matures? Marcus Aurelius and Lucius Verus answered that the magistrate should do what is the best for the child. Two generations later the jurists still discussed this Delphian pronouncement.<sup>67</sup>

Refusing to give an answer as to the substance of a legal question, the Emperors, however, were ready to stress the *forma*, the appropriate procedural rules which admitted of general application from Asia Minor to England, and were often of common knowledge. The outburst of Hadrian at the end of his letter to Fundanus: "By Hercules, punish the slanderous accuser according to his deserts," simply restated the law against *calumnia*.<sup>68</sup> Yet, using another standard rule of procedure, Hadrian in fact rebuffed the Council of Asia.

The cardinal principle of Roman criminal procedure was: *nocens nisi accusatus fuerit condemnari non potest*. The accused must "meet the accusers face to face, and have an opportunity of making his defense concerning the charge laid against him."<sup>69</sup> Even the robbers sought for punishment after arrest must be questioned *re integra* in the presence of the accuser.<sup>70</sup>

<sup>66</sup> Cfr. *P. Harris* 67: a rescript of Antoninus Pius is quoted as παράδειγμα. Fronto I, 6,2. On Pliny's jurisdiction cf. J. Gaudemet, *RIDA*, XI, 1965, 335.

<sup>67</sup> Plin. *Ep.* X, 113. Cfr. *ib.* X, 66, 1; *Dig.* I, 6,6,1; XL, 12,27, pr.

<sup>68</sup> Hadrian also swears by Hercules in *Sententiae Hadrianae* (*Corpus glossat. lat.* III, 36). Rufinus mistranslates the passage: *ut si quis calumniae gratia quemquam horum postulaverit reum, in hunc pro sui nequitia suppliciiis severioribus vindices*. Hadrian does not speak of the Christians (*quemquam horum* is Rufinus' interpolation), but of calumnious accusers generally, and *suppliciiis severioribus* reflects the legal views of the fourth century. Cfr. E. Lewy, *Gesammelte Abhandlungen* II, 1963, 394 = *Zeitschrift Savigny-Stiftung*, LIII, 1933, 165. Cfr. also Hadrian's procedural rescript to the Thessalians (*Dig.* V, 1,37), his decision that in sorcery trials will and not effect is punishable (*Dig.* XLVIII, 8,14) and his interpretation of *Lex Cornelia* (*Dig.* XLVIII, 8,4,2).

<sup>69</sup> Cic. *pro Sextio Roscio Amer.* 20, 56; *Act. Apost.* 25,16. Diocletian's rescript (*Cod. greg. Visig.* 13 = *F7RA* II, p. 664): *sententiam adversus absentes et indefensos... latam nullas vires obtinere notissimi iuris est*. Ps. Ambrosius (*PL* XVII, 208): *iudicis non est sine accusatore damnare*. (I owe this reference to F. Cumont, *Rev. de l'histoire et de littérature relig.*, 1903, 439); *Dig.* XLVIII, 17,1. Cfr. generally M. Lauria, *Atti della R. Accademia di Napoli*, LVI, 1934, 56. Cf. M. Wlassak, *Sitz.-Ber. Akad. Wien*, 184, 1, 1917, 57ff.

<sup>70</sup> *Dig.* XLVIII, 3,6. The judge could dismiss *elogium*: S. Lieberman, *JQR*, XXXV, 1944, 31. Cf. Hadrian's opinion: *ex sententia animi tui te aestimare oportere quid aut credas aut parum probatum tibi opinaris* (*Dig.* XXII, 5,2).

The accusatory procedure was not required, as we have seen, in dealing with petitions. But Hadrian demanded that the petition of the Council of Asia against the Christians be dealt with according to the rules of criminal court, that is in a formal *cognitio*. The Emperor instructed Fundanus as follows:<sup>71</sup> “If the Provincials can press the case against the Christians with regard to this petition<sup>72</sup> so that they may answer<sup>73</sup> *pro tribunali*, let them turn to using this (procedure) alone, but not (press the case) by petitions nor by outcries alone. It is far more proper, if someone wishes to accuse, that you institute *cognitio* with regard to the charge.”

In other words, instead of taking recourse to administrative help and to procedure *in camera*, the Council of Asia should prove the imputed crime or crimes of Christians *pro tribunali*, where parties meet face to face. As Philo puts it, the impartial judge listens equally to both, the accuser and the defender, and condemns no one offhand without a trial.<sup>74</sup> In the same spirit, Hadrian adds a general rule also applicable

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<sup>71</sup> I can give only a makeshift translation of Eusebius' sentence where the verb *δυσχυρίζεσθαι* governs both the preposition *κατά* and instrumental datives, means “prevail” (against someone) and also “lay stress on.” The verb was often used by Attic orators. Cfr. U. Albin, in his edition of Andocides, *de reditu*, 1961 on Andoc. II, 4. Writers of the Roman imperial period used the (for them) noble word rarely. It meant for them “insist” on a contradicted statement, particularly in a trial or a trial-like situation. Cfr. e.g. Jos. *Antt.* II, 106; XVII, 336; Dio Cass. LVII, 23,3. It is hardly possible to guess at the Latin verb used by Hadrian in the original letter. The equivalents given in glossaries (*allego, autumnus, confirmo*) do not help. Freudenberger's suggestion: *perseverare* does not help either. The Emperor does not demand that the Provincials maintain the accusation, but that they prove their case. Rufinus' retranslation *adesse* again misses the mark.

<sup>72</sup> For the tenor of Hadrian's letter cfr. e.g. *Dig.* XXII, 5,3,2: *confirmat rei de qua quaeritur fidem*; XXXVII, 14,17 pr: *coram nobis adfirmavit*; Constantine's edict on accusations (Riccobono, 94. Cfr. J. Moreau, *Historia* V, 1956, 254): *probatum est plurimos... tam eos qui accusantur quam qui ad testimonium vocantur gravissimis vexationibus adfici. Unde consulentes securitati provinciarum... prospeximus ut accusator... quicumque intentionibus suis probationes addere confidit... manifestis indicibus commissi reum detegat... manifestis indicibus atque argumentis accusationem... conprobare.*

<sup>73</sup> According to Eusebius' translation, Hadrian requires that the “Provincials” should answer *pro tribunali*. But in Latin of the jurists *respondere* in a trial rather refers to the defendant and not to the accuser. Accordingly, Rufinus mistranslated the verb: *ut pro tribunali... arguant*. It is true that in the cognitional procedure the magistrate was free to put questions to each side in turn. Cfr. e.g. F. Preisigke, *Sammelbuch* V, 7696 = *Journal of Egypt. Arch.* XXI, 1935, 224; *PSI* XIII, 1326; *P. Antinoopolis* II, 87 etc. Nevertheless, it seems probable that Eusebius misunderstood the original, and that in Hadrian's rescript *respondere* referred to the Christians.

<sup>74</sup> Philo, in *Flacc.* 106. *IG*, IX, 1,61 = G. Luzzatto, *Journ. of Jurist. Papyrology*, XV, 1965, 49.

to the present case: if anyone proves that the accused are doing anything unlawful, the penalty should correspond to the gravity of the crime. On the other hand, the calumnious accuser also must receive his punishment.

The Emperor upheld the principle of *cognitio* even with reference to the Christians. In the same spirit, Hadrian wrote on another occasion that police reports which describe the prisoners sent to the governor for trial as “quasi condemned” should not be trusted. Again, under Hadrian or Trajan, during an anti-Jewish riot, the Prefect of Egypt admonished the population that if anyone has an accusation to bring, there is a judge sent for this purpose by Caesar; and that not even to the prefects is it permitted to put men to death without trial; and the trial has its proper time, proper place, and the punishment in proper form.<sup>75</sup> Accordingly, the letter to Fundanus, as Eusebius says,<sup>76</sup> ruled that nobody may be put to death without a charge and a formal accusation.

But the Christians were generally, under Nero as under Hadrian and the Severi, prosecuted by private accusers in due form of law – *provo-camur ad tribunalia*, as Tertullian says<sup>77</sup> – and nevertheless put to death without much ado. What, then, was the value of Hadrian’s rescript to the Christians?

In the accusatory form of procedure an individual Christian or, at most, some Christians were brought to trial. The procedure began with a complaint addressed to the Roman governor, petitioning him to enter the case into the calendar of future trials “in the sequence of *cognitiones*”.<sup>78</sup> The accused was to be notified at the institution of accusation. If he did not appear at the trial, it was necessary to obtain a warrant and wait for his arrest,<sup>79</sup> since his presence in the court, as we have seen (167), was an essential condition of legal validity of the condemnation. Since the proconsul alone had the jurisdiction to try capital cases, the accuser would have to travel to the governor’s residence or await the yearly assizes in his judicial district. If the accused

<sup>75</sup> Dig. XLVIII, 3,6, pr.; *Acta Martyrum Alexandrinorum* ed. H. Musurillo, 1961, p. 45.

<sup>76</sup> Euseb. *Chr. Olymp.* 226 (*GCS* 47,416): μηδένα κτείνειν ἄνευ ἐγκλημάτων καὶ κατηγορίας. Cf. Canfield, *op. cit.*, 106.

<sup>77</sup> Tert. *Apol.* 50,2. Cf. Athenag. *Suppl.* 1,2; Melito *ap. Eus. h.e.* IV, 26,5.

<sup>78</sup> Cf. the rescript of Septimius Severus *ap. A.A. Schiller, H.C. Youtie, Chr. d’Égypte* XXX, 1955, 333 and 343.

<sup>79</sup> For the official summons cf. e.g. Wilcken, *Chr.* 472; *P. Mich.* VI, 365 (cf. H. Cadell, *Chron. d’Égypte* XL, 1965, 357); D. Hagedorn, *Zeitschr. für Papyrologie und Epigraphik* I, 1967, 152; *P. Oxy* XXXI, 2572–6: Cf. Lieberman, *o.c.* 23.

denied the charge – and simulated renouncements of Christ were not rare<sup>80</sup> – the accuser had to bring witnesses whose testimony would be minutely examined, particularly if the accused appeared with a defence counsel.<sup>81</sup> If the accused was not convicted, the accuser was liable to severe penalties. Only a zealot (like the philosopher Crescens whom Justin had worsted in a public debate)<sup>82</sup> or someone bearing a grudge against the accused (like a man who indicted his Christian wife who had left him)<sup>83</sup> or a blackmailer (who perhaps could be bought off)<sup>84</sup> was likely to spend time and money in bringing an accusatory action against a neighbor on a charge of Christianity.

The action instituted, everything now depended on the character and moods of the judge and on the behavior of the accused. If he was not decidedly anti-Christian (as a governor of Cappadocia, whose wife had been converted to the new faith),<sup>85</sup> the proconsul could quash the accusation by refusing to accept the complaint; he could even suggest to the accused answers which would lead to acquittal.<sup>86</sup> He could yield to a Christian mass demonstration before his tribunal,<sup>87</sup> and he could inflict lesser penalties on the convicted Christian,<sup>88</sup> and so on. Fervent as was the faith of Perpetua and her fellow confessors they, though imprisoned, hoped to be freed by the judge. They anxiously asked for a heavenly sign: *an passio sit an commeatus*.<sup>89</sup>

The Acts of the Martyrs naturally report the cases where Christians suffered death for their faith. In these edifying pamphlets the private accuser is nowhere mentioned though, for instance, the martyrdom of Justin, according to the tradition, was caused by the above-mentioned Crescens.<sup>90</sup> The Acts of the Martyrs rather confront the Christian hero

<sup>80</sup> Tert. *Apol.* 27,2; Athenag. *Suppl.* 3.

<sup>81</sup> Cfr. Tert. *ad Scap.* 4,4.

<sup>82</sup> Just. II *Apol.* 3.

<sup>83</sup> Just. II *Apol.* 2.

<sup>84</sup> Cfr. e.g. Tert. *de fuga* 12,5.

<sup>85</sup> Tert. *ad Scap.* 3,4.

<sup>86</sup> Tert. *ib.* 4,4. For instance, the magistrate could ask the accused to take an oath *per salutem* of the Emperor. Tert. *Apol.* 32. Cfr. W.M. Ramsay, *op. cit.*, 323; cf. Lieberman, *o.c.*, 20–22.

<sup>87</sup> Tert. *ib.* 5,1.

<sup>88</sup> Tert. *Apol.* 12,5; Hippol. *Haer.* I, 10,12.

<sup>89</sup> *Passio SS. Felicitatis et Perpetuae* 4,1 *ap.* Knopf-Krueger.

<sup>90</sup> Tatianus *ap.* Eus. *h.e.* IV, 16,8. Private accusers are mentioned in Talmudic sources. Lieberman, *o.c.*, 21. Even Nero, in persecuting Stoics and Christians, had recourse to private accusers. Ch. Saumagne, *REL*, XXXIII, 1955, 241; *Rev. Historique* CCXXVII, 1962, 337.

and the pitiless judge. As it is natural when one stands trial for his beliefs, the Christian in the Roman court appeared to pagan bystanders as a mad man who deliberately provoked the wrath of an emperor or governor.<sup>91</sup> Pagans, astonished and irritated by this conduct of Christian confessors, ironically suggested that the Christians by killing themselves could save the government all the trouble of trials. Justin answered seriously that Christians must live to bear witness to Christ.<sup>92</sup> In fact, as Tertullian so well suggested in a famous page, full of psychological insight, the courage of martyrs exemplified the value of the new faith: *ilia ipsa obstinatio quam exprobratis, magistra est.*<sup>93</sup>

Anyway, private accusers of individual Christians could not imperil the Church as a whole. But a popular action against the Christians could well strike at the root of the whole community in a city or even in a province. The wave of horrible persecutions toward the end of the reign of Marcus Aurelius resulted from "the pressure of people in the cities".<sup>94</sup> Above all, petitions of local authorities, particularly of a provincial council, could easily induce the Roman governor to take the initiative in persecuting the Christians. The governor was bound by imperial instructions to keep the province quiet by purging it of "evil men".<sup>95</sup> On this point, the Church agreed with the Caesars. Commenting on the word of Jeremiah (13,14) that God will not pity sinners, Origen rebuffs the heretics who found this prophecy incompatible with the divine love. He quotes the example of the Roman governor who must secure the peace of his province and take care "of the nation under his authority." The magistrate judges a murderer who is "youthful and good looking" and whose mother, wife and children supplicate for mercy to the accused. But the good judge will put the robber to death. "One man shall die for the good of the society".<sup>96</sup> But for the adversaries of the Christians, the latter were also criminals. Celsus assimilated them with robbers who, with good reason, were punished for their misdeeds.<sup>97</sup> If the Council of Asia, or of some other province, could persuade the proconsul that the Christians, too,

<sup>91</sup> Orig. *c. Cels.* VIII, 65.

<sup>92</sup> Just. I *Apol.* 4. Cf. Tert. *ad Scap.* 5,1.

<sup>93</sup> Tert. *Apol.* 50,15.

<sup>94</sup> Eus. *h.e.* V, *proem.* 1; Tert. *Apol.* 37.

<sup>95</sup> *Dig.* I, 18,3.

<sup>96</sup> Orig. *Hom.* XII in *Jerem.* 13,14 (*PG* XIII, 385); cf. Lieberman, *o.c.*, 10.

<sup>97</sup> Orig. *c. Cels.* VIII, 54.

like, say, incendiaries,<sup>98</sup> are to be reckoned among the “evildoers” who infest the province, the governor, abandoning the principle of private accusation, would institute the inquisitorial procedure against the followers of Jesus. The Acts of Cyprian can illustrate the difference between the accusatorial and the inquisitorial proceedings. The proconsul demands that Cyprian give him the name of “presbyters” in Carthage. The bishop refuses to do it since the Roman law forbids denunciations. The proconsul answers, he will “seek out” and “find” the suspects.<sup>99</sup> They would be hunted out by municipal police, and the mass of prisoners put to death without a regular, accusatory trial by the proconsul who would be both prosecutor and judge. As a matter of fact, on the order of the proconsul, the Christians were “sought out by public authorities” in Gaul under Marcus Aurelius, and Celsus speaks of Christians who wander about in hiding, yet are sought out for a capital trial.<sup>100</sup>

Let us sum up our observations. Trajan established the rule of accusatorial procedure in the trial of Christians. Hadrian set the precedent that even the demands of political bodies against Christians should be dealt with according to the practice of *cognitio*, that is as a private accusation judged according to the requirements of a fair trial where the rights of both parties are ascertained and preserved with impartiality. Tertullian helps us to realize the value of this precedent to the Christians. Addressing Roman governors, he says: *boni praesides, meliores multo apud populum si illis Christianos immolaveritis*.<sup>101</sup> The letter of Hadrian made it easier for the “good governors” to resist the demands of the Provincials for a wholesale persecution of Christians. Thus, among the reasons for the triumph of Christianity, the impartial historian has in the first place to name the principles of fair play followed by the Roman Emperors in dealing with the Christians.<sup>102</sup> The Emperors

<sup>98</sup> *Dig.* I, 15,4; XI, 4,3.

<sup>99</sup> *Acta Cypriani* in Knopf-Krueger. Cfr. R. Reitzenstein, *Nachrichten der Gesell. d. Wiss. zu Göttingen*, 1919, 215. Cfr. e.g. *P. Oxy.* XII, 1408: order to search out robbers with every care. It is forbidden to shelter them. Rewards are promised and punishments threatened in this matter.

<sup>100</sup> *Eus. h.e.* V, 1,14; *Orig. c. Cels.* VIII, 69. In a state of emergency, a governor could proceed by the way of *coercitio* and take recourse to all means at his disposal. See e.g. Wilcken, *Chr.* 13 and Philo, *in Flacc.* 72 and 77.

<sup>101</sup> *Tert. Apol.* 50,12.

<sup>102</sup> Even the rabbis, who hated the destroyers of the Temple, had to admit that the

were benevolent, but the Christians (and the Jews) loathed the false gods and their worshippers. And the haters, and not the meek, inherit the earth.

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Romans, at least outwardly, were fair in court. R. Simeon b. Lakish (died ca. 275), quoting *Gen.* 1,31: "God saw all that He made, and it was very good," explained that the verse speaks of the Kingdom of Heaven, but that the conjunction "and" refers to the Kingdom on Earth (Rome). But (can it be said) that the latter was very good? Yes, because it gives justice (*dikaion* in the Aramaic text) to all men. *Gen. R.* 9,13, p. 73 Theod.-Alb.). The rabbis, however, blamed the Romans for hypocrisy: an adulterous judge condemned a man for adultery, and so on. S. Krauss, *Griechen und Roemer*, 1913, 44.



## ON THE OLD RUSSIAN VERSION OF FLAVIUS JOSEPHUS

The Old Russian translation of the *Jewish War* of Flavius Josephus was celebrated long before it was published, since it contains a number of passages about Jesus and his apostles which one would look for in vain in the Greek text of Josephus, and which lend a particular character to the Slavonic Josephus. This generated a lively controversy in the scholarly world several years ago about these extra texts and about the value of the Slavonic version in general, although the object of dispute remained veiled, since the Russian version was known only by means of a German translation, the work of the late A. Berendts. This is why everyone, both the opponents and the defenders of its authenticity, will be grateful to the Institute of Slavonic Studies for publishing the Russian version, accompanied by a translation by Pierre Pascal.<sup>1</sup> Unless otherwise noted, I borrow my texts from this wonderfully elegant and faithful translation, in order not to try the patience of those of my readers who have difficulty in deciphering the Slavonic alphabet. Mr André Vaillant has kindly added learned notes to the translation; their only fault is that there are too few of them. I refer to these notes, which I have found very useful, by “p. . . n. . .” References such as “p. 2,5” indicate the page and the line of the Russian text. Numbers such as “1.235” refer to the Greek text of the *Jewish War*, cited according to the paragraphs of Niese’s edition.

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<sup>1</sup> *La prise de Jérusalem de Joseph le Juif*. The complete Old Russian text is published by V. Istrin, a member of the Leningrad [now St Petersburg] Academy of Sciences, printed under the direction of André Vaillant, with a French translation by Pierre Pascal. Vol. I: Books 1–3, Paris: Institut d’études slaves (Textes publiés par l’Institut d’études slaves 2), xiv + 250 pages, 1934; Vol. II appeared in 1938. A new edition of the Old Russian version of the *Jewish War* was published by M. Meščerski, *Istoria Iudejskoi voiny Iosifa Flavija*, 1958. This new edition confirmed my opinions; it also contains the interpolated passage about the slaughter of the Holy Innocents (Book 1.20.4, p. 204), which was omitted in Istrin’s edition. The studies of Josephus which have appeared after the first publication of this article contribute nothing new on the Christian interpolations in his works. Cf. L. Feldman, *Scholarship on Philo and Josephus (1937–1962)*, published both in *Classical World* (1962) and separately; H. Schreckenberg, *Bibliographie zu Flavius Josephus*, 1968; W. Speyer, *Die literarische Fälschung im Altertum*, 1971, pp. 240–242. [English translation of the Greek text: G.A. Williamson, *Josephus: The Jewish War* (Penguin Classics), revised by E.M. Smallwood, Harmondsworth 1981.]

## I

The reader who encounters a new text wishes to know how this text has come into being. Unfortunately, this edition will not satisfy his curiosity. The edition of Josephus was entrusted to Mr Istrin, a distinguished Russian scholar to whom we are already indebted for the publication of the Russian versions of Malalas and Hamartolos, but I deeply regret that it does not contain any description, even of the most summary nature, of the manuscripts which he has used. We are referred to the exposé by Mr Berendts in his German translation, mentioned above;<sup>2</sup> but this exposé whets rather than satisfies our curiosity. If we do not in fact know when and where the Russian version of Josephus was made (scholars speak of the twelfth-thirteenth centuries),<sup>3</sup> it would still be desirable to know the textual history of this version. Our manuscripts, written in the fifteenth and sixteenth centuries, form two families.<sup>4</sup> The common lacunae prove that all these manuscripts, except the one which Mr Istrin calls *Ar*, go back to one and the same prototype. The other family is represented today by the single manuscript *Ar*, a vast historical compilation copied from a book which was probably produced in Lithuania in 1262 and which gives only portions of the Slavonic Josephus, placed between extracts from Malalas, etc. Both *Ar* and the other family contain the same version; the textual variants concern points that are completely secondary. One might therefore think that the prototype of the first family and the prototype of *Ar* represent two traditions going back independently to the common archetype. However, Ms. *M* of the first family was copied from a manuscript written at Constantinople in 1399,<sup>5</sup> and contains passages which are found only in *Ar*: What then is the place of *M* in its family? And what is the relation between the prototype of *M* and the archetype of the version? Can one detect traces of a contamination or even of a revision of the primitive text of the translation? The critical apparatus of the

<sup>2</sup> A. Berendts and K. Grass, *Flavius Josephus vom jüdischen Kriege. Buch I–IV*, Dorpat (Tartu) 1921 (offprint from *Acta et commentationes Universitatis Dorpatensis*, series P. v. V. and IX–IX).

<sup>3</sup> A. Sobolevsky, "Perebodnaja Literatura," 9 and 24 in *Sbornik, Otdel. Russk. Jazyka* 74/1 (1903). Cf. A. Vaillant, *Semitica* 9 (1959), p. 90.

<sup>4</sup> It is only right to recognize that Mr R. Eisler was the first to note this: *Ἰησοῦς Βασιλεύς* 1929, I, 28, I, p. 254.

<sup>5</sup> A. Sobolevsky, "Materialy i izsledovanija," in the same *Sbornik* 88 (1910), p. 169. On the history of the Old Russian text, cf. now Meščerski, *op. cit.*, pp. 30–35.

edition does not permit us to answer any of these questions, which are suggested by Berendts' description of the manuscripts.

Mr Istrin would perform a great service to the study of the Slavonic Josephus if he would explain its history as he did for Hamartolos in his monumental edition of the Russian version of the Byzantine chronicle. While we await this, let us take the text of the Russian Josephus as it is, and endeavor to understand its relationship to the Greek manuscript tradition.

## II

It suffices to read one page of the Russian version to grasp the difference from the received Greek text. I take one example at random:

2.309: "At this time it happened that King Agrippa had traveled to Alexandria to congratulate Alexander, who had been entrusted with Egypt by Nero and *sent there as governor*. However, his sister Berenice was *in Jerusalem*, and seeing the criminal conduct of *the soldiers* she was cut to the heart, and repeatedly sent her cavalry commanders and bodyguards to Florus to beg him to stop the slaughter. He, caring nothing for the number of the victims or the high rank of the *petitioner*, *but only for the profit which he made out of the loot*, was deaf to her appeals; *and the mad fury of the soldiers did not even spare the queen – not only did they torture their prisoners to death before her eyes; they would actually have killed her if she had not escaped to the royal palace and spent the night there with her guards*, in fear that the soldiers would attack."

Here is the Russian version of this passage (p. 168): "King Agrippa *was not there* [i.e., in Jerusalem] at that time; he had left for Alexandria, to rejoice with Alexander, to whom Nero had entrusted Egypt. But his sister Berenice, who was there and saw the iniquities of *Florus*, was cut to the heart. She sent her commanders and bodyguards to beg him to stop the slaughter. He, caring nothing for the number of the victims, nor the high rank of the *petitioners*, was deaf to her appeals and put to death many distinguished persons before her eyes. The soldiers even attacked the queen and would have killed her if she had not escaped to the royal palace and spent the night there in fear that the soldiers would attack."

This comparison leaves us in no doubt about the character of the Russian version. It is based on the Greek,<sup>6</sup> and it is very exact, but much

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<sup>6</sup> For example, the Russian version speaks on p. 176,31 of the people called "the

shorter than the received Greek text. It deviates from the Greek only on points of detail, adding a word or a phrase here and there. Finally, as we already know, it contains a number of elaborations, mostly related to the Gospel story, which are not present in our Greek manuscripts.

How are we to explain these divergences? Two hypotheses are possible: (A) the Russian departs arbitrarily from his Greek text, which is that of our manuscripts; or (B) on the contrary, he gives a perfectly literal translation of a Greek text which is now lost. In the latter case, this Greek text may represent either a Byzantine revision or else the original text of a lost edition of Josephus' work. It goes without saying that the situation may in fact be much more complicated, if we imagine some kind of mixture of these possibilities; a rather large number of hypotheses must therefore be borne in mind.

The translator is not afraid to revise the original. Thus, the misdeeds of the soldiers, which Florus does nothing to prevent, are transformed in the Russian text into acts ordered by the Roman governor.

In order to see more clearly, let us come back to the positive facts. We are speaking of the Russian version of the Greek text. Leaving aside for the moment the divergences among the Russian manuscripts, which we cannot yet classify, we have more than thirty Greek manuscripts of Josephus' book, and we know that scarcely one of them is identical to the others. However, we can distinguish two groups:<sup>7</sup> first *PA*, which often differs from all the other manuscripts, and sometimes has the better reading; secondly, *VR*. The others present various mixtures of the readings of these two families, but also have variants of their own. To which family does the model of the Russian text belong?

Obviously, we cannot examine all the variants to be found in the first three Books of the *Jewish War*. We mention only those that are more or less characteristic.

To begin with, it is clear that the original of the Russian text was closest by far to the *VR* group. Here are some examples. On p. 34,10 (1.219), the Russian text calls a Roman general "Mark." This is the incorrect reading of *MLV RC*. The correct name is given in *PA*, viz. Murcus. On p. 12,22, we read a strange Arabic name, "Vond." This is the imaginative reading of the manuscripts *LIN* (1.90). The Russian has "Salis" (p. 108.20), agreeing with *LRCV* (3.20); on p. 210,21 it has

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race of the Bulls." The translator has understood the "Tauric race" of Josephus (2.366) to be bulls.

<sup>7</sup> Josephus, *Opera* ed. B. Niese, VI, p. xxxix.

“Xaloth” like *MRC* (3.39), and “Senabris” on p. 240,12, like *MRV* (3.447). On p. 122,10, it agrees with *LVRC* (1.673) in giving the distance between two places as two hundred stadia. On p. 88,29, the Russian gives the names in agreement with *LTRC* (1.531); on p. 198,17, it has “Aeneas” like *VR* (2.597).

Examples can be multiplied; these are only selected specimens, and one might wish for a comparison of the Russian text with the different types of the Greek manuscript tradition, examining all the variants in a continuous passage. This is not possible within the limits of an article, and this task must be left to the comprehensive study which we may hope to see from Mr Istrin’s hand. Let us note here only one point of reference: the Russian text sometimes agrees with the *VR* group, as Berendts has already pointed out.<sup>8</sup>

We must however add that the Russian text rather frequently departs from this family and agrees with *PA*. For example, on p. 176,22 (2.365), it faithfully reproduces the reading of *P* against all the other Greek manuscripts and the Latin tradition as well (the text of which is interpolated: “the Greeks who are the most noble of all that is under the sun”). The reading “Jonathan” on p. 68,17 (1.437) is the reading of *PAML*, while *C* reads “Aristobulus” and *VR* has the doublet “Aristobulus Jonathan.” On p. 116,2 (1.639), “Herod” agrees with *PAVC*. On p. 52,10, the Russian text relates that the Jews made a sortie. In Niese’s edition, however (1.350), one reads the opposite; but the Russian version is inspired here by the reading of *PA*: “They attacked head-on.”

At other times, the Russian text agrees with variants noted in the margin of *VR*, e.g. on p. 32,34 (1.215) or p. 132,21, where the Russian has “Antipater” in agreement with *PAM*, the reviser of *LR*, and the marginal note in *V*. On p. 126,32 (2.25), the Russian interpolates “Tiberius” instead of the reading “Gaius” in all the manuscripts, following the *scholion* of *VC*: “He [i.e., Josephus] means Tiberius.”

Finally, the Russian text sometimes agrees with readings that are peculiar to other manuscripts. On p. 178,11, it has the phrase: “Cantabrians who are drinkers of blood” (2.374). This proper name is also found in *VR*, and it is inserted by correctors into *LC*; the adjective is in *LCM*. Here, therefore the Russian agrees only with the revised text of *L*. The situation on p. 184,25 (2.458) is even more complicated: in a series of geographical names, the Russian reads “Gebonite” in accordance with

<sup>8</sup> Berendts, *op. cit.*, p. 23. He speaks of the affinity to *LVTRC*.

*RCV*, “Kedessa” in accordance with *MRCV*, but “Gais” in conformity with a marginal variant which is noted in *L*. Sometimes, the Russian text alone has the correct reading, against the entire manuscript tradition: for example, on p. 210,21 (3.38), it alone has “Chabulon,” although this does not prevent it from writing “Zabulon” elsewhere (p. 188,9) in accordance with the Greek (2.503).

These are only samples, but they are sufficient to identify the relationship of the Russian version to our Greek manuscripts. It cannot be linked to any known manuscript, nor to one precise group of texts. Its original was derived from the prototype of *VR*, but it sometimes agreed with the variants noted in the margins of the parchments of this family. It was also influenced by other groups, such as *PA* and *L*. In other words, the model of the Russian text was an eclectic manuscript, the product of revisions and harmonizations, but basically belonging to the *VR* group.

These results of a purely technical nature are extremely important, if we are to make an impartial judgment about the historical value of the Slavonic version. The text of *VR* is very old; Eusebius and Porphyry read their Josephus in manuscripts of this family as long ago as ca. 300. It has been suggested that *VR* on the one hand and *PA* on the other represent two successive stages in the manuscript which Josephus himself wrote: *PA* would be his own revision of *VR*. The papyri of the classical texts which have been discovered in Egypt suggest a different explanation. In antiquity, alongside the “critical text” there circulated debased and reworked texts of the great authors, and the papyri often have a contaminated text. At any rate, however, the *VR* text of Josephus, which was already known in the third century, does not disclose some hitherto unknown stage in the process of composition of the *Jewish War*. If we prescind from stylistic corrections and rectifications of details, *VR* is nothing else than *PA*. How then are we to explain the fact that the Russian version, which is affiliated to *VR*, does not have the vulgate text of Josephus?

Berendts, followed by Eisler and Thackeray,<sup>9</sup> suggested that the model of the Russian text was another redaction of the *Jewish War*,

<sup>9</sup> Berendts, *op. cit.*, p. 23; R. Eisler, *op. cit.* I, pp. 253ff.; Idem, in *Byzantinoslavica*, 1930, p. 351; Idem, in *Rev. Arch.* 2 (1930), p. 298. H.St.J. Thackeray, *Josephus* II, pp. x ff. Eisler's last work on the Old Russian version, *Flavius-Josephus Studien*, was published in 1938 by Methuen (London). This book was a response to a book inspired by the Nazi ideology, and contributes nothing to the solution of the problem of Josephus' text.

viz. its first sketch; *VR* and *PA* would represent successive revisions by the author himself. Unfortunately, this explanation does not hold water. The received Greek text, which – according to this theory – is the final version, mentions the Temple of Peace, which Vespasian built in 75 (7.158). However, the Russian text too contains this passage.<sup>10</sup> How then can one maintain that the translator had before him only the first draft of Josephus' work? In reality, the errors which are common to the Greek text and the Russian version, born of the negligence of copyists, are irrefutable proof that the model of the translation was a manuscript of the same group as those we still possess. At 4.336, the Russian text lacks one line, which the Greek archetype hopped over;<sup>11</sup> at 4.491, the Russian agrees with the Greek manuscripts in omitting the number of months of the reign of Nero; at 6.369, it reproduces a marginal gloss found in all our Greek manuscripts: "And in all the city it would have been impossible to find an empty space to throw a pin, because the corpses were rolling everywhere – some had died of hunger, others were victims of the combat, and every house was full either of those who had starved to death or of those who had been massacred."

The archetype of the model of the Russian translation was therefore the archetype of our own vulgate text. However, in those cases where we still possess different editions of a literary work, it is impossible to find a common archetype for them. This is true of Eusebius' *Ecclesiastical History*,<sup>12</sup> and of the Russian *Digenis*. It is highly likely that the latter reproduces an early redaction of this poem,<sup>13</sup> since its model does not belong to the same group of manuscripts which have preserved another redaction of the original Greek of *Digenis*.<sup>14</sup> This is an inevitable consequence of the fact that ancient books were written by hand. Each manuscript thus diverged from the others, and it was impossible that the copyists of two different redactions – i.e., in the last analysis, of

<sup>10</sup> Mr Vaillant has kindly sent me the Russian text and the French translation of these unpublished passages.

<sup>11</sup> The Russian text says on p. 31 that the *sicarii* "established a tribunal and gathered seventy of the prominent men, and gave them the power to judge, mocking them." This is the text of all the Greek manuscripts. But a marginal note in *PA* (subsequently inserted into *M*) adds after the word "prominent": εἰς τὸ ἱερόν περιθέντες δ' αὐτοῦς ὡσπερ ἐπὶ σκηνῆς.

<sup>12</sup> E. Schwartz, *Eusebs Kirchengeschichte* III, pp. lxi and cxlvi.

<sup>13</sup> H. Grégoire, *Byzantion*, 1935, p. 235.

<sup>14</sup> M. Speranski, *Sbornik, Otdel. Russk. Jazyka* 89 (1923), p. 124.

two different autograph manuscripts of the author – should commit precisely the same errors. Let us however for the moment suppose that the errors mentioned above, a line omitted or a line added, were already present in Josephus' own autograph manuscript.<sup>15</sup> And let us grant that the Russian version might come from the earliest redaction of the work, which the author had not yet revised; this is possible in principle, and it happened in the case of the manuscript tradition of Hamartolos. But how are we to imagine that Josephus committed the same errors a few years later, when he dictated a new version of his work, i.e. the received Greek text of the *Jewish War*, and that he modified almost every phrase in his first draft?

Besides this, Berendts' hypotheses collides head-on with the other result of our analysis of the Russian text. As we have seen, its model was an eclectic manuscript which borrowed a number of readings from other families than *VR*. If we are to suppose that a reviser submitted the prototype of this model to an attentive comparison with the vulgate text in order to achieve a greater exactness of expression and a more precise meaning, how are we to accept that this work of collation extended only to slender variants, while the "reviser" was blind to the fact that whole pages of the text were missing in his manuscript? Accordingly, the textual criticism of the Russian version leads us to formulate the following two complementary conclusions, one positive and one negative. On the one hand, the undeniable fact that the model of the Russian text was a late manuscript influenced by later revisions of Josephus' text means that we cannot see it as a faithful representative of some unknown edition of the *Jewish War*. On the other hand, if the Russian text *had* preserved an otherwise unknown form of Josephus' work, it would not be possible for it to derive from the same archetype as the vulgate of our manuscripts. But it does derive from this archetype. How then is one to explain the particularities of the Slavonic version?

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<sup>15</sup> This is the daring – and completely erroneous – hypothesis of R. Eisler, *Byzantinoslavica*, 1930, p. 319.



## III

One idea would be a special redaction made by a Byzantine reviser; another hypothesis would be a deformation due either to the translator or else to the combined influence of a reviser and a translator.

The first thing which strikes the reader of the Russian version is that it is much shorter than the Greek Josephus. To begin with, it drops a number of episodes. The large-scale omissions begin at 1.178. Thirty-seven paragraphs are missing in Book 1; seventy-two in Book 2; and seventy-seven in Book 3.<sup>16</sup> These gaps represent respectively 6%, 11%, and 14% of the Greek text. The excisions are sometimes intelligent. For example, the Slavonic version does not reproduce most of the information about the Parthians, which is a kind of *hors d'oeuvre* in the *Jewish War*, and it omits episodes which could easily be passed over, such as those of Sabinus and of Menahem (2.39–54; 433–448).

The translator tends to shorten those narratives of Josephus which he preserves in substance. He likes to summarize the elaborations of the original. 2.430–432 takes up only two lines in the Russian, and 2.556–576 is condensed into ten lines. The Russian retains only two sentences of the description of Samaria at 3.48–50. At 2.457–460, Josephus relates what happened to sixteen villages which were sacked by the Jews at the beginning of the great revolt. The Russian (p. 184) summarizes this in one sentence: the Jews “took the towns of Philadelphia, Gaba, etc., and they killed those whom they took captive.”

To simplify his work of abbreviation, the Russian translator tends to gather together the information about one specific subject which is scattered in Josephus. For example, at 3.227, Josephus relates that the Jews set fire to the Roman “engines, hurdles, and platforms,” and he tells us a few lines later about the inflammable materials which they used for this purpose. The Russian gives a much briefer paraphrase: “In despair, the Jews took resinous woods, reeds, etc., and rushed forward.”

He treats in the same way the story of Phasael (1.259–250; 268–272) and the tumults at Caesarea which Josephus relates in chronological order (2.266–270; 284–292) and which form one single unit in the Russian version (p. 164). Here, the translator simply drops all the intermediary narrative of Josephus, so that the governor Florus appears suddenly in the Russian text as the immediate successor of

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<sup>16</sup> Berendts, *op. cit.*, p. 29.

the procurator Felix. Need one add that Mr Eisler seizes on precisely this arrangement of the material as a trace of the earliest redaction of Josephus' work?

Finally, in order to make the text shorter, he also abbreviates the sentences which he translates. Here are a few examples: the words in italics are missing in the Russian text. P. 78,15 (1.483): "the hostility of Salome and *of their uncle Pheroras*"; 2.421: "from Auranitis, *Batanaea*, and Trachonitis under Darius the *cavalry* commander and *Philip, son of Jacimus, the general*"; p. 176,2 (2.358): the Athenians "*near little Salamis broke the might of Asia* – and today they are slaves of Rome"; 3.233: "two *brothers*, Neiras and Philip, from the village of Ruma, *likewise Galileans*"; 2.571 (p. 194,32): "seventy *elderly men*, the most sensible he could find."

It is no surprise that the translator makes mistakes in his work of abbreviation. Having omitted the mention of a certain Athenion in the historical narrative (1.367), the Russian omits the allusion to the same event in Herod's discourse (1.375). However, he has also omitted the assassination of the Jewish ambassadors by the Arabs in the historical narrative (1.371); but this violation of international law is one of the "themes" of Herod's discourse and it cannot easily be omitted there. Accordingly, we read: "Consider now... that they have massacred our envoys" (p. 58; 1.378), although the reader of the Russian version does not know to what this eloquent rhetoric actually refers.<sup>17</sup> Elsewhere, for various reasons, the translation inserts additions or glosses.

Aiming at clarity, the translator supplies words and explanatory sentences, sometimes drawn from another passage in Josephus. In his translation of 1.322, the Russian adds, following 1.327, that Antony returned to Alexandria (p. 48,2). At p. 68,35 (1.441), he immediately indicates the goal of Herod's voyage, which Josephus explains a little later: "to Antony." On p. 30 (1.198), he inserts a sentence drawn from 1.192: "Mithridates bore witness before Caesar to Antipater's courage."

In other passages, he makes an addition to strengthen the meaning of the original. Josephus relates (1.528) the revelation that Alexander, Herod's son, had written a criminal letter, and the Russian adds a gloss: "This letter sealed the doom of Alexander." At 1.354, we read that Gentiles were not allowed to visit the temple. The Russian adds (here Mr Pascal's translation is – for once – inexact): "and not even

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<sup>17</sup> This significant example is pointed out by J.M. Creed, *HTR*, 1932, p. 282.

the circumcised were allowed to enter, except for the priests in the exercise of their office” (p. 52,31). At 3.6, Josephus mentions the sons of Vespasian; the translator uses the dual form, since he knows Titus and Domitian.

These additions which the translator makes on his own initiative are not always felicitous. Josephus tells us that Archelaus sends back to Augustus the ring of his father (2.24); the translation, somewhat naïvely, adds: “and the crown” (p. 126,30). At 1.672, Josephus mentions Herod’s mercenaries. The Russian is astonished that no Jews are mentioned here, and adds clumsily: “the Jews, Idumeans, and men of Trachonitis” – names he has found in the preceding chapters. The translation uses the same means to avoid difficulties, whether real or imagined. At 1.599, rather enigmatically, Josephus says that Herod inflicted on the son of his wife, “Mariamne, the daughter of the high priest,” the punishment for Mariamne’s “criminal intention.” It is difficult to grasp why Herod could not have punished his wife in her own person, and so the Russian identifies this Mariamne with another woman of the same name, whose death has just been related (p. 70; 1.443), and writes that since Mariamne “had already been killed, the king turned his anger against her son Herod... since he could no longer do anything against the dead queen.” At 1.424, Josephus mentions a “Pythion” at Rhodes. The translator has not understood this; he takes “Pythion” to be a town and changes the text, inserting a temple of Apollo, etc. (p. 66,4). Another example: at 1.428, Josephus writes that Herod reined in his generosity for fear of provoking envy. The Russian specifies: “the jealousy of Rome and the menaces of Caesar.”

The translator makes changes in order to increase the elegance and rhetorical quality of the text. He has Herod weep after the death of Mariamne “in the presence of all those present” (p. 70,14; 1.444). Caligula threatens Petronius with death, but the messenger is delayed by a tempest (2.203); in the translation (p. 154,7), the threat becomes a death sentence, and the messenger drowns in the sea. On the same page, when Josephus says (2.209) that the senators had confidence in their qualities, the translator adds: “and their noble birth.” These additions do not always enhance the text. On the same page, the Russian assures us that after the death of Caligula, the Senate intended to entrust the government “to the ten judges, as was formerly the case.” Is this too a trace of a primitive text of Josephus?

The Russian likes flowery language and inserts poetic compari-

sons:<sup>18</sup> the Gauls possess wealth “uncountable like the sand of the sea” (p. 178,6), etc. He sometimes uses biblical images and borrows turns of phrase from Scripture (p. 127 n. 3; p. 211 n. 10). In order to explain the conduct of Archelaus, he evokes the example of Solomon and his son (p. 123,5); he also evokes the example of Abraham (p. 116,8). Only one who was ignorant of the civilization of ancient Russia could imagine that this biblical language belonged exclusively to a Jew speaking to other Jews.

It would take too long to study the other changes made by the translator. Let us only note in passing that he sometimes specifies numbers which Josephus indicates only vaguely (p. 150,26; p. 52,10; p. 163 n. 5). More importantly, he makes revisions to the discourses in the *Jewish War*.

First of all, the translator generally transforms indirect speech into direct speech and then deliberately departs from the Greek text. For example, he begins Herod’s address at 1.373 with a new preamble: “Men of arms, you who march and make war with me, helpers of Herod!” In Josephus (1.624), Herod calls his son Antipater a “monster” (θηρίον). The Russian makes this a “serpent” (p. 112,8). This well known Russian phrase pleases him so much that he inserts it once again into Antipater’s reply (p. 114,3): “How can you call me a serpent, if I know neither the past nor the future?” Sometimes, the translator introduces into the discourses information which he has taken from Josephus’ narrative, e.g. on p. 20 (cf. 3.31) and p. 248,25 (cf. 3.539ff.). But he also interpolates simply to embellish a discourse, e.g. by introducing a motif from folklore (p. 99 n. 7). On p. 116, we read the following elaboration: “It is time for us to act like men. Let us show our devotion to the law of Moses, so that our race may not be ashamed, and our legislator may not blush because of us. Let us take as our examples the great deeds of Eleazar the righteous man, and the seven Maccabean brothers and their mother... Antiochus... was conquered by these seven young men and by an old master and an old woman... if we are killed, our soul... will go to join our fathers, where Abraham and his descendants are at rest.”

This is a pastiche, an intentional counterfeit of Josephus’ manner. But need we recall that the authentic Josephus never speaks in a biblical

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<sup>18</sup> Cf. M. Speranski, *op. cit.*, p. 60.

style, either in the corresponding passage (1.650) or elsewhere? One will look in vain for allusions to the patriarch's bosom in the discourses which he (or rather, his Greek secretaries) composed. But the Byzantine world saw Josephus as the representative of the Judaism of the law, and so he was made to speak like a preacher.<sup>19</sup> In any case, this passage cannot come from the pen of the Jewish historian. He never speaks of the seven Maccabean brothers, since he does not know the Second Book of Maccabees which relates their martyrdom; nor could he know that Eleazar was supposed to have been the master of the seven brothers, since this interpretation is an invention of fourth-century Christian preachers.

#### IV

Finally, the Russian version contains some substantial information which is not present in the Greek text of the *Jewish War*. Some scholars have attached great importance to these passages.

If we look at them more closely, we see that some of these material additions are simply gaffes by the translator. In his concern to shorten the original, he sometimes misunderstands it. For example, he tells us (p. 36,23) that Augustus sent Antony, his son-in-law, to kill Cassius (1.242). He shortens the discourse of Agrippa in Josephus' second Book, omitting for example the information about the Germans and the Britons (2.376–378). It has been claimed that these are traces of an earlier redaction of Josephus.<sup>20</sup> But the translator shortens his text by bringing together in the same discourse the information about the Illyrians and the Dalmatians, and he inadvertently transforms the Dacians, who were Rome's enemies, into its faithful subjects (p. 176; 2.369–370) – this would surely be an excellent opportunity to detect here a trace of an edition of Josephus made after the victories of Trajan! Thanks to a similar mishap, the translator has the Melians massacred by Augustus (p. 134; 2.110), and makes Obodas (rather than his son Syllaueus) the fiancé of Salome (p. 78,32; 1.487). As p. 90,7 (1.534) proves, this howler is in fact due to the translator's inadvertence.

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<sup>19</sup> One can see Abraham with the souls of the just (in the form of little children) in his bosom in the wonderful fresco of the "last judgment" in the church of the Dormition in Vladimir (twelfth century): *Orient et Byzance* V, p. 71.

<sup>20</sup> Eisler, *op. cit.* I, p. 419.

An incision made in the text turns the son of a soldier named Tiron into the son of a barber (p. 92,25; 1.549). When he gives a résumé of his model, the Russian is in too much of a hurry, and mixes up Pacorus and Antigonus (p. 40,6; 1.271). He commits two howlers at 2.247–249 (p. 161 n. 8 and 9), and speaks of the *Spartan* victory at Thermopylae.<sup>21</sup>

Sometimes, he elaborates allusions by Josephus. For example, we read at 1.328 of a dream which announced clearly to Herod that his brother would die. The translation (p. 48,20) gives us the details of this dream, imitating another narrative by Josephus (2.113). Josephus speaks of “hydra heads” (1.588), and the translation gives us information about this mythological subject (p. 102). Josephus mentions the Capitol (1.285); the Russian offers us a meaningless etymology of this name (p. 42).

In general, one can explain in this way all the passages in the translation which are not found in the Greek. These were noted by Berendts, enumerated by Eisler, and then inserted by S. Reinach and Mr Thackeray in their translations of the *Jewish War*, thanks to a somewhat exaggerated confidence in Mr Eisler’s scholarship. Above all, we must note that these passages do not contain one single new fact. In the three first Books, we find only one new piece of information, viz. Josephus’ ruse when he saved his life at Jotapata (p. 236,12). However, this idea is in fact suggested by Josephus himself (3.391), and the trickery which the translation relates is a well known motif of folklore.<sup>22</sup>

Scholars have assured us that the Russian translation is a new source. But from this source we do not glean one single fact, nor any new information.<sup>23</sup> The differences between the translation and the Greek text are stylistic and literary, never historical – with the exception, however, of some passages referring to Christianity.

<sup>21</sup> “Boiling lead” instead of “oil” on p. 228,31 (3.271) and “Scythia” instead of “Scythopolis” on p. 184,27 (3.458) are probably copyists’ errors.

<sup>22</sup> Eisler, I, p. 323 n. 21. Cf. V. Ussani, *Rendiconti Pontific. Accademia di Archeologia*, 1934, p. 172.

<sup>23</sup> The attempt by R. Laqueur, *Historische Zeitschrift* 148 (1933), pp. 326ff., to find some new information in the Russian translation is refuted by Ussani, *op. cit.*, pp. 166ff.

## V

Now we are in the thick of the battle. Are the “Christian” passages authentic? We find the following passages in the first three Books of Josephus: (1) p. 54: on the person of the Anointed; (2) p. 134: “On John the forerunner”; (3) p. 146: “John the forerunner explains to Herod Philip a vision in a dream”; (4) “the story, excellent for the salvation of the soul, of Our Lord Jesus Christ”; (5) p. 156: on the apostles.

We borrow the titles in inverted commas from the manuscripts of the translation.<sup>24</sup> Ancient readers would have understood very well the meaning and the value of these accounts. How then is it possible that these precious testimonies by Josephus should have remained completely unknown, apart from the Slavonic translation? For at least two centuries, both pagans and Christians searched everywhere for non-Christian texts, whether benevolent or hostile, concerning Jesus and his apostles. But when they read Josephus, neither Celsus nor Porphyry nor Origen nor Eusebius – nor anyone else – ever discovered these passages which have now been revealed by the publication of the Slavonic translation. After the victory of Christianity, we find innumerable quotations from the works of the Jewish historian in the fathers of the church; as Cassiodorus said of him, *erit testis de veritate Christi*.<sup>25</sup> But none of the fathers ever makes even the slightest allusion to the passages preserved in the Russian translation. And let us recall that our Greek text does not contain any hint of these enigmatic passages; and we possess a dozen Greek manuscripts from the eleventh century, the period when the Russian translation was made.<sup>26</sup> How are we to explain this conspiracy of silence which kept the world unaware of these texts for centuries? We are told that Byzantine censorship would have suppressed these compromising passages.<sup>27</sup> This is certainly a challenging hypothesis!<sup>28</sup> Let us not insist too much on the fact that no text authorizes this hypothesis... but what audacity, to declare today that these passages must have struck ancient readers as heterodox, when it was precisely pious hands that preserved them! The Russian scribes are lavish in their

<sup>24</sup> The title of (4) is cited only by Berendts, *op. cit.*, p. 268 n. 14.

<sup>25</sup> Cassiodorus, *Hist. eccl.* 1.2 (PL 69, 884), following Sozomen, 1.1. Cf. Cassiodorus, *De inst. div. lit.* 17 (PL 70, 1133): Josephus is *paene secundus Livius*.

<sup>26</sup> Niese, *op. cit.*, p. lxxvi.

<sup>27</sup> Eisler, *Byzantinoslavica*, 1930, p. 319.

<sup>28</sup> Cf. H. Lewy, *Deutsche Literatur-Zeitung*, 1930, p. 488.

praise of these texts: "This is written by Josephus the Jew, who had heard with admiration of the miracles of Our Savior, but did not succeed in coming to the true faith."<sup>29</sup> It never occurred to Metropolitan Macarius, who gathered together in an enormous encyclopedia "all the holy books found in the Russian land," including the *Jewish War* with the passages in question, that these texts were anti-Christian; and until fresh information turns up, I shall continue to think that he was a better judge than Mr Eisler of the orthodoxy of a text.

If the passages are indeed authentic, it is impossible to understand why they were not transmitted in Greek, and quoted and reproduced a thousand times in the Byzantine period. But if they are inauthentic, this is easy to understand.

Cassiodorus tells us that Josephus was a model for Christian historians, who *nihil ad fortuitas causas . . . sed arbitrio Creatoris applicare veraciter universa contendunt. Ut est Josephus, paene secundus Livius*. The authority of this *Graecus Livius*, as Jerome calls him, was incontestable in the Christian world.<sup>30</sup> Writers quoted him to lend weight to their own arguments and to pass on interesting information to their readers.<sup>31</sup> Above all, however, Josephus, *qui tantam nobis materiam rerum gestarum cognitionemque praestiterit* (as a twelfth-century clergyman said),<sup>32</sup> was a witness to the period of the Gospels, and people looked to him for precise information about Christianity. Since these were unfortunately missing in Josephus' text, the exegetes did their best to get round this lacuna, in order to illustrate the truth of the Gospel. For example, the Gospel of John tells us that Caiaphas was the priest "of that year" (11:19). In order to explain the singular circumstance that Caiaphas enjoyed the priestly dignity only for one year, Saint Jerome invokes the authority of Josephus:<sup>33</sup> *refert Josephus istum Caiapham unius tantum anni pontificatum ab Herode pretio redemisse*. What Josephus in fact tells us (*Ant.* 18.35) is quite different, but as Cedrenus remarks,<sup>34</sup> the passage quoted here is guaranteed by

<sup>29</sup> A. Popov, *Obzor chronografow* I, p. 133.

<sup>30</sup> Cassiodorus, *Inst.* 1.17; Jerome, closing passage of *Ep.* 22.35. On Josephus' standing the middle ages, cf. E. Sanford, *Transact. Amer. Philol. Assoc.* 66 (1935), p. 127; H. Schreckenberg, *Die Flavius-Josephus-Tradition in Antike und Mittelalter*, 1972. We have more than two hundred Latin manuscripts of Josephus: F. Blatt, *The Latin Josephus* I, 1958, p. 15.

<sup>31</sup> Cf. e.g. V. Ussani, *Mélanges F. Cumont*, 1936, p. 457, on an interpolation in *Bell. Jud.* 4.480.

<sup>32</sup> Blatt, *op. cit.*, p. 95.

<sup>33</sup> Jerome, *ad Matt* 26:57 (PL 26, 201).

<sup>34</sup> Cedrenus, PG 121, 368.



the testimony of Saint John. In other words, the inauthentic Josephus confirms the information of the evangelist, and this confirmation is reinforced by the authority of the same evangelist.

Pseudo-Josephus proves that Jesus was a priest,<sup>35</sup> and he tells us about the massacre of the Holy Innocents,<sup>36</sup> the date of the crucifixion,<sup>37</sup> the fact that the destruction of the temple was the punishment for this crucifixion,<sup>38</sup> about the miracles of Jesus in general,<sup>39</sup> and the raising of Lazarus in particular.<sup>40</sup> Pseudo-Josephus expounds the truths of the faith,<sup>41</sup> confirms the authenticity and truthfulness of the portrait of the Savior attributed to Saint Luke,<sup>42</sup> and tells us the date of Zechariah's vision (Lk 1:9), which happens to be the precise day on which it is commemorated by the Greek church.<sup>43</sup>

This list, which is far from complete,<sup>44</sup> suffices to show that the name of the Jewish historian lent itself to Christian forgeries of every kind. The most celebrated ecclesiastical writers attributed *en passant* to the Jewish historian whatever they desired to find in him. According to Saint Jerome, Josephus affirms that Jesus was killed by the Pharisees; he then cites the passage (the Christian interpolation at *Ant.* 18.63–64), where in fact the Pharisees are not mentioned. Chrysostom tells his hearers that Josephus reports that the angels who dwelt with the Jews told them that if they did not abandon their sinful lives, they would lose the fight. This is a highly imaginative paraphrase of *Bell. Jud.* 6.299.<sup>45</sup> But with

<sup>35</sup> Suidas, *s.v.* Ἰησοῦς. A. Vasiliev, *Anecdota graeco-byzantina*, 1893, p. 71; cf. Kirpischnikov, *Vizant. Vremennik* I, p. 149.

<sup>36</sup> Eusebius, *Hist. Eccl.* 1.8,5; Photius, *Cod.* 238; cf. the Russian Josephus, p. 66.

<sup>37</sup> James of Voragine, quoted by Eisler, II, p. 786.

<sup>38</sup> Syncellus, p. 615 ed. Bonn (following Eusebius); Jerome, PL 22, 486 and 25, 495.

<sup>39</sup> Schürer, *Geschichte des jüdischen Volkes* I, p. 549.

<sup>40</sup> Eisler, I, pp. 148 and 249.

<sup>41</sup> Zonaras, 6.4.

<sup>42</sup> Andrew of Crete, PG 97, 1394. Cf. F. Braun, *RB*, 1931, p. 350.

<sup>43</sup> John of Nicou, in PG 96, 1444; 1448.

<sup>44</sup> Cf. also the interpolation at *Ant.* 18.63–64. cf. Schürer, *op. cit.* I, p. 545; E. Norden, *Neues Jahrb. f. Altertumswissenschaft*, 1913, p. 636; interpolations in Josippon (Eisler, I, p. 461; I. Levy, *REJ* 91, p. 141); the apocryphal Josephus in Rumanian (Eisler, I, p. 463; cf. R. Draguet, *Rev. hist. ecclés.*, 1930, p. 359).

<sup>45</sup> Jerome, *De viris illustr.* 13; Chrysostom, *In Joh.* 65.1. Origen cites Josephus as proof that the destruction of Jerusalem was provoked by the stoning of Saint James (*Contra Celsum* 1.47; 2.14). As a matter of fact, Josephus says (*Ant.* 20.200; *Bell. Jud.* 4.318) that the divine wrath was provoked by the assassination of the high priest Ananias, the one who had condemned Saint James. Cf. Schürer, *op. cit.* I, p. 581. Chrysostom (PG 54, 87) says that Josephus explains the destruction of Jerusalem as a punishment for the execution of John the Baptist.

the exception of one very ancient interpolation (at *Ant.* 18.63–64), which was already known to Eusebius, all these forgeries floated in isolation from the text itself. They were launched by one or other father; some were repeated at a later period, while others appear only once, but none of them was incorporated into our Greek manuscripts of Josephus. In other words, the Byzantine scribes and revisers watched over the purity of this text and transmitted to succeeding generations what they themselves had received from antiquity. This explains the fact that all the manuscripts of the *Antiquities* contain the interpolation at 18.63–64, known and acknowledged by Eusebius, whereas none of the other forgeries is found in our manuscripts of Josephus. We can still discern a trace of this work of vigilance in the *Codex Vossianus* of the *Jewish Wars*. Here, the testimony about Jesus found in the *Antiquities* has been interpolated, with an additional piece taken from a theological work which the Christians attributed to Josephus; we find the same amalgam also in Zonaras (11.4). But this additional passage is crossed out by a reviser of the *Codex Vossianus*, who writes in a marginal note: “One should note that we have been right to excise this, for we have not found it in other copies; and no father of the church or historian cites this passage.”<sup>46</sup>

There was nothing exceptional about Josephus in this regard. The middle ages were full of forgeries of every kind, and Christians liked to fabricate texts of ancient sages which were meant to confirm one or other ecclesiastical truth. Many declarations glorifying and predicting the Christian dogmas were placed on the lips of Sophocles, Plato, Heraclitus, etc. Artists depicted these forerunners of the new religion, including Josephus, in stained glass windows and on the walls of churches.<sup>47</sup> Nevertheless, our manuscripts of the classical authors remain untainted by these forgeries, since these manuscripts derive directly or indirectly from the Byzantine school of the tenth and eleventh centuries. This explains the fact – surprising at first sight – that our vulgate of the classical writers is mostly better than the text we can still read on papyrus, although more than a thousand years often separate our oldest parchments from the papyrus leaves found in Egypt. This is because the Byzantine philologists took care, in establishing the text, to take the work of the ancient grammarians as their base. Accordingly, they expurgated

<sup>46</sup> Niese, *op. cit.*, p. xlvii.

<sup>47</sup> A. von Premerstein, in *Festschrift der National-Bibliothek in Wien*, 1926, p. 647.

the text of the ancient authors such as Sophocles, Plato, and Josephus of alterations of every kind, even of pious interpolations.

The fact that the revisers of our Greek manuscripts of Josephus did not admit, or did not know, the passages which appear in the Russian version is thus a direct and incontestable proof that these pieces are inauthentic.

## VI

Besides this, one need only read these interpolations with a little attention to realize that this is the case. All these passages bear the imprint of the cross, and they make sense only in the light of the Christian truth. How, for example, are we to understand the strange conversation of the priests in Jerusalem, who wonder if Herod is the Messiah promised in the blessing of Jacob (Gen. 49:10) and predicted by Daniel (9:25), and who are waiting for the Anointed one to appear in those days, in the reign of Herod the Great (p. 54)? It is impossible not to see that the author is thinking of the one who was to be born at Bethlehem; and yet naïveté has been taken to such a pitch that one scholar has seen in this Byzantine pastiche the hand of Josephus, even finding in this text the echo of all kinds of rumors and messianic computations under Herod.<sup>48</sup> It would be enough to refer to Bossuet's *Discours* to explain this allegedly enigmatic passage of Pseudo-Josephus; but for the convenience of the reader, let me indicate the data of the problem. The church interpreted the prophecies in the Old Testament as figures of the Christian truth. Two texts supplied the clearest signs and dates of the coming of the Messiah, viz. Jacob's words when he blesses Judah and Daniel's words about the seventy weeks. Jacob says: "The scepter shall not depart from Judah... until he comes to whom it belongs; and to him shall be the obedience of the peoples." Bossuet writes: "All the terms of the prophecy are clear." The chosen one is obviously Christ, and the prediction means that he will appear when all authority ceases in the house of Judah. Justin Martyr already interprets the ancient oracle in this sense.<sup>49</sup> However, it was possible to interpret very differently the sign in Jacob's prophecy which indicated the time

<sup>48</sup> Eisler, I, p. 348ff.

<sup>49</sup> Justin, *Dial.* 52.

of fulfillment. Origen explained the enigma as follows:<sup>50</sup> the moment when the scepter departed from Judah is obviously the reign of Herod, who was the first foreigner on the throne of David. And in fact, the Lord's Anointed was born under Herod.

This interpretation of the prophecy of Jacob,<sup>51</sup> which was accepted by the church, is the theme of the first conversation related by Pseudo-Josephus. "The prophets have written that there will be no lack of princes of Judah until the arrival of the one to whom the task is entrusted" (pp. 55,32). There are no more Jewish princes, but where is the Anointed one? The priests in Jerusalem declare – appropriately – that he is certainly not Herod. If we are to believe Epiphanius, the Jews in their blindness disputed the Christian explanation of Jacob's words and preferred to see in Herod this king about whom God had made such great promises; and Byzantine scholasticism perpetuated this scriptural polemic from the first centuries of the church. We can read in the *Treasure of the Faith* by Nicholas Acominates, written at the beginning of the thirteenth century, that "some persons" hold Herod, not Christ, to be that successor to the Jewish rulers whose coming was announced by the patriarch Jacob.<sup>52</sup> Pseudo-Josephus seizes the good opportunity to strangle this erroneous opinion at its birth (if I may put it in this way) under the reign of Herod.

The priests in Jerusalem say that according to the oracle, the one for whom we are waiting will be the hope of the nations. This is why the Anointed one certainly cannot be Herod, who was detested because of his wickedness. I grant that this argument is excellent; but it is borrowed directly from the *Panarion* of Epiphanius of Cyprus.

Herod is not the promised king. Nevertheless, Daniel's prophecy about the seventy sabbath periods shows that the time for the messianic kingdom has come: this is the second subject of the priests' conversation in Pseudo-Josephus. After the translation by Theodotion in the second century C.E. had given a messianic meaning to the revelation received by the Jewish prophet in the first year of Darius,<sup>53</sup> the church

<sup>50</sup> Origen, PG 12, 258.

<sup>51</sup> Epiphanius, *Panarion* 20; cf. Eusebius, *Hist. Eccl.* 1.6,1.

<sup>52</sup> Nicholas Acominates, *Thesaurus* 1.44 (PG 139). Cf. Cedrenus, PG 121, 360.

<sup>53</sup> Cf. F. Fraidi, *Die Exegese der siebenzig Wochen*, 1883, p. 30. It seems that Clement of Alexandria was the first to make a link between the oracle of Gabriel and the coming of Christ: J. Turmel, *Histoire de la théologie positive*, 1904, p. 73, quoting Clement, *Strom.* 1.21.

read this oracle as a reference to Jesus and as proof that he was the Messiah whom Daniel announced. Here again, however, a variety of calculations was made in order to fit the seventy weeks properly into the framework of secular history. Eusebius hit on the solution which was to prove the most convincing: he combined the prophecy of Jacob and the revelation of Daniel.<sup>54</sup>

For the Jews, these two prophecies marked off the messianic period, since both texts proclaimed that the Jewish authority would cease when the Messiah came. This meant (as Bossuet put it) that there was no more important key to discerning the messianic period than to note when the Jews fell into this wretched situation – and who could fail to see that Herod's accession to the throne was the point in time indicated by the two oracles for the coming of the Anointed one?

Eusebius' reasoning was adopted by the church, and we find it in the Byzantine chronicles, in Cedrenus, Syncellus, and Hamartolus (the last two were translated into Russian).<sup>55</sup> Bossuet employs this reasoning to demonstrate the errors of the Jewish explanation of the prophecies. The deliberation of the priests in Jerusalem about the messianic character of Herod is based completely on this orthodox doctrine. "They counted up the years, and came to 434. And Jonathan replied: 'The number of the years is exactly as we have said; but where is the Holy of holies?'" Why does this priest speak of 434 years, i.e. of 62 weeks? Daniel (and Eusebius after him) count 7 + 62 weeks, i.e. a total of 69 weeks, until the coming of the Christ. But according to Hippolytus' commentary on the Jewish prophet, the first seven weeks still covered a part of the epoch of the captivity of the Jews in Babylon, the seventy years predicted by Jeremiah. It was only when he announced the 62 following weeks that Daniel uncovered the counsels of divine providence and expressed clearly the secrets of the time to come. Accordingly, Hippolytus calculates:<sup>56</sup> "From the return of the people from captivity . . . until the coming of the Christ, there will be 434 years." Pseudo-Josephus necessarily used this calculation, because the Book of Daniel was read in Russia along with the commentary by Hippolytus.<sup>57</sup>

<sup>54</sup> Eusebius, *Chron. ad 186 Olymp.*: Syncellus, p. 249. On Eusebius' computation, cf. E. Schwartz, *Abhandl. Goetting. Gesellschaft d. Wissenschaft* 40 (1895), pp. 29ff.

<sup>55</sup> Cedrenus, 1.325, ed. Bonn; Syncellus, pp. 309 and 585, ed. Bonn; Hamartolus, I, p. 301 ed. de Boor.

<sup>56</sup> Hippolytus, *In Daniel*. 4.31.

<sup>57</sup> I. Evseev, *Kniga pror. Daniila v. drevn. slav. perevode*, 1905, p. xxxviii.

The other passages concerning Christianity reflect no less clearly the concerns of the Byzantine priests. The Russian pictures John the Baptist making his way through Judea “in astonishing garments, with animal skins clinging to his body in those places where he was not covered by his own hair” (p. 134,18 and 146,14). This is certainly not a caricature by a hostile hand – as the audacious defenders of the authenticity of this passage declare. It is the image of the forerunner that we see on Christian icons, where the first hermit is depicted like one of the wild anchorites of the Thebais.<sup>58</sup>

According to the Russian text, the forerunner began his preaching already under Archelaus (4 B.C.E.–6 C.E.), not under Pilate (as Luke affirms). This poses a little chronological puzzle, and a great deal of ingenious scholarship has been devoted to the fruitless attempt to solve it. We find the key in Matthew’s Gospel (cf. p. 135 n. 2). At 2:22, the evangelist mentions the accession of Archelaus to the throne. Immediately after this, he writes at 3:1, “In those days appeared John the Baptist.” The conclusion was drawn that the saint began his ministry under the reign of Archelaus. Chrysostom refutes this mistaken interpretation, which was accepted *inter alia* by the Gospel of the Ebionites.<sup>59</sup>

As at Mk. 6:17, Herodias’ first husband is incorrectly called “Philip.” And Pseudo-Josephus emphasizes that Herod, her second husband, could not appeal to the law about levirate marriage to excuse his marriage to his sister-in-law. This juridical reflection is lifted wholesale from the apocryphal literature.<sup>60</sup>

Finally, Pseudo-Josephus informs us that Saint John lived off “the extremities of the trees” (p. 148,4).<sup>61</sup> This was the commonest explanation of the word ἀκρίδες in Matt. 3:4 in the Greek church from the fourth century onwards, since “the locusts of Saint John were a real scandal for many souls.”<sup>62</sup> The authority of Josephus was there to reassure them.

<sup>58</sup> N. Kondakob, *The Russian icon*, 1927, p. 150. I must leave to the experts in Russian and Byzantine iconography the pleasant task of identifying the sources that inspired the forger. Cf. Hans Lewy, *Deutsche Literatur-Zeitung*, 1930, p. 491.

<sup>59</sup> Chrysostom, PG 57, 188; Epiphanius, *Haer.* 30.13 and 14.

<sup>60</sup> Theophylact, PG 133, 296 and 552; A. Vasiliev, *Anecdota*, 1893, p. 3.

<sup>61</sup> The Russian text says that he lived off “wood-shavings” (p. 148,4). This is explained in a Russian chronicle: “that is to say, off ‘the extremities of the trees’” (P. Porfiriev, in *Sbornik, Otdel. Russk. Jazyka* 52 [1890], p. 407).

<sup>62</sup> H. Grégoire, *Byzantion* 5, p. 112.

The account of the persecution of the apostles quotes Acts directly, and alludes to the advice of the wise Gamaliel:<sup>63</sup> if this is a human work, it will collapse of its own accord (Acts 5:38). Accordingly, the success of Christianity proves its divine origin.<sup>64</sup> Pseudo-Josephus takes up this motif: “If these people have not been sent by the providence of God, they will soon be put to shame.”

Finally, the passage about Jesus is simply a cento of motifs plucked at random from the Gospels and the apocrypha.<sup>65</sup> This begins with a borrowing from the Christian interpolation in *Ant.* 18,63–64 (p. 148,26ff.). An idea dear to the authors of the apocrypha, viz. that Jesus performed miracles with his word alone,<sup>66</sup> is presented twice (pp. 148,30 and 150,3). The survey of people’s opinions about Jesus is merely a reworking and elaboration of the verses Matt. 14:2; 16:13; and Jn. 7:12. The phrase “many followed him...” is a combination of Matt. 10:29 and Mk. 5:24. Jesus stayed on the Mount of Olives: this is borrowed from Lk. 20:57. The people offer him the kingship in vain: cf. Jn. 6:15. The leaders of the Jews denounce Jesus out of fear: cf. Jn 11:48. The account of Pilate’s expedition against the Jews is modeled on Josephus’ account of similar actions by the procurators. The investigation demonstrates the political innocence of Jesus: cf. Lk. 23:1. Pilate releases Jesus, because he has healed his wife: this is borrowed from the Acts of Pilate. However, the Jews bribe Pilate – a motif taken from the apocryphal Letter of Tiberius to Pilate.<sup>67</sup> The procurator hands Jesus over to the Jews, and they crucify the prophet: this is the central motif of the passion narratives.

Is it still necessary to demonstrate that every single phrase in this passage is the work of a Byzantine hand, and that the piece as a whole is a rather clumsy interpolation? The authentic Josephus writes about the disturbances caused when the imperial images were brought into Jerusalem (2.172–174) and about the revolt provoked by the affair of the aqueduct, which he calls the second revolt: “After this, he stirred up trouble again” (2.175). The Russian text keeps the mention of a “second revolt,” although it is preceded in the Russian narrative by *two*

<sup>63</sup> Ussani, *op. cit.*, p. 171.

<sup>64</sup> Cf. e.g. Origen, *Contra Celsum* 1.57; 6.11.

<sup>65</sup> H. Lewy, *op. cit.*, p. 492; M.J. Lagrange, *RB*, 1930, pp. 35ff.

<sup>66</sup> W. Bauer, *Das Leben Jesu*, 1909, p. 363. Cf. Hegesippus, 2.12.

<sup>67</sup> M.R. James, *Anecdota apocrypha*, 1896, p. 78; John of Antioch, in *EG.H.* IV, p. 571.

other disturbances, viz. the episode of the images and the episode of Jesus. Do we require further proof that the latter is an interpolation? Let us turn to the *Ecclesiastical History* of Eusebius. In 2.6, we read, one after the other, the passages from Josephus about the two revolts under Pilate, and Eusebius plainly knows nothing of a passage about Jesus that would belong between these two paraphrases. Since Eusebius' text of Josephus<sup>68</sup> is similar in every way to the model of the Russian version, it follows that at the beginning of the fourth century, the prototype of this group of manuscripts did not yet contain the passage about Jesus which we now read in the Russian translation.

One may well wonder how scholars in their right minds could have believed in the authenticity of all these obvious forgeries. It is because the forger gave the Gospel figures a physiognomy that seemed new, and that could attract people of our own age: John the Baptist, Jesus, and the apostles look like revolutionaries. Let us at once emphasize that the author himself does not present these personages as revolutionaries;<sup>69</sup> but he tells us that that was how the Jews saw them. Most of the modern scholars who have written about these passages have failed to register this basic difference. However, the idea that the Jews saw Jesus only as an agitator whose task was to liberate them from the Romans is explicitly formulated in the Gospel of John (6:15; 11:48; 18:36);<sup>70</sup> the passion narratives in the Gospel suggest this at every turn, and the fathers of the church liked to insist on this error of the unbelieving Jews. This means that the occurrence of this motif in the Slavonic Josephus is not in the least a sign of authenticity. Rather, it is evidently a sign of a Christian forgery.

The Christian world saw Josephus as an unbelieving Jew who reluctantly bore witness to the truth of the Gospel. They had him say of the Savior: "a wise man, if indeed it is right to call him a man." And we find the same expression from the pen of another forger, when he formulates the sentiments of a pagan witness who is an honest man, when he is confronted with the miracle of the life and death of the

<sup>68</sup> E. Schwartz, *Eusebs Kirchengeschichte* III, p. ccxiii.

<sup>69</sup> M.J. Lagrange, *RB*, 1930, p. 43: the forgery "does not in the least present a revolutionary Messiah."

<sup>70</sup> It is the merit of Mr Hans Lewy to have discovered this source of inspiration for the forger: *Deutsche Literatur-Zeitung*, 1930, p. 492. On the basis of Josephus' remarks at *Ant.* 18,16, Lewy claims that the preaching of Saint John had a political aspect.



Lord.<sup>71</sup> Similarly, the Pseudo-Josephus of the Russian version seems to look at the events of the Gospel story only from the point of view of an outside observer, who is not himself touched by the Christian faith, but is already filled with astonishment and admiration. And it was precisely this impression that the forger wished to produce: *non tamen veritati praeiudicat quia non credidit, sed plus addidit testimonio quia nec incredulus nec invitus negavit.*<sup>72</sup> The apocryphal correspondence between Seneca and Saint Paul is fabricated according to the same pattern. The Roman even attacks the apostle's style: Pseudo-Seneca writes, "When you write about admirable matters, I wish that the elegance of your style might be equal to their majesty."<sup>73</sup> He speaks of the gods, he invokes the example of Castor and Pollux, etc. — nevertheless, all this is merely the rather weak invention of a Christian forger. Another example: in the Letter sent by the Jews of Palestine to their "brothers across the sea" after the crucifixion of Jesus, we read:<sup>74</sup> "We announce to you that the impious seducer Jesus of Nazareth, the son of Joseph, has been executed." Is there anyone who would maintain the authenticity of this letter?

## VII

What is the origin of the Christian passages in the Slavonic translation?

There were two kinds of Russian translations from Greek. In most cases, the translator faithfully reproduces his model word for word; but other books with a special interest for the Russian reader were revised when they were translated, either by the translator himself or in a later redaction of his work. Sometimes the original was shortened or simplified, and sometimes passages from other authors were inserted. It is known that several sermons of the Russian preacher Cyril of Turov were inserted in this way into the *Zlatostrui*, a translation of selected works by Chrysostom. Changes of this kind were made to the chronicles of

<sup>71</sup> Josephus, *Ant.* 18.63–64; *Epistula Lentuli*; Acts of Pilate in Tischendorf, ed. *Evangelia apocrypha*, p. 314.

<sup>72</sup> Hegesippus, 2.12,1.

<sup>73</sup> Pseudo-Seneca, *Letter to Paul* 7.

<sup>74</sup> Fabricius, *Corpus apocryph.* II, p. 493; Gilles, *The Uncanonical Gospels* II, 1852, p. 493.

Hamartolos,<sup>75</sup> Syncellus,<sup>76</sup> and Zonaras,<sup>77</sup> to the vision of Methodius of Patara,<sup>78</sup> and in the seventeenth-century translation of Dositheus.<sup>79</sup>

As we have seen, the translation of Josephus has the same character. The translator, who writes Russian brilliantly and knows Greek perfectly, translates in principle word for word.<sup>80</sup> However, he freely chooses which passages he will transmit, which paragraphs he will summarize, the passages to be omitted, and the sentences to be shortened. It is therefore not in the least impossible that he inserted interpolations drawn from other sources, or that he himself invented such passages. For example, we read two violent diatribes against the avidity of the “Latins” and the “Romans” on pp. 106 and 107. This invective against the Catholic peoples is completely in accordance with the Byzantine mentality in the period of the Comneni.<sup>81</sup> But I see nothing inappropriate in the suggestion that the author was a Russian, since Byzantine polemic was brought at an early date to Russia, and the northern Russians, e.g. in Novgorod, were perfectly well aware of the cupidity of the Germans, whom they looked on as “Latins.”

The chapter about the Essenes (pp. 138ff.; 2.119ff.) held great interest for the Russian reader, who found there the “Beginning of monasticism”: this is the title of the passage in the translation, which reworks Josephus in keeping with the account by Hippolytus, which was repeated by other Byzantine writers such as Cedrenus.<sup>82</sup> Since however the translator likes to use formulae drawn from the ecclesiastical vocabulary in this passage (p. 139 n. 6; p. 141 n. 5), it is probably he himself rather than his Greek model that has the Essenes take a vow “invoking the living God and his omnipotent right hand and the divine Spirit who lies

<sup>75</sup> V. Istrin, *Chronika Amartola II*, 1922, pp. 137ff., 145ff.

<sup>76</sup> Potapow, *Izvest. Otdel. Russk. Jazyk.* 22 (1917), p. 161.

<sup>77</sup> V. Istrin, *Journal Minist. Navodn. Prosv.*, August 1903, p. 410.

<sup>78</sup> V. Istrin, *Otkrovenie Methodia Patarskavo*, 1897, p. 122.

<sup>79</sup> V. Valdenberg, *Comptes rendus Acad. des Sciences de l'U.R.S.S.*, 1930, p. 125.

<sup>80</sup> I am happy to see that Mr Istrin himself has recognized this character of the Russian version of Josephus (V. Istrin, *Chronika Amartola II*, p. 152).

<sup>81</sup> Once again, Mr Hans Lewy was the first to understand this point, and he has pointed to Byzantine parallels (*Deutsche Literatur-Zeitung*, 1930, p. 490). Mr Eisler actually tells us that the men of Byzantium, the Ῥωμαῖοι, could not have called the Latins “Romans” (*Byzantinoslavica*, 1930, p. 312). Leo, the first Metropolitan of Kiev (died 1003), who was himself a Greek, did not share Mr Eisler's opinion: he composed a polemical treatise πρὸς Ῥωμαίους ἤτοι Λατίνους (published by A. Pavlov, *Kritičeskij opyt po istorii polemiki protiv latinjan*, 1878, p. 116; cf. also A. Popov, *Obzor polemičeskich sočinenij protiv latinjan*, 1878, pp. 21 and 34.)

<sup>82</sup> Hippolytus, *Philosoph.* 9.18; Cedrenus, PG 121, 388.

beyond our conceiving, and the seraphim and cherubim” (p. 140,28), and introduces details borrowed from monastic life (p. 140,15). Mr A. Vaillant observes: “in these additions to the Greek text, the translator is thinking of himself and of his readers, and completely loses sight of the Essenes” (P. 141 n. 4).

It is easy to discern here the interpolator’s method of work. When he invents, it is primarily to satisfy the curiosity of his readers, who were not really interested in these distant events. Most of the more or less stupid fables which disfigure the Byzantine chronicles have no other source than the imagination of the author, who is trying to embellish his narrative – a good example is the chronicle of Malalas. All too often, therefore, it is difficult to unmask the apocryphal element, since this lacks any obvious “tendency.” In one work which circulated in Russia under the name of Josephus, we read an astounding story: “How Titus sought to prevent the assassination of the high priest Ananias” which is related at *Bell. Jud.* 2.241.<sup>83</sup> If this fable had been found in the Russian version of the *Jewish War*, we would certainly have been told that such an episode was sufficient proof that the singularities of the Russian version certainly go back to Josephus himself – for it is unknown elsewhere, its invention does not serve any practical interest, and only a contemporary could have heard about it. Today’s austere erudition takes too little account of the innate ability of the human person to tell lies.<sup>84</sup>

But who was this skillful interpolator of Josephus – a Byzantine reviser or the Russian translator? It is possible that in the course of translation, more additions were made to an already interpolated Greek text of Josephus; we have seen that the translator changed the original at many points. For example, a Russian chronicler tells us that Herod invited John the forerunner to come to him; only a few years ago, the Byzantine original of this apocryphon was discovered.<sup>85</sup> The “second” edition of the Russian *Alexandriad* has made additions to the text which are borrowed from about fifteen different authors, e.g. Epiphanius,

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<sup>83</sup> R. Eisler, *op. cit.* I, pp. 232 and 523. Without one shred of evidence, Mr Eisler claims that this work is a translation of Josippon. On the Russian version of Josippon, cf. A. Sobolevski, *op. cit.*, p. 96.

<sup>84</sup> The redactor of the “second” edition of the Russian translation of Josephus has toned down the excessively Christian color of the original version: Meščerski, *op. cit.*, p. 33.

<sup>85</sup> Porfiriev in *Sbornik, Otd. Russk. Jazyk.* 52 (1890), p. 107; F. Nau, PO 4, 528. Mr Nau did not know of the existence of the Russian narrative.

Hamartolos, and Methodius of Patara.<sup>86</sup> This means that even if we could demonstrate that one or other insertion in the Russian version corresponded to the historical truth, this would not in the least mean that we must attribute such a passage to Josephus.

The text of our Slavonic Josephus does in fact contain interpolations drawn from Hamartolos and Malalas (p. 4,2; p. 67,11). A sentence inserted at 1.511 is missing from one group of manuscripts of the Russian version (p. 84 n. 12). A Russian chronicle gives the same passage from Josephus twice, once with the Christian interpolation and once without it.<sup>87</sup> And let us recall that there existed in Russian "The writing about the captivity of Jerusalem by Josephus, the son of Matthew," but this contains only extracts from the original, interwoven with innumerable interpolations.<sup>88</sup> We see that Josephus' work interested Russian readers for many centuries. If it is true (as we are told) that the song of Igor was influenced by the Russian Josephus,<sup>89</sup> what elaborations may not the Slavonic version have suffered during the four centuries which lie between our manuscripts of the translation and the campaign of Igor against the Polovtsians?

If Russian readers often turned to the book "About the capture of Jerusalem,"<sup>90</sup> this is primarily because they read it as testimony to the fulfillment of the prophecies, i.e. as a demonstration of the Christian truth. As a Russian chronicler says,<sup>91</sup> "Josephus wrote a great deal about Jesus without having perfect faith, but he was full of astonishment at what he had seen and heard, and he relates these matters with admiration." After reading these naïve but sincere words, which are inspired by Byzantine ideas, who will still be surprised that the Russian version of Josephus brings us "a great deal about Jesus" which we do not find in our scholarly manuscripts of the Greek text of the *Jewish War*?

<sup>86</sup> V. Istrin, *Alexandria*, 1893.

<sup>87</sup> A. Popov, *Obzor chronographov* I, 1866, pp. 116 and 138.

<sup>88</sup> Eisler, *op. cit.* I, pp. 232 and 523.

<sup>89</sup> V. Peretz, quoted by N. Mescherski, *Comptes rendus Acad. de l'U.R.S.S.*, 1930, p. 19 n. 1.

<sup>90</sup> I should like to insist that this title of the book, which led Mr Eisler to elaborate the most fantastic hypotheses, is that which the fathers of the church tend to give the *Jewish Wars*. Cf. e.g. Chrysostom, *De perfecta caritate* 8. Most of our manuscripts call the work Περὶ ἀλώσεως. This title too appears to have an ecclesiastical origin: cf. B. Niese, *Flavii Josephi Opera* I, p. vi.

<sup>91</sup> A. Popov, *Obzor chronographov* I, p. 133. I have not been able to consult J.W. Jack, *The Historic Christ*, 1933. According to *RB*, 1934, p. 446, this book shows how the Christian interpolations of Josephus could have their origin in Byzantium.

## LITERARY FORGERIES IN CLASSICAL ANTIQUITY

*Notes on a recent book*

*Camillae s. (Aeneid 7.808–811)*

Wolfgang Speyer's book<sup>1</sup> fills a gap: hitherto, there has been no complete and detailed study of literary forgeries in the Greco-Roman world. This book has a simple structure: after a general introduction (pp. 13–108), it has three sections: pagan forgeries (pp. 109–149), Jewish forgeries (pp. 150–170), and Christian forgeries (pp. 171–306, with the following subdivisions: forgeries produced by heretics and schismatics; forgeries by the orthodox). An appendix deals with spuriously “ancient” works and documents produced both in the middle ages and in modern times (pp. 315–324).<sup>2</sup> The study of sources seems exhaustive, and the numerous bibliographical references show that the inquiry has been conducted with great care. (It is nevertheless surprising to find no reference to the rubric “faux” in the *Bulletin épigraphique* which J. and L. Robert publish regularly in the *Revue des Études grecques*.) An index, which could have been more detailed, makes it easier to use this mine of exact information and precise quotations. This is why the references to sources in the present article concern only texts which (unless I am mistaken) are not cited by Speyer.

Indispensable and practical as this book is, with its subtitle “An attempt at their interpretation,” it does not in fact give the reader any real idea of the subject and its difficulties. The structuring of the work along confessional lines dissociates materials that are in fact identical – for the spirit of falsehood blows where it wills.

The idea of cutting the criticism of the forgeries into three blocks is even stranger – criticism by the pagans, by the church fathers, and by modern scholars. For the anonymous cleric who demonstrated in

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<sup>1</sup> Wolfgang Speyer, *Die literarische Fälschung im heidnischen und christlichen Altertum. Ein Versuch ihrer Deutung* (Handbuch der Altertumswissenschaft, Erste Abteilung, Zweiter Teil), Munich: C.H. Beck, 1971, xxv + 345 pages.

<sup>2</sup> Cf. now the important (and amusing) study by I. Sevcenko, *Dumbarton Oaks Papers* 25 (1971), p. 117, of a forgery produced by B. Hase. Cf. also S. Panciera, *Un falsario del primo Ottocento*, Girolamo Asquini, 1970.

the thirteenth century that Flavius Josephus was not the author of the *Vita S. Mariae*, P.-M. Huet who doubted the authenticity of the novel *Du vray et parfait Amour* (which claims to have been written by the Athenian philosopher Athenagoras and translated from Greek),<sup>3</sup> or Richard Bentley, were following the path traced by the Greek *grammatikoi*.<sup>4</sup> There is as yet no systematic study of this chapter of the history of the critical spirit; and one who wrote it would unfortunately learn that the free examination of texts was often tendentious. But let us return to our subject.

We cannot discuss here all the questions posed by literary forgeries. In the introduction to his book, Speyer offers much valuable information, e.g. on the means employed by the forgers to authenticate their products. Leaving aside the falsification of documents (on which Speyer touches only sporadically, and without contributing anything of value), let us consider only three problems which I find essential: the definition of a literary forgery; the distinction between pseudepigrapha and anonymous works of deception; and the social impact of the works which were wrongly held to be genuine. But let us begin with a few words on an original idea which is dear to Speyer, that of "authentic religious pseudepigraphy" (p. 35). His intention is to separate mystical experience from intentional deceit. But an ecstatic revelation is always backed up by the name of the visionary. For example, in the eighteenth century B.C.E., at Mari, an oracle of the god Dagon against Babylon ("O Babylon... I wish to take you in my net") was received by a prophet of Dagon. The names of a girl who prophesied in ecstasy in the temple of the goddess Annunîtum and the name of the priest who collected the texts of these oracles were noted in writing.<sup>5</sup> Similarly, the oracles of Apollo at Delphi were recorded under the names of the successive Pythias in the archives of the sanctuary. This means that the hypothesis of a religious pseudepigraphy which is "genuine" is not only gratuitous: it is in fact useless as a criterion.

<sup>3</sup> J. Misrahi, *Speculum* 18 (1943), p. 335; F.D. Huet, *De l'origine des romans* (1711 edn.), p. 80, edited by A. Kok, 1942.

<sup>4</sup> I may perhaps be permitted to quote here a strange passage in Photius. Speaking of the birth of the Virgin from a barren mother, he cites the birth of Isaac in order to assure his hearers that even a Jew will grant that everything is possible to God – unless, he adds, a Jew has acquired "the hellenic [= pagan] spirit and mentality": Photius, *Hom. 1 in S. Mariae nativitate* (PG 102, 552 d).

<sup>5</sup> G. Dossin in the *XVIIème Rencontre assyriologique*, 1966, pp. 79 and 82.

But how are we to define a literary forgery? Speyer tells us (p. 13) that this is a work published under a pseudonym with a goal which is not artistic, and with the intention of deceiving the reader about the true author of the book.<sup>6</sup> This definition contains a double uncertainty. To begin with, it obliges us to search the heart of an unknown author. The author of the *Acts of Paul* assured his accusers that he was motivated by love of the apostle. Ought we to believe him? Or let us take a modern fiction whose author is well known: I refer here to *Robinson Crusoe*, which is an autobiography written by Robinson himself, as the title of the work assures us. His anonymous and discreet editor insists in his brief preface on the fact that the book is “a true relation of facts.” When it was published in 1719, *Robinson Crusoe* was taken for a true story; the readers were very fond of accounts of exotic voyages. The so-called autobiographical form was conventional in Defoe’s time, and he often employed it in his novels; however, when the unheard-of success of *Robinson Crusoe* made other writers jealous, Defoe – still under the *nom-de-plume* of Robinson Crusoe – published the *Serious Reflections* of his hero in 1720. In the preface, he informs the reader that *Robinson Crusoe* was a moral “parable,” a symbolic account of the life of Defoe himself: the desert island is an allegory of the prison where Defoe had spent six months in 1703, etc. I would not care to venture into deep psychology here, but competent judges have emphasized the psychological similarity between Defoe and Robinson Crusoe.<sup>7</sup> As Defoe says in the same preface, if he had written “the life of a man whom you know,” no one would have been interested in reading it; even the miracles of Christ were scorned, because he was only a carpenter’s son. What then motivates Defoe’s literary deceit? A literary convention? The desire to make money? The defense of the psychoanalytical ego? Or all these motivations together (and doubtless others as well)?<sup>8</sup>

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<sup>6</sup> This is a common definition. Cf. e.g. B.M. Metzger, *JBL* 91 (1972), p. 4. We should also exclude imaginative forgers who seek to deceive the reader by adopting the theological or political (etc.) position of the supposed author of the forgery. Cf. my remarks on the Christian interpolations in the text of Flavius Josephus (in the preceding essay in the present volume), and M. Smith, *JBL* 91 (1972), p. 441.

<sup>7</sup> Ian Watt, *The Rise of the Novel*, 1957, p. 161. Martha Robert, *Roman des origines et origines du roman*, 1972, finds in Defoe’s book the dreamings of an author who remained at the psychological age at which a child morally wounded by his parents consoles himself by imagining that he is a foundling, and creates a utopian world in his nostalgia.

<sup>8</sup> M. Proust, *Contre Saint-Beuve*, ch. 8 (1954 edn., p. 137): “a book is a product of another ‘I’ than the one we manifest in our habits, in society, and in our vices.”

Naturally, Speyer makes a list of possible motivations for literary forgery, and classifies these in eight groups. But his austere erudition does not take into account the human person's innate capacity for lying. Augustine speaks of this pleasure in deceit, which is not prompted by any practical interest: *mendax vero amat mentiri atque habitat animo in delectatione mentiendi* (*De mend.* 11.18). The *Historia Augusta* can serve as an illustration of these words of Augustine.<sup>9</sup>

This collection of the lives of the emperors from Hadrian to Numerian (117–284 C.E.) claims to have been written by six authors in the reigns of Diocletian and Constantine. In reality, it is a late forgery put together in the last decades of the fourth century or the beginning of the fifth; the sack of Rome by Alaric in 410 is doubtless the *terminus ante quem*. It is the work of a single author, who consciously composed a forgery. Why this literary deceit? Why should an author in the period of Theodosius write flatteries addressed to Diocletian and Constantine? *Cui bono?* – as Mommsen said when his student Dessau uncovered the falsification.

I believe that the deceit can be explained by the rules of the historical genre. An historian related above all those events which he himself had witnessed: *ea quae videre licuit per aetatem*, as Ammianus Marcellinus says (15.1,1). He himself, writing under Theodosius (379–385), covers the period up to the death of Valens in 378. Eutropius describes the events *ab urbe condita ad nostram memoriam*. He dedicates his work to Valens (364–378) and carries the story up to 364. Festus<sup>10</sup> wrote his historical epitome under the same emperor, probably in 370. His narrative concludes with the assumption of power by Valens in 364. Suetonius, the model of the *Historia Augusta*, wrote under Hadrian, and presented the lives of the Caesars from Divus Iulius to Domitian, concluding with the ascent to the throne of Nerva, Hadrian's grandfather. But Sextus Aurelius Victor, one of the sources of the *Historia Augusta*, writing in 360 (or 361), takes his narrative up to February, 360.

It follows that the author of the *Historia Augusta*, writing under the new dynasty of Theodosius and his sons, would have been obliged – if

<sup>9</sup> On the *Historia Augusta*, cf. A. Momigliano, *Secondo contributo alla storia degli studi classici*, 1960, p. 105; A. Chastagnol, *Recherches sur l'Histoire Auguste*, 1970. On the stylistic unity of the work, cf. J.N. Adams, *CQ* 22 (1972), p. 186.

<sup>10</sup> W. Hartke, *De saeculi quarti scriptoribus*, dissertation, Berlin 1932. On these epitomes, cf. A. Momigliano, *Terzo contributo*, 1964, p. 94.



he wished to find readers – to write about what happened in the empire after it had become Christian. However, he was (to use Augustine’s phrase) *a Christi nomine alienus*, and “since it was not possible to say what one thought of the Christians without incurring risk, one persisted in saying nothing about them.”<sup>11</sup>

The task of writing about contemporary history entailed other pitfalls too; for example, one had to be on one’s guard against errors, whereas the readers in the Theodosian period did not actually know whether Alexander Severus had excused the inhabitants of Rome from paying the *aurum coronarium* and the impost assessed on the merchants in gold.<sup>12</sup> This is why our forger chose to close his chronicle with the accession of Diocletian, in order not to be forced to tell the story of the great persecution. Consequently, he presents himself as a contemporary of Diocletian and Constantine. (For obvious reasons, one did not write the biographies of princes during their reigns:<sup>13</sup> *vivorum principum vita non sine reprehensione dicatur*.) Since the literary etiquette of the time demanded fulsome praises of the reigning emperor, this forger under Theodosius wrote flatteries addressed to Diocletian and the *gens Flavia*. And the glorification of this *gens* would certainly not have been displeasing to the faithful subjects of the Theodosian dynasty, which flaunted its membership of the same family.

Once he sets out on the path of mystification, the forger does not stop: this is the disinterested pleasure in deceit, the delight in one’s own craftiness, *gaudentes de ipsa fallacia*, as Augustine says. In order the better to conceal his own identity, the forger invents six authors of the *Historia Augusta* who sometimes quote each other (thus creating chronological incoherence), and he adds other *trompe-l’œil* tricks which sow disarray among eminent scholars even today. The author of the *Historia Augusta* would have been amused at their embarrassment. He succeeded well

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<sup>11</sup> Augustine, *City of God* 5.26, speaking of the poet Claudian; G. Boissier, *La fin du paganisme* II, 1891, p. 246. The veneration of the ancient gods was tolerated: cf. e.g. L. Robert, *Hellenica* 4 (1948), p. 106. But criticism of Christianity was not acceptable. Zosimus’ attack on Constantine provoked a violent reply by Evagrius the Scholastic, 250 years after the death of the first Christian emperor. L. Ruggini, in *Studi storici O. Bertolini*, 1972, p. 112, notes “the open and courteous ideological” dialogue between Christians and pagans in the fourth and fifth centuries; but both the Christian politeness (exemplified in the polemic of Ambrose against Symmachus) and the freedom of speech to which the pagans were entitled had their limits.

<sup>12</sup> *Vita Alex. Sev.* 32.4. Cf. A. Chastagnol in *Bonner Historia-Augusta-Colloquium 1964–5*, 1966, p. 46.

<sup>13</sup> *Vita Cari* 18.5. Cf. W. Hartke, *Römische Kinderkaiser*, 1951, p. 67.

in his goal of deceiving his readers, and it was only in 1889 that the fraud came to light.<sup>14</sup>

Nevertheless, this *mythistoria* continues to be regarded as an instrument of propaganda,<sup>15</sup> constructed to spread the ideas of a senatorial group in Rome. What ideas were these? At the end of the fourth century, who was not against the accession to the throne of princes who were still minors? On this point, Saint Ambrose agrees with the pagan author of the *Historia Augusta*.<sup>16</sup> Scholars have assembled some isolated passages and argued that the *Historia Augusta* was meant to offer a lesson in religious tolerance vis-à-vis the pagan cults. But are we really to believe that when the author speaks of Heliogabalus' "desire to extinguish all the religions of the world" in order that the god of Emesa alone might be worshiped,<sup>17</sup> he has the Christian emperors in mind? They "were atheists making war on the temples,"<sup>18</sup> whereas Heliogabalus, according to the *Vita Augusta*, wanted all the gods to be venerated in one and the same temple, and to make its clergy the possessor of "the secret of all the cults."

Let us now look afresh at the celebrated passages on the personal religion of Alexander Severus.<sup>19</sup> Every morning, *si non cum uxore cubisset*, the emperor went to offer sacrifice in his private chapel. We note that even legitimate sexual intercourse is considered a source of impurity.<sup>20</sup> In this imperial *lararium*, the best of the divinized emperors were adored<sup>21</sup> – Augustus and Trajan no doubt, the ancestors of Alexander Severus (i.e., the Antonines) – and *animae sanctiores* such as Apollonius

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<sup>14</sup> Cf. *Vita Aurel.* 2.1, where the author reports the exchanges in an imaginary conversation about the lies told by historians (*neminem scriptorum quantum ad historiam pertinet non aliquid esse mentitum*) and embroiders the well known passage by Cicero (*Brutus* 42): *concessum est rhetoribus ementiri in historiis ut aliquid dicere possint argutius*. Cf. also *Vita Aurel.* 2.2: *securus, quod velis, dices, habiturus mendaciorum comites quos historicae eloquentiae miramur auctores*. The author wishes to contrast his own work with rhetorical historiography; he has no intention at all of confessing how enjoyable his literary imposture is. At the same time, he is far from the skepticism of a Montesquieu: "Histories are false events composed on the basis of true events, or on the occasion of true events."

<sup>15</sup> On this word in the *Historia Augusta*, cf. R. Syme, *Emperors and Biography*, 1971, p. 76.

<sup>16</sup> L. Ruggini, *Atti del Colloquio patavino sulla Historia Augusta*, 1963, p. 16. Cf. S. Mazzarino, *Il pensiero storico classico* II/2, 1966, p. 223.

<sup>17</sup> *Vita Heliog.* 3.4; 6.7.

<sup>18</sup> Libanius, quoted by P. Petit, *Libanius et la vie municipale à Antioche*, 1955, p. 197.

<sup>19</sup> *Vita Alex. Sev.* 29 and 31.

<sup>20</sup> Cf. *Trig. Tyrann.* 30.12 on Zenobia. Cf. J.F. Gilliam, *Bonner Historia-Augusta-Colloquium 1968–9, 1970*, p. 110.

<sup>21</sup> Cf. *Vita Tac.* 9.5.

of Tyana and Alexander the Great. An aside, which a modern writer would put in brackets, also mentions Christ, Abraham, and Orpheus. We should note that the author attributes this piece of information to a *scriptor suorum temporum*. He does not himself vouch for its authenticity. Is this a plea on behalf of the religion of the Roman aristocracy in the period of Theodosius, those devotees of the gods of Rome, of Mithras, and of the *Mater Deorum*? At this date, Alexander the Great was considered a miracle worker, and his image was thought to bring luck:<sup>22</sup> *quia dicuntur iuvare in omni actu suo qui Alexandrum expressum vel auro gestitant vel argento*.

Christ appears in the company of Abraham and Orpheus. Scholars have affirmed that these are the founders of three religions, but this is incorrect: what religion was founded by Orpheus? He was only a singer, a sorcerer, and a “teller of myths,” and it was only in the modern period that the term “Orphics” was coined to designate his initiates.<sup>23</sup>

However, Orpheus was included among the Gentile prophets and theologians *qui... de Filio Dei... vera praedixisse seu dixisse perhibentur*. And Augustine adds that these predictions are valuable *ad paganorum vanitatem revincendam*.<sup>24</sup> It is as a revealer, or even as a symbol of Christ, that Orpheus takes his place in the imperial chapel.<sup>25</sup> As for Abraham, the Christians saw him as the founder of the true Israel, antecedent to the law of Moses, and hence as a predecessor of Christ.<sup>26</sup>

By placing Christ alongside Abraham and Orpheus, the author is implicitly criticizing those who (to use Libanius' words) “make a man from Palestine a god.” As Augustine says<sup>27</sup> of those pagans who politely rank Jesus among the sages: *quoniam laudant Christum, propterea credantur veraciter vituperare Christianos*.

Some scholars have referred in this context to a “gnostic” sect which crowned and incensed the images of Christ, Pythagoras, Plato, and others *mundi philosophorum*. The point, however, is that the Carpocratians

<sup>22</sup> *Trig. Tyrann.* 14.6. Cf. L. Ruggini Cracco, *Athenaeum* 43 (1965), p. 1.

<sup>23</sup> Strabo 330 C; Diodorus, 6.1.3. Cf. A.D. Nock, *HTR* 33 (1940), p. 146; E.R. Dodds, *The Greeks and the Irrational*, 1951, p. 147.

<sup>24</sup> Augustine, *Contra Faustum* 13.15.

<sup>25</sup> Eusebius, *Paneg. Const.* 14.

<sup>26</sup> M. Simon, *Verus Israël*, 1948, p. 106.

<sup>27</sup> Libanius, *Or.* 18.78, quoted by P. Labriolle, *La réaction païenne*, 1950, p. 180; Augustine, *City of God* 19.23,75.

saw Jesus not as God, but as a man endowed with exemplary virtues.<sup>28</sup> We conclude that when the author of the *Historia Augusta* speaks of Jesus, he is attempting to rank him among the sages of paganism, exactly in the same manner as contemporary Christians were “Christianizing” Alexander the Great and Seneca.<sup>29</sup>

Let us now look at the role of Apollonius of Tyana in this passage from the *vita* of Alexander Severus, in the light of an observation in the work of Ammianus Marcellinus, which is more or less contemporary with the *Historia Augusta*. Ammianus wrote ca. 390 that the *genius*, the benevolent family spirit which accompanies every human being from birth, reveals itself only to a few exceptional men such as Pythagoras, Socrates, Numa Pompilius, and Scipio Africanus. He says that some writers have added to this list the names of Marius, Augustus, Apollonius of Tyana, Hermes Trismegistus, and Plotinus. The *Historia Augusta* informs us that Alexander Severus placed the images of Virgil, Cicero, Achilles, and other great men in a second *lararium*. Apollonius is the only one to be mentioned among the “holy souls” of the first *lararium*, in the company of the divinized emperors and Alexander the Great. In this context, he is not the *amplissimus ille philosophus* of Ammianus; in keeping with the line of thought of Philostratus, he is divine (or nearly divine). But this Apollonius to whom temples are erected is not a rival, but rather a partner of Christ. If we are to believe George Syncellus, did not Apollonius announce the good news to Vespasian, “as the pagans relate”?<sup>30</sup>

A book of Apollonius, his *Wisdom* on the influences of the stars (*apotelesmata*), indubitably a compilation of the third century, was widely read in the late empire.<sup>31</sup> A strange passage was interpolated in which the miracle worker predicts the birth at Bethlehem of the one who would save the human race and destroy the idols. But – Apollonius adds – “the temple which I have built at Tyana will be revered by all,” and Jesus “will not make my talismans (*apotelesmata*) disappear, because it is I who have accomplished and firmly established all that the magic power (*dunamis*) which is with him will do.”<sup>32</sup>

<sup>28</sup> Irenaeus, *Adv. Haer.* 1.25.6. Epiphanius, *Haer.* 27.9, and Augustine, *Haer.* 7 (PL 42, 27), follow Irenaeus.

<sup>29</sup> Ruggini, *op. cit.*, p. 42; A. Momigliano, *Contributo*, 1955, p. 13.

<sup>30</sup> Ammianus Marcellinus, 21.14,15; 23.6,19; Syncellus, 1.646.

<sup>31</sup> A.J. Festugière, *La révélation d'Hermès Trismégiste* I, 1944, p. 340.

<sup>32</sup> F. Nau, *Patrologia Syriaca* 1.2, 1907, p. 1374. I have read the manuscript (Cod.

This passage is not a product of “syncretism,” as earlier scholars thought. Its author was a prudent practitioner of his magic art, and he sought to strengthen the authority of his manual by putting it under the protection of the religion of his clients.<sup>33</sup> And it is a fact that people in the late empire, Christians just as much as pagans, revered the powers of Apollonius.<sup>34</sup> In the fifth century, persons who were completely orthodox drew a comparison between the miracles of Jesus, which were known only thanks to the Gospel narratives, and the prodigies accomplished by the talismans of Apollonius and attested by their effect on the elements. (As late as the sixth century, charms of Apollonius gave Antioch an effective protection against mosquitoes.)<sup>35</sup> It was therefore necessary to explain to the believers that the miracles of Jesus were supernatural, whereas Apollonius had knowledge of natural science.<sup>36</sup> (Eusebius had already accused him of practicing vulgar magic.)<sup>37</sup> As Gibbon observed, the Neo-Platonists and the Christians competed with one another to establish the reign of superstition.

After this digression on the *Historia Augusta*, let us attempt a definition of the literary forgery. The conjectures about the mentality of the forgers are generated by a confusion between ends and means. It is the book that counts, not the intentions of its author. A literary forgery is a book falsely placed under the name of someone who enjoys authority in the milieu to which this book is addressed. Charles Nodier wrote:

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Paris. gr. Suppl. 1148, fol. 37r.), and I restore the reading ἐστερέωσα of the original (Nau: ἐστοιχείωσα). Nau's other corrections concern only orthographic faults due either to itacism or simply to the negligence of the copyist; for example, the word ἀπετέλεσα is written: ἀτίλε. Ὁ δὲ μέλλον ἐν Βεθλεὲμ ἐκ τῆς παρθένου γεννᾶσθαι, αὐτὸς μέγας διδάσκαλος γενήσεται καὶ τὸ ἀνθρώπινον γένος σώσει καὶ τοὺς εἰδώλων ναοὺς καταλύσει, τὴν δὲ ἀποτελεσματικὴν, ἣν ἐγὼ ποιήσω, οὐκ ἀφανίσει, διότι πᾶν ὅπερ τελέσει ἢ μετ' αὐτοῦ δύναμις ἀπετέλεσα καὶ ἐστερέωσα. Ὁ δὲ ναὸς ὃν ἐγὼ ἐν Τυάνοις ὑποκόδομησα ἐν ᾧ καὶ χρυσοῦν στύλον ἔστησα, οὗτος παρὰ πάντων προσκυνητῶν γενήσεται. This passage is edulcorated in an astrological manuscript now in Berlin, where Apollonius says that everything he has done was accomplished by the power of Jesus: F. Boll, *Catalogus codic. astrolog. graecor.* 7, 1908, p. 176.

<sup>33</sup> Cf. the spurious pagan oracles announcing the destruction of the idols by Christ: L. Robert, *C.R. Acad. Inscr.*, 1971, p. 612.

<sup>34</sup> Augustine, *Ep.* 138.18, finds himself obliged to refute those who compare Jesus to Apollonius of Tyana and other masters of the magic arts.

<sup>35</sup> Malalas, p. 263. Cf. A.S. Stauffenberg, *Die römische Kaisergeschichte bei Malalas*, 1931, p. 243.

<sup>36</sup> Ps.-Justin, *Quaest. orth.* 24 (PG 6, 1269). Cf. W.L. Dulière, *Byzant. Zeitschr.* 63 (1970), p. 247. This work of Ps.-Justin is now attributed to Theodoret of Cyrillus: B. Altaner and A. Stueber, *Patrologie*, 6th edn. 1966, p. 340.

<sup>37</sup> Eusebius, *C. Hier.* 35; 44.

“The spurious claim to authorship was an idea that occurred naturally to all writers, and assured that their works would have more credibility than their own name alone would have supplied.”<sup>38</sup>

Let us look at three texts which illustrate this suggestion by Nodier. Salvian of Marseilles published under the name of Timothy a message *ad ecclesiam* in which he asked the rich to bequeath their goods to the poor, in order to avoid going to hell. He explained to his bishop that “a certain author” had chosen to write under a pseudonym because of his own insignificance; but he does not explain the choice of this particular pseudonym, which evokes a correspondent of the apostle Paul and the celebrated words addressed to this Timothy: “The love of money is the root of all evils” (1 Tim. 6:10). Nevertheless, he discloses the reason for his deceit:<sup>39</sup> *ne auctoritatem salubribus scriptis personae suae parvitatibus derogaret. Omnia enim admodum dicta tanti existimantur quantum est ipse qui dixit.*

Eight centuries after Salvian, ca. 1280, there appeared the *Zohar*, a celebrated system of cabbalistic doctrine which claims to be the work of Simeon ben Yohai, a famous rabbi of the second century. It is said that Moses of Leon, the real author of this work, employed this subterfuge because no one would have paid any attention to a book published under his own name.<sup>40</sup>

More than five centuries after the *Zohar*, in 1803, there appeared the translation of a fragment of the 18th Book of Polybius, allegedly discovered in a papyrus on Mount Athos. “Polybius” describes here a deliberation of the council of Antiochus III about the alliance proposed by Philip V of Macedonia against Rome. In this pamphlet, written by d’Antraigues, a secret agent of the Russian court, “Rome” corresponds to Napoleon’s France, “Macedonia” is Austria, “Antiochus” masks Frederick William III, and the “Parthian empire” symbolizes Russia. This text enjoyed a great success, and Prince Czartoryski, for whom the author worked, wrote to him: “If, instead of hiding behind Polybius, you had spoken clearly, half of your readers would have admired you less.”<sup>41</sup>

<sup>38</sup> C. Nodier, *Questions de littérature légale*, 2nd edn. 1828, p. 63.

<sup>39</sup> Salvian, *Ep.* 9.15 (CSEL 8, p. 221).

<sup>40</sup> G. Scholem, *Major Trends in Jewish Mysticism*, 1941, p. 189.

<sup>41</sup> D’Antraigues, *Traduction d’un Fragment du XVIII Livre de Polybe*, London 1806. Cf. L. Pingaud, *Le comte d’Antraigues*, 1893, p. 340.

Thus, down through the centuries, and whatever the forgers' motives may have been, we find the choice of pseudepigraphy with the intention of giving these writings the *pondus auctoritatis* of which Augustine speaks with reference to the apocryphal Letter of Jesus to the apostles Peter and Paul. To put it briefly, the choice of this particular literary form is determined by the author's desire for success.

Nevertheless, we find many literary forgeries in antiquity which are not pseudonymous, but anonymous. Who wrote the Books of Esther or Tobit? The scrolls do not tell us. Likewise, the *Acta Petri apostoli cum Simone*, and so many other "Acts" and "Passions" which circulated in the church, are impersonal and anonymous narratives.

To answer these questions, we must turn to the classical East. Let us first note that we find pseudepigraphical documents both in the Near East and in Pharaonic Egypt. For example, a privilege of immunity granted by King Manishtu (24th century B.C.E.) was fabricated by the priests of the temple of Shamash at Sippar at least twelve centuries after the death of this ruler.<sup>42</sup>

There were however virtually no literary pseudepigrapha. This does not mean that the "magic culture" of the East lacked the idea of artistic originality and that "the real breakthrough to the feeling of one's own intellectual accomplishment [*Leistung*]" first appeared in Greece, as Speyer believes (p. 15). We do in fact know the names of a number of sculptors and other Egyptian artists, but it is exceptional for them to sign their works.<sup>43</sup> (But did the Greek architects put their names on the pediments of the temples? The Greek sculptors began to sign their statues only ca. 550, and this practice never became general.)

Similarly, the Egyptians were perfectly well aware of the names of the authors of their favorite books. For example, they knew that it was the scribe Khety (Akhthoy), the son of Duaut, who had written the sapiential book published as *The instruction* by Pharaoh Amenemhat I to his son, Sesostris I. Indeed, one of Horace's predecessors could write that even the pyramids were perishable, but the works of certain authors

<sup>42</sup> J. Gelb, *JNES* 8 (1949), p. 346. Cf. H. Levy, *Mélanges Isidore Lévy*, 1953, p. 253 n. 2; J.J. Finkelstein, *JAOs* 90 (1970), p. 242; R. Borger, *Bibl. Orient.* 28 (1971), p. 5; G. Lefebvre, *Romans et contes égyptiens*, 1949, p. a21; E. Bresciani, *Letterature e poesia dell'antico Egitto*, 1969, p. 533. Letters by Gilgamesh and Adapa-Oannes are nothing more weighty than schoolboys' exercises. I owe this information to the kindness of Professor J.J. Finkelstein of Yale University.

<sup>43</sup> M.E. Mat'e, *Iskustvo Drevnego Egipta*, 1961, p. 577. For a group of signed statues, cf. C. Aldred, *The Development of Ancient Egyptian Sculpture* III, 1952, plate 62 (Sennefer in the Museum of Cairo).

defy time.<sup>44</sup> In Babylon, as early as the eighth century, catalogues of books and their authors were compiled.<sup>45</sup>

But the texts themselves remained anonymous; the name of the copyist who had transcribed the book was indicated in a colophon at the bottom of a papyrus roll or a clay tablet.<sup>46</sup> The copyist's signature guaranteed the sincerity of the copy; the absence of the author's name attested the objectivity of the narrative, which presented itself as a faithful account – we might call it a report – of real events.<sup>47</sup> Thus, the funeral inscription of Tanini (Tjaneni) tells us that this royal scribe accompanied Thutmose III on his military expeditions and wrote down the mighty deeds of his master.<sup>48</sup> But the official reports of his campaigns are drawn up in the style of anonymous accounts: “In the twenty-second year, in the fourth month of the second season, on the twenty-fifth day, His Majesty...”

The style of imaginary narrative is the same. This is how what we call the Babylonian poem of creation begins: “When the heaven on high was not (yet) named... the gods were created.”<sup>49</sup> These accounts are not fables, but intend to speak of events which actually happened; and truthful history is objective and invariable. Flavius Josephus draws a contrast between the veracity of the oriental tradition, which is invariable, and the Greek historians, who do not hesitate to relate the same events in a contradictory manner; and Augustine contrasts “the dissonance of the historians” with “the divine authority” of sacred history.<sup>50</sup> In this context, the name of the author would have permitted the reader to doubt the absolute credibility of the narrative.

<sup>44</sup> G. Posener, *Littérature et politique dans l'Égypte de la XII<sup>me</sup> dynastie*, 1956, pp. 31, 61, 91, 141. Cf. E. Bresciani, *op. cit.*, pp. 143 and 305.

<sup>45</sup> W.G. Lambert, *JCS* 16 (1962), p. 59.

<sup>46</sup> M. Korostovzev, *Piszy drenego Egipta*, 1962, p. 90; H. Hunger, *Babylonische und Assyrische Kolophone*, 1968.

<sup>47</sup> Similarly, the names of some Egyptian singers were known, but not those of the authors of the songs: M. Lichtenstein, *JNES*, 1945, p. 145. The believer was obliged to make himself known to the god. This is why he mentions his name at the beginning or at the close of his prayer, whether or not it is his own composition. Cf. e.g. the hymn of Eheduanna, a daughter of Sargon I, in J.B. Pritchard, ed. *Ancient Near Eastern Texts*, 1969, p. 579, or an Egyptian prayer in A. Barucq, *L'expression de la louange divine... en Égypte*, 1962, p. 26.

<sup>48</sup> E. Drioton and J. Vandier, *L'Égypte*, 1962, p. 504; Bresciani, *op. cit.*, p. 239.

<sup>49</sup> R. Labat, *Les religions du Proche-Orient asiatique*, 1970, p. 36.

<sup>50</sup> Josephus, *C. Apionem* 1.16; 37. Augustine, *City of God* 18.40; 21.6. Cf. the contrary opinion of Strabo (11.507), who holds that the credulity of the oriental historians means that their accounts are not truthful.



However, instructions of every kind demanded the presence of the author's name, since the value of an instruction depends on the authority of the one who imparts it. This is why oracles were transmitted under the name of the one who had received the revelation, and in an analogous manner, the author's name introduced the sapiential books which taught the rules of life: "The beginning of the teaching of Prince Hardjedef, the son of Pharaoh Cheops, to his son Aouibre." Similarly, when a Hittite priest establishes a new ritual, he gives his name at the beginning of the text.<sup>51</sup>

Hebrew literature obeyed the same stylistic rules. The *Torah*, the scroll of the Pentateuch, does not bear the name of Moses; instead, it is an impersonal account of the history of the chosen people from the creation until the death of Moses. The sacred author reports the words and laws of Moses in the same way as he reproduces the oracles of Balaam. It was doubtless only in the Greek period that the Pentateuch was attributed to Moses; it seems that Philo is the first author to attest explicitly the Mosaic origin of the sacred scroll. A few decades later, Josephus praises Moses for reporting the oracles of Balaam (Num. 22:22; 25:9), although he could have claimed that it was he himself who had received these revelations from his God.<sup>52</sup>

On the other hand, as in Babylonia and Egypt, the seers and sages gave their names at the beginning of their books. Thus, we have the instructions of Solomon, or of King Lemuel who repeats the teaching of his mother. This is why the oracles of Daniel bear his name, while the narratives about Daniel in the same biblical book remain anonymous.

Consequently, there are scarcely any pseudepigrapha among the apocryphal texts written in Hebrew or Aramaic. The Book of Jubilees, which mentions a book of remedies written by Noah, is an "Account of the division of the days" which reports objectively and impersonally the conversation between God and Moses on Mount Sinai on the sixteenth day of the third month of the first year of the exodus.

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<sup>51</sup> G. Posener, *Revue d'Égyptologie* 9 (1952), p. 112; M. Vieyra, in Labat, *op. cit.*, p. 527. In keeping with the epistolary style, model letters begin with the fictitious names of the writer and the addressee. Cf. e.g. M. Korostovzev, *Ieraticheski Papyrus*, 1961, p. 15. The story of Sinuhe and the teaching of Amemhat I take the form of a funerary inscription. Cf. Posener, *Littérature*, pp. 75 and 91.

<sup>52</sup> Philo, *Vita Mos.* 2.91; Josephus, *Ant.* 4.158.

We need not discuss here the moral question whether it is more (or less) fraudulent to present the ideas of an author in this way than it would be to attribute one's own work to Orpheus or Saint Peter. Let us only underline the point that this is the style of the *commentarii*, an objective report of events: *Caesari cum id nuntiatum est... maturat ab urbe proficisci*.

In Greece, however, the production of pseudepigrapha might be called a constant companion of literature. The Greeks had neither a priestly caste nor a class of scribes. For a long time, the art of writing was a "Phoenician" technique.<sup>53</sup> The power of the word was the axis on which Greek civilization was based, and the book was only a stylized discourse (*logos*). But the weight of the word depends on the authority of the orator. Consequently, as Dio Chrysostom (53.9) notes, a Greek author mentions his name twice, at the beginning and at the end (*subscriptio*) of his volume. Dio contrasts this usage with the style of Homer, who does not name himself in his poems, but speaks like the prophets of the gods, from the inaccessible inner room of a sanctuary.

Dio could not have known that the Homeric singer, who was anonymous to the readers of Homer, was in fact known to those who heard him: Phemios, Demodocus, etc. And this bard was only a human organ of revelation. In order to describe the huge army of Agamemnon, the singer appealed for aid to the Muses who "know everything" (*Iliad* 2.485). Greek poetry always remained the expression of a divine revelation.<sup>54</sup> And as we have seen, every revelation demands the identification of the intermediary who transmits it to human beings. Thus, the Babylonian poem about the wrath of Era, the god of pestilence, which was employed as a talisman against this illness, was revealed in a dream to a certain Kabti-ilani-Marduk. When he wrote it down, "he omitted nothing and did not add one single line." Hesiod and Pindar were revealers like Kabti-ilani-Marduk and those Babylonian diviners who insisted: "This incantation is not from me, it is the incantation of (the gods) Asaluhi and Gula."<sup>55</sup>

Nor does Greek prose claim to give the same kind of objective account of events as a fairy story or an Egyptian tale: "once upon a time..." Greek prose is didactic: it is a *logos* written down on papyrus

<sup>53</sup> L.H. Jeffrey and A. Morpurgo-Davies, *Kadmos* 3 (1970), p. 125.

<sup>54</sup> Cf. J.-P. Vernant, *Mythe et Pensée chez les Grecs*, 1965, p. 80.

<sup>55</sup> Labat, *op. cit.*, p. 137; W.G. Lambert, *JCS* 16 (1962), p. 73.

to exhort those who hear it and read it. "Hecataeus of Miletus says: I have written things that seem to me to be truthful, because the *logoi* of the Greeks are numerous and, in my view, ridiculous."<sup>56</sup>

Since a Greek author wishes to inform his readers, he begins his book by indicating his name. Oriental books were cited either by their *incipit* or by referring to their subject, e.g. "The book commemorating the god in (all) his places." Thus, the hymn "Great Lady, who alone is powerful" is recorded under this *incipit* in the Babylonian catalogue mentioned above.<sup>57</sup> But when an Athenian of the classical period chose a volume, he spoke of Orpheus, or Choerilus, etc.<sup>58</sup> This is why Greek literary forgeries begin with the name of the supposed author.

The hellenized Orientals who wrote in Greek followed the same practice. As U. von Wilamowitz-Moellendorff remarked, the presence of these imitations in Jewish forgeries written in Greek demonstrates the hellenization of the Jews.<sup>59</sup>

At a later date, in early Christian literature in Greek, some works which were influenced by the Jewish tradition maintained the form of a report of events and words. The canonical Gospels produced in Palestine are a good example of this. Some Christian readers were misled by this literary form to which they were unaccustomed, and they denied that Matthew could have written his Gospel, since this text speaks of Matthew in the third person (9:9). On the other hand, two books by Luke written in Greek begin with dedications by the author.<sup>60</sup>

Let us conclude this section of our reflections by observing that the transformation of an objective report into a personal account (or *vice versa*) seems to indicate the transformation of the original or the influence from another source, except of course in those cases where the author quotes (or invents) a document, a discourse, etc. Thus, in the Syriac version, the story of Ahiqar has become an autobiographical narrative; an apocryphal history of Abraham discovered among the Dead Sea Scrolls is initially related by its protagonist in the first person. Then, following the biblical narrative, Abraham speaks of himself in the third person. Examples could be multiplied.

<sup>56</sup> *FGH* 1, F13.

<sup>57</sup> P. Barguet, *Le Papyrus 3776*, 1962, p. 50; W.G. Lambert, *op. cit.*, p. 73.

<sup>58</sup> E.G. Turner, *Athenian Books*, 1952, p. 15. Ancient Greek books had no title: E. Nachmanson, *Der griechische Buchtitel*, 1941.

<sup>59</sup> U. von Wilamowitz-Moellendorff, *Hermes* 30 (1895), p. 192.

<sup>60</sup> The question was asked why Jesus himself had not written his story: Augustine, *De cons. evang.* 1.7,11.

We have juxtaposed two distinct literary forms, the objective report and the subjective account by a supposed author. How can these two forms be equally apt for the production of literary forgeries? The common denominator is the ancient origin of the counterfeit work, whether it be a text attributed to Moses or a narrative about Moses. In an essentially agrarian society in which basic technology was virtually stationary (the horse was the quickest means of transport for 3,500 years), it was natural to respect the voice of antiquity. As Tertullian said, *potiora sunt ad instruendam animam priora quam posteriora quae et ipsa a prioribus instrui sustinebant* (*De test. anim.* 5). Things have been reversed in our civilization – electronic, and hence ephemeral – where etiquette seems to demand that we pay heed to the voice of the young, forgetting that youth (alas!) lasts no longer than a transistor...

Although antiquity could err in many matters (Cicero, *Div.* 2.70: *errabat enim multis in rebus antiquitas*), the respect due to ancient wisdom deprived a modern author of authority. When Aristarchus and Aristophanes of Alexandria drew up the list of classical authors, they did not include any of their contemporaries (Quintilian, 10.1,54). It was forbidden to read aloud the *Shepherd of Hermas* to the people, because its author was recent, and not a contemporary of the apostles.<sup>61</sup> And contemporary readers were read only rarely in Greco-Roman Egypt.<sup>62</sup> To place an apocryphal work even only implicitly under the patronage of a great name from antiquity was to bestow authority on a new book, while at the same time offering modern ideas. *Res ardua vetustis novitatem dare, novis auctoritatem* (Pliny, *Natural History*, *praef.* 15). This difficulty was overcome by pseudepigraphy, as well as by the symbolic exegesis of the classical texts.

These two procedures brought the book to the reader from two different perspectives. Penelope's veil was in reality the image of the syllogism;<sup>63</sup> and in the Testaments of the Twelve Patriarchs, a Jewish apocryphon written ca. 200 B.C.E., the passionate woman who spoke like a contemporary of the Alexandrian poets was in reality the wife of Potiphar, attempting to seduce the chaste Joseph. In other words, while allegory modernized the ancient *mythos* (to use the Greek term) by rejuvenating it, the artifice of pseudepigraphy ennobled a modern

<sup>61</sup> Muratorian Fragment, in H. Lietzmann, *Kleine Texte* 1, 1921.

<sup>62</sup> C.H. Roberts, *Mus. Helvet.* 10 (1953), p. 269.

<sup>63</sup> F. Buffière, *Les mythes d'Homère et la pensée grecque*, 1958, p. 389.

experience by allowing it to share in a *mythos* of venerable age. Hegel notes<sup>64</sup> that when memory causes the individual traits of an historical personage of the past to disappear, it universalizes him. This allows the artist to adorn the historical personage with the particular and individual traits which he himself wishes. We may add: this is what it means to modernize him.

Let me explain this by means of two examples which are modern and thus easier to appreciate. We begin with a painting by François Boucher (1744) which depicts a beautiful woman beginning to seduce a very young girl. The cupids which surround the couple leave us in no doubt about the meaning of the scene. This subject was shocking even in the age of Madame Pompadour, but we need not worry: the eagle which we see in the background shows that it is Jupiter, under the form of Diana, who is seducing Callisto. The *mythos* ennobles the subject of the painting, but the two beautiful women are painted as if they were in the park at Versailles. People in the eighteenth century, who knew Ovid, appreciated this painting on two levels simultaneously – but what do the visitors to the Museum of Art in Moscow (where this painting came from Prince Yussupov’s collection) make of it?

Let us take another modern example. In 1894, a little book was published: *Chansons de Bilitis* (“Songs of Bilitis”), translated from Greek by “P.L.” This Bilitis was a woman friend of a woman friend of Sappho. An expurgated adaptation of these daring *Songs* appeared in the *Revue des Jeunes Filles*,<sup>65</sup> and U. von Wilamowitz-Moellendorff wrote a lengthy review of this pastiche by Pierre Louys in the austere *Goettingische Anzeigen*, in order to defend Sappho’s reputation. But who would have ever spoken seriously of these poems – written in a rather mediocre prose and dedicated (prophetically, I might venture to say) “to the young women of future society” – without the emotion provoked by the name of the Tenth Muse? And today, a lesbian society in New York calls itself “The daughters of Bilitis.”

These two modern anecdotes help explain the psychological aspect of a pseudepigraphical work or an anonymous apocryphon which purports to come from ancient times. The *mythos* is played out on two

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<sup>64</sup> Hegel, *Aesthetik* (modern reprint, undated, ca. 1955), p. 189. In order to justify the liaison between Henry II and Diana of Poitiers, a fifty-year-old widow, she was assimilated to the goddess of the same name: F. Bardon, *Diane de Poitiers et le mythe de Diane*, 1963.

<sup>65</sup> Roger Picard, *Artifices et mystifications littéraires*, 1945, p. 215; U. von Wilamowitz-Moellendorff, *Goettingische Gelehrte Anzeigen*, 1896, p. 623.

levels here, that of the time to which it is supposed to belong, and that of the present age, to which it belongs in reality. This artifice creates an emotional tension, since the evocation of the memory of the past entails a new evaluation of the present. Porphyry tells us that when the founders of a “gnostic” sect wished to convince people that “the dogmas they wished to maintain were those of the ancient Zoroaster,” they fabricated a book in his name; Iamblichus tells us that the Egyptian priests dedicated “the inventions of their wisdom” to Hermes-Thoth, by making him the author of all their writings.<sup>66</sup> In an anonymous apocryphal text, the Joseph of the Bible and Asenath, his wife-to-be, speak and act like the characters in a hellenistic novel.

Here, the literary fiction creates a “dialogue” (to use a fashionable expression) between the author, his imaginary characters, and the hearer (let us recall that in classical antiquity, it was normal to read aloud). The hearer shares the exaltation of the ancient values and finds in the apocryphal work a justification of his own sentiments, or of those of the author. According to the fathers of the church, it was the gallant adventures of the gods, with their erotic symbolism, that corrupted the hearts of the young pagans.

If we examine it from this point of view, a pseudepigraphical work (or a similar text) resembles the historical novel<sup>67</sup> and Attic tragedy, where Medea speaks like a woman of the period of Aspasia. Aristotle tells us that the tragic poets usually choose their subjects from the traditional *mythoi*, in order to give the fable greater verisimilitude (*Poet.* 9). In psychological terms, this technique facilitated the spectator’s identification with the historical personages on the stage, with Oedipus and Medea, with whom he was already familiar. As one comic poet says, it is enough to mention Oedipus – and everyone knows the rest of the story. Another comic poet speaks of what modern psychology calls “projection” and “identification.” Timocles says that tragedy is very useful for one’s life: it is a remedy for our cares, since we forget our own distress when we see that of others. Thus, when a poor man sees Telephus on stage, it is easier for him to bear his own poverty.<sup>68</sup>

<sup>66</sup> Porphyry, *Vita Plot.* 16; Iamblichus, *De myst.* 1.

<sup>67</sup> In his preface to *Ivanhoe* (1819), Sir Walter Scott says that in order to awaken the interest of the reader, the subject of an historical novel must be transposed (so to speak) into the customs and language of our own age. Cf. J.C. Dunlop, *History of Prose Fiction*, ch. 2: “The object of historical novels is to give to moral precept, the powerful stamp of experience and example.”

<sup>68</sup> Antiphanes and Timocles, *apud* Athenaeus, 6.222a; 223b. Cf. Augustine, *Conf.* 3.2.2.

In other words, pseudepigraphy, Attic tragedy, and the historical novel seek to give a classical (and thus permanent) framework to an idea or a sentiment which is modern (and thus transient). The function of these literary artifices is to discover new meanings in a *mythos* which remains the same. This is the charm of the sorceress, “who is not wholly the same each time, nor yet wholly another person.”

## ON RELIGIOUS PHENOMENOLOGY

In a dream, Jacob saw a ladder which linked earth to heaven, and he heard God promise him the land of his fathers. In the morning, he set up a stone to commemorate his dream, and he called the place "Bethel," i.e. "the house of God." The parts of this biblical narrative form a perfect whole, but its four "themes" – the heavenly ladder, the revelation in a dream, the sacred stone, and the aetiological explanation of the place-name – are found as elements in all kinds of different combinations in the beliefs and rites of many peoples, from Fernando Po to Timor, and among the mountain dwellers in Norway in the eighteenth century just as much as among the ancient Greeks.

If one so desires, one may be prompted by this agreement to criticize Scripture – or to praise the divine wisdom. One may attempt to determine the genealogy of the themes and beliefs; this is the historical approach to this subject. One may use these parallels to help explain the Bible; this is what J.G. Frazer did in his learned work on *Folk-Lore in the Old Testament*. But one could equally well envisage these four "themes" as constitutive elements of beliefs, which can be assembled in very varied constellations. Let us therefore separate the religious elements – the sacred stone, the prayer, etc. – from their various connections, let us study these elements as they appear down through the ages and in various climates, in order to deduce from this comparative study the meaning of the function of a religious "element" *as such*, independently of its role in one particular system of beliefs. This is how sociology relates and studies the epiphenomena of one and the same societal element in different legal systems.

Let us call the separated fact a *phenomenon*. The study of these religious elements, in abstraction from the conditions of time and place, will then be a *religious phenomenology*. This new branch of religious sciences is said to have been created by the Dutchman Chantepie de la Saussaye, and its first treatise, written by another Dutchman, Mr G. van der Leeuw, has just been published in a new German collection of theological handbooks.<sup>1</sup>

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<sup>1</sup> G. van der Leeuw, *Phänomenologie der Religion* (Neue religiöse Grundrisse, ed. Rudolf Bulmann), Tübingen: J.C.B. Mohr (Paul Siebeck) 1933, xii + 669 pages.



One can only applaud the choice of subject. The so-called "history of religions" has collected enormous quantities of material, but these too often remain unused or unusable because there is no rational method for classifying this diverse information. The general history of religions still remains on the level of the botanical sciences before Linnaeus. There are indeed a few systematic monographs, some of them excellent, such as A. Loisy's *Essai sur le sacrifice*. But we still lack a phenomenological *summa* which would impose some order on the wealth accumulated by the comparative study of religions.

Mr van der Leeuw's volume presents a panoramic view of religious phenomena. The first part is entitled: *The object of religion*. It introduces the "power," the *mana*, in its various forms, the things penetrated by the *mana*, the taboo, sacred things and animals, and other hypostases of the supernatural power: the savior, the king, the dead, the demons, the name, etc. The second part is entitled: *The subject of religion*. The titles of its three chapters are: "The holy man" (the sorcerer, the saint, the king, etc.); "The holy community" (marriage, the sect, the church, etc.); and "The sacred in the human person. The soul." The third part discusses the relations between the *subject* and the *object* of religion, between exterior action (purification, sacrifice, etc.) and interior action, i.e. the forms of communion with the divinity (the servant of God, the friend of God, conversion, etc.). The fourth part studies the notions of the world held in the religions (theology, astrology, cosmological myths, etc.). The first chapter of the fifth part speaks of the historical religions taken as types, e.g. the religion of the will and of obedience (Judaism), the religion of majesty and submission (Islam), and the religion of love (the Christian faith). In the second chapter of the same part, Mr van der Leeuw studies the types of religious founders and reformers. An appendix of twenty pages explains the methodology and the history of this new phenomenological discipline, and the volume concludes with an index.

The learned professor of the history of religions at the University of Groningen writes with a great affection for his subject, and this book is full of facts and ideas. It offers a great number of quotations, both learned and beautiful. Mr van der Leeuw informs us about mystical silence and about taboos, about the *kedeshim* in Israel, about Confucianism, etc. We hear the testimony of the theologians of ancient Memphis and of the Book of Job, but their companions are Sigmund Freud and Baudelaire. If all one is looking for is information about religious matters, one will find it in abundance in this volume: con-

cise, generally useful and precise, and presented in a very agreeable manner.

If, however, we were to view the book only in this way, we would do the author an injustice. What he wants to give us is not a mere abbreviation of the encyclopedias of religion for general use (and “without tears”), but rather the basic summary of a discipline which is both new and indispensable. And on this point, I am in complete agreement with him. Let us then look at his work from this perspective.

## I

Religious facts and cases are innumerable and infinitely varied. For example, as Mr van de Leeuw correctly points out (p. 606), there are no two identical notions of the “soul.” Nevertheless, one can observe resemblances between different beliefs which are arguably not the consequence of historical relationships but of necessities immanent to religious thought itself. We see the same problems, and virtually identical solutions, emerging in mutually independent religious movements. In most cases, therefore, we can reduce the infinity of the notions related to one religious subject to a few typical ideas. Phenomenology seeks to find and to understand these “types” or “partial structures” (to use van der Leeuw’s terminology). This is a work of generalization which establishes the basis for all knowledge of these matters. The only question is how we are to find the “type,” and what it means to “understand” it. And here, I part company with Mr van der Leeuw.

His methodology is that of a “comprehensive psychology.” In order to grasp the meaning of a religious phenomenon, we must proceed through suggestion and praxis in reproducing the psychological reaction of the believer who encounters a divine mystery. This work is analogous to that of an actor who lives the life of the character whom he is playing. Repeated attempts at “marrying” the motivations of religious persons of different epochs and civilizations lead to the birth in the observer’s own soul of those “types” of a phenomenon for which we are looking, thus permitting a psychological mutual interfusion.

The representations of one specific religious phenomenon may be very disparate, but despite their diversity, they can be reduced to one single conception, since they are based on the same fundamental experience, which has found its expression in these varied forms. All the observer does is to reproduce in his own spirit the image of this

original and common experience, following the signs which allow it to be recognized.

I hope that I have given a correct account of the author's thinking; but it must be frankly admitted that this is not always very clear.<sup>2</sup> Of the seven pages dedicated to a definition of the meaning of the word *Religionsphänomenologie* (§109), six specify what it does not mean. But let us look at Mr van der Leeuw's own definition of what he is doing: "in every case, the method of phenomenology must be psychological – I mean a psychology which seeks to comprehend the essence of the phenomena."<sup>3</sup>

I must confess that I have neither the inclination nor the competence which are necessary if one is to speak of questions of religious psychology. I therefore pass over the difficulties of comprehension in this matter; nor shall I dwell on the subjectivity of the images which religious psychology can bring forth in us. All I wish to observe here is that this way of explaining things that are very complex (but visible) by means of reactions which are psychological (and therefore invisible) smacks a little of the scholastic interpretation of *obscura per obscuriora*. And it seems to me that a methodology interested in spiritual states must necessarily be inadequate to help us understand the objectivity, the meaning, and the functioning of the things themselves.

As a matter of sheer fact, the conformity presupposed here between the phenomena and the psychological reactions, on which Mr van der Leeuw's methodology is based, does not exist, and cannot exist. The same "fundamental experience" finds widely different representations; one and the same phenomenon brings forth different psychological reactions. For Tamar, the levirate marriage meant the imperative obligation to continue the "lineage," cost what it might; for Ruth, it meant the right of the closest relative to the property of a dead man. One and the same idea of "sober drunkenness" corresponded to very diverse spiritual states in one and the same hellenistic civilization.<sup>4</sup>

Let us take as an example the "phenomenology of the soul."<sup>5</sup> Let us grant with Mr van der Leeuw that all the notions of the soul can

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<sup>2</sup> Cf. also his article "Phénoménologie de l'âme," *Revue d'histoire et de philosophie religieuses* 10 (1929).

<sup>3</sup> G. van der Leeuw in *Die Religion in Geschichte und Gegenwart*, 2nd edn. IV, col. 1171.

<sup>4</sup> Cf. Hans Lewy, *Sobria ebrietas*, 1929.

<sup>5</sup> Here, I draw on Mr Leeuw's article in French (n. 2 above).

be reduced to the same pattern. Let us suppose that he has correctly identified the primal experience which is the basis of this unity which he postulates, viz. "a sense of finitude, which at the same time transports us into another atmosphere." Let us accept his classification of the representations of the soul into five groups ("partial structures"): the soul distributed among the members of the body, a plurality of souls in the body, the material soul outside the body, etc. And let us concede that the fundamental experience in these three partial structures is that of power. – But what is the point of constructing all this learned scaffolding? Phenomenology explains things. If one and the same psychological experience is expressed in notions so diverse as the identification of the soul with the fat of the kidneys and the identification of the soul with a needle in a hiding-place, the discernment of this experience is superfluous for phenomenology, since its goal is precisely to understand the form of things in their diversity, the thing in itself. Phenomenology wishes (for example) to explain the meaning of the functioning of the levirate marriage, which remains the same in the cases both of Ruth and of Tamar, and is independent of the psychological state of the latter. Mr van der Leeuw's psychological intuition gives us a key which enters all the locks, but it does not actually open any doors.

His fundamental error is to use the psychological level to explain the phenomenological level – for the experience of a human person is one thing, and his acts and ideas are something else. This rule is followed in all the human sciences. As A. Meillet has said,<sup>6</sup> every linguistic fact is based on some psychological activity; but it would be a grave mistake to look to psychology for the explanation of every linguistic fact.

## II

This underlying error has various consequences. To begin with, it makes the book very interesting. Mr van der Leeuw does not offer dry tables and classifications, but images which are more or less impressive. He places very different things in one and the same category, and this can be very suggestive and instructive. I open the book at random (p. 185): "Death is not a fact, but a transitory situation. It is not an immutable fact, but an operation which one can advance or direct by word and

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<sup>6</sup> *Linguistique historique et linguistique générale*, 1922, p. 6.

action.” According to the Talmud, when one sees a friend who has been absent for more than a year, one praises God who raises the dead. At Rome, one who was said to be dead came back, but entered his house only through the roof.

The author’s impressionism sometimes plays tricks on him. For example, do you know why children do not wash their faces well? This is the survival of a vital ancestral feeling, which sought in the action of washing only a contact with the *mana*. “In the case of children, there exists what we might call the rite of washing, and they are often unconcerned about getting clean” (p. 321). Mothers may well derive some consolation here from Mr van der Leeuw’s psychological methodology! Nevertheless, this explanation is incorrect. Small children refrain from washing, just as older schoolchildren only seem to do their homework, and just as some critics do not really read the books they review. This is indeed a vital instinct – but it is the instinct of laziness. And another example which Mr van der Leeuw gives to illustrate the independence of the idea of purification from a link to physical dirt – that of the Dutchwomen who clean their houses so thoroughly, although they are already clean – belongs to a completely different category of facts: the operation takes on an importance which has nothing to do with its purpose. G. Simmel explained this transformation of ideas long ago.

Mr van der Leeuw’s classifications are always suggestive, but his impressionism makes them too often arbitrary. He places in the same category dancing and the procession of the Israelites under the walls of Jericho (p. 354). In order to define the phenomenon of the sect, he tells us: “In the middle ages, moral outrages such as sadism were also considered as heresy” (p. 243). Examples could be multiplied.

Let us take the phenomenon of feasts. Naturally, Mr van der Leeuw is acquainted with the explanation of this institution which occurs spontaneously to everyone, and he himself supplies this explanation in pompous language (“days exempted from duration”): a feast is an exceptional day. We might add: a day recognized as exceptional by the collective group. §56 is dedicated to this subject, but we will look in vain there for general information about the forms taken by this phenomenon. All we find there are remarks on the primitive mentality, slender facts about the Uitoto, Dutch peasants, etc. (I must confess that I do not understand the principle of classification here), and explanations such as the following: “The cyclic feast becomes as it were a microcosm of time as a whole. For the Jews, the New Year was

the time of judgment and of the determination of their destiny; the close of the year became the day of God. Thus, each New Year is a turning point of one's destiny, and each year is an abbreviated history of the world. In the Christian calendar, each day is a *feria*. Thus, the idea of 'feast' spreads without limits. Time, sacred time, is as it were made eternal in each moment" (p. 367). But this is not enough! To give a "psychological" explanation of the simple fact that the day and the night have different functions in the religious life, Mr van der Leeuw cites the following lines: "The mystery of evening is death, mid-day is momentary, it is the pure present... eternity speaks at each hour, but it is the neighbor of midday, etc." (p. 365). But it would be cruel to multiply our quotations from his book.

How are we to explain these aberrations in an exceedingly learned book, which is very interesting and abounds in precious observations? It may not actually be a consequence of the impressionistic methodology of the author, but it is certainly connected to this. He classes under the same rubric facts which seem to him to be similar in some way, but he fails to ask whether they are dissimilar in some other way. For example, the ritual dance and the magic act of walking around a field are put in the same compartment because "procession is the elementary dance" (p. 351). This is exactly the method of argumentation that led great spirits like Hugo Grotius to the conviction that the Indians were the lost ten tribes of Israel.

### III

If we are to understand facts, their structure, and their functioning, it is necessary to compare them with one another. However, any two ensembles will resemble each other only in part: the story of Jacob at Bethel has only two motifs (the heavenly ladder and the place name which is explained aetiologically) which are analogous to the parallel story of the Toradja of Celebes. Thus, to acquire any knowledge of things, we must dissect them into their constitutive elements. Linguistics remains a useless game, "a science where the vowels do nothing and the consonants do very little indeed," as long as it remains a haphazard comparison of words and letters. In order to discover the laws at work, it has decomposed each word into its functional parts: the root, the suffix, the ending. The phenomenology of religions must follow precisely this methodology, if it wishes to classify and explain religious facts. It must

begin by dissecting each fact into its elements, i.e. the parts which exist in isolation. Let us take as an example the phenomenon of the oath.

On May 13, 1310, Aimers de Villiers le Duc was brought before the royal commissioners in the trial of the Templars to give his evidence. We read in the minutes: "The said witness, pale and utterly terrified, declared under oath and at peril of his soul, invoking upon himself a sudden death if he should lie and accepting, in the presence of the said lord commissioners, to be plunged soul and body into hell on the spot. He hid his breast with his fists, lifting his hands towards the altar to make a more solemn declaration, and bending his knees, he affirmed that all the errors imputed to the Order were entirely false."<sup>7</sup>

In order to dissect this act into its constitutive parts, let us first eliminate those elements which are changeable and of secondary importance. Villiers turns towards the altar; another witness in the same trial<sup>8</sup> "swears after touching the most holy Gospels." These gestures serve only to make the oath more solemn, *ad maiorem assertionem*. They intensify the invocation of God. But one can equally well take the saints as witnesses of one's declaration. – In case of perjury, one may put at risk not only one's life, but equally one's health, etc. – The stable element in all these variations is the invariably tripartite character of the action; and the functioning of these three parts remains always the same: (a) the affirmation in question; (b) the invocation of something one considers sacred; (c) the curse invoked on the perjurer.

Let us now compare this Christian oath taking in 1310 C.E. with the ceremony of taking an oath in Homeric Greece, two thousand years earlier. Everyone is familiar with the ceremony of armistice between the Greeks and the Trojans:<sup>9</sup> wine is poured out on the ground and the gods are invoked so that "the first to transgress their oath may have their brains, and those of their children, spread out on the earth like this wine." Let us note the material and formal difference between this oath and that of Villiers le Duc: in Homer, the curse invoked on the perjurer is a magic action which prepares and ensures the death of the guilty person. The magical operation is even more brutal in an Assyrian oath taken ca. 750 B.C.E.<sup>10</sup> A male goat is slaughtered to the accompaniment of these words: "This head is not the head of a

<sup>7</sup> G. Lizerand, *Le dossier des Templiers*, 1923, p. 129.

<sup>8</sup> *Ibid.*, p. 193.

<sup>9</sup> *Iliad*, 3.295.

<sup>10</sup> J. Pedersen, *Der Eid bei den Semiten*, 1914, p. 110.

goat. It is the head of Matilu, the head of his sons, of his nobles, of the people of his country. If Matilu breaks his commitments, the head of Matilu will be severed as the head of the goat is severed.” Here, the curse is efficacious in virtue of sympathetic magic; in Homer, its efficacy is due to the rules of magic connected with initiations. The notions and sentiments which accompany these actions are very different from the kind of ideas which surround the Christian curse in 1310, but the functioning and the goal of all these acts are the same in three different civilizations: viz., to bring about the punishment of a perjurer thanks to a supernatural power. In Homer, this power is Zeus; for Matilu, it is the gods Sin, Hadad, etc. But we know that this power can also be envisaged simply as a magical force. In order to make a peace treaty, the Nandi in English East Africa cut a dog in two and utter this curse: “May the man who breaks this peace be killed like a dog.”<sup>11</sup> Here, the invocation of the divinity is replaced by an act of magical identification: the two halves of the dog are kept by men who represent the two parties to the conflict, and the magic power is invoked by contact. This appeal to the power may be implied in Morocco when there is a dispute about real estate: one throws a small quantity of soil and says: “By my life, it belongs to me.”<sup>12</sup> The affirmation itself can become something implicit, as is the case among the Kpelle.<sup>13</sup> The variants are innumerable; but this type of oath, which is found in its countless forms among all the peoples<sup>14</sup> – I recall the biblical formula, “May God do this and that to me, if . . .” – always remains tripartite, and the function of these three parts, the affirmation, the invocation, and the curse, is everywhere identical.

The imprecatory oath is the most widespread and common: Plutarch says that “All oaths conclude with a curse on the perjurer.”<sup>15</sup> Modern theory regards the oath as a curse invoked on himself by the one who takes the vow.<sup>16</sup> This generalization has been accepted by scholars since Hobbes,<sup>17</sup> but it is not completely correct. There are many oaths without a curse. Saul says to the medium of Endor: “As the Eternal lives,

<sup>11</sup> *Zeitschrift für vergleichende Rechtswissenschaft* 40, supplementary Vol. 1, p. 105.

<sup>12</sup> Frazer, *Folk-Lore in the Old Testament* (reference to French edn.: *Le Folklore dans l'Ancien Testament*, 1924, p. 139).

<sup>13</sup> D. Westermann, *Die Kpelle*, 1921, p. 215.

<sup>14</sup> A. Loisy presents many parallels in his *Essai sur le sacrifice*, 1921.

<sup>15</sup> Plutarch, *Quaestiones romanae* 44.

<sup>16</sup> Cf. e.g. E. Seidl, *Der Eid im ptolemäischen Recht*, dissertation, Munich 1929, p. 44.

<sup>17</sup> R. Hirzel, *Der Eid*, 1902, p. 137.



no punishment shall come upon you for this thing" (1 Sam. 28:10). Among the Kpelle, the one who takes an oath simply drinks a liquid in which a charm has been mixed.<sup>18</sup> At Ghosegong in Assam, the local people take their oaths on a sacred stone, asking Mahadeva to bear witness to the veracity of their declaration.<sup>19</sup> When Jacob and Laban make a treaty, they erect a cairn and eat bread together. Here, the cairn functions as a guarantee of the treaty. It is the "heap of witness," the "pillar of the watcher" (Gen. 31:48). The most important group in this class is the oath of the covenant, the *berith* and its parallels in the Arab world.<sup>20</sup> The oath has no place in these acts, which consist only of an affirmation which is made within a sacred sphere and is therefore solid and lasting.<sup>21</sup> The one who takes the oath associates the sacred Substance to his vow by word, by gesture, or by a rite: "The Eternal is among us."

The transformations of this type are numerous: the Arabic language possesses some six roots to denote the varieties of this class of oath.<sup>22</sup> But always and everywhere, the idea is to establish a relationship between an affirmation and something sacred. In other words, the oath of his group has two elements: it joins the invocation to the affirmation.

These two types of oath, the bipartite and the tripartite, are universal. The first class consists of affirmation and invocation, the second class adds the curse.

Of these three parts, the affirmation remains outside the phenomenology of religion, but the other two parts belong to this discipline, though under a different rubric from the oath. What we have called the "invocation" consists simply of various procedures employed to enter into communion with something. This contact is sought for a thousand other goals than the taking of an oath, and the means employed always remain the same. This is a ritual technique. One touches relics while taking an oath; but one also touches relics in order to be healed. Among the Bechuana,<sup>23</sup> both the taking of an oath and purification involve contact with the contents of the paunch of a sacrificed bull. This means that a phenomenological study of this subject would include

<sup>18</sup> D. Westermann, *loc. cit.*

<sup>19</sup> Frazer, *op. cit.*, French edn. p. 217.

<sup>20</sup> Pederson, *op. cit.*, pp. 21ff.

<sup>21</sup> Pederson, *op. cit.*, p. 51; cf. Frazer, *op. cit.*, French edn. p. 218.

<sup>22</sup> Pederson, *op. cit.*, pp. 6ff.

<sup>23</sup> A. Loisy, *Essai sur le sacrifice*, 1921, pp. 236 and 276.

a cross-reference to the chapter about the methods of entering into a relationship with the sacred Force. There ought to be such a chapter in Mr van der Leeuw's book, but one will search for it in vain.

The imprecation, the third element of the oath, also exists independently of it, for once again, this is a question of sacred technique: how can one consecrate a person to the supernatural Force? And the mechanism of a revolver remains the same, whether one is aiming at one's enemy or shooting oneself. This explains why one and the same word, אלה, can signify both the curse and the oath which includes an imprecation.

By a process of eliminating the secondary differences, the study of the different kinds of oath succeeds in identifying a principle of classification and in distinguishing two kinds of vow. The study of the structure of these types has shown that the oath is a composite phenomenon, with elements which belong to different factual spheres. It is only the idea itself that unites the disparate elements, by giving them the same orientation. In the same way, the story of Jacob at Bethel, which was the starting point for these reflections, is a combination of separate "themes" which occur in very different constellations elsewhere. The economy of the intellectual world is no less parsimonious than that of the physical order, which composes the infinite variations of nature with the help of a small number of simple units.

Accordingly, if we are to understand how the various parts of the oath function, we must specify the idea which animates the rite; or more precisely, we must specify the goal of this action. It is always and everywhere the same, viz. to reinforce an affirmation. There are many means to attain this goal – one sets hostages free, one gives one's word of honor, etc. But one can also invoke a supernatural power, and this is the essence of the "oath." Thus, the oath always presupposes three participants: the one who swears, his adversary, and the sacred Power. The primary need of the one who takes the oath is to enter into communion with the Power. An ancient definition<sup>24</sup> says: "A vow is an invocation of God with reference to a disputed matter." The procedures which this entails may indeed vary; as we have seen, this is a question of technique. But the goal remains the same everywhere, viz. to establish a relationship between the affirmation and the sacred Substance.

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<sup>24</sup> Philo, *Leg. alleg.* 3.205. Cf. I. Heinemann, *Philons Bildung*, 1932, p. 82.

The ideas attached to this idea could be very diverse, even contradictory: the interpretation of a fact is always subject to variations. One could take the Power as a witness or as the guarantee of an oath, or one might believe that contact with the sacred substance would bring a benefit such as the promise of certain inviolability. But all relationships with the supernatural power are dangerous. In Morocco, a passer-by flees when he sees someone taking an oath.<sup>25</sup> Accordingly, one of the conceptions associated with the oath is that the sacred Power will punish the perjurer. Since the taking of an oath is a social action, which ensures the truthfulness of one's affirmation vis-à-vis one's adversary, this aspect of the oath often becomes predominant. In these cases, the oath functions like an ordeal, and the boundaries between oath and ordeal are sometimes blurred.<sup>26</sup> Among the Bhîls of central India, one who swears confirms in writing that he will be guilty of a lying oath if an accident happens to himself or to his family within a determined period of time.<sup>27</sup> In an ordeal, however, the one who submits to it is taking up the challenge of his adversary. The characteristic of an oath is to be an additional affirmation. As Philo notes, "Those in whom one has no confidence have recourse to oaths."<sup>28</sup>

The second class of oaths adds to the appeal to the sacred power a curse which will affect the perjurer. This displaces the equilibrium of the ensemble: here, the Power is invoked only because it is better suited than any human being to strike the perjurer. This is why the "theme" of the invocation is sometimes omitted, although it remains implicit, e.g. in the formula: "May I die on the spot." Occasionally, the affirmation is corroborated by giving one's adversary hairs, etc., so that he himself can strike the perjurer by burning this object according to the rules of sympathetic magic.<sup>29</sup> Thus, the imprecatory oath is also a magical action which utters a curse that will take effect later in the case of perjury, and thus amounts to a hypothetical condemnation of a guilty person: "Cursed be he who gives a wife to Benjamin" (Judges 21:18). The distinction between this and every other magic spell is once again the "individual character" of the oath: here, the curse is uttered by one who is affirming something against his own self.

<sup>25</sup> *Zeitschrift für vergleichende Rechtswissenschaft* 40, supplementary Vol. 1, p. 72.

<sup>26</sup> Cf. Glotz, *op. cit.*, pp. 118ff.

<sup>27</sup> R. Lasch, *Der Eid*, 1908, p. 22.

<sup>28</sup> Philo, *De sacrif. Ab.* 91.

<sup>29</sup> Lasch, *op. cit.*, p. 20.

We have identified two types of oath empirically and have explained their structure and their functioning. A greater wealth of material than is available to me, and a more penetrating analysis, may perhaps permit the reader to correct my classification. But I would ask him to note that it is neither fortuitous nor arbitrary, since the appeal to a third party in the case of affirmation can have only one of two meanings, viz. to corroborate one's words (e.g. by invoking the third party as a witness) or to enroll the third party as a guarantee who will intervene against the one who is dishonest (cf. England and Italy in the Treaty of Locarno). An affirmation may be true or false. The third party is to confirm the truth or punish the falsehood. The two types of vow correspond to this logical distinction.

#### IV

I do not venture to propose this example of phenomenological analysis as anything more than a sketch which is still very imperfect and preliminary. Its only merit is that it clearly demonstrates the methodology. One dissects the facts into their constitutive parts, their "themes," studying first the functions of these isolated elements and then their role in the phenomenon in question: this is the methodology which, in my view, a phenomenological study must employ. Need I recall that this is the methodology of students of folklore, which has been tried and tested a thousand times with excellent success in the study of fairy tales? I need refer here only to the exemplary analysis of the prologue framework of the *Thousand and one Nights* by E. Cosquin.<sup>30</sup>

Let us first show that this methodology avoids the defects we have seen in Mr van der Leeuw's system; then let us indicate the underlying presupposition of our procedure.

I have objected that Mr van der Leeuw's method is purely arbitrary, since he takes his examples everywhere and compares accidental traits. We have first determined the structure of the facts which are being compared, and dissected these facts into elements which are found everywhere. Thus, we compare those parts which have similar functions, leaving aside the secondary features. The comparison is necessary in order to discover the meaning and specify the form of one or other

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<sup>30</sup> E. Cosquin, *Études folkloristiques*, 1922.

element, which almost necessarily changes when it is linked with other elements in the various constellations. By comparing these altered forms which vary in a number of ways, one can deduce the specific function of a phenomenon. But what entitles us to assert that these variations are only deformations of one and the same type? How are we to explain the unity of facts which permits the generalization of a "type"?

The underlying presupposition is that the human person has only a restricted choice of expedients to reach the goals he sets himself. The uniformity of human nature and of the physical world limits the quantity of paths which lead to those goals. This is why the number of elements involved (e.g. the motifs in fairy tales) is very small. The innumerable variations are produced only by giving these elements different places in the different combinations. Here is one very simple example, which Mr van der Leeuw completely misunderstands. For a certain period, the kings of Egypt counted the years of their reigns independently of the calendar year. The only explanation which Mr van der Leeuw can offer appeals to the *mana* of kings: the king is merely a vehicle of the sacred Force, the Force is always new, and the king is always a new king (p. 105). Quite frankly, this explanation explains nothing. Fortunately, however, it is superfluous, since the truth is much less mystical. In effect, given two calculations, one following the calendar years and the other following the royal years, it is necessary either that these two calculations remain mutually independent, or that they agree. In the latter case, we must ante-date (i.e., the year in which a reign begins is reckoned in its totality as a year of that reign) or post-date (i.e., a new reign is reckoned only from the New Year which follows the change of monarch). Only these three possibilities exist, and that is why we find them in a great variety of civilizations.<sup>31</sup>

The postulate that the number of elements involved is very limited suggests and justifies employing the comparative method; this postulate is indeed the basis of the phenomenology of religions, which ought to begin by drawing up a *catalogue raisonné* of the religious "elements," just as students of folklore draw up lists of the "themes" of fairy tales. The next step would be the endeavor to discern the rules which govern the inclusion of these elements in one or other constellation, the laws which guide the convergence of the religious elements in the different civilizations. This is the same task as that of general linguistics, which

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<sup>31</sup> Cf. my *Chronologie*, 1933, p. 28.

explains why the bilabial spirant “f” becomes “h” both in Japanese and in Celtic.<sup>32</sup>

## V

The phenomenology of religions is a discipline that must still be created, and this makes it necessary to clear away beforehand all those influences that are harmful to its constitution. These include the harmful belief in the omnipotence of psychological divination. Mr van der Leeuw has given his handbook a psychological orientation, and this is why I have been obliged to review his book in very clear language.

Despite all my reservations, his *Phänomenologie der Religion* is a fine book, full of ideas, of hitherto unpublished observations, and of interesting facts. The author analyses the facts from a psychological angle with great subtlety, and his book is an extremely interesting and important attempt to give a new meaning to the study of religions. But what he presents is not a phenomenology. It is a collection of notes and thoughts on religious psychology. And it is good that this effort to employ psychology to understand phenomenology should have been made with such great talent, for this proves to us that psychology is not the royal road to understanding how these matters are ordered and related.

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<sup>32</sup> A. Meillet, *op. cit.*, p. 55.

## SYMBOLISM IN THE DURA SYNAGOGUE

### I

The monumental work of Erwin R. Goodenough on Jewish Symbols opens new historical vistas.<sup>1</sup> Our knowledge of Judaism and its religious attitudes in the Roman Empire was derived from written, mainly Talmudic, sources. For the first time Goodenough assembles, presents and interprets an imposing array of figured or otherwise decorated monuments which throw an unexpected light on the mentality of the period known as that of the Talmud. Who could imagine that at Beth She'arim, a famous seat of Talmudic learning, contemporaries of R. Jehudah, the compiler of the Mishnah, were buried in a chamber decorated by a carved human figure surmounted by a *menorah*, or in a relief sarcophagus showing Leda and the swan, the mythological episode which was regarded as extremely indecent by a contemporary Christian writer?<sup>2</sup>

Sensational as the recent finds at Beth She'arim are, the synagogue of Dura-Europos, painted in 244–45 and discovered in November 1932, remains “the most revealing archaeological monument of ancient Judaism known to date,” as Carl H. Kraeling says in his meticulous final report of the Yale Excavations.<sup>3</sup> The murals of the synagogue illustrate biblical history, e.g., “Samuel anoints David,” as the Aramaic titulus names a panel. Accordingly, Kraeling and his predecessors interpreted the paintings with the help of biblical data and haggadic lore.

Goodenough wants to consider the evidence offered by the paintings themselves, “rather than begin by imposing verbal statements from some or other type of Jewish literature upon them” (IX, 9). But we cannot explain anything from itself, and we need an external standard to measure an object. For an understanding of the religious ideas expressed

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<sup>1</sup> Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period*; vols. IX–XI: *Symbolism in the Dura Synagogue* (Bollingen Series XXXVII), Pantheon Books, New York, 1964).

<sup>2</sup> Clem. Alex., *Cohort.* 4,60,1. For imagery in Beth She'arim cf., e.g., B. Kanael, *Die Kunst der antiken Synagoge*, 1961, 20–36. On the figure of a man wearing a *menorah* on his head cf. M. Smith, *BJRL* 40, 1958, 500.

<sup>3</sup> *The Excavations at Dura-Europos*. Final Report VIII, 1, 1956, the reviews of M. Smith (*JBL* 76, 1957, 324), and E.R. Goodenough (*AJA* 62, 1958, 249ff.).

in the decorations of the synagogue, Goodenough turns rather to Philo than to the Rabbis. As he says himself (IX, 191), his book *By Light, Light*, published in 1935, where he examines the "Mystical Gospel of Hellenistic Judaism," is properly the first volume of his series on Jewish Symbols. According to Goodenough, the synagogue at Dura evidences "a desire for pagan art forms" (IX, 6), and for this reason reveals the hellenized Judaism "of the kind I had learned from Philo" (IX, 8). As to the paintings themselves, their meaning is not only evolved from the history of the themes, as is usual in archaeological studies, but is evaluated in the light of the psychoanalytical theories of Freud and Jung. This is the revolutionary novelty of Goodenough's approach. To the usual macroscopic view of archaeologists (e.g., a ram's head is a peculiar element of the imagery of Sabazios, thus a sarcophagus showing this head is "Dionysiac").<sup>4</sup> Goodenough adds the microscopic dimension of modern depth psychology. The image of harnessed felines is not simply "Dionysiac." It is a symbol of tamed wildness, that is, an expression of one of the deepest conceptions of the religious mentality, the taming of the ferocity of the Divinity (IX, 60).

Reading symbols as such, Goodenough can explain virtually every feature of the Synagogue in the values of universal religious longings: from the structural form of the building to pronged marks on a dress. His search for symbolical implications is justified. In didactic art, be it of words or of figures, minutiae may be meaningful. Greek contemporaries of the Synagogue, regarding the statue of Milon of Croton, discussed the symbolical meaning of such details as the clenched fingers of the athlete.<sup>5</sup>

"A given framework... makes intelligible a whole series of paintings" (IX, 87). Thus, Goodenough can offer a unified ideological schema of the decorations of the Synagogue at Dura. These murals reveal to us a Judaism devoted to the Torah and to the Jewish religious observances, but interpreting the traditional faith "in a way profoundly mystical. It was cosmic Judaism of immaterial reality" (X, 206). Thus, Scripture was understood "in terms of Greek philosophy and religion" (X, 206), and the Jews at Dura painted the biblical scenes with "pagan invasions," since they were set out "to illustrate some definite ideas from their understanding of the Torah and Judaism" (IX, 87). They "did

<sup>4</sup> K. Lehmann-Hartleben, E.C. Olsen, *Dionysiac Sarcophagi in Baltimore*, 1942, 22.

<sup>5</sup> Philostr., *V. Apoll.* 4,28. In palaeo-Christian and Byzantine art, Christ never carries a globe or wears a diadem as angels do. A. Grabar, *Dumbarton Oak Papers* 6, 1958, 38.



not understand the Torah as did the rabbis in general" (X, 206). The anointment of David became at Dura "the initiation of a neophyte into a mystery cult" (IX, 188), the Ark of the Torah was an expression of the nature of ultimate reality (X, 87), and the painting of the Well of the Wilderness "seems to present at once the Iranian value of the stream of *hwareno*" and the waters given by God to Israel (X, 32).

The reader is dazzled by the brilliance of Goodenough's demonstration. His erudition and his acumen, his dexterous handling of a new – and dangerous – method, and the serene single-mindedness of his interpretation carry the critic off his feet. Yet, I am afraid that "the extremely intelligent mind which planned the paintings in the synagogue" (IX, 123) is that of its sagacious interpreter.

## II

Goodenough's interpretation follows from some premises which set the whole framework of his historical thinking. First, there is for him the contrast between Rabbinic and "Hellenized" Judaism. But this dichotomy is an invention of German theologians of the nineteenth century. Their fictitious history opposed the legalist Jew in curls who spends his free hours in *shul*, studying the Talmud, and the assimilated Jewish banker who, as the joke goes, orders *mazzot* for *Yom Kippur*. As S. Lieberman has proven from rabbinic texts and as the inscriptions and monuments of Beth She'arim confirm, the most orthodox Jews of Palestine were profoundly hellenized in the third century. Bar Kochba's letters in Greek again show that the most rabid Jewish nationalists were no less hellenized.<sup>6</sup> On the other hand, as Goodenough knows well and stresses again and again, Philo and the other diaspora Jews were profoundly religious men of strict observance. As a matter of fact, owing to the nature of our information, we know only of religious and observant Jews in antiquity. Fourth Maccabees, written in Greek by a contemporary of Philo, expressly excludes the possibility of Jewish pictures of human beings. Yet, the Hillel family in Jerusalem used to employ a seal with a human figure engraved on it.<sup>7</sup>

<sup>6</sup> B. Lifshitz, *Aegyptus* 42, 1962, 240–56.

<sup>7</sup> IV Macc. 17,7. On the date of this book see above, 266–271; *T. Až* 5(6), 2.

The contrasting impression which we receive by juxtaposing the pages of the Talmud and the paintings of Dura is produced by the difference between the media of our information.

The rabbis were teachers of the Torah. To suppose that their legal and didactic tradition gives us the complete image of Jewish life and mentality is the same as to believe that, for instance, the lives of Christian ascetics, compiled by Cyril of Scythopolis, where the rabbis, and the Jews generally, are not mentioned, offer an adequate image of Byzantine Palestine. Ecclesiastical writers, who, quoting *Exod.* 20,4 and *Deut.* 4,16 reject pictorial representation of human beings, give no hint of the existence of Christian art in their times. A century after Jesus and Peter appeared on the wall of Roman catacombs and in the church of Dura, Eusebius of Caesarea declared that such images were unheard of and condemnable. Should we suppose that the art of the catacombs reflects the thought of some mystic Christianity, outside the limits of the official church? The catacombs were painted since the beginning of the third century, that is at the time when the popes paid great attention to these cemeteries.<sup>8</sup> Several popes were buried in Calixtus' catacomb, not far from the paintings showing the raising of Lazarus and the baptism of Jesus, exactly as rabbinic leaders, their contemporaries, slept their eternal sleep in the burial caves of Beth She'arim, in the vicinity of sarcophagi decorated with human faces and mystery emblems. Because the characters of *Pride and Prejudice*, written in 1796, do not speak of the French Revolution and the Revolutionary Wars, it does not follow that Edmund Burke and Nelson belonged to some other, "Martial" species of Englishman.

A second, equally anachronistic, premise is that of a standard Judaism living "under the Law." A painting in Dura shows Moses rescued by the Egyptian princess. Goodenough makes her Anahita-Venus, goddess of love, because she is represented naked in the Nile and because she wears the necklace which appears on the images of Anahita (IX, 200). The last argument is invalid. First, we do not know who the naked female figure on the Sassanian vases is. She can represent, as well, dancing girls, etc. Secondly, goddesses wear the same jewelry as their votaries. The hair-do of Julia Mammaea given to the two Marys

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<sup>8</sup> Eusebius' *Letter to Constantia*, PG, XX, 1545. On the beginnings of pictorial decoration of catacombs cf. Th. Klauser, *JCh* 1, 1958, 26-58; P.A. Février, *CA* 11, 1960, 1-15.

in the Dura church does not make these saintly women Roman Empresses.<sup>9</sup>

On the other hand, neither Jewish nor Christian art excluded nudity, when it was required by the theme. Eve before the Fall on the sarcophagus of Junius Bassus, executed in 359, imitates "Venus Pudica," and Christ himself is naked in the scene of baptism in Calixtus' catacomb.<sup>10</sup> A beautiful silver casket of the fifteenth century, which I was able to admire and handle at the Bezalel Museum (Jerusalem), is decorated by three scenes illustrating the fulfillment by a Jewish wife of her main religious duties: the separation of the priestly share of the dough (*hallah*), the ritual bath, and the kindling of the Sabbath lights.<sup>11</sup> The Jewess who takes the bath is represented in three-quarters view, standing in a basin. She is completely naked, and her sex is indicated clearly. Did the Jewish craftsman (Jeshurun Tovar) who fashioned the piece try to introduce some pagan eroticism into the Jewish religion and corrupt the pure faith of the blushing bride who received this casket as a marriage gift?

As a matter of fact, the woman in the Dura painting is naked because she is in the water. We cannot expect her to wear a bathing suit. If the water does not cover her *pudendum*, it is because Moses' basket was left "at the river's brink (*Exod. 2,3*)."<sup>12</sup> When an observer isolates a phenomenon and studies its photographs, he almost necessarily pays attention to some detail which is of importance for his purpose. But if one looks at the original murals in the Museum of Damascus, where the Egyptian princess appears as one of numerous figures on the wall, the detail is not striking, though I can imagine that during some sermon a worshipper may have turned his gaze to this painting.

The Jews attracted by pagan symbols and ideas were, probably, as numerous in 244 as they had been in the Jerusalem of Jeremiah. But they did not need "to include the values of the borrowed symbols" in their Jewish faith (IX, 16). They would simply go to the temple of Mithra or of Zeus in the next block. A Roman, who was attracted by the religion of Isis or as a "God-fearer" celebrated the Sabbath,

<sup>9</sup> P.V.C. Baur, *Dura-Europus Preliminary Report 5*, 1934, 274; cf. *ib.* 281. Cf. A. Grabar, *CA* 8, 1956, 9.

<sup>10</sup> A. Rumpf, *Stilphasen der spätantiken Kunst*, 1955, 14; H. Leclercq, *La vie chrétienne primitive*, 1923, pl. 27. Cf. J. Natanson, *Early Christian Ivories*, 1953, pl. 37.

<sup>11</sup> Cf. M. Narkiss, *JWT* 21, 1958, 288.

<sup>12</sup> Cf. on the other hand the images of the river Euphrates and the source of Palmyra; F. Cumont, *Fouilles de Doura-Europus*, 1926, 98.

did not try to remodel the Temple of Juppiter to include Egyptian or Jewish values in his ancestral worship.

Ancient religions demanded orthopraxis and not orthodoxy. For R. Meir, not a doctrinal disagreement separated the pious associations (*haberim*) from the vulgus (*am ha'aretz*), but the latter were those who eat common food even if it happens to receive impurity.<sup>13</sup> Later (ca. 700) the Rabbinites allowed intermarriage with Isawites, who recognized Jesus and Mohammed as prophets. The same rabbis, however, abominated the very orthodox Karaites because the latter observed holidays in disagreement with the rabbinic calendar.<sup>14</sup> The apocalyptic writers, the gnostics, and the kabbalists, etc., could indulge in all kinds of mental acrobatics as long as their religious practices were correct. In this respect the "Rabbinic gnosis" conformed to halachic Judaism.<sup>15</sup> Church fathers, schoolmen and casuists could discuss the virginity of Mary without end, though their curiosity dealt with things *quae etiam in femina nox operit*.<sup>16</sup> The Jesuit Thomas Sanchez, the same whom Pascal pilloried in his Provincial Letters, asserted that at the miraculous conception the Virgin discharged *semen femineum*. He provoked the feigned indignation of Voltaire, but the Holy Inquisition remained unperturbed, and his book, printed in 1614, was reprinted as late as 1754.<sup>17</sup> Yet the same Inquisition could put a "New Christian" on the stake for changing his shirt at the Sabbath's eve. Victories or female heads in the synagogue did not need to bewilder the worshippers as long as the "Amidah" was said at the right time and in correct wording and fashion.

A third anachronistic premise of Goodenough's is that the symbols are enduring entities with the same values though with ever new rational explanations. But the male sphinx, image of the Pharaoh, had

<sup>13</sup> *T. A* 3,9.

<sup>14</sup> S. Baron, *History of the Jews*, V, 1957, 190. Cf. Z. Ankori, *Karaites in Byzantium*, 1959, 292–353.

<sup>15</sup> G. Scholem, *Jewish Gnosticism*, 1960, 10.

<sup>16</sup> Tac., *Ann.* 15, 37. Chrysostomus (*PG*, 57, 43) already warns his audience not to be too curious about that which is to be passed over in silence. F. Suarez (1548–1612) quotes Thomas Aquinas in his discussion of the *quaestiones* of the Angelic Doctor: *Opera*, ed. 1860, XIX, 168ff. q. 32.a.4, d.10.s.1. The learned schoolmen discussed the cooperation of the Holy Virgin with the Holy Ghost at the miraculous conception. The savior was conceived *sine... voluptate* and *absque ulla commotione membrorum* of the Virgin.

<sup>17</sup> Th. Sanchez, *de sancti matrimonii sacramento* 1614, Lib. II, diss. 21, quaestio 11: *adfuisse semen in Virgine... ut ministret conceptioni Christi materiam*. According to L. Koch, *Jesuiten Lexicon*, 1934, 158, the last reprint of Sanchez's work is of 1754. I used the Lyon edition of 1739.

not the same value as the winged female sphinx of Oedipus. Again, the sphinx as the signet of Augustus was not that of Oedipus, nor of the philosophers who understood the monster as the personification of ignorance.<sup>18</sup> Aphrodite, the wanton, could also be the patron saint of civic union.<sup>19</sup> Nudity is a natural symbol of lust. Yet, in medieval moralism and Renaissance art a nude woman could symbolize lofty femininity.<sup>20</sup> I do not doubt that psychoanalysts can adroitly bring these contradistinct or contradictory meanings to a common denominator. But for a historian it is essential whether a snake means excesses of pleasure, as for Philo (X, 155), or sickness, as in a Greek dream book, or the sun, as for Macrobius,<sup>21</sup> or is a manifestation of God, as it was in Dura according to Goodenough (X, 154). Yet, the indefiniteness of the psychoanalytical "value" of a symbol allows the interpreter to catch anything into the net of his theory. The shell for Goodenough is a metaphor of the vulva, and thus stands for the new life (IX, 211), fertility (IX, 218), and the female principle (IX, 162). The Torah shrine in Dura is decorated by the big painting of a shell. It was there, according to the author, "to mark the sanctity of the scrolls beneath it" (IX, 66). Does the Torah need such marking?<sup>22</sup> Some other interpreter in Goodenough's steps would be able to affirm, no less positively, that the shell in the synagogue indicates the female counterpart of the God of the Jews, represented by the holy scroll. A painting shows a man reading a scroll. He may be Moses. But why Moses as "the mystic hierophant reading the *hieros logos* he graciously brought to the Jews" (IX, 114)? The attitude of the reader holding a scroll would be the same whether he reads "the secret teaching of a mystery" or a cookbook. C.G. Jung, one of Goodenough's psychological mentors, stresses the fact that a symbol always covers a complicated situation. Bread and wine may mean agricultural products, or products requiring special processing, or be a symbol of psychological achievement, or a manifestation of

<sup>18</sup> Cf. A. Dessene, *Le Sphinx*, 1957; H.U. Instinsky, *Die Siegel des Kaisers Augustus*, 1962, 23–30; Dio Chrys. *Orat.* 10,31.

<sup>19</sup> J. and L. Robert, *REG* 72, 1959, 229.

<sup>20</sup> E. Panofsky, *Studies in Iconology* (Harper Torchbook reprint), 151.

<sup>21</sup> Artemid., *Oneir.* 2,13; Macrobius, *Sat.* 1,20,3. Hermes was conducting souls to the nether world, but he was also (as *Logos*) peace-maker. Cf. *Parola del Passato*, 1961, 15–18. Add: Aeneas Gaz. *Epist.* 7, p. 6, ed. L.M. Positano, 1950.

<sup>22</sup> Chrysostomus, *adv. Jud.* 1,5 and 6,6 (*PG* 48,851; 913), says that the Jews believe that the presence of the scrolls of the *Torah* makes the synagogue a holy place.

supernatural force.<sup>23</sup> For Goodenough bread must refer to the “bread of heaven” (IX, 53) and wine expresses the hope “that Jews would come to salvation through the Jewish God” (IX, 81). He does not seem to envisage the possibility of a nonmystical meaning of symbols. According to the author (X, 120), the painter represented the rod of Moses as the club of Herakles. Thus, Moses appeared to the Jews in Dura as a man who like Herakles “united deity with humanity from his birth but who had to regain divine status by his labors” (X, 123). Yet, in popular imagination Herakles was rather a symbol of a sage who governs his passions, and a protector of people in distress and the poor.<sup>24</sup>

In the scene of the anointing of David, six persons stand behind David. Three of them raise a hand. For Goodenough (IX, 188ff.) this is “initiation into a mystery religion,” a group of seven (though there are eight persons in the painting) and the three raised hands have mystical meaning. In fact, the six are spectators of a divine manifestation, and the raised hands, the number of which varies according to the fantasy or taste of the craftsman, are usual emblems of active witnesses of a miracle.<sup>25</sup> In deciphering the language of religious symbolism, Goodenough is always ready to read “3” as the Trinity (Cf. X, 158). We are reminded of the great Origen, who in Rahab the harlot discovered a symbol of the Church of the Gentiles, or of Macrobius, who insisted that the Giants punished by the Olympians were a figure of the atheists.<sup>26</sup> Yet, we may not verbalize “an expression of religion which its exponents have left to us only in symbols” (X, 209). Thus, it is impossible to prove or dismiss Goodenough’s reading of the symbols. We may try, however, to estimate the historical probability of the new interpretation.

The unexpressed premises of his interpretation of iconographical

<sup>23</sup> C.G. Jung, in *Pagan and Christian Mysteries*, ed. J. Campbell (Harper Torchbooks reprint), 128.

<sup>24</sup> Cf., e.g., Sen. *de const. sap.* 2,1; Servius, *ad Aen.* 6,395: *omnes cupiditates et cuncta vitia terrena contempsit et domuit*. On Herakles as champion of Justice cf. E.M. Staerman, *The Crisis of the Slaveholding System in Western Provinces of the Roman Empire*, 1957, 141 (in Russian). But the author commits a “Marxist” blunder by rendering *laborantibus* as “toilers” in Serv., *ad Aen.* 8,564: *Herculi enim mos fuit ut etiam non rogatus laborantibus subveniret*.

<sup>25</sup> A. Grabar, *Martyrium* 2, 1946, 133; S. Tsuji, *CA* 13, 1962, 24. On this acclamatory gesture cf. R. Brilliant, “Gesture and Rank in Roman Art,” *Memoirs of the Connecticut Academy* 14, 1963. On the symbolical value of spread fingers cf. M. Bulard, *La religion domestique dans la colonie italienne de Délos*, 1926, 38–40.

<sup>26</sup> Orig., *Sel. in Josh.* 1,3; Macrobi., *Sat.* 1,20,8.

data are as follows: re-use of a design involves ideological borrowing; the borrowed symbol is accepted in its full and original value; pagan symbols could not be used by the Jews without affecting their religion. These suppositions which he assumes as self-evident, in fact, disagree with historical experience.

### III

As Goodenough suggests, let us examine the paintings of the synagogue without preconceived ideas. What we see are scenes illustrating the marvellous deeds of God. In Syrian and, generally, Oriental sanctuaries, and thus in pagan temples of Dura, the decoration illustrated not the deeds of the Deity but the devotion of the worshippers who on the walls perpetually offered gifts and sacrifices to the gods, whose sculptured, carved, and painted images expressed the lofty indifference of the great kings.<sup>27</sup> The synagogue and Christian chapel as well, following the example of Greek temples, exhibit episodes of the sacred history which binds men and gods together: Zeus carrying off Europa, the ancestress of Greek heroes; the Exodus from Egypt; the healing of the paralytic, and so on. Any mystical interpretation, a transformation "made cosmical and mystic-metaphysical" (X, 207), would be out of place here. Temples were no conventicles; the official cult was civic. The south frieze of Hecate's temple at Lagina, or the ceiling of Dionysos' temple at Baalbek, show allied gods of friendly cities.<sup>28</sup> The sole obligatory prayer of the synagogue, the *Amidah*, spoken standing, still today continues the civic prayer of Hellenistic Jerusalem.<sup>29</sup>

The paintings of the synagogue contain pagan elements. But their acceptance does not necessarily mean a modification of the traditional faith. David is painted as Orpheus, the Egyptian princess as Anahita, her servants as nymphs, and so on. But the artists, painting religious or secular subjects, often imitated whatever model chance brought

<sup>27</sup> D. Schlumberger, *Syria* 35, 1958, 383. The mythological scenes are rare in Dura temples. Cf. M. Rostovtzeff, *Dura-Europus*, 1938, 68–75. In the cult of Mithra on the traditional relief showing the killing of the cosmic bull, other scenes of the god's life were sometimes added. Cf. F. Cumont, *Les religions orientales*, 1929, pl. 12.

<sup>28</sup> Lagina: L. Robert, *Études anatoliennes*, 1937, 554; Baalbek: H. Seyrig, *Antiq. Syriennes* 5, 1958, 115, n. 1.

<sup>29</sup> See above, 563–584.

to their knowledge and attention.<sup>30</sup> This simplified their task. The palaeo-Christian art freely borrowed from the pagan repertory. The earliest extant Madonna with Child (in the Priscilla catacomb in Rome) imitates Danae with Perseus. The altar on which Isaac was sacrificed was sometimes pictured as the altar of Isis. The sculptor of the Adoration of the Magi on a church pulpit from Salonica directly copied the figures of prisoners on the triumphal arch of Galerius.<sup>31</sup> The first illustrators of Genesis, who in all probability were Jews, used representations of Prometheus' myth as their model for the Creation of Man. Another illuminator, in the scene of the sacrifice of Isaac, imitated the story of Orestes and Telephus. A Byzantine artist, on the other hand, to paint the birth of Moses, had recourse to Christian images of the nativity of Mary and of John the Baptist.<sup>32</sup> Again, images of the Thracian cavalier god were carved after Greek models, and the central image of Mithra's mystery religion, the killing of the cosmic bull, was a copy of Victory sacrificing a bull in Greek art.<sup>33</sup> Medieval artists used the same composition for Samson and the Lion.<sup>34</sup> The Buddhist artists borrowed the Apollonian facial type when they began to represent the Gautama in human form. The English illuminator of a Psalter in the early thirteenth century had to represent David playing to Saul. The craftsman copied the Nativity in another manuscript. The suffering Saul assumes the posture of the Virgin, the servant behind him is painted after the midwife, and David replaces the figure of Joseph.<sup>35</sup> Thus, I am ready to believe that the craftsman at Dura, to paint the temple of Aaron, imitated the design of a pagan temple, but I cannot accept

<sup>30</sup> Cf. e.g. L. Foucher, *Navires et Barques*, 1957, 7, on the figure of ships on mosaics in Africa. J. Bayet, *Mélanges* (École Franç. de Rome, 74, 1962), 176ff.

<sup>31</sup> J. Fink, *Römische Quartalschrift* 54, 1962, 110. On the ambo of Salonica cf. G. de Jerphanion, *Atti (Memorie) della Pontifica Accademia Romana di Archeologia*, Ser. III, 3, 1932, 107. Altar of Isaac: A.M. Smith, *AJA* 26, 1922, 165; J. Speyart van Woerden, *Vigiliae Christianae* 15, 1961, 214–55. Miracles of Herakles and miracles of Christ: M. Simon, *Hercule et le christianisme*, 1955, 116. Cf. S. Tsuji, *CA* 13, 1962, 14–22: representations of the Ascension re-use the images of the imperial apotheosis. On Jewish models of Christian iconography cf. A. Grabar, *CA* 11, 1961, 41–71; 12, 1962, 115–52.

<sup>32</sup> K. Weitzmann, *Ancient Book Illumination*, 1959, 133; Id., *Roll and Codex*, 1947, 174; Id., *Münchener Jahrbuch der bildenden Künste* (3 series) 3–4, 1953, 118. Cf. A. Grabar, *L'iconoclasme byzantin*, 1957, 102.

<sup>33</sup> E. Will, *Le relief culturel gréco-romain*, 1955, 67, 79, 87, 89, 216 (Mithra).

<sup>34</sup> W. Oakshott, *Classical Inspiration in Medieval Art*, 1939, pl. 128.

<sup>35</sup> M. Schapiro, *JWI* 23, 1960, 180. The painting of the martyr death of S. Hippolytus imitated the end of mythical Hippolytus, dragged to death by frightened horses. Prudentius, *Peristeph.* 11, 125.



the inference that this compositional borrowing indicates that at Dura, “the Aaronic worship was a sort of mystery which led to the victory of eternal life” (X, 9).

As all students of the synagogue, including Goodenough (X, 20) have recognized, at Dura we see an inferior provincial representation of a great Jewish tradition of biblical art. The provincial craftsmen, who did such a job, did not invent the themes and their treatment. They used some copybook of designs and repeated the borrowed motifs with varying degrees of accuracy and comprehension. Sometimes, they also used more than one model. In the same scene figures may be borrowed from originals created centuries apart. Such is the case, for instance, in the frescoes of the Villa dei Misteri at Pompeii and on some African mosaics.<sup>36</sup> On a Praenestine cista, made around 100 B.C., some figures are copied from the traditional repertoire, while others betray the artist’s own style. The figure of Juppiter is classical; his chariot can be matched on Etruscan relief urns of the second century B.C.<sup>37</sup> The Dura synagogue exhibits contamination of Jewish (that is Greek) artistic tradition and of Parthian style. The murals of the synagogue offer the most important evidence as yet for Parthian art.<sup>38</sup> Some scenes show the influence of Jewish *Haggadah*.<sup>39</sup> For the episode of Elijah on Mount Carmel, the artist uses elements from Sabazius worship (X, 153), while the altar is constructed on the model of the Sassanian fire altar (X, 156). Yet, following his preconceived mystical scheme, Goodenough looks for and, quite naturally, finds a religious rationale for all these iconographic variations. He dedicates a whole chapter to “Symbolism of Dress” (IX, 124–174), though he must recognize that the painting in the synagogue “shows a perplexing mixture of eastern and western dress” (IX, 155). This mixture goes back partly to the real life. In Palmyra, and in Greco-Buddhist art as

<sup>36</sup> R. Herbig, *Neue Beobachtungen am Fries der Mystervilla in Pompeii*, 1958, 58; L. Foucher, *La maison de la procession dionysiaque à El Jem*, 1963, 96–100. P. Chamoux, *Hommages à Albert Grenier*, 1962, 393.

<sup>37</sup> L.B. Warren, *AJA* 68, 1964, 35–42. Cf. G. Nicolini, *Les bronzes figurés des sanctuaires ibériques*, 1969, 240: “les bronziers ibères ont glané ça et là des détails qu’ils ont fondus pour créer des oeuvres selon leur esthétique propre.”

<sup>38</sup> D. Schlumberger, *Syria* 37, 1960, 284.

<sup>39</sup> With the help of Christian iconography, Goodenough is able to explain the presence of Sarah at the sacrifice of Isaac (IX, 73) and the scene of the beheading as referring to the execution of Ezekiel (X, 185). H. Stern, *CA* 12, 1962, 106, thinks that this painting represents Mattathias killing the apostate Jew.

well, Greek dress appears alongside Oriental garb.<sup>40</sup> As a matter of fact, on the same day one can meet his Arab acquaintance in North Africa wearing now European and now traditional dress, according to his convenience. On the other hand, the mixture of dress styles in Dura may also result from the use of different models: Daniel is naked in the western art, but wears Oriental garb in the East. On a Coptic relief, he is represented as Iranian, whereas Habakkuk wears the robe of a Greek philosopher.<sup>41</sup>

#### IV

Defending the use of images in the churches, Pope Gregory I wrote: *quod legentibus scriptura, hoc idiotis praestat pictura cernentibus... pro lectione pictura est.*<sup>42</sup> But the meaning of an image is incomprehensible without explanation. In the Dura synagogue even Moses, Elijah and Esther were labelled, and two inscriptions indicated that the panel represents the Exodus.<sup>43</sup> As Philostratus says, without knowing the myth nobody can admire the famous painting of Timochares showing Ajax in his madness.<sup>44</sup> We may imagine that a Jew at Dura would have recognized Poseidon from his trident and Dionysius from his (Asiatic) dress.<sup>45</sup> It is more difficult to believe that a Jew would have identified the three girl servants in the scene of the finding of Moses, as "the three nymphs of western paganism" (IX, 202). Enumerating all kinds of myths (nursing of divine babies, etc.) related to these nymphs, Goodenough tells us that the artist of Dura, "seems to be telling us clearly that what Greeks hoped from divine kings or the mystic savior Dionysos... God made available to men, pre-eminently to Jews, in the person of Moses" (IX, 277). As a matter of fact, consciously or not, we assimilate

<sup>40</sup> H. Seyrig, *JRS* 40, 1950, 3; D. Schlumberger, *Proceedings of the British Academy*, 47, 1961, 92.

<sup>41</sup> O. Wulff, *Altchristliche Bildwerke*, I, 1909, 311, f. 1638. K. Wessel, *Staatliche Museen zu Berlin: Rom-Byzanz-Russland*, 1957, 73.

<sup>42</sup> Gregorius, *Epist.* XI, 10.

<sup>43</sup> Cf., e.g., the labels in Greek ("Noah," "arch," etc.) explaining the frescoes at El Bagawat (Egypt). Cf. J. Schwartz, *CA* 13, 1962, 1-11. Cf. also the explanatory inscription "David and Goliath" in the Dura church.

<sup>44</sup> Philostr., *V. Apoll.* 2,22. Cf. Plin. *n.h.* 35,28. Varro ap. Aug., *Civ. Dei* 7,5; they who know the secret doctrine can recognize the truly (cosmic) meaning of *simulacra deorum et insignia ornatusque*.

<sup>45</sup> Clem. Alex., *Coh.* 4,57,2.

isolated fragments of an idea, pieces which fit into the framework of our wishes and expectations. In the ancient church, the metaphor of Christ's soldiers and host was very popular. Yet, Clement of Alexandria forbids weapons on seals, since the Christians are pacific.<sup>46</sup> Let us suppose that some members of the Dura congregation did recognize Orpheus in the image of David and that they were learned enough in Greek letters to know something about the Greek singer. But how are we to believe that they allegorized the Psalter "to express the values of the Orphic hymns" (X, 201)? Which values and which hymns? What was "Orphic" in the third century? As the lamented Nock, in refuting a hasty conjecture of mine, has shown, there were no longer Orphic communities in the Roman Empire.<sup>47</sup> Had they existed, their Orphism would not mean some vague mystic ideas, but abstinence from meat and beans and other practices. As a matter of fact, when Hellenistic Jews speak of Orpheus (cf. IX, 89–104) they do not borrow Orphic theology, but judaize the Greek singer and find in his poetry allusions to Jewish monotheism and its heroes. Orpheus also appears on the wall of Roman catacombs. Did the Christians allegorize the Christian message in an Orphic sense? As Eusebius tells us, and as Christian monuments confirm, Orpheus to the Christians represented the power of *Logos* to tame human savagery.<sup>48</sup> Christian artists borrowed the image of the Roman *Pietas* for the Orant.<sup>49</sup> Did they understand their prayers in the meaning of Roman pontifical law? As we have seen, many of the Dura paintings go back to a repertory of designs. For instance, variants of the finding of Moses, of the crossing of the Red Sea, of the blessing of Joseph's sons have been discovered in the Christian catacomb in the Via Latina of Rome,<sup>50</sup> David-Orpheus is surely one of these traditional images. How could the Jews of Dura, who found this "David" in a copy-book, evaluate the figure of the ancient king in terms of Orphic mysticism? There was a group in Paneas in Palestine which represented some pagan miracle worker. In the beginning of the fourth century, Christians interpreted it as the scene of the healing of the woman suffering from

<sup>46</sup> A. v. Harnack, *Mission und Ausbreitung des Christentums*, 4th ed., 1924, 429; Clem. Alex., *Paedag* 3,11.

<sup>47</sup> A.D. Nock, *HTR* 33, 1940, 302–16.

<sup>48</sup> Eus., *Pan. Const.* 14. Cf. A. Grabar, *CA* 12, 1962, 119.

<sup>49</sup> Th. Klausner, *JCh* 2, 1959, 115.

<sup>50</sup> A. Ferrua, *Le Pitture della Nuova Catacomba di Via Latina*, 1960.

an issue of blood. They no longer knew anything about the pagan value of the group.<sup>51</sup>

## V

We are surprised to find Orpheus in the imagery of the church or of the synagogue. But our embarrassment is anachronistic. Excusing the cherubim and seraphim in Jewish worship, Tertullian stated that they were *simplex ornamentum... longe diversas habendo causas ab idolatriae condicione, ob quam similitudo prohibetur... non in eo similitudinis statu deprehensa, ob quem similitudo prohibetur*. This contradistinction between idol and image was essential for Christian and Jewish art.<sup>52</sup> Forbidden was an image or a symbol which was sanctified and worshipped. Images were forbidden, according to the Rabbis of the third century, only if the sacrifice of incense had been offered to them at the dedication. "The thing which is treated as a god is forbidden but that which is not treated as a god is permitted."<sup>53</sup> A Madonna in a museum is no longer a sacred object.<sup>54</sup> Aphrodite in the Temple of Cnidus, but not Aphrodite in a bath, was an idol.<sup>55</sup> In the third century, only some exceptionally saintly rabbis refused to look upon images. Out of respect for one of them, R. Nahum (Menachem) b. Simai, the Jews at his funeral covered the images in his Palestinian city.<sup>56</sup> In the *Passio Quatuor Coronatorum* Christian craftsmen, with the help of Christ, carve a statue of Helios in his chariot, and also such symbols as shells, Victories, Cupids, deer and lions, but suffer martyrs' deaths for refusing to make an idol of Asclepius and

<sup>51</sup> Eus., *h.e.* 7,18. Cf. the Jewish *menorah* in medieval churches. Cf. R. Bloch in the volume *Das erste Jahrtausend*, ed. V.H. Elbern, 1962.

<sup>52</sup> Tertull., *adu. Marc.* 2,22. For the Christian attitude cf. G.B. de Rossi, *La Roma sotterranea* 3, 1877, 588, who besides Tertullian and the story of the Coronati quotes Hippolytus, *Canon* 16, who from a converted sculptor and painter demands only that he give up the making of idols. Cf. Harnack, *op. cit.*, 318, n. 2. On rabbinical views cf. E.E. Urbach, *IEJ* 9, 1959, 151-74.

<sup>53</sup> M. *AZ* 3,4:4,4. Cf. *AZ* 51b (views of R. Akiba and R. Ishmael; *P. AZ* 3,1).

<sup>54</sup> Buddhists offer prayer and incense before the statues of the Buddha in the museum of Saigon. J. Lassus, *Les dieux de Rome au musée Stephane Gsell*, 1960, 5.

<sup>55</sup> M. *AZ* 3,4. Christians likewise asked whether they may use the bathhouse where sacrifices were offered to idols, or on days of pagan festivals. Aug., *Epp.* 46 and 47. Aphrodite in a bath was not a decorative figure, but served to avert the evil eye from naked (and thus defenseless) bathers. L. Foucher, *Bulletin archéologique du Comité des travaux historiques et scientifiques* 1954, 1957, 164.

<sup>56</sup> *P. AZ* 3,1. Cf. *AZ* 50a.

to worship the same statue of Helios dedicated in a pagan temple.<sup>57</sup> Clement of Alexandria attacks pagan art not because of its religious content but for its licentiousness.<sup>58</sup>

The attitude of Jews and Christians conformed to the views of the pagans themselves. When a hero of Achilles Tatius sees paintings of Herakles and Andromeda in a temple, the pictures are for him works of art and not of mystical revelation, though Andromeda is adorned as the bride of Hades. In the house of a courtesan, the painting of Danae encouraged a young man in his love plans. The images of naked women which people Roman mosaics from Britain to Tunisia carried no religious message but were frankly erotic, whether the nude be represented as Aphrodite, Amphytris, or the Vergilian Dido. Clement of Alexandria and Achilles Tatius make it clear that lascivious paintings in bed-rooms served as a kind of aphrodisiac.<sup>59</sup>

As to the panels in the synagogue of Dura, the images of pagan divinities appear here in the representation of pagan participants of the sacred history, such as the Egyptian princess and her servants, and the Philistine idols. In the scene labelled by an Aramaic inscription: "Moses when he went out from Egypt and cleft the sea," a male figure is painted above the gate of Egypt. It is difficult to understand how a Jew could recognize Ares in this Egyptian figure. How could he know that, according to some allegorizers, Ares "brings peace to the soul" (X, 109), and why must he have concluded that this image of Egypt spells out the mystical value of Judaism, namely the victory in the struggle between man's material and spiritual nature (X, 108)?

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<sup>57</sup> *In nomine domini nostri Christi sculpebant... Fecerunt concas, victorias, cupidines, ... et gentium multarum similitudinem.* This text should now be read in the edition and with the commentary of H. Delehaye, *Acta Sanctorum*, Nov. 3, 1910, 765. On its composition and date cf. H. Delehaye, *Les passions des martyrs*, 1921, 328–44; Id., *Études sur le légendrier romain*, 1936, 64. Goodenough refers to the tale (IX, 22) but mistranslates it (the Christian craftsmen did not "cross themselves" as they worked, but invoked Christ's name to do a better job) and misunderstands a term. The text speaks of five *philosophi* who directed the work in mines. Goodenough makes them masters "of symbols and ceremonies," who "understood meanings beyond the range of the ordinary craftsmen." Accordingly, he imagines "such a creative religious thinker" as a designer of the decorations of the Dura synagogue. In fact, "philosopher" in the text means "engineer," J.B. de Rossi, *Bollettino di archeologia cristiana* (ser. 3) 4, 1877, 57. Cf. R. McMullen, *Harv. St. Class. Phil.* 64, 1959, 127.

<sup>58</sup> Cl. Alex., *Cohort.* 4,60,1 τὴν ἀκολασίαν εὐσέβειαν νομίζοντες.

<sup>59</sup> Achill., *Tat.* 3,7; 1,1; Terent., *Eunuch.* 580. "Dido's mosaic": *JRS* 36, 1946, pl. 11; pictures in bed-chambers: Clem. Alex., *Coh.* 4,60,2; Achill. *Tat.* 4,8.

As to such elements as Victories, they were neutral. Christian artists, as we have mentioned carved these symbols and invoked Christ's name for help in their work. R. Hiyya, son of R. Abba, had a pitcher with the engraved image of "the Tyche of the Romans."<sup>60</sup> For Goodenough a dove is a pagan mystical sign. Clement of Alexandria suggests that this image is innocuous, together with an anchor, ship, etc., for the seal of a Christian.<sup>61</sup> The scene of hunting is charged with mystical meaning for Goodenough (IX, 40). Nilus (ca. 400) advises his friend to decorate a church with biblical scenes, and not with hunting scenes. The latter are "childish" and would "make the eye of the worshipper roam about."<sup>62</sup> A synagogue mural could show Victories holding wreaths at the corners of the Tabernacle without "the pagan symbols along in biblical scenes giving a clue" as to how the Jews interpreted Scripture (IX, 16).

It does not mean, of course, that such motifs could not have a religious meaning. The value of a word or of a symbol depends on the context. The pomegranate in the hand of an athlete simply meant that he was a priest of Hera. The same fruit in the hand of Zeus of Mount Casius has "a mystical reason." On a painting in a temple of Sidon, Zeus, in the form of a bull, carried off Europa. To a lover beholding this mythological subject, the picture illustrated the power of love. The same scene painted in a grave symbolized the hope for eternal life among the blessed.<sup>63</sup>

The decoration of the Dura synagogue was designed purposely. The panels illustrated the power of the Diety worshipped in this room. The ceiling with its female faces, animals, zodiacal signs, wreaths and fruits, and the framework of the murals served "to please the eye," as the paintings spoken of by Nilus.<sup>64</sup> But these ornaments also had two specific functions. The age was that of superstitious fear of evil envy. All kinds of symbols from masks to felines and wreaths were used to

<sup>60</sup> R. Hiyya: S. Lieberman, *Greek in Jewish Palestine*, 1942, 171.

<sup>61</sup> Clem. Alex., *Paedag.* 3,11,59; Cf. id., *Coh.* 4,60,2; L. Eizenhoefer, *JACH* 3, 1960, 51-70.

<sup>62</sup> Nilus, *Ep.* 4,61 (*PG*, LXXIX, 519).

<sup>63</sup> Philostr., *V Apoll.* 4,28; Achill. Tat. 3,6,1: τῆς δὲ ροιᾶς ὁ λόγος μυστικός. Zeus and Europa; Ach., Tat. 1,1; S. Reinach, *Répertoire de peintures grecques et romaines*, 1922, 12, no. 3.

<sup>64</sup> Nilus, *Ep.* 4,61 (*PG*, LXXIX, 577): πρὸς ἡδονὴν ὀφθαλμῶν. On decorative use of vegetative ornament peopled with mythological and genre scenes cf. J.M.C. Toynebe, *Papers of the British School at Rome* 18, 1950, 1-25.

ward off the evil eye. The Jews were no less superstitious than their neighbors.<sup>65</sup>

But if the worshipper took the trouble to regard the decorations attentively, he discovered emblems, such as the vine scrolls, which in a sacred context, at least, expressed the common religious hope of the age: the hope for individual salvation. For a worshipper of Dionysos, these symbols spoke of the Bacchic mystery. Resurrection was a part of the Jewish credo, and a Jewess did not need a mystical hocus-pocus to obtain eternal life. She was *rursum victura, reditura ad lumina rursum* in the "promised aeon" because of her "true faith, modesty, merit in marriage," and also *amor generis... observantia legis*.<sup>66</sup> But on Jewish sarcophagi and in the synagogue the common symbols reminded the faithful of the promise of his faith. For many, these symbols held magical power. The sepulchral art established the symbols and gestures which could further the survival in the nether world.<sup>67</sup> As every magic, this art was international and interconfessional. Both the Jews and the Christians were part of the ancient civilization. Herakles or Leda were for them no less real than Samson or Peter. In the third century, this civilization was syncretist. The city of Apamea in Phrygia believed in the biblical deluge, preserved the remains of Noah's ark, and on her coins reproduced a painting showing Noah.<sup>68</sup> On the other hand, a neophyte, entering the synagogue of Dura, was not bewildered. He saw murals depicting the miracles of the God of the Jews which were somewhat similar to the paintings narrating the deeds of Dionysos in a Greek temple.<sup>69</sup> The magic emblems of eternal life were the same he already knew. As Clement of Alexandria says of his Exhortation to the pagans, the Synagogue spoke to the Gentiles in their imagery.<sup>70</sup>

<sup>65</sup> Cf. G.Ch. Picard, *Religions de l'Afrique antique*, 1954, 237-43; L. Foucher, *Hadrumetum*, 1964, 301-05. Cf., e.g., a mosaic from Cephallenia (beg. 3rd cent.): a man, labeled "Envy" (*phthonos*) is attacked by four beasts. This "offer(s) example of hellish destruction of the envious men," as the inscription says. G. Daux, *BCH* 87, 1963, 637.

<sup>66</sup> Regina inscription: H.J. Leon, *The Jews of Ancient Rome*, 1960, 334, no. 476.

<sup>67</sup> Cf. Grabar (n. 25), 18.

<sup>68</sup> A. Grabar, *CA* 5, 1951, 9.

<sup>69</sup> Longus 4,1. In the palace of the Ethiopian king, paintings glorify the dynasty (Heliodoros 4,8). The bronze reliefs of the war between Alexander and Porus are seen at Taxila (Philostr., *V. Apoll.* 2,20).

<sup>70</sup> Clem., *Coh.* 12,119; δείξω σοι τὸν λόγον καὶ τοῦ λόγου τὰ μυστήρια κατὰ σὴν διηγούμενος εἰκόνα.

## VI

After the publication of the preliminary report of the excavation of Dura, I stated that the synagogue exemplifies the religious rivalry of the third century.<sup>71</sup> In the age of sharp competition for men's souls (and money), when in a dedication honoring Zeus Sarapis, who was also the invincible, Helios and world-master, the name of the Iranian Mithra could be substituted for that of the Egyptian god,<sup>72</sup> the Synagogue and the Church, striving also against each other,<sup>73</sup> needed the means of art to acquire new worshippers and to secure the fidelity of the flock. When a rustic temple of Dionysos pictured the majestic and saving deeds of this god (Dionysos and Ariadne, Dionysos and Lyncurgus, etc.),<sup>74</sup> Jews and Christians had to show that their prototypes of salvation were no less attractive and no less powerful. As Eusebius says, the former Gentiles, following "the gentile custom" wanted to have the images of Christ and his apostles.<sup>75</sup> It was a prospective and magical art of religious advertising for health, happiness and eternal life. The same scene of the sacrifice of Isaac which guaranteed the fulfillment of God's promises in future life could on an amulet mean: *in Deo vivas*.<sup>76</sup> Four centuries later, a new religion in a similar manner, and for the same reason, imitated and paralleled Christian symbols. Coins showing Mohammed's lance answered Byzantine coins exhibiting the Cross. According to Arab tradition, the great mosque of Damascus and the Dome of the Rock in Jerusalem were built so that the Moslems should no longer be dazzled by the splendor of Christian worship.<sup>77</sup>

The pagan cults employed the same means. Egyptian, Anatolian, and Syrian gods were put into Macedonian, and, later, Roman uniforms. Christ appeared as Emperor in Byzantine art. A celestial being was flattered and his worshippers upgraded by this display of power. *Maiore formidine et callidior timiditate Caesarem observatis quam ipsum de Olympo Iovem*.<sup>78</sup> At Dura, as early as 54, the god Aphlad was wearing the

<sup>71</sup> *Syria* 18, 1937, 220.

<sup>72</sup> F. Cumont, *Religions orientales*, 4th ed., 1929, 79.

<sup>73</sup> M. Simon, *Recherches d'histoire judéo-chrétienne*, 1962, 190.

<sup>74</sup> Longus 4,1.

<sup>75</sup> Euseb., *h.e.* 7,18.

<sup>76</sup> Grabar (n. 25), 12.

<sup>77</sup> A. Grabar (n. 32), 62, 70; K.A.C. Creswell, *Early Muslim Architecture* 1958, 18.

<sup>78</sup> Tertull., *Apol.* 28; M. Rostovtzeff, *YCS* 5, 1935, 208-10; A. Grabar, *L'empereur dans l'art byzantin*, 1935, 237; E. Kantorowicz, *Proceed. Amer. Philosoph. Soc.* 105, 1961, 308.



cuirass of the Parthian king.<sup>79</sup> For the same reason, in the synagogue, the enthroned man over the tree of life and also Mordecai wear the dress of Iranian rulers.

In the third century, Rabbinic prophylaxis made pagan infection unlikely and this kind of religious propaganda innocuous for the Jews. In the second century, in synagogues of Galilee, Jewish symbols were already placed above the columns in imitation of the religious decoration of Baal's temples.<sup>80</sup> The Rabbis could without scruple identify the images of Isis as that of Eve and say that Sarapis was Joseph. They did not fight the superstition when it was possible to subordinate it to the religion of the fathers. They did not indulge in polemics against idolatry. They were concerned "with the practical rites of idolatry, in so far as they might affect the behavior of the Jews."<sup>81</sup> For this reason they made a list of forbidden images on signets, but did not make rules for synagogue decoration.<sup>82</sup> There was no danger that anybody might worship the image of David-Orpheus or of a bull on the walls of the synagogue, just as nobody ever adored the heraldic lions (of Judah) which may decorate the Torah shrine in the most orthodox congregation. In a synagogue of Istanbul, I saw old scrolls of the Torah crowned by the Mohammedan crescent. This was not a sign of some mystical attraction for Islam, as a reader of Goodenough would be led to conclude, but an expression of loyalty to the Ottoman Empire.

The art of the synagogue parallels that of the Church. In both faiths, as we have mentioned, the official doctrine frowned upon or, at least, ignored the religious art.<sup>83</sup> Both monotheistic religions freely re-used pagan art models and religious symbols. As Goodenough says elsewhere (*JBL* 81, 1962, 133), at the time of the catacombs "Christianity had not yet, for all its theological development, created an art vocabulary of its own for salvation." This is a sound and traditional explanation. It is probable that the absence of the Crucifixion on Christian monuments before the middle of the sixth century, though a pagan design caricatured the scene as early as the second century, is to be explained by the lack of a dignified pagan or Jewish model for this image.<sup>84</sup>

<sup>79</sup> M. Rostovtzeff, *YCS* 5, 1935, 209.

<sup>80</sup> A. Grabar, *CA* 11, 1960, 48.

<sup>81</sup> S. Lieberman, *Hellenism in Jewish Palestine*, 1950, 136, 110. Id., *Greek in Jewish Palestine*, 1942, 103.

<sup>82</sup> *T. AZ* 5,2.

<sup>83</sup> Cf. Grabar (n. 32), 78.

<sup>84</sup> Grabar (n. 25), 134, 256. Caricature: Leclercq (n. 10), pl. 49.

Had Goodenough applied the same insight to Jewish art, this critical review would be superfluous. But dealing with Jewish art, Goodenough mixes up art vocabulary and theology. Herakles in Christian art exemplifies “hopes of salvation in Christ” (*loc. cit.*), but Herakles’ club in Moses’ hand means that the founder of Judaism was regarded at Dura as Jewish Herakles (X, 121). Stressing that the structural form of the Dura synagogue was copied from the pagan temple architecture, Goodenough says that it is inconceivable that all imitation of pagan worship stopped at this point (X, 198).<sup>85</sup> He interprets a painting in the Christian catacomb in the Via Latina as showing the divine snake impregnating a woman (*loc. cit.*, 127), but he does not conclude that this snake represented the Christian deity. However, a snake killing an infidel on a mural of the synagogue was for the Jews “God, or a manifestation of him” (X, 154). In Judaism “new interpretations of the Bible . . . must have gone with the borrowed symbols of paganism,” and the Jews, in adopting the pagan symbols, appropriated much of the religiosity of their neighbors, “to include the values of the borrowed symbols” (IX, 16). Speaking of catacomb art, Goodenough rightly says (*loc. cit.*, 141) that it shows us a “faith more simple and more direct than the faith of the more involved theologians of the time.” But dealing with the synagogue of Dura, he reads into this popular art a system of mystic theology which would have pleased a kabbalistic mind.

The existence of a great body of Christian literature limits the imagination of the interpreter of Christian art. Having, to his satisfaction, though in disagreement with history, eliminated Talmudic evidence, and having disregarded the testimony of Jewish inscriptions of the diaspora, Goodenough can easily let fancy run away with regard to Jewish art. For him religion is a psychological experience. Thus, the intricacies of symbolism and the hairsplitting of theologians agree with him. But Judaism, as all ancient faiths, as everyday Roman

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<sup>85</sup> It is true that the plan of a temple is religiously fixed and, as Tacitus says (*Hist.* 4,53), the gods do not allow to change it. The screen (iconostasis) which separates the sanctuary proper from the nave is essential for the Greek Orthodox service and church. But changes which do not disturb liturgy are permissible. There are famous churches in the Kremlin in Moscow built around 1500 by Italian, that is, Roman Catholic, masters, or by Russian craftsmen who imitated the Italian style and, for instance, used Italian motifs to decorate the porches and windows of the Cathedral of Annunciation (1490). The cathedral of St. Michael, built in 1503–09, shows shells (a symbol of particular importance in Goodenough’s system) in the arches above the entablature. Yet, at the same time, Moscow absolutely opposed the church of Rome.

Catholicism and Greek Orthodoxy, were religions of doing, and, thus, of casuistry and not of logomachy. Here the question was not of the value of a symbol, but whether an egg laid on a festival is permitted, or whether an air traveller is forbidden to eat meat on Friday. All this is alien to Goodenough, and like Clement of Alexandria, he opposes "philosophy" – which he finds in the art of the Dura synagogue – to the "Law" of the Jews.<sup>86</sup>

## VII

Yet, in reading Goodenough's volumes, one feels that despite all censure of the pedestrian critics the author is essentially right in his poetical vision of symbolism. With him, we are beyond the dry-as-dust archaeology. Every monument explained by Goodenough opens a window into man's psyche. The most matter-of-fact historian cannot deny that, for instance, the conception of the Mother Earth in funerary texts and monuments agrees with the psychoanalytical approach of Goodenough. When graves were surrounded by luxuriant gardens, and the dead were asking that flowers spring from their bones,<sup>87</sup> we are in the presence of the female saving and life-giving principle which is cardinal in Goodenough's system of interpretation. When Jews and Christians re-use pagan models for their own myths, is the choice purely compositional or does it also reflect psychological affinity of symbols? No biblical episode appears more often on the walls of the Roman catacombs than the story of Jonah.<sup>88</sup> He is represented naked under the gourd. The artist who created the scene telescoped two episodes: Jonah in Nineveh and Jonah spewed by the sea monster.<sup>89</sup> Jonah resting after his deliverance is represented after the model of sleeping Endymion, who, loved by Diana, enjoyed the eternal bliss of the other world.<sup>90</sup> Both Endymion and Jonah express the same idea of happy sleep after death which is wished for so often in funerary inscriptions: *shalom, in pace*.

<sup>86</sup> Clem. Alex., *Strom.* 1,5,28.

<sup>87</sup> I.A. Richmond, *Archaeology and After-life in Pagan and Christian Imagery*, 1950, 25–27.

<sup>88</sup> Th. Klauser, *JCh* 4, 1961, 135.

<sup>89</sup> Cf. L. Ginzberg, *The Legends of the Jews*, vol. IV, 1955, 252.

<sup>90</sup> C.O. Nordström, *Byzantion* 25–27, 1957, 501–8; E. Stommel, *JCh* 1, 1958, 112–14. J. Bayet (see note 30), 176, 188.

As we have mentioned, the earliest image of the Virgin with the divine child compositionally follows the image of Danae and Perseus. On the other hand, on a palaeo-Christian monument, the Zeus who as a golden shower impregnates Danae has a halo and looks like God the Father.<sup>91</sup> Adversaries of the new revelation compared the story of the Virgin Mary and the myths of Danae, Melanippe, Auge, and Antiope. Justin answered that in the episode of Danae, the Devil anticipated the fulfillment of the promise in Isaiah (7,14): "A virgin shall conceive and bear a son," the promise which is illustrated in the above-mentioned Madonna of the Calixtus Catacomb.<sup>92</sup> In late medieval Mariology, Danae is a prototype of Maria.<sup>93</sup>

Leda with the swan surprises us on a Jewish sarcophagus. But for the gnostic Justinus, a contemporary of the burials at Beth She'arim, the myths of Leda and of Danae alluded to the primeval union between *Elohim* and Eden-Israel.<sup>94</sup> The Leda episode often appears on Coptic monuments. In the age of the stern Pachomius and the dour Schenoudi, Coptic artists represented the union of Leda and the swan with realism that leaves nothing to imagination. The monks tempted by evil spirits must have been tormented by such visions. It is fitting that the most famous naked Aphrodite, the idol of Cnidus, was kept in the house of the most pious eunuch Lausus, *praepositus sacri cubiculi* of the most Christian Emperor Theodosius II (408–450). It was to Lausus that the most edifying collection of stories about the hermits of Egypt, the *Historia Lausiaca*, was dedicated.<sup>95</sup>

Celsus compared Jesus and Dionysos. Late medieval art represented Jesus as a wine-giver in the vine-press, God the Father turning the screw.<sup>96</sup> Samson's deeds neighbor Herakles' exploits in the catacomb of the Via Latina. We remember Augustinus: *Samson qui cum mirabiliter fortis esset, putatus est Hercules*.<sup>97</sup>

<sup>91</sup> O. Wulff, *Die altchristlichen und mittelalterlichen Bildwerke*, III, 1923, 4, fig. J6672.

<sup>92</sup> Orig., *c. Cels.* 1,37; Justin., *Dial.* 67; 70,5. Cf. *I Apol.* 54,8.

<sup>93</sup> L. Ettlinger, *Reallexikon zur deutschen Kunstgeschichte*, III, 1954, 1030; F. Zoepfle, *ib.*, 1210, quotes *Defensorium inviolatae virginitatis beatae Mariae* by Franciscus of Retz, a German Dominican (died 1427).

<sup>94</sup> Justinus, *ap. Hippol., Refut. haeres.* 5,26,34. On Leda in Coptic art cf. O. Wulff, *Altchristliche Bildwerke*, I, 1909, 30, no. 64; f. 64; K. Wessel, *Koptische Kunst*, 1963, 44.

<sup>95</sup> On Aphrodite of Lausus see Cedrenus, 332b. Ch. Blinkenberg, *Knidia*, 1923, 33, disbelieves the story.

<sup>96</sup> Orig., *c. Cels.* 8,41. F. Saxl, *JWI* 2, 1939, 349.

<sup>97</sup> Aug., *Civ. Dei* 18,19.

Inspired by Dante, Michelangelo represented the crucified Haman on the ceiling of the Sistine chapel: *un crocifisso dispettoso e fiero*. In medieval symbolism, Mordecai indicated Christ, and Haman prefigured the Devil. Thus, his death on the cross was “the most beautiful image of the future triumph” of the Redeemer.<sup>98</sup> I open Goodenough’s interpretation of Mordecai’s mural at Dura: “Mordecai, by divine intervention, rides in triumph as the divine-royal Cavalier” (X, 202).

Augustinus resented the suggestion of a priest of Attis that “the god wearing the felt cap” was also a Christian. But asserting the antiquity of his own religion, Augustinus wrote: *Res ipsa, quae nunc Christiana religio nuncupatur, erat et apud antiquos, nec defuit ab initio generis humani, quousque ipse Christus veniret in carne. Unde vera religio, quae iam erat, coepit appellari Christiana.*<sup>99</sup> Goodenough’s work shows that Augustinus’ words express more than what the church father wanted to say. The perennity of symbols, which survive their various and passing explanations, is conditioned by the perennity of man’s condition, who, as the Greeks knew, is tormented by the two grimmest tyrants: Hope and Fear.<sup>100</sup>

## VIII

To summarize this paper, I would like to retell a medieval story which I have read, I believe, in Cervantes. Two knights rode the same path but in opposite directions. They met face to face before a shield hanging from the tree. One knight exclaimed that the shield was silvery. The other answered it was golden. They started to fight, and killed each other without realizing that the shield was gold on one side and silver on the other.

<sup>98</sup> Dante, *Purg.* 17,26. Rupertus of Deutz, *de victoria verbi* 8,3 and 8,24 (*PL*, 169, 1381; 1595). So far as I could ascertain from current editions, Dante’s commentators, ignorant of typology, do not understand the passage. Cf. also E. Wind, *JWT* 1, 1938, 144, who, also ignorant of typology, drags in fantasies of Frazer’s “Scapegoat.”

<sup>99</sup> Aug., in *Jn.* 7,6 (*PL*, XXXV, 1440); *Retract.* 1,12,3.

<sup>100</sup> Lucianus, *Alex.* 8; *Charon* 15; *Demonax* 20.

*Addendum.* On the juxtaposition of symbolic and profane subjects in medieval works of art, cf. M. Schapiro, *The Art Bulletin* 45, 1963, 351–55.

ON THE THEOLOGY OF FIGURATIVE ART:  
A RECENT STUDY BY E.R. GOODENOUGH<sup>1</sup>

Erwin R. Goodenough was able to complete his monumental work before his death on March 20, 1965. The twelfth and last volume, which has just been published, is the epitome of the eleven volumes which have preceded it since 1953 and is therefore the best introduction to the oeuvre of my late friend. Its subject is the religious significance of the figurative monuments produced by the Jews under the Caesars (since virtually no material survives from the hellenistic period). The author discusses the symbolic imagination in Mediterranean art in general, and enables us to grasp the meaning of those images which served to make visible the values of the ineffable from the Euphrates to the Tiber. For example, what he says about the theophanous function of the synagogue of Dura-Europos applies equally, *mutatis mutandis*, to the temple of Baalbek and to the decoration of the *Ara Pacis* of Augustus. This book is the basic work on the symbolic vocabulary of art in antiquity.

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<sup>1</sup> Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period 12: Summary and Conclusions* (Bollingen Series 37), New York: Pantheon Books 1965, xii + 216 + 1 pages. With the kind permission of *L'Antiquité Classique*, I include here material from my reviews of the first eight volumes of Goodenough's work (35 [1956], pp. 246ff.; 36 [1957], pp. 533f.; 38 [1958], pp. 517f.). This essay also continues and completes, without replacing, my essay of the symbolism of the synagogue of Dura-Europos (*HTR*, 1965, pp. 127–161, reprinted as the preceding essay in the present volume).

Abbreviations:

- Bonsirven = J. Bonsirven, *Le Judaïsme Palestinien*, 1935.  
Bonsirven, *Textes* = J. Bonsirven, *Textes rabbiniques*, 1955.  
Bulletin = *Bulletin of the L.M. Rabinowitz Fund for the Exploration of Ancient Synagogues*, Jerusalem: Hebrew University.  
Cumont = F. Cumont, *Recherches sur le symbolisme funéraire des Romains*, 1942.  
DAC = *Dictionnaire d'archéologie chrétienne*.  
Du Bourguet = P. du Bourguet, *La peinture paléo-chrétienne*, 1965.  
Kanael = B. Kanael, *Die Kunst der antiken Synagoge*, 1961.  
Leon = H.J. Leon, *The Jews of Ancient Rome*, 1960.  
Leveen = J. Leveen, *The Hebrew Bible in Art*, 1944.  
Lévy = I. Lévy, *La légende de Pythagore*, 1927.  
Lieberman = S. Lieberman, *Greek in Jewish Palestine*, 1942.  
Simon = M. Simon, *Vetus Israel*, 1948.  
Sukenik = E.L. Sukenik, *Ancient Synagogues in Palestine and Greece*, 1934.  
Wishnitzer = R. Wishnitzer-Bernstein, *Gestalten und Symbole der jüdischen Kunst*, 1935.

It is structured on three successive levels: first, a presentation of the Jewish monuments in the Mediterranean framework; their historical interpretation; and the appreciation of the religious values which they express in symbols. This recalls the threefold meaning of Scripture – historical, pedagogical, and mystical – in the exegesis of the church fathers.

## I

Let us begin with the materials. Roughly one thousand objects, many of them unpublished and most of them overlooked, are reproduced in an album (Vol. 3) and interpreted (Vols. 1–2; for the Dura-Europos synagogue, cf. Vol. 11). Other scholars than Goodenough would have been content to collect and organize the archeological data, but in the preface to his posthumous volume, he defends himself against the charge of being a mere collector. What he wants is *to make a point*, to demonstrate a hypothesis.

This hypothesis has two aspects, historical and psychological. Although they become entangled in the author's thinking, they are in fact neither identical nor even complementary, and they must be examined separately.

First of all, we have the historical supposition. In his first book, *The Theology of Justin Martyr* (1923), Goodenough already elaborated the *idée maîtresse* of his great work. Christianity, which was born in Palestine, became both Hebrew and Greek soon after its birth. This means that the fusion of the hellenic and Jewish elements must have taken place within Judaism; and this in turn means that there existed a paganized, esoteric Judaism which had developed its own theology of spiritual salvation, analogous to the hellenistic mystery religions. Not long before this, Goodenough had discovered the literary expression of this *praeparatio evangelica* in Philo of Alexandria. His knowledge of Philo was to become profound, and his interpretation was subtle.<sup>2</sup> Now, Goodenough discovers the visible expression of this heterodox Judaism in the monuments of Jewish art. These synagogues with their images, these funerary chambers where the Israelites of old slept their last slumber under astral and erotic symbols, these sarcophagi with

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<sup>2</sup> Cf. above all his book *By Light, Light. The Mystic Gospel of Hellenistic Judaism*, his *Introduction to Philo Judaeus* (1940), and his clarification in *JBL*, 1948, pp. 87ff.

human forms – they cannot have been produced by the legalistic Judaism of the rabbis. Rather, “a mystical kind of Judaism” accepted the figurative art which the rabbis prohibited, in order to enrich its piety with the emotional values expressed in the universal vocabulary of figurative signs. These Jews were not seeking to assimilate their faith to that of the Greeks, but “to judaize hellenism” (p. 5). For example, they portrayed the Dionysiac grape harvests on their sarcophagi as a symbol of the eternal happiness which wine – this mystical fluid of life – gave them; but for the Jews, the pagan figures pointed to the Eternal. They did not leave the synagogue, but their faith was not that of rabbinical Judaism.

When Goodenough began to reflect on Jewish art in antiquity, his dichotomy – Philo on the one side, the rabbis on the other – was taught in all the handbooks; but since that time, new researches, especially by S. Lieberman, G. Scholem, and M. Smith, have demonstrated the profound hellenization both of Palestinian rabbinical Judaism and of the most orthodox Jewish mysticism.<sup>3</sup> The school of Rabbi Johanan ben Zakkai, who restored rabbinic Judaism after the destruction of the temple in 70 C.E., was interested in mystical subjects, and they discussed ethical questions in the same way as the Greek philosophical schools.<sup>4</sup> Bar Kochba, who led the revolt against the Romans in 132–135 C.E., employed both Greek and Hebrew when he wrote to his lieutenants.<sup>5</sup>

Ultimately, the dichotomous division of Judaism which Goodenough postulates can be perceived only in the rabbis’ aversion to the representation of living beings, since this could lead to idolatry. I am not competent to discuss in depth the question of images in Judaism;<sup>6</sup> but

<sup>3</sup> S. Lieberman, *Greek in Jewish Palestine*, 1942; *Hellenism in Jewish Palestine*, 1950; G. Scholem, *Jewish Gnosticism*, 1960; M. Smith, “The Image of God,” *B7RL* 40 (1958), pp. 473–512; Idem, “Palestinian Judaism in the First Century,” in M. Davis, ed. *Israel*, 1956, pp. 67–81; Idem, in *Fischer Weltgeschichte* VI, 1965, pp. 254–270.

<sup>4</sup> J. Goldin, *Traditio* 21 (1965), pp. 1ff. Cf. my note in *RB* 59 (1952), pp. 44ff. (English translation: “The Chain of the Pharisaeic tradition,” above, 528–542), and B. Cohen, *Proceedings of Amer. Academy for Jewish Research* 20 (1951), p. 242 (= Idem, *Jewish and Roman Law* I, 1966, p. 275), on the chain of tradition among the Pharisees. M. Smith, *B7RL* 40 (1958), p. 484 n. 3, observes that the transmission of minority opinions in the Talmudic tradition – a transmission which seemed strange to the rabbis themselves (*M. Edduyyoth* 1.5) – can be explained only as an imitation of the Greek manner of discussion.

<sup>5</sup> B. Lifshitz, *Aegyptus* 42 (1962), pp. 24ff.

<sup>6</sup> Cf. especially B. Cohen in the American periodical *Judaism* 3 (1954), pp. 165ff.; cf. E.E. Urbach, *IE7* 9 (1959), pp. 149ff. Cf. also A. Baumstark in *Reallexikon für Antike und Christentum* II, 1964, cols. 287ff.; J.M. Baumgarten, *Judaism* 19 (1970), pp. 196–201.



I doubt whether Goodenough is correct to attribute to the rabbis an insuperable hostility to figurative depictions.

## II

The law of Moses is not interested in figurative art. The legislator's preoccupation is the danger of idolatry. Since the idols were three-dimensional (or bas-reliefs), the second commandment prohibits every "sculpted image" (Ex. 20:4; Deut. 4:15; cf. Lev. 19:4). The attacks which the prophets and the psalmists launch against the idols, like the acts of iconoclasm mentioned in Scripture or committed by Jews in the Roman period, refer to three-dimensional figures.<sup>7</sup> In the same way, when the rabbis comment on the Law, they discuss only statues and bas-reliefs which are (or can be) placed at the service of idolatry. For example, they forbid one to wear a cameo ring, but they allow one to use such a ring for the purpose of sealing a document, since the imprint will be hollow. On the other hand, one is allowed to wear an intaglio, but this may not be used to seal a document, since in that case the imprint would be in relief.<sup>8</sup>

<sup>7</sup> Cf. e.g. Num 33:52; Philo, *In Flacc.* 41; Josephus, *Ant.* 15.276; 18.55; *Bell. Jud.* 2.197; *Vita* 65; Y. Yadin, *The Finds from the Bar Kochba Period*, 1963, p. 44. Scripture (Ex. 20:4) speaks of *pesel* and *temunah*. The first term is clear: it means a carved image. The second term is translated in the LXX by ὁμοίωμα, in the Vulgate by *similitudo*, and in the Aramaic versions (the Targumim) as *demut*(*demu*), i.e. always as "resemblance." This is a three-dimensional image. The rabbis rendered this term as *atumah*, i.e. a "solid body." Cf. *Mekhilta Exodus* ed. J. Lauterbach, 2.42; *Mekhilta of R. Simeon b. Yohai*, ed. J. Epstein, p. 147. The mediaeval commentators explained this rabbinic term as the designation of an intaglio or a sculpted block. For Maimonides in his *Guide to the Perplexed*, *temunah* is a "figure" that one sees or imagines. It is only in modern Hebrew that this word has come to mean a painting or photograph. When Origen explains the terminology of the Septuagint, he conjectures that the noun εἶδωλον, in keeping with its etymology, designates imaginary things (since the gods of the pagans do not really exist), whereas the noun ὁμοίωμα refers to the depiction of real objects, e.g. the sun. He adds: ἢ διὰ ζωγραφίας ὁμοίωμα. As he himself emphasizes, his interpretation is a personal hypothesis: Origen, *Hom. in Ex.* 8.3 (PG 12, 353). Theodoret, *Quaest. in Ex.* 38 (PG 80, 264) copies Origen. (I owe the idea of these lexicographical observations and the essential information to my friends Boaz Cohen and Morton Smith.)

<sup>8</sup> T. *Abod Zara* 5(6).2 (= Bonsirven, *Textes*, p. 558). Cf. e.g. Philo, *Quis rer. div. heres* 169: the goal of the second commandment is μὴ θεοπλαστῆν. Cf. Origen, *Contra Celsum* 4.31. Josephus, *Ant.* 3.91: μηδενὸς εἰκόνα ζῶου ποιήσαντος προσκυνεῖν. Cf. *Ant.* 8.195; *Contra Apionem* 2.12 and 75; *Vita* 65. On Philo, *De decal.* 65 and Wis 15:4 (painted statues), cf. H.A. Wolfson, *Philo* I, 1947, p. 29 n. 1. A Jewish painter, Εὐδοξίος ζωγράφος, was buried in the catacombs on the Via Appia: Leon, nr. 109.

Consequently, the rabbis were not interested in two-dimensional figurative art (painting, embroidery, etc.). Maimonides (1135–1204), who explicitly codifies the opinions of the rabbis, permits the painting of human figures.<sup>9</sup> Let me give one example of the rabbinic regulations in this sphere: in a discussion about the evasion of the biblical prohibition of lending money at interest (Lev. 25:37), the third-century Rabbi Nahman allows proprietors to lend money to a shopkeeper, while at the same time increasing the rent the latter must pay, if the loan is to be used to decorate the shop: for the figurative decoration attracts clients, thereby increasing the shopkeeper's profits.<sup>10</sup>

In the high middle ages, and subsequently in the ghettos under the iron rule of the rabbis, the walls and ceilings of the synagogues, books of prayer, the cases in which the scrolls of Torah were kept, codices of Scripture, etc. were often decorated with figurative designs.<sup>11</sup> Goodenough is surprised by the nudity of the Egyptian princess who is depicted on one wall of the synagogue in Dura-Europos as she saves the infant Moses from the waters of the Nile: he takes this unclothed woman to be Aphrodite-Anahita. Those who illuminated the Jewish manuscripts in the middle ages felt no embarrassment about spreading the provocative nudity of the princess and of her handmaidens across the pages of the ritual-book of the Passover meal (*haggadah*).<sup>12</sup> The *haggadah* of Sarajevo shows us Eve completely nude, in a state of innocence; indeed, the artist has dared to depict God taking his rest after the work of creation.<sup>13</sup>

<sup>9</sup> Maimonides, *Hilkot Abodah Zarah* 3.10.

<sup>10</sup> *Baba Mezia* 69b. The text does not specify whether the figurative decoration takes the form of paintings or of reliefs.

<sup>11</sup> Cf. in general R. Wischnitzer in L. Finkelstein, ed. *The Jews* II, 1960, pp. 1232ff.; cf. the collection *No Graven Images*, published in 1971 under the direction of J. Gutmann.

<sup>12</sup> Cf. Leveen, pl. xxxi, 1; J. Gutmann, *Gesta* 5 (1966), p. 40 and figs. 4–5. We should note that this depiction is not lascivious, but realistic. Cf. Is. 47:2. In a Jewish manuscript of the seventeenth century, we can see Esther giving birth to Cyrus: *No Graven Images* (cf. n. 11 above), p. 482.

<sup>13</sup> Cf. Leveen, p. 101. For the nude, cf. e.g. the cover of S. Padojcic, *Haggadah of Sarajevo*, 1955; Wischnitzer, fig. 44; Leveen, pl. xxix; and my remarks in *HTR* 58 (1965), pp. 131f. (see the previous essay in this book). On the nude in Christian art, cf. H. Leclercq, *DAC* XII, p. 1782; J. Smith, *History of Religions* V, 1966, p. 218. The pavement mosaics in a church founded in Lydia in 568 depict nude personifications of the rivers; A. Grabar, *CRAI*, 1969, p. 264. In the narthex of a church built on Cyprus in the twelfth century, we see *Thalatta* naked up to her waist; cf. the *Annual Report* of the Department of Antiquities of Cyprus for 1968, p. 8, fig. 30–31.

There were rabbis, both in antiquity and later on, who were opposed to paintings because they found them unseemly. For example, men of piety were asked not to roughcast, decorate, or paint their dwellings, as a sign of mourning after the destruction of Jerusalem in 70 C.E.<sup>14</sup> Maimonides thought that the paintings in a synagogue distracted the attention of the worshipers.<sup>15</sup> A passage in the Palestinian Talmud notes that the custom of depicting figures on mosaics began in the days of Rabbi Johanan (died 279), and that no one objected.<sup>16</sup> Two centuries after these teachers, the cult of icons in the church made paintings suspect in the eyes of the zealous defenders of the Jewish faith; in some synagogues in Palestine, pictures of living beings in mosaics were smashed with hammers and replaced in part by monochromic cubes. There were no depictions of human beings in the synagogues built in Palestine in the mid-fifth century.<sup>17</sup> As we have noted, however, figurative art found its way into the synagogues in Christian countries during the high middle ages.

Let us turn to sculpture. Here, the rabbinic discussion concerns primarily objects produced in Jewish ateliers or sold by Jews to Gentiles. As the rabbis said, with intentional exaggeration, the Jews supplied the molds in which all the idols of the world were made.<sup>18</sup> Nevertheless, the rabbis followed the opinion of Aqiba and protected Jewish artisans against their Gentile competitors. The idols made by the latter were prohibited *a priori*, since the sculptor himself venerated them; a Jewish merchant could neither sell them nor buy them. But an idol made by a Jew became a forbidden object only after it had acquired a cultic qual-

<sup>14</sup> *Baba Bathra* 60b.

<sup>15</sup> Leveen, p. 13. For the same reason, Rabbi Meir of Rothenburg (1215–1293) opposed the depictions of animals and birds in books of prayer: *Tosafot Yoma* 54 a, (I owe this information to the kindness of my friend Mr Boaz Cohen of the Jewish Theological Seminary of America).

<sup>16</sup> Simon, p. 43.

<sup>17</sup> Sukenik, pp. 65 and 81; L. Vincent, *RB* 68 (1961), p. 161; M. Avi Yonah, *Bulletin* 3 (1960), pp. 25 and 57; Kanael, figs. 63, 65. This may remind us of the “puritan” wave in the Roman church: Michelangelo peopled the walls and ceilings of the Sistine Chapel with nudes, to the satisfaction of Paul III, but he then saw his figures “clothed” on the orders of Paul IV. In 1563, the Council of Trent demanded that “all impurity” and “provocative charms” should be avoided in religious art. Cf. É. Mâle, *L'art religieux de la fin du Moyen-Âge*, 1922, p. 485.

<sup>18</sup> E.E. Urbach, *IEJ* 9 (1959), p. 161. For the opinion of Rabbi Aqiba, cf. *Abod. Z'ara* 52a. It goes without saying that a Jew was forbidden to adore an image or to derive any financial profit from such an image; according to the rabbis, any Jew who carved an image destined for idolatrous use laid himself open to the penalty of scourging. Cf. *Pal. Abod. Z'ara* 4.4.

ity, i.e. after it had been sold to a Gentile. The Christian artisans who made idols followed this Jewish rule. In the Passion of the Four Holy Crowned Martyrs, the Christian sculptors who never begin any work without calling on the name of Jesus carve not only Victories, Amores, etc., but also a colossal statue of Helios. But when they refuse to adore this statue and to make a statue of Asclepius to serve as an idol in his temple, Diocletian puts them to death.<sup>19</sup> This is in accordance with the rabbinic rule that an object made for idolatrous use is *ipso facto* a forbidden object. In other words, the rabbis, following the intention of the second commandment, prohibited sculptured images where these were venerated as idols. They made a distinction between those statues which were treated as divinities, and ornamental statues.<sup>20</sup>

In keeping with the praxis already current in Jerusalem before the destruction of the holy city in 70 C.E., the rabbis laid down the general rule that all images are permitted to the Jews "except human faces."<sup>21</sup> For this reason, pious persons refused to look at coins, since these usually depicted a head in relief.<sup>22</sup>

Nevertheless, in the third century, synagogues and Jewish sarcophagi were often decorated with human figures in relief. We do not know if the artists appealed in this case to the more liberal opinion of a religious authority which had thrown off the yoke of the rabbinic tradition, or if they simply disregarded the opinion of the legal experts. As a matter of fact, the rabbis emphasized that the prohibition of carved images was related to "their gods" (Deut. 12:2), and this doubtless made it difficult to convince an ordinary Jew that he was sinning when he decorated his house with statues which no one ever thought of worshiping – especially given that the rabbis tolerated the fashioning of ornaments for a pagan fetish.<sup>23</sup> A legal passage in the *Tosephta* which discusses the regulations about purity mentions in passing, and without uttering any reproach, human statues (*andratin*) in Jewish houses, and the jurists make

<sup>19</sup> H. Delehaye, *Acta Sanctorum*, Nov. 3, 1910, p. 795. Cf. Idem, *Les Passions des martyrs*, 1921, pp. 328ff.

<sup>20</sup> Cf. *M. Abod. Z'ara* 1.8; 3.4; *Mekil. Exod.* 20.23. According to the rabbis, a Jew must not make statues, but he could derive pleasure from an image sculpted by a pagan – on the condition that this image was not adored: *Abod. Z'ara* 40b, 43b.

<sup>21</sup> *Abod. Z'ara* 43a–b.

<sup>22</sup> *P. Abod. Z'ara* 3.1. Cf. Bonsirven, *Textes*, p. 551; Hippolytus, *Refut.* 9.26. Cf. M. Smith, *HUCA* 29 (1958), pp. 273ff.

<sup>23</sup> *M. Abod. Z'ara* 1.8. Cf. Urbach, *op. cit.*, p. 158. On the controversy between Rabbi Aqiba and Rabbi Ishmael on the interpretation of Deut 12:2, cf. *Abod. Z'ara* 51b.

a distinction between those statues which are placed in niches and those which are not, between those statues which hold a cup or a dish in their hand and those which do not (since these are potential receptacles of ritual impurity).<sup>24</sup> We should note here that, under the iron discipline of the rabbis, the art of the ghetto sculpted human figures. For example, we find a Torah scroll adorned with statuettes of Moses and Aaron.<sup>25</sup> This means – to come back to Goodenough’s thesis – that he is not justified in treating as heretics those Jews who used figurative art and even three-dimensional art. It was not only the heretics who ignored the precept of the religious authorities on this point.

Besides this, if we were to follow Goodenough’s reasoning, we should have to conclude that not only the synagogues decorated with figurative art, but also the Christian catacombs in Rome were constructed by members of sects – for the fathers of the church from Tertullian to Epiphanius condemn the use of the figurative arts in sacred places. Indeed, they are even more intransigent than the rabbis. Accepting the iconoclastic argument of the Greek philosophers, which at a later date was to determine the attitude of Islam to the depiction of living beings, the ecclesiastical authorities rejected every kind of effigy, because it was only an imperfect imitation of reality. For Eusebius of Caesarea, the very idea of paintings of Christ and of the apostles seems inconceivable: it is the Manicheans or the followers of Simon Magus who possess portraits of heresiarchs.<sup>26</sup> But a hundred years before Eusebius’ time, the images of Jesus and of his apostles already decorated the walls of catacombs and churches.<sup>27</sup>

<sup>24</sup> T. *Kelim*, *Baba Mesia* 4.8, cited by Urbach, *op. cit.*, p. 236 n. 87. The learned author has not noticed that the noun *hver* (“hole”) means a “niche” in this passage. He quotes a homiletic passage (p. 237 n. 89): “You must not make molten images for yourselves, even as an ornament.”

<sup>25</sup> A. Grotte, *Mitteilungen zur Erforschung jüdischer Denkmäler* VII–VIII, 1915, p. 52, fig. 23; S.S. Kayser, *Jewish Ceremonial Art*, 1955, p. 17 and fig. 51ff.

<sup>26</sup> Eusebius, PG 20, 1545. He regards the alleged monument to Jesus at Paneas, and the “colored paintings” of Jesus, Peter, and Paul, of which he has heard, as imitations of pagan customs (*Hist. Eccl.* 7.18,11). Cf. e.g. Tertullian, *De spect.* 23: *non amat falsum auctor veritatis*; Clement of Alexandria, *Strom.* 6.15,147. Cf. Philo, *De praem.* 29; *De gig.* 59; Plutarch, *Numa* 8.

<sup>27</sup> Cf. e.g. Du Bourguet, fig. 4; 67; 84; 99; P.V. Baur, in *The Excavations of Dura-Europos, Report V*, 1934, p. 265. Cf. J.M.C. Toynbee, *JRS* 64 (1964), p. 7.

## III

Goodenough's historical conception, which contrasts the iconoclastic Judaism of the rabbis with a Judaism of a mystical type that employed figurative art, and which believes that the pavements depicting sacred history in the synagogue at Tiberias (an important rabbinic center) prove that two different kinds of Judaism were flourishing in that city (cf. p. 186), is mistaken. The mosaic in this synagogue was donated by a member of the household of the patriarchs, who presided over the direction of the universal and normative Judaism of the rabbis.<sup>28</sup> This historical error means that Goodenough's interpretation of the Jewish monuments is erroneous.

To begin with, Goodenough holds that every motif in the ornamentation of these monuments, whether it be a palm branch or an eagle, possesses a mystical meaning. If the same image is found on Gentile monuments, the Jewish borrowing proves that the Jews wanted to make their own the emotional value of the pagan symbol. As a matter of fact, the meaning of an image, whether literary or figurative, depends on its context. It is indeed true that one cannot imagine a cross appearing on a Jewish tomb (p. 72); but as far as I know, no Jew has ever refused the award of a military medal just because it was cruciform. Goodenough asserts that the depiction of Hercules and his exploits on the sarcophagi suggests the hope of a heavenly happiness; but the drunken Hercules who seizes Augeus by force on a mosaic in the baths of Sousse suggested not mystical drunkenness, but earthly pleasures. *Balnea, vina, Venus corrumpunt corpora nostra, sed vitam faciunt balnea, vina, Venus.*<sup>29</sup> There is a strange tendency today to look everywhere for an allusion to the "transcendent" religion and to find a mystical meaning in the decoration of any house whatsoever in Pompeii, although the innumerable inscriptions found in that city have nothing to say on this

<sup>28</sup> Severus, *Ἡρεπτός τῶν λαμπροτάτων πατριαρχῶν ἐποίησεν*, B. Lifschitz, *ZDPV* 78 (1962), p. 181. The title *clarissimus* shows that the mosaic was made after Constantine and before the last years of the fourth century. In 392, the patriarch was already *illustris*: C. Th. 16.8.8. I note here that the inscription in the synagogue at Stobi cannot come from the second century (*CIf* I, p. 694), because the text mentions a fine of 250,000 denarii that is to be paid to the patriarch. Even as late as 300 C.E., however, a pound of gold was worth only 60,000 denarii: T.C. Skeat, *Papyri from Panopolis*, 1964, nr. 2, line 216. It was only under Constantine that inflation pushed up the price of a pound of gold to ca. 250,000–300,000 denarii. Cf. M. Hengel, *ZNW*, 1966, pp. 150ff.

<sup>29</sup> L. Foucher, *Thermes romains des environs d'Hadrumète*, 1958; H. Dessau, *ILS*, 8157.

subject.<sup>30</sup> Two thousand years from now, some other erudite German will discover a mystical meaning in the amateur copies of famous paintings which adorned wealthy houses in the nineteenth century. Rubén Dario knew better what one should be content with: *Gloria al sabor de la carne divina. La mejor musa es la de carne e hueso.*

Goodenough goes so far as to believe that the borrowing of an artistic detail signifies the acceptance of the emotional value of the original. If Moses' staff resembles the club of Hercules (p. 31), this shows that the Jews thought of their legislator as a new Hercules (pp. 164, 189). In reality, the artists mostly simplified their task by making use of books depicting common models, without paying the least heed to the meaning of the same motif in the original. The close dependence of the typical Christian motifs on Greek models is explained in all the handbooks. In the same way, the Jews who illuminated manuscripts in the middle ages had no scruples about imitating scenes of Christian art: the depiction of Moses and his family en route to Egypt (Ex. 4:9) has its model in a painting of the flight of the Holy Family (Matt. 2:13).<sup>31</sup>

Let me add a contemporary example at this point. In Iran, one often sees alongside a photograph of the Shah in the place of honor in private houses, restaurants, shops, etc., a painting depicting Ali, Muhammad's son-in-law and his legitimate heir according to Shiite doctrine.<sup>32</sup> Fig. 1 shows this type: the painting is reproduced on a postcard. Ali wears national dress, but the halo with its rays is a Christian type, and his face imitates the face of Christ. The spread of photography doubtless generated the desire to see the face of Ali too, which had always remained veiled in Persian art since the sixteenth century.<sup>33</sup> Since the modern artist could not have any real idea of how the historical Ali had looked, he simplified his task by copying a Christian picture of the Saint-Sulpice school, probably painted ca. 1900. This imitation did not entail any emotional transfer of the feelings which Christians associate

<sup>30</sup> K. Schefold, *Römische Kunst als religiöses Phänomen*, 1964, p. 12.

<sup>31</sup> Leveen, pp. 100 and 123; Wishnitzer, p. 61. Cf. T.W. Arnold, *The Old and New Testament in Muslim Religious Art*, 1932, pp. 12ff.

<sup>32</sup> In Muslim art, the halo tends to take the form of a flame: T.W. Arnold, *Painting in Islam*, 1928, p. 96. Cf. M. Collinet-Guérin, *Histoire du nimbe*, 1961.

<sup>33</sup> On the veiled faces of Ali, Muhammad, etc., in Muslim art, cf. Arnold, *op. cit.*, p. 98. Cf. e.g. C. Virolleaud, *Le théâtre persan*, 1950; A.J. Arberry, *The Chester Beatty Library, Catalogue of the Persian Manuscripts III*, 1962, pl. xi and xxii. Cf. also R. Gotteil, *Revue des études islamiques* 5 (1931), p. 21. Mr I. Stchoukine has kindly given me his scholarly opinion of this modern depiction of Ali.



Fig. 1: A modern picture of Ali (on a Persian postcard).  
The text below the picture gives the well known titles of Ali: "There is no hero like Ali, nor any sword like Dhu 'l-faqâr."



with the person of Jesus: I myself recently saw Shiites covered in blood as they scourged themselves and pierced themselves with daggers to express their grief on the anniversary of the death of Hussein, Ali's son, who died in a battle against the army of the caliph of Damascus in 680. Rather, what the modern image of Ali demonstrates is the Europeanization of Iran.

#### IV

It must be added that recent archaeological discoveries have led Goodenough to modify somewhat his dichotomous division between rabbinical Judaism on the one hand, and a hellenized Judaism which employed figurative art on the other hand. He is ready to grant that not all the rabbis shared the "rabbinical spirit" (p. 67).<sup>34</sup> However, this concession allows him to identify the essential question: why did these orthodox Jews insist on decorating their synagogues and tombs with pagan motifs such as a scallop shell or a depiction of Helios (pp. 32, 45, 67)?

However, when the question is posed in these terms, the answer is determined in advance. In a sanctuary of Mithras, for example, there were statues of Serapis and other gods; but one does not find on Jewish monuments Mithras' slaying of the bull, the Phrygian cap of Attis adorned with the heavenly bodies, the basket of Serapis, or other polytheistic images. The only exception, which confirms the rule, is the figure of Helios in the midst of the signs of the zodiac, which we find on the pavements of the synagogues in Beth Alpha and Tiberias. However, these mosaics were made after the triumph of Christianity, in a period when Christ was *sol salutis*. In the Christian empire, polytheism could no longer threaten the true faith, for faith in one single God was now the religion of the state from the Atlantic to the Indian Ocean (although this monotheism was trinitarian in Constantinople and dualist at the Sassanid court). Besides this, Helios was primarily a symbol of the luminous star, just as the twins represented the constellation of Castor and Pollux in the zodiac; and it is in this symbolic

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<sup>34</sup> On p. 197, he returns to this original thesis that those Jews who employed the symbolic vocabulary of late Greco-Roman art remained outside the circles of rabbinic teaching – However, the vocabulary of the Bible and of the rabbis abounds in literary images borrowed from the Gentiles (or deriving from a common tradition).

capacity that Helios in his chariot with its four horses decorates the ceiling of a Christian catacomb at Rome, constructed ca. 250 under today's basilica of Saint Peter's, where his companions are the Good Shepherd, Jonah, etc.<sup>35</sup>

Goodenough (p. 67) would like to imprison us in a dilemma: an image is either a symbol charged with a mystical meaning, or else a mere ornament. For example, he argues that since the lion had a symbolic meaning on pagan monuments, its appearance in the three-dimensional art of the Jews proves that the emotional value of this symbol has been taken over by Jews.<sup>36</sup> But between the idea of an esoteric sign and that of simple artistic playfulness there is surely room for intermediary conceptions, as we have just seen in the case of Helios. A "symbolic" image is primarily a metaphor in art, analogous to a verbal metaphor. Scripture, for example, calls Judah "a lion's cub" (Gen. 49:9); the innovation in the third century is that Jews also employ an artistic image of the lion to express the idea of the lion's power (p. 135). However, the use of a new means of expression does not mean that the feeling is new. We are told that a lion on Jewish monuments refers to the new hope of a personal immortality (p. 136), but this hope was already common at the time of Jesus, two centuries before the figurative depiction of the lion in Jewish art.<sup>37</sup>

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<sup>35</sup> On the depiction of Helios in early Christian art, cf. J. Toynbee and J.W. Perkins, *The Shrine of St Peter*, 1956, p. 72, pl. xxxii; H. Leclercq, *DAC XII*, col. 2306, fig. 803; XV, cols. 1 and 788 (the so-called sarcophagus of La Gayole). A building could be adorned with as many as twenty-five statues of Amor: L. Robert, in the collective work *Laodicee de Lykos*, 1969, p. 258. In the Christian catacomb on the Via Latina, constructed ca. 350, we see depictions of Demeter and Athene and four paintings illustrating the exploits of Hercules: Du Bourguet, pp. 104–108 and 116. At the court of Theodosius, the labors of Hercules, the triumph of Bacchus, and the victory of the gods over the giants were regarded as *vulgata illa veterum fabularum argumenta* for works of art in general: *Paneg. Lat.* 12, 44.

<sup>36</sup> I do not understand how a table held up by eagles, or the foot of a bed in the shape of a lion's paw, are supposed to prove that mystical meals were held in the synagogue at Sardis (p. 194). The synagogues were often used as banqueting chambers: cf. e.g. S. Krauss, *Synagogale Alertimer*, 1922, pp. 192–206. But Goodenough is ready to discover mystery religions everywhere.

<sup>37</sup> The birds drinking a draught of immortality from a vase are a pagan symbol, probably Dionysiac; cf. G.-C. Picard, *Les religions de l'Afrique antique*, 1954, pp. 228ff. The same image is found in a depiction of paradise which adorns the synagogue of Naro: Kanael, fig. 72. But the Jews, as Goodenough himself notes (p. 127), always called God "the source of living water." What we find here is not the intrusion of a Dionysiac theme into the religious mentality of the Jews, but an emotional symmetry. A literary metaphor of the Jewish religion is represented in art with the aid of an image borrowed from Gentile art.

We must also remember that the Jews in the imperial period spoke and thought in Greek. Almost all the funerary inscriptions in Besara (Beth-Shearim) in Galilee are written in the vulgar Greek that was spoken in the alleyways of the Levant.<sup>38</sup> The Jews also adopted some popular metaphors from Greek art: the winged Victory, Amor harvesting grapes, scallop shells. We find the same motifs in the Christian art of the same period. And as Goodenough observes (p. 119), the Syrian cults at this time were borrowing the symbolism of wine and the vine from the Greeks.<sup>39</sup>

These are indications of hellenization: the Orientals represent their religious ideas in the terms of Greek art. The Amores in the decoration of a synagogue are a figurative abbreviation of the concept of happiness, whether here on earth or in the world to come. On one mosaic in the synagogue of Yafia, the eagle rests on Medusa's head. According to a biblical metaphor (Deut. 32:11), God guides his people as an eagle protects its young. This explains something that astonishes Goodenough (p. 149), viz. that the eagles in the angles of the pediment of the synagogue in Capharnaum<sup>40</sup> or elsewhere did not shock the faithful. And we can grasp the allegory of the mosaic in Yafia: the Medusa was a symbol of blind force. It seems that this particular allegory is the key to understanding two similar compositions. A seven-armed lamp stand, the emblem of the chosen people and of their God, is sculpted above the head of a Roman soldier in a catacomb at Besara. The lamp stand from the temple, as it is depicted on the Arch of Titus, stood on a support adorned with depictions of sea monsters in relief. God, who had shattered the heads of the sea monsters (Ps. 74[73]) and who would kill the sea dragon, the symbol of Israel's enemies (Is. 27:1), was still the God of victories.<sup>41</sup>

<sup>38</sup> S. Lieberman, in A. Altmann, ed. *Studies and Texts I*, 1963, pp. 13ff.; B. Lifshitz, *RB* 72 (1965), pp. 52ff.

<sup>39</sup> Cf. H. Seyrig, *Syria* 21 (1940), pp. 298ff.

<sup>40</sup> M. Avi-Yonah, *Bulletin* 1 (1949), p. 19.

<sup>41</sup> For the mosaic of Yafia: *Bulletin* 2, pl. 9,2 (= Kanael, fig. 65); for the soldier at Besara: Kanael, fig. 21 (= A. Reifenberg, *Ancient Hebrew Arts*, 1950, p. 1133). Sea monsters also appear on the frieze of the synagogue at Capharnaum: Sukenik, p. 17.

## V

An investigation of the funerary monuments and the inscriptions will clarify the silent language of the plastic arts and justify my interpretation. Some types of saviors – Dionysius, Hercules, etc. for the pagans; Noah, Jonah, Daniel, etc. in the Christian catacombs – strengthened the wavering faith of the believers. But although the Christians borrowed from the Jewish liturgy these examples of a piety that God rewarded,<sup>42</sup> the images of the saints of the Bible did not appear in the Jewish tombs.

For the Gentiles, immortality was a potential state of existence that one must achieve by personal effort. In order to express this hope, the Roman sarcophagi depicted the triumphs of Bacchus, the Muses who bestow their favors on men of culture, etc. But a Jew did not need initiation into the mysteries, nor a psychopomp in the form of winds, nor a mediator in order to take his place among the blessed in the world to come: a creed assured him that all the Israelites will share in the future world.<sup>43</sup> Judaism is a rule of life, and faith made this life completely sacred: the fulfillment of the commandments of the Law was enough to open the door of paradise. It is easy to grasp why most of the symbols which decorate Jewish tombs depict cultic instruments; the commonest of all is the seven-branched lamp stand.<sup>44</sup>

On some Roman sarcophagi, two winged Victories bear a bust of the deceased person up to heavenly bliss. A Jewish buyer, who was prohibited from having himself depicted in relief, substituted for the human image a seven-branched lamp stand. This composition now proclaimed that the dead man was borne up to heaven because he was an Israelite.<sup>45</sup>

Two funerary inscriptions support this interpretation. Here, we do not find any reference to the biblical models of salvation, nor the esoteric glamour which Goodenough discerns in the figurative symbols. But we do find a mention of “eternal life” and of “the resurrection” and the happy lot of those in the world to come – matters of common knowledge, things for which all the world hoped. The texts appeal to

<sup>42</sup> D. Kaufmann, *REJ* 14 (1887), pp. 95ff.

<sup>43</sup> Bonsirven, I, p. 480.

<sup>44</sup> Cf. e.g. B. Lifshitz, *RB* 72 (1965), p. 98, on the epitaphs in Caesarea.

<sup>45</sup> Cumont, p. 485 (= Goodenough, III, fig. 555).

the one who has promised to give life to the dead. Even the proper names such as Anastasios and Anastasia bear witness to the certainty of the faith that saves.<sup>46</sup>

The epitaph of Regina is the only epigraphic text which speaks explicitly of the beliefs held in the diaspora about the life to come.<sup>47</sup> This text is completely in conformity with rabbinic piety. The Pharisaic doctrine, which is first recorded by Josephus,<sup>48</sup> made a distinction between two degrees of the future life. First, the pure souls enter the heavenly realm, where they await the last judgment. Thanks to her chaste life, her love of her own race, and her observance of the law, Regina has merited a place in paradise (*quae meruit sedem venerandi ruris habere*). But Jewish doctrine also taught that “according to the certain promise of God,” those who have observed the law will receive “a new existence and a better life in the age to come.” Regina too can hope “to rise” (from the tomb)<sup>49</sup> “for the age which is promised with certainty” to those who are pious and worthy: *sperare potest ideo quod surgat in aevom promissum quae vera fides*. Accordingly, she “will live again, she will return again to the light” (*rursum victura, reditura ad lumina rursum*).

Like Regina, other believers hoped that piety, the observance of the law, or works of charity would raise the soul of the dead person up to the heavenly throne and place it “among the just.”<sup>50</sup> A benefactress paid for a frieze depicting paradise on the pavement of a synagogue. Addressing God, she explained the reason for her generosity: *pro salutem suam ancilla tua Julia*.<sup>51</sup>

But who knew whether perhaps the Creator was angry with the dead person? The great sage Johannan ben Zakkai wept on his deathbed as he thought of the incorruptible Judge before whom he would shortly

<sup>46</sup> Cf. e.g. a graffito in Besara: εὐτυχῶς τῇ ὑμῶν ἀναστάσει, N. Avigad, *IEJ* 7 (1957), p. 246, cf. p. 239. On the name Anastasios, cf. B. Lifshitz, *ZDPV* 78 (1962), p. 74; Leon, p. 101. On εὐμοιρος, cf. Lieberman, p. 72. On the invocation of God as ὁ ἐπανγλάμενος ζωποιῆσε τοὺς νεκρούς, cf. L. Robert, *Hellenica* 11–12 (1960), p. 408; B. Lifshitz, *loc. cit.*, p. 406.

<sup>47</sup> Cumont, p. 492, *CIJ*, 476; Leon, nr. 476.

<sup>48</sup> Josephus, *Ant.* 18.14; *Bell. Jud.* 3.374; *Contra Apionem* 2.218 (τοῦ δὲ θεοῦ τὴν πίστιν ἐχουράν). Cf. Lévy, p. 254; Bonsirven, I, pp. 336 and 471ff.

<sup>49</sup> Avigad, *IEJ* 7 (1957), p. 239.

<sup>50</sup> On the adjectives φιλέντολος and δίκαιος, cf. Lieberman, p. 69; Idem, *JBL* 65 (1946), p. 93. On the adjective ὁσιος (*hasid*), cf. Lieberman, p. 71; J. Dupont, *RB* 68 (1961), p. 98; B. Lifshitz, *ZDPV* 78 (1962), p. 73. On the adjective *hakodashim*, cf. N. Avigad, *IEJ* 7 (1957), p. 241; E.E. Urbach, *ibid.*, 1957, pp. 239–244; Leon, p. 125.

<sup>51</sup> D. Kaufmann, *REJ* 13 (1886), p. 45; Goodenough, II, p. 91; III, fig. 894.

appear. Demons were on the lookout for the souls of the dead, in order to seize the wicked.<sup>52</sup> These destroying angels unceasingly hurled the sinful souls as with a sling from one end of the earth to the other, in order to cleanse them of their stains, and the demons who inflicted the punishment cried out to the guilty souls: "No peace!"<sup>53</sup> This is why all the languages and all the religions speak of their longing for *securitas: shalom, ἐν εἰρήνῃ, requies aeterna*. And this is why the morale of the dead person was strengthened, to prepare him for his fight against the invisible enemies: "Take courage, no one is immortal."<sup>54</sup>

One could pray to God to protect the soul during its perilous ascent. One could hope that the sufferings of the corpse, as it was eaten by worms, would expiate the sins of the dead person. But it was better to attack the powers of hell directly, by means of amulets, incantations, or magic antidotes.<sup>55</sup>

"Nothing was more indispensable than the light to the spirits of the dead, who dwelt in the night of the tomb."<sup>56</sup> In the Jewish catacombs, a lamp stand was depicted on the lamps; but we also find lamps with the monogram of Christ (as an acknowledged master of the sorcerer's arts) in Jewish sepulchers. Similarly, we find lamps and graffiti depicting a seven-branched lamp stand in Christian burials. In the fourth century, Christian landowners in Spain asked Jews to bless the fruit of their soil.<sup>57</sup>

Superstition is irenic and ecumenical, and soars easily over the sectarian hedges. The Pharisees believed that Jesus drove out the demons by invoking Beelzebul, their prince; a Christian polemic work accused the Jewish exorcists of using the same methods as the pagan sorcerers. Rabbi Judah, the editor of the Mishnah, sent King Artaban IV(V) a *mezuzah*, i.e. a talisman, which contained the text of two biblical passages, Deut. 6:21–29 and 11:13.21. The Jews placed such talismans on their entrance doors; in this way, the God of Israel kept guard at the

<sup>52</sup> *Berakoth* 28b (Bonsirven, *Textes*, p. 99); Apocalypse of Moses 31.

<sup>53</sup> Bonsirven, *Textes*, pp. 172 and 60. Cf. especially S. Lieberman in *H.A. Wolfson Jubilee Volume*, 1965, pp. 495ff.

<sup>54</sup> Cumont, pp. 351; 38; 76. According to Leon, p. 125, more than the half of the Jewish funerary inscriptions in Rome express the desire for "peace." N. Avigad, *IEJ* 7 (1957), p. 246: ἠάροσιτε πατέρες ὅσοι οὐδὲς ἀθάνατος.

<sup>55</sup> Justin, *Dial.* 105; S. Lieberman, in *H.A. Wolfson Jubilee Volume*, 1965, p. 498.

<sup>56</sup> F. Cumont, *Lux Perpetua*, 1949, p. 48.

<sup>57</sup> Leon, p. 225; N. Avigad, *IEJ* 5 (1955), p. 223; M. Simon, *Recherches d'histoire judéo-chrétienne*, 1962, p. 181; canon 49 of Elvira *apud* E.J. Jonkers, *Acta... conciliorum*, 1954, p. 16. On Jesus and magic, cf. Simon, p. 397.

gate of a Zoroastrian prince. Taking the other direction, so to speak, a glass plate depicting the head of Medusa surrounded by a serpent has been found on the breast of a skeleton in a Jewish tomb in Rome, and Helios is invoked in a Jewish book of magic.<sup>58</sup>

As I have observed, the funerary inscriptions of the Jews are often adorned with an emblem of the Jewish cult. This symbol both indicated the hope of immortality and guaranteed divine protection against harmful forces. Sometimes a profane picture was added, to serve as a charm. For example, we see the bird – a symbol of the soul – especially frequently on the tombs of children, who needed special protection even after their deaths.<sup>59</sup> Similarly, a picture of a bull “goring with its horn” (Ex. 21:28; Deut. 33:7) or of a ram gave protection against the forces of evil. A man named Socrates had a lamp stand and a theatrical mask engraved on a lintel at the entrance to his funeral vault in Besara.<sup>60</sup> Lions devouring their prey were an appropriate symbol of the demons of death, and this is why they had a prophylactic function on a sarcophagus, protecting both the dead person and those who visited his tomb against the demons who frequented the cemeteries. The Essenes believed that the souls made their arduous ascent to the heavenly heights through the ether, which was symbolized in the sepulchral art of the pagans by a lion: this was another good reason to have an image of a lion on a funeral casket or in a burial vault.<sup>61</sup>

A Jew did not need an exact knowledge of the learned theories of the Gentiles about the destiny of the soul. It was enough for him to know that his neighbors employed one or other picture to divert the demons. In the third century, the Jews did not live in ghettos. The cities in Palestine, such as Tiberias and Sepphoris, were semi-pagan, and there were semi-Jews who ran from the synagogue to the idols, then back to the synagogue, and who occasionally offered sacrifices to the God of Israel.<sup>62</sup> This is what Cicero<sup>63</sup> calls the *timor inanis deorum*

<sup>58</sup> Matt 12:24; Justin, *Dial.* 85.3; *pal. Peah* 1.1, 15d; Leon, p. 215; M. Smith, *JBL*, 1967, p. 60.

<sup>59</sup> Leon, p. 202. Cf. Cumont, p. 244; Lieberman, *op. cit.*, p. 513 n. 7. Cf. *CIJ* I, nr. 148.

<sup>60</sup> Kanael, fig. 31 (= N. Avigad, *IEJ* 7 [1957], pl. 17b; cf. *ibid.*, pl. 21); Leon, fig. 46 (= Goodenough, III, fig. 787).

<sup>61</sup> Josephus, *Bell. Jud.* 2.154. Cf. Lévy, p. 286; Cumont, p. 156.

<sup>62</sup> A. Buechler, *The Leaders... in the Jewish Community of Sepphoris*, p. 8. Commodian, *Instr.* 24.57. On the sacrifices, cf. my essay in *Rev. hist. des droits de l'antiquité* 5 (1958), pp. 137ff. (“The altars of Gentiles,” above, 596–617).

<sup>63</sup> *De nat. deor.* 1.117; 2.14.

which lived on the margins of institutional religion (the *deorum pius cultus*), and it is this that explains much of Jewish sepulchral art. The Jews were certainly pious, but they also sought additional protection against malevolent spirits. Despite Turgot's epigram in honor of Franklin, the use of a lightning conductor is not a proof that one scorns the providence of God.

At the same time, there were Jews who claimed to be sure of their heavenly immortality. The divinization of the human person in paganism, and above all the imperial apotheosis, influenced even rabbinic ideology. Rabbi Eleazar went so far as to affirm that the Trisagion (Is. 6:3) would be pronounced before the just man, as it is proclaimed before the Holy One who is blessed.<sup>64</sup>

Jews of this kind employed pagan figurative art as a means to make explicit the idea that the dead person would be clothed in immortality. A winged Victory crowning a naked adolescent, Fortuna holding her cornucopia, or depictions of dolphins or of flowers (evoking paradise) surrounding the cultic lamp stand, were used for this purpose.<sup>65</sup> There is nothing to surprise us in the use of these conventional motifs. Rabbi Eliezer, the son of Theodore, whose gravestone with his name in Aramaic was erected in the Holy Land, was no heretic; but his monument was decorated with a crown of flowers held up by two Victories (p. 67). The funeral chamber of Pope Miltiades (died 314) shows the same rhetorical commonplaces: a painting of the four seasons on the wall, and four masks between two figures of the Good Shepherd on the lid of his coffin.<sup>66</sup>

There was a serial production of sarcophagi.<sup>67</sup> The buyer saw pictures of birds drinking from a *kratêr* or a scallop shell, etc., but how could he know the learned and esoteric interpretations of these emblems? The visitor to the temple of Chronos could not grasp the meaning of an allegorical painting without the help of an elderly man who had known its donor. As Philostratus says, if one is to admire Timochares' famous painting of Ajax in a rage, one must first know the story of Ajax. In the synagogue at Dura-Europos, labels were attached even to the depictions of Moses and Esther.<sup>68</sup>

<sup>64</sup> M. Smith, *BjRL* 40 (1958), p. 479.

<sup>65</sup> Leon, figs. 13–16.

<sup>66</sup> H. Leclercq, *DAC* X, p. 2657.

<sup>67</sup> Cf. e.g. N. Avigad, *IEJ* 9 (1959), pl. 23A.

<sup>68</sup> Cebes, *Tabula* 2; Philostratus, *Vita Apoll.* 2.22. Cf. section IV of the preceding essay in this book.



On the other hand, a Jew who did recognize the Amazons in the decoration of the sarcophagus which he had just purchased was aware that their myth was not exactly an edifying allegory. According to “the disciples of Orpheus,” Bacchus was only the *anima mundi*, but it was not difficult for him to be buried under a Dionysiac symbol. The myths were merely “literature”: Philo could affirm that it was correct to call the earth “Demeter” and “universal mother.” A very prominent rabbi affirmed ca. 270 that the pagans were no longer idolaters, since their idolatry was merely an ancestral custom.<sup>69</sup> People learned the myths at school.<sup>70</sup> Besides this, the Jews, like everyone else, purchased erotic images.<sup>71</sup> A Jew who bought a funeral casket decorated with the meeting between Zeus and Leda was announcing his claims to be a Greek man of letters.<sup>72</sup> Similarly, and for the same reason, the Jews spoke in their funerary epigrams in the Greek language of “Hades” and of the “power of destiny,” and could draw a contrast between “the mortal remains” and the “immortal memory” which the funerary monument procured – a monument which also bore symbols of the Jewish cult and a religious formula of benediction: εὐλογία τῆ ὄσια.<sup>73</sup> As in the case of the modern image of Ali (cf. section IV, above), the blossoms of a foreign rhetoric bear witness to the superficial influence of models from another culture.

## VI

This means that the problem of Jewish figurative art is not of a juridical nature (i.e., the question whether it agrees with the rabbinical opinions), nor of a religious nature (i.e., the question whether its symbolism is derived from paganism). Rather, it is an historical problem: why did it not appear before the third century? The scanty remains of Jewish art from the first century of Roman rule (from ca. 50 B.C.E. to

<sup>69</sup> *Mythogr. Vatic.* 3.125, *apud* O. Kern, *Orphicorum Fragmenta*, 1922, nr. 213; Philo, *De opif.* 133; Rabbi Johanan, *Hull.* 13b, *apud* Bonsirven, I, p. 104.

<sup>70</sup> Cf. P. Veyn, in *Hommages à J. Bayet*, 1964, p. 720.

<sup>71</sup> Cf. K. Michalowski in *Tell Edfu* III, 1950, p. 125.

<sup>72</sup> The sarcophagus with Leda: N. Avigad, *IEJ* 7 (19587), pl. 23 (= Kanael, fig. 36). Cf. A.D. Nock, *AJA* 50 (1946), p. 162. On the relationships between literature and art in the later empire, cf. L.W. Bonfante, *La parola del Passato* 99 (1964), p. 400.

<sup>73</sup> Cf. the funerary epigram of Justus, found at Besara (*REG, Bull. épigr.* 52 [1939], nr. 500). The epigram of Karteria, found at Besara (*apud* M. Schwabe and B. Lifshitz, *IEJ* 6 [1956], p. 78), contrasts λίγονον φθιτόν and ἄφθιτον μνία.

70 C.E.) – the ossuaries and sarcophagi, and even the ruins of Herod's palace at Masada – do not include any depictions of living beings.<sup>74</sup> Are we to infer that public opinion was more rigorist in this period than in the third century? And yet, the rulers of Herod's dynasty allowed the use of painted portraits, of bas-reliefs, and (outside the Jewish territory) of statues. The pious King Agrippa I minted coins bearing his effigy. Seals with a figurative design (though not depicting the human face) were common in Jerusalem before the destruction of the temple, and the family of patriarchs even employed seals with effigies.<sup>75</sup> It seems therefore that Jewish artists in the first century followed the fashion at Rome, where the system of decoration preferred the ornamental style. For example, artists imitated the effect of polychrome slabs of marble and generally tended to avoid scenes involving persons.<sup>76</sup>

Later, perhaps in the second half of the second century, the decorative style of the Roman *columbaria* was imitated in the Jewish catacombs in Rome. Similarly, the fashion of decorating coffins with scenes involving persons, which became widespread in Rome ca. 130, reached Palestine two generations later.

It is striking to observe how important figurative art is in the decoration of the synagogues which were built in the third century and later.<sup>77</sup>

<sup>74</sup> Cf. R. Motte, *Dict. de la Bible, Suppl.* VI, p. 940; L. Rahmani, *Atiqot* 3 (1961), p. 18. Cf. B. Kanael, *Annual of the Leeds University Oriental Society* 1 (1958–1959), pp. 61ff. On the decoration of the palace at Masada, cf. Y. Yadin, *IEJ* 15 (1965), pl. 3, 4, 10, 11. We do however find depictions of human beings on the walls of the "tomb of Jason" at Jerusalem, which was built in the first century B.C.E.: cf. L. Rahmani in *Atiqot* (series in Hebrew) 4 (1964), pp. 1ff., pl. 10–11. Cf. also J. Naveh, *IEJ* 13 (1963), pp. 75ff., pl. 9–11, on a funeral vault dating probably from the sixth century B.C.E. in the region of Lachish (I owe these references to the kindness of Morton Smith).

<sup>75</sup> Cf. Josephus, *Ant.* 15.26; *Bell. Jud.* 1.439; *Vita* 65; *Ant.* 19.357. On the coins of Agrippa I, cf. J. Meyshan in the collective work *The Dating and Meaning of Ancient Jewish Coins and Symbols*, 1958, p. 34. On the seals, cf. *T. Abod. Zara* 5.1–2. The Gentile visitor to Jerusalem was struck by the absence of statues: *nulla simulacra urbibus suis*, says Tacitus about the Jews (*Hist.* 5.5). According to Josephus, the temple contained neither statues nor paintings: *Ant.* 17.150; *Bell. Jud.* 1.650; 5.191. On the veil of the temple, cf. Josephus, *Ant.* 3.113; *Bell. Jud.* 5.213.

<sup>76</sup> Cf. G.-C. Picard, *Revue des études latines* 43 (1965), pp. 510ff., 521f. On the colored pavement at Caesarea, cf. A. Frova, *Scavi di Caesarea marittima* I, 1966, figs. 204–211. On the mosaics of the second (schematic) style, cf. also A. Barbet, *Gallia* 26 (1968), pp. 145–176. On the same decorative taste in Roman Syria, cf. M. Avi-Yonah, *Oriental Art in Roman Palestine*, 1961, pp. 14ff. In the third century, some Jews in Palmyra decorated their tombs in the Palmyrenian style: J. Février, *La religion des Palmyréniens*, 1931, pp. 185 and 219.

<sup>77</sup> Scholars assert (more or less arbitrarily) that the synagogues in Capharnaum, Chorazin, and Kafir Birim were built under the Severi; cf. Sukenik, p. 68. The deco-

The synagogue of Dura-Europos, decorated in 244, shows that at that date, historical paintings were already common in Jewish religious art. The coins of Apamea in Phrygia, with the image of Noah in his ark on their reverse side, allow us to trace back Jewish artistic productions on biblical themes to the year 200 at least.<sup>78</sup>

I explained some time ago the popularity of anthropomorphic representations in this art, and I believe that my explanation still holds good.<sup>79</sup> All the great competing religions of the third century, such as Christianity and Mithraism, decorated their temples with paintings, bas-reliefs, etc., illustrating their sacred history. The Jewish communities could not allow themselves to be sidelined in this competition for the souls and the money of believers. Several generations of rabbinic discipline made it possible to display to the eyes of the faithful animal or human figures, even in relief, or symbols and images borrowed from the pagan sanctuaries, without needing to fear that Jewish believers would make a wrong use of these images. In this way, the history of the chosen people took on a visible form on the walls of the synagogues, where even the illiterate could “read” it. Likewise, the scenes of harvesting, the lions and eagles, the signs of the zodiac, the vine stocks, and other emblems of salvation which the pagans employed assured the neophyte and even the born Jew that his religion was not lacking in those instruments of salvation which the pagan cults promised their initiates.

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ration of the synagogue in Acmonia consisted of paintings. At Sardis, the walls were covered in slabs of marble, but the ceiling was painted (Robert, *Nouv. inscr. de Sardes*, p. 51)! These decorations vanished without a trace; I am grateful to Mr D.G. Mitten (Fogg Art Museum, Harvard University), who has kindly informed me that the older pavement in the synagogue of Sardes, laid ca. 230, was not decorated in figurative art; cf. D.G. Mitten, *Biblical Archaeologist* 29 (1966), p. 63. The oldest synagogue in Dura, built probably in the last quarter of the second century, was also adorned with paintings in the floral style: C.G. Kraeling, *The Synagogue*, 1956, p. 34. But these discoveries do not give us a *terminus post quem* for the use of figurative decoration. Architectonic decoration remained popular in the third century and later, under the Christian emperors. Cf. Kraeling, *ibid.*, p. 36, and e.g. Sukenik, pl. xi.

<sup>78</sup> A. Grabar, *Cahiers archéologiques* 5 (1951), pp. 9–14.

<sup>79</sup> *Syria* 18 (1937), p. 220. This explanation was approved by the late R. Dussaud, *Rev. hist. des religions* 116 (1937), p. 115, and accepted by M. Simon, *Verus Israel*, 1944, p. 46.

## VII

If my late friend had been able to read this article, he would not have accepted my criticisms. Indeed, he complained that the reviews of his work betrayed a lack of understanding both of his ideas and of the archaeological material. As a spiritual heir of the hermeneutic doctrine of Philo and of his Christian successors, Goodenough thought that our literalist prejudice made it impossible for us to grasp the spiritual meaning of the figurative decoration on the monuments. He himself felt that below the surface on which we others remained, there were obscure depths which he wanted to bring to light. But it was not the faith of his Puritan ancestors, but rather modern depth psychology, that gave him the key to an understanding and interpretation of the Jewish monuments.

The symbolic explanation of the monuments of antiquity was discredited by the wild imaginings of Creuzer and Bachofen, and scientific positivism looked on it with suspicion. However, it was renewed to the sound of trumpets in the now classic book by Franz Cumont on the funerary symbolism of the Romans (1942). Both Cumont and his opponents<sup>80</sup> wished to draw on literary texts to increase our understanding of the figurative monuments; but with all due respect to the efforts of these scholars and to the results which they have achieved, it must be said that these results are essentially tautological. They discover in artistic material the ideas which were already suggested in written sources. For example, it is alleged that a late allusion explains the theme of the judgment of Paris on Roman sarcophagi.<sup>81</sup> From this perspective, religious art is a sermon for the eyes: "A painted paradise where there are harps and light, and a hell where the damned are boiled."

Goodenough leaves behind this rationalistic exegesis: for him, a symbol is not the illustration of a text. The symbol expresses universal and permanent tendencies which rise up from the depths of the unconscious, whereas the text offers only one momentary attempt to rationalize the meaning of the sign. The same symbol will be "explained" differently in different civilizations and in the generations which follow one another. What counts is the affective value of the symbol, since this does not

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<sup>80</sup> Here we should mention above all K. Lehmann-Hartleben and E.C. Olsen, *Dionysiac Sarcophagi in Baltimore*, 1942, which appeared in the same year as Cumont's work.

<sup>81</sup> K. Schefold, *Römische Kunst als religiöses Phänomen*, 1964, p. 70.

change. For example, the conch which (to our surprise) decorates the ark of the law in Dura-Europos and a sarcophagus in Besara is originally a symbol of the vulva; Botticelli's Venus emerges from a scallop shell. Neither the Jews nor the Christians who depicted the conch on their monuments were thinking of Aphrodite or of the female genitalia; but the ancient symbol preserved its primordial value for them too. It still indicated eternal life, renewal, and salvation.

When we read Goodenough, we are far removed from an erudition that accumulates transparent but superficial explanations, a scholarship that sees the "influence" of one religion on another as a kind of psychological influenza. He adds comprehension to his erudition. He teaches us to understand that in the hearts of those Israelites who once were buried in Rome or in Galilee there slumbered the same latent passions as in the souls of their pagan contemporaries – and in our own souls too. His unified explanation of the world of symbols explains facts which would otherwise have escaped our attention. Let me give two examples, chosen at random from this book. Philo says that a child weeps on entering the world, because it suffers when it leaves the mother's womb and suddenly encounters the cold air of an environment to which it is not accustomed. In a sonnet published in 1597, a justly forgotten English author makes a contrast between the happiness of his infancy, where two delicate breasts once nourished his life, and his present state where the breasts that give him pleasure seek his death.<sup>82</sup> This parallelism between the maternal breasts and the charms of a mistress offends our taste, just as Philo's words seem to us somewhat ridiculous. But Goodenough shows us that the artistic symbols often suggest the eternal desire of a man to be united to his mother. As one reads his book, one is reminded of Aristotle's words (*Mph.* 982b): ὁ φιλόμυθος φιλόσοφος πῶς ἐστίν. One wonders therefore if one's criticism of Goodenough may not be due to some unfortunate failing on one's own part. As Cotta says in Cicero: *mihī enim non tam*

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<sup>82</sup> Philo, *De opif. mundi* 161; Robert Tofte, *Laura*, 1597, 1.17, in Sidney Lee, *Elizabethan Sonnets* II, 1904, p. 367. Cf. Baudelaire: "crawling along her body every night like a newborn child, I suck her and bite her." The knight Faublas called the Marchioness D., who had taken his virginity, "little Mummy." We may also recall Rousseau and Mme de Warens. Cf. also Dante, *Par.* 33.1, on the Virgin: *figlia del suo figlio*. In the *Canticon de la subida del Monte Carmel* of the great mystic Saint John of the Cross, we read: *oh noche que juntaste Amato con Amada, Amada en el Amado transformata*. How can one avoid thinking here of the bisexual symbolism of the libido? Cf. C.G. Jung, *Symbole der Wandlung*, 4th edn. 1952, p. 313.

*facile in mentem venire solet quare verum sit aliquid quam quare falsum* (*De nat. deor.* 1.21,57).

### VIII

Let us therefore examine more closely the theory of religious symbolism which Goodenough offers us. For him (p. 74), religious faith is always an expression of the primordial need for security. The ideal state which we seek to attain by means of symbolism is the nirvana of the maternal womb. Sexual union is a substitute for the bliss of the fetus. Religious symbols are interchangeable signs of this psychological reality. Although Goodenough himself notes (p. 74) that health and nourishment are the primordial needs of the human person, symbolism is reduced in practice to a sexual causality in his book. For example, he claims that the depiction of a façade signified the divine presence to the Jews (p. 86), and expresses in reality the return to the maternal bosom. However, we forget all too easily in today's rich world that almost throughout the whole of human history on earth, human beings have been tortured by hunger from morning to evening, from the cradle to the grave. The interpreters of dreams in antiquity knew perfectly well that the moon and the vine symbolized a woman, but most of them explained dreams in terms of the daily activity of human beings. For a psychoanalyst, the waters teem only with swans (which naturally enough represent the Woman),<sup>83</sup> and one forgets the fish – or else these are interpreted as phallic symbols. However, fish was the basic Mediterranean foodstuff. If the small Jewish households in Rome celebrated feast days by eating tuna, this was not in order to participate proleptically in the food of immortality (p. 100), but because these people were poor. Their wealthier coreligionists ate good meat.<sup>84</sup>

Goodenough does not seem to be quite *au courant* with the avant-garde in today's psychoanalysis; his masters are Freud and Jung. But let us accept his psychological presuppositions – let us for the moment forget the essential principle of psychoanalysis, viz. that the data of the

<sup>83</sup> G. Bachelard, *L'eau et les rêves*, 1947.

<sup>84</sup> Goodenough, V, p. 34, cites a rabbinic anecdote about a pious man who was rewarded for always having bought the best fish for his meal on the sabbath. This is followed on the same page of the Talmud (*Sabb.* 19a) by the little story of a man from Laodicea who became rich because he had kept the best pieces of meat for the sabbath feast.

unconscious cannot be transposed into a rational language, since the symbol says something that words are too weak to reveal. We are told that there were twenty-four interpreters of dreams in Jerusalem. One day, each of them gave a different explanation of one and the same dream – and all twenty-four predictions came true.<sup>85</sup>

Let us nevertheless accept Goodenough's rather simplistic hermeneutic. We must still ask how the emotional value of a symbol can affect the soul of a foreigner: the cross will say nothing to one who knows nothing of Christianity. Goodenough assures us (p. 133) that the Jews "obviously" borrowed the image of the bull as a symbol of eternal life. But the bull as such was only an animal to be slaughtered. An initiate of Mithra who "was reborn" to eternal life by means of the blood of a bull was not saved by being showered with the red liquid, with Goodenough's "vital fluid." This fluid produced an effect only because the animal had been sacrificed in accordance with a precise ritual of the Mithraic cult. Let us recall once again that each symbol encounters us on various different levels of meaning, and that its affective value is determined by its configuration. Jews who believed in the salvific value of the blood of a bull would have been initiates of Mithra or Attis, and in this case, they would not have needed to borrow the image of a bull for their own faith. All they would have had to do was to go to the neighborhood temple of Mithra or Attis. Syncretism borrows only symbols. For Ezekiel, the act of greeting the rising sun was an abomination (8:16); but in the first century, the pious Essenes and the no less pious Therapeutae practiced this oriental custom, just like the soldiers of a Roman legion which was stationed in Syria.<sup>86</sup>

## IX

The historian asks nothing better than to learn from the psychologist the signification of a myth or the value of a symbol. But when he reads that the Sphinx of Oedipus is a symbol of the Mother in her most terrifying aspect, he cannot help thinking of the Oedipus of the scholars of mythology only a relatively short time ago, who told us that the Theban hero was a personification of the light which marries

<sup>85</sup> *Berakot* 55a.

<sup>86</sup> Josephus, *Bell. Jud.* 2.128; Philo, *De vita contempl.* 27; Tacitus, *Hist.* 3.24. Cf. Herodian, 4.15. Cf. Lévy, p. 277.

the clouds.<sup>87</sup> If the historian, who is merely a scratcher at the surface of texts, is to be able to profit from the intuitions of the psychologists, the latter must first understand the *formulation* of the riddle they seek to solve.

I do not know whether male infants at the age of three begin to dream of making love with their mother and rousing their father to jealousy. And I leave it to the ethnographers to tell us whether this complex is linked to a specific family structure.<sup>88</sup> But I will never believe that this complex can explain the Greek myth, which is one variation on the sociological theme of the antagonism between the generations. In a society dominated by paternal power, the son can attain power only by the death of his father, or by a rebellion against his authority. This situation is particularly clear in the case of succession to the throne. Oedipus marries Jocasta, not for her own sake, but in order to obtain the throne of Thebes. By taking possession of the wife (or the harem) of his predecessor, the claimant proved and demonstrated his acquisition of power. Artemidorus tells us<sup>89</sup> that one who possesses a wife finds her docile and obedient to his desires. The city is the common mother, and this is why a dream about sexual intercourse with one's own mother is a favorable sign for those who aspire to take power in the city. The Greek interpreter of dreams is following here the teaching of his oriental colleagues. Let us consider the story of Absalom's revolt against his father David (2 Sam. 16). The wise Ahithophel, whose counsel was regarded as a divine oracle, tells Absalom to defile publicly the concubines of his father. This will manifest the complete break between the old king and the young claimant, "and the hands of all who are with you will be strengthened." Absalom then goes up to the roof of the palace, where he has intercourse with his father's concubines "in the sight of all Israel."<sup>90</sup>

<sup>87</sup> C.G. Jung, *Symbole der Wandlung*, 1952, p. 301; M. Bréal, *Mélanges de mythologie et de linguistique*, 1877, p. 174. According to P. Diehl, *Le symbolisme dans la mythologie grecque*, 1952, p. 155, Oedipus is "the symbol of one in the grip of a profound neurosis."

<sup>88</sup> M. Mead, *Male and Female*, 1949, p. 108; L. De Heusch, *Essais sur le symbolisme de l'inceste royal en Afrique*, 1958, p. 22.

<sup>89</sup> Artemidorus, 79. Cf. Pap. Chester Beatty III *apud* S. Sauneron, *Les Songes... dans l'Égypte ancienne* (Sources Orientales 2, 1959), p. 35: to dream of making love with one's own mother is a good sign: his fellow citizens will take the side of the dreamer.

<sup>90</sup> Cf. Manetho, *apud* Josephus, *C. Apionem* 1.100: Harmais revolts against his brother, the Pharaoh. He rapes the queen, defiles the concubines, and puts on the diadem. As *ibid.* 98 shows, the "queen mother" in the original version, which Manetho has toned down, was the mother of the two warring brothers. Cf. I.S. Edwards, *CAH* I/2, 1971,



A recently published Babylonian text<sup>91</sup> confirms my interpretation. According to this genealogical story from primordial times, in each successive generation the son kills his father, marries – or kills – his mother, and seizes power. Obvious, the motivation of what the son does to his mother is not incestuous: she is the guarantee of his rule, and the new master must bring her under his control, either by assassination or by marriage. He then marries his sister, and it is the fruit of this union that in turn kills the father, eliminates the mother, and marries his sister.

We need not discuss here the modifications of the primitive model in the Hittite and Greek theogonies. The striking element in the legend of Oedipus is that he kills his father and marries his mother “in the ignorance of his heart” (*Odysssey* 11.271): what was rational in the archetype becomes absurd in the Greek legend. In the original version, those who killed each other were the divine powers, whereas the Greek legend speaks of wretched mortals who live and die in a state of absurdity.

## X

Shortly after her marriage, Laodamia writes to her husband, who is about to set out for the Trojan War. We who read her letter know that it was never answered: Protesilaus, the first to set foot on the Trojan shore, was also the first victim of the war. By an irony of fate, the prudent counsels of his wife could have saved his life. And by another irony of fate, the image of Protesilaus, which his wife cherishes in his absence, will be the cause of Laodamia’s death. But while she waits, this wax image gives her the illusion of the presence of the one she loves:

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p. 36; B. Heller, *REJ* 52 (1906), p. 171. Cf. also Lucian, *Tyrann.* 8 and 11: the new tyrant is to seize the concubines, the raiment, and the gold of his predecessor and to put the daughter of the latter into his own harem. – After writing these lines, I have noted that, without being aware of the oriental analogies, Mme M. Delcourt, *Oedipe ou la légende du conquérant*, 1944, p. 193, had already written that marriage with one’s own mother is a symbol of taking possession of the land. Cf. also S.S. Averinzev in the collective volume dedicated to F.A. Petrovski (in Russian), 1972, pp. 90–102.

<sup>91</sup> W.C. Lambert and P. Walcot, *Kadmos* 4 (1965), p. 64. On the close link between matricide and incest with one’s mother, cf. M. Delcourt, *Oreste et Alcémon*, 1959, p. 76. Cf. H. Jacobsohn, *Die dogmatische Stellung des Königs in der Theologie des Alten Ägypten*, 1939, p. 13, on the Pharaoh as “the bull of his mother.” Cf. E. Cassin, *Revue d’Assyriologie*, 1969, p. 144; G. Cardascia, *Revue d’Assyriologie*, 1970, p. 124.

*Crede mihi, plus est quam quod videatur imago.  
Adde sonum cerae, Protesilaus erit.*

Laodamia speaks the language of the defenders of idolatry, who justified it on the grounds that it employed the visible to let one see the invisible. Ovid's verses show that the symbolic argument was already current in the century of Augustus.<sup>92</sup>

Her words could serve as an epigraph to the work of Goodenough, who has written twelve large volumes to show us that a figurative monument is something more than what one sees with the eyes alone. One could give his work the title of a theological treatise by Augustine: *De fide rerum quae non videntur*.

When I say this, my intention is to emphasize the great achievements of the author. It is easy to find an historical explanation, *ad litteram* so to speak, of a figurative monument. One need not be a great theologian to see that David is dressed like Orpheus on one wall of the synagogue in Dura-Europos. In the synagogue at Gaza, built in 508–509, David's name is written in Hebrew alongside a mosaic depicting Orpheus. The Hebrew text of Ps 151 of the Septuagint, which has just been discovered at Qumran (and was not published before Goodenough's death), shows that in the Jewish tradition "the melodious singer of Israel" charmed the flocks and the trees, just like the singer of Thrace.<sup>93</sup>

On the other hand, it is easy to hold forth on the psychology of the representative arts. Freud himself made gross mistakes when he spoke of Leonardo da Vinci, because he was completely uninterested in the facts of the history of art.<sup>94</sup>

Goodenough knew his facts. He assembled an enormous quantity of information, from which he drew striking conclusions with the aid of depth psychology. The fact that one often disagrees with him as one reads his book is not so important; indeed, one almost reproaches oneself for not being always convinced by his psychological investigation. There are many books which offer correct thoughts. But Goodenough makes *us* think, because he opens our eyes by asking about the psychological function of the various ornaments. Why this lion? Why this arabesque of a plant? – If there is anything useful in what I have just

<sup>92</sup> Ovid, *Heroid.* 13.154.

<sup>93</sup> A. Ovadia, *IEJ* 19 (1969), p. 193, pl. 15. Cf. J.A. Sanders, *The Dead Sea Psalms Scroll*, 1967, p. 101; M. Philonenko, *Rev. hist. phil. relig.*, 1967, p. 255; H. Stern, *CRAI*, 1970, p. 162.

<sup>94</sup> M. Schapiro, *Journal of the History of Ideas* 17 (1956), pp. 142ff.

written, I owe it to Goodenough. He knows that the literalist, who denies that a work of art has a mystical meaning, does not understand what the image wishes to express. We see only a wax statue which represents Protesilaus. For Goodenough, this image is endowed with a voice which he hears and which he wishes to interpret for us. *In magnis et voluisse sat est.*<sup>95</sup>

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<sup>95</sup> On Goodenough's oeuvre, cf. now M. Smith, *JBL* 86 (1967), pp. 53ff.

## ANONYMOUS GODS

*Nec nomen Deo quaeres. Deus nomen est* – “Seek not a name for God: his name is God.” This was said by an early Christian to a pagan friend whom he wished to convert.<sup>1</sup> After sixteen centuries of monotheism the statement seems quite natural; but when it was uttered it must have appeared to a pagan contemporary as paradoxical or completely senseless. It is as if a Scotsman to-day were to call the patron saint of Scotland, not St. Andrew, but simply “the Saint.”

A character in Petronius remarks that the city of Cumae had more divine than human inhabitants. The same was true of more or less every town in antiquity. To invoke a deity correctly, it was essential to know his proper name. The early Christians were aware of this fact; for when the pagan Celsus proposed that all gods were identical, whether they were called Papas or Zeus or Adonai, the Christian philosopher Origen replied that to call God “the God of Abraham and Isaac and Jacob” was a very different thing than translating the Hebrew titles and saying “the God of Laughter” (Isaac = Risus), since it is only in answer to the former invocation that God would hear and the demons obey.<sup>2</sup> Another Christian Father says: “Anyone wishing to implore the response of a deity ought to know to whom he addresses his supplication.”<sup>3</sup> In view of these statements, the appearance and persistence of ‘anonymous gods’ is one of the most puzzling problems of religious history. In the observations which follow I intend to study some of the idiosyncrasies of these nameless divinities by placing them in a particular setting; the importation and adoption of foreign gods.

### I. *Foreign Gods Retaining their Original names*

When the men of antiquity worshipped gods other than their own, either at home or in a foreign land, they often invoked them by their original name. Anaitis, Omanos, and Anadates, the Persian deities, for

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<sup>1</sup> Minuc. Felic. *Octavius* 18,10. Cf. Lact. *Div. Inst.* II, 16,6: *nam Deus... neque nomine cum solus sit, eget neque angeli... dici se deos aut patiuntur aut volunt.*

<sup>2</sup> Origen. *c. Cels.* I, 24; V, 45.

<sup>3</sup> Arnob. *adv. nat.* III, 42: *omnis enim qui quaerit alicuius numinis impetrare responsum, debet necessario scire, cui supplicet.*

instance, were worshipped in Cappadocia under their Persian names.<sup>4</sup> This practice was entirely in accordance with the general pagan habit of recognizing foreign divinities. We find pagans, having accepted a new god, actually practising the ritual and using the liturgical formularies formerly connected with him. Thus a sacrifice to the gods of Persia demanded the presence of a *magus*;<sup>5</sup> a hieroglyphic liturgical book was used at the mysteries of Isis at Corinth,<sup>6</sup> and a law of Priene of ca. 200 B.C. enjoined the appointment of "the Egyptian" to perform sacrifices to Serapis, Isis and Apis, the gods of Egypt.<sup>7</sup> Again, after the Romans had introduced the cult of the *Magna Mater* from Pergamum at the end of the second Punic War, her priests in Rome were Asiatics;<sup>8</sup> and again, when the Carthaginians adopted the Demeter of Syracuse, her priests and forms of worship at Carthage remained Greek.<sup>9</sup> The foreign priest naturally addressed his god in his native tongue.

But even when a god was worshipped in an alien language he was almost invariably invoked by his original name.<sup>10</sup> Accordingly, when a Persian offered praise to his Iranian deity Mithra in the Aramaic or Greek tongue, he transcribed the sound "Mithra" into Greek or Aramaic characters.<sup>11</sup> The reverse occurs in a votive inscription to Nemesis, which was set up by Malokha bar Shudai, a Palmyrene, and written in the Greek and Palmyrene languages.<sup>12</sup> Then again, when in the time of Ezechiel the women of Jerusalem lamented the death of the god Tammuz, they gave this Sumerian deity his original name;<sup>13</sup> a votive inscription in Punic mentions the Lord Amon; and Aramaic dedicatory inscriptions from Abydos in Egypt refer to the Egyptian god Osiris.<sup>14</sup> It was in a similar manner that, when cuneiform script had been forgotten, Babylonian ritual formulae were transcribed into Greek.<sup>15</sup>

<sup>4</sup> Strab. *Geog.* XI, 8, 4; XV, 3, 15.

<sup>5</sup> F. Cumont, *Les Religions Orientales dans le paganisme romain* (4th ed.), 134.

<sup>6</sup> Apul. *Metam.* XI, 22; Porph., *de abst.* IV, 9.

<sup>7</sup> A.D. Nock, *Conversion*, 1933, 55. Cf. Porphyry, *Vita Plotini*, 10.

<sup>8</sup> H. Graillot, *Cybèle*, 1912, 71.

<sup>9</sup> Diod. XIV, 77, 5.

<sup>10</sup> Clem. Alexandr. *Strom.* I, 21, 143: τὰς εὐχὰς ὁμολοῦσιν οἱ ἄνθρωποι δυνατωτέρας εἶναι τὰς βραβάρῳ φωνῇ λεγομένους. Cf. W. Kroll, *De oraculis chald.* (*Leipziger Philologische Abhandlungen* VII), 58.

<sup>11</sup> H. Grégoire, *C. R. Ac. Inscr.*, 1908, 434.

<sup>12</sup> *The Excavations at Dura-Europos* I, 68.

<sup>13</sup> *Ezek.* 8, 14.

<sup>14</sup> M. Lidzbarski, *Ephemeris für semitische Epigraphik*, III, 60; *Répertoire d'épigraphie sémitique*, III, 1370ff.

<sup>15</sup> V. Schilciko, *Archiv für Orientforschung*, 1928, 11.

This polytheism knew no bounds; it admitted whatever gods were worshipped by men anywhere in the world. Yet a believer who was willing to recognize alien deities, might compare foreign gods with his own, just as he might find similarities in the institutions of the two countries. When writing of foreign deities, an ancient writer might refer to the gods of his own people in order to bring home to his readers the nature of the deities in question. Herodotus mentioned by name about seventy-four gods of some thirteen foreign peoples, but in fifty-seven cases he gave the deities Greek names, although in fact he knew that their real names were not Greek.<sup>16</sup> He gives seventeen foreign gods their national names; but he says that the Ethiopians worshipped Zeus and Dionysus and that the Persians called the whole circle of the sky Zeus, just as he speaks of ἱρεῖς (priests), or πόλεις (cities), in reference to the Egyptians.

The statement of Herodotus that Pan is called Mendes in Egyptian is on a par with such statements by modern writers as that the Japanese *bonze* signifies the clergy, or that the Hebrew *mishpaha* denotes a clan, or that Arabian *jinn* are totems. What is apparently an identification is rather an explanation or interpretation of a foreign phenomenon. Tacitus gives a complete characterization of this practice: "To a Roman," he says, in regard to certain German deities, "these gods are the same as Castor and Pollux – such an identification at least indicates their essential quality, although in fact they are called the Alci."<sup>17</sup> This kind of identification was often practised by the devotees of a particular god by way of indicating his nature in a foreign tongue. Three examples may be chosen. Votive inscriptions of Italian merchants in Delos call the self-same deities Neptunus or Mercurius in Latin, and Poseidon or Hermes in Greek. In the demotic text of an Egyptian story the gods are naturally given their Egyptian names; while the Greek version of the same story mentions Athena, etc.<sup>18</sup> In a Greek inscription from Cyme, the Egyptian goddess Isis speak of Hephaestus in Memphis.<sup>19</sup> The practice of using Greek names for Egyptian and other non-Greek deities is analogous to the giving of Greek names to the non-Greek

<sup>16</sup> I. Linforth, *Greek Gods and Foreign Gods in Herodotus* (University of California Publications in Classic Philology IX), 5.

<sup>17</sup> Tacit. *Germania*, 43: *apud Nahanarvalos... deos interpretatione Romana Castorem Pollucemque memorant. Ea vis numini, nomen Alcis.*

<sup>18</sup> W. Spiegelberg, *Sitzungsberichte der Heidelberger Akademie*, 1923, No. 2.

<sup>19</sup> W. Peck, *Der Isishymnus von Andros*, 1930, 122.

persons. Petosiris, an Egyptian, for example, calls himself Dionysios when speaking Greek. One name was for use in one's own language; the other in the language of others. And it was the same with liturgical matter.

Nobody was misled by this practice: Lucan (IX, 512), in reference to the Jupiter Amon of the Oasis of Siwah, wrote:

*stare sortiger illic*  
*Iuppiter, ut memorant, sed non aut fulmina vibrans*  
*aut similis nostro, sed tortis cornibus Hammon.*

The identification remained purely literary, and has no effect upon the cult of the god whose name was translated. The Scythian deities, though given Greek names by Herodotus, continued to be called by their native names in Scythia; and the Scythian Zeus or Hestian did not, after the time of Herodotus, acquire the temples, altars or images of their Greek namesakes. Nor was there anything rigid about this identification; for we find the High God of the Gauls called by Julius Caesar Mercurius, by Varro Saturnus, and after Latin inscriptions of the Gauls themselves Mars.<sup>20</sup> Again, the Nabatean deity Dusares was identified by the Greeks with Dionysus; a Nabatean, however, called him in Greek Zeus Dusares, and he was invoked elsewhere as the Holy God of the Arabs, as the God Dusares, and so forth.<sup>21</sup>

Nor, on the other hand, was translation ever obligatory. Foreign gods often remained unidentified with Greek gods; and Greeks identified some with Greek gods, while they called others by their native names. In a list of Egyptian festivals,<sup>22</sup> written about 300 B.C., we find mention of Athena, Hera and Apollo, together with Isis, Anubis, etc. The list contains the interesting entry, "the festival of Prometheus, whom they (the Egyptians) call Iphtimis." It is clear why some divinities were identified with members of the Greek pantheon and why others were not. Some names, such as that of Isis, were as well known to Greeks as the names of their own gods; while in the case of other gods, like Dedy, an interpretation was neither suggested nor current.

<sup>20</sup> Pauly-Wissowa, *RE s.v. Mars*, col. 1960.

<sup>21</sup> W. Robertson Smith, *The Religion of the Semites* (3rd ed.), 193; *RB*, 1932, 565; A.H.M. Jones, *JRS*, 1930, 51; *Milet III*, p. 387ff.

<sup>22</sup> Grenfell and Hunt, *The Hibeh Papyri*, No. 27.

## II. *Foreign Gods Changing Their Original Names*

None of the examples so far examined implies a change in the original name of a divinity. But sometimes there was an actual change of name, as when an alien deity received a new title in a native cult, or when his devotees adopted a different language. We may examine first two instances of the former kind of change. In 128–7 B.C. a merchant of Hierapolis in Syria erected a shrine in Delos to Hadad and Atargatis, the male and female patrons of his native city.<sup>23</sup> The Hierapolitans on the island elected priests to serve these deities, and dedicatory prayers were offered to “the ancestral gods,” Hadad and Atargatis. Some ten years later, however, Atargatis became Aphrodite Hagne. This change of title did not happen fortuitously, for it was associated with a change of cult. Before his name was altered, Hadad had preceded Atargatis in the liturgy; but afterwards, as Zeus Hadad, he came second to Hagne Aphrodite. Moreover, the worshippers of Atargatis were forbidden to partake of pork and fish; whereas in the liturgy of Hagne Aphrodite the prohibition was non-existent.<sup>24</sup> Simultaneously with this change the cult of the deities of Hierapolis was recognized by the Athenian authorities, and it became part of the state religion. In fact, recognition by the Athenian state caused the change in the titles of the alien deities. A second example is the liturgy of certain Anatolian deities, which was altered when they were recognized by the Greek cities in Asia under the titles of Sozon, Heracles, Dionysos, Zeus, etc.<sup>25</sup>

A different type of transformation occurs when a people adopts an alien language. The Gauls, for example, spoke and wrote Latin when they were under the dominion of the Roman Empire. In some cases the native gods acquired Latin names, and in others the native title was joined to the name of a Roman deity. Thus certain Celtic gods disguised themselves under the titles and attributes of Mercury, Mars, etc., while in the case of others the traditional Celtic names became associated with new ones taken from the Roman pantheon, such as Mars Cocidius or Mars Belatucadros.<sup>26</sup> But the liturgies, the ritual, and the arrangement of the sanctuaries of these *Marites* and *Mercurii*

<sup>23</sup> Cf. W. Ferguson, *Hellenistic Athens*, 1911, 385.

<sup>24</sup> P. Roussel, *Mélanges Holleaux*, 1913, 269.

<sup>25</sup> Cf. *Monumenta Asiae minoris antiqua* I, Nos. 8, 12, etc.

<sup>26</sup> Cf. F. Richter, *De deorum barbar. interpretation romana*. Dissert., Halle, 1906, 12.



remained Celtic.<sup>27</sup> The Anatolian god of Doliche in Syria supplies a second example: he was venerated as Baal when the population spoke Aramaic, as Ormuzd during the Persian domination, as Zeus Oromasdes in the Greek period, and as Juppiter in Latin; and at the same time he continued to be the “ancestral god” of his people.<sup>28</sup> Again, when Syria was a Roman province, the written language was Greek, and the hellenized population addressed the Nabatean god Dusares as Dionysos.<sup>29</sup> But this “Dionysos” was still worshipped as a fetish, and in Semitic he was still called Dishara.<sup>30</sup> The giving of alternative titles to Syrian deities is a result of the bilingual character of the population, as is the fact that Syrian cities often had two names – one Greek, and the other Semitic. Beroea, for instance, was called Chalybon in Aramaic, this name still surviving in the form of “Aleppo.”<sup>31</sup>

### III. *The Worship and Adoption of Anonymous Gods*

We are now faced with the question of how a people could import and worship an alien god who was anonymous. It may be observed at the outset that every religion is acquainted with deities, who are anonymous because their names are ineffable.<sup>32</sup> Sophocles, speaking of the Eumenides, remarks that the Greeks called them “the Gracious Ones, All-Seeing,” but that other names for them were common elsewhere.<sup>33</sup> As a rule, however, gods remained anonymous because their names were still unknown – although a knowledge of their names was really essential to their liturgies. When, for example, the Romans were unaware of what force had caused an earthquake, they offered a sacrifice “to the god or goddess.”<sup>34</sup> Again, when Euandros, pointing out to Aeneas the site which was to be Rome, led him to the Capitol, he exclaimed:

<sup>27</sup> J. Toutain, *Cultes païns* III, 543; S. Loeschke, *Die Erforschung des Tempelbezirkes zu Trier*, 1931, 6.

<sup>28</sup> F. Cumont, *op. cit.*, 137.

<sup>29</sup> Cf. Clermont-Ganneau, *Recueil d'archéol. orient.* VII, 156; F. Cumont in *RE* V, 1865; H. Seyrig, *Syria*, 1929, 321, 350.

<sup>30</sup> G.F. Hill, *JRS*, 1916, 155.

<sup>31</sup> F. Cumont in *CAH* XI, 623.

<sup>32</sup> Eurip. *Iphig. Taur.*, 945; τὰς ἀνόνομοις θεαῖς cf. Eurip. fr. 781. 13. ὅστις τὰ σιγῶντ' ὀνόματ' οἶδε δαιμόνων. Cf. on the word ἀνόνομος: W. Schmid, *Der Atticismus* IV, 725.

<sup>33</sup> Sophocles, *Oedip. Col.*, 45.

<sup>34</sup> Gellius, *Noct. Attic.* II, 28. Cf. Val. Flacc. *Argon.* III, 426; Diog. Laert. I, 110; Arnob. III, 40; *nec eorum* (sc. *penatum*) *numerum nec nomina sciri*.

“This grave, this hill with its leafy crown, though we know not of what god, is yet a god’s home: my Arcadians believe they have looked on Jove himself.”<sup>35</sup> *Quis deus incertum est, habitat deus!* Deities remained anonymous when men’s knowledge of them was imperfect. Herodotus notes that the Pelasgians, the pre-Hellenic inhabitants of Greece, once worshipped their gods indiscriminately under the general title “Gods,” and that they learned to recognize them by individual names from the Egyptians.<sup>36</sup> Further, Flavius Josephus relates that Moses “besought the Deity not to deny him the knowledge of His name, but since he had been granted speech with Him and vision of Him, further to tell him how He should be addressed, so that, when sacrificing, he might invoke Him by name to be present at the sacred sites.”<sup>37</sup>

The Syrians and Phoenicians, however, practised a theological agnosticism with regard to the names of their gods. The primitive Phoenician pantheon was very populous. The tablets of Ras Shamra (Ugarit) of the fourteenth century B.C. give the names of numerous divinities;<sup>38</sup> but already by that time the supreme deity was called El, that is, the God or *numen*, and another principal god, Hadd or Hadad, was venerated under the title Baal or Master. Some centuries later all the chief Phoenician deities had become anonymous, and were invoked by titles indicating their characters.<sup>39</sup> One god, for instance, was invoked as Baal Marcod, i.e., Lord of Dancing; a second as Melcarth, which means King of the City, or more fully, Our Lord King of the City; a third a Baal Shamaim, the Lord of Heaven; a fourth as Baal Berith, that is, Possessor of the Covenants, etc. We find a King of Byblus invoking “the Lord of Heaven and the Lord of Byblus and the holy deities of Byblus.”<sup>40</sup> “Baal Lebanon,” the Lord of the Mountain Lebanon, was venerated under this title both in Cyprus and at Carthage.<sup>41</sup> Moreover, certain alien gods, originally possessing names of their own, became anonymous after adoption by the Phoenicians. The Babylonian moon-god, Sin, for example, who was taken over by the town of Carrhae as

<sup>35</sup> Verg. *Aen.* VIII, 352 (Translation of the Loeb Library).

<sup>36</sup> Herodotus, II, 52; cf. Strabo, p. 164.

<sup>37</sup> Jos. *Ant.* II, 275 (Translation of the Loeb Library).

<sup>38</sup> R. Dussaud, *Les découvertes de Ras Shamra et l'Ancien Testament* 1937, 67.

<sup>39</sup> W. Robertson Smith, *The Religion of the Semites*, 94ff. W. Baudissin, *Kyrios*, III, 4. O. Eissfeldt, *Zeitschr. d. Deutsch. Morgenländisch. Gesellsch.*, 1929, 34. A god is called “the Name of the Betyl.” J.T. Milik, *Biblica*, 1967. 604.

<sup>40</sup> M. Dunand, *RB*, 1930, 321.

<sup>41</sup> O. Eissfeldt, *JPOS*, 1934, 297.

the God Sin of the town of Carrhae, became anonymous among the Syrians, who called him the Baal of Carrhae.<sup>42</sup> Again, the God Hadad, imported by the Phoenicians from the North, became with them an anonymous divinity, Baal Saphon, or Lord of the North,<sup>43</sup> and this god is invoked under this name again in Egypt.

This marked difference between the customs of the Phoenicians and the practice of other peoples influenced the attitude of foreigners towards the Phoenician gods. Non-Semitic peoples, such as the Egyptians, the Greeks, or the Romans, themselves regarded these Phoenician gods as anonymous. The historical effect of this attitude was that these gods were almost invariably assimilated by them to their own deities. Since Phoenician deities were, in distinction from the Egyptian Isis, anonymous at home, the Greeks always called them by their acquired Greek names, even for liturgical purposes.<sup>44</sup> We may quote two examples. According to an existing record, permission was granted in 333–32 B.C., to the merchants of Citium in Cyprus resident in Athens to erect “a temple of Aphrodite, just as the Egyptians have built the temple of Isis.”<sup>45</sup> What is important is that in this Attic inscription the Egyptian goddess retains her own name, whereas the Phoenician deity receives the Greek name, Aphrodite. Secondly, we have a Greek inscription recording the introduction of the cult of Serapis into Delos.<sup>46</sup> Apollonios, an Egyptian, brought his god with him from Egypt, and continued to serve him in the traditional way: but while the god is addressed in Delos, just as in Egypt, “Hail, much-hymned Serapis,” his priests in Delos bear the Greek names Apollonios, Demetrios. On the other hand, there exists a Greek inscription describing the introduction of Phoenician worship into Puteoli.<sup>47</sup> “The God Helios Saraptenos,” it records, “came by ship from Tyre to Puteoli: Elim brought him in accordance with a command.” Elim, who plays a similar part to Apollonios in Delos, still has a Semitic name; whereas his god – the biblical Baal of Sarapta – bears the title of a Greek deity, Helios. That is to say, people who imported a Phoenician anonymous god gave him a title in their own language. Let us consider the implications of this rule.

<sup>42</sup> Ed. Meyer, *Gesch. des Altertums*, II, 2, 434; E. Dhorme, *RB*, 1928, 380.

<sup>43</sup> R. Dussaud, *op. cit.*, 69.

<sup>44</sup> W. Baudissin, *op. cit.*, IV, 194.

<sup>45</sup> A.D. Nock, *Conversion*, 20.

<sup>46</sup> P. Roussel, *Les cultes égyptiens à Délos*, 1915, 71ff.

<sup>47</sup> Nock, *Conversion*, 66.

(1) The Phoenicians continued to worship their gods even in an alien land and, when speaking Phoenician, retained their “anonymous” titles. Hence, a Phoenician inscription in Athens mentions “the Lord [Baal] of Sidon,”<sup>48</sup> although in Greek and other foreign languages the Phoenicians recorded their deities under their foreign names. And so in the Greek text of a treaty between Hannibal and Philip of Macedon we find only the Greek names of the gods of each state mentioned, viz., Zeus, Hera, Apollo, Heracles (Melquart), Iolaus (Eshmun), Triton, Poseidon (a maritime Baal), and “the Genius of Carthage.”<sup>49</sup> And again, Phoenician merchants in Delos built sanctuaries to Heracles, Poseidon, etc.

(2) Foreigners gave to Phoenician gods the titles of their own deities. When an Egyptian desired to address Baal Saphon, the Lord of the North, in Ras Shamra (Ugarit), he gave the god the sacred Egyptian name of Seth Zapuna.<sup>50</sup> Moreover, their very anonymity facilitated the dispersion of Semitic gods. The “Syrian Goddess,” brought back to Phistyon in Aetolia in the third century B.C., is found with the title “Aphrodite Syria Phistys,” indicating that she had risen to the importance of Our Lady of Phistyon. Again, as a distinguished scholar has said, “the temple of the Syrian Goddess” in Thuria in Messania, was in the second century B.C. “the Cathedral of Thuria.”<sup>51</sup> Or, to take another example, we may quote the Phoenician merchants in Delos who described their Heracles, the Baal of Tyre, as “the common benefactor of the Greeks.”<sup>52</sup> Isis, on the contrary, remained a purely exotic goddess. The Greeks might, with Herodotus, reckon her to be identical with Demeter, but they knew that her “first and true name” was always Isis.<sup>53</sup> To them, she was “the Egyptian Goddess”; and Pausanias, indeed, uses the phrase as a synonym for her.<sup>54</sup> The praise of Isis in Greek is, in fact, based on an Egyptian tradition;<sup>55</sup> whereas, on the other hand, the wide dispersion of the Semitic Heracles, as distinct from his namesake, in Greece is evidence of the penetration of anonymous Semitic gods into foreign lands under foreign names.<sup>56</sup>

<sup>48</sup> *Répert. épigr. sémit.* III, 1215.

<sup>49</sup> Polyb. VII, 9.

<sup>50</sup> C. Schaeffer, *Syria*, 1931, 10. Cf. H. Vincent, *RB*, 1928, 517 and 1932, 453.

<sup>51</sup> Nock, *op. cit.*, 60.

<sup>52</sup> *Inscr. de Délos*, 1519.

<sup>53</sup> Grenfell and Hunt, *The Oxyrhynchus Papyri* XI, 1380, 1, 143; Apul *Met* XI 5.

<sup>54</sup> Paus. X, 32, 13.

<sup>55</sup> Herodot. II, 176; Diod. 1, 22; W. Peck, *op. cit.*, 122, 1, 2.

<sup>56</sup> H. Seyrig, *BCH*, 1927, 185.

(3) Proper names derived from the gods were as common among Greeks, Egyptians, etc., as among Phoenicians. Amongst others, Greek devotees assumed names compounded with the names of oriental deities – names like Mithridates, Menogenes, Isidoros. No Greek, however, was ever called Shambaal. Accordingly, a Phoenician, when speaking Greek, took the name of a Greek god, and we find mention of this name Shambaal in a Phoenician inscription, while in the Greek version of this same text the same man is called Diopieithes.<sup>57</sup>

(4) The importation of anonymous gods, and their incorporation into the pantheon of the importing people, had a reciprocal effect upon the liturgy in the country from which they originally derived. When writing in Latin, the Carthaginians addressed the Baal of Thignica in North Africa in his own temple with the Latin name Saturnus.<sup>58</sup> The Greeks identified the Baalim of the mountains in Phoenicia with Zeus, and those of the maritime towns with Poseidon; and we find Phoenician towns, influenced by the Greek nomenclature, representing their Baalim on their own coins as Poseidon or Zeus.<sup>59</sup> And, again, an ancient king of Byblus had the goddess or Baalath of his own town represented as the Egyptian goddess Hathor, in accordance with the Egyptian identification.<sup>60</sup>

(5) When Phoenician gods had proper names, those names were retained in the language of the country which imported them. This happened with Anath, Reseph and Astarte in Egypt. Moreover, when the foreign people mistook an anonymous title for a proper name, they retained it. Adonis is a case in point;<sup>61</sup> and another is contained in a Greek dedication invoking the deities of Iamnia, Heracles (Melquart), and Hauron (really the Baal of Hauron).<sup>62</sup> When, under the Roman Empire, barbarian sacred names were very much in fashion, Semitic titles like Baalmarcodes, Hierobolus or Malagbel penetrated into the Greek and Latin languages. In Sarmizegetusa in Dacia, a colony derived from Palmyra venerated “*Malagbel et Bebelhamon et Benefal et Manarat.*”<sup>63</sup>

<sup>57</sup> *Répert. épigr. sémit.* III, 1215.

<sup>58</sup> Cf. Wissowa, in Roscher's *Lexicon* IV, 442.

<sup>59</sup> G.F. Hill, *JHS*, 1911, 56.

<sup>60</sup> A. Erman, *Die Religion der Aegypter*, 1934, 349.

<sup>61</sup> Cf. Ronzevalle, *Mélanges de l'Université de Beyrouth*, 1926, 355.

<sup>62</sup> Cf. W.F. Albright, *AJSL* LIII, 4.

<sup>63</sup> L.W. Jones, *The Cults of Dacia* (*University of California Studies in Class. Phil.* IX), 284.

It is interesting to note that the same god Bebelhamon (Baal Hamman) was called in Palestine “Mercurius, Lord of the village Chamon.”<sup>64</sup>

(6) Although we have found that when the name of an alien god has been changed in a native liturgy it signifies the definite assimilation of that god into the body of traditional native deities, nevertheless this principle does not apply in the case of anonymous gods. The acceptance of an alien name is then only the first stage of assimilation. There follows, consequently, the attachment of a name to the anonymous god. Melquart of Tyre was to the Greeks always Heracles, both in Tyre and in Jamnia, Gades and Carthage, where his cult had received recognition. When the Romans introduced the cult from Gades, the god retained the name Hercules Gaditanus – a god distinct from the Roman Hercules.<sup>65</sup>

The Baal of Mount Kasios was known to the Greeks under the title “Zeus.” But the temple of this “Zeus” at Pelusium (Egypt), built at an artificial hill 13 1/2 metres high, represented for the worshippers the sacred mount of the Phoenician divinity.<sup>66</sup>

Again, we may note that the names under which alien deities were incorporated into the Greek, Egyptian or Roman pantheons did not exactly represent their original characters. Identification could be suggested by very different circumstances, and the newly named gods were often strikingly dissimilar to their traditional namesakes.<sup>67</sup> The Egyptians, for instance, identified the chief Phoenician deity, their Lord or Baal, with their own Seth; because since Horus was the chief deity of Egypt, it appeared only natural to them that the chief god of the foreigners should be identified with Horus’s chief enemy, Seth.<sup>68</sup> Again, when Herodotus remarks on the propriety of the Scythians’ title of Papai for Zeus, he may well have been referring to the alliteration of Papai and papa, which suggested and justified the identification of Papai with “the father of gods and men.”<sup>69</sup>

<sup>64</sup> Isid. Lévy, *RE* XLIII, 188.

<sup>65</sup> Cf. Paus. IX, 27,5; Sil. Ital. *Punica*, I, 81; *CIL* VII, p. 97. W. Weber, *Sitzungsber. Heidelb. Akad.*, 1910, No. 7; cf. U. v. Wilamowitz, *Abhandl. Preussisch. Akad.* 1909, 54.

<sup>66</sup> O. Eissfeldt, *JPOS*, 1934, 298.

<sup>67</sup> Cf. Linforth, *op. cit.*, 16.

<sup>68</sup> Cf. W.F. Albright, *op. cit.*, 10.

<sup>69</sup> Herodot. IV, 59. Cf. S. Shebelev in *Reports of the Taurian Society for History*, I (1927) (in Russian).

IV. *The Anonymous God of the Jews*

Such, then, was the manner in which anonymous gods were assimilated. But one particular anonymous god was an exception, namely the Most High God, venerated on Mount Zion and on Mount Gerizim. His name was made known to Moses; but even after the Persian period it became a mystic sign "which no man could expound."<sup>70</sup> The ineffable tetragramma, though uttered by magicians in an attempt to move the God of Abraham, Isaac and Jacob, thenceforward disappeared from the religious sphere. This name may have been the real name of God; and, as Plato says, the real names of the gods are beyond the knowledge of men. The Jews and Samaritans described God only by periphrasis, as the Heavens, the Holy One, the Most High, etc.<sup>71</sup>

The religion of Judah and Israel began in the same way as the principal cults of Phoenicia: that is, the tutelary tribal deity was regarded as anonymous. But while the Phoenicians permitted their gods to be identified with Greek deities, the Jews refused to identify the one true God with heathen idols. The Greeks might equate the God of Zion with Zeus or Sabazios or Kronos; but the Jews ignored such speculations. Thus, whereas in Egyptian priestly decrees the sacred name Ptah in the hieroglyphic part of the text is made to correspond with Hephaistos in the Greek portion, the Septuagint renders the proper name YHWH in the Hebrew text by an anonymous epithet in the Greek translation. If a foreigner asked a Jew the name of his god, the Jew replied: "I fear the Lord, the God of Heaven, who made the sea and the dry land."<sup>72</sup> Again, a hellenized Jew described the temple of Jerusalem as "the sanctuary of God, who made the heaven and the earth."<sup>73</sup>

The Greeks and Romans knew the God of Zion to be anonymous.<sup>74</sup> Livy wrote that "Pompey had entered the temple of Jerusalem, whose

<sup>70</sup> Ps. Callisth. *apud* E. Pfister, *Sitzungsberichte der Heidelberger Akad.* 1914, No. 11, 23: οὐδεὶς δὲ αὐτὸν ἐρμενεῦσαι ἀνθρώπων δεδύνηται.

<sup>71</sup> A. Marmorstein, *The Old Rabbinic Doctrine of God* (*Jews' College Publication*, No. 10), 17ff. L. Couard, *Die religiösen Anschauungen der Apokryphen*, 1907, 27.

<sup>72</sup> *Jonah* 3, 9.

<sup>73</sup> Eupolemus *apud* Euseb. *Praep. evang.* IX, 30, 448 b.

<sup>74</sup> Cf. Ed. Norden, *Agnostos Theos*, 1913, 57.

god the Jews do not name"<sup>75</sup> and Lucan mentioned *dedita sacris incerti Judaea dei*.<sup>76</sup> In a record of 166 B.C., too, the temple of Gerizim is called anonymous.<sup>77</sup>

Thus did the Jewish god distinguish himself from the idols of other peoples. In the Phoenician language, Phoenician deities were nameless, but they were given Greek names to make them intelligible to Greeks. When, on the other hand, Greek converts to the Jewish religion desired to explain the nature of the Jewish god to other Greeks, they were unable to describe him as Zeus or Heracles, being constrained to give him such titles as "the Most High."<sup>78</sup> It was this principle which distinguished Jewish propaganda from that of other ancient religions.

The first stage in the assimilation of an anonymous foreign god by a Hellenistic people was to confer on him a name. When, for example, the Greek party under Antiochus Epiphanes gained control of Jerusalem, the king gave the Jewish god of heaven the name of the Greek lord of heaven, Zeus Olympios. The next year, 166 B.C., the Samaritans besought the king to associate the name of Zeus with their anonymous temple of Gerizim. In the passage in Josephus's *Jewish Antiquities* containing the Samaritan request and the king's reply,<sup>79</sup> it is abundantly clear that the act of Antiochus Epiphanes does not signify, as is generally supposed, that he introduced a Greek cult, but merely that he conferred the Greek name Zeus on a deity hitherto anonymous. The god of Abraham, Isaac and Jacob did not then become a Greek deity, as did the Baal of Berytos, for instance, when he became identified with Poseidon, and was so called in Greek. Moreover, although after Antiochus's edict the God of the Jews was called Zeus Olympios in Greek, he continued to enjoy such anonymous titles as "the Heavens" in Hebrew or Aramaic.<sup>80</sup>

The innovation proved to be ephemeral, however, for in December, 164 B.C., Judas Maccabeus captured the temple of Zion, and in 162 B.C. the Seleucid government again recognized the reign of the

<sup>75</sup> Livy *apud* Sen. Lucan. II, 593: *Hierosolymis fanum cuius deorum sit non nominant, neque ullum ibi simulacrum est, neque enim esse dei figuram putant*. Cf. Dio Cass. XXXVII, 17,2.

<sup>76</sup> Lucan. II, 592.

<sup>77</sup> Jos., *Ant.* XII, 262.

<sup>78</sup> Cf. on the title "Hypsistos": A.D. Nock, *HTR* XXIX, 58.

<sup>79</sup> Jos. *Ant.* XII, 257. Cf. my remarks above, 376-407.

<sup>80</sup> Cf. my book *Der Gott der Makkabäer* 1937, 92ff. [or see below, 1097ff.].



Torah in Jerusalem. And so the God of Zion has for ever remained unnamed. Christianity accepted the belief of the parent-religion, that God is nameless because he is one alone. On the Areopagus St. Paul said to the Athenians, "I found also an altar with this inscription: To an unknown god. What therefore you worship in ignorance this set I forth to you!" (*Acts* 17, 23).<sup>81</sup> *Nec Deo nomen quaeras. Deus nomen est.*

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<sup>81</sup> Cf. Ed. Norden, *Agnostos Theos*, 1913, 58 note. A. v. Harnack, *Marcion*, 1924, 1ff., 118ff.

## NEBUCHADNEZZAR AND JERUSALEM

The events which led to the Babylonian Captivity are well known. Nebuchadnezzar, king of Babylon in 605, recovered Syria and Palestine which had been seized by the Egyptians in 609. His army returned to the territory west of the Euphrates in 604 (when he captured the city of Ashkelon), and again in 603. During one of these campaigns he received the submission of Jehoiakim, king of Judah. But three years later, after the failure of Nebuchadnezzar's advance to the Egyptian frontier, in 601, the king of Judah "turned and rebelled" against Babylon (II Kings 24:1), and for a few years Jerusalem remained in the Egyptian sphere of influence. Jehoiakim died on or about December 7, 598. Jehoiachin, his son and successor, continued his father's pro-Egyptian course. But toward the end of the year 598, a Babylonian army invaded Judah. Jerusalem was captured on March 1, 597, and Jehoiachin was deported to Babylonia. Nebuchadnezzar installed Zedekiah, an uncle of Jehoiachin, in the royal office. Some years later, however, trusting in the promises of the Pharaohs Psammetichus II and Aprias (Hophra), Zedekiah rebelled against the king of Babylon. Nebuchadnezzar's army laid siege to Jerusalem, and on the 9th day of the fourth month in the eleventh year of Zedekiah (II Kings 25:2), that is, on August 25, 587 or on July 18, 586, the Babylonians captured Jerusalem. The city was burned; Judah became a Babylonian province, and the Babylonian governor made his residence at Mizpah (Tell al Nasbeh), a little town about 13 km. north of Jerusalem. The holy city became "like a widow," and Judah "went into exile." (Lam. 1)<sup>1</sup>

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<sup>1</sup> Cf. A. Malamat, *IEJ*, 18 (1968), pp. 137–156. The absolute (Julian) chronology of the events preceding the fall of Jerusalem, remains uncertain, but the date of capture of the city in 597 is given in a Babylonian chronicle. Cf. E. Kutsch, *Biblica*, 55 (1974), pp. 520–543.

## II

It is natural that in the Jewish tradition Nebuchadnezzar appeared as a wicked adversary of God and of God's people. But the historian must appreciate Nebuchadnezzar's reprisals against Jerusalem in the context of the legal and moral ideas of his age. We have to realize that for the Babylonians, as for their Assyrian predecessors, the wars conducted by their kings were, by definition, just and holy.<sup>2</sup>

This idea followed from the universal concept of the providential government of the world. Each people or city had a tutelary deity who, even for the Greeks, was the owner of the city.<sup>3</sup> As the people could not abandon their celestial patrons (cf. Jer. 2:11), the deity could not forsake his (or her) worshippers – unless they offended their gods.

Thus, when, in the days of Jeremiah, Jerusalem was endangered by a foreign conqueror, the Jews, pointing to the sanctuary repeated: "The Temple of the Lord is this" (Jer. 7:4) and trusted that "we shall not see famine or sword" (Jer. 5:12). Solon, their contemporary, similarly assured the Athenians that the outstretched hands of the goddess Athena from above shielded their city. The patron saint intervened to save the worshippers when they were at bay and fought for hearth and altar. The god Chemosh rescued his people from the hands of the Israelites, the Lord saved Jerusalem from Sennacherib, Apollo drove the Gauls from Delphi and, many centuries later, the Holy Virgin extending her mantle over Constantinople delivered her city from the enemy. Sometimes, later generations, marvelling at the exploits of their remote ancestors, saw God's hand acting in their primeval past. Thus, the Exodus and the settlement in the Promised Land are marked in the biblical tradition by incessant direct intervention of the Lord, which

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<sup>2</sup> This dogma of political theology explained defeats as divine punishments. See, e.g., A.K. Grayson, *Assyrian and Babylonian Chronicles* (1975), p. 149. The idea was already Sumerian. See, e.g., *ANET*, pp. 611–619. As the vassals swore fealty to the overlord invoking their own gods (and also the deities of the suzerain), a rebellion was sacrilegious. An Arab goddess delivered the Arab king who had revolted against Esarhaddon to the Assyrian king. Morton Cogan, *Imperialism and Religion* (1974), p. 20. Society of Biblical Literature Monograph Series, vol. XIX. The Jews accepted this doctrine and Nebuchadnezzar could be seen as the instrument of divine wrath. See Kings 9:8–9; Jer. 25 and 27. On Ezek. 17:11–16, see M. Tsevat, *JBL* (1959), 199. On Nebuchadnezzar in Jewish tradition, see S.G. Bernstein, *König Nebucadnezar von Babel in der jüdischen Tradition*, Diss. (Bern, 1907).

<sup>3</sup> See e.g. Thuc. II, 72, 2. Fustel de Coulanges, *La cité antique*. L. II, ch. VI: "La cité était la réunion de ceux qui avaient les mêmes dieux protecteurs."

emphasized the uniqueness of these events.<sup>4</sup> The sacred writers even quoted the book “Of the Wars of YHWH” (Num. 21:14).<sup>5</sup> We may here remember the judgment of Livy about the history of the origins of another Chosen People; antiquity has the privilege of rendering the beginnings of peoples more venerable by attributing the events to the agency of the gods.<sup>6</sup>

But the kings of Israel were no longer certain that the Lord would march with their armies.<sup>7</sup> A general of David in the campaign against the Ammonites and Arameans, appealed to his soldiers to do their duty “for our people and for the cities of our God,” but added: “May the Lord do what seems good to him” (II Sam. 10:12).<sup>8</sup> Even the pious King Josiah has to learn that his God could be with the Pharaoh and that, therefore, if the king goes against Egypt, he will be defeated (II Chron. 35:21).

In Israel YHWH strove for His people to fulfill the promises given to the Patriarchs.<sup>9</sup> In Assyria (or Babylonia), the kings, stewards of the deity, fought for the profit and glory of the god Ashur (or of the god Marduk).<sup>10</sup> For the Assyrian kings and for their neo-Babylonian successors, from Tukulti-Ninurta I (1244–1208), at least,<sup>11</sup> to the fall of

<sup>4</sup> Moshe Greenberg, *Understanding Exodus* (1969), p. 98, quotes R. Nissim (b. Reuben Geronda, XIVth c.) who says that the history of Exodus is full of miracles, “so that Israel might know that what is impossible in nature is possible with God.”

<sup>5</sup> On the so-called “holy” war (the term is not biblical), cf. G. v. Rad, *Der heilige Krieg im Alten Testament* (5th ed., 1969); M. Weippert, *ZAW*, 84 (1972), pp. 460–493; G.R. Jones, *VT*, 25 (1975), pp. 642–658. The best discussion of the topic is that of R. de Vaux, *Ancient Israel* (1961), pp. 257–267.

<sup>6</sup> Liv. I, *Praef.* 7.

<sup>7</sup> G. v. Rad, *Gesammelte Studien zum Alten Testament*, II (1973), p. 133 notes that “the Lord’s battles” (I Sam. 18:17) are not mentioned after the reign of Saul. Likewise, the *herem* is not attested after Saul (I Sam. 5:1). M. Greenberg, *Encycl. Judaica*, VIII, 346. A prophet vainly tried to resuscitate this institution in the reign of Ahab (I Kings 20:42).

<sup>8</sup> Moses promises to the Hebrews that the Lord will not fail them in their wars under Joshua (Deut. 31:6). But the expression “let God do what seems good to him” always implies the appeal to divine mercy (Judg. 10:15; I Sam. 3:18; II Sam. 15:26; I Macc. 3:60).

<sup>9</sup> de Vaux (n. 5), p. 226: “It was Yahweh who fought for Israel, not Israel who fought for its God.”

<sup>10</sup> K. Tallquist, *Der assyrische Gott* (*Studia Orientalia*, IV, 3, 1932), pp. 83–99; R. Labat, *Le caractère religieux de la royauté assyro-babylonienne* (1939), pp. 253–274; Th. Fisch, *Bulletin John Rylands Library* 23 (1939), pp. 386–402; B. Albrektson, *History and the Gods* (1967); W. G. Lambert, *Oudtestamentische Studien*, 17 (1972), pp. 65–72; Cogan, *Imperialism and Religion*; H. Tadmor, “Assyria and the West” in the volume *Unity and Diversity* (eds. H. Goedlicke and J.J.M. Roberts), pp. 36–48.

<sup>11</sup> W. v. Soden, *Iraq*, 25 (1963), p. 136. Cf. W.G. Lambert, *AfO*, 18 (1957–8), p. 43.

Babylon in 539, their campaigns were undertaken “at the command” of Ashur (or later of Marduk in Babylonia).<sup>12</sup> The enemies, be they the Egyptian Pharaoh Tirhakah or a king of Carchemish, or Abdi-milkutti of Sidon, vainly relied on their military forces, or on the impregnability of their cities protected by the sea or by the rugged mountains. The Assyrian king trusted in the god Ashur, and inevitably won.<sup>13</sup> His conquests were made for his god. The Assyrian kings indifferently used the terms “my yoke” and “the yoke of the god Ashur.”<sup>14</sup> In annexing Ashdod, Sargon “broadened the boundary of the god Ashur, king of the gods.” In the preceding line of the same document he says that he added the country of Gurgum “to the land of Assyria.” The royal army could be called “troops of the god Ashur,” or the army “of the land of the god Ashur.”<sup>15</sup> Thus, the conquered territories became portions of domain belonging to the god Ashur, and the successive kings were temporary managers of this estate. Sargon called himself “viceroys of the land of the god Ashur.”<sup>16</sup>

The neo-Babylonian kings inherited the empire and the imperial ideology of their Assyrian overlords. At the coronation of Nabopolassar he was acclaimed: “May you conquer the land of your enemies,” and he received the standard, god’s gift, with which he was to defeat his enemies forever. In the first twenty-two years of the new empire, the Babylonian army undertook twenty-one military expeditions, and was

<sup>12</sup> See the passages quoted in *AH*, II, 389 s.v. *quabu* and in *CAD*, IV, 137 s.v. *e-mu-ge*. For instance, Esarhaddon undertakes the victorious expedition against the far distant land of Bazu “at the command of the god Ashur, my lord.” Borger, p. 56 = Luckenbill, II, 520.

<sup>13</sup> Streck II, pp. 6, 56ff. = Luckenbill, II, 770 = *ANET*, p. 294; Abdi-milkutti: Borger, p. 48, line 67 = Luckenbill, II, 511 = *ANET*, p. 290. Saduarri trusts in the mountains: Borger, p. 49, line 23 = Luckenbill, II, 528; King of Sidon trusts in his force: Borger p. 50, lines 27–28 and 43 = Luckenbill, II, 527–528 = *ANET*, pp. 290–291.

<sup>14</sup> See *AH*, II, 794, s. v. *Nir* and Cogan, *op. cit.*, p. 51. In Esarhaddon’s story of the conquest of Sidon (Berger, p. 48, line 67), one group of “manuscripts” speaks of the yoke of the god Ashur, and the other group of the yoke of the king.

<sup>15</sup> Luckenbill, II, 79. See H. Weissbach, *ZDMG*, 72 (1918), p. 179, lines 10–11 and on the other hand, line 13 and p. 180, line 26. See further H. Tadmor, *JCS*, 12 (1956), 23. “Troops of the god Ashur”: see, e.g., Louis D. Levine, *Two Neo-Assyrian Stelae from Iran* (Royal Ontario Museum, Occasional Papers 23, Toronto, 1972), p. 36, lines 2 and 26. Again Assurbanipal uses the terms “troops of the god Ashur” and “troops of the land of the god Ashur” interchangeably: Streck, II, p. 182, line 41 and p. 12, line 127. See also Streck, III, p. 774 and *AH*, II, 598b, s.v. *malu*.

<sup>16</sup> See the passages in *CAD*, II, 203–204, s.v. *belutu* and in *AH*, II, 825, s.v. *paqudu*. See further H.W.F. Saggs, *Iraq*, 37 (1975), p. 7, line 13.

victorious.<sup>17</sup> Yet, in their inscriptions, these kings do not boast of their military exploits. In the spirit of the archaizing tendency of the age,<sup>18</sup> imitating the Babylonian kings of old, the new kings speak almost exclusively of their offerings to the gods, of the restored temples, and of similar pious and useful deeds. But when these “building” inscriptions occasionally mention warfare, the neo-Babylonian kings, too, talk as the instruments of Providence. Nabopolassar overthrew the Assyrian yoke “trusting the Lord of the lords” (Marduk) and “with the powerful might” of Nabu and Marduk, “my lords,” or with the help of Shamash, who was naturally invoked in a text from Sippar, the city of this god.<sup>19</sup> Again, like the Assyrian kings, Nebuchadnezzar as well as Nabonidus proclaimed that their supreme god, Marduk, “my lord,” gave them the numerous nations to rule and that he entrusted them with the government of “his (Marduk’s) land” and of Marduk’s subjects.<sup>20</sup> They exercised their rule at his command.

Aristotle says that successful men became “fond of the deity” (*philotheoi*) and, somehow, trust in the Divine Being because of their good luck.<sup>21</sup> Some United States coins bear the inscription “In God We Trust.” When Assyria became the imperial power, the first one in world history, when the little city on the Tigris for several generations enjoyed the undisputed predominance from Elam to Egypt, when almost every year the booty, the ransom, and the tribute enriched the gods and fattened the citizens of Assur, it appeared evident that their kings fought the battles of their tutelary gods. The Assyrians and the Babylonians knew that the kings who did not heed justice were in war opposed by the angry gods.<sup>22</sup> The triumphs of their kings, thus, proved that the just gods favored the just cause and that right was on the side of might.

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<sup>17</sup> A.K. Grayson, *Babylonian Historical-Literary Texts* (1975), p. 85; D. Wiseman, *Chronicles of Chaldean Kings* (1956), p. 95.

<sup>18</sup> I owe this explanation to H. Tadmor, who refers to W.F. Albright, *From the Stone Age to Christianity* (paperback ed., 1957), p. 317. For instance, the Scythians are called *gimmir* (Cimmerians) in neo-Babylonian texts. M. Dandamayev, *Vestn. Drevn. Istor.*, 1977, no. 1, p. 31. Cf. also P.-R. Berger, *Neubabylonische Königsinschriften*, I (1973), pp. 92–98.

<sup>19</sup> Langdon, Nabopol. 3, c. 1, 21; 4, 19; Neb. 9, c. 3; 15, c. 7, 2; 17, c. 2, 13; Nabon. 14, c. 11, 54.

<sup>20</sup> Langdon, Neb. 14, c. 2, 51; 15 c. 7, 29. Cf. *CAD*, II, 182, sv. *ba'ulatu*.

<sup>21</sup> Arist. *Rhet.* II, 1391 b.

<sup>22</sup> W.G. Lambert, *Babylonian Wisdom Literature* (1960), p. 112.

Thus, the *pia arma* were also the *iusta arma*. Aristotle<sup>23</sup> assured his Greek readers that the just war was that against the “Barbarians,” who by nature were destined to be subjects of the Hellenes. Who in Assur or Babylon could doubt that the resistance to the arms of the Supreme Deity was naturally unlawful? “Has any one of the gods of the nations ever delivered his land out of the hand of the king of Assyria?” (II Kings 18:33). Esarhaddon marched against faraway lands which his ancestors never invaded. But the fearful splendor of the god Ashur overcame the rulers in Media and they submitted without a fight. And against the unyielding princes of the land of “Bazu” he advanced victoriously, “at the command of the god Ashur, my lord.”<sup>24</sup>

Moreover, the wars of Ashur or Marduk were mostly waged against the rebellious vassals who had broken the oath of fealty guaranteed by these gods. Esarhaddon of Assyria speaks of a king of the land of Shubria (in Kurdistan) who, besieged in his city, implored mercy. In his message to Esarhaddon he repeatedly stated that he and his land had “sinned,” “committed a grievous sin” in disobeying the Assyrian king and, thus, violated his oath. This oath (that is, its curses) did overtake him.<sup>25</sup> And he prayed to “Esarhaddon to remove my [divine] punishment.”<sup>26</sup> In the same vein, Assurbanipal speaking of the terrible famine that his gods inflicted on the rebellious Arabs, tells us that the Arabs asked one another, why is it that this calamity happened. And they acknowledged that the gods punished them because they did not keep the oath sworn by Ashur and, thus, sinned against the benevolent King Assurbanipal, beloved of Enlil (that is, Ashur).<sup>27</sup>

The appalling inhumanity of the Assyrians to the obstinate and, even, to the defeated adversary served to frighten the would-be enemy. On a relief in the British Museum we can see prisoners impaled in the sight of the last defenders of Lachish.<sup>28</sup> Esarhaddon tells us that the

<sup>23</sup> Arist. *Pol.* 1256 b.

<sup>24</sup> Borger, p. 56. lines 32 and 61; Luckenbill, II, 519–520. On “divine splendor” in war, see E. Cassin, *La splendeur divine* (1968), pp. 73–77.

<sup>25</sup> Borger, p. 103, lines 13, 15, 21, 25. Cf. *AH*, I, 337, s.v. *hatu* and *CAD*, VI, 156 and VI, 210.

<sup>26</sup> Borger, *l.c.*, line 24 as understood and translated in *CAD*, IV, 169 s.v. *en-nit-tu*. Cf. Luckenbill, II, 504–505.

<sup>27</sup> Streck, II, 76–78; Cogan (n. 2), 16–21 (new readings); Luckenbill, II, 828; *ANET*, 300. Cf. M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (1972), pp. 114–115.

<sup>28</sup> *ANEP*, f. 131. Cf. H.W.F. Saggs, *Iraq*, 25 (1962), p. 255. A.T. Olmstead, *History of Assyria* (1923), p. 654 observes: “Assyria was too small a state to bear the heavy burden of imperialism.”

heads of two captive and executed kings were hung around the necks of two of their officials, who, then, paraded through the streets of Nineveh to demonstrate the might of the god Ashur to “the people.”<sup>29</sup> But, as the last quoted text shows, the boasting of inflicted tortures, of the devastations, and of the extermination of the conquered peoples in Assyrian texts and on Assyrian reliefs expressed the conviction that the cruelty of the punishment avenged the offended deity.

We may even go further and say that the king was morally bound to be pitiless, to warn the eventual rebel or an invader. The king of Shubria said that his fate should be a warning to those who did not fear Esarhaddon’s majesty.<sup>30</sup> And, to make an example of him, he was executed. The Assyrian (or the Babylonian) king was installed in his office by the deity to “shepherd” the peoples entrusted to him.<sup>31</sup> But the shepherd was contractually liable for the safety of the flock and was remunerated by the owner according to the welfare and growth of flocks and herds.<sup>32</sup> The king felt his responsibility to the god. Nebuchadnezzar says that he submitted his neck to bear Marduk’s yoke.<sup>33</sup> “To please the great lord Marduk,” Nebuchadnezzar had to uphold justice in his realm,<sup>34</sup> but also, and above all, to protect his flock from wild beasts. The sole extant triumphal inscription of Nebuchadnezzar, engraved on rocks in a reconquered country (Lebanon), mostly praises his piety (eight columns out of ten). But it also stresses the protection which the royal shepherd has to give to his peoples. The king sent his army “to recover the forest of Marduk”<sup>35</sup> from a foreign king<sup>36</sup> (the Pharaoh Necho), and by his victory he made the inhabitants of the mountain of Lebanon “to lie down” (as pastured flocks) safely<sup>37</sup> – “and has not allowed (anyone) to frighten them.”<sup>38</sup> In this manner, he presented

<sup>29</sup> Borger, p. 50, line 35. Cf. Luckenbill, II, 528 = *ANET*, p. 290.

<sup>30</sup> Borger, p. 103, lines 26–27. Cf. Luckenbill, II, 603.

<sup>31</sup> See, e.g., Langdon, Nebuch. 9, c. 1, 2; 11, c. 1, 2; Nergil. 2, c. 1, 27. Cf. the passages quoted in *AH*, II, 968, s.v. re’u and re’ut. Cf. M. Weinfeld, *ZA*, 88 (1976), 45–46.

<sup>32</sup> Cf. G. Cardascia, *Les Archives de Murashu* (1951) p. 148; J.J. Finkelstein, *JAS*, p. 88 (1968), pp. 30–36; M. Dandamayev, *Rabstvo v Vavilonii* (1974), p. 164; J.N. Postgate, *Journal of Semitic Studies*, 20 (1975), pp. 1–21.

<sup>33</sup> Langdon, Neb. 9, c. 1, 12; 15, c. 2, 9.

<sup>34</sup> W.G. Lambert, *Iraq*, 27 (1965), p. 8.

<sup>35</sup> Cf. F. Stolz, *ZA*, 84 (1972), 141–156.

<sup>36</sup> Langdon, Neb. 19, c. 9. Cf. *ANET*, p. 307.

<sup>37</sup> Translation and interpretation of M. Weinfeld (above, n. 31), p. 51, n. 129.

<sup>38</sup> Nebuchadnezzar insists on the importance of security. Langdon, Nebuch. 7, c. 2, 31; 14, c. 3, 52; 21, 46. Cf. *AH*, II, 667, s.v. *mugalitu*.



himself as the ideal king of the Akkadian ideology, who “guides the subjects (of Marduk) the right way.”<sup>39</sup>

Accordingly, the devotion to the city gods and the fealty to the king were, so to say, obverse and reverse of the same piece of ideology. Nabonidus could say that the great gods became reconciled with the city of Harran (that had been destroyed by the Medes fifty-five years before) out of love for his kingship.<sup>40</sup>

The Assyrian kings, in their treatment of defeated princes and conquered countries, at least in principle, followed the rule of “measure for measure,” which is also seen in the Assyrian law book dealing with crimes and punishments. Punishment should correspond in degree to guilt, and the intention of the culprit should be taken into account.<sup>41</sup>

Hence, the ruler who surrendered before, or even during, the siege of his city, remained on the throne, though he had to pay a heavy indemnity and became a vassal of the Assyrian king.<sup>42</sup> On the “Black Obelisk” in the British Museum we can see Sua, the Gilzanite, ruler of a country near Lake Urmia in Iran, and Jehu of Israel, both prostrated before the hieratically unmoved Shalmaneser III of Assyria.<sup>43</sup> Likewise, the disobedient vassals were punished pitilessly unless they surrendered in good time. For instance, Abdimilkutti of Sidon and Sanduarri, a kinglet in the Taurus region, who had allied themselves against Esarhaddon, were beheaded. The usurpers, who had overthrown princes faithful to Assyria, were flayed.<sup>44</sup> Some obstinate rebels ended in cages with dogs and other animals at the gates of Nineveh.<sup>45</sup> But Hanunu of Gaza, who revolted but had fled before the siege of Gaza by Tiglath-Pileser III, and afterwards surrendered, was reappointed to his place. Ullusunu, the king of Mannans was placed on the throne after the overthrow of his father, a faithful vassal of Assyria. He, too,

<sup>39</sup> Langdon, *Neb. 9*, c. 1, 3 quoted *CAD*, II, 182, s.v. *ba'ulatu*.

<sup>40</sup> Nabonidus: H. Tadmor in *Studies in Honor of B. Landsberger* (1965), p. 351. *Assyr. Studies Series*, vol. XVI.

<sup>41</sup> G. Cardascia, *Acta Antiqua Acad. Hungaricae*, 22 (1974), pp. 363–371.

<sup>42</sup> See, e.g., cases of a king of Damascus in the time of Adad-Nirari's expedition, ca. 803 (*ANET*, p. 281) and of Menahem King of Israel in 739 (II Kings 15:19 and *ANET*, p. 284). Cf. Labat (n. 10), p. 258.

<sup>43</sup> *ANEP*, f. 351. Cf. P.K. McCarter, *BASOR*, 216 (1974), pp. 5–9.

<sup>44</sup> *ANET*, pp. 290–291; 285 and 380. Cf. Cassin (n. 24), p. 38. Assyrian rebels were dealt with in the same manner. Ashur-Nasir-Apli II (883–859) flayed Hulaya, head of the Assyrian colony in the city Halziluha, and burned other rebels. A.K. Grayson, *Assyrian Royal Inscriptions*, II (1976), p. 549.

<sup>45</sup> *ANET*, pp. 298 and 300.

fled at the approach of the Assyrian army, returned and “seized my feet,” as Sargon says. He was forgiven, placed again on the throne of his fathers, and became a zealous servant of his overlord.<sup>46</sup>

In other cases, the rebellious and defeated ruler was replaced by a prince of the same family. Nahure succeeded his deported father as the king of “Ishmael.” Nebu-zer-kitti-lishir, a ruler in Southern Babylonia, lost his life in the revolt against Esarhaddon. But owing to the intervention of the local chiefs, his brother succeeded him.<sup>47</sup> Under Nebuchadnezzar, the Tyrians fetched some exiled princes of the former royal family from Babylon to rule their city.<sup>48</sup>

A similar gradation appears in the punishment of cities. The Ashdodites overthrew the king appointed by Sargon, but their new king escaped to Egypt at the approach of the Assyrian army. The city was captured, the population deported, and the city resettled with people from other conquered territories.<sup>49</sup> A rebellious city could be ceded to a neighboring king.<sup>50</sup> In the worst cases, the city was not only burned and depopulated, but its soil salted (or over-flooded) to make the place uninhabitable forever.<sup>51</sup>

Yet, at least in some cases, the Assyrian king tried to distinguish between culprits and innocents. Sargon speaks of “the rebellious people of Carchemish” who sided with their faithless king. At Ekron, the victorious Sennacherib executed the “great” who had “committed the sin” (h-it-tu) of rebellion; the less guilty citizens were enslaved; the not guilty men were pardoned; and the faithful king, who had been expelled by the city people, was reinstalled over them.<sup>52</sup> Of course, Assyrians and their Babylonian successors did not consult a treatise on the Law of War before punishing or forgiving the defeated adversary. They acted according to their political judgment or the degree of their anger. Necho I of Sais, after his rebellion, was not only reinstalled in his kingship but was even favored by Assurbanipal in 663 because he was

<sup>46</sup> Hanunu (Hanno): *ANET*, p. 283; Ullusunu: Luckenbill, II, 148.

<sup>47</sup> Nuhuru: *ANET*, p. 300; Nabur-zeri-kitti-ilshir: Luckenbill, II, 509–510 = Borger, p. 47. Cf. Olmstead (above, n. 28), p. 352. Cf. Luckenbill, II, 517 = Borger, p. 52, Luckenbill, II, 30; H. Tadmor, *JCS*, XII (1956), 79.

<sup>48</sup> Jos. C. *Ap* II, 15. J. Katzenstein, *The History of Tyre* (1975), pp. 325–329.

<sup>49</sup> Luckenbill, II, 30 and 62 = *ANET*, p. 285. Cf., e.g., the fate of the city of Shihuhtu, that, after a revolt, was given to Mati, king of Tyana by Sargon. Luckenbill, II, 7. Cf. Olmstead (n. 28), p. 223.

<sup>50</sup> Luckenbill, II, 7.

<sup>51</sup> G. Cardascia, in *Festschrift E. Seidl* (1975), pp. 28–34. Cf. Luckenbill, II, 811.

<sup>52</sup> Luckenbill, II, 240 = *ANET*, p. 287.

needed to balance the great weight of the Ethiopic dynasty at Thebes in Upper Egypt.<sup>53</sup> The ungrateful Baal of Tyre, who had received a great part of the Sidonian land, revolted, surrendered, and was pardoned in 671, revolted again and submitted again to Assurbanipal, lost the mainland of Tyre, but remained the ruler of his city because it would have been costly for Assurbanipal to undertake a long siege of the island of Tyre.<sup>54</sup> These examples show that requital as one's just desert was a sound rule in politics. In conditions of ancient warfare, considering the distances which separated Assur or Babylon from the theaters of military operations, and in the absence of explosives, time was a decisive factor. As Sennacherib put it in his campaign of 701, he spared "the strong walled cities" (in Palestine) "which bowed in submission at my feet," but captured and plundered the cities which "did not bow in submission at my feet speedily."<sup>55</sup> The rule "measure for measure" left to the adversary the choice between submission with light punishment or obstinate resistance. The latter was a gamble with one's future. Jerusalem won the gamble in 701; Samaria lost it in 720.<sup>56</sup> World history would have been different if Samaria had won and Jerusalem had lost.

We can now appreciate Nebuchadnezzar's treatment of Jerusalem. King Jehoiakim, though installed by the Pharaoh Necho II, after the latter's defeat at Carchemish in 605, made submission to the Babylonian king and remained on the throne. Later, probably after Nebuchadnezzar's setback at the Egyptian border, in 601, Jehoiakim rebelled. His successor, Jehoiachin surrendered, but only after the capture of Jerusalem by Nebuchadnezzar. He was deposed and deported to Babylon. Here, his family and some courtiers lived as pensioners

<sup>53</sup> Cf. J. Yoyotte, *Dictionnaire de la Bible, Supplém.*, VI, pp. 363–365.

<sup>54</sup> See Katzenstein (above, n. 48), ch. XI.

<sup>55</sup> Luckenbill, II, 239 = *ANET*, p. 287.

<sup>56</sup> As Sargon says, men of Samaria did not want "to continue their servitude (*ardi-ti*). H. Tadmor, *JCS*, 12 (1965), p. 34. In Jerusalem, Hezekiah sent messages to Sennacherib that he had "sinned," (cf. above, n. 25) accepting any punishment for this sin in advance (II Kings 18:14). But Sennacherib demanded the "unconditional surrender," to use modern terminology, that is, *deditio*. Why? The other leaders of the anti-Assyrian coalition of 701 fled, were deported (e.g. Sidqia of Ashkelon) or executed (the leading men of Ekron), and pro-Assyrian rulers installed in the cities. Sennacherib probably expected a similar change in Jerusalem (Cf. II Kings 18:28–35). But Hezekiah was not overthrown by his people, and Sennacherib for some reason raised the siege. Hezekiah was prudent enough to send him a big ransom afterwards. See *ANET*, p. 287; H. Tadmor, *Bibl. Archaeologist*, 29 (1966), pp. 86–102; Katzenstein (above, n. 45), ch. X.

of the Babylonian king, though under surveillance (in “prison” as II Kings 25:27 puts it). But as Babylonian records show, he was still regarded as “king of the land of Judah.”<sup>57</sup> He was kept as a hostage, and some people in Jerusalem (Jer. 28:4) hoped for his return. But his uncle, Mattatiah, was appointed by Nebuchadnezzar to rule Judah. On this occasion, the new king was renamed “Zedekiah, Righteousness of YHWH.” The throne name, Jehoiakim, given to Eliakim by Necho, his Egyptian overlord, meant: “YHWH will fulfill [His word].” Such a name change signified rebirth—the rebirth of a person—and, thereby, his subjection to the new protector. Assurbanipal renamed the Egyptian prince Psammetichus: Nabu-Shezibanni (“Nabu saves me.”)<sup>58</sup> Moreover, we know from the Bible that Joseph in Egypt and Daniel and his companions also received pagan names. It is worth noting that the new names of the two kings of Judah were Yahwistic.

Zedekiah, too, cast off his allegiance to the Babylonian king, resisted the siege, never surrendered, but was seized on his flight from the captured city. Rezin of Damascus was captured after two years of siege and slain by Tiglath-Pileser for his stubbornness (II Kings 16:9).<sup>59</sup>

Zedekiah’s life was spared, but he was blinded, and the last thing he saw was the execution of his sons. Afterwards he was deported to Babylon. Had he surrendered in time, during the siege, he might have died in peace, as Jeremiah repeatedly told him (Jer. 34:5; 38:17). The highest officials of Zedekiah were executed (II Kings 25:18; Jer. 39:6). Yet, Zedekiah and his councillors were punished after having been judged and sentenced (II Kings 25:6 *mishpat*) by Nebuchadnezzar at his headquarters at Riblah (on the Orontes). We may here remember the trial for treason, presided by Nebuchadnezzar in 594–3. The accused “sinned against the oath to the king, his lord” and was executed because, as the text says, “justice demands the suppression of evildoers.”<sup>60</sup>

The great mass of the population of Jerusalem, who, in the eyes of Nebuchadnezzar had also incurred guilt, though to a minor degree, by defending the city against their overlord, were deported. On the other hand, Jeremiah, a speaker of the pro-Babylonian faction, and, certainly, other men of this faction, remained unmolested (Jer. 39:11–13; 40:1–6). As we have seen before, the population of Ekron was treated similarly

<sup>57</sup> *ANET*, p. 380. Cf. E.F. Weidner, *Mélanges R. Dussaud*, II (1939), pp. 923–925.

<sup>58</sup> *ANET*, p. 295.

<sup>59</sup> II Kings 16:9.

<sup>60</sup> E. Weidner, *AJO*, 17 (1954–1956), pp. 1–9.

by Sennacherib. With the population of a rebellious city, “the gods in whom they trusted” (as Sargon says of the inhabitants of Samaria),<sup>61</sup> received fitting punishment. In some extreme cases, the idols were smashed. This was done in Elam on order of Assurbanipal “to pacify the heart of [the god] Ashur,” and by Sennacherib in Babylon.<sup>62</sup> Just as when a site was salted, such destruction was aimed at ending the power of the defeated enemy forever. Mostly, the statues of the ancestral gods of the adversary were respectfully transported into exile, as we can see on an Assyrian bas-relief.<sup>63</sup> The deported gods were sometimes placed in the temples of the conqueror as servants of his own deities, but, generally, foreign idols were deposited in magazines of these temples.<sup>64</sup> In the former case, the presence of the captured deity may have benefited the new worshippers;<sup>65</sup> in the latter case, the idol was deprived of offerings and cult. In both cases, the spirit of the defeated city was broken by the absence of gods.<sup>66</sup>

For this reason, kings and peoples on their flight from an invader—as, for instance, Aeneas of Troy—carried away their idols. Nabonidus gathered the idols of Babylonia in his capital hoping to make the latter impregnable, but this desperate act deprived other cities of the protection of their ancestral deities.<sup>67</sup> Last but not least, the deported gods became hostages. The victorious king could return them to reward the faithful vassal of the previously insubmissive city or tribe.<sup>68</sup> Let us observe on this occasion that the popular idea that the conqueror imposed the worship of his gods on his vassals, not only has no support in the evidence,<sup>69</sup> but is also nonsensical. Why should an Assyrian king be so foolish as to share the blessings and bounties of the god Ashur

<sup>61</sup> C.J. Gadd, *Iraq*, 16 (1954), p. 177. Cf. H. Tadmor (n. 15), p. 34.

<sup>62</sup> Luckenbill, II, 810 and 808; on Sennacherib, see Labat (n. 10), p. 267. Cf. Cogan (n. 2), p. 24.

<sup>63</sup> *ANEP*, f. 538. Cf. Cogan, *op. cit.*, p. 23, n. 7.

<sup>64</sup> Cogan, *ibid.*, pp. 22–39.

<sup>65</sup> R. Borger, *Bibl. Orient.*, 28 (1971), p. 21.

<sup>66</sup> Cogan, *op. cit.*, pp. 31–32, argues that the deported idol was sooner or later replaced by a new one. But the substitute did not have the value of the original. The return of the latter, even after centuries of captivity, was a blessing for the city because the repatriation meant that god’s favors will now again be showered on his worshippers. Cf., e.g., Borger, *op. cit.*, p. 21.

<sup>67</sup> Cogan, *op. cit.*, pp. 34–40; *ANET*, p. 301.

<sup>68</sup> Cogan, *op. cit.*, pp. 49 and 59–61; John McKay, *Religion in Judah under the Assyrians* (1973).

<sup>69</sup> Fustel de Coulanges (see above, n. 3), III, ch. 6; and II, ch. 6.

with defeated enemies.<sup>70</sup> It was not the overlord but the vassal who sometimes tried to win the favor of better gods. Defeated by the king of Damascus, Ahaz of Judah sacrificed to the idols of Damascus so that they might help him (II Chron. 28:3). It was, rather, the conqueror who, by sacrificing to the deities of a surrendered city, sought to acquire their favor and to establish his ritual control over that city.<sup>71</sup>

Accordingly, Shamash-shum-ukin, brother of Assurbanipal and king of Babylon, signaled to the gods his defection from his brother by preventing the latter's offering to be sacrificed in Babylonian temples. Eight centuries later, the great Jewish rebellion against Rome began when the sacrifices by the Roman emperor were no longer admitted on the altar of Jerusalem.

In Jerusalem, there were no idols of the official religion. But Nebuchadnezzar, in 597, carried off some sacred vessels of the Temple, talismans of the holy city, at just the same time as he deported her valiant men (II Kings 24:13–14). In this way he weakened the city and her deity, and was able to capture Jerusalem more easily ten years later. This time the city was depopulated and the Temple burned. But the remaining sacred objects in the Temple were deposited in a Babylonian sanctuary. Belshazzar dared to desecrate holy vessels during a revel. "The same night, Belshazzar, the Chaldean king, was killed, and Darius the Mede received the kingdom" (Dan. 5:30).

The temple was burned together with the city. This often happened during a siege, and Jeremiah did not need to be a prophet to predict that, in opposing Nebuchadnezzar, Jerusalem risked being consumed in flames (Jer. 32:29; 34:2 and 22; 37:8). What deserves attention is the fact that the holy city was not destroyed by the fury of a siege. It was, rather, an order of Nebuchadnezzar, sent from his headquarters at Riblah a month after the fall of Jerusalem, that sentenced the guilty city

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<sup>70</sup> For instance, Shalmaneser III, having accepted the surrender of Aleppo, sacrificed to Adad, the tutelary deity of the city (*ANET*, p. 278). By this act he established his suzerainty over Aleppo. Cf. my remarks below, 90–91. The Greeks and the Romans acted in the same way; e.g., in the age of Plato (about 362), Cyzicus, after conquering Prokonessos, carried away the supreme idol of this city, the golden statue of the goddess Dindymene. Prokonessos became a part of Cyzicus (*synoikismos*), but the idol remained in Cyzicus. *Paus.* VIII, 46, 4. Cf. L. Robert, *Monnaies grecques* (1867), p. 17. The Roman *evocatio* of the gods of a hostile city was still used in the days of Cicero. J. and L. Robert, "Bulletin épigraphique," *Revue des études grecques* (1974), no. 603. The tax imposed on vassals for the benefit of the gods of the overlord was a purely financial measure. Cf. Labat (above, n. 2), p. 271.

<sup>71</sup> Wiseman (n. 17), p. 69; A.K. Grayson, *AFO*, 20 (1963), 95.

and her celestial patron. Why did Nebuchadnezzar decide in cold blood to annihilate Jerusalem? We do not know. He probably did not trust the house of David and its stiffnecked people. But the flames over Jerusalem were a warning beacon to would-be rebels. Sargon piled up heaps of skulls of the fallen enemies “in order that no one might ever forget the might of Asshur my lord.”<sup>72</sup> He also, as he says, turned Samaria, another rebellious city, into heaps of ruins (cf. II Kings 15:19). The ruins of Jerusalem or, for instance, of Ascalon, were no less impressive signs of the might of Marduk, the lord of Nebuchadnezzar.

Yet, Sargon rebuilt Samaria and, as he says, “made it more habitable than before,” by planting a military colony in the former capital of Israel. The rulers of the neo-Babylonian Empire, on the other hand, did not send out military colonists, and Jerusalem remained a heap of ruins. Again, fate or chance directed the course of world history. A Babylonian colony in Jerusalem would have made the Return from the Exile impossible, and Judaism, Christianity and Islam would not have been.

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<sup>72</sup> Wiseman (n. 17), p. 51.

## THE GENERATION OF EZRA AND NEHEMIAH

*For H.L. Ginsberg, in Friendship*

The purpose of this paper is to consider the historical significance of the reciprocal relationship between Jewish and Babylonian religious names in the anthroponymy of fifth century Nippur.\*

### I

Nippur, modern Nuffar, was a very ancient city situated on “the river Chebar” (Ez. 1:1), that is, on the “Grand Canal” of the Euphrates, some 100 km. south-east of Babylon. A collection of some six hundred fifty cuneiform tablets,<sup>1</sup> belonging to the archives of the business firm Murashu and Sons, was found in 1893, during the partial excavations of the site by the University of Pennsylvania. Over five hundred tablets, written between 455 and 403 B.C.E., have been published.<sup>2</sup> They offer names of about 2200 persons.<sup>3</sup>

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*Abbreviations:* VIII, 1; IX; X, *UM* = see n. 2; *ANET* = *The Ancient Near Eastern Texts* ed. J. Pritchard, 3rd ed., 1969; Augapfel, see n. 2; Cardascia, see n. 2; Ebeling, see n. 6; *HAU*, see n. 2; *RLA* = *Reallexikon der Assyrologie*; Stolper, see n. 2; Wallis, see n. 2; Zadok I, see n. 3; Zadok II, see n. 16.

<sup>1</sup> Cardascia p. II n. 2.

<sup>2</sup> A.T. Clay, “Legal and Commercial Transactions... from Nippur.” *The Babylonian Expedition of the University of Pennsylvania* VIII, 1, 1908 = VIII, 1. H.V. Hilprecht, “Business Documents of Murashu sons of Nippur” *ib.* IX (1898) = IX; A.T. Clay, the same title X (1904) = X; A.T. Clay, *The University of Pennsylvania, The Museum. Publications of the Babylonian Section*, II (1912) = *UM*. Further texts have been published in M.W. Stolper, *Management and Politics in Later Achaemenid Babylonia*, Thesis, Univ. of Michigan (1974), 235–472. It is regrettable that this work has not been printed as yet. The essential work on the Murashu records is G. Cardascia, *Les Archives des Murašû* (1951), who, pp. 208–232, also gives a list of all transliterated and/or translated texts from the Murashu archives. Cf. also R. Borger, *Handbuch der Keilschriftliteratur* I (1967),



The Babylonian scribes who drafted these documents indicated their own names and the names of interested parties as well as the names of the usually numerous witnesses to a transaction. Furthermore, the official name of a free person had two components: a given name and a patronymic.<sup>4</sup> Thus, the Nippur tablets contain the proper names of two successive generations, of the person acting and of his (her) father: Zabdia, son of Beletir, for instance. The style was the same in the Aramaic and the Greek onomastic of the period: Menahem, son of Zakkur, or Socrates, son of Sophroniscos.

On the other hand, Babylonian scribes of business documents only rarely and haphazardly stated the nationality of the individuals they mentioned.<sup>5</sup> We do not know, for instance, why a certain Tilapa, son of Minna, who owned a plantation of date-palms near Nippur, was styled "Lydian" in a receipt.<sup>6</sup> Consequently, in order to ascertain the nationality of persons in the Murashu records, we must rely mainly on the evidence of names. But this criterion requires careful handling.

Nippur was a Babylonian city, and two thirds of the personal names in the Murashu records are Babylonian.<sup>7</sup> But transfer of West Semitic populations (the deportation of Jews from Jerusalem, for instance) and, on the other hand, penetration of the (Aramaic speaking) Chaldean tribes from the south, led to a considerable Aramaicization of the region of Nippur which was already called Aram in the seventh century.<sup>8</sup> For

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53; 191; II (1975), 33; 110. Numerous texts are transliterated and translated in J. Augapfel, "Babylonische Rechtsurkunden" *Denkschriften* of the Academy in Vienna 59, 3 (1917). Some texts have been translated in J. Kohler, A. Ungnad, *Hundert ausgewählte Rechtsurkunden aus der Spätzeit des babylonischen Schrifttums* (1911) = HAU. Cardascia *op. cit.* translated and mostly transliterated 81 documents.

<sup>5</sup> R. Zadok, *Nippur in the Achaemenid Period: Geographical and Ethical Aspects*. Diss. the Hebrew University (1974), Engl. Summary, p. XXVII.

<sup>4</sup> M. San Nicolò, *Beiträge zur Rechtsgeschichte im Bereiche der keilschriftlichen Rechtsquellen* (1931) 141–144. The patronymics begin to appear in Babylonian documents from the beginning of the VIth c. on. G. Cardascia, *Rev. hist. des droits de l'antiquité* (1954), 105. On names of slaves, see M.A. Dandamayev, *Rabstvo v Babilonii* (1974) 66; 236. We may here disregard the references to ancestors, occupations and titles that sometimes follow personal names. Cf. D. Weisberg, *Guild Structure and Political Allegiance in Early Achaemenid Mesopotamia* (1967), pp. 78–85, 5; Zadok II, p. 31, n. 117; A.T. Clay, BE VIII, 1, p. 2.

<sup>5</sup> Indications of nationality are generally wanting in private documents. See e.g. R.A.S. Macalister, *Gezer* I (1912), 20; E. Dhorme, *Rev. Assyrol.* 25 (1928), pp. 53–89. But nationality is indicated in official records. See e.g. R. Zadok, *Iran* 14, 1976, p. 62 and Zadok II, p. 13.

<sup>6</sup> Cardascia, 92 (*UM* 70). Cf. Dandamayev (n. 4), p. 70.

<sup>7</sup> Zadok I, p. XXVII.

<sup>8</sup> Zadok *ib.* p. XXIX.

Jeremiah (50:1) and Ezekiel (23:15) Lower Mesopotamia was “the land of the Chaldeans.” Therefore, a quarter of the personal names in the Murashu documents are Aramaic. In Persian Nippur both ethnic elements, Babylonian and Aramean, became more or less amalgamated, though the cuneiform scribes were always Babylonians.<sup>9</sup> In point of fact, the irresistible advance of assimilation swept away almost all the ethnic particularities in anthroponymy. The “Cimmerians,” that is, descendants of Scythian colonists, though they belonged to a separate “Cimmerian” settlement (*hatru*), gave to their sons Babylonian and Aramaic names. The “Tyrians,” that is, Phoenicians, also had their own district, but with the exception of a certain A-du-me, they bore Akkadian names. Even Hebrew or, say, Arabic theophoric names were sometimes formed with Aramaic predicates. Likewise, hypocoristic names were mostly formed with the Aramaic suffix -a. Thus Ḥanana and not Ḥanan.<sup>10</sup>

Even the religious anthroponymy became uniform. Men with West Semitic names trusted the Babylonian gods adopted by the Arameans, or West Semitic gods received into the Babylonian pantheon: Adda (Hadad), Ilteri (Sin), Nabu, Nana, Shamesh (Shamash), and the ubiquitous and for this reason “neutral” ’El, that is, “deity.” It is significant that Enlil, the patron saint of Nippur, appeared very rarely in this international onomastic. He was too much the protector of the burgesses of Nippur to appeal to foreign colonists. The descendants of immigrants turned to more universal deities, and for the same reason they lost interest in the local and far distant cults of their forefathers. We find no man called after the ancestral Ba’al (except a Jew named Bealiah, “YHWH is the Lord”), no names referring to Baalshamin, Eshmun, Gad, Melqart, Milkom, or to Rimmon of Damascus and Kemosh of the Moabites. Only the name of one person invoked Ate (Anath), and Attar (Astarte) appeared only in the name of a slave. There were ten individuals named Abda, “Servant,” but not one was “servant” of a West Semitic deity, while “servants” of Babylonian gods abounded.<sup>11</sup>

<sup>9</sup> M.D. Coogan, *BA* 57, 1974, p. 9 n. 5.

<sup>10</sup> Zadok I, pp. XXVI, XXX, XXXI, XXXIII, XXXXVI. On *hatru* see Cardascia, *RLA*, IV, 150; Stolper, 14–16; 111–157. On the “Cimmerians” (Scythians) in Babylonia see M. Dandamayev, *Vestn. Drevn. Istor.*, 1977, n. 1, pp. 330–340.

<sup>11</sup> Our observations are based on prosopography in M.D. Coogan, *West Semitic Personal Names in the Murashu Documents*, 1976. But Abd-milk in *UM* 226 is an erroneous reading. The name is Abdi-ish-shar, as I learn from R. Zadok. Likewise, the Chaldeans in Southern Babylonia forgot their own, Aramaic, deities, and worshipped Babylonian gods: Assur, Marduk, Nabu, Nana and Shamash. M. Dietrich, *Die Aramäer Südbabyloniens*

As we have seen, Aramaic and Babylonian names do not indicate nationality. Conversely, a foreign, that is, neither Babylonian nor Aramaic, name, or patronymic, or the name of one's relatives, which escaped the standardization of onomastic, points out the nationality of its bearer and his family.<sup>12</sup> For instance, Barik, son of Hurushshadatu was, despite his own Aramaic name, of Iranian extraction, as the name of his father shows. As a matter of fact, his fief was situated in the district of "Arvas" ("Aryans"), an Iranian tribe.<sup>13</sup> Likewise, Na'esi, whose name as well as the patronymic Pamune invoked Egyptian gods, was presumably an Egyptian. An Idumean invoked his god Qos, four persons from Palestine or Syria were named after Beth-el, and the "peculiar" people continued to praise the God of Jerusalem.<sup>14</sup>

## II

The ethnic designation "Jew" is not attested in the published Murashu records. There was no Jewish separate and self-governing settlement like that of the Cimmerians, for instance (see above p. 997). The Jews lived dispersed in various villages around Nippur. (We do not know anything about the Jews or other foreigners in the city of Nippur.) They are attested in 28 settlements.<sup>15</sup> We know this because Hebrew names occur in some seventy tablets from the Murashu archives. Let us stress, however, at once that Jews no less than other ethnic minorities in Nippur freely gave their sons Aramaic or Babylonian or even Persian names. Therefore, any list of the Jews, or, say, of Egyptians, in Nippur must be incomplete, provisory, and to some extent arbitrary.<sup>16</sup> We can only

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*in der Sargonidenzeit 700–648*, 1970, p. 217. On the "Western Minorities in Babylonia under the Achaemenids" see the forthcoming paper of I. Eph'al in *Orientalia*: [subsequently published in *Orientalia* 47 (1978), 74–88].

<sup>12</sup> Cf. the rule followed by Zadok I p. XXVIII: A person is non-Akkadian, though his given name and patronymic are Akkadian, if a member of his family has a foreign name.

<sup>13</sup> M.A. Dandamayev, in the *Volume in Honor of V. Avdiev* (1966), pp. 86–93. According to a communication of R. Zadok the name should be read "Arvian." See his note ap. I. Gerschevitch in *Mémorial Jean de Menasce* (1974), p. 61.

<sup>14</sup> X, 81 *ap.* M.A. Dandamayev, in *Drevni Egipet i Drevniya Africa*, a volume in memory of V.V. Struve, 1967, pp. 15–26; on the names compounded with the divine name Beth-el cf. J. Starcky, *Sy* 36 (1960), p. 104.

<sup>15</sup> Zadok I, p. XXXIII.

<sup>16</sup> E. Ebeling, *Aus dem Leben der jüdischen Exulanten in Babylonien*, Beilage zum Jahresbericht des Humboldt-Gymnasiums, Programm nr. 71 Ostern, 1914, translated 53

identify the individuals who, according to their names, must be Jews, and those who probably are.<sup>17</sup>

We naturally start with the names containing the Tetragrammaton since they were peculiar to the chosen people. Persons bearing Yahwistic names in the Murashu records number about fifty. In these names the divine element can be either the initial, as in Joab, or the final, as in Isaiah.<sup>18</sup> At Nippur only eight persons bear names compounded with the Tetragrammaton at the beginning. The ratio is similar in Persian Elephantine (7:1) and agrees with the general trend of later Jewish onomastic, particularly after the Exile.<sup>19</sup> In the pagan anthroponymy of Persian Nippur the tendency is the opposite.<sup>20</sup> For instance, the word order of subject-verb is preferred in the proportion of 2:1 in given names of the 'El group: a Natan'el names his son 'El-gabar. The Jews, however, faithful to the tradition of Jerusalem, refused to follow this fashion.

As we have stated (above, p. 976), the official name of a person in Persian Nippur comprised his given name and the name of the father.

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“Jewish” documents, and pp. 27–32 offered a list of Jews in Nippur. G. Wallis, *Die Soziale Situation der Juden in Babylonien zur Achaemenidenzeit*, Diss. Free University, Berlin, transliterated and translated fifty texts. (The microfilm of his thesis and a print from it are deposited in the library of the Jewish Theological Seminary, New York). His list of Jews (pp. 196–210) is even larger than that of Ebeling, though he uses the same material. But Coogan (above n. 11) rightly stated that it was “impossible for the most part to identify the Jews among the West Semites at Nippur.” Lastly, R. Zadok, *The Jews in Babylonia in the Chaldean and Achaemenian periods in the Light of the Babylonian Sources*, Mifal Hashichpul, Tel Aviv, 1976, pp. 16–18, reduced the number of identifiable Jews in Nippur to about 80.

<sup>17</sup> The names of Jews in Nippur were examined by S. Daiches, *The Jews in Babylonia in the Time of Ezra and Nehemiah according to Babylonian Inscriptions*, Publications of Jews' College no. 2, London, 1910, pp. 12–29. Cf. also D. Sidersky, *REJ* 87 (1929), pp. 177–199 on Hebrew onomastic at Nippur. He also gives a translation of 25 tablets. Cf. also Wallis, pp. 6–42. On onomastic in Elephantine see B. Porten, *Archives from Elephantine*, 1968, pp. 133–150; P. Grelot, *Documents araméens d'Égypte*, 1972, pp. 455–508; M.H. Silverman, *JAOs* 89, 1969, pp. 691–709 (on Aramean name-types) and *Orientalia*, 39, 1970, pp. 465–91 (on Hebrew name-types at Elephantine). On biblical anthroponymy cf. G.B. Gray, *Studies in Hebrew Proper Names*, 1896. For current research about Semitic onomastic cf. J. Teixidor's “Bulletin” of Semitic Epigraphy in *Syria*, from 1967 on. For historical interpretation of onomastic see J. and L. Robert, “Bulletin épigraphique” (*Revue des études grecques*), the section on onomastic.

<sup>18</sup> Cf. A.T. Clay, *Light on the Old Testament from Babylon*, 1906, pp. 242–247; M.D. Coogan, *Journal for the Study of Judaism* 4 (1973), pp. 183–191.

<sup>19</sup> On the comparative frequency of the names compounded with YHWH and with 'El in the Bible, see Gray (n. 17), pp. 255. New epigraphic material in J. Naveh, Y. Aharoni, *Beer-sheba*, II, 1973, pp. 73–6.

<sup>20</sup> On Neo-Babylonian word-order, cf. Coogan (n. 11), p. 112. On the construction of Hebrew theophoric names see Gray (n. 17), p. 162.

Slaves generally lacked patronymics; instead, the owner was named, for instance, Barik-iama (Berachiah), slave of Artabara. Further, the patronymic, or given name, could be by some mistake omitted by the scribe or damaged on the cuneiform tablets. For reasons which will soon be apparent, we include in our list only persons whose patronymics are known. We also disregard rare cases when we know the names of grandfathers or grandsons of the persons acting in the Murashu transactions. As far as possible we give Hebrew names according to their usual English form, regardless of the (often aberrant) cuneiform spelling. Thus, the Tetragrammaton at the end of a name was written *-iama* and, in all probability, heard as *yaw*. For instance, the name Gedaliah was written Ga-da-al-ia-a-ma and pronounced Gadalyaw.<sup>21</sup> We shall reproduce those Babylonian forms only for some special reason.

Obviously, the persons with Yahwistic names could give their sons also non-Yahwistic names, and the Jews not bearing a Yahwistic name could give it to their sons. In this way the Yahwistic group in our Table I consists of "fathers" and "sons." Except in rare cases where fathers together with their sons were parties or witnesses to the document, we may state that the sons belonged to the generation active between 437 and 411; only one document is from the year 452.

Let us now look closely at our Table I. To begin with, we note that the number of persons bearing Yahwistic names doubled from one generation to another. Such an increase deserves attention. Names referring to 'El in Nippur are approximately as frequent among fathers as among sons: 32 to 27. Likewise, the frequency of theophoric names in Aramaic endorsements on Murashu tablets is the same for first names and patronymics. Yet, in West Semitic anthroponymy at Nippur names compounded with the divine name Shamash occur 10 times among fathers while 28 such names are borne by sons. I am unable to explain this sudden burst of veneration for the sun-god. It is strange that the Shamash-fathers placed their sons under the protection of other Babylonian deities while fathers named Belshunu or Marduku called their sons Shameshlindar, Shamashbarak, *vel simile*.<sup>22</sup>

<sup>21</sup> Cf. Zadok II, p. 4.

<sup>22</sup> The figures given in this paragraph are based on the data collected and explained in Coogan's thesis (above n. 11). For Aramaic endorsements see A.T. Clay, in *Old Testament and Semitic Studies in Memory of W.R. Harper I* (1909), pp. 285-322 and in *UM* pp. 51-2 and L. Delaporte, *Epigraphes araméens* (1912).

Nevertheless, the shift was more apparent than real. A Belshunu who called his son Shameshbarak did not forsake Bel just as a Francis who bestows on his son the name Dominic does not commit apostasy. But YHWH was not Shamesh or Bel. "If YHWH is God, follow Him, but if Baal, then follow him." (1 Kings 18:21). Was this still true for the Jews in Persian Nippur? To answer this question, we have to examine further onomastic particularities of the Yahwistic group.

The Yahwistic fathers gave Yahwistic names to sons but they also gave non-Yahwistic names to 10 sons. Four of the latter received Jewish religious names: Hanan, that is, the abbreviated form of the name Hananiah, "YHWH is gracious," Eliada (II Sam. 5:16), the name meaning "Whom God knows (protects)," and, finally, one was named Shiliimmu, that is, Shillem or Shalum of the English Bible. This is again an abbreviated form of the Yahwistic name Shelemiah, "YHWH has substituted (the lost child)." A son was called Sha-ma-ah-u-nu, that is, he received the biblical name Simeon. Lastly, four sons received Babylonian, Aramaic, and Persian secular names: Bibia ("Baby"), Gukka ("Bullock"),<sup>23</sup> Tattani ("Gift"), and Zabina ("Bought," from a deity).

Let us now pass to the second sub-group of the Yahwistic set. Almost two thirds of Yahwistic sons were born to non-Yahwistic fathers. By chance we also learn the name (Zabdia) of a brother of Udarna, one of the non-Yahwistic fathers. These men of the older generation can be classified as follows: Five of them have names of Jewish religious import (Rahim-el, Shabbethay,<sup>24</sup> Shillum). Six persons have "neutral," that is, secular non-Jewish names, like Shirka ("devotee"), or Tu-ub-ha.<sup>25</sup> Six fathers of Yahwistic sons bear Babylonian theophoric names, such as Beluballit ("The god Bel calls into life") or Nanaiddina ("The goddess Nana has given").

We can now compare the onomastic of the fathers and sons in the Yahwistic group. Among the fathers the number of Yahwistic, Jewish, foreign secular and Babylonian theophoric names is 13, 5, 6, and 6, that is, approximately 2.5: 1:1:1. Among the sons the corresponding figures are 27, 7, 4, 0. The proportions of Jewish Yahwistic and otherwise biblical names, of foreign "neutral" names and of Babylonian theophoric names is now 34:4:0, that is, 9:1:0. The only possible exception would

<sup>23</sup> Zadok II, p. 31 n. 115.

<sup>24</sup> Cf. Zadok II, p. 8 and Porten (n. 17), 124.

<sup>25</sup> Cf. Zadok II, p. 10.

be a certain Bel-itannu. His patronymic is broken off on the tablet, but, judging from the context, he could have been a son of Zabdia and thus cousin of Hananiah and thus, presumably, a Jew.<sup>26</sup>

Before proceeding further, we must stop to point out two apparent flaws in our discussion. In the first place we were unable to cope with the classification of men who participated in transactions but had their sons as business associates. According to our scheme both sets belonged to the category of "sons." But in this case, junior partners would lack patronymics. It seemed right to use here the genealogical criterion: fathers and sons. Yet, this expedient failed in the case of Tobiah's family. Five of his sons were principals in transactions with the house of Murashu and, therefore, classified as "sons" in our list (see Table I). But Zabina had his own sons as associates. Obviously we cannot separate him from his brothers, nor leave his own sons without patronymics. It seemed reasonable to record him twice in our lists, that is, among "fathers" and among "sons" as well. As Zabina had a "neutral" name, this duplication, though somewhat inflating our figures, does not affect our results.

Secondly, one may object that our figures are tainted, statistically speaking, because 12 persons among "sons", by chance of discoveries, belong to two families only. Among these 12 men, 10 had Yahwistic or Jewish names and 2 "neutral" names. If we eliminate them from our Table I, the list would consist of 24 persons with Yahwistic or other Jewish names and 2 persons bearing neutral names, that is, a proportion of 6:1 instead of the ratio of 8:1 of Table I. This arithmetic difference is irrelevant to our purpose. We are not playing at the so-called "quantitative history." The available information is too scarce even for a sample statistical survey. We can only try to discover the onomastic trend, and for this purpose the differential quotient of 6:1 or, say, 3:1, would be no less significant than that of 8:1.

We can now turn our attention to a second group of men who, according to their first names or patronymics, were certainly Jews, a man called Shabbethai or Haggai, for instance. Leaving out the persons already mentioned in Table I, we find 22 persons in this set (see Table II).

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<sup>26</sup> IX, 69, translit. and transl. IX, 32, transl. *HAU*, 66.

In this group 6 fathers have Jewish religious names, 3 names are “neutral,” and one is the Babylonian theophoric name of Belabausur. But 10 sons have Jewish religious names, one name is unintelligible but “neutral,” and one is the Babylonian secular name Liblut (“May he live”). The ratio of Jewish names, of “neutral” names, and of Babylonian religious names is 6:3:1 among fathers and 10:2:0 among sons. The proportion is roughly the same as in the Yahwistic group.

The third and last name group we have to consider may be called the “Hanan” group. It includes men called Ḥanan, Ḥanana, Ḥanani, and Ḥananiah. (Henceforth, for convenience’s sake, we shall forgo the diacritical mark under H.) The names derived from the root HNN (“be gracious”), El-hanan, Hannibal, Jehohanan, and others, are numerous in West Semitic anthroponymy. But outside Hebrew and other “Canaanite” languages, the abbreviated forms that omit the divine name are less frequent and, except in Hebrew and in some “Canaanite” dialects, there are phonetic and morphological shifts. The Punic hypocoristicon is Hn’, that is, Hanno, as Greek and Latin transcriptions show.<sup>27</sup> In Aramaic the hypocoristica from the verb HNN are mostly formed as Hanun, or appear as the passive participle, like Hanina, “Favored.” For instance, in inscriptions from Palmyra the name Hnyn’ occurs often, but there is no “Hanan.”<sup>28</sup> It is true that some Aramaic speaking men used the name-type “Hanan” in the Assyrian period. A graffito scratched on a wall at Hama, in Northern Syria, in the ninth or eighth century, reads HNN. The Ammonites who, in the seventh century, wrote in Aramean script, but still spoke their Canaanite dialect, bore such names as El-hanan.<sup>29</sup> One Uggia, the son of Ha-na-na, lived near Aleppo in the third quarter of the sixth century. A man named Hanani, a former governor of a province eastwards of Aleppo, was the “eponym” of

<sup>27</sup> Frank L. Benz, *Personal Names in the Phoenician and Punic Inscriptions*, 1972, pp. 313–315.

<sup>28</sup> J.K. Stark, *Personal Names in Palmyrene Inscriptions*, 1971, p. 89; cf. e.g. J. Teixidor, *Semitica* 25 (1975), p. 103; “Malku . . . son of . . . Hnyn; F. Vattoni, ‘Epigrafica Aramaica’, *Augustinianum* 10 (1970), p. 529, *hnwn*, *hni*, *hinni*, and *hntt*.

<sup>29</sup> H. Donner, W. Röllig, *Kanaanäische und aramäische Inschriften I* (1962) no. 213; Ammonites: N. Avigad in *Essays in Honor of N. Glueck*, ed. J.A. Sanders, 1970, p. 285. Anan (*nm*) the son of Elisha and priest of Baal, whose funerary inscription, engraved ca. 500 B.C.E. has been discovered in Egypt, was a Phoenician. A Dupont-Sommer, *Sy* (1956), pp. 79–87. An Idumean called Hanna’ is attested in Ptolemaic Palestine. M. Hengel, *Juden, Griechen und Barbaren* 1976, p. 41.



the year 701/700 in Assyria. Another Hanana was a tax-payer in the district of Harran in the seventh century.<sup>30</sup>

But here we deal with the anthroponymy in Persian Nippur and not with the general diffusion of the name-type Hanan. Onomastical data are historical facts and as such should be considered in spatial and temporal context. To do it, we have to look closely at the Hanan-set. We observe first that the Hanan group in Nippur comprises no less than eighteen persons, that is, about half of the number of individuals bearing names of the name-type Barik that was so popular among the Arameans. In the whole Assyrian documentation there are hardly more than a half-dozen persons of the name-type Hanan. Only three persons named Ha-na-na are mentioned in Babylonian documents written outside Nippur during the three centuries from Nabopolassar to Alexander the Great.<sup>31</sup>

We note, secondly, that in the Murashu records the names of the Hanan-type are sometimes rendered as Ha-na-na, Ha-na-ni, *vel simile*, but more often they are written Ha-an-na. The latter spelling already appears in some documents from the sixth century, also written in Nippur as it seems. Thus, Ha-an-ni-ia, the son of Ashur-shar-usur is mentioned in a receipt written in 554. The Aramaic docket gives his name as חני, that is Hani or Hanno.<sup>32</sup> We may suppose that he was of Phoenician stock and that his family for some reason (probably deportation) came to Nippur in Assyrian times; hence his patronymic “May Ashur protect the king.” This form of the name Hanan was also used by Arameans. A man of the tribe Ru-u-a-a is called Ha-an-na-na in an Assyrian text.<sup>33</sup> Unfortunately, the scribes in Persian Nippur used both forms Ha-na-na and Ha-an-na (*vel simile*) indiscriminately and at random. Ha-na-na, the son of Menachem, is also called Ha-an-na-ni and Ha-an-na-nu; Ha-na-ni-iama, that is, Hananiah, the son of Udarna,

<sup>30</sup> C.H.W. Jones, *An Assyrian Doomsday Book*, 1901, p. 51; E. Dhorme, *Rev. Assyrol.* 25, 1928, pp. 53–89, nos. 11–12; E. Ebeling, *RLA* II, 448; J.N. Postgate, *The Governor's Palace Archives*, 1973, n. 90 (Ha-na-na). Further references in K.L. Tallquist, *Assyrian Personal Names*, 1914, reprinted 1966; Zadok II, p. 11 and Id., *Die Welt des Orients*, 1977, 45. No names derived from the root *hnn* are attested among the Arameans in Southern Babylonia in the second half of the seventh c. See Dietrich (n. 11), pp. 211–214. (*Index*).

<sup>31</sup> Zadok II, p. 11.

<sup>32</sup> VIII, 1, 27, transliterated and translated *ib.* 32. Cf. *ib.* 81 (Ha-an ilu) and 151 (Ha-an-ni).

<sup>33</sup> Tallquist (no. 30), 85.

receives this name in three documents, but he is Ha-an-na-ni in the fourth text.<sup>34</sup> Last but not least, the name of one Ha-an-na-ni is given in the Aramaic docket<sup>35</sup> as 𐤅𐤏𐤍, which is the name of the father of King Jehu of Israel (I Kings 16:1) and of a brother of Nehemiah (Neh. 1:2), Hanani of the English Bible. Moreover, there is no material ground for differentiation between men called Ha-an-na-ni and men called Ha-na-ni. One Ha-an-na-ni was the son of Tubi-iama (Tobiah) while one Pada-iama (Pediah) named his son Ha-na-nu. One Ha-na-ni was the son of Belitannu and one Ha-an-na-ni was the son of Belabausur. This Ha-an-na-ni was the chief (*shaknu*) of Ashshi, a tribe from the Armenian plateau. The Persian government sometimes appointed an outsider to head an ethnic unit,<sup>36</sup> and this person could be a Jew as well as an Aramean or Babylonian. In point of fact, one Ha-na-an-na, together with a Menachem, was deputy of Labashi, the chief of the “*gardu* of the king.”<sup>37</sup> The unity of the Hanan-set is proved by a further observation: 16 sons, but only 2 fathers, bear the name “Hanan.” A given name, say, Victoria or Rita, becomes popular in some society and then is taken over by other groups. But it is unbelievable that several ethnic groups in Nippur, suddenly and at the same time, started to bestow the name Hanan on their sons.<sup>38</sup>

We may now try to ascertain the nationality of the Hanan-set. We note first that none of the fathers in this group bears a name referring to some Aramean deity, though nine fathers have purely Babylonian theophoric names without any Aramaic linguistic elements: Nabu-iddin and not, say, Nabu-zabada. The Aramaic personal names in this set can as well be Jewish: Barikel has a counterpart in Barikki-iama (Berachiach) and Tabiya is the Aramaic form of Tobiah. Further, the West Semitic theophoric names in the set are Yahwistic or, at least, Hebrew: three fathers and one son bear the name Hanani-iama, that is, Hananiah, and a Hananiah is the father of Iad-ih-el, that is, Jediael of the English

<sup>34</sup> Zadok II, p. 45 and p. 31 n. 112.

<sup>35</sup> X, 132, transl. and transl. Wallis, 60.

<sup>36</sup> Stolper, 130.

<sup>37</sup> *UM* 165 (translit. and transl. Augapfel, p. 87). Cf. Ebeling, *RLA* I, 170; X, 127, translit. and transl. Cardascia, 89. On the enigmatic category of *gardu* see Dandamayev (n. 4), 330–334. The *gardu* in Nippur were mostly Babylonians and Egyptians (Dandamayev, *ib.*, 332).

<sup>38</sup> The Assyriologists tacitly accept that the forms Ha-na-ni and Ha-an-nani were interchangeable, but it seemed advisable to check this hypothesis.

Bible, a later variant of the name Eliada born by a son of David.<sup>39</sup> As a matter of fact, the other father named Hanan in our group is also a Jew: his patronymic is Tobiah. As the names Hanan, Hanani, *vel simile*, were caritative and very popular<sup>40</sup> abbreviations of the biblical and Yahwistic name Hananiah and as no Hanan-type name in Nippur compounded the *qal* mood of the verb HNN with a heathen divine element, we conclude that men called Hanan in Nippur were Jews.

Excluding individuals already counted in the Yahwistic set (fathers: 7, 8, 9, 15, 17, 18, 19; sons: Gukka and 4 Hanans), our group consists of 12 fathers: 4 of them have Jewish names or at least names that could be Jewish (2, 10, 12, 16) while 8 fathers bear Babylonian theophoric names. Among the sons there are a Jediael, a Menachem, and 12 Hanans. One person (Gubba) has a neutral Babylonian name. The ratio of Jewish to non-Jewish names is here 14:1.

A comparison with a similar Aramaic name-set strengthens our hypothesis. The West Semitic term *Hn* (𐤏𐤍), meaning “grace” (by a deity) or, perhaps, *gratiosus*,<sup>41</sup> that occurs in such names as Hanniel in the Bible, *Hnšmš* (at Hatra), *Hnbʿl* (Punic), and *Hnʿel* (Nabatean; Greek transcription Ἀννηλος), or, as the hypocoristicon *Hni*, appears in cuneiform texts as Hi-in-ni, *vel simile*.<sup>42</sup> In Nippur this name-group consists of 17 persons:

- Hinnibel, son of Dalatani (X, 433)
- Hinnibel, son of Zita-Nabu (UM, 135)
- Ilteheriabi, son of Hinnuni (UM, 208)
- Ilteheriabi, son of Hinuni (UM, 144)
- Manukiilahi and Hinuni, sons of Aqubu (X, 64)
- Nabuhinnini, son of Nurashu (UM, 178)
- Zabadiama (Zebadiah), son of Hinnibel (UM, 208)
- Hinnia, son of Kina (IX, 85)

In this group everything is normal: idolatrous names among both fathers and sons, Aramean gods (Ilteri), Aramaic linguistic elements in

<sup>39</sup> M. Lidzbarski, *Ephem. für Semit. Epigraph.* II, 209. One Barik-el was a brother (or a relative) of Gedaliah, a Jew. Cardascia, 58. On the name Yadaʿel, cf. E. Lipinski, *Studies in Aramaic Inscriptions* I, 1975, 104.

<sup>40</sup> Cf. e.g. Grelot (above n. 17), 43–474; N. Avigad, *Bullae and Seals from a Post-exilic Judean Archive* (1976) no. 3 𐤏𐤍𐤏. For Samaria cf. F.M. Cross in *New Directions in Biblical Archaeology*, ed. D.N. Freedman and J.G. Greenfield, 1969, 43.

<sup>41</sup> Willi-Plein, *VT* 23, 1973, p. 90.

<sup>42</sup> A. Caquot, *Sy* 41, 1964, p. 256; Lidzbarski (above n. 39) II, p. 250.

other theophoric names, and Aramaic names of fathers and sons. The only Jew in this set had a Yahwistic name compounded with an Aramaic predicate.

We can now add up the arithmetic results of the examination of the three onomastic sets.

50 fathers:  
 Yahwistic names, 13  
 Jewish names, 15  
 Neutral names, 9  
 Babylonian theophoric names, 15.

The ratio of Jewish and Yahwistic names to foreign names is 7:6, and of Jewish names to Babylonian theophoric names, 2:1.

65 sons:  
 Yahwistic names, 27  
 Jewish names, 31  
 Neutral names, 7  
 Babylonian theophoric names, 0 (or, perhaps, 1).

The proportion of Jewish and foreign names is 8:1.

Let us here stop again and re-check our results. Dr. R. Zadok, who knows the prosopography of Nippur better than anyone, has compiled a list of Jews in Nippur. This list, for the reasons mentioned above (p. 978), is not identical with our catalogue and is organized chronologically. Yet, his figures confirm the essential point of our argumentation that foreign theophoric names in the Jewish onomastic of Nippur, when they do appear, appear only in patronymics, with the possible exception of the case of Belitannu, discussed above (pp. 981–982).

However, a caveat must be added. By limiting our list to persons bearing Yahwistic names or other Jewish names (and their nearest relatives) we narrowly limit our field of observation in advance. We would not think that one Ardininurta the son of Ninurtaballit was a Jew had he not named his own son Ha-an-na-ni. But what about other Jews bearing heathen or secular foreign names? A Jew called Aqbi-yama was co-feudatory of a man called Bel-iada-ah, the son of Manu-ki-Nana.<sup>43</sup> Both belonged to the same territorial and administrative organization

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<sup>43</sup> *UM* 89, translit. and translated Augapfel, 16 and Wallis, 121. Again, Bania, son of Amil-Nana is partner of one Jehunatan in various undertakings. See IX, 45 = *HAU*, 53 and *CBS* 5510, quoted by M. Stopler, *BASOR* 222, 1976, p. 25.

(*hatru* of *sipiru*). Could a man named “Bel knows (protects)”, the son of a man called “Who is like the (goddess) Nana”, be a Jew? We would doubt it, except that his colleague whose name means “YHWH protects” was the son of a man called Bau-etir, that is, “(the goddess) Bau spared.” Was, then, Bel-iada-ah a Jew? He could have been, but he could as well have been an Aramean. We just cannot know. Because of our ignorance, our “Jews” are only the ones particularly attached to the God of the Fathers and who, in consequence, chose names like Hananiah or Shabbathai for their sons. Such a selection is obviously lopsided. Still, for the same reason, the heuristic value of our observations is even greater, for we can measure the influx and disappearance of pagan anthroponymy in the most pious Jewish milieu of Persian Nippur.

This shift deserves consideration and requires explication. Personal names constructed as statements indicate the hopes and beliefs of the parents. A Jew, who in Persian Nippur called his son Yashub, expressed his hope of Redemption no less clearly than did Isaiah when he (7; 3) named his son Shearjashub (“A remnant shall return [to God]”). Names that invoke a deity assert the latter’s might: Berachiah means “YHWH has blessed” and Barikbel, “Blessed by Bel.” A Jew in Nippur who called his son Shameshadin (“May Shamesh judge”), and this same son who bestowed on his son the name Jedaiah (“YHWH knows [protects] him”), were both proclaiming their faith forcefully. Only in the Greek age, when the Jews and the Greeks both lived in the Diaspora, could a Jew call his son Dionysios or Athenodoros without thinking of the heathen meaning of those names. In Persian Nippur as in Persian Elephantine the names still had a religious significance. At Elephantine, in the fifth century, sacred names constituted about 9/10 of Jewish anthroponymy.<sup>44</sup> A similar preference for religious names is apparent in the post-exilic onomastic of Jerusalem. But in Nippur the same result was achieved only in the last decades of the fifth century. This change was comparable to the Puritans’ substitution of saints’ names by biblical names, the latter announcing clearly that the child so named belonged to the chosen people of the New Israel. Let us now try to understand the historical meaning of the onomastic shift in Nippur.

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<sup>44</sup> Silverman (n. 17), p. 488.

## III

The Jews were aliens in Babylonia, and on foreign soil a stranger bowed to foreign gods.<sup>45</sup> We all know that a king of Assyria commanded his colonists in Samaria to learn how they should worship YHWH, the Lord of their new land (II Kings 17:28). But, on the other hand, the Assyrian King Sargon ordered that the deportees to Assyria be taught to serve him and to worship Assyrian gods.<sup>46</sup> The Jews did not think otherwise. When David was driven out “from the inheritance of the Lord,” his enemies mocked him, “Go, serve other gods” (I Sam. 26:19). Four centuries later the men of Jerusalem said of their brothers carried off to Babylonia, in 597, “They are far away from YHWH; to us this land is given in our possession” (Ezek. 11:15).

The worship of new gods, however, did not blot out the old faith. Indeed, the stranger needed double insurance against evil. The Assyrian colonists in Samaria learned to fear YHWH, yet continued to worship the gods of their fathers; the men of Cutha, for instance, built altars to Nergal, the tutelary deity of their ancient city. In 529, the Egyptian community in Babylon settled a dispute by an oath invoking Bel and Nabu – Babylonian gods. But the same Egyptians, as their names show, still trusted the gods of their old country.<sup>47</sup> Similarly, descendants of the Assyrians who had been deported to Babylonia in 612, though worshipping the Babylonian deities, did not forget the god Ashur, and gave their children names glorifying the defeated humbled patron saint of their now destroyed and abandoned capital.<sup>48</sup> Both religious loyalties completed one another. “Fear of Power invisible, feigned by the mind, or imagined from tales, publicly allowed, Religion; not allowed, Superstition. And when the Power imagined is truly as we imagined, True Religion.”<sup>49</sup> In a polytheistic society fear of power invisible made every traditional cult publicly allowed, that of Bel as that of YHWH.

The Jews in Babylonia likewise feared both the Lord of Jerusalem and the idols of Babylon. The prediction of Deuteronomy became fulfilled: They disobeyed the Lord, and were brought to a foreign land

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<sup>45</sup> For the following cf. the chapter “Babylonian Captivity” in *Cambridge History of the Jews*, vol. I.

<sup>46</sup> Sh. Paul, *JBL* 88, 1969, p. 73.

<sup>47</sup> Dandamayev (above n. 4), pp. 15–17.

<sup>48</sup> G. Goosens in *Rencontre Assyriologique Internationale* III (1952), p. 90.

<sup>49</sup> Th. Hobbes, *Leviathan* I, 6 (published in 1651).

where they served gods of wood and stone (Deut. 4:28). In the sixth century a certain Shawash-shar-usur, who, as his name shows, was born under the protection of the Babylonian sun-god, named his daughter Yehoyishma, "May YHWH hear." On the other hand, about 545, a certain Isaiah naming his daughter Tabat-Ishtar put her under the protection of the goddess Ishtar.<sup>50</sup> Nonetheless, in the course of time devotion to ancestral gods dwelling far away could be expected to weaken. As we have already noted (p. 977), names compounded with the names of local West Semitic deities were rare in Persian Nippur. The religious situation of the Jews in the Babylonian captivity, however, was different. The ruin of Jerusalem clearly demonstrated the weakness of YHWH. While the Second Temple was destroyed during the siege, Nebuchadnezzar burned Solomon's temple in cold blood, one month after the fall of Jerusalem (II Kings 25:9). The Babylonian king probably decided to punish in an exemplary fashion both the stiff-necked and perjurious people and the God who had not prevented their treacherous acts, and thus remove any doubt about the supremacy of his own gods. "Who among all the gods of the countries have delivered their countries out of my hand, that YHWH should deliver Jerusalem out of my hand?" (II Kings 18:35).

Further, the devotees of other humbled deities, of Ashur or of Sin, for instance, could serve them far away from the destroyed cathedrals. Nineveh became "a lair for wild beasts," (Zeph. 2:15) but "Lady Belit of Nineveh" continued to be worshipped in her temple in Babylon.<sup>51</sup> Nobody prevented the deportees of a destroyed city from building altars and offering sacrifices to their ancestral deities in the land of resettlement.<sup>52</sup> But after the religious revolution of King Josiah, the "Torah-true" Jews<sup>53</sup> could no longer worship the Lord except on top of Mount Zion. "How shall we sing the Lord's song in a foreign land?" (Ps. 137:4).<sup>54</sup> Moreover, when the Lord "spurned His altar and disowned

<sup>50</sup> N. Avigad, *IEJ* 15 (1965), p. 228; Dandamayev (n. 4), p. 68. Cf. J. Kohler, F.E. Peiser, *Aus dem babylonischen Rechtsleben*, II (1892), p. 8.

<sup>51</sup> Cf. E. Cassin, *La splendeur divine*, 1968, p. 36. Belit: E. Ebeling, *RLA* I, p. 351.

<sup>52</sup> W.G. Lambert in *Unity and Diversity*, ed. H. Goedicke and J.M. Roberts, 1975, p. 191: For ordinary people "the niche at home or the street corner shrine was the place of religion" in Babylonia.

<sup>53</sup> I borrow this expression from M. Greenberg's "Prolegomenon" to a reprint of C.C. Torrey, *Pseudo-Ezekiel* (1970), p. XIII.

<sup>54</sup> The rabbis understood that the Psalmist here speaks of Temple songs sung by the

His sanctuary” (Lam. 2:7), removal of guilt by sacrificial blood suddenly ceased, and “without the shedding of blood there is no expiation” (Heb. 9:22).<sup>54a</sup> Despondingly the Exiles cried out “Our transgressions and our sins are against us and we pine away because of them; how, then, can we live?” (Ezek. 33:10). Some fifty years later, on the eve of the miraculous liberation by Cyrus, their sons argued that they were sold by the Lord to the power of Babylon. Israel was divorced by God (Is. 50:1) – the idea which, as the rabbis saw, implied that the Exiles became freed from the obligations imposed by the Sinai covenant: A sold slave and a divorced wife owe nothing to their former masters.<sup>55</sup> In point of fact, the stories of Daniel and his companions (1:8) and of Tobit (1:10) leave no doubt that, as Ezekiel (4:12) predicted, the people of Israel ate their bread unclean in Babylon. Tobit was an exception because, as he says, he remembered God “with all my heart.” The memory of other exiles was more accommodating.

As for the gods of Babylon – it was part of the sad lot of emigrants or exiles to be compelled to seek the favors of an alien god in an alien land, a deity who would, as was only natural, prefer his own flock to a late comer and unwilling conscript. Jeremiah’s God, predicting the fate of His stiffnecked and rebellious people, adds: “Forasmuch as I will show you no favor” (Jer. 17:13).

All the dire predictions were fulfilled almost immediately. The Temple still stood on Zion when the Elders of those deported to Babylonia in 597 came to Ezekiel saying they wanted to be like the nations around them and worship their gods (Ezek. 20:32). They did not mean to become apostates; on the contrary, they came to a prophet of YHWH to obtain His approval of their plan (Ezek. 14:3). In a foreign and uncomfortable land, they, fearing the Power Invisible of both Bel and YHWH needed double insurance. Moreover, it would be unnatural if the protection of the triumphant gods of Babel did not appear to them to be more reliable, at least in Babylonia. Almost fifty years later, on the eve of the fall of Babylon, a prophet of the Lord there

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Levites. See *Midr. Tehill. ad loc.* This ancient interpretation disposes of childish “explanations” of modern commentators. What remains unexplained, despite wild conjectures of the rabbis, is v. 3. Why should the Babylonians demand from the Levites to sing the sacred songs in the Exile?

<sup>54a</sup> Cf. B. Levine, *In the Presence of the Lord*, 1974, pp. 67–91.

<sup>55</sup> R. Samuel and Resh Lakish (Sanh. 105 a). I owe this reference to Prof. J. Faur. Cf. B. Cohen, *Jewish and Roman Law I*, 1966, p. 227.



proclaimed that YHWH had revealed in advance the events leading to the Redemption so that the Exiles, who swear by His name, would be prevented from attributing their deliverance to false gods, boasting, “My idol did it” (Isa. 48:5).<sup>56</sup>

We should not underestimate the attraction of “sophisticated polytheism”<sup>57</sup> in Babylonia. The idols of Nebuchadnezzar and his heirs displayed their might and they were revered with fervor and magnificence. Their devotees lavished on them praises that paralleled the Hebrew liturgy: they spoke of Bel, who grasped the hand of the fallen, and of Beletis, his spouse, who releases the captives. These idols were terrible and merciful. They could impoverish the rich and make the destitute wealthy. “Who except you is Lord,” a Babylonian priest asks of Marduk, “God of heaven and earth.” And an inscription of the mother of King Nabonidus (555–539) reveals her truly pious and moving personal and ascetic devotion to Sin, the moon god of Harran.<sup>58</sup> We know those texts only from cuneiform documents, but a common (Aramaic) language united Babylonian priests and Jewish exiles.

Accordingly, we should expect that after a century of quiet and profitable life in Babylonia, the descendants of the exiles from Judah, who by now had built themselves houses, had planted gardens, had founded families, and had sought the welfare of Babylonia – for in her welfare they found their welfare (Jer. 29:5–7) – would also have largely accepted the Babylonian gods and, thus, the Babylonian religious onomastic. This really happened in the first generations born in the Exile, as the names of the princes of the house of David may exemplify. Jehoiachin, the last king of Judah, deported to Babylon in 586, where he was styled “prince,” and four of the five courtiers deported with him, bore Yahwistic names.<sup>59</sup> But Sheshbazzar, “the prince of Judah,”

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<sup>56</sup> We pass over the insoluble question whether the Jews in the Exile built shrines to YHWH, as Morton Smith, *Palestinian Parties and Politics that Shaped the Old Testament* (1971), p. 90, argues. Nor do we have any information on pagan religious practices of the Jews in the Babylonian Exile. The difference between public and private worship remains essential. Cf. Greenberg (n. 53), pp. XXIII–XXIV and M. Smith, *ZAW* 87, 1975, pp. 11–16; V. Fritz, *Die Welt des Orients*, 1973, p. 137.

<sup>57</sup> I borrow this expression from the above quoted paper of Lambert (n. 52).

<sup>58</sup> Cf. *ANET*, p. 332 and p. 560; W. v. Soden, *Iraq* 31, 1969, p. 88; M. Smith, *JBL* 71, 1952, pp. 135–147, W.L. Lambert, *Arch. für Orientforschung* 19, 1959, p. 66.

<sup>59</sup> E. Weidner, *Mélanges Dussaud* II, 1939, pp. 923–935. Cf. W.F. Albright, *BA* 5, 142, pp. 41–5; Zadok II, p. 13.

who in 539 brought back to Jerusalem the sacred vessels that had been carried to Babylon in 586, bore a name marking him as a worshipper of the Babylonian moon god Sin; and Zerubbabel, who rebuilt the Temple, bore a name that meant "Offspring of Babel." Again, two out of the ten (or eleven) advisers who went with him to Jerusalem in 520 were named after Bel-Marduk of Babylon (Ezra 2:2 = Neh. 7:7). In less exalted milieu the situation was similar. In cuneiform documents we find given names and patronymics of some Yahwistic families living in the period from 540 to 457. Here fathers bearing Yahwistic names give their children either Yahwistic or Babylonian theophoric names while fathers called after Babylonian gods bestow such names as Shabbethai on their offspring.<sup>60</sup> This, of course, is the natural and regular practice in any polytheistic society: A man named after the Babylonian god Nabu calls his son Rabbi-'El, and a man called 'Aqabi'el ("God has rewarded") names his son "The gift of Nabu" (Nabu-natanu). But when, in 468, Ezra went up to Jerusalem, not one of his companions bore a pagan theophoric name (Ezra 8). Likewise, as we have seen, no Jew, or rather, no pious Jew (except a survivor of the generation of grandfathers, e.g., Ardi-ninurta, cf. above, p. 11), engaged in business transactions with the house of Murashu in Nippur, had a name containing a foreign divine element, though among their fathers the ratio of Yahwistic and Jewish names to Babylonian theophoric names was 2:1. We can approximately date this change.

The documents in question, with one exception, were written between 439 and 419. We may reasonably suppose that Hanani, who witnessed a document in 439, was about thirty years old at that date. He may have received his name between 480 and 470. His father, Belitannu, was probably born about 500. Again, in January of 436, Miniamin, son of Belabausur is mentioned as rent collector. Seventeen years later he is rent collector of a district.<sup>61</sup> At that time, in 419, he must have been in his fifties. We may place his birth about 470. Thus, it would seem, that approximately between 480 and 470 devoted Jews began to shun idolatrous names for their offspring.<sup>62</sup> At this point, let us stress again

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<sup>60</sup> I use here the data collected by Zadok II, p. 7 and p. 14. We have three Yahwistic fathers and three fathers bearing Babylonian theophoric names. Out of six children, three have Jewish names and three have Babylonian theophoric names. For instance, one Hosea(?) names his son Beliddina, and one Belzerabni calls his son Shabbathai.

<sup>61</sup> X, 119 and 64.

<sup>62</sup> The earliest text (except IX, 3 of 453), where a Jew has a pagan patronymic is X,

that less pious Jews surely continued to give Babylonian theophoric names to their children.

How is the beginning and the spread of this puritan onomastic to be explained? In the absence of the relevant documentation we cannot even guess why the movement, as it seems, started about 480. There had always been Jews of stubborn faith, those for whom the smiting of unfaithful Jerusalem and the abandonment of His defiled Temple were manifestations of the absolute power of the Lord. While other Jews, to speak with Elijah, “limped” and swayed between YHWH and Baal, the “YHWH-alone”<sup>63</sup> group, as its spokesmen Ezekiel and Second Isaiah show, unyieldingly demanded that the exiles and their descendants serve YHWH exclusively. For them not only had His power been displayed in the triumph of Babylon over Jerusalem but had been equally revealed in Babylon’s subsequent fall. History confirmed the truth of prophecies. Therefore, their faith in YHWH, to repeat the terminology of Hobbes (above, p. 989) was True Religion and, necessarily, the sole True Religion. They kept to it unwaveringly. As our Table I shows, there were Jewish families that for three generations avoided giving Babylonian theophoric names to their children. There is no non-Jewish name in the genealogy of Ezra (7:1).

Lacking ecclesiastical power, the monotheistic group could not coerce their errant brothers. We may imagine that the latitudinarians thought that they were carried by the wave of the future; in fact, they remained in the backwater of history. The undecieved won the undecided. Grandfathers had placed their sons under the protection of Babylonian gods, but those sons, born and brought up in a presumably more or less syncretistic milieu, rebelled against the laxity of the fathers and joined the monotheistic movement. A grandfather was named Ninurta-uballit (“The god Ninurta called me to life”). He dutifully named his son Ardi-Ninurta, “Servant of Ninurta.” But the latter named his own son Hanan. As the document naming him and his son as his partner was written in 452,<sup>64</sup> we may suppose that Hanan had

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8 *ap.* Cardascia, 83. The latest are X, 94 and *UM* 104, written in 419. On Miniamin, see IX, 14 (transl. *HAU*, 73) and *UM* 104 (transl. Ebeling, 22; translit. and transl. Wallis, 87). On his administrative position see Cardascia, 86 n. 3.

<sup>63</sup> I use this formula coined by Morton Smith (n. 56), p. 29. This paper could not have been written without Morton Smith’s eye-opening analysis of varieties of religious experience in biblical Israel.

<sup>64</sup> IX, 3 (translit. and transl. Augapfel, p. 82, transl. Cardascia, p. 170).

received his name about 480–475. In a document of 418 a man, who must be 30–40 years at that date, makes a contract with the manager of a Persian grandee for sheep breeding. The name of his father was a popular one in Babylonia: Shulum-Babili, “Welfare of Babylon.” But this father named his son “Who is as strong as YHWH?” (Manu-dan-ni-iama).<sup>65</sup>

This onomastic shift explains the success of Ezra and Nehemiah in the reign of Artaxerxes II (465–424). Were it not for the “YHWH-alone” groups in Nippur and elsewhere in Babylonia and the Persian Diaspora, who cajoled and convinced the Persian court, Ezra in 458 and Nehemiah in 445 would not have been sent to re-establish the True Religion in Jerusalem.

The break with syncretism occurred in the generation of Ezra, who, probably, was born about 500. The sons of this generation, all bearing Yahwistic, Jewish, or foreign secular names, speak to us through Nehemiah. Royal cupbearer in 445, he was, presumably, not more than 25 years old at that date, a contemporary of the Torah-true Jews who signed contracts with the Murashu house in Nippur. His patronymic (Hacaliah) shows that he belonged to the traditional “YHWH-alone” family. His religious fervor, which to a latitudinarian would resemble fanaticism, the fire that burns but does not consume, which permeates his report to the God of Heaven about his activities in Jerusalem, makes us understand the return of the syncretists to the monotheistic fold. The intransigency of the “YHWH-alone” movement captured the imagination and won the young hearts of the sons of the latitudinarian “silent majority.”<sup>66</sup> “I would thou wert cold or hot.” They who are neither hot nor cold, but comfortably lukewarm, lose the world to come and this one as well.

Columbia University, March 1977

<sup>65</sup> *UM* 148 (translit. and transl. Augapfel, p. 83).

<sup>66</sup> Cf. the description of Christian propaganda by Celsus (Orig. *c. Cels.* 3, 55) with the commentary of W. den Boer, *Athenaeum* N.S. 54, 1976, p. 309.

TABLE I  
(The bracketed numbers refer to the lists in Zadok II)

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*Yahwistic Fathers*<sup>a</sup>

1. Bedeiah f. of Tattanu (94)
2. Benaiah f. of Aqabia (51)
3. Hananiah f. of Gukka (35)
4. Hananiah f. of Hanan (65)
5. Jedaiah f. of Ahiah, Pediah, Simeon and Jehonathan (16–20)
6. Jedaiah, f. of Eliada (77)
7. Ja-a-hu-la-qi-im f. of Shillim (45)
8. Mattaniah f. of Jehonathan (93)
9. Pediah f. of Hanan (87)
10. Pelaiah f. of Sherebiah (48)
11. Pelatiah f. of . . . . . iama (86)
12. Tobiah f. of Hanan, Zabina, Benaiah, Zebadiah, and Bibya (26–30).
13. Zebadiah f. of Micaiah (33)

*Non-Yahwistic Fathers*

14. Bauetir f. of Aqabia (60)
15. Beluballit f. of Mattaniah (63)
16. Belshunu f. of Berechiah (64)
17. Hinnibel f. of Zebadiah (84)
18. Nanaiddina f. of Igdaliah (38)
19. Rahim-el f. of Gedaliah (35)
20. Shabbethai f. of Gedaliah (88)
21. Shabbethai f. of Abijah (41)
22. Shillim f. of Pelaiah (44)
23. Shirka f. of Mattaniah (92)
24. Shulumbabili<sup>b</sup> f. of Manu-tani-iama (79)
25. Tameshladin f. of Jedaiah (75)
26. Tu-ub-ha<sup>c</sup> f. of Jehozabad (52)
27. Udarna f. of Hananiah (24)
28. Useh<sup>d</sup> f. of Mattaniah (50)
29. Zabina f. of Bealiah, Miciah and Menahem (27)<sup>e</sup>
30. Zabdia brother of Udarna (23)

*Yahwistic Sons*

1. Abijah s. of Shabbethai (41)
2. Ahiah s. of Jedaiah (17)
3. Aqabia s. of Benaiah (51)
4. Aqabia s. of Bauetir (60)
5. Bealiah s. of Zabina (32)
6. Benaiah s. of Tobiah (28)

Table 1 (*cont.*)

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7. Berechiah s. of Belshunu (64)
  8. Gedaliah s. of Rahim-el (33)
  9. Gedaliah s. of Shabbathai (88)
  10. Hananiah s. of Tobiah (28)
  11. Hananiah s. of Udarna (24)
  12. Igdaliah s. of Nanaiddina (38)
  13. Jedaiah s. of Tameshladin (75)
  14. Jehonathan s. of Mattaniah (93)
  15. Jehonathan s. of Jedaiah (20)
  16. Jehozabad s. of Tu-ub-ha (52)
  17. Manu-tani-iama s. of Shulumbabili (79)<sup>f</sup>
  18. Mattaniah s. of Shirka (92)
  19. Mattaniah s. of Deluballit (63)
  20. Mattaniah s. of Useh (50)
  21. Miciah s. of Zabina (33)
  22. Pediah s. of Jediah (17)
  23. Pelaiah s. of Shillim (44)
  24. Sherebiah s. of Pelaiah (48)
  25. Zebadiah s. of Tobiah (29)
  26. Zebadiah s. of Hinnibel (84)
  27. . . . . iama s. of Pelatiah (86)

*Non-Yahwistic Sons*

28. Barik-el, brother of Gedailiah<sup>g</sup>
29. Bibya son of Tobiah (30)
30. Eliada s. of Jedaiah (77)
31. Gukka s. of Hananiah (34)
32. Hanan, son of Tubiah (26)
33. Hanan s. of Pedaiah (87)
34. Hanan s. of Hananiah (65)
35. Shillim s. of Ja-a-hu-la-qi-im (49)
36. Simeon s. of Jedaiah (19)
37. Tattanu s. of Bedeiah (94)
38. Zabina s. of Tobiah (27)
39. Bel-itannu s.(?) of Zabdià (25)<sup>h</sup>

*Grandfathers*

- Apla, f. of Hananiah (34)  
 Benaiah (Bana'el), f. of Jedaiah (16)  
 Rahim-el, f. of Udarna and Zabdia (22-23)

Table 1 (*cont.*)

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Barik-el, f. of Rahim-el (35)  
Tobiah. See above p. 000.

*Grandson*

Shapikalbi, s. of Ahiah (21)<sup>i</sup>

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<sup>a</sup> Ba-na-ia-a-ma, f. of Ra-hi-im (*UM* 5) is excluded from our list because he lived in Babylon. See Zadok II, p. 15, n. 14. The bracketed figures refer to the list of Zadok II, pp. 16–18.

<sup>b</sup> Owing to a typing error his name is omitted in Zadok's list no. 79.

<sup>c</sup> On this name see Zadok II, p. 10.

<sup>d</sup> On this name (also spelled Amusch) see Zadok II, p. 9.

<sup>e</sup> I follow here the opinion of M.W. Stolper, stated in his letter of Feb. 15, 1977.

<sup>f</sup> The name is also spelled Man-nu-dan-ni-iama. The same is true of the spelling of the name of the son of Useh. Cf. M.D. Coogan, *J. for the Study of Judaism* 6, 1976, p. 199 and M.W. Stolper, *BASOR* 222, 1976, p. 26.

<sup>g</sup> On this brother (?) of Gedaliah and, thus, a son(?) of Rahim-el, see Cardascia, p. 180.

<sup>h</sup> See above, p. 000.

<sup>i</sup> The name means "foundling." J.J. Stamm, *Die akkadische Namengebung*, 1939, p. 320.

## TABLE II

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Hi(?)-d-ta-s-shab-p(?)-(ta?)-a, s. of Shabbethai (59)  
Jashub, s. of Ha-ka-a (85)  
Liblut and Shabbethai, sons of Shirka (68–69)  
Menachem, son of Zabina (31)  
Miniamin, son of Bania (43)  
Nathan, son of Shillem (37)  
Sethur, son of Shabbethai (36)  
Shabbethai, son of Haggai (90)  
Shabbethai, son of Hi-il-lu-mu-tu (55)  
Shillem, son of Pania (45)

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The first given name is unintelligible, and the name Hi-il-lu-mu-tu is inexplicable, but they are neither theophoric nor "Jewish," therefore "neutral." The name Bania can be Jewish, West-Semitic or Babylonian. See Tallquist (above n. 30). But the biblical hypocoristicon Bani suggests that in our context the name is an abbreviation of the Yahwistic name Benaiah, "YHWM has built" (see Table I). The hypocoristicon Pania is Akkadian or West-Semitic. See Zadok II, p. 29. On the name Haggai and its cuneiform spellings, cf. Zadok II, p. 8 and also L.T. Gerarty, *BASOR* 219, 1975, 73. On the name Hakka, see Zadok II, p. 6. In our list I omitted Zadok's (82) because the reading is uncertain.

TABLE III (The Hanan Group)

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The references in brackets refer to publications of the Murashu documents, but the numbers preceded by Z refer to the list in Zadok II. The name of sons is Hanan, except when another name is given.

*Fathers:* 1. Ardi-Gula (IX, 3); 2. Barik el (*UM*, 215); 3. Bel (X, 24); 4. Beletir (*UM* 153); 5. Belitannu (IX, 8); 6. Belshunu (*UM* 65); 7. Ha-naniah, f. of Gukka (Z. 34); 8. Hananiah (Z. 65); 9. Hariani, f. of Jediael (IX, 14); 10. Idinnabu (*UM* 179); 11. Menahem (Z. p. 45); 12. Ninurtaetir (X, 61); 13. Ninurtaubal-lit (IX, 6); 14. Pediah (Z. 87); 15. Tabia (X, 13, 2); 16. Tubiah (Z. p. 17); 17. Udarna (Z. 22); 18. Rahim, brother of 2.

*Sons:* Gubba, another son of 13; Gukka, son of 7; Jediael, son of 10; Hanan-nani (*vel simile*), 12 persons (sons of 2-4, 6, 8, 11-14, 16-17, 24); Hanan (*vel simile*), 4 persons (sons of 1, 5, 10, 15).

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## ON THE MARGINS OF SCRIPTURE

### I. *The computation of the years of the reign of the Achaemenids* (*Neh. 1.2; 2.1; and Thucydides, 8.58*)

In his report about his mission to Jerusalem, Nehemiah begins (1:2) by speaking of the visit paid by Hanani “in the month of Chislev, in the twentieth year” (of Artaxerxes I), and then relates his conversation with the king in the month of Nisan in the same year (2:1). This means that for Nehemiah, Nisan followed Chislev. However, in the Babylonian calendar which was employed both by the Persian administration and by the Jews under the Achemenids, the year began in spring, on Nisan 1, and Chislev was the ninth month of the civil year.

Embarrassed by this disagreement between Nehemiah and the calendar, the commentators seek in vain to correct the biblical text. It is more useful to ask the advice of the ancient readers, who likewise noticed this little chronological problem. For example, Rabbi Hisda (died 309) thought that “the kings (of the nations) of the world”<sup>1</sup> began the years of their reigns in the month of Tishri, in the fall; but Rabbi Joseph (died in 333) objected that the order of the months in the book of Haggai (1:1 and 2:1) proves that the Persian year was inaugurated in Nisan.<sup>2</sup> Thus, the ancient teachers of the law in Sassanid Babylon show us that the problem is one of computing time.

The beginning of the year is determined arbitrarily. In the middle ages, the Christian year began on January 1, on March 25, or at Christmas etc., depending on the usage adopted by one or other chancellery; the chancellery of Louis VI counted the years of his reign in four different styles.<sup>3</sup> To simplify its work, the Persian administration followed the Babylonian practice and made the regal years coincide with the Babylonian years, which began on Nisan 1. The time which elapsed between the beginning of a monarch’s reign and the next Nisan 1 was not included in the calculation of the years of his reign: for

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<sup>1</sup> On this expression, cf. J. Bonsirven, *Le judaïsme palestinien* I, 1934, p. 106.

<sup>2</sup> *Talmud B., R.H.* 3a–3b; cf. *P., ibid.* 1.1, p. 56, where the argumentation of Rabbi Joseph is attributed to Rabbi Eliezer speaking in the name of Rabbi Hanina. For the dates of these authorities, cf. *Encycl. Judaica* VIII, p. 531, and X, p. 229.

<sup>3</sup> A. Giry, *Manuel de diplomatique*, 1894, p. 86.

the Achaemenid bureaucracy, this initial period was “the beginning” of the reign. For example, an Aramaic document drawn up on January 3, 464, is dated: “the 21st year [i.e., of Xerxes], the beginning of the reign, when King Artaxerxes [I] ascended the throne.”<sup>4</sup>

However, this chronological style is artificial and abnormal. The rule is that the years of a reign are counted from the accession: even today, the regal years of Elizabeth II of England do not coincide with the civil year. We may therefore postulate that at the court of Susa, the years of the reign of Artaxerxes I ran from the date of his accession to the throne to the return of the same calendar date in the civil year, i.e. in disaccord with the computation of the years by those employed in his bureaucracy. There is nothing surprising in this simultaneous use of different styles. For example, the regal year began on Thot 1, not on Nisan 1, in the Egyptian documents which were issued under the Achaemenids.<sup>5</sup> In the same way, in the third century, the Ptolemies counted their regal years from the day of accession and in accordance with the Macedonian calendar, while their years in the Egyptian calendar began on Thot 1, and the financial year coincided neither with the year of the court nor with that of the Egyptian calendar. Another example: the Seleucid year did not begin on the same date at Antioch and at Jerusalem, or in the villages of Persia.<sup>6</sup>

Let us return to Nehemiah. He was not a mere bureaucrat; he was a consummate courtier, a man of great weight at the royal court, and his memorandum is addressed to his God (Neh. 15:3), not to the accounts department. Let us therefore suppose that he followed the way of computing the years which was in use at the royal court, not the calculation used by the bureaucracy. Since his king ascended the throne in the month of Abu in 465,<sup>7</sup> the twentieth year of which Nehemiah speaks began in the month of Abu (July 22–August 20) in 446 B.C.E. Chislew was the fifth and Nisan the ninth month of this regal year.

<sup>4</sup> A. Cowley, *Aramaic Papyri*, 1923, nr. 6 (= P. Grelot, *Documents araméens d'Égypte*, 1972, nr. 33). The Julian dates, here and elsewhere in the present essay, are those given by R.A. Parker and W. Dubberstein, *Babylonian Chronology*, 1956.

<sup>5</sup> The annual ritual of the renewal of the royal power was carried out on this date: J.-C. Goyon, *Confirmation du pouvoir royal au Nouvel An*, 1972, p. 42.

<sup>6</sup> Cf. my *Chronology of the Ancient World*, 1968, p. 38. On the financial year, cf. A. Samuel, *Ptolemaic Chronology*, 1962, p. 78.

<sup>7</sup> On the date of the equinox (March 23) according to Euctemon, cf. F. Ginzel, *Handbuch der Chronologie* III, p. 423, which agrees with the calculations of modern astronomers; Ginzel, *ibid.*, p. 101. Cf. F. Boll and A. Rehm, “Griechischer Kalender,” *Sitz.-Ber. Akad. Heidelberg, Phil.-hist. Kl.*, 1913, 3. Abh., p. 29.

Hanani came to see Nehemiah in December, 446, and the conversation between Nehemiah and the king took place in April/May, 446.

A passage in Thucydides confirms my hypothesis. He gives the Persian date – “the thirteenth year of Darius” (8.58,1) – of the treaty made between the satrap Tissaphernes and the Lacedaemonians in the winter of 412–411 (8.57,1). According to the (Babylonian) computation of the Persian bureaucracy, the thirteenth year of Darius II did not begin until March 29, i.e. in the spring, five days after the vernal equinox. This means that the chronological information of Thucydides and the Persian date contradict one another, and a great deal of scholarly ink has been poured out in the fruitless attempt to resolve this disagreement.<sup>8</sup> We shall therefore attempt to specify the date of the agreement made “in the plain of the Meander”<sup>9</sup> in the winter of 412–411. In order to do so, we must examine the chronological structure of Thucydides’ account.

He relates that a Peloponnesian fleet set out for Ionia at the time of the winter solstice (December 24, 412).<sup>10</sup> This naval expedition in the heart of the winter, when navigation was generally suspended, is astonishing,<sup>11</sup> especially since there was nothing urgent about this undertaking: once it arrived in Asia Minor, the ships were dragged on shore, where they remained until the spring. It is possible that the Lacedaemonians wished to profit from the calm of the halcyon days which, according to the Greeks, began one week before the solstice and lasted for fourteen days. It is irrelevant to point out that today’s meteorological observations do not completely agree with Aristotle;<sup>12</sup>

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<sup>8</sup> A.W. Gomme, *Commentary on Thucydides III*, 1956, p. 699; W.K. Pritchett and B.L. van der Waerden, *BCH* 85 (1961), pp. 17–52; B.D. Meritt, *Historia* 11 (1962), pp. 436–446; Idem, *Hesperia* 33 (1964), pp. 228–230; W.K. Pritchett, *Classical Philology* 60 (1965), pp. 259–261; B.D. Meritt, *ibid.*, 1966, pp. 182–184; P. Orsi, *Quaderni di storia* 1 (1975), pp. 117–140.

<sup>9</sup> I.e. at the estuary of the Kaystros, according to R. Merkelbach, *ZPE* 32 (1978), p. 212.

<sup>10</sup> Euctemon and modern science agree on this Julian date: Ginzel, *op. cit.* II, p. 423, and A. Rehm, *RE Suppl.* VII, p. 187.

<sup>11</sup> Navigation under the sign of Capricorn (December 21 to January 21) seemed suicidal: Aratus, *Phaen.* 285.

<sup>12</sup> Aristotle, *Hist. anim.* 5.8, 542b; H. Boecker, *RE VIII A*, p. 2297. I am grateful to my former student Mr Phryxos Vrachas of Athens, who has kindly consulted the Greek meteorological service on this subject and has sent me the relevant article by L.N. Carpiaris in the periodical *Weather* 12 (October, 1957). According to this information, the halcyon days last only four to seven days, and arrive between mid-December and mid-February. We must however add that their meteorological definition refers to the amount of clouds and to the intensity of the sunshine; what counted for the ancient

it is enough that the Greeks were convinced, and in fact, whether by chance or by the favor of Alcyone, the voyage was not troubled by bad weather.<sup>13</sup> We may therefore reasonably suppose that the galleys lifted anchor some days before the solstice, perhaps on December 20. The voyage began at Cape Malia (8.39,3) and followed the route from Melos to Caunos. From Caunos, after a few days spent maneuvering the boats, the squadron arrived at Rhodes, where the boats sheltered from the bad weather for eighty days (8.44,4), i.e. until roughly March 30.<sup>14</sup>

Thucydides now retraces his steps and tells of the diplomatic events of the winter of 412–411, which centered on the negotiations between Sparta and Tissaphernes (8.48–56). Finally, “in mid-winter” (57.1: ἐν τῷ αὐτῷ χειμῶνι), agreement was reached. Thucydides then speaks (8.59) of the measures taken by the satrap to give the impression that he was meeting the demands of the Lacedaemonians. At this point, he introduces a subdivision of time, that of “the final period of the winter” (60.1: τελευτῶντος ἤδη τοῦ χειμῶνος). During this period, the Boeotians took Oropos. The Eretrians then went to Rhodes to ask for military aid, but the Spartans preferred to send the fleet to assist Chios, and the ships set out for Miletus. “And so the winter finished.” These words take the reader back to the hauling of the boats onto the shore at Rhodes (8.44,4) and consequently supply the approximate Julian date for the end of the bad weather: ca. March 30.<sup>15</sup>

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Greeks was the relative calm of the sea. Under the reign of the Birds, the halcyon period will be permanent (Aristophanes, *Birds* 1593). We should also note that the modern observations, in agreement with Aristotle, show that the halcyon days are not an annual phenomena: between 1901 and 1955, they arrived only thirty times. Cf. also P. Gillet, “Les navires à rame dans l’antiquité,” *JIS*, 1965, pp. 36–71.

<sup>13</sup> Thucydides regularly notes those instances where naval operations were disturbed by tempests: cf. e.g. 8.31,3; 32,1; 42,1; 80,3; 90.

<sup>14</sup> G. Grote, *History* VII, ch. 61; Busolt, *Geschichte* III/2, 1904, p. 681, estimates that the voyage of the flotilla took twenty days; Gomme, *op. cit.* III, p. 711, estimates a duration of between fifteen and twenty days; Pritchett, *Classical Philology*, 1965, p. 28, calculates twenty-eight days. From Cape Malia to Rhodes, the fleet, usually making its way with oars, could cover the distance (almost 600 kilometers) in about twelve days. On the speed of the galleys, cf. Gomme, *op. cit.* I, p. 20; J.S. Morrison and R.T. Williams, *Greek Oared Ships*, 1968, p. 309; L. Casson, *Ships and Seamanship*, 1973, p. 293. We should note that the system of winds made eastward voyages shorter than westward voyages: H. de Saussure, *RAr*, 1937, p. 96.

<sup>15</sup> The “winter,” i.e. the bad weather during which military operations were suspended, could naturally vary from one campaign to another. In general, the “summer,” the favorable period from a military perspective, could begin as early as the first weeks of March, but the conventional date for its beginning was the vernal equinox. Cf. Busolt, *op. cit.*, p. 690; Gomme, *op. cit.* III, p. 699.

In order to discover the approximate date on which the treaty was made, we must calculate at least twelve days for “the final period of the winter” and another twelve days for the period between the treaty of Tissaphernes and the beginning of “the final period of the winter.” Thus, we date the treaty to roughly three weeks before March 29, the beginning of the thirteenth year of Darius II in the civil year.

However, just like Nehemiah, Tissaphernes did not need to follow this calendar. He belonged to the high aristocracy of the court, doubtless to one of the six families who had access to the sovereign at all times, and he followed the calculation of the court.<sup>16</sup> Darius II became king in January or at the start of February, 423. Accordingly, the thirteenth year of his reign began a few weeks before March, 411. And so both Nehemiah and Tissaphernes attest the usage of calculating the regal year independently of the civil year at the court of Susa.

## II. *The second year of Darius*

Six oracles which are collected in the Books of Haggai and Zechariah were pronounced in the “second year” of Darius I.<sup>17</sup> Here is a chronological list of these divine oracles:

- Hag 1:1 (1st day of 6th month)
- Hag 2:1 (21st day of 7th month)
- Zech 1:1 (8th month)
- Hag 2:10 (24th day of 9th month)
- Hag 2:20 (24th day of 9th month)
- Zech 1:7 (24th day of 11th month)

According to the commentators, the Julian dates of these predictions run from August 29, 520 (Hag. 1:1) to February 15, 519 (Zech. 1:7). For three of these texts, this chronology may be appropriate, at least in the present state of our ignorance. One could preach to the chosen people who were slow about rebuilding their sanctuary (Hag. 1:1) or speak to them of the contagion of impure things (Hag. 2:8) in 520 and,

<sup>16</sup> On Tissaphernes, cf. H. Schaefer, *RE Suppl.* VII, p. 1580; A.T. Olmstead, *History of the Persian Empire*, 1948, p. 360.

<sup>17</sup> Since our subject is purely chronological, we need not attempt to interpret these oracles; their opacity frightened Jerome: *ab obscuris ad obscuriora transimus* (*In Zach.* 6:9; PL 25, 1453). [Biblical quotations are taken from the Revised Standard Version. Where the enumeration in Zechariah differs in the Hebrew and English Bibles, both references are given.]

no doubt, equally well in 521 or 519. Similarly, as the preacher himself says, Zechariah's appeal to the people to forsake their evil ways (1:1ff.) renews the warnings of other prophets.

But two of the oracles of Haggai and one oracle of Zechariah express political judgments which would be misplaced at their presumed dates. First of all, we have Haggai addressing Zerubbabel, the royal pasha at Jerusalem, the high priest Joshua, and the chosen people and telling them in the name of the God of hosts not to be afraid to rebuild the temple. "Once again, in a little while, I will shake the heavens and the earth and the sea and the dry land; and I will shake all nations, so that the treasures of all nations shall come in . . . The silver is mine, and the gold is mine" (Hag 2:6–8). Two months later, in the name of the God of hosts, Haggai promises Zerubbabel: "I am about to overthrow the throne of kingdoms; I am about to destroy the strength of the kingdoms of the nations." On that day, God will choose Zerubbabel his servant, and this grandson of King Jehoiachin will be "like a signet ring" of the Eternal. By means of this oracle, Haggai annuls the curse pronounced by Jeremiah on Jehoiachin (Jer. 22:24–30), who had revolted against Nebuchadnezzar, his sovereign. The ancient commentators, such as Theodore of Mopsuestia, understood perfectly well that Haggai was promising Zerubbabel, the *pehah* of Judah, the throne of David.<sup>18</sup>

According to the chronology which is generally accepted today, Haggai pronounced these invitations to revolt against Darius on October 18 and December 18, 520. But at these dates, peace reigned anew from the banks of the Nile to India, and the copies of the triumphant proclamations of the king, translated into numerous languages, circulated throughout his immense empire. The Jewish soldiers at Elephantine read the Aramaic text of the *Res gestae* of their sovereign.<sup>19</sup> Any crazy man who announced in October–December, 520, that the empire would collapse "in a little while" would have been thrown into prison by Zerubbabel and Joshua. Although modern commentators cannot avoid perceiving the absurdity of their chronology, they think that they can salvage the chronology by attributing this ineptitude to Haggai

<sup>18</sup> When he read these texts, Theodore of Mopsuestia (and later Cyril of Alexandria; PG 72, 10) thought that Zerubbabel had become the king of the chosen people: *κατὰ τὰς ἐπαγγελίας τὰς θείας ἐβασίλευε τότε τοῦ λαοῦ* (*In Agg.* 1:1; PG 66, 477).

<sup>19</sup> On the accession to the throne of Darius, cf. M.A. Dandamaev, *Persien unter den ersten Achämeniden*, 1976. On the chronology, cf. *ibid.*, p. 255. It is obvious that the bulletin relating the victories of Darius was sent to the provinces after it was published towards the end of 521. Cf. *ibid.*, p. 71.

himself: they argue that the prophet was still under the impression left by the collapse of the Persian empire in 522.<sup>20</sup>

But the words of Zechariah which I have mentioned above (1:7) make it impossible to evade the issue in this way. Two months after the incendiary oracle of Haggai, Zechariah is told by heavenly horsemen that "All the earth remains at rest."<sup>21</sup> In mid-February, 519, the supposed date of this vision, no one at Jerusalem still needed a supernatural light in order to see that all the world was at peace.

This means that the commentators' chronology is erroneous. Their mistake is to follow the Babylonian style of computing the years of the reign of Darius at Jerusalem. For Babylonia, in revolt against the new pretender to the throne, did not accept his rule at once; but Darius and those countries (including Judah) which did not delay to recognize him did not wait for the rebels to come over to his side before inaugurating his reign.<sup>22</sup>

From the chronological aspect, Darius' situation was exceptional. After assassinating Bardiya-Gaumata, his immediate predecessor, the new master presented himself as the legitimate heir of Cambyses: Bardiya-Gaumata was merely an adventurer who had usurped the throne, a magus from Media whose rule was non-existent from a legal point of view. The legitimacy of Darius, who appealed to the divine law, depended on the illegitimacy of Gaumata's power. Consequently,

<sup>20</sup> Cf. the commentaries and handbooks, e.g. A.T. Olmstead, *History of the Persian Empire*, 1948, p. 92, or John Bright, *History of Israel*, 2nd edn. 1972, p. 361.

<sup>21</sup> Cf. C. Jeremias, *Die Nachtgeschichte des Sacharja*, 1977, p. 30.

<sup>22</sup> Darius was able to reconstitute the empire because he commanded the army of Cambyses (Dandamaev, *op. cit.*, p. 182). Egypt and Syria were the base for his operations. (The tablet of Neirab nr. 1, dated to the reign of Nebuchadnezzar IV, was written in Babylon, not in Syria: cf. É. Dhorme, *RA* 25 [1928], p. 55; cf. I. Eph'al, *Orientalia* 47 [1978], p. 86.) It is very doubtful whether Egypt, which was occupied by the troops of Cambyses and governed by his satrap Aryandes, recognized the rule of Bardiya-Gaumata before the death of Cambyses. Manetho does not mention Bardiya in the list of Pharaohs (F. Jacoby, *Fr.Gr.* II, 609 [III C, p. 78]). The kingdom of the "Magi" in Eusebius' list is his own addition, under the influence of Herodotus. For the same reason, Eusebius corrects Manetho by attributing a reign of twenty-five years to Aprius: W. Helck, *Untersuchungen zu Manetho*, 1956, p. 74. In the demotic tradition, Darius succeeded Cambyses: E. Meyer, *Kleine Schriften* II, 1924, p. 95. It is true that Darius mentions Egypt as one of the rebellious countries; he is doubtless thinking of the disturbances in Cyrenaica which were crushed by Aryandes (Herodotus, 4.220-224). He is writing the story of his accession to the throne, his *res gestae*, and he omits secondary events such as the repression of the Sattagids and the Scythians. Cf. Inscription of Behistun, c. 2.5. Later (Herodotus, 4.166), Darius had Aryandes executed "under the pretext" of rebellion: ὡς οἱ ἐπανάστατοι.

Darius could not recognize the years of the usurper's reign, and the first year of Gaumata, which began on March 27, 522, became the first year of Darius after his coup d'état on September 29, 522. This way of antedating a reign is common when a legitimist restoration takes place; as everyone knows, when Louis XVIII became king of France in 1814, he dated the "Charter" to the nineteenth year of his reign, thereby attributing to himself the years of the Directory, of the Consulate, and of the "usurper" Napoleon. The same thing happened in antiquity.<sup>23</sup> For example, Horemheb, who overthrew the dynasty of Amenophis IV ca. 1330 and who "loved Ammon and detested his enemies," attributed to himself the years of the reigns of the adversaries of his god.<sup>24</sup> After Darius, the favorite of Ormuzd, had killed Guamata, that incarnation of falsehood, he did the same as the ancient Pharaoh. Besides this, as an officer of the guard of Cambyses, Darius had the example of his former master before his eyes. In order to legitimate his conquest of Egypt in 522, Cambyses computed the years of his reign in Egypt either from the death of Amasis in 526 or from his own accession to the Persian throne in 530. In this way, the brief reign of Psammetichus III, the son and heir of Amasis, was eliminated from the historical record.<sup>25</sup>

Let us now return to the chronology of Haggai and Zechariah. If the first year of Darius at his court and for Jerusalem began on March 27, 522, and his second year on April 14, 521, the first two oracles of Haggai will have been uttered on October 28 and December 30, 521. In October, Babylonia was once again rebelling against Darius. At the

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<sup>23</sup> Ptolemy I changed the computation of his regal years ca. 288, taking as his point of departure the death of Alexander and presenting himself as the conqueror's direct heir: A. Samuel, *Ptolemaic Chronology*, 1952, p. 11; M. Woerrle, *Chiron*, 1977, p. 45. Ptolemy II antedated his accession to the throne: Samuel, *ibid.*, p. 26; M. Woerrle, *Chiron*, 1978, p. 212; L. Koenen, *Eine agonistische Schrift aus Ägypten*, 1977, p. 43. For the change of the dates of the *dies imperii*, cf. e.g. J. Laffaurie, *Mélanges Piganiol II*, 1966, p. 803; J. Modrzejewski, *Rev. hist. de droit*, 1977, p. 477; J.D. Thomas, *CEg*, 1971, p. 173. Cf. my *Chronology*, p. 90. After the *damnatio memoriae* of Macrinus, Heliogabalus dated the beginning of his reign to the death of Caracalla: P.J. Sijpesteijn and L. Koenen, *ZPE* 13 (1974), pp. 219–234.

<sup>24</sup> D.B. Redford, *JNES*, 1966, p. 123.

<sup>25</sup> G. Posener, *La première domination perse en Égypte*, 1936, p. 33; Dandamaev, *op. cit.*, p. 105. However, in the fourth year of his reign in Egypt (on this date, cf. R.A. Parker, *AJSL*, 1941, p. 373), Darius decreed that a collection of the Egyptian laws down to the end of the reign of Amasis should be made, thereby recognizing the legitimacy of the latter. Cf. E. Bresciani, *Studi classici e orientali*, 1958, p. 153; E. Drioton and J. Vandier, *L'Égypte*, 4th edn. 1962, p. 602.



end of December, the third Elamite revolt had either already broken out or was imminent and foreseeable. In any case, at this date – only one month after the end of Nebuchadnezzar IV of Babylon – one could not yet know whether the pacification of the empire would be definitive. One could still hope for a new conflagration.

Two months after Haggai's last oracle, on February 26, 520, the last hopes of liberation vanished, and Zechariah announced the return of the imperial peace. This news inevitably disturbed the people of Jerusalem. Like other subject peoples (e.g. the Poles in 1914), they knew very well that their independence (or their decolonization, to use today's political jargon) could not come about until the great empires collapsed. They were disheartened by the restoration of Darius' empire and started to ask how long their God would refuse to take pity on Jerusalem and the cities of Judah. Zechariah's task is to assure his hearers of the love of the Eternal for Jerusalem, but all he can promise is the reconstruction of the temple (Zech. 1:16). One may indeed still await God's saving action, but this is now only the object of an unrealizable hope. We are not told *when* the "smiths" will "cast down the horns of the nations" who have scattered Israel (2:1ff./1:18ff.), and the wall of fire around Jerusalem (2:8/2:5) is not going to be erected any time soon. God will indeed shake his hand one day against the nations (2:13/2:9), but this future is now seen only in an eschatological perspective. For the present time, as a sign of divine favor, the prophet promises that people will come from far off to work on the construction of the temple, but even this sign is conditional: this will take place if the Jews listen attentively to the voice of God (Zech. 6:15). And when Zechariah dares to speak of the legitimate descendant of David (3:8; 6:12) – whether he is thinking of the Messiah, as ancient interpreters held, or of Zerubbabel, as modern exegetes hold<sup>26</sup> – this servant of God remains the unnamed "Branch" of Jeremiah (23:5). Zechariah does in fact mention Zerubbabel once (4:6–10),<sup>27</sup> but all that is involved here is the reconstruction of the temple and the divine admonition that Zerubbabel's task will be accomplished "not by might, nor by power, but by my Spirit."

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<sup>26</sup> However, T. Chary, *Aggée, Zacharie, Malachie*, 1969, p. 82, and W. Rudolf, *Haggai, Sacharja, Maleachi*, 1976, p. 136, question the identification of Zerubbabel with the "Branch."

<sup>27</sup> On this passage, cf. Chary, *op. cit.*, p. 92, and A. Petitjean, *Les oracles du Proto-Zacharie*, 1969, p. 262.

In December, 521, people in Jerusalem were still hoping for the universal conflagration. In February, 520, the revolutionaries had become the resigned dreamers of a utopian dream, for it was no longer possible to doubt the solidity of Darius' empire. It was only two centuries later that a fourth empire, "hard as iron" (Dan. 2:40), would overthrow the power of the Achemenids.

The new dating of the second year of Darius permits us to understand better the history of the restoration of the temple. Rebuilding began in the second month of the second year after the arrival of Zerubbabel's caravan in Jerusalem (Ezra 3:8).<sup>28</sup> According to Haggai (1:15), this date corresponds to the sixth month (Elul) of the second year of Darius. This means that Zerubbabel arrived in Jerusalem in the month of Ab, i.e. between July 23 and August 21, 522. He dedicated the altar six months later (Ezra 3:6), i.e. on Shebat 1 (= January 16, 521). It follows from these dates that Zerubbabel was sent to Jerusalem by Bardiya-Gaumata and that the altar was built during the civil war, when Darius and his court had more pressing worries than the control of the sacred edifices in an insignificant town far off. It is easy to understand why later on, ca. 519, the elders of Jerusalem preferred not to mention the fact that the usurper whom Darius had killed was the man behind the restoration of the sanctuary, and why the Chronicler of Jerusalem mentions neither the activity nor the regal years of this enemy of Darius.

Besides this, the Chronicler has mixed up his chronology. Since he could not imagine that the Jews who returned to Jerusalem under Cyrus had taken their time about rebuilding the temple, he attributes the delay to the opposition of their enemies, e.g. the Samaritans. Having discovered a document of Artaxerxes I which seemed to support this view, he placed Ahasuerus (Xerxes) and Artaxerxes between Cyrus and Darius. The same presupposition about the religious devotion of the chosen people has led him to confuse the return of Sheshbazzar in 538 and that of Zerubbabel almost twenty years later. In reality, as we

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<sup>28</sup> The Chronicler's date for the return to Jerusalem doubtless comes from the memoirs of a companion of Zerubbabel who is imitating the dating of the exodus (Ex. 16:1; 19:1; 40:17; Num. 1:1; 9:1; 10:11; Deut. 1:1; cf. also 1 Kg. 6:1; I owe these references to my friend M. Greenberg of Jerusalem). By means of this discreet allusion to the departure of the chosen people from Egypt, Zerubbabel and his caravan are exalted to the biblical level. Mr Greenberg also reminds me of the computation of the years "after the exile of King Jehoiachin" in Ezekiel, but this way of reckoning time seems rather to be related to the era of Yezdegerd in post-Sassanid Persia.

learn from a Persian document (Ezra 5:15), Sheshbazzar had already laid the foundations of the sanctuary,<sup>29</sup> but the work of reconstruction proceeded slowly until the reign of Gaumata and the arrival of his envoy Zerubbabel in Jerusalem.

As for the chronology of Darius, his second year began on April 14 (Nisan 1), 521 in Judah and in Syria, but on April 3, 520 in Babylonia, and on December 31, 521 in Egypt.<sup>30</sup> Such discrepancies disconcert us, but they did not surprise the people of old. It suffices to recall here that the Aramaean scribes in Egypt calculated the years according to the Babylonian calendar, while the Egyptian scribes employed their own style. This means that the Aramaic document cited above, which was written at the beginning of 464 B.C.E., is dated to the twenty-first year of Xerxes, who had died five years earlier: for the scribe, the first year of Artaxerxes would not begin until Nisan 1 of the following year, i.e. April 13, 464. But for the Egyptians, this year had already begun on December 17, 465.

### III. *The title of the Letter to the Hebrews*

The Epistle to the Hebrews presents itself as a letter. Its closing lines transmit personal recommendations (13:18–25), followed by the “Pauline” formula of final greetings: “Grace be with all of you.”<sup>31</sup> Ancient readers, such as Clement of Alexandria and Origen,<sup>32</sup> called this “discourse of exhortation” (13:22) an *epistolé*, and the oldest codex of the letters of the apostle Paul, P 46 (written ca. 200), places this letter between Romans and Corinthians.

The modern scholars who prefer to speak of a “homily,” a “sermon,” or even a “midrash”<sup>33</sup> confuse the form and the contents of a literary work. For example, the memorandum addressed by Aristéas to Philocrates about his voyage to Jerusalem, and the treatise dedicated to Diognetus by Ps.-Justin,<sup>34</sup> are not letters, since these works lack the

<sup>29</sup> Cf. my essay “The Edict of Cyrus in Ezra 1,” above, 71–107; Petitjean, *op. cit.*, pp. 225 and 249.

<sup>30</sup> Cf. my *Chronology*, p. 90. Cf. for Septimius Severus, P. Herz, *ZPE* 31 (1978), p. 285.

<sup>31</sup> Cf. the Letters to the Colossians, the Ephesians, Titus, and Timothy.

<sup>32</sup> Eusebius, *Hist. Eccl.* 6.14,2 and 25,11.

<sup>33</sup> G.W. Buchanan, *Epistle to the Hebrews*, 1972, p. 10, believes that the Epistle is a midrash on Ps 110.

<sup>34</sup> The treatise dedicated to Diognetus is not a letter: H.I. Marrou, *A Diognète*, 1951,

epistolary formulae. But soteriological treatises such as the letter or message sent by the church of Rome to Corinth and drawn up by Clement of Rome are letters in due form. In view of this difference between the contents and their formulation, Augustine could say of one of his letters: *librum vel epistulam*.<sup>35</sup>

However, a Greek letter is introduced by the author's name, followed by the name of the addressee and a formula of greetings: "Paul... to the church of Corinth... grace and peace." We do not find a similar introductory formula in Hebrews. Modern scholars have offered various explanations of this strange fact, but there is no point in discussing them, since these authors do not know even the rudiments of the study of Greek official documents.<sup>36</sup> This is why they overlook the strange fact that naturally did not go unnoticed by its ancient readers: viz., that the Letter does not bear the name of its sender, but does give that of the addressees, "To the Hebrews." Clement of Alexandria cites two hypotheses which have been proposed to explain this anomaly. One of these has already been dismissed by Theodore of Mopsuestia.<sup>37</sup> The second, rather insipid hypothesis claims that the fiery apostle of the Gentiles was too modest to present himself as the apostle of the circumcised; but this is refuted by an observation drawn from the study of epistolary formulae. Paul never calls himself "apostle of the nations" in the *inscriptio* of his letters.

Let us return to the title of Hebrews. As Eusebius noted,<sup>38</sup> this letter was known to Clement of Rome, and this means that it was in circulation by ca. 90 C.E. Besides this, as Theodoret of Cyr saw,<sup>39</sup> Heb.

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p. 91. In the sole surviving manuscript, the treatise is erroneously dedicated to Justin, "philosopher and martyr" (*ibid.*, p. 25). On Aristeas, cf. my essay "The dating of Pseudo-Aristeas," above, 108–133.

<sup>35</sup> Augustine, *Ep.* 214, speaking of his *Ep.* 191 to Sixtus (I owe this reference to H.I. Marrou, *Vig. Chr.* 3 [1949], p. 322). Cf. Eusebius, *Hist. Eccl.* 7.26,2: Dionysius of Alexandria wrote several letters and "long essays (*logoi*) in the form of letters."

<sup>36</sup> C. Spicq, *L'Épître aux Hébreux* I, 1952, p. 21. I am greatly indebted to this encyclopedic commentary. For a recent bibliography, cf. G.W. Buchanan in J. Neusner, ed. *Studies for Morton Smith* I, 1975, pp. 249–326, and C. Spicq, *L'Épître aux Hébreux* (Sources bibliques), 1977.

<sup>37</sup> Clement of Alexandria *apud* Eusebius, *Hist. Eccl.* 6.14,2: Paul does not mention his name in order to avoid putting off his "Hebrew" readers who are prejudiced against him. In fact, however, the author is addressing his "brothers" (13:24). Cf. Theodore of Mopsuestia *apud* J.A. Cramer, *Catena* VII, 1844, p. 113.

<sup>38</sup> *Hist. Eccl.* 3.38,1.

<sup>39</sup> Theodoret, PG 82, 781. It has been claimed that even after 70, the temple service was described as if it were still in existence. Cf. the commentary by J. Moffat, p. xxi, and Spicq, I, p. 256 n. 3. Here, however, a distinction must be made. When they

13:10 indicates that the cult was still being carried out in the temple at Jerusalem when the letter was written. It must therefore have been composed before 70. What was the meaning of the term “Hebrew” when applied to contemporary Jews at that date?

The New Testament always speaks of the “Jews,” not of the “Hebrews,” although Paul twice boasts in polemical passages of being a “Hebrew” (2 Cor. 11:22; Phil. 3:5), when he wishes to insist on the fact that he is a Jew. On the other hand, the New Testament often speaks of the “Hebrew” language. For example, at Acts 22:2–3, Paul says: “I am a Jew.” But he speaks these words in the “Hebrew” language. Clearly, this term is linked to the language and hence to the mentality of a person, not to his or her nationality. This means that Chrysostom is correct to understand the distinction between the “Hebrews” and the “Hellenists” in the earliest Christian community (Acts 6:1) as based on the language which each group employed.<sup>40</sup> The term “Hebrew” is not employed in Christian literature from Clement of Rome to Justin,<sup>41</sup> the only exception is the Jew Trypho, who presents himself proudly (in Greek) as a “Hebrew.” Similarly, for Christian writers from Hegesippus to Jerome, the “Gospel according to the Hebrews” is a book written

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described the law, which was by definition eternal, the Jews spoke of the temple rites without taking into account the fact of their interruption. Josephus uses (and abuses) this freedom: cf. e.g. *Contra Apionem* 2.77. Clement of Rome, 1 *Cor.* 40–41, appeals to the moral and symbolic authority of the old covenant to convince the innovators at Corinth. Cf. A. Jaubert, *Clément de Rome*, 1971, pp. 58–65; M. Jourjon, in *Mélanges... J. Daniélou*, 1972, pp. 107–115. But the author of Hebrews accepts the axiom that there is no remission of sins without the shedding of blood (Heb. 9:22, quoting Lev. 17:11). All his soteriological argumentation is based on the contrast between the sacrifices of the law, which are powerless to procure salvation, and the blood of Christ which was shed once and for all to save us. This demonstration would have been meaningless after 70. Besides this, after 70, the Christian polemicists tended rather to insist that God, who needs nothing, does not desire bloody sacrifices: cf. Barnabas, 11; Justin, 1 *Apol.* 13; *Dial.* 19; H.I. Marrou, *A Diognète*, 1951, p. 110. Above all, the question of sacrifices is no longer of contemporary interest, and it is not mentioned in the *Kerygma of Peter* (Clement, *Strom.* 6.5,4) or by Aristides (4.1). Irenaeus (*Adv. Haer.* 4.19) has nothing more than banalities to say on this subject. Cf. J. Geffcken, *Zwei griechische Apologeten*, 1907, p. 82. Christian authors attack Jewish practices which were still in force, e.g. circumcision, the dietary prohibitions, or the use of unleavened bread. They joined the Greek philosophers in demanding a rational cult.

<sup>40</sup> Chrysostom, *Hom.* 14 and 21 in *Acta Apost.* (PG 60, 115 and 464). Cf. P. Collart, *Le Papyrus Bouriant*, 1926, nr. 9: four witnesses put their signatures to a legal document in demotic characters, “because the prescribed number of Hellenes were not available in those parts.”

<sup>41</sup> Justin, *Dial.* 1.3. Cf. J. Goodspeed, *Index Patristicus*, 1907; Idem, *Index Apologeticus*, 1912; H. Kraft, *Clavis patrum apostolicorum*, 1963.

in Hebrew.<sup>42</sup> The very name of this Gospel “implies the language of the Hebrews.”<sup>43</sup> Finally, the learned Christians of Alexandria explained the address of the Letter by imagining that Paul had originally written it in Hebrew, and that it had subsequently been translated into Greek. However, the language of the Letter is not that of a translation: it is written in pure and rhetorical Greek.<sup>44</sup>

How then are we to explain the contradiction between the title and the language of the Letter? The answer is simple: the title *To the Hebrews* is not authentic.

The address *To the Hebrews* is a clumsy imitation of the rubrics which separated Paul’s Letters from each other in the scrolls (or codices): *To the Romans*, *To the Corinthians*, etc. Naturally, Paul did not write “To the Corinthians,” who were still pagans at that date, but “To the church of God which is at Corinth”; the scribes replaced the complete address by a brief geographical indication. But the term “Hebrews” does not have a local connotation. When he addresses the chosen people, James writes “to the twelve tribes of the dispersion.”<sup>45</sup> Besides this, the Letter is not even sent to one nation, nor to one church or one fraction in the Christian community: its author is addressing a few friends who are on the best terms with the heads of their church, and he greets “all the saints” (13:24). Similarly, Paul writes to “Philemon, to Apphia, to Archippus, and to all the community [which assembles: *ekklésia*] in your house.” An apocryphal exchange of letters between Paul and some members of the church of Corinth is another example of the same epistolary genre.<sup>46</sup>

A copyist who did not know the identity of the author or of the addressees of the Letter gave it a false title, doubtless to make it easier to read. Such fictitious titles abounded: it was not Moses and Aristotle who supplied the titles *Genesis* or *Metaphysics*, nor did Luke write “Gospel according to Luke” in the colophon of the first Book of the work which

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<sup>42</sup> Hegesippus, *apud* Eusebius, *Hist. Eccl.* 4.22,8. Cf. A.P.J. Klijn and G.J. Reinink, *Patristic Evidence for Jewish Christian Sects*, 1973, p. 144, and especially M.-J. Lagrange, *RB*, 1922, pp. 161–181; 321–349.

<sup>43</sup> Lagrange, *ibid.*, p. 175.

<sup>44</sup> Cf. Spicq, I, p. 170.

<sup>45</sup> Cf. 1 Peter: “to the chosen ones in the dispersion in Pontus, etc.” The Letter of Clement to James, which precedes the Pseudo-Clementine *Homilies*, calls him “head of the holy church of the Hebrews in Jerusalem.”

<sup>46</sup> *P. Bodmer, X–XII*, ed. M. Testuz, 1959. Stephen, Daphnos, Eubulos, Theophilus, and Xenon write to the apostle.

he dedicated to “the most excellent Theophilus.” A gnostic work was incorrectly given the title *Gospel of the Egyptians*.<sup>47</sup> The *Didache* – the *Teaching of the Twelve Apostles* – is likewise a fictitious title.<sup>48</sup> Following Jerome, we speak of two Books *Contra Apionem*, but this title would have surprised Josephus. Justin wrote a book for M. Pompeius;<sup>49</sup> the scribes gave this work the title “Discourse against Trypho” or “Dialogue against the Jews and the pagans.” The Greek novels owe their current titles to Byzantine copyists (cf. n. 48). In a third-century codex, the apocryphal Letter of Paul to the Corinthians is entitled: “Paul to the Corinthians. On the subject of the flesh”.<sup>50</sup> the courteous editor has sought to make it easier for a reader pushed for time to use the manuscript. It is likely that the fictitious title of Hebrews “was attached . . . to the letter before it was inserted into the [Pauline] canon.”<sup>51</sup>

The inventor of this title, just like the editor of Justin’s work or the copyists of the Greek novels, deduced it from the content of the Letter, which insists on the antithesis between the old covenant and the new. In other words, this scribe held that the Letter was addressed to the Jews. But why does he call them “Hebrews,” since (as we have just seen) this term was not used in the earliest church to designate those who were faithful to the law of Moses?

The answer has to do with chronology. In the second century, two Greek terms began to be used when speaking of the Jews.<sup>52</sup> First and most commonly, the traditional *ethnikon Ioudaioi* designates an ethnic and political entity vis-à-vis foreigners. For example, Appian escaped from the “Jews” during their revolt under Trajan. Sixty years later, a votive inscription of a Jewish community which was erected in Galilee in honor of Septimus Severus and his family calls those who dedicated it “Jews.”<sup>53</sup>

The term *Hebraioi* was used to indicate a religious entity with its own language (Hebrew), which was established in Palestine. For Lucian, a

<sup>47</sup> A. Böhlig and F. Wisse, *The Gospel of the Egyptians*, 1975, p. 18.

<sup>48</sup> The author of the *Didache* speaks of himself in the singular (3.1). On the false titles which copyists fabricated for Greek novels, cf. A. Henrichs, *Die Phoinikika des Lollianos*, 1972, p. 11.

<sup>49</sup> Justin, *Dial.* 141.5.

<sup>50</sup> Cf. n. 46 above.

<sup>51</sup> Spicq, I, p. 220. Cf. A. Harnack, *Geschichte der altchristlichen Literatur* II/1, p. 479.

<sup>52</sup> J. Juster, *Les juifs dans l’empire romain* I, 1914, p. 174.

<sup>53</sup> Appian, frag. 90 ed. Mendelssohn, *apud* T. Reinach, *Textes . . . relatifs au Judaïsme*, 1895, p. 153; J.-B. Frey, *Corpus inscr. judaicarum* II, 1952, nr. 972.

Greek who holds an incomprehensible discourse is speaking “Hebrew” or “Phoenician.” Antonius Diogenes says that Pythagoras sought the interpretation of dreams among the Egyptians, the Arabs, the Chaldeans, and the Hebrews.<sup>54</sup> In a similar enumeration, Diodorus, under Augustus, speaks of Arians, Getae, and Jews.<sup>55</sup> In his “Baedeker’s guide” to Greece, Pausanias had no reason to speak of the Jews. But since he had visited Palestine, he mentions the “Hebrews” eight times.<sup>56</sup> They dwell “in the country” (or “in the land”) of the “Hebrews,” “above” Palestine, i.e. in the mountains, whereas Ashkelon on the Mediterranean coast is “in Palestine.”

In this way, the sect imperceptibly also became a territorial entity (cf. our expression: “the country of the Alawites”). For Gentiles, the terminological distinction between “Jews” and “Hebrews” was fluid. For example, Appian tells us that Pompey conquered by force the nation (*genos*) of the Jews; but in another passage, he includes “the nation of the Hebrews” among Pompey’s allies in the war against Caesar.<sup>57</sup>

For Christians, the distinction between the two terms is much clearer. Roughly speaking, the “Hebrews” are the posterity of Abraham in the Holy Land, while the “Jews” are his children in the diaspora. The enemies of Polycarp include “the Jews who were established at Smyrna.” As a political group, however, the Jews in Palestine are also *Ioudaioi*, in accordance with Greek usage: the revolt of Bar Kochba is the revolt of “the Jews.” Origen applies the term “ethnarch” to the head of the Jews, whom the Roman emperor appointed.<sup>58</sup>

But the “Hebrews” are the same Jews in the Holy Land, considered as the bearers of the ancestral traditions of the chosen people. The sacred language is their language, and they are the guardians of the treasure of the ancient revelation. It is “Hebrews” who explain to Origen a verse of Isaiah, or even a passage in the Gospels. Irenaeus relates that Matthew brought his Gospel “among the Hebrews” and composed it “in their language and writing.”<sup>59</sup>

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<sup>54</sup> Lucian, *Alexander* 13; Porphyry, *Vita Pythag.* 11 *apud* Reinach, *op. cit.*, p. 159 (= M. Stern, *Greek and Latin Authors on Jews* I, 1974, p. 537).

<sup>55</sup> Diodorus, 1.94.

<sup>56</sup> Pausanias, 5.7,4; 6.24,8; 8.16,5; 8.14,7.

<sup>57</sup> Appian, *Syr.* 50; *Civil Wars* 2.71.

<sup>58</sup> Eusebius, *Hist. Eccl.* 4.15,26; 5.12,1; Origen, *Ep. ad Afr.* 14 (PG 11, 83). Cf. Juster, *op. cit.* II, p. 151.

<sup>59</sup> Origen, *De princ.* 1.3; *In Matt.* 11 (p. 48 ed. E. Klostermann); Irenaeus, *Adv. Haer.* 3.1,1 (= Eusebius, *Hist. Eccl.* 5.8,2).



By placing the emphasis on the sacred language, the sacred books, and the tradition handed down by the biblical ancestors, this point of view differentiated between the posterity of Abraham in the promised land and in the diaspora, where the Bible was read in Greek and they no longer understood the language of the patriarchs and prophets. For Origen, these people are “Jews.”<sup>60</sup> Irenaeus sees Theodotion and Aquila, who converted to the religion of Moses, as “Jewish proselytes.”<sup>61</sup>

What is the origin of this distinction between “Jew” and “Hebrew”? It is unknown to the rabbis. In the necropolis of Beth She’arim, we find the name of the cities of the deceased on their gravestones – Antioch or Gabara in Galilee – but never the ethnic designations “Jew” or “Hebrew.”<sup>62</sup> Nevertheless, the distinction between these two terms has its origin in Palestine. Let us look once more at Justin’s *Dialogue*. Trypho, a refugee from Bar Kochba’s war, spoke Greek, and presented himself (no doubt to the Greeks at Ephesus) as a “Hebrew.” And one can read on the tombs of the Jewish catacombs in Rome:<sup>63</sup> “Macedonis, a Hebrew from Caesarea in Palestine,” or: “Alypis of Tiberias, a Hebrew,” while Ammas from Laodicea (i.e. Syria or Asia Minor) is a “Jewish woman.” Another woman is *bona Judaea*, and a third woman is a “Jewish proselyte.” There were also synagogues of “the Hebrews” at Rome.<sup>64</sup> On reflection, this dual terminology is not difficult to understand. In the promised land, which Pausanias calls “the land of the Hebrews,” the posterity of Abraham cannot do other than live according to the ancestral tradition. In the diaspora, they speak Greek and lead a Greek life.<sup>65</sup> Here, the fact that a person lived *en tô(i) Ioudaismô(i)* is a merit

<sup>60</sup> Origen, *Ep. ad Afr.* 2 (PG 11, 52).

<sup>61</sup> Irenaeus, *Adv. Haer.* 3.21,1.

<sup>62</sup> M. Schwabe and B. Lifshitz, *Beth She’arim II*, 1974, nr. 141 and 146.

<sup>63</sup> H.J. Leon, *The Jews of Ancient Rome*, 1960, nr. 370, 502, 296, 250, 202. The same distinction between “Jews” and “Hebrews” is attested in Jewish inscriptions outside Rome. Cf. J.-B. Frey, *Corpus inscriptionum judaicarum I*, 1936, reprinted 1976 with addenda and corrigenda by B. Lifshitz, *Index s.v.*, and Idem, II, 1952. Cf. e.g. sarcophagi at Corycos in Cilicia: *ibid.*, nr. 786, 789, 790–791, 794 (“Jews”), and 793 (a “Hebrew” goldsmith).

<sup>64</sup> Leon, *op. cit.*, pp. 147–149; but his interpretation needs to be corrected. Cf. A. Momigliano, *Gnomon*, 1962, p. 179. Cf. the synagogue of “the men of Tripolis” at Rome, and of “the Jews” at Rhegium: Frey, *op. cit.*, nr. 635b (= L. Robert, *Bull. épigr. [REG]*, 1939, p. 583; also Frey, I, nr. 533). Some further examples: there were synagogues of “the Hebrews” at Corinth (Frey, I, nr. 718) and near Philadelphia in Asia Minor (Frey, II, nr. 754), and synagogues of “the Jews” in Cyrenaica and Morocco (J. and L. Robert, *Bull. épigr. [REG]*, 1959, p. 514, and 1971, p. 725); there was also a synagogue of “the Hebrews” at Side (L. Robert, *Hellenica* 3 [1946], p. 105).

<sup>65</sup> Cf. Epictetus, *Discourses* 2.9,21: “Why do you kill the Jew, seeing that you are

to be emphasized in the funerary inscription,<sup>66</sup> just as it is honorable to “love one’s people” (φιλόλαος).<sup>67</sup> The rabbis clearly perceived this difference (common to all the ancient religions) between the ancestral land – which precisely for this reason was the “holy” land – and the diaspora: “Our masters taught that one must always dwell in the land of Israel, even in a pagan city, but never outside the land of Israel, even in a city with a Jewish majority. For whoever is in the land of Israel has God, but he who is outside the land of Israel does not have God: he is like those who practice foreign worship (*‘abodah zarah*).”<sup>68</sup>

Let us now return to the Letter to the Hebrews. Its present title was fabricated by an unknown editor who wanted to be “up to date” in the first decades of the second century, perhaps ca. 140 C.E. Unfortunately, this inauthentic title has pointed the exegetes in the wrong direction, and continues to do so even today. The *presbutês* whom Clement of Alexandria quotes, Clement himself, and Origen followed the tradition of the Alexandrian church and attributed the letter to Paul; they supposed that the apostle had addressed it to his former coreligionists in the Holy Land.<sup>69</sup> Two centuries later, after Christianity had become the official religion of the empire, Chrysostom imagined that Paul had written it to Christians who had converted from Judaism.<sup>70</sup> The commentators still follow Chrysostom in teaching that the Letter admonishes the so-called “Judaeo-Christians” whose existence has been predicated by modern theologians; but Chrysostom misunderstood the title of the Letter. In the second and third centuries, and even later, those Jews who converted to the new covenant were not called “Hebrews.” They were simply called “Hebrews who have recognized Christ” or something

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a Greek?” On the use of the Greek language in the synagogues in the diaspora, cf. V. Colorni, *Annali di storia del diritto* 8 (1964), pp. 1–69. Even Scripture and “wisdom” (cf. J. and L. Robert, 1968, p. 478) were taught in Greek.

<sup>66</sup> Leon, *op. cit.*, p. 537. Cf. e.g. *SEG* IV, 143.

<sup>67</sup> Cf. the formula in the Jewish funerary inscriptions at Larissa in Thessaly: λαῶν χάρειν (Frey, *op. cit.* I, nr. 699–708).

<sup>68</sup> *Kethub*. 111a. J. Bonsirven, *Le Judaïsme palestinien* I, 1934, p. 98, lists several parallel passages. The rabbinic text is based on two biblical passages, Lev 25:38 and 1 Sam 26:19. On the “foreign rites,” cf. J. Faur, *JQR* new ser. 69 (1978–1979), pp. 1–15.

<sup>69</sup> The oldest mention of the title *To the Hebrews* is doubtless in Irenaeus, *apud* Eusebius, *Hist. Eccl.* 5.26. For Clement and Origen, cf. Eusebius, *ibid.*, 6.4,2 and 25,11. P 46, the oldest surviving manuscript (*apud* E.G. Kenyon, *The Chester Beatty Biblical Papyri* III, *Suppl.*, 1936) was written at the beginning of the third century. Cf. Kenyon, *ibid.*, p. xl, and Wilcken, *APP* 11, p. 113.

<sup>70</sup> Chrysostom, PG 63, 9, quoting Acts 21:20f., which speaks of Palestinian Jews (not “Hebrews”) who have come to belief in Jesus but are zealous for the law.

similar,<sup>71</sup> or even “Hebrew Christians.”<sup>72</sup> The Letter itself does not offer any support to Chrysostom’s hypothesis.<sup>73</sup> The commentators attach great weight to the passage which warns the readers against “diverse and strange teachings” (13:9–16), but as Chrysostom himself saw, this refers to precepts “which are contrary to what you have heard from us.”<sup>74</sup> Such warnings, preaching obedience to the traditional guides, are far from uncommon in the early church.<sup>75</sup> Since there existed no canonical “New Testament,”<sup>76</sup> the value of teachings was based on the personal authority of those who brought the message. As late as 125, Papias still disdained the books that were written about Jesus. He sought information only from those who had known the *presbyteroi* who in turn had known the disciples of the Master. He interrogated them: “What did Andrew... or James or some other disciple of the Savior say?”<sup>77</sup> The rabbinic chain of the oral tradition handed down from a master to his disciples was still alive among the Christians at that date.

Having established that the address *To the Hebrews* is a posterior and arbitrary addition to the Letter, let us now try to understand how its

<sup>71</sup> Eusebius, *Hist. Eccl.* 3.25,6. He thinks that 1 Peter was written to believers τοῖς ἐξ Ἑβραίων οὖσιν (*ibid.*, 3.4,2).

<sup>72</sup> In the preface to his lost translation of the apologetic treatise by Ariston of Pella, Ps.-Cyprian (Celsus) writes: *illud praeclarum atque memorabile gloriosumque Iasonis Hebraei Christiani et Papisci Alexandrini Iudaei disceptationis occurrit* (Cyprian, ed. Hartel [CSEL] III/3, p. 128; I owe this reference to Juster, *op. cit.*, p. 174).

<sup>73</sup> Spicq, I, p. 221, lists nine arguments proving that the Letter was addressed “to Jews who had converted to Christianity.” His first argument is “the very title of the Letter, and above all the constant exegetical tradition.” But this tradition begins only with Chrysostom, and the title is inauthentic. None of the eight other “proofs” establishes anything. Rather, we should note that the author of the Letter reproaches his readers for yielding to “the temptation to sin” (3:13), e.g. avarice (13:16), but has nothing at all to say about Judaizing practices (cf. 9:10). The obscure passage about the βρώματα (13:9) refers to some sacralized nourishment which “strengthens the heart.” But the law of Moses does not prescribe any food, apart from unleavened bread – and that does not impart holiness. One might perhaps think here of the chalice of honey mingled with curdled milk which was presented to the newly baptized in the ritual of Hippolytus of Rome; cf. *Traditio Apostolica* 74.10 (ed. E. Tindler, TU 75 = 5.19, 1963, p. 133). On this μελίκρατον, cf. H. Lesètre, *DB* IV, p. 1083.

<sup>74</sup> Chrysostom, *Hom.* 33.3 (PG 63, 228): [διδασκαλίς] ξέναις, τουτέστι, παρ’ ἃς ἠκούσατε παρ’ ἡμῶν.

<sup>75</sup> Cf. e.g. 1 Thess 5:12–13; Acts 20:30; Letter to Diognetus 11.1; Hermas, *Sim.* 8.6,5; *Didache* 11.

<sup>76</sup> Cf. A. Jaubert, *Clément de Rome, Lettre aux Corinthiens*, 1971, p. 52. Justin, writing ca. 160, does not yet know a “New Testament,” but he cites the *apomnēmata* of the apostles. A. von Harnack, TU 39/1 (1913), p. 51.

<sup>77</sup> Papias, *apud* Eusebius, *Hist. Eccl.* 3.39,3. The Letter assures its readers at 2:3 that the truth of salvation is guaranteed by those who heard the Lord.

*formula initialis* could have got lost during the century which separates the original manuscript from the oldest witnesses to the inauthentic title. Let us begin with the passage in Clement of Alexandria to which we have already referred.<sup>78</sup> In order to make sense of the fact that a writing addressed “to the Hebrews” is written in Greek, Clement makes a distinction between the letter which Paul wrote in Greek and sent to the first addressees, and its publication in Greek by Luke. “To publish” (ἐκδιδόναι) is to “bring something out.”<sup>79</sup> Letters which in principle are written only for the addressee can be “spread abroad” (δημοσιεύω, *pervulgare*). Cicero sent to Atticus, *civi amanti patriam*,<sup>80</sup> copies of his political correspondence and even of letters exchanged between Pompey and Ahenobarbus.<sup>81</sup> He gave several people copies of his letter to Caesar *ad describendam*, in order to make known the position he took in the conflict between Caesar and Pompey.<sup>82</sup> Pompey had one of his letters to Caesar displayed in public, and he even composed another letter with the explicit intention of putting it up in poster form: *ut proponerentur in publico*.<sup>83</sup>

However, the Letter is not a propaganda tract, but an exhortation addressed by the author to his Christian friends, to the “saints” of his church, a discourse of a lofty theological caliber. It preaches to the converted. Polycarp’s Letter to the church at Philippi tells us how such messages were spread: the Philippians wished to read the letters of Ignatius of Antioch, and asked Polycarp to send them copies of these texts.<sup>84</sup> Paul writes to the Colossians (4:16) that they are to send his letter to the Laodiceans and to obtain from them the letter “from Laodicea.” Towards the close of the second century, the episcopal conference of Palestine sent a letter about the question of the date of Easter, asking the readers to make copies of this message for all the ecclesiastical districts.<sup>85</sup>

How were these copies made? A covering letter was sent with the following contents: “A to B: greetings. Attached to this, you will find a

<sup>78</sup> Clement, *apud* Eusebius, *Hist. Eccl.* 6.25.

<sup>79</sup> B. van Groningen, *Mnemos* 16 (1963), pp. 11–17.

<sup>80</sup> Cicero, *Ad Att.* 1.19,1.

<sup>81</sup> Cf. e.g. *Ad Att.* 8.12.

<sup>82</sup> The letter to Caesar: Cicero, *Ad Att.* 9.11,2. Its publication: 8.9,1–3.

<sup>83</sup> Cicero, *Ad Att.* 8.9,2; 7.17,2.

<sup>84</sup> Polycarp, *Phil.* 13.

<sup>85</sup> Eusebius, *Hist. Eccl.* 5.25. Cf. once again H.I. Marrou, *Vig. Chr.* 3 (1949), p. 220.

copy of the letter of X to Y.” The necessary instructions then follow (cf. e.g. 1 Thess. 5:27, “This letter is to be read to all the brethren.”) The covering letter closes with a final greeting and the date. It is followed by the copy which was to be communicated, but in this transcription, the initial formula of the original (i.e., the names of the author and addressee, and the greeting) are omitted, since these elements of the documentary genre are already known from the covering letter.

As far as I know, this procedure has never been explained (nor even noted) by the students of papyri and inscriptions. The reader will therefore pardon me if I present a few examples of this practice. Let us begin with a passage from the correspondence between Pliny the Younger and Trajan.<sup>86</sup> Pliny submits to the emperor abbreviated copies of some documents about a certain Flavius Archippus: *Epistula eiusdem* (Nerva) *ad Tullium Iustum; cum rerum omnium ordinatio*, etc. In 135, a *pontifex* wrote a covering letter when he sent another *pontifex* a copy of a petition that had been approved. This *exemplum*, like the letter by Pliny, omits the epistolary formulae of the original *libellus* and begins abruptly: *cum ante hos dies...*<sup>87</sup> In 193, the prefect of Egypt ordered that his letter to the Alexandrians be displayed in public. Naturally, the covering letter from the prefect, M. Sabinus, to the *stratēgoi* is written in the epistolary style; but the “copy” of his *diatagma* “appended to this letter” does not reproduce the formal elements of the original. The text begins thus: “Celebrate the feast of the accession of Pertinax,” and his titles take up three lines of the copy.<sup>88</sup> In 201, the governor of the province of Moesia sent to the town of Tyras an imperial letter which had been addressed to him and, as an appendix, an imperial letter addressed to Heraclitus, another state agent. The governor’s letter (in Greek) follows the epistolary formula, but the copies of the imperial letters omit their formal elements: *Exemplum epistolae ad Heraclitum. Quamquam Tyranorum civitas...*<sup>89</sup> A few years later, the procurator Mincius Martialis transmits to the local authorities a letter from the governor of Syria. In the copy discovered at Dura-Europos, his covering letter is copied faithfully, but the *exemplum* of the letter he transmits begins: *cura tibi sit*, etc.<sup>90</sup> In 227,

<sup>86</sup> Pliny, *Ep.* 10.58. Cf. A.N. Sherwin-White, *Letters of Pliny*, 1966, p. 643.

<sup>87</sup> V. Arangio-Ruiz, *F(ontes) J(uris) R(omani)* III, 1943, nr. 85 (= H. Dessau, *ILS* III, 8380).

<sup>88</sup> A.S. Hunt and C.C. Edgar, *Select Papyri* II, 1934, nr. 222.

<sup>89</sup> S. Riccobono, *FJR* I, 1941, nr. 86 (= Dessau, *ILS* I, 423).

<sup>90</sup> C.B. Welles *et al.*, *Parchments and Papyri*, 1959, nr. 60B.

a *colonus* near Rome presents his petition to the leaders of a *collegium*, who approve his *libellus* and send it on to another office. The covering letter was published on stone. It is framed by the epistolary formulae, except for the final autograph greeting. But the *exemplum libelli* “attached to” this covering letter lacks the *inscriptio*.<sup>91</sup>

Let us now look at the register of covering letters and of the letters attached to these, which were sent by Aurelius Mercurius to the *stratēgos* of Oxyrhynchus.<sup>92</sup> The covering letters are exact copies, but the scribe omits the name of the *stratēgos*, which was no doubt indicated at the beginning of the register. These covering letters always begin with the same formula: Ἀυρήλιος Μερκούριος στρατηγῶ Ὁξυρυγχ(ε)ίτου χαίρειν. We then read: “A copy of the letter of N. is attached below. You must immediately ensure that...”, etc. The copy “below” begins abruptly: ἐπὶ ἐκέλευσας, κύριε...

In other words, the covering letter is reproduced in an exact copy, but the attached letter is reproduced in an inexact copy which omits the “initial protocol” (to use the language of the study of ancient official documents). We do not know the bureaucratic reason that lies behind this distinction. We should add that the Roman administration too made very wide use of exact (ἴσον) copies.<sup>93</sup> But once again, we do not know the rules governing the procedure in this case. The important point in the present context is that copyists took even greater liberties with regard to the “initial protocol” in the private circulation of texts. For example, a copy of a Latin edict which was made in Egypt begins with these words: *Exemplum edicti. In multis bene factis...*<sup>94</sup> Here, even the name of the author of the edict is omitted. In 119, Hadrian wrote to the prefect of Egypt, ordering him to display in public this letter about the privileges of the soldiers. When this poster was copied, nine lines were employed to describe the poster, its date, etc., but the protocol framework of the imperial letter was omitted and in its copy, this letter begins as follows: “I know, dear Rammius...”<sup>95</sup>

<sup>91</sup> V. Arangio-Ruiz, *op. cit.*, nr. 147.

<sup>92</sup> *P. Oxy.* XIX, 2228. On Aurelius Mercurius, cf. A. Bowman, *Bull. Amer. Soc. of Papyrol.* 6 (1969), p. 79. On the omission of the name of the addressee, cf. U. Wilcken, *APF* 10, p. 265, and Wilcken, *Chrestomathie*, nr. 81.

<sup>93</sup> Sometimes, the copy reproduces not only the contents, but even all (or almost all) the physical features of the original letter: P.J. Sijpesteijn, *Bull. Amer. Soc. of Papyrol.* 16 (1979), p. 277.

<sup>94</sup> Riccobono, *op. cit.*, nr. 91 (= Mitteis, *Chrestomathie*, nr. 371).

<sup>95</sup> Hunt-Edgar, *op. cit.* II, nr. 213 (= Riccobono, *op. cit.*, nr. 78 = Mitteis, *op. cit.*, nr. 373).

The transitory value of the “protocol” in the eyes of the man on the street can be seen clearly in the copies of an imperial ordinance which were inscribed on stone in Asia Minor.<sup>96</sup>

In 204, Septimus Severus and Caracalla confirmed the exemption of the senatorial territories from the obligation to give lodging to travelers on official business. Two brief inscriptions reproduce this decision: *Exemplum sacrarum litterarum Severi et Antonini Augg. Videbis nobis*, etc. Here, the imperial names and titles are abbreviated, and the name of the addressee is omitted. On three other stones, even the names of the emperors are left out: *Sacrae litterae. Videbis...* Clearly, the simple reference to the imperial will was enough to protect the inviolability of the domain.<sup>97</sup>

This long digression about the formulae used in documents brings us back to our subject. We can postulate, without fear of error, that a copy of the Letter was sent by its addressees to another church, attached to a covering letter. This copy would certainly have omitted the “initial protocol” of the original. The Pseudo-Clementine *Homilies* help to illustrate my hypothesis. In the two surviving manuscripts, the text is preceded by a long letter in which Clement of Rome transmits to the apostle James this “Abbreviation of the sermons of Peter on his visits.” But these *Kerygmata* are untitled; they begin abruptly, “I, Clement...”<sup>98</sup>

It is easy to understand how, in the course of the manuscript transmission, the covering letter at some point ceased to be copied. The same happened to the Letter of Barnabas, for example. The copyists tended to simplify their task.<sup>99</sup> Our manuscripts of the “Letter to the Hebrews”

<sup>96</sup> T. Drew-Bear, W. Eck, and P. Herrmann, *Chiron* 7 (1977), pp. 336ff.; L. Robert, *BCH* 102 (1978), p. 435; D. Knibbe and R. Merkelbach, *ZPE* 31 (1978), p. 229.

<sup>97</sup> We cannot discuss here the partial or complete omission of the initial *formula* of imperial constitutions in historical works or juridical compilations. Cf. the basic study by E. Volterra, “Il problema del testo delle costituzioni imperiali,” in *Atti del II Congresso internaz. della Soc. ital. di storia di diritto*, 1971, pp. 925ff.

<sup>98</sup> Photius, *Bibl.* 112–113 (PG 103, 388 = II, p. 83 ed. R. Henry), speaks of two *codices* of Clement of Rome. One contains the “Constitutions of the Apostles” by Clement; the other has the “so-called Acts of the apostle Peter under the form of a letter” of the apostle James to Clement. Photius also knew copies in which this work had the title: “Recognition of Clement of Rome,” while other copies began with the letter of Peter to James. As Photius observes, in all the copies the text begins with the words: “I, Clement.” It was therefore only at a later date that an editor put Peter’s letter before the letter of James. The two surviving manuscripts of the *Homilies* constitute only one single textual witness: B. Rehm, *Die Pseudoklementinen* I, 1969, p. x; and this witness attests a text which is already mixed.

<sup>99</sup> A “copy of a copy” of a letter of Septicius Rufus to the centurion Locretius omits

go back to one single prototype which already lacked the covering letter, and which was in the possession of the Alexandrian church. As a matter of fact, as P 46 proves, the present text of the Letter is very satisfactory<sup>100</sup> and shows no traces of contamination. We should note that although the Alexandrian author firmly believed in the Pauline authenticity of the Letter, he refrained from mentioning the apostle in the colophon. In the same way, the Alexandrian editor of the Letter of Barnabas did not add the name of the addressees, since this was not indicated in the papyrus which he was copying.

We may compare the Letter to the *Shield of Heracles*, an epic (and very mediocre) poem which (as an ancient critic remarked) was attributed to Hesiod in order to attract readers.<sup>101</sup> But the Letter to the Hebrews does not belong to the genre of belles-lettres, where it is the reader who chooses whether or not to read it: the Letter is a didactic work, and thus possesses a normative character, and here it is society – in this case, the church – that judges it. The authenticity of the *Homilies* of Clement was accepted at Alexandria,<sup>102</sup> but neither the letter of Clement which preceded their text, nor the letter of Peter which was then added at the very beginning, succeeded in making this work acceptable to the churches in general. It is true that the authority of the Letter to the Hebrews was long contested, because of the uncertainty about its author's identity.<sup>103</sup> This time too, however, the church's judgment settled the issue.<sup>104</sup>

We know the ecclesiastical procedure in such cases. A dogmatic letter acquired authority thanks to the prestige of the church where it had been read in the assembly of the faithful and in the course of liturgical worship. The Philippians were proud of the letter Paul had sent to them. In the days of Eusebius of Caesarea, the church of Corinth still

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the "protocol"; another copy of the same letter even omits the name of the sender: F. Kenyon, *Greek Papyri in the British Museum* II, 1898, p. 148. A scribe who worked for Eusebius omits the initial *formula* in his copy of a letter of Constantine: Eusebius, *Hist. Eccl.* 10.5,15.

<sup>100</sup> Spicq, I, pp. 417–432.

<sup>101</sup> *Schol. in Dionysius Thrax, Ars gramm.*, p. 124 ed. Hilgard, cited by B. van Groningen, *Traité d'histoire... des textes grecs*, 1963, p. 20 n. 84.

<sup>102</sup> Origen, *Philocalia* 23, p. 204 ed. E. Junot, 1976; cf. *ibid.*, p. 25.

<sup>103</sup> Cf. e.g. Severian of Gabala (J.A. Cramer, *Catenae* VII, p. 115), or Theodore of Mopsuestia (PG 66, 952). Cf. Spicq, I, pp. 170ff.

<sup>104</sup> On the authority of ecclesiastical usage in questions of authenticity, cf. Origen, *Ad Afric.* (PG 11, 80). Cf. W. Speyer, *Die literarische Fälschung im Altertum*, 1971, p. 187; D. Barthélemy, *Études d'histoire du texte de l'Ancien Testament*, 1978, pp. 111ff.



kept the letter which Clement of Rome had sent to it.<sup>105</sup> In this way, a letter became “catholic,”<sup>106</sup> worthy of universal authority, whether it was attributed to Paul or Barnabas, to Clement or Luke. Despite the opposition of Rome, the authority of the eastern churches finally led to the acceptance of the Letter to the Hebrews in the New Testament canon. *Nihil interesse cuius sit cum ecclesiastici viri sit, et quotidie ecclesiarum lectione celebretur.*<sup>107</sup> When we read these words of Jerome, we cannot avoid recalling those two words *sacrae litterae*, engraved on stones in Asia Minor, which were sufficient to authenticate an anonymous prohibition.

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<sup>105</sup> 1 Thess. 5:27; Polycarp, *Phil.* 2; Eusebius, *Hist. Eccl.* 3.16. Referring to the *Shepherd of Hermas*, the author of the Muratorian Canon speaks of books that one should read. He has in mind public reading to the people in church (*publicare... in ecclesia populo*): H. Leclercq, *DACL* XII, p. 555.

<sup>106</sup> On the “catholic epistles,” cf. Eusebius, *Hist. Eccl.* 4.23; Origen, *Contra Celsum* 1.63; E. Peterson, *Frühkirche, Judentum und Gnosis*, 1959, pp. 130 and 155.

<sup>107</sup> Jerome, *Ep. ad Dardanum* 119 (PL 22, 1103), quoted by Spicq, I, p. 198.

# THE GOD OF THE MACCABEES

*Studies on the Meaning and Origin of the Maccabean Revolt*

BY

ELIAS BICKERMAN

TRANSLATED BY HORST R. MOEHRING

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## TRANSLATOR'S NOTE

Over forty years have passed since Elias Bickermann published his *Der Gott der Makkabäer*. Like all truly historical studies, the work bears the stamp of the time and conditions under which it was produced. This does not make it “dated”: it gives it its abiding value. Experts, including the author, may wish to alter this date or that, but *The God of the Maccabees* is an historical document in its own right and should be allowed to stand as originally conceived.

At the author's request, the footnotes have been dropped or, in the case of references to other literature, incorporated into the text. The German edition contained four appendices, of which two have been dropped in this translation: “Zum Daniel” and “Die Urkunden.”

May the translation be received as a small token of gratitude to an eminent scholar who is still teaching all of us.

Providence, Rhode Island  
4 July 1978

Horst R. Moehring



## PREFACE TO ENGLISH TRANSLATION

This translation was undertaken on the initiative of Professor Jacob Neusner and with his generous help. Except for the omission of two appendices which are no longer needed and correction of some mistakes, the translation, ably done by Professor Moehring, faithfully renders the original text. Some corrections have been made in the text, and a detailed index which we again owe to the generosity of Professor Neusner has been added. The reader may be also interested to know that seven papers written to prepare or to develop some statements in this book have been updated and republished in the second volume of my *Studies in Jewish and Christian History*. The commentary on First Maccabees by Professor Jonathan Goldstein (1976) gives further up-to-date information about the topic of the present book.

In republishing a work written more than forty years ago the author may be permitted to speak about the history of this book. To begin with he was not (and is not) particularly interested in the Maccabees. But collecting the evidence about the Seleucids (see *Institutions des Séleucides*, 1938) he necessarily had to study the Books of Maccabees.

In the meantime, I received an invitation from W. Kroll, then the editor of the *Real-Encyclopädie für die klassische Altertumswissenschaft*, to write the article about First-Third Maccabees. I don't know why he chose me for this task. But I was young and, thus, ready to deal with any subject of Greek and Roman History. I was poor and any honorarium was welcome. (I also received an extra reward: a copy of the still indispensable commentary of L.C.W. Grimm on the books of Maccabees and Fritzsche's edition of Greek Apocrypha.) Last but not least, it was an honor for a beginner to write for "Pauly-Wissowa."

My article was published in 1928. It already presented three essential novelties of my future book: new chronology, the authenticity of documents in I–II Maccabees, and the historiographical difference between First and Second Maccabees. Continuing to work on the Seleucids, and thus, on the Maccabees, I could in 1931 and 1932 deliver lectures which summarized my future book. (In 1935 I published a little popular book *Die Makkabäer* which condensed the present work.)

On the other hand, O. Eissfeldt asked me to write a commentary on I–II Maccabees for his *Handbuch zum Alten Testament*. The contract was

signed by Paul Siebeck, the publisher of Eissfeldt's *Handbuch* on 30th January 1933. When I left his hotel room in Berlin, the newspapers announced the appointment of Hitler as Chancellor of Germany.

The final draft of my book was written three years later and its style naturally reflected the new political situation. (For instance, I wrote that the Maccabees identified their own party with the Jewish people). Nevertheless I was surprised that my academic and even pedantic book (published by Schocken, Jüdischer Buchverlag) could offer some consolation to the persecuted Jews in Germany, as several letters I received from my readers told me. At that time, in 1937, nobody, not even Hitler, visualized the coming gas chambers. As Cicero says, ignorance of future calamities is better than their foreknowledge.

The reviewers, so far as I know, praised the book but often disagreed with my interpretation of the Persecution ordered by Antiochus Epiphanes toward the end of the year 167 B.C. For this reason I take the liberty to return to this topic here. The standpoint of the critics is expressed by the title of the most incisive (and still worth reading) review of my book: "*Wer veranlasste den Glaubenszwang der Makkabäerzeit?*" (I. Heinemann, *Monatsschr. f. Gesch. und Wiss. des Judentums*, 1938). Was Epiphanes the originator of the Persecution or, as I believe, Jewish Reformers? But this dilemma is delusive. There is no either-or. The important royal decisions were more often than not instigated by ministers and courtiers. There was a Haman or a Mordecai behind the king and his edict. But his role remained secret. (One of the attractions of the Book of Esther for the ancient reader was its laying bare of this hidden mechanism of government). Thus, the monarch alone was praised (or blamed) for his decision. For instance, Ferdinand of Aragon (or sometimes Isabella of Castile) was (and is) presented as responsible for the expulsion of the Jews from Spain in 1492, though the royal edict bears the clerical mark and expressly names the Inquisitor General (Torquemada) besides the king and the queen. We may, thus, ask who was Haman in 167 B.C.

Here, the critics ignore the singularity of Epiphanes' acts in Jerusalem. Religious persecutions were not rare in paganism where the State and the State Religion were two facets of the same reality. Therefore, the religious persecution either aimed at reforming the State religion by force (such was the purpose of Pharaoh Akhenaton) or it punished heretics. Socrates was put to death for introducing new divine beings and for not believing in the gods recognized by his city.

But Epiphanes reformed a foreign religion and persecuted its Old

Believers though he was no Jew and no worshipper of the God of Jerusalem. Thus, his Persecution is unintelligible in the pagan context. As Voltaire (*Essai sur les moeurs*, ch. VIII) already noted, the Romans had never forced the Jews to change their religion. The same, of course, is true for Hellenistic kings. The pagans never doubted the existence and power of foreign gods and for this reason were afraid to interfere with the cults in which they were not initiated. When Ptolemy II tried to reform the Egyptian calendar, he did it through a decree of Egyptian clergy.

Accordingly, we must postulate that Antiochus' intervention in the religious affairs of Jerusalem was inspired by Jewish authorities. The account of First Maccabees implies this causal connection, and Second Maccabees states explicitly that the High Priest Menelaus was to blame for all the trouble. Thus interpretation frees us from the uncomfortable idea that Antiochus' action was unparalleled. He rather acted as his father, Antiochus III, who, after conquering Jerusalem in 200 B.C., obviously on the urging of Jewish authorities, proclaimed that the Jews should live in accordance with their "ancestral laws" (that is the Torah) and punished by heavy fine any violation of the ritual purity of the holy city.

Both Antiochi continued the policy of Persian kings. In 458 King Artaxerxes commanded that the Jews live according to the law of their God as it was codified by Ezra, and threatened dissenters with penalties which ranged from death to flogging. Menelaus was an anti-Ezra and Epiphanes his Artaxerxes. There can be no doubt that Menelaus' Reformation would have succeeded in Jerusalem and became a new orthodoxy, and the remaining Old Believers would be only a small heretic minority among paganized Jews – if the Maccabees had lost. "Except the Lord keeps city, the watchman waketh but in vain." (Ps. 127:1).

Columbia University  
September 1978





## PREFACE

The title of this book is taken from Augustine. The theologian asks himself how one is to understand the fact that the same God who always saved those loyal to him – the three youths in the fiery furnace – surrendered the Maccabean martyrs to torture and death (Augustine, *Sermo* 32, 15 in Ps. 15, P.L. 38, 202). The church father gives a Christian response: martyrdom signifies the crown of immortality, death rescues the believer out of the present world of sin. The Jewish answer to the question raised by Augustine is to be found in the writings in which the history of the persecution has been transmitted to posterity: the book of Daniel and the books of the Maccabees. For them, the oppression is a punishment sent by God himself, and therefore just, for the guilt incurred by the people. The blood of the martyrs is the price that has to be paid for the salvation, and the liberation from the oppression is a result of the inner return of the oppressed.

The historian dare not decide about the significance of the events he describes. For even a thousand years, as he surveys them, are not as much as a day for him who distributes fate. But the historian is able to state whether the interpretation of an event which forced itself upon a sage or a seer corresponds to the actual course of events.

The aim of this book is a purely historical one. The task is to determine the sequence of the events we usually call the persecution of Antiochus, and to make this series of events comprehensible. The present investigation developed out of a philological interpretation of the books of the Maccabees. It is meant as a preliminary study for a commentary on these books. The careful reading of the narratives, and historical considerations have led to a conclusion which corresponds to the ancient interpretation of the fate of the elect people within the framework of the history of salvation. The religious persecution was neither an accident, nor did it arise out of the spirit of paganism. It originated among the Jews themselves, or, to be more exact, from a party among the Jews who aimed at a reform of the ancestral faith. That reform was to lead to the rejection of the belief in the uniqueness of God, without, however, a complete rejection of the God of the fathers and without becoming entirely disloyal to Zion. This party

included the leading groups among the people, probably a majority. It was the steadfastness of the martyrs, the courage of the Maccabeans, which saved for the Jews, and thus for mankind, the principle of monotheism. It was they who led the people back to the God of Abraham, Isaac, and Jacob.

History thus confirms theodicy. It is not from without, but from within, that misfortune comes; but also salvation, which is conditioned upon repentance.

Many times he came to their rescue,  
but they were disobedient and rebellious still,  
and were brought low by their guilt.  
And yet, when he heard them wail and cry aloud,  
he looked with pity on their distress;  
he called to mind his covenant with them  
and, in his boundless love, relented;  
he roused compassion for them  
in the hearts of all their captors.

Ps. 106:43–46 (NEB)

## INTRODUCTION

The church adopted the books of the Maccabees into her biblical canon because of the “most remarkable and wonderful martyrdoms” to be found in these writings. Even today, the synagogue still celebrates annually the feast of the rededication of the temple in Jerusalem that had been defiled under Antiochus IV. Because of this spiritual tradition, kept alive over two thousand years, the desecration of the temple of Jerusalem toward the end of the year 167 B.C. appears to our eyes as a climax toward which all preceding events of the period had been moving. The entire Jewish policy of Antiochus IV Epiphanes, all his actions in, and against, Jerusalem – all seem to have one single aim: the persecution of the faith of Israel. His name will for eternity remain associated with that persecution: “He shall hurl defiance against the Most High and shall wear down the saints of the Most High” (Dan. 7:25).

Yet between the first intervention of the king in Jerusalem, when he deposed the legitimate high priest Onias, and the acts of martyrdom glorified in the books of the Maccabees, long years passed and important events occurred. In later years, the community of Jerusalem viewed the deposition of Onias as the beginning of all the troubles (II Macc. 4:9). But before the actual persecution, there also occurred, for example, the Egyptian campaigns of Epiphanes. It is false pragmatism to view as an organic unit the various changing events in that chronological sequence, and to judge them on the basis of an event that occurred only much later. The correct procedure, rather, is to try, first of all, to comprehend each of the various facts which preceded the desecration of the temple in its own temporal contingency, i.e., on the basis of what preceded it and what was contemporary with it. Later events must be left out of consideration at this stage. Only after this has been done, can we ask to what degree the course of events was the result of actions consciously taken, and to what degree it was caused by an arbitrary fate. After all, history takes place in time, and we act, conscious of only the past and the present, utterly blind as to what the morrow may bring. This inevitably causes a tension of heterogeneity between what we had planned and what we actually did; and this tension always remains. “The wave carries and does not allow itself to be guided.” For this reason, the first

condition for the understanding of the events which may be regarded as the pre-history of the Maccabean movement, is their precise dating. Consequently, our discussion is preceded by a chronological table, the explanation for which can be found in Appendices I and II.

The events themselves are known to us from the historical tradition: they are related in the book of Daniel, in the books of the Maccabees, the works of Flavius Josephus, and some fragments of Greek authors. The authors of all of these writings were bound by the same prejudices from which we want to liberate ourselves. They tell stories in retrospect, under the impact of the "abomination of desolation," and they view this last event as the inescapable outcome of what had happened before. Only one type of source is free of this teleological point of view: the documents. They were produced in order to make history, not to report it, and for this reason they exactly reflect the situation at certain moments within the period under investigation. Ever since Ranke it has been known that a historical narrative must be based, first of all, upon documents. If, then, the present history of the Maccabees differs from the traditional approach, it is because it is the first to use the documents of the Hasmonean period as the cornerstones of its structure. The importance of these documents has been misunderstood, and scholars have frequently ignored them.

Only after the individual facts and date have been established in this manner can we attempt to give a survey of the events in their chronological sequence. This new type of survey will have to be independent of the retrospective approach of the ancient accounts, and also of the Jewish-Christian tradition. An indispensable aid in this enterprise is the knowledge of the history of the Seleucid kingdom, to which Judea belonged during the Maccabean period. The legal norms of the period have to be studied with great care and precision. This is true, not because history is formalistic, but because the phenomena of legal life, since they are formal in nature, can be recognized most easily and determined with the greatest precision.

Without the aid of imagination, in Mommsen's words, neither poetry nor history is possible. But in order to tame the arbitrariness of one's own imagination it is necessary to understand the earlier interpretation of the events of this period in their own historical sequence. In order to show "how it really was," it is necessary to know how, and why, other scholars have seen things differently.

How do our sources interpret the persecution of Epiphanes? How has modern scholarship explained the conflict between the Syrian king

and the Maccabeans? The answers to such questions are certainly more than a useless collection of quotations and book titles. We are, instead, trying to comprehend the ancient and modern views as witnesses to certain intellectual situations, and to see to what degree we can learn from this information something that would be useful for the solution of our task. For this reason, we begin our investigation with a history of the historiography on our period. From that we shall learn that the earlier interpretations of the persecution of Epiphanes, the ancient as much as the modern ones, are determined sometimes by theological and sometimes by political considerations.

The historian, therefore, who wants to understand the events in Jerusalem under Epiphanes within their own historical context, and not as part of the process of the history of salvation, or even from the point of view of ecclesiastical partisanship, has to free himself of the retrospective judgments which he finds in his ancient and modern books. Instead, he must endeavor to reach an understanding of the events from the pure facts themselves and their chronological sequence.

Such an attempt is being made here. A historical picture that has been produced under the impact of two thousand years of tradition, and which has impressed itself upon man as part of that tradition, cannot be "proven wrong." It can only be replaced. That means the individual analyses receive their meaning only from the synthesis. For this reason, the detailed investigations, in which the reasons for the various positions taken are worked out, have been placed in this book after the descriptive part. In this attempt to have a fresh look at the pre-history of the Maccabeans, it is not the individual, detailed claims, or, at any rate, not only these, that are to convince the reader. It is rather the total picture which may appear as truthful to the considerate reader.



## CHRONOLOGICAL TABLE

In the case of dates found in the books of the Maccabees, the reference numbers are added in parentheses. The reasons for the translation of the Seleucid dates given in these books into the common system, and the explanation for the dating of events for which we have no or divergent dates, are given in the chronological appendix.

|                         |   |
|-------------------------|---|
| 332 B.C.                | Alexander the Great conquers Palestine (p. 1066).   |
| 3rd cent. B.C.          | Palestine under the Ptolemies of Egypt (p. 1066).   |
| 200 B.C.                | Antiochus III of Syria conquers Jerusalem (p. 1066).  |
| <i>ca</i> 200 B.C.      | Antiochus' decree of privileges for Jerusalem (p. 1067).  |
| <i>ca</i> 190 B.C.      | The high priest Simon. The book of Jesus ben Sira.  |
| 187–176                 | Seleucus IV Philopator. The high priest Onias. Attempt of Heliodorus to plunder the temple (p. 1076).   |
| Fall 176/5              | Antiochus IV Epiphanes assumes the reign (I Macc. 1:10). (Cf. pp. 1072–1073).   |
| 175                     | The high priest Onias deposed; Jason becomes high priest. Founding of a Hellenistic community in Jerusalem.   |
| 174                     | Antiochus IV visits Jerusalem (p. 1076).  |
| 173 or 172              | Jason deposed, Menelaus becomes high priest.  |
| 170                     | Murder of Onias.  |
| 169                     | First Egyptian campaign of Antiochus IV (I Macc. 1:20).   |
| Late summer of 169      | Antiochus IV plunders the temple (p. 1080).   |
| Summer 168              | Second Egyptian campaign of Epiphanes. Revolt in Jerusalem. Punitive expedition of Apollonius (I Macc. 1:29). Abolition of the Jewish temple state, founding of a <i>polis</i> on the "Acra" (pp. 1081–1082). |
| 167, <i>ca</i> December | (I Macc. 1:54, 59): desecration of the temple; beginning of the persecution (p. 1087).  |
| 167/6, autumn year      | The petition of the Samaritans (p. 1115).   |
| 166/5, spring year      | Death of Mattathias (I Macc. 2:70). Autumn year: Eastern campaign of Epiphanes (I Macc. 3:37).  |
| 166 or 165              | Book of Daniel.   |
| 165, spring or summer   | Gorgias operations against the Maccabees.   |



|                                     |  |
|-------------------------------------|--|
| 164 winter                          | Antiochus IV decrees amnesty and ends the persecution.   |
| 164, March 24                       | End of the set term for the amnesty period.  |
| 164, summer                         | Judah's attacks continue. The unsuccessful operation of Lysias and his negotiations with the rebels (II Macc. 11:16–20 and 34–38). <sup>1</sup>  |
| 164 <i>ca</i> middle of December    | After the recovery of Jerusalem, Judah rededicates the temple.   |
| 164, November or December           | Death of Antiochus IV. His baby son Antiochus V Eupator becomes king under tutorship of Lysias.  |
| 163                                 | Antiochus V ends the hellenization of Jerusalem and restores the temple to the Jews (II Macc. 11:22–26). Judah besieges the Acra. New expedition of Lysias. Execution of Menelaus. Alcimus the new high priest. Peace with the Jews. |
| 162, autumn                         | Demetrius I deposes his nephew Antiochus V. Alcimus lodges a complaint about Judah before the king (I Macc. 7:1; II Macc. 14:4).   |
| 161, <i>ca</i> March (13th of Adar) | Judah defeats Nicanor (I Macc. 7:43, 49).  |
| 161                                 | Treaty of alliance between Judah and Rome.   |
| 160, spring                         | (“in the first month,” I Macc. 9:3) Attack by the Syrian general Bacchides. Judah killed in action.  |
| 159, spring                         | (“in the second month” I Macc. 9:54) Death of the high priest Alcimus, who remains without a successor.  |
| <i>ca</i> 159–157                   | “Two years of peace” (I Macc. 9:57).   |
| <i>ca</i> 157                       | Jonathan, brother of Judah, makes his peace with the Syrians.  |
| 153                                 | Beginning of the dynastic war between Demetrius I and Alexander I Balas (I Macc. 10:1).  |
| 152, autumn                         | (Feast of Tabernacles) Alexander appoints Jonathan high priest (I Macc. 10:21).  |
| 151                                 | Marriage of Alexander with Cleopatra of Egypt (I Macc. 10:57f.). Rise to power of Jonathan.  |
| 147                                 | Demetrius II appears against Alexander Balas (I Macc. 10:67).  |
| 148                                 | Death of Alexander I Balas (I Macc. 11:19). Demetrius II king. Antiochus VI against Demetrius II. Jonathan takes the side of Antiochus VI.   |

<sup>1</sup> See Addenda to pp. 1087–1092.

- 143, end Tryphon, prime minister of Antiochus VI, takes Jonathan prisoner and has him executed. Simon, Jonathan's brother, goes over to the side of Demetrius II. The festival letter of the Jerusalemite to Egypt.
- 142, spring Demetrius II grants the Jews autonomy (I Macc. 13:41). Circular letter of the Roman Senate in favor of the Jews.
- 141 "on the twenty-third of the second month" (I Macc. 13:51) (May) Simon conquers the Acra in Jerusalem.
- 140, spring Parthian campaign of Demetrius II. Demetrius taken prisoner (I Macc. 14:1).  
Late summer (eighteenth of Elul) honorary decree of the Jews for Simon (I Macc. 14:23).
- 139/8, winter Arrival of Antiochus VII, brother of Demetrius II (I Macc. 15:10). His decree of privileges for the Jews.
- 134, *ca* February (Shebat) Simon murdered by his relatives (I Macc. 16:14). His son, John I Hyrcanus, becomes high priest.  
Autumn: Antiochus VII besieges Jerusalem.  
Hyrcanus capitulates. Peace (pp. 1093–1094).



## CHAPTER ONE

### THE TRADITION

Every year the Hanukkah festival reminds the Jews of the world of the first and only attempt made in all of history to destroy the Jewish faith in the One and Eternal God. Antiochus IV Epiphanes, King of Syria, under whose rule Jerusalem stood, in the year 167 B.C. desecrated the temple on Mount Zion, prohibited the Torah, persecuted the faithful, and forced a pagan religion upon the people. The Maccabees, by force of arms, regained for the people their freedom of religion, the sanctuary, and finally also political independence. What is the meaning of these events? How are they related to one another, and what was their origin?

In order to find an answer to these questions, we naturally turn, first of all, to the ancient writings which for two thousand years have given testimony of the glorious deeds of the Maccabees. These writings are:

- the biblical book of Daniel, which was redacted in the year 165 or 164 B.C.;
- I Maccabees, extant only in the Greek translation of the Bible, but originally written in Hebrew under the Maccabean prince John Hyrcanus (135–104 B.C.) as the official chronicle of the dynasty;
- II Maccabees, also found in the Septuagint; an epitome of the historical work of Jason of Cyrene, a diaspora Jew otherwise unknown, who probably wrote his book before the end of the second century B.C.;
- the reports which Josephus has left us in the *Jewish War* (written A.D. 75–79), and in the *Jewish Antiquities* (completed A.D. 93/4).

#### 1. *The Seleucid Version*

As we can see, comprehensive treatments of the history of the Maccabees are available only from the Jewish side, whereas the Greek works dealing with this period, such as, for instance, the relevant books of Polybius, are lost. Any research, however, that tries to maintain an impartial position, must endeavor also to pay attention to Greek statements about the struggle. For this reason it must attempt a reconstruction

of the Seleucid tradition. This problem can be solved within limits. On the one hand, we find isolated remarks about the persecution under Epiphanes in Gentile authors such as Tacitus. And on the other hand, even the narratives in II Maccabees and Josephus are dependent upon the Seleucid tradition, for reasons which need not be discussed at the moment.

The Seleucid tradition, first of all, differs from the Jewish one already on the level of purely factual statements. According to the Jewish tradition (Daniel, I Maccabees), Epiphanes plundered the temple in the year 169, unexpectedly attacked Jerusalem in 168, and, in 167, started the persecution. In contrast to this, the Greek tradition maintains that in the year 168 the king, while conducting his campaign against Egypt, had to conquer Jerusalem which had deserted to the Egyptian camp. It was on this occasion that he robbed the temple and started the persecution. That means that the Jew ignores the revolt, whereas the Greek gives a wrong date for the plundering of the temple. That event, as is confirmed also by the Hellenistic historians, actually occurred in the year 169, i.e., before the time of the rebellion in Jerusalem. It is obvious, therefore, that in both cases we have before us a transfer of responsibility to the other side which was motivated by concern for the public image. We know that public opinion was a power at that time, and even the Romans, whose arms dominated the world, always were at pains to have this power on their side. In case of a conflict they spared no effort to demonstrate that their cause was the just one (Polybius Fragment 157, Hultsch). Thus we still have, for instance, the memorandum which the representatives of the Senate circulated throughout the Greek world in the year 171, on the eve of the war against Macedonia, in order to show that the Macedonian king Perseus had brought about the confrontation with Rome by his provocations (*Sylloge*, 643). In the same manner, Epiphanes, one year later, endeavored, personally and through ambassadors, to explain to the world the justice of his cause in his campaign against Egypt. He proclaimed everywhere that "the Egyptian, contrary to all justice, had attacked him first" (Pol. 28 (17), 6).

The Jews, in the days of Epiphanes, were already spread over the entire Hellenistic world, and the court of Alexandria was among those interested in the conflict in Jerusalem. These two circumstances assured the events in Judea the attention of the world. In addition, the situation was further complicated by the fact that the temple in Jerusalem, as Polybius puts it, was "famous." We must keep in mind, however, that the

charge of the desecration of a temple was a favorite and widely used motif in the international propaganda of the period (Pol. XVI, 39, 5). Philip V of Macedonia (222–179), for instance, never tired of charging his enemies with such misdeeds, although he himself was a notorious temple robber. Polybius, rather naively, expresses his astonishment at this contradiction (Pol. V, 11). Today we know that such methods are part of the equipment of sophisticated political propaganda.

Epiphanes, too, was known for his habit of laying his hands on temple treasures. “He plundered the greatest number of sanctuaries,” we read in Polybius (30, 26, 3 = 31, 4, 9). On a papyrus we still possess a petition was written because of the destruction of a temple by the men of Epiphanes in the Egyptian village of Moeris during the campaign of 168 (Papyrus Tebtunis III, 781). The king himself died in Persia during the year 163, after an unsuccessful attempt to plunder the rich temple of Nanaia. The story was told that he was punished by the goddess for his sacrilege and that he died insane. On the other hand, the priests of Bambyce in Syria, who also had come to feel the financial manipulations of the king, spread the story that it was their goddess Atargatis who had demonstrated her anger and power on the corpse of the man who had desecrated her temple (Polybius 31, 9, 1). It seems that temples throughout the entire kingdom had to suffer from confiscations ordered by Epiphanes. The Jewish seer interpreted this policy of the king as the sure sign of criminal arrogance: “He ignores the gods of the fathers, and the lust of women; he pays heed to no god at all, but he magnifies himself above all” (Dan. 11:37).

The actions of Antiochus against Jerusalem, therefore, were accounted by the Greek public among his other robberies, and judged accordingly. Josephus lists a series of Greek historians, starting with Polybius, all of whom “claimed that Antiochus had violated the treaties with the Jews out of lack of money, and plundered the temple rich in gold and silver” (*c. Ap.* 2:84). This notice is supplemented by another reference: “Five years after he had ascended his throne, Epiphanes plundered Jerusalem. For since he had to pay the Romans a high tribute, he was almost forced by his huge expenses to acquire money through robbery and to miss no opportunity to obtain booty” (cf. I Macc. 3:30). Similar things had already been said about Antiochus III: “He hoped to excuse his planned temple robbery (in Persia) under the pretext of the enforced payment of tribute.”

This means that the defenders of Epiphanes had a clearly defined task to perform: they had to demonstrate that the Jews themselves and

their temple were the actually guilty parties. The Seleucid version of the events in Jerusalem, therefore, wrongly dates the robbery of the temple in the year 168, i.e., the time of the Jewish rebellion. Hebrew historiography, on the other hand, remains silent about the fact of the rebellion, and rather charges that in the year 168 royal troops, “by deception,” had attacked Jerusalem in the midst of peace. For according to the rules of war, the robbery would have been excused by the Jewish revolt. A subject city that had to be taken by force in those days frequently had to undergo far more severe suffering. In the year 223, the citizens of Mantinea were sold into slavery as punishment for their betrayal of the Achaean League and their shift to Sparta. Even a quarter of a millennium after Epiphanes, the Jews and their enemies debated these two historical questions, on which, as we have seen, the Hebrew and the Seleucid presentation of events disagreed. Josephus says in his work against Apion: “The raid of Antiochus against the temple was iniquitous; it was impecuniosity which drove him to invade it, when he was not an open enemy; he attacked us, his allies and friends” (*c. Ap.* 2:83).

According to this interpretation, then, the struggle came about on purely political grounds. Here, the persecution does not appear as a deliberate action against the Jewish faith, but as a punitive measure against the rebels. The Gentile source, which Josephus copies in the first book of his *Jewish War*, says about this point: “Not content with his unlooked-for success in capturing the city and with the plunder and wholesale carnage, Antiochus, carried away by his ungovernable passions and with the rankling memory of what he had suffered during the siege, put pressure upon the Jews to violate the code of their country by leaving their infants uncircumcised and sacrificing swine upon the altar” (*B.7.* 1:34).

## 2. *The “Anti-Jewish” Version*

The actions of Epiphanes could also be given a different interpretation. By stressing among his actions the persecution, it was possible to understand this as a conscious attempt to destroy Jewry as such. We are told that the advisors of Antiochus VII in the year 134 recommended to him “to attack Jerusalem and complete the destruction of the Jewish tribe. Because the Jews alone, among all the peoples of the earth, refused any communion with the others and considered them all their enemies.”

For this reason, he should follow the example of Epiphanes and force the Jews at least to give up their laws and to adopt a different way of life. For already Epiphanes, filled with revulsion against the hatred of mankind “no matter among which people,” had put all of his ambition into the plan to destroy the gang of the Jews. For this reason, he had ordered that their lawbooks which contained those xenophobic statutes, be sprinkled with (purifying) blood of pigs, had extinguished the eternal flame of the temple lamp, and forced the Jews to eat pork.

This narrative is found, in excerpts, in Diodorus (Posidonius 87, fr. 109, Jacoby [Diod. 34, 1]). It gives us a picture of Epiphanes entirely different from that found in the “Seleucid” version. Here, the king appears as the representative of civilization, who fights against the barbarism of the Jews. For this new version, the political motif of the struggle in Jerusalem is entirely irrelevant. In the extant excerpt the revolt is not even mentioned. We hear, instead, that Epiphanes found in the temple a statue of Moses riding a donkey. This motif establishes a link between this narrative and the gruesome tale about the veneration of an ass’s head in the temple of Jerusalem, which Epiphanes was supposed to have discovered, and about the ritual murder which the king was said barely to have been able to prevent when he entered the temple. At the bottom of all of these stories, we always find the same conception of Judaism as a misanthropic and superstitious power engaged in a struggle against the entire world. Every year, the Jews sacrifice a Greek, eat of his intestines and solemnly vow to hate the Greeks for all eternity (Josephus, *c. Ap.* 2:95).

All these fictitious tales, Josephus tells us, were circulated by authors who wanted to justify Epiphanes and his actions against the temple in Jerusalem: “These authors are more concerned to uphold a sacrilegious king than to give a fair and veracious description of our rites and temple. They are anxious to defend Antiochus and to cover up the perfidy and sacrilege practised upon our nation...” (*c. Ap.* 1:90).

What is the relationship between this “anti-Jewish” version of the events and the “political” version, which we analyzed above? It, too, has the desecration of the temple occur in the midst of the war and after the conquest of Jerusalem by the king himself. But it does not exploit this connection which had been invented for a specific purpose by the “political” version. It merely accepts the connection as an established and, basically, irrelevant series of facts. The “anti-Semitic” version, therefore, constitutes an elaboration and reformulation of the “political” version, upon which it is dependent as its literary source.



We may assume that the “anti-Jewish” version originated soon after the death of Epiphanes in the cities of Phoenicia and Palestine. The Gentile population of these cities was filled with continued hatred against the neighboring Jerusalem. They did not recognize the reconstruction of Jerusalem by Antiochus V in the year 163, although the official proclamation declared that the policy of Hellenization instituted by Epiphanes was to be discontinued (II Macc. 13:25). The “anti-Jewish” version found acceptance and wide circulation during the period of Maccabean expansion after the year 150 B.C., when the Jews, in the words of Posidonius, “robbed foreign property and subjugated a great part of Syria and Phoenicia” (Strabo, 761). The Maccabees carried on this war against the “unbelievers” as a merciless religious war. They burnt down the pagan temples, together with the people who had taken refuge in them. They destroyed the cities whose inhabitants did not wish to accept “Jewish customs,” and they expelled the Gentile inhabitants from Joppa and Gazara (I Macc. 10:84; 11:4; 13:11; 14:34; Josephus, *Ant.* 13:397). The Gentiles, however, denied that the Jews, those “infiltrators from Egypt,” had any claims to the soil of Palestine. They invented the fable of the worship of the donkey and of the ritual murder on Mount Zion. It is this political and literary complex to which we also have to assign the origin of the “anti-Jewish” version. When the Jews raged through the country, spreading fire and destruction, without running into any resistance from the kings (cf., e.g., I Macc. 11:4), people were simply no longer interested in the fact that some thirty years earlier these same Jews had been involved in a revolt. Epiphanes, who thirty years earlier had defeated, subdued, and punished this “xenophobic” people, must now have appeared to the victims of Maccabean fanaticism as a conscious champion of civilization and savior of the Hellenistic way of life from Jewish barbarism. Tacitus, under the impact of the Jewish revolt of A.D. 66–70, made this position his own and gave it a pregnant formulation: “King Antiochus endeavored to abolish Jewish superstition and to introduce Greek civilization; the war with the Parthians, however, prevented his improving this basest of all peoples” (*Historiae* V, 8).

### 3. *The Jewish Interpretation: Daniel*

As was demonstrated above, the Greeks judged and understood the actions of Epiphanes against the Jews in different ways. Some, follow-

ing the "Seleucid" version, saw in them a purely political proceeding which, depending on the writer's point of view, was either approved or condemned. For others, a different view became decisive, which had developed among the Gentiles of Phoenicia and Palestine soon after the king's death. It saw in Antiochus a conscious champion of the Greek way of life against Jewish barbarism. Although these three views all differ in their *Tendenz*, they agree in their basic attitude toward history, which to the Greeks appeared as an intentional and, consequently, comprehensible work of man.

The Greek tradition concerning Epiphanes begins with the Seleucid propaganda writings. The line of Jewish witnesses is opened by the word of the seer, the book of Daniel. Here, then, we see the confrontation of the pragmatic point of view, represented by the Greek sources, and the prophetic perspective found in the Jewish writings. These writings follow a pattern of thought which is not positivistic, but theological and teleological. For this reason, they move on a plane which is different from that of the Greek historians. It is possible, therefore, to identify various layers within the Greek tradition, but not in the Jewish sources. One could ask the Greek how he understood, in a concrete way, the action of Epiphanes as a unique event. One could not address this question to a Hebrew.

The biblical understanding of history, as it was conceived by the great prophets, can discover meaning in any event only in connection with God's activity on behalf of his people. That means: when the "nations" rise up against Israel, this catastrophe can be understood only as a punishment decreed by God. "But because our forefathers provoked the anger of the God of heaven, he put them into the power of Nebuchadnezzar" (Ezr. 5:12). To such a concept of history, a pragmatic explanation or separation of the various events under consideration is entirely meaningless: it makes no difference to Israel whether God has selected as his tool for chastising his people, Assur or Damascus. Jerome expresses this concept very clearly in his commentary on Daniel: "The reasons for the individual events are known only to him who guides everything" (*ad Dan.* 2:21).

But to the degree that the general rise and fall of peoples did call for an explanation, only the prophetic concept could be used as a key to understanding. In their blindness, the nations do not recognize that they are nothing but tools in the hands of God; and for this reason, their haughtiness arouses the anger of God, who quickly crushes and humiliates them.

Such an understanding of history can console a people in distress and give it courage after a defeat, as can be seen from the visions and reports of Daniel, which were collected in the year 165. The work is composed of various types of materials, but it receives its unity from the prophetic conception of history. The center of the book is found in Daniel's prayer of repentance (ch. 9): "we have sinned, we have done what is wrong and wicked." Because of their disloyalty, the Jews were banished by God (9:7). The persecution begins at the point where the sin of the renegades is at its height (8:23). It will end when "sin is brought to an end, iniquity expiated" (9:24).

On the other hand, the seer brings many variations on the theme of the arrogance of Gentile power, which will cause its fall. That exactly is the meaning of the stories about Belshazzar (ch. 5) and Nebuchadnezzar (chs. 3, 4). Daniel's interpretation of the vision of the world powers, too, has no other meaning. They all serve as proleptic examples for the end of Epiphanes. "God's judgment will come in order to humiliate the arrogant" (Jerome, *ad. Dan.* 7:11).

For this reason, Epiphanes is represented as the personification of *hybris* (e.g., 7:25; cf. 2:11; 11:36, 45). He is first mentioned as the eleventh horn of the fourth beast. "And in that horn were eyes like the eyes of man, and a mouth that spoke proud words" (7:8, 20). This is interpreted as follows: "He shall hurl defiance at the Most High and shall wear down the saints of the Most High" (7:25). And finally: "Because of the proud words that the horn was speaking, I went on watching until the beast (i.e., the Greek kingdom) was killed and its carcass destroyed" (7:11).

This traditional interpretation of the course of history is given some individual traits. Daniel stresses the deceitfulness of Antiochus (Dan. 11:23), or he mentions the fact that originally he had not been destined for the royal dignity (Dan. 11:21). But concrete explanations for individual historical events are simply not given at all by Daniel. For Polybius, the war between Egypt and Syria is the result of the intrigues of the court at Alexandria. For I Maccabees it is a consequence of the greediness of Epiphanes (Pol. 27:13; Diod. 30, 2; I Macc. 1:16). For Daniel (11:25), this war is nothing but a natural and necessary phase (11:25) in the worldly rise of the persecutor, which does not require any specific explanation. It receives its meaning from the very fact that

it leads one step closer to the culmination of Antiochus' career and thus, of necessity, to his subsequent fall.

In this conception of history, we cannot recognize any individuality in the person of the oppressor. Pompey in the *Psalms of Solomon* is painted in colors no different from those applied to Epiphanes in the book of Daniel (Ps. Sal. 2). For this reason, it is not even possible to ask how Daniel, the contemporary of the persecution, pragmatically understands its origin. When the "holy ones" see the "desolation of abomination" coming, they do not ask, "why?" but merely, "for how long?" (Dan. 8:13).

The determinism of divine justice is taken for granted also by the two Jewish *historical* descriptions of the period, the first and second books of Maccabees. But this supernaturalistic idea found a different form of expression in each of these two works.

#### 4. *First Maccabees*

The first book of Maccabees, the Hebrew original of which is lost, consciously continues the line of biblical narratives about judges and kings in Israel. With the characteristic Hebrew consecutive particle, "and then," the book talks about one event after the other in a loose sequence. Only in exceptional cases does the author include a judgment of his own (e.g., 5:62; 16:17). But nowhere in this work do we read that the Lord had awakened or guided heroes and hearts. People live in a time when prophets sent from God no longer exist (4:46; 9:27; 14:11). True, God no longer directly intervenes in history, but before every victory prayers are addressed to him, which are full of recollections of the miracles of the covenant of old (I Macc. 4:9, 30; 7:40).

With such an indirect approach, the story necessarily falls into a series of events that have no connection with one another. Each incident could form the end of the story. Each event is considered to be coincidental. The conclusion of a treaty between Judah and Rome, for example, is reported in these words: "So the land of Judah had rest for a few days. Now Judah heard of the fame of the Romans..." (I Macc. 7:50-8:1). Such a historiographical method should have deprived the story of all sense and significance. And yet, to the reader the work appears as a whole: because its composition is governed by one idea, that of the contrast between Israel and the nations.

Thus the "driving forces" that are necessary to get the narrative

moving again after each completed episode, with few exceptions like the alliance with the Romans, are supplied by misdeeds of the enemies who do not give the Jews any peace. Thus we read 9:58): "Then all the lawless plotted and said, 'See! Jonathan and his men are living in quiet and confidence. So now let us bring Bacchides back, and he will capture them all in one night.'" And indeed, the Syrian general shows up, and war begins a fresh.

The composition of the work demonstrates, better than any apologetic controversy could have done, that the disturbers of the peace are always the others, never the Maccabees. It is easy to convince oneself that this, indeed, was the intention of the book. When Judah, for instance, begins to lay siege to the Seleucid fortress inside Jerusalem, it is described in these words: "Now the men in the citadel kept hemming Israel in around the sanctuary. They were trying in every way to harm them and strengthen the Gentiles. So Judah decided to destroy them" (6:18f.).

The disturbers of the peace, however, are not merely the Gentiles, but also the "renegade" Jews, as can clearly be seen from the passage on the call of Bacchides, cited above. Again and again, their complaints cause the Syrians to march against Israel. These complaints are listed even in cases where the government would not have remained inactive anyway, such as during the siege of the citadel in Jerusalem by the Maccabees (I Macc. 6:21; 7:5, 25; 9:58; 11:21; cf. 6:19; 1:21). Why, we may ask, does I Maccabees stress the dangerous role of "the godless in Israel?" The reason is clear: the author wants to equate the Jewish opponents of the native dynasty with the pagan enemies of the people.

I Maccabees is a Hasmonean work, written at a time when the dynasty stood at the zenith of its power. Their enemies during the thirty-year long struggle for power, however, were not only the Seleucids, but also other Jewish movements. The Maccabees were, and always remained, the leaders of a party within Israel. As is well known, open enmity soon developed between them and the Pharisees. That means: I Maccabees corrects history. Following a pattern still popular today, one's own party is equated with the people. Whoever was dissatisfied with the Hasmoneans, "hated their nation" (11:21). Jews who complain about the activities of Judah, "bring to the king an accusation against the people" (7:6). The Jewish opponents of the Maccabees are never given any names other than "renegades" and "godless"; i.e., they are given the same epithets that had once been applied to those "transgressors of the law" who under Epiphanes had rejected the Torah

and defiled Israel (I Macc. 7:21; 10:61; 11:25; cf. 1:11). As far as the author is concerned, such people stand beyond the pale of Israel. But outside Israel, there begins the foreign, hostile world. The author of I Maccabees does not connect his book with the events described by his predecessors, or with the dates of the Bible: he rather starts with a non-Jewish factum: the conquests of Alexander the Great. His successors “caused many evils on the earth.” “From them came forth a sinful root”: Epiphanes. “He began to reign in the one hundred and thirty-seventh year of the kingdom of the Greeks. In those days lawless men came forth from Israel...” (I Macc. 1:9–11).

The contrast which governs the entire narrative of I Maccabees is already present in these first lines of the historical work: on one side the people, on the other side “the nations.” For Daniel, Alexander the Great was a “heroic king,” and the blasphemer Epiphanes “was different from the other ones” (Dan. 7:24). The narrative of II Maccabees begins by telling us that the kings paid honor to the holy city as long as the high priests remained virtuous. For I Maccabees, the rule of the evil one begins with the Greek conquest itself. Alexander “was exalted, and his heart was lifted up.” The appearance of the godless in Israel is understood simply as a phenomenon of the Greek era. We do not hear a single word about the partisan struggles in Jerusalem before the time of the Maccabees. And even later the renegades are counted among the “foreigners” and “nations” (e.g., I Macc. 2:7; 4:12).

With such general terms, then, the book designates the opponents of the Maccabees, thus simply turning them into “Gentiles.” It was not Epiphanes, but the “Gentiles” who “trampled down the walls and strong towers of Mount Zion” (3:58). In II Macc. 12:2 we read that the Seleucid commanders, Timotheus, Apollonius and others, “would not let the Jews live quietly and in peace.” I Macc. 5:1, on the other hand, remarks on the same events “that the Gentiles round about became very angry,” when they heard that the altar had been rebuilt. The persecution itself demonstrates the contrast between Israel and the unbelievers. For, according to I Maccabees, Epiphanes orders that all nations should become one nation, and all obeyed this order, except Israel (1:41). Mattathias proclaimed: “Even if all the nations that live under the rule of the king obey him, departing each from the religion of his fathers, yet I and my sons and my brothers will live by the covenant of our fathers” (I Macc. 2:19f.)

On such a basis, the historian does not require any specific motivation for any of the actions reported. The enemies of Israel attack Israel

because they are Gentiles and deluded by their haughtiness, which, of course, must immediately and naturally be followed by heavenly revenge. The arrogance and punishment of Sennacherib (Is. 37) serve as the paradigm for the misdeeds and the end of the Greek pagans (e.g., I Macc. 1:21, 24; 2:47; 3:20; 8:38, 47).

Within this frame of thought, the action of Epiphanes against Jerusalem is explained simply from the fact that he is a Gentile: because he is a "sinful offspring." He finds his opportunity in his success against Egypt: "On his return from the conquest in Egypt... in his arrogance he entered the temple..." (I Macc. 1:20f.). The author offers no explanation whatsoever for the armed attack against Jerusalem in 168 or for the persecution itself. This shows how little, in his view, the misdeeds of the Gentiles require an explanation, how clear the motives for their actions are.

This confrontation between Judaism and the rest of the world is already known to us from the "anti-Semitic" version of the events. Here we encounter it again, only this time with reversed signs. The presentation of I Maccabees, which originated under John Hyrcanus, also comes from the time of the Jewish offensive against the "nations." To the author in Jerusalem, the struggles of the fathers appeared, in hindsight, as a preparation for the new glory of the Jewish state. Of Judah it is said proleptically: "he provoked many kings to anger" (3:7). The recovery of the temple was a reason for rejoicing, "because the disgrace brought on the people by the Gentiles was removed" (4:58). And, according to the historian of the Maccabean house, the last admonition of Mattathias, the founder of the dynasty, was: "Repay the Gentile in their own coin, and always heed the law's commands" (2:68).

Thus we see that the determinism of the Jewish understanding of history finds a one-sided expression in I Maccabees. The author knows about the sinful arrogance of the Gentiles, but he is not aware of the sins of Israel. The punishment falls upon "the nations," but not upon "the people." The misfortune of the persecution is "God's wrath" (1:64; 2:49), but this wrath is not calmed through repentance and prayer, as in Daniel, nor through the blood of martyrs, as in II Maccabees. We rather hear of Judah: "He passed through the towns of Judea; he destroyed the godless there. He turned wrath away from Israel" (I Macc. 3:8).

This chronicler was a partisan of the Hasmoneans, who built their kingdom with blood and iron. He wrote toward the end of the second century B.C. He had seen with his own eyes "how every hostile king was

crushed" (I Macc. 14:13). The Greek kingdom had perished through the internecine warfare among its pretenders. Through the guidance of divine providence and the brotherly unity of the Maccabees, the holy people were strengthened and able to expand. They had seen with their own eyes how the biblical promises for those loyal to the law had been fulfilled. This enabled the author to view the oppression and suffering of the past as an accident, the glory and success of the present, on the other hand, as permanent. Brought up in the prophetic conception of history, he was more concerned with the present humiliation of the blasphemer than with the expunged sin of Israel. "As generation succeeds generation," Mattathias tells his sons, "follow their example; for no one who trusts in heaven shall ever lack strength" (I Macc. 2:61).

#### 5. *Second Maccabees. Josephus*

The author of II Maccabees looked at history from a different point of view. As already the learned Abbot Rupertus Tuitensis (d. 1135) beautifully said (P.L. 169, 1428), he writes in order to describe the holiness of the temple in Jerusalem. For this reason, he begins with the first (frustrated) attempt to desecrate Zion, that of Heliodorus. The church, as we know, saw in the miraculous expulsion from the temple of the blasphemer Heliodorus the model for the fate of her own enemies. Raffael, on commission of Pope Leo X, immortalized this conception on the walls of the Vatican. The last threat to Zion, posed by the Syrian general Nicanor in the year 161, constitutes the end of II Maccabees. The center of the book is formed by the restoration of the sanctuary under Judah Maccabeus and the establishment of the festival of Hanukkah.

These changes in the history of the temple, which is threatened, defiled, restored, and threatened again, are held together by the ancient conception of divine pragmatism: sin – repentance of Israel; arrogance – punishment of the Gentiles. The detailed discussion of the partisan struggles in Jerusalem appears, at first sight, surprising in such an idealizing representation (in which the Maccabees do not fight on the Sabbath). But it is meant to demonstrate that the Jews "had already been guilty of many sinful acts" (II Macc. 5:18) and thus it justifies God's judgment and punishment. "If even the priests were of this type," Abbot Rupertus explains the author's thought, "then we can imagine how the common people behaved."



But in the passages in which the author reports the persecution, he admonishes his readers not to be discouraged, but rather to recognize divine grace in the events. With the other nations, the Almighty waits until their measure of sin is full; the Jews he chastises so that they may still repent in time. “So he never withdraws his mercy from us; though he disciplines his people by calamity” (II Macc. 6:16).

The turn in the events is brought about by the blood of the martyrs. The last of the seven tortured before the king hopes that the wrath of the Almighty will come to an end with him and his brothers. This wrath “has justly fallen on our race” (II Macc. 7:38). And when, indeed, “the Lord’s anger had changed to mercy, Maccabeus proved invincible to the Gentiles” (II Macc. 8:5).

Theologically, therefore, the fate of the sanctuary has been explained. But how are we to understand the related actions of the Seleucids?

II Maccabees offers a two-fold explanation: first, the theological interpretation. Epiphanes was nothing but a scourge in the hands of heavenly justice. On his deathbed, he recognized the vanity of his “pretension to be more than man” (II Macc. 9:8). But in addition, the author also offers a pragmatic explanation. For the reader to whom II Maccabees addressed itself was a Hellenized Jew, perhaps a Greek. Although such a reader could be told that Epiphanes “set out from Egypt in a savage mood and took Jerusalem by storm” (II Macc. 5:11) – he also expected to be given a rational explanation for this savage mood. In order to provide such an explanation, the author of II Maccabees intertwines with his narrative the “Greek” political version of the events in Jerusalem, which we also find in Josephus. But how are we to understand the paradox that Jewish authors follow the Seleucid tradition? The explanation is simple: a pragmatic explanation for the course of events simply could not be found anywhere in the Jewish sources. There exists a document which illustrates for us how people in Jerusalem understood the end of the oppression twenty years after the event.

Toward the end of the year 143 B.C., shortly after Jonathan the Hasmonean had been captured by the Syrians and shortly before the power of the Hasmoneans was reestablished through their alliance with the Seleucid pretender Demetrius II, the Jerusalem community wrote to the Egyptian Jews to ask them to observe the festival of Hanukkah. “During the persecution and the crisis that came upon us in those years, since the time when Jason and his partisans revolted from the holy land and the rule of God..., we prayed to the Lord and were answered” (II Macc. 1:7f.). There is not a single word about Epiphanes or the Gentiles. Just like penance through prayer, the guilt through

defilement is entirely the doing of the Jews themselves. We should go wrong if we saw in this a statement of facts. What we rather have is once again the prophetic interpretation of history. "Sacred Scripture," a mediaeval interpreter correctly said, "does not understand history on its own, but in its relation to God" (Petrus Aureolus (d. 1322), *Compendium* (1896), 50).

That means that, if a Jew wanted to understand the meaning of the persecution within the matrix of contemporary history, he had to turn to Gentile sources – and in this case that meant the Seleucid interpretation. This was true for Jason of Cyrene, whose history II Maccabees summarizes; and Josephus proceeds in exactly the same way. He writes for the Greeks and hardly can present to them the persecution as the result of Gentile sinfulness. His example is significant. He knows, and follows, I Maccabees. But at the same time he uses a Gentile source, because in the Jewish chronicle he could not find any "reasonable" explanation for the actions of Epiphanes.

Let us summarize the result of this survey. We wanted to know how the sources explain the persecution under Epiphanes. As we can see, they offer, no less than four completely different answers to our question. For the older Jewish conception (Daniel and the letter of the Jerusalem community of 143), which is also characteristic of II Maccabees, the persecution was a chastisement brought about by the sin of the people. I Maccabees, i.e., the chronicle of the Hasmonean dynasty, sees in the religious oppression another piece of evidence for the arrogance of the Gentiles. Over against these two super-naturalistic interpretations, we also find two pragmatic explanations, which were taken over from the Greeks. The official Seleucid version justifies the measures taken by the king through the rebellion of the Jews. A later generation glorified his policy as a determined struggle against Jewish barbarism.

All of these interpretations arose, not out of historical, but out of theological or political considerations. In one way or another, they all are means for the purpose of justification. They all look at the events in hindsight through the eyes of a later generation. For this reason, the historian can accept none of them as binding or directive. But each had a turn in influencing the conception which later generations have had of the meaning and context of the persecution under Epiphanes. Even today, historiography has not succeeded in liberating itself from their presuppositions. In order, therefore, to sharpen our vision for the meaning of the persecution, it is exceedingly instructive to come to know and understand the changes in interpretation from the days of the early church until today.

## CHAPTER TWO

### INTERPRETATIONS OF THE PERSECUTION

The church incorporated the books of the Maccabees in her canon as testimonies of steadfastness during persecution, and she recognized the blood witnesses of the imperilled faith under Epiphanes, those “most beautiful examples of heroic martyrdom” (Origen, *Exhort. ad martyr.* 23), as the forerunners of her own martyrs: “Christ, who was going to suffer death, made them martyrs” (Augustine, *PL.* 38, 1377). At the same time, the church made Antiochus a precursor of Nero, Decius, and Diocletian. The church understood the Maccabean persecution as a phase in the eternal struggle between God and his adversary: “the hostile king Antiochus, or, better put, the Antichrist” in the person of Antiochus (Cyprian, *ad Fortunat.* 11). This traditional interpretation by the church determined all the mediaeval statements about the Maccabean martyrs, their death, and their heroism. Gregory of Nazianzus as well as St. Leo, Prudentius as well as Victorinus, German monks who glorified the Jewish saints, and Byzantine theologians – in all of them we find this idea expressed, in prose and verse. If I am not mistaken, this idea has remained, so to speak, the official view of the Catholic church. It was familiar to Luther, who speaks of Antiochus as “filth”, and to Calvin, who calls the king a “monster, composed of all sorts of faults” (Luther, *Werke* 32, 186 [Erlangen ed.]; Calvin, *Opera* 41, 242). The persecution is here viewed, theologically as a visitation, pragmatically as a result of the *hybris* of Epiphanes.

But the Maccabees of whom Scripture speaks were not merely martyrs. They were also militants for their faith who, sword in hand, fought for what is God’s. Thus they became the model for every “crusade.” In order to praise Rupert, who around the year 700 converted Bavaria, or Simon de Montfort, who in 1208 destroyed the heretics of Languedoc, they are compared to the Maccabees. Before the decisive battle against the Persian persecutors of Christianity, Vardan, the national hero of the Armenians, read before his fellow-fighters the book of the Maccabees, in order to strengthen them through this “memorable example.”

But the enemies against whom the Maccabees fought were their own government. This attitude gave their action a very specific meaning, which became important for the controversial question whether

the people possess a right to self-defense against the state. The sacred example of the Maccabees justified insubordination. Already in the first conflict between the church and the Christian state the Maccabees are invoked. The "heretical" emperor Constantius is addressed by an orthodox believer with the following words: "Your fellow-tyrant Antiochus persecuted our faith, but those servants of God, whose companions we wish to be, resisted the sacrilege of Antiochus, just as, with God's help, we resist you."

Ever since, ecclesiastical propagandists have used the Maccabees as the biblical models for resistance against tyrants. "Like Mattathias, we must hold fast to the divine law rather than the king," were the words exclaimed on the Roman side in the struggle between pope and emperor (*Monum. German. Histor. Libelli de lite III*, 207). But the rebels against the official church, too, the Waldensians, the Taborites, laid claim to the Maccabees as models for their own insubordination.

The literature about the legitimacy of Protestantism, that "protest" against the imperial edicts, takes over this line of argumentation from the mediaeval sects and justifies Martin Luther by a reference to the Maccabees. "In matters pertaining to God's word and service, one ought to proceed with persistence and not allow oneself to be driven off by some order or prohibition of the government or by force... Thus we read in the book of Maccabees that Mattathias, together with his sons, refused to obey the mandate of King Antiochus to practice idolatry." The emperor's representatives replied that the heathen Antiochus did not constitute a "legitimate government" for the people of God.

Thesis and antithesis recur again and again in the polemical writings of the sixteenth and seventeenth centuries. Suffice it to give one example. When a politician wanted to prove from sacred Scripture that subjects owed absolute obedience to their ruler, the critics immediately confronted him with the example of the Maccabees, which he had wisely omitted to mention. In order to remove that problem, the first party then had recourse to the argument that "Epiphanes had not been a natural and legitimate king of the Jewish nation."

In this way the traditional attitude toward the struggle of the Maccabees had undergone a strong shift. Earlier people had seen in it an example for the eternal struggle between faith and unbelief. In this sense, e.g., Luther's well-known opponent, Eck, compared the Catholics to the Maccabees (*Corp. Catholic. II*, 62). For such an understanding, the persecution constituted no problem, and in this view, Epiphanes stood condemned from the very beginning.

But since the confessional split, the king's policy appeared as a model for the intervention of the state in the religious question. All confessions agreed in granting the state, in principle, the right to regulate the religious affairs of the people, as long as it interfered on behalf of one's own party. In 1383 the English reformer Wycliffe demanded the uniformity of faith which creates the unity of the church. "For this reason," he said, "the heathen princes, too, try to bring their territories back to uniformity of faith, even though they hold on to the false faith, as can be seen from the example of Antiochus Epiphanes in the first book of the Maccabees." A quarter of a millennium later, the authoritative Roman Catholic commentator on the books of the Maccabees, wrote, when speaking of the edict of persecution issued by Epiphanes: "It is necessary that the religion of a state be uniform, but, of course, only the true and orthodox faith."

But it was exactly the bitterness with which the religious wars were fought that led the "third party" to put the well-being of the state above the confessions and to consider the religious squabbles as disturbances of the public order. For these people, Epiphanes was the legitimate ruler of the Jews. "The Jews despised the foreign cults, and that way they attracted the hatred of the nations." With these words, Jean Bodin, the founder of the modern doctrine of the state, in 1576 explains the situation. It is significant that he also wants to explain the Roman persecutions of the Christians by reasons of state.

For this reason, political science, ever since that time, has almost uniformly taken the side of Epiphanes against the Maccabees. Hugo Grotius, Bayle (1686), the Protestant Bosnage, the first historian of post-biblical Judaism (1705), and Wensdorf, the first scholarly critic of the books of the Maccabees (1747), all these men are of one mind in this matter. In 1776, Voltaire draws the conclusion from these discussions: Antiochus was a great and well-educated monarch, and in addition, he was the legitimate king of Jerusalem, whereas the Jews were rebels. "And since religion was the perpetual pretext for all the rebellions and cruelties of this people," he abolished it (*La Bible enfin expliquée*).

Thus the "Seleucid" version of the events in Jerusalem, forgotten for centuries, once again appears as the natural and most reasonable explanation of the persecution. And, indeed, it is true that the authors just mentioned, from Bodin on, are unconsciously dependent upon the remains of the Greek tradition concerning the persecution, as is shown by the passages which they invoke as their authority. For the Greek

tradition offered a pragmatic explanation of the events, and such an explanation was in harmony with the thought pattern of the period.

But official historiography, that which is encountered in the universities and in the textbooks, remained almost untouched by this change in understanding until well into the eighteenth century. Until the age of the enlightenment, historiography had not developed an understanding of its own, as far as historical data were concerned. Historians simply presented the causal connection between events, as they happened to find them indicated in their sources. We should keep in mind that the causality of the books of the Maccabees is theological in nature. This was sufficient as long as one wished to do no more than retell the events without any critical analysis, as was done, for instance, in the *Chronicle* of Melanchthon (1532). Melanchthon did not have to look around for an explanation of the persecution, since, according to him, "everybody agrees" that Antiochus is the image of the Antichrist. The only question was whether he prefigured the Roman pope, a view toward which Melanchthon himself was inclined.

But if one tried to construct a rational connection between the events and to find some indication for this in the sources, then nothing else could be done than (unconsciously) to rely upon the remains of the pragmatic tradition which could be found in the Jewish books. This starts as early as the *Chronicle* of the church father Eusebius, continues in the Byzantine universal histories, and is repeated in modern historiography. For the historians of the seventeenth and eighteenth centuries, the failure of the campaign against Egypt and the king's financial difficulties are sufficient explanation for the persecution. Antiochus wanted to loot Jerusalem "under the pretext of unifying the customs of his subjects," we read in Bossuet (1681). In saying this, the famous preacher does not display the least degree of originality. Salianus in 1624, the *Illustrata facta gentium* of I. Gramaius in 1604, all present the same view, which we already found hinted at in Josephus.

The pagan source of Josephus gives us the actual motivation for Epiphanes' desire for revenge for his losses during the siege of Jerusalem. According to this source, Epiphanes marched against Jerusalem because the Jews had fallen away from him during his campaign against Egypt. The founder of Jewish historiography, I.M. Jost, presents this view in 1832 as the accepted position. Antiochus was a "subhuman," who "deeply resenting his dependence upon the Roman throne, vent his anger against his own territories."

Jost's explanation was already put forth in the universal history of Clüver, written two hundred years earlier. It is still to be found, incidentally, in a Catholic textbook published in 1928 (L.Cl. Fillion, *Histoire d'Israel* III, 179).

The banality of professional historiography is not surprising, though instructive. The historians of the seventeenth and eighteenth centuries were all the more willing to follow the hints of the ancient pragmatists, since their own understanding of the course of history was of the same type. They, too, had the habit of deriving the events of their time from small causes and personal coincidences. But the less sophisticated reader of the Bible could not help but experience for himself the persecution as a religious struggle. "You hit the people on their helmets if they do not share our faith," we read in the tragedy *The Maccabees* by Hans Sachs. The confessional polemics of that period regularly invoked the example of the Maccabees. Thus, for instance, there was published after the expulsion of the Huguenots from France the *Parallèle de la persécution d'Antiochus illustre contre les Juifs avec cette qu'on exerce à présent contre les Protestants*. But scholarly historiography did not take any cognizance of this. It deluded itself to be strictly scientific if it repeated "the understanding of the sources," without having any inkling that what it repeated was also public relations material, albeit ancient.

The "philosophical" historiography of the enlightenment finally emancipated itself from the pragmatism of the sources by trying to arrange the events according to new categories. It took over the approach of men like Bodin or Grotius: the persecution took place in order to force the Jews to confess the religion of the state. But this action on the part of the king is now understood as a "repulsive act of intolerance and fanaticism." I find this position stated for the first time in the year 1739. A man like Niebuhr (born in 1776) learned about it in the days of his childhood. It is the prevailing view around 1820, and even E. Renan still adheres to it in his *History of the People of Israel*.

Niebuhr himself then offered a different view. The intolerance of Antiochus was repulsive to him, too, but he explained it on purely political grounds. The king wanted to Hellenize all the peoples of his realm in order, by this method, to strengthen the autocracy. We immediately recognize the kinship of these thoughts with those of Bodin and other jurists of the age of the counter-reformation. The only new element is the fact that the picture of Epiphanes is drawn after the pattern of the statesmen of enlightened absolutism. In 1854 Mommsen gave this view its most concise expression. He condemned the "foolish policy of the

lowest common denominator” followed by Epiphanes and rejected as unrealistic his plan to harmonize the various religions of his subjects, which “caused the government the most serious obstacles.” Antiochus himself he called “this caricature of Joseph II” (*Röm. Gesch.* 11<sup>3</sup>, 59).

As we can see, the “Seleucid” political version of the persecution, understood with more or less profundity or even banality, influenced scholarship from the eighteenth century down to Mommsen. A change occurred after 1870. A new conception became popular, a view which has determined research until this day. According to this view, Antiochus wanted to turn all of his peoples into Greeks, and for this reason he introduced everywhere the religion of Zeus. The king now no longer appears as a representative of absolutism, but rather as a champion for nationalism. Unfortunately, I am not able to show who first developed this view. Its success after 1870, still lasting today, is characteristic for the spirit of its time. There followed generations for whom the concept of enforced religion appeared utterly nonsensical, but to whom the enforcement of a change of nationality seemed understandable and reasonable. Those were the days when Mommsen called upon the Jews to give up their particularism and to become full Germans, as had been done, for example, by the inhabitants of Holstein. During that half century of progress, between 1870 and 1914, another of the leading factors was the confidence in the wisdom of government. The measures of an imperial government, like that of the Seleucids, simply had to have a good reason, which would have corresponded to the spirit of the time. And in this sense they also understood the orders for conversion issued by Epiphanes: “The god of the Hellenes was to save his empire from the Romans and the Parthians.”

Thus scholarship, especially in Germany, once more took the side of the Seleucid government against the Maccabees, of the civilized state against a recalcitrant minority. “Who first introduced the policy of intolerance, Antiochus or the Maccabeans”? For this reason, authors regretted the failure of the king, whose mistake it had been not to recognize the fact that “the Jews were, after all, not yet ready for Hellenism.”

This time, it was the Greek explanation for the persecution, the “anti-Semitic” version, which now came to the fore. Scholars cited the passages in Diodorus and Tacitus, where that version can still be found, as though we had before us an authentic interpretation of the motives of Epiphanes. Just like Wycliffe and Bodin before them, scholars now invoked the statement in I Macc. 1:41, according to which Epiphanes



was supposed to have decreed throughout his entire realm that all inhabitants should become one people and that "each people should give up their customs," although it had been known for a long time that this statement deserves no credence. It served the Maccabeans chronicler, as we have seen, as a means to express the contrast between Israel and the idolatrous world. Today, the *a priori* of the ancient explanation, the mutually exclusive contrast between Judaism and (heathen) mankind, has been replaced by the contrary opposition of Judaism *vs* Hellenism. Perhaps one could assume that Epiphanes wanted to convert Jews to Paganism, but why should he want to turn them, and only them, into Greeks? The nonsensical idea that he wanted to Hellenize all of his subjects has been ascribed to him only by the most recent research. It was modern scholarship which invented the idea that the king everywhere wanted to introduce the cult of Zeus. But there exists unambiguous evidence, his coins, which demonstrates that Antiochus IV by no means followed a policy of Hellenizing the religions of his realm.

From 169/8 B.C. on, precisely the time at which the conflict with the Jews began, numerous cities of his realm received permission to mint small coins. In every case, the obverse shows the king's head in the crown of rays without any inscription. If the king is named at all (as on the reverse of the Phoenician coins), it says: "Of King Antiochus." This uniformity demonstrates that the picture and the title were prescribed. This makes it all the more noteworthy that the reverse of these coins, which is reserved for the emblems of the individual cities, does not show any uniformity. Every place, rather, displays the divinity that was especially revered there. At Adana and Nisibis we find Zeus Nikephoros (as on Epiphanes' own coins); Alexandria-Issos shows a standing Zeus; Laodices on the Sea displays her Baal, as identified with Poseidon; Sidon boasts of her city-goddess; Byblos issues her coins with the old-fashioned image of her divinity with six wings. The Phoenician cities, for the first time since Alexander the Great, add inscriptions in the local language. What, then, could possibly have motivated Epiphanes to replace on Mt. Zion the god of the fathers by the Olympian Zeus of the Greeks?

Only one scholar remained untouched by these tendencies of recent scholarship to understand the history of the Maccabeans as an episode in an ancient form of *Kulturkampf* (struggle between "church" and "state"), and this was Ranke. For him, the character of the Hellenistic kingdoms was determined by the process of syncretism among the polytheistic religions, a process which these kingdoms themselves carried through.

In contrast to this, the Jews remained monotheistic. This, of necessity, led to a conflict. The struggle of the Maccabees was the struggle of the true faith against idolatry (Ranke, *Weltgeschichte* II, 2, 154).

The preceding survey of the various explanations given for the persecution, incomplete as it is, suffices to illustrate two facts. First: the theory prevailing today is of recent origin and was developed under certain conditions. It was preceded by entirely different "prevailing" views, which likewise understood the action of Epiphanes in the light of ideas which were representative of the respective tendencies of their times. Scholars have always tended to "modernize" Antiochus, and for one generation, "modern" meant the personal politics of a potentate of the seventeenth century, for another, the *Kulturkampf* of the late nineteenth century.

Second: in this process, scholars relied sometimes on one and sometimes on the other statement in the Greek tradition, without ever attempting to understand the origin and development of this tradition. For this reason, they were never able clearly to understand that the fragments of the pagan tradition no more reflect the true picture of the events than does the Jewish tradition. The entire historical tradition about the period of the Maccabees is seen in retrospect, and the point of view under which this retrospection takes place, has been selected according to non-scholarly criteria. As far as pure facts are concerned, the tradition is excellent, and it serves us well in establishing the sequence of events. But it is entirely unreliable in its evaluation of the meaning of these events. In order to recognize this meaning, we have to learn to understand that the events themselves are contingent upon momentary conditions. For this task, we have to make use, first of all, of the contemporary documents. Thus we shall first attempt to present the mere sequence of events in Jerusalem, so that subsequently we can try to understand its significance.

## CHAPTER THREE

### THE COURSE OF EVENTS

#### 1. *The Seleucid Conquest*

In the year 332 B.C., Judea, at the time a province of the Persian Empire, was conquered by Alexander the Great. The Persian overlord was replaced by the Macedonian. After Alexander's death (323 B.C.), his companions in arms divided the huge inheritance among themselves. Ptolemy, the founder of the dynasty of the Lagides which ended with Cleopatra, took for himself Egypt and also Palestine. Syria and Babylonia fell to Seleucus. His descendents, the Seleucids, for a century were engaged in a struggle with the Lagides for the possession of Palestine and Phoenicia. Finally, in the year 200 B.C., Antiochus III of Syria defeated the Egyptian army and incorporated the disputed area in his kingdom.

The kingdoms of that time were quite different from the unified states of today. They rather constituted a conglomerate of political units which more or less administered themselves: cities, tribes, principalities. The advance of a hostile army dissolved the legal ties with the overlord. Every community decided for itself and on its own responsibility whether it wanted to resist the conqueror or surrender to him. This decision determined the fate of the community. If a community submitted in time, it was, as a rule, recognized as a community and usually left with the status in which the victor had found it. King Antiochus II restored the freedom of the ancient city of Erythrai in Asia Minor, "because the community had been autonomous and free of tribute under Alexander and Antigonus."

The continued existence of the community, however, meant its reconstitution as is shown by the example just adduced. With each submission, the community ceased legally to exist, and it was restored only through the will of the victor. The status of a subject city, therefore, rested upon the unilateral decision of the overlord at the time of submission. The king could, and had the right to, make dispositions for his city at any time he wished; he even could dissolve the community. Antiochus IV, for instance, once gave two cities (Tarsus and Mallos) to a concubine of his (II Macc. 4:30).

The Jews in the year 200 B.C. attached themselves to the Seleucid conqueror. "The Jews," wrote Antiochus III to his governor in southern Syria and Phoenicia, "from the very moment when we entered their country, showed their eagerness to serve us and, when we came to their city, gave us a splendid reception and met us with their council of elders, and furnished an abundance of provisions for our soldiers and elephants, and also helped us expel the Egyptian garrison in the citadel" (Josephus, *Ant.* 12:140). According to the legal rules, which we outlined above, the king could express his gratitude to the Jews by recognizing their autonomy and by granting them various privileges.

The relevant decree of Antiochus III still exists. Scholars have failed to pay it due attention or have even viewed it with suspicion. But this document, from which we just cited one sentence, must form the corner-stone for any reconstruction of the fate of Seleucid Jerusalem. For it constitutes the charter of liberty for the city and regulates its status within the Syrian kingdom.

The decree, in addition to various temporary arrangements made necessary by the events of the war, contains the following three permanent norms. The king proclaims that "all members of the nation should have a form of government in accordance with their traditional laws." He grants a subsidy toward the cost of sacrifices in the temple, and he promises freedom from taxes for "the council of elders, the priests, the temple scribes, and the temple singers."

These provisions, in principle, are by no means extraordinary. About a century later, a city in Asia Minor (its name remains unknown to us) has "the laws and the traditional constitution" given back to it in a similar way. The overlord grants a subsidy "for sacred matters and for the civil budget," and he permits that "each citizen shall retain possession of his real estate." In the Greek city, however, all the citizens enjoy the same rights, whereas in Jerusalem only the temple personnel is granted a privileged position. In Asia Minor the king returns the temple properties to the city, in Jerusalem, he himself – "in the first place," as he puts it – takes care of the sanctuary. In the Greek city, the state assumes responsibility for the permanent supply of oil for the use by athletes. In Jerusalem, the king provides oil, in addition to flour and wine, for the sacrificial service. In this way, the difference is expressed between the constitution of a democratic Greek polis and the theocracy over an Oriental people, the "ethnos," as Antiochus III calls Judea.

For with the restoration of Ezra and Nehemiah, Jerusalem had become a theocracy. The Jewish community was ruled by the priesthood.

The sanctuary formed the center, the daily cult the noblest content of public life. "Those of the Jews who live around the temple which is called Jerusalem," thus Polybius defines the Jewish community at the time of its transition from Ptolemaic to Seleucid rule (Polybius 16, 39, 3).

The provision that the people should live "according to the laws of their fathers," which we so frequently find in the Hellenistic charters of freedom, had, as we can see, a particular meaning for Jerusalem. For a Greek city, the clause meant the retention of the democratic constitution, of self-rule. But for the Jews, "the laws of the fathers" meant Torah. Only Torah and nothing but Torah. Every time Jewish texts and pagan rulers apply this Greek formula to the Jews, they mean the laws of Moses. In a Hellenic city, for example, the ancestral constitution determined the law for the election of officials. In Jerusalem, it prescribed the obligation to observe the Sabbath rest.

Jerusalem thus was a holy city, but not because of a sovereign decision on the part of the Jews. It was a holy city on the basis of a royal order which confirmed the "laws of the fathers" and thus assured their observance. When the philo-Hellenic high priest Jason introduced athletic contests to Jerusalem, the old believers complained that by this step he had violated the royal decrees which guaranteed the rule of divine law. "He set aside the royal privileges established for the Jews" by the kings (II Macc. 4:11).

The series of these privileges began with the decree of Artaxerxes I to Ezra in the year 459 B.C. Ever since Ezra, the Jews were sworn in by "the law of the god of heaven." Since this law was a royal law, it was binding. The contradiction, that the binding character of Torah was based upon a sovereign act of a pagan ruler who was an alien to the god who had issued this "rule of God" – is, in the final analysis, the explanation for the measures taken by Epiphanes.

## 2. *Jerusalem under the Seleucids*

The charter of freedom granted by Antiochus III speaks of "Judea and the other *ethne*." Indeed, the official designation for Jewry in the Seleucid documents is: "the *ethnos* of the Jews" (ἔθνος τῶν Ἰουδαίων, e.g., I Macc. 10:25). This phrase is translated best as "the nation of the Jews." But this expression by no means designated world Jewry; it referred merely to the people, land, and sanctuary of Jerusalem. In a

geographic sense, it corresponds to the land of Judea, as is indicated also by the sentence just quoted from the decree of Antiochus III.

This "nation of the Jews" constituted a subdivision of the satrapy of "Coele-Syria and Phoenicia." Its territory, before it was expanded by the Maccabeans, reached, in the east, to the Jordan; in the south, to Beth Zur, beyond which began the land of the Idumeans; in the west, as far as the territory of the coastal cities, *e.g.*, of Azot, which stretched far into the "great plain" of Sharon. To the north lay the territory of the Samaritans. Here the border ran, in the western corner, between Modein and the Samaritan Lydda; its further course remains uncertain. From this it is clear that the territory of the "Jewish nation" did not correspond at all to the area of Jewish settlement. Jews were settled also in the Greek or Hellenized cities of the area; they formed colonies in the Galilee, in Transjordan, etc. But only the territory of Jerusalem was considered "Judea." Jerusalem was the city of the Jews. In the charter of freedom already repeatedly cited, we read: "When we arrived in the city of the Jews, etc." All the other settlements of the nation, from the legal point of view, were mere villages, dependent upon Jerusalem.

The official designation as an "ethnos," which was applied to the Jews, was shared with many other peoples of the kingdom. The Seleucid administration divided self-ruling communities into three categories: "polis," the Greek form of the city state; "dynasty," a vassal principality; and "ethnos." This term described formations of Oriental tribes who were ruled by native heads and leaders.

The label "ethnos," therefore, indicates, first of all, that the Jews enjoyed self-rule under the Seleucids. Indeed, the king was interested in no more than the supply of auxiliary troops and the regular payment of taxes.

In the case of war, the Seleucid army, for more than half of its total strength, consisted of Oriental troops. The Maccabees Jonathan and John Hyrcanus, as vassals, had to place Jewish regiments at the disposal of the Seleucid kings (I Macc. 10:36). We can be certain that the "Jewish nation" had been drafted for war service even before then, although we do not possess any evidence for this.

We are better informed about the taxes imposed upon the land. Judea constituted a customs district, at whose borders export, import, and transit fees were collected. From this tariff Antiochus III exempted the construction materials destined for the temple in Jerusalem. In addition, the Jews had to pay personal taxes: a head-tax, the so-called

“wreath-money,” which had developed out of voluntary gifts for the sovereign, and finally, the “salt-tax,” the nature of which remains unclear. The assessment and collection of these taxes was probably handled by tax farmers, with the cooperation of the community. It does not appear that the central administration had its own revenue officials in Jerusalem.

According to a later document (I Macc. 10:42), the temple paid a flat fee in lieu of the tax on private offerings. The people as a whole were subject to tribute. Every self-administering community of the kingdom, city, village, or tribe, paid directly into the royal treasury a fixed annual sum, which for Jerusalem, before the Maccabees, probably amounted to 300 silver talents. The tribute was considered a substitute for the victor’s right to dispose of the property of the conquered. Its payment was understood as acknowledgment of the foreign sovereignty. That means that the leadership of the community was responsible for the payment of the tribute.

In Jerusalem, the Jewish leadership was aristocratic in character. Antiochus III, in his charter of freedom for Jerusalem, stressed that the people had met him “with the council of elders at their head.” And indeed, an “ethnos,” in contrast to principalities and the democratic “polis,” was ruled by its nobility. The peculiar character of Jerusalem lay in the fact that its aristocracy consisted primarily of priests. Here, as Josephus says (*Vita* 1), the priesthood serves as proof for noble descent.

The “nation” was represented by the assembly of the heads of families, both priestly and lay. In the Aramaic documents of the Persian period (end of the fifth century) they are described as the “prominent among the Jews.” During the Greek period they are usually called “the elders.” They constituted the reigning senate of the nation, the “gerousia.” The documents refer to these leaders of the people in addition to the high priest. “King Demetrius to Simon the high priest and friend of kings, and to the senate and nation of the Jews, greeting” (I Macc. 13:36).

The priesthood formed a closed, hereditary nobility. The documents distinguish strictly between “the sons of Aaron” and “the people.” The prescript of an official letter of the Jewish community, for instance, runs as follows: “Jonathan the high priest, the senate of the Jews, the priests, and the rest of the Jewish people” (I Macc. 12:6). The customary tripartite division of the Hellenic city: magistrates, council, citizens, thus finds as its counterpart in Jerusalem’s hieratic organization: high priest, elders, priests, people. The state recognized this structure of the “nation of the Jews:” the “gerousia,” the priesthood, and two groups of

Levites, the temple singers and temple scribes, were all exempted from personal taxes according to the decree of Antiochus III. The “gerousia,” predecessor of the sanhedrin of the Roman period, probably counted some seventy members, among them some priests. The total number of priests, according to a Greek traveller in the year 312 B.C., was about 1,500 (Hecataeus, in Josephus, *c. Ap.* 1:188). If one compares these two figures and keeps in mind that only the holders of certain offices were exempt from the tax among laymen and Levites whereas the exemption was granted to the entire priesthood, it becomes clear that the priesthood, which lived throughout the towns and villages of Judea, constituted the most influential group among the population. The aristocratic regime of the “nation of the Jews” was a hierocracy.

At the head of this hierocracy stood the high priest. His rule and his position in Seleucid Jerusalem have frequently been misunderstood, and for this reason they deserve our special attention. People usually see in him only as the head of the Jewish priesthood, the “Kohen Ha-Gadol.” But he was also, first and foremost, a representative of the Seleucid king.

The high priests had achieved their position as princes only during the third century B.C. That probably happened when they assumed responsibility for paying the tribute on behalf of their people. Later it was told in Jerusalem of the high priests of the third century B.C. “that they had paid the tribute for the people out of their own property” (Josephus, *Ant.* 12:158). In Seleucid Jerusalem, at any rate, it was the high priest who transmitted the tribute to the king and was responsible for this procedure (II Macc. 4:24, 27).

In this, or some similar, manner, the high priest gradually separated himself from the rest of the priesthood. As late as 400 B.C., “his colleagues, the priests in Jerusalem” still stood at his side (A. Cowley, *Aramaic Papyri* (1923), 30, 18). Around the year 300 B.C., the Greek traveller Hecataeus wrote that Moses had entrusted the government, the administration of justice, and the supervision of the people to the priesthood, at the head of which stood the high priest who was the “transmitter of the divine commandments” (in Josephus, *c. Ap.* 1:188). A century later, the officiating priest, for Jesus ben Sira, is a ruler who “applied his mind to protecting the people from ruin and strengthened the city against siege” (Ecclus. 50:4).

For, in the meantime, the high priest had acquired the position of a prince also in relation to the external world. Around the year 400 B.C., he had a royal governor above him residing in Jerusalem. During



the Seleucid period, this figure disappeared. Now (apart from the commander of the troops of occupation), the royal power is represented in Jerusalem by the high priest, who is also able to deal directly with the king and the governor of the province of “Coele-Syria and Phoenicia” (II Macc. 3:5; 4:4, 27; 8:8; 10:15).

For exactly this reason, it was not, as Hecataeus described around the year 300 B.C., the Jewish people or the priesthood who selected the prince-priest of Jerusalem, but the royal authorities. As a rule, they selected the holder of this office from among the sons and brothers of his predecessor, that is, within the family of Pinchas. At any rate, the overlord – the satrap in the late Persian period and the king during the Greek era – could appoint and dismiss the high priest at his discretion. The same pattern was also applied in the other priestly principalities of Asia.

The antinomy of the theocracy in Jerusalem finds its political expression in this double role of the high priest. The high priest received from God “his commandments, with authority to pronounce legal decisions, to teach Jacob his decrees and enlighten Israel about the law” (Ecclus. 45:17). But he was appointed by the pagan ruler and had to be a man after the ruler’s heart. Let us just imagine that the Turkish Sultan had to appoint the Roman Pope: that is how paradoxical the situation was in Jerusalem. It managed to survive for centuries because the overlord, first the Persian and then the Macedonian, stayed out of internal Jewish conflicts. The situation became untenable as soon as the pagan ruler interfered in Jewish religious squabbles. This happened under Antiochus Epiphanes because of an accidental and unique conjunction of political and religious events.

### 3. *The Antiochenes in Jerusalem*

Antiochus IV Epiphanes became king in the winter of 176/5 B.C. Soon after that, he dismissed the high priest Onias and transferred the office to his brother Jason, who promised an increase in the payment of tribute. At the same time, however, “he undertook to pay another hundred and fifty talents for the authority to institute a sports-stadium, to arrange for the education of young men there, and to enroll in Jerusalem a group to be known as the ‘Antiochenes’” (II Macc. 4:9). In the parallel account, we read that “some of the people . . . went to the king and received authority to introduce pagan laws and customs. They built a sports-stadium in the Gentile style in Jerusalem” (I Macc. 1:13f.).

The "gymnasium," *i.e.*, the sports-stadium, during the Hellenistic period formed the symbol and basis for the Greek way of life. Physical education was something alien to the Oriental, but a natural thing for the Greeks. Wherever Greeks came together, or people who wanted to be counted as Greeks, they started athletic exercises. One example out of an innumerable number: in the year 230 B.C., in a Samaritan village in Egypt, a gymnasium was founded by a Cilician, and dedicated to the king.

When native people participated in the gymnasium's athletic contests, they were accepted into the ruling class, and, for their part, they acknowledged the hegemony of the Greek way of life. The native language of the Sidonians was still Phoenician, and their organization still patriarchic, when in the year 200 B.C. the city in a Greek poem publicly honored the citizen who was the first to win the Nemeian chariot race and thus prove that Sidon excelled not only through her ships, but also through a successful team of horses (G. Kaibel, *Epigrammata Graeca*, 932).

The sports-stadium was also the place where all the Hellenes met. Wherever the Greek city, the "polis," did not exist, as was the case in Egypt, the institution of the gymnasium served as a reasonable surrogate, in which the Hellenistic culture of the native inhabitants could find its expression. In the open countryside of Egypt, the head of the gymnasium was, at the same time, the leader of the Greek colonists. In the year 123 B.C., during the struggles between two Egyptian districts, young men educated at a gymnasium appear as the representatives of the Greek population, whereas the local people are represented by their priests. The establishment of a sports-stadium in Jerusalem, then, actually meant that "Jason made the Jews conform to the Greek way of life," as II Maccabees put it (4:10).

Jason also received permission to enroll the "Antiochenes of Jerusalem." The community of the gymnasium, which was named after its royal patron, thus also became a legal entity and was incorporated within Jerusalem. Such Greek or otherwise alien communities in the midst of a foreign population are frequently found in other places of the Hellenistic Orient as well. They were mostly called "politeuma," "bodies of citizens"; in Syria and Asia we also frequently encounter the term "demos," "citizenry." The Jews of Alexandria, for instance, constituted a community which stood under an "ethnarch," who administered justice for it according to the Jewish tradition, and who issued decrees for it, "like the head of an independent body of citizens." In the Egyptian town of Memphis, a special community of Greek settlers

lived in a "Hellenic" quarter (Josephus, *Ant.* 14:117). Gaza, during the second century, was an Oriental "ethnos," and for this reason it was considered by a Greek observer in conjunction with the Jews and the Idumeans. But within this "ethnos," probably under Seleucus IV (187–175), a Hellenized corporation was formed, which on its bronze coins called itself the "demos of the Seleucians at Gaza." In 174/3 B.C., a similar community developed also at Akko-Ptolemais. This corporation minted copper coins under the name of "the Antiochenes at Ptolemais," whereas the city itself did not possess the authority to mint coins. We have to picture the "Antiochenes in Jerusalem" as a similar organization. Two details about its constitution have been transmitted to us. First: Jason established the "epheby." Just as in some Greek cities (Pellene in Achaea, Alexandria under the Ptolemies), only former "ephebes" (that is, Greeks who had completed their education at the gymnasium) possessed the rights of citizenship; or, just as the geographer Strabo found "gymnasia and ephebic fraternities" as evidence for the formerly Greek character of the Roman city of Naples, so also only the completion of a Greek education supplied open access to the Hellenistic community in Jerusalem. Whereas in other cases of urbanization in Syria the existing tribes were reorganized as Greek "phylae," the Greek community in Jerusalem rested on a different foundation, that of a common education and culture.

Second: the new corporation was a personal foundation of Jason's which had been approved by the king. Jason had to compile a roster of its members, in accordance with the general custom in the Greek world that the founder of a society selected its members and charged a fee at the time of admission.

Next to the sanctuary there arose now the "gymnasium." This was by no means exceptional. Jerusalem was not the only "sacred" city. Asia was full of so-called "temple states," in which the sanctuary formed the center of life and the priests ruled just as in Judea. In Asia as well, the Greeks slowly introduced their way of life. At Comana, the temple city of the goddess Ma in Cappadocia, there lived, besides the cult personnel and the sacred slaves, also free and foreign settlers. King Achelaus (63 B.C. till A.D. 17) constituted a "demos" out of this bourgeois population, which gradually developed into a Greek-Iranian-Cappadocian polis and remained in close contact with the sanctuary. In an inscription the high priest is mentioned and he was also the gymnasiarch of the city at the very same time.

Such a symbiosis of holy city and Greek gymnasium was initiated also

in Jerusalem through Jason's foundation. But whereas athletic contests were merely unfamiliar to Cappadocian custom, they were objectionable according to Jewish law. Moreover, this sacred law according to the charter of Antiochus III was also the valid public law in Jerusalem. Only the king was allowed to grant exemptions from this law, just as he could revoke the privileges he granted at any time. Jason, therefore, had to apply to the king for the proper authorization, and he began his project only "when the king agreed" (II Macc. 4:10). Now we can understand why this permission was granted only to him personally, and why he had to promise the Greek ruler money in order to be allowed to introduce Greek customs in Jerusalem. All this, according to Seleucid law, was entirely legal. But with his decree Epiphanes suspended, not only the absolute validity of the charter granted by his father, but also the exclusive rule of Torah in Jerusalem. Thus began the crisis of Jewish theocracy, which rested upon an expression of the will of a ruler of a different faith.

The athletic contests, quite apart from everything else, were inseparable from the cult of Heracles, of Hermes, or of the ruling dynasty. Foreign gods and their idols thus were the protectors of the "gymnasium" in Jerusalem. It was, therefore, entirely proper for the "Antiochenes in Jerusalem" to send a delegation to the pagan contests at Tyre and to bring them a gift for Heracles, the god of the Tyrians and sports. The delegates, of course, offered a sacrifice to the god in whose honor the festival was being held.

It is noteworthy, however, and should be stressed, that the delegates requested that the money should be used for some other purpose and not for sacrifices, because "they thought it improper" (II Macc. 4:19). These "Antiochenes," after all, remained Jews, even though "liberal" ones. It was especially the priests who were most active in the sports-stadium and who, as soon as the signal for the daily opening was given, rushed to the arena (II Macc. 4:14). Jerusalem still remained the sacred city. As before, the high priest stood at the head of the "ethnos," represented it before the king, disposed of the temple treasures and transmitted the tribute to the king (II Macc. 4:23, 33). Beside him, as before, functioned the *gerousia* (II Macc. 4:44), and, as in earlier times, people quarrelled over the position of the head of Jewry with the lively participation of the population of Jerusalem (II Macc. 4:39) and the diaspora (II Macc. 4:35). For some years, this head was Jason, then Menelaus, who followed the Greek way of life no less eagerly than his predecessor. These high priests, then, one minute watched the exercises of the

naked ephebes in the palaestra “directly below the citadel,” and the next, climbed the steps of the altar to offer sacrifices, adorned with the princely golden crown over the tiara, while the bells attached to the gowns of the sons of Aaron rang, “to make music as they walked” (Ecclus. 45:9). We must try to realize for ourselves the juxtaposition of these scenes, in order to make clear that, what was natural to the Greeks and an abomination to the Hebrews, could be seen in Jerusalem year after year. No schism occurred because of this, either in Jerusalem or in the diaspora. No new Pinchas (I Macc. 2:26) raised his hand against the transgressors of the law, and no indignant revolt broke out among the people. On the contrary: when the king, whose permission alone made it possible that “the lawful way was abolished and practices which were against the law were introduced” (II Macc. 4:11), passed through Jerusalem in the year 174, “he was lavishly welcomed by Jason and the city and received with torch-light and ovations” (II Macc. 4:22). It was not the Jews, but the king himself who put an end to this symbiosis of palaestra and temple.

#### 4. *The Acra*

When Antiochus III granted the Jews a charter in the year 200, he, “Antiochus the Great,” conqueror of the Orient and victor over Egypt, stood at the peak of his power. Thirteen years later, he was killed during an attempt to plunder a temple in Elam (Persia). In the meantime, he had been defeated by the Romans, lost Asia Minor, and, in the year 188, he had to agree to pay an enormous war indemnity to Rome in annual installments. In order to finance these payments to Rome, he tried to get hold of the treasures of the Persian sanctuary.

His sons, first Seleucus IV (187–176), and then Antiochus IV, inherited the financial problems of their father together with the kingdom. Seleucus IV tried to abolish the financial autonomy of the temple in Jerusalem. But Heliodorus, to whom he assigned this task, was driven from the temple by angels, as we are told by the second book of the Maccabees (chapter 3), and as has been vividly portrayed in the paintings of Raphael and Delacroix. Antiochus IV preferred to get his hands on that money by a different method: he awarded the office of high priest to the highest bidder. Accordingly, he first deposed the high priest Onias (*ca.* 175 B.C.), and eventually conferred the dignity upon a certain Menelaus, a priest of the family of Bilgah and brother of

a certain Simon. Simon had already occupied a high position in the temple hierarchy during the reign of Seleucus IV (II Macc. 3:4). With the appointment of Menelaus, the high priesthood no longer belonged to the ancient priestly family of the Oniads, which traced its lineage back to Zadok, the archpriest of the temple of Solomon. The deposed Jason, in the wake of Menelaus' appointment, fled across the Jordan into the land of the Ammonites.

Menelaus received the high office because he had promised the king more money than his predecessors. When he could not come up with the amount, he was summoned to court in the year 170. In order to obtain money, he began to sell golden temple vessels. Against this the former high priest Onias, who had been staying in Antioch, raised his voice in protest. Menelaus, who evidently feared that his failure would result in the reinstatement of Onias, had him removed from the scene by bribing a minister. According to the account found in II Maccabees, Epiphanes was greatly incensed at this and had the responsible minister (Andronicus) executed. But strangely enough, the instigator of the whole affair, Menelaus, remained unmolested. He now was the master of Jerusalem. When he continued to sell temple treasures to Phoenician traders, a popular revolt broke out in Jerusalem, and the council of the city brought an indictment against the high priest before the king. But the matter was decided in favor of Menelaus, who continued to practise his skill in bribery. (These events are known to us only from the account in II Macc. 4:29ff.)

His alliance with the government rested upon the solid basis of a common financial interest. Menelaus sold temple treasures in order to obtain the money he had promised the king (II Macc. 4:39). In the fall of 169 he even allowed Epiphanes to plunder the temple thoroughly. The king showed up in Jerusalem and left the city not only with all the golden votive offerings and cult vessels, such as the altar for the incense offering, but he even robbed the valuable decorations on the structure of the temple itself: "he stripped off all the gold." The value of the booty allegedly amounted to 1,800 talents (I Macc. 1:20; II Macc. 5:21). This, if the figure is reliable, would correspond to almost twice the annual installment of the payment of indemnities to Rome. If we keep in mind that Antiochus III had lost his life in similar attempts to rob Oriental sanctuaries and that Antiochus IV himself was going to be killed under similar circumstances, then we can understand how important the high priesthood of Menelaus was for Epiphanes. Thus, the enemies of Menelaus could only count on force as a means to

remove him. But since Menelaus was supported by the king, it was obvious that the propitious moment for attack could come only during a crisis of the kingdom itself. The crisis came, so it seemed, during the second Egyptian war of Epiphanes.

From its very beginning, the house of Seleucus had been involved in a struggle with the Lagides over the possession of Palestine and Phoenicia. During the third century, the struggle led to five wars and alterations in the territorial possessions. It was only natural, then, that in every city of the disputed territory Seleucid and Ptolemaic parties were feuding with one another. The situation was no different in Jerusalem. "When Antiochus the Great fought against the military leader Ptolemy (202–200), Judea, which lay right between the two warring parties, was torn by the struggle between two parties, one of which favored Antiochus, the other Ptolemy." This was reported by Jerome, in order to explain a passage in Daniel (11:14): "During these times many will resist the king of the south, but some hotheads among your own people will rashly attempt to give substance to a vision and will come to disaster." Jerome's interpretation of Daniel reveals that certain biblical prophecies were interpreted as speaking for and against Egypt.

Even after southern Syria had come under Seleucid rule at the end of the century, the Alexandrian court continued to set forth its claims. The activity of the Egyptian party did not cease in the conquered territory, where the mass of the people were more inclined toward the Lagide house, as Polybius remarks at one point (5, 86, 10).

In Jerusalem, the Syrian party was represented by the "sons of Tobias." This clan, which had fought Nehemiah around the middle of the fifth century, appears in the papyri around the middle of the third century as a dynastic family in Transjordan; they stood under the supreme rule of the Ptolemies. Josephus, the son of the Tobias mentioned in the papyri, became the general tax farmer for the Egyptian provinces in Syria. Under Seleucid rule, the family retained its prominent position in Jerusalem. It was not of priestly descent, but of Ammonite origin. It is possible that for this reason it pushed Menelaus (and before that, his brother Simon) into priestly positions. At any rate, the Tobiads supported Menelaus. This, in turn, drove the former high priestly family of the Oniads to associate itself with the Egyptian party. We may add two further facts in order to indicate how complicated the situation was in Jerusalem. Under Seleucus IV, one of the Tobiads, Hyrcanus, tried to seize Jerusalem by force, but was defeated by his own clan, who for once went together with the high priest from the

house of Onias. On the other hand, the high priest Onias had to vacate his office for his own brother Jason. Thus we can see that squabbles over principles, connections with foreign powers, family rivalries, and personal ambition were just as intimately involved in the struggle over the Jerusalem priesthood as in the struggles between the Guelphs and the Ghibellines in the Italian towns of the middle ages.

When Antiochus IV, in spite of his victories over the Egyptians during a new war, and, as a result of the diplomatic intervention of the Romans, had to vacate Egypt during the summer of 168 thereby losing the war he had won on the battle-field, the hostile party once again became active in those parts of Syria which had once been under Ptolemaic rule. During his retreat, Antiochus "had to storm Arados, which resisted him, and he devastated the entire territory along the Phoenician coast" (Jerome, *ad Dan.* 11:44).

Jerusalem was also among the rebellious towns of the year 168. The Oniads took Jerusalem into their hands under the leadership of Jason, the deposed predecessor of Menelaus. The detailed circumstances have deliberately been confused in the tradition. The Seleucid historiography, in order to explain, and thus excuse, the measures taken by Antiochus against the Jews, connected this revolt with both the religious persecution (which actually started a year later) and with the plundering of the temple (which actually had taken place a year before). To the Greek public, this plundering of the temple appeared as a godless robbery and sacrilege. The Jewish tradition, too, for understandable reasons, felt little inclined to discuss in great detail the riot and revolts in Jerusalem during the late summer of the year 168. The events are passed over in silence, not only by Daniel, but also by I Maccabees. The second book of Maccabees merely reports that the deposed high priest Jason, upon hearing the rumor that Antiochus IV had died during the war against the Egyptians, had tried to regain his office by force of arms and occupied Jerusalem. But then, it is reported, he fled, while the king, informed of this, erroneously assumed that Judea had fallen away from him. The Seleucid tradition, on the other hand, speaks of a real rebellion. According to this version, the Ptolemaic party, under the leadership of the Oniads, had expelled the "sons of Tobias," another influential family, with the incumbent high priest Menelaus at its head. The Tobiads, this tradition continues, then fled to Antiochus, who then proceeded to conquer Jerusalem and killed a large number of the adherents of the Egyptian party.

Even though, as I said, the detailed circumstances of the revolt



may remain unclear, its purely political character is obvious. This was not a struggle between Hellenists and old believers, but it was rather an episode in the rivalry between two houses and two ambitious city heads. Jason, who had started with the Hellenization of the holy city, wanted to replace his successor Menelaus and started in the city a reign of terror. Jewish tradition condemned his project. In the year 142 the congregation of Jerusalem sent a demand to the Egyptian Jews to observe the festival of Hanukkah. In this document, they designated as the beginning of all the troubles the day on which Jason “set the gate on fire and shed innocent blood” (II Macc. 1:8).

The royal government, on its side, considered the rebellion a purely political enterprise. The Jerusalemites had tried to free themselves from Seleucid rule. Royal troops occupied the city by force of arms. In the process, many of the inhabitants lost their lives. Women and children were sold as slaves. For according to ancient conceptions, the population of a city bore a collective responsibility for the actions of their government. It was even customary to punish the city itself as an organism for insubordination. This is what happened to Jerusalem in the year 168.

The walls of Jerusalem were razed. On the hill opposite Mount Zion, which was called “the city of David,” a citadel was erected “enclosed by a high, stout wall with strong towers” (I Macc. 1:34). The military significance of these measures is obvious and is made clear by numerous references in the books of the Maccabees (I Macc. 6:26; 9:53; 15:28). The fortress became the base for the Seleucid rule in Judea. Here the troops of occupation were garrisoned; here hostages were kept and stores of weapons collected. From here, Seleucid troops were henceforth to operate. Thus Zion was watched and oppressed.

The fortress, “the Acra” (*i.e.*, citadel) in Jerusalem, as it is called in the books of the Maccabees, however, was more than just a citadel. It also had a civilian population. On the one hand, these were “pagans, the people of sinners” (I Macc. 3:45). The punishment of Jerusalem had also involved a comprehensive confiscation of real estate; the disappropriated land was assigned to the foreign colonists. “He will garrison his strongest fortresses with aliens, the people of a foreign god. Those whom he favors he will load with honor, putting them in office over the common people and distributing land at a price” (Dan. 11:39). Such a colonization was a favorite measure to punish an insubordinate province and keep it in line. According to an account in Flavius Josephus, King Ptolemy, because of non-payment of tribute, threatened to colonize

Judea with military settlers (*Ant.* 12:159). Antiochus III sent two thousand Jewish families from Mesopotamia to Lydia and Phrygia, which were in revolt, so that they could be “good guardians of our interests.” They were distributed among the most important locations and were given land and privileges (Josephus, *Ant.* 2:148).

But the Acra also housed renegade Jews (I Macc. 1:34; 6:23ff.; 11:21). During the brief rule of Jason, Menelaus and his followers held out in the citadel of the temple (II Macc. 5:5). They were now transferred into the new city and, as the quotation from Daniel shows, received their share of real estate. From this point on, the “men from the citadel” (I Macc. 4:2) appear on every occasion as oppressors of the true believers and enemies of the Maccabees.

The Acra, however, was more than the dwelling place of the colonists and a place of refuge. When the Maccabees had already occupied all of Judea and numerous neighboring places, Antiochus VII demanded of them the return of Gazara, Joppa, and Acra, “cities of my kingdom.” Antiochus accuses the Jews as follows: “You have laid waste their territories and done great damage to the country” (I Macc. 15:28). We know that in antiquity a city usually also ruled over a number of dependent open settlements in the countryside. Josephus occasionally speaks of “villages and small towns that belong to Joppa” (*B.ḡ.* 3:428). The area of Gazara, the biblical Gezer, is mentioned as early as the fifteenth century B.C., and during the Seleucid period it is referred to in I Macc. 4:15.

Before the year 168, the legal position of Jerusalem in Judea corresponded to the position of Gazara, Joppa, etc., in respect to their surrounding territory. The foundation of the Acra on the former territory of Jerusalem, therefore, amounted to a dispossession of the holy city. This development was by no means unusual. The Hellenistic princes liked to establish their colonies in the temple territories or in the area of an Oriental tribe, especially when an insubordinate populace was to be subjugated. When some Samaritans had murdered the Macedonian commander, Alexander the Great occupied Samaria, punished the guilty and settled in the city Macedonian colonists. From that time on, the place was a Hellenic community, where the law of Moses was no longer valid: we have found there dedications to pagan gods dating from the third century B.C. At that time, Shechem became the metropolis of the Samaritan people.

The Acra certainly received a Hellenic constitution, about which, however, we know no precise details. Even the official name of the city

remains unknown. But as soon as we take into consideration the fact that “those in the city of David who are in Jerusalem” (as a Jewish document of the year 140 describes the inhabitants of the Acra [I Macc. 14:36]), constituted a Jewish-pagan colony, we can hardly escape the conclusion that this city was a Greek “polis.” We know that the Seleucids used to organize their cities as Greek communities, and, according to Josephus, the Jewish aristocrats themselves requested the king to grant them a “constitution in the Greek manner” (Josephus, *Ant.* 12:240).

### 5. *Acra and Zion*

The founding of the Acra on a hill opposite the temple mount, of course, had to lead to a considerable change in the legal position of Jewry. A document allows us to be more precise about this change, its meaning, and its consequences. During the summer of the year 163 the Syrian government concluded a peace treaty with Judah Maccabeus. The concessions made by the Syrians were edited in the form of a decree under the name of the new king, Antiochus V (Epiphanes had died in November–December 164 B.C.). “We have learnt that the Jews do not consent to adopt Greek ways, as our father wished, but prefer their own mode of life and request that they be allowed to observe their own laws. We choose, therefore, that this nation like the rest should be left undisturbed, and decree that their temple be restored to them and that they shall regulate their lives in accordance with their ancestral customs” (II Macc. 11:24f.).

From this decree of Antiochus V we learn three important historical facts about the policies of his father. Antiochus IV had suspended the traditional Jewish constitution, had taken their temple away from the Jews, and had imposed “Greek ways” upon them. These brief statements in the document call for an explanation.

According to the charter of privileges of Antiochus III, frequently quoted, all Jews were to live “according to their ancestral customs.” This privilege lost part of its force when the corporation of the “Antiochenes in Jerusalem” was founded; in the year 168, Epiphanes suspended it altogether. The law of Moses no longer was a royal code and in its place stepped a “Greek way of life.”

What does the adoption of “Greek ways” mean, which was ordered by Antiochus IV and suspended in the year 163 by the decree of Antiochus V? It cannot be connected with enforced religious conformity,

since, as we shall see, religious freedom had already been established the year before, by Epiphanes himself. And indeed, the expression "Greek conditions," as we could very poorly translate the Greek phrase τὰ Ἑλληνικά when spoken by a Seleucid, does not at all mean the observance of the pagan cult. This remains true in spite of the fact that, on the basis of the usage in Jewish and Christian authors, the term is usually understood in that sense. For the Greek, the formula expresses the notion of the Greek way in general. In the decree of Antiochus V, the term, which is contrasted with the Jewish constitution, points to the form of public life peculiar to the Greeks. It is a characteristic of the non-Greeks, the barbarians, to live without a city community. The Hellene lives within a municipal organization, in a "polis," *i.e.*, he lives as a member of a citizenry. When the geographer Strabo describes Egypt, he says of the only "polis" which, in addition to Alexandria, this country possesses: "The city of Ptolemais, the largest in the Thebaid . . . , whose political institutions exist after the Hellenic pattern" (Strabo, 813). Under Augustus in Cyrenaica, and half a century before that also in Asia, the term "Hellenes" designates the citizenry of those communities which have been established in the Greek manner. Their particular political constitution is what distinguishes Hellenes from the inhabitants of the open countryside and the native tribes.

This means that Antiochus IV had imposed upon the Jews a Hellenic constitution in place of the law of Moses. And indeed, Josephus reports that the Hellenized high priest Menelaus and his followers requested of Epiphanes permission "to abandon the ancestral laws and their own constitution, and instead to follow the royal laws and to obtain a political constitution in the Greek style" (*Ant.* 12:240).

What are we, in this case, to understand by the "constitution in the Greek style"? Since the Jewish "nation" was organized around the temple, we first of all have to understand the legal position of Zion during the years 168 to 163, in order to be able to answer our question. The statements found in the books of the Maccabees permit us to make the following observations. First: the temple continued to exist (I Macc. 3:45, 51; I Macc. 8:2), even though, in the view of the books of the Maccabees, it was "profaned." Its high priest, who continued to be the philo-Hellene Menelaus, remained the head of his people. We are told that in the year 168 Epiphanes left his prefect behind "to oppress the people" and that Menelaus "was more brutally overbearing to the citizens than the others" (II Macc. 5:23). And, indeed, it is Menelaus who in the year 164 appears as the mediator between the

king and the people (II Macc. 11:29). When, several months earlier, the vice-regent Lysias undertook a punitive campaign against the Jews, he not only wanted to turn Jerusalem into a settlement for Greeks, but he also collected money from the temple since, after all, the sanctuaries of the pagans, too, were subject to the payment of taxes. And finally, he wanted to make the high priesthood an annual office which would be for sale (II Macc. 11:2). We note just in passing, then, that Zion still retained its tax privileges. It should further be stressed that the temple continued to constitute the center of Jewry, since otherwise the threat of Lysias would have been pointless.

Second: in spite of all this, the sanctuary no longer belonged to the Jews. This is a clear conclusion to be drawn from the fact that in the year 163 the temple was returned to the Jews. That means that we stand before an apparent contradiction. During the years 168 to 163, Zion continues to be the center of Jewry yet it no longer belongs to the Jewish people. Inseparable from this contradiction is a second one, which concerns the legal position of the "nation of the Jews" during the same quinquennium.

The books of the Maccabees lament the fate of Jerusalem after 168. The city became "like a wilderness, deserted by her children" (I Macc. 1:38). Such biblical similes must be understood correctly. When the Jewish historian speaks of the "destruction" of the people or of the holy city, he imitates the language of Scripture regarding the catastrophe of Jerusalem which had been announced by the prophets and brought about by the Babylonians, "...and I will make the cities of Judah desolate and unpeopled" (Jer. 34:22). Today we know that, in spite of all this, Judea, during the period of the exile, was not a place of ruins. And neither did the punitive expedition of the year 168 desolate the land. The "nation of the Jews" continued to exist, both in the material and in the legal sense. Only in the year 164, when he was embittered by the struggle against the Maccabeans, did Epiphanes want to extinguish Jewry, and "to settle foreigners in all their territory, and allot the land to the settlers" (I Macc. 3:36). During the same year, a royal letter was addressed to "the Jewish senate and people" (II Macc. 11:27).

The chief town of the nation was by no means turned into a heap of rubble during the year 168. True, the Syrian soldiers did burn down some houses in Jerusalem (I Macc. 1:31). But as late as the year 167, Epiphanes still issued orders demanding the conversion of the city, and "those who had remained in Jerusalem" obeyed those orders. During

the year 164, a royal army marched against “the inhabitants of Judea and Jerusalem,” and the Jerusalemites watched the sky for signs of the approaching catastrophe.

But the place survived merely as a “remainder of Jerusalem”; it now was only an open, unenclosed settlement. Its belt of walls was razed by the Syrians in the year 168 (I Macc. 1:31). During antiquity, this was the customary penalty inflicted upon an insubordinate city which thereby lost the guarantee and symbol of its independence. As an open place of settlement, it was made subordinate to some other city, a walled “polis.” This, it would seem, was also the fate of Jerusalem in the year 168. The former “head” of Judea (cf. Josephus, *B. J.* 3:54) became an open place of settlement that was attached to the Acra. On the basis of this assumption, we can explain the double contradiction stated above, namely the fact that during the years 168 to 163, the “nation of the Jews” continued to exist around its sanctuary, but that this sanctuary no longer belonged to the Jews, while, on the other hand, the Jews at the same time possessed a Greek constitution.

If, indeed, Jerusalem and its temple were incorporated within the territory of the Acra, this would have resulted in the switch of the Jews to the Hellenic way of life and the discontinuation of the traditional Oriental manner. Hellenization always took place by incorporating Oriental settlements within a “polis.” The population of the annexed places then gradually adopted Greek culture and, to a greater or lesser degree, was given access to the rights of citizens of the “polis.” This by no means required the dissolution of the “nation of the Jews.” This nation could continue to exist as a federation of Jewish villages: Jerusalem, Modein, Bethoron, etc., around the temple. The high priest Menelaus, was certainly a citizen of the Acra, and therefore he always remained the head of the Jewish nation. The temple itself, however, no longer belonged to this nation, but rather to the citizens of the Acra.

It was a general rule that a polis acquired the main temple of the surrounding territory assigned to it. When Athens unified Atica, the temple city of Eleusis, with its sanctuary for the mysteries, was, among others, incorporated into the new state. Eleusis became a rural community (*demos*) of the Athenian state structure. It was allowed exceptional privileges, including even that of a mint of its own. For a long time, Eleusis continued to be enclosed within strong walls. But from the unification on, the sanctuary of Demeter at Eleusis was controlled

by the Attic state, which also regulated the affairs of the mysteries. When the village of Lanbranda in Caria, famous for its sanctuary of the local god, whom the Greeks called "Zeus," was subordinated to the polis of Mylasa, the temple, as Strabo put it, became the property of the city, and the god, a heavenly patron of Mylasa (Strabo, 659). One more example: the sanctuary of the Carian "Zeus" at Panamara, a little over seven miles from Stratoniceia, became a dependency of that polis. Throughout this process, the Carian community, "the association of the Panamarians," continued to exist with its usual revenue, magistrate, etc., and, as before, continued to regard the temple as its center. The honorary citations of the Panamarians always mention that the person honored had done pious works on behalf of the sanctuary. Priests of the god, however, were even appointed citizens of the polis itself. Thus the Panamarians were able to honor a former priest of the god, who had earned special merits on behalf of the temple by providing documentary proof of its privileges. This former priest received the rights of a citizen of Panamara: "He and his descendents shall enjoy citizenship and share in everything the Panamarians do as a community" (H. Oppermann: *Zeus Panamarios*, 1929).

These examples from antiquity may serve to illustrate the relationships existing between the Acra, the Jews, and the temple on Zion. They also show that the solution to the contradictions in these relationships is by no means unique and entirely corresponds to the legal thinking of that period.

We do not know the details about the organizational structure in Judea. True, we hear from 168 on that Jerusalem stood under a royal prefect. But this does not *exclude* the assignment of Jerusalem to the Acra. During the first century A.D., as Josephus puts it, the cities of Sepphoris and Tiberias "ruled" the district of the Galilee, which, nevertheless, stood under the administration of kings from the house of Herod, and which even possessed its own diet (Josephus, *Vita* 37).

The parallel is instructive also in another respect. Tiberias and Sepphoris were settlements of the Greek style, "poleis," to use the Greek term. They minted, for instance, coins, had a democratic constitution, etc. Here the Jewish law was not binding. Even the very location of Tiberias was unclean because of the ancient graves located there. In spite of this, the founder of Tiberias, Herod Antipas, erected an impressive synagogue in the city, though a stadium as well. The citizenry was of mixed composition, including both Jews and pagans. During the great rebellion against Rome, in A.D. 67, the first magistrate of this Hellenic city, its "archon," was a Jew, by the name of Jesus, son of Sapphias.

To him, the commissar sent from Jerusalem, Flavius Josephus, did not appear sufficiently nationalistic in his outlook (Josephus, *Vita* 134).

The example of Tiberias allows us to imagine what the situation must have been like in the Acra, with its partly Jewish, partly alien population. For the authors of the books of the Maccabees, of course, the “sons of the Acra” were renegades. For the royal government, however, this priestly aristocracy, addicted, as it was, to the Greek way of life, for good reasons represented Judaism. As soon as this upper class, at its own request (as reported by Josephus in the passage cited above), had been granted the Greek constitution, the privilege granted by the charter of Antiochus III was suspended, and the surrounding country of Judea was subject to the Hellenic seat of the aristocracy, the Acra.

#### 6. “*The Abomination of Desolation*”

About a year after the founding of the polis, Epiphanes issued a new order. “The king sent agents with written orders to Jerusalem and the towns of Judea. Ways and customs foreign to the country were to be introduced” (I Macc. 1:44). The Mosaic sacrifices in the temple, circumcision, the Sabbath, and the festivals were prohibited by the decree. “The sanctuary and its servants were defiled,” when pagan sacrifices of pigs and other unclean animals were ordered and the surrender of copies of the Torah was commanded, so that they might be burnt. “The penalty for disobedience was death” (I Macc. 1:50).

Thus began the persecution. On the fifteenth day of Kislev in the year 145 of the Seleucid era, *i.e.*, about December 7, 167 B.C., the temple on Mount Zion was defiled, and “the abomination of desolation” was set up. Ten days later, the first pagan sacrifice was offered on the altar of incense offerings. In Jerusalem and throughout the countryside, where supervisors over the whole people were appointed, altars were erected and the Jews forced, town by town (I Macc. 1:51), to offer pagan sacrifices and to eat the idolatrous meat. Any person who circumcised his children, or in whose house a copy of the Torah was found, anybody who secretly kept the Sabbath holy, or who in any way “conformed to the law, was put to death by the king’s sentence” (I Macc. 1:58). “The divine wrath raged against Israel” (I Macc. 1:64).

It does not appear that the number of victims of this persecution was particularly high – both First and Second Maccabees report the same execution of two women who had their newly-born children circumcised (I Macc. 1:61; II Macc. 6:10). The reason for this small



number was that the apostasy of the Jews was general. “The men of Judah and the people left in Jerusalem” (I Macc. 2:18) obeyed the law of the king and deserted that of their god. Those, however, who remained steadfast “fell victims to fire and sword” (Dan. 11:33).

“In those days Mattathias stood up”: a priest of the Jewish family and a resident of Modein (east of Lydda). When he was ordered to offer pagan sacrifices, he began an armed rebellion: “We will not obey the command of the kind... Follow me..., every one of you who is zealous for the law and strives to maintain the covenant” (I Macc. 2:22, 27). He was not the only one who went into the wilderness to escape the king’s forces (I Macc. 2:29, 32). Many followed him, “with their sons, their wives, and their cattle.” But he was the first one to proclaim that the right to self-defense breaks the commandment to keep the Sabbath. Before him, the people loyal to the law would rather follow the letter of the Torah and allow themselves to be killed off, than to lift their hand in self-defense on the day of rest. Mattathias replaced passive resistance, the weapon of the martyr, with active fighting. This made him the leader of all who joyfully fought “for law and sanctuary” (I Macc. 2:48; 3:21; 13:3; 14:29). Thus began the first armed struggle for freedom of conscience, a struggle which was to set an example for thousands of years. When the Protestants began to defend their faith with arms against the government, they justified themselves by pointing to the example of the Maccabees. The Jews had to be submissive and obedient when foreign kings ruled over them. “But when these same kings began to push them from God’s word to idolatry, the Jews no longer considered them their rulers, but rather the enemies of God. For this reason, they defended themselves and confidently took to arms – as is shown by the *Historia Judae Maccabei* and the others – and God helped them” (H. Hortleder, *De inst. belli germ.* II, 67).

God helped them. He was their commander-in-chief, as a church father put it. The “small help” (Dan. 11:34) became greater. After the death of Mattathias (1665/B.C.), the leadership was taken over by his son Judah Maccabeus, whom later the Christian knights were to number among the models.

E al nome de l'altro Maccabeo  
vidi moversi un altro roteando  
e letizia era ferza del paleo  
così per Carlo Magno et per Orlando.

(Dante, *Paradiso* 18:39)

Judah Maccabeus organized his groups and with good fortune fought against the Seleucid general. His successes were made considerably

easier by the fact that in the spring of 165 Antiochus IV with his army had marched to the Euphrates to fight against the Parthians. Thus Syria was deprived of Seleucid troops. The other Seleucid forces, always insufficient in number, could not help but meet defeat in this guerilla war in the mountains and in the desert, especially since they were sent into action without any coherent plan or proper preparation. When in the year 164 Lysias, vice-regent for the west, marched into Judea from Idumea and suffered a defeat (I Macc. 4:28ff.), he started negotiations at Bethzur. On this occasion, a Roman delegation that happened to be passing through intervened on behalf of the Jews. Three documents from these negotiations are still to be found in II Maccabees, chapter 11. The first document is the letter of Lysias "to the Jewish community," that is, to the groups loyal to Judah who are opposing him. Lysias refers to the memorandum delivered to him by two delegates of the Jews, and grants what he can on his own authority. For the rest, he refers to the impending decision of the king. He promises to exert his influence on behalf of the Jews, "if you maintain your good will towards the empire." The Roman representatives, in turn, in a separate letter agree with the concessions made by Lysias, and request further information, presumably so that they can speak on behalf of the Jews, probably before the king.

The third document derives from Antiochus IV himself. It is a decree addressed, not to the rebels with whom Lysias had to negotiate, but, in a formally correct manner, it is addressed to the official representatives of the Jews, a group which functions as a tribal organization alongside the polis: "to the Jewish senate and people." The king has been informed by Menelaus, who as high priest had gone east to see the king, that the Jews wished to return to their own homes and their request was granted. The people involved, of course, were the refugees, who had found shelter in the desert or with the troops of the Maccabeans, where they had hoped to find the freedom to live in accordance with the ancestral laws. Everybody who returned to his legal residence by the thirtieth day of Xanthikos, *i.e.*, the end of March, 164 B.C., was granted amnesty; "and none of them shall be charged with any previous infringement."

In the formal sense, the letter represents one of the numerous Hellenistic decrees, in which the ruler grants rebellious and vagrant subjects freedom from punishment, if by a fixed date they return to their proper place of residence. But as far as the content is concerned, the decree constitutes a capitulation to the rebels, insofar as the king also conceded religious freedom. He had little choice, since the Parthian war and Roman intervention kept him from taking comprehensive steps

in Palestine. "The Jews," so we read further, "may follow their own food-laws as heretofore."

Thus ended, in March of 164, the persecution which had been initiated in December, 167. Its purpose had been to force the Jews "to forget the law and change all the statutes" (I Macc. 1:49). Every one was now free to practise the Mosaic religion – or to follow the pagan cult. Jerusalem still remained a village without walls, dependent upon the "Acra," and the temple stayed in the hands of the renegades and pagans and was defiled through the idolatrous cult of the "men of the Acra." The decree of 164 merely put an end to the persecution. The measures of 168, such as the degradation of Jerusalem, and the idolatry on Mount Zion, introduced in 167, remained unaffected by this decree.

Such limited concessions could not satisfy Judah and his followers, and they continued the war after the departure of Lysias. During the autumn of 164 they regained Jerusalem. The sanctuary was cleansed of pagan impurities, and on the twenty-fifth day of Kislev (*ca.* December 15) 164 B.C., the daily sacrifice was once again offered to the Jewish god. The Hanukkah-festival is an annual reminder of this rededication of the temple.

The attacks of Judah, who during the spring of 163 began to besiege the "Acra," forced Lysias to come to the aid of the polis. In the meantime, Lysias, upon the death of Antiochus IV (November-December 164), had become guardian of Antiochus' son and successor, Antiochus V. He now intended to break the Jewish revolt once and for all and to settle pagans in Judea. This time, he assembled considerable forces, who easily broke the resistance of the Maccabeans: Bethzur was occupied, and the temple mount was besieged, which Judah in the meantime had fortified with high walls and strong towers. The defenders courageously fought against flame and rock throwers, against siege machines and catapults, but there was a shortage of food. For this reason, the besieged garrison escaped, each soldier to his home. Finally, only a few men remained in the sanctuary and once again, the end of Judaism seemed inevitable.

"God's victory" – was Judah's battle-cry (II Macc. 13:15). When Zion, like Bethzur before it, was ready to capitulate, Lysias was informed that Philip was on his way home, with troops from the Parthian campaign, in order to assume the leadership of the government since Antiochus IV, on his death-bed, had appointed Philip regent and guardian. Lysias and his advisors, therefore, decided to make peace with the Maccabean

party: "Let us guarantee their right to follow their laws and customs as they used to, for it was our abolition of these very customs and laws that aroused their resentment" (I Macc. 6:59).

The document recording this agreement lies before us in II Macc. 11:22 and was already quoted above (p. 1082). Considered formally, it is a letter of the under-age Antiochus V to Lysias. Motivated by his desire that all his subjects should live undisturbed, the king returns to the Jews their temple and their old constitution. Thereupon Judah surrendered. The king ascended Mount Zion and, like his predecessors, offered a sacrifice to the god of the Jews and paid his respects to the temple (II Macc. 13:23).

This way, the charter of Antiochus III was restored in its essential points. The wheel of history, slowly but surely, was turning back. The dispossession of Jerusalem, which had taken effect in the year 168, was, for the most part, revoked during the winter of 163/2, when the temple was restored to the "nation of the Jews." Judea, once again, became a temple state. The renegades, the "men of the Acra," lost their power and any share in the sanctuary. Their leader, the high priest Menelaus, was executed at royal command (II Macc. 13:3f.). The government appointed Alcimus high priest, "a priest of the tribe of Aaron," and the royal governor convened an assembly of doctors of the law, "to find out what was just." The experts on the law recognized the legitimacy of the new high priest (I Macc. 7:12). From then on, Alcimus ruled the land, supported by royal troops and acknowledged by the people (I Macc. 9:24ff.). Thus Judea was restored to the status that had existed before the intervention of Epiphanes. The Jews could once again call themselves "the pious men who live around the great temple of Solomon" (*Orac. Sibyll.* 3:213).

The Acra admittedly continued to exist. We do not know exactly how the land was divided between it and Jerusalem. At any rate, from 162 on, Jerusalem was independent of the polis. That means that the kind of symbiosis, which at that time frequently existed in the temple states of Asia, was put into effect also in Judea during the year 162. The attempts of the Maccabees to resist this new order of things did not find sufficient response among the people. The Maccabees, once again, sank to the position of hunted brigand leaders. During the year 161, the royal general Nicanor led against Judah a force of Jews who, at the same time, were loyal to both king and Torah. To Nicanor's great distress, these troops refused to attack on the Sabbath (II Macc. 15:1). This is how fast the political situation had changed.

Only four years had passed since the observance of the day of rest had been punished by death and when people who wanted to observe the Sabbath had sought refuge with Judah. Now strict Sabbath observers marched at the side of pagan troops in order to take Judah prisoner. On "Nicanor's day" (the thirteenth day of Adar), Judah won a victory over this pagan-Jewish army of the Seleucid king. For a second time, Judah occupied Jerusalem and the temple. But already during the next year he was defeated and killed in battle.

### 7. *The Success of the Maccabeens*

The symbiosis of temple and polis then lasted for several years without being seriously disturbed. The Seleucid government assured peace and quiet through fortresses, occupation forces, and hostages. It was a time when "the renegades raised their heads in every part of Israel, and the evil-doers reappeared," as the Maccabean historiographer put it (I Macc. 9:23). The adherents of the government were appointed rulers of the land. But even Jonathan, the brother and heir of Judah, had to submit three years later. After he, too, had put up hostages as guarantees for his reliability, he was confirmed as a sheikh at Machmas, to the west of Jericho. Such sheikhs, dependent upon the central government of the kingdom, existed in large numbers in Seleucid Asia. The sword rested in Israel, and on Mount Zion every day, just as in the past, sacrifices were offered to God for the welfare of the pagan government, for the king in Antioch (I Macc. 7:32).

The campaign of Alexander Balas against Demetrius I began in the year 152. The resulting dynastic struggles in the Seleucid empire, flamed by neighboring states and especially by Egypt and Rome, led to a change in the political situation in Judea as well. For the pretenders needed money and soldiers, and they freely paid with privileges and advancements, offices and honors. Jonathan entered the service, now of one party, now of the other. He was always opposed to one of the Seleucids, and at the same time an agent for the other. He was courted by both pretenders. In this manner, like other local dynasts (*e.g.*, Zenon in Rabbath-Ammon, Ptolemy Mennai in Chalcis, etc.), he managed to establish a power base of his own. Demetrius I conferred upon him the military command over Judea and charged him with the assembly of an army. In October 152, Alexander Balas appointed him high priest, and in the year 150 "strategos and meridarchos." As a

royal general, he conquered coastal cities, and as a reward he received three Samaritan districts and Accaron. Thus maneuvering between the two parties, supporting at one time the one, at another time the other, Jonathan and, after his death, his brother Simon, managed to found the state of the Maccabeans. In May 142, Simon was recognized as an independent prince by Demetrius I. In this way, "Israel was released from the Gentile yoke" (I Macc. 13:41).

The "Acra," however, the Hellenic citadel, continued to exist, even though Jonathan had the fortifications of Mount Zion rebuilt (I Macc. 10:11) after the walls erected by Judah in 164 had been razed again by Antiochus V during the following year. A high wall separated Zion from the "Acra," but even higher rose the hatred between the "men of the citadel" and the Maccabean party, who continued to fight one another. The historiographer tells us that the inhabitants of the "Acra" were overcome by great fear when they learned that Jonathan had been given authority by the king to enlist soldiers (I Macc. 10:8). And indeed, Jonathan immediately afterwards, in the year 152, purified the land of those "who had abandoned the law and the statutes." Only in the Acra and in the fortress of Bethzur were they able to hold out (I Macc. 10:14). In this way, the Acra also became the base for the orthodox among the opponents of the Maccabees. These men, "scoundrels," as the Maccabean historiographer put it, tried several times, *e.g.*, in 150 and 146 B.C., to orchestrate Jonathan's fall by proffering charges against him before the central government. The Maccabees, in turn, tried several times to take the Acra by force (I Macc. 11:20), or to have it handed over to them as a reward for services rendered. Finally, in May of 141, Simon succeeded in forcing the "Acra" to surrender: Israel celebrated the "final riddance of a formidable enemy" (I Macc. 13:51). The history of apostasy, for the Jewish tradition, began with the founding of the Hellenic community by Jason. The date on which this community was destroyed, the date of the capture of the Acra, the twenty-third day of Iyar, was therefore added to the list of annual feast days (I Macc. 13:51).

The legal recognition of the new situation, the complete abolition of the polis-temple symbiosis by the Seleucid king, took place only much later. In the year 136, Antiochus VII still demanded the return of the Acra (I Macc. 15:28). In the year 134, he advanced with a large body of troops, besieged and conquered Jerusalem, had Simon return all the places he had conquered outside of Judea, but, for a monetary consideration, gave up his claims to the Acra (Josephus, *Ant.* 13:246).

Thus, in the autumn of 134 B.C., the forty-year long history of the Hellenistic community in Jerusalem ended.

In the history of Seleucid Jerusalem, therefore, we have sharply to distinguish between four forms of political life, which differed not only in their legal basis and in content, but also in the times during which they prevailed:

1. The temple state of Jerusalem: 200–175 B.C.
2. The symbiosis of the temple state with the Greek community. This Greek community existed during the years 174–168 as the corporation of the “Antiochenes in Jerusalem,” then, from the winter of 163/2 (*de facto*, from December of 164) on until May 141 (*de jure* till the autumn of 134) as the polis in the Acra alongside Jerusalem.
3. The incorporation of the temple in the polis from the autumn of 168 till December 164 (*de jure* till the summer of 163).
4. The period of the oppression of faith, of the enforced conversion of the Jews: December 167 till March 164.

## CHAPTER FOUR

### THE APOSTASY

#### 1. *The Religious Oppression*

Jerusalem was a sacred city like many others in the Seleucid kingdom. The changes of its fortune: the granting and suspension of charters of freedom, dissolution and reestablishment were all shared with many other temple states. In our presentation of the course of events, we were able to demonstrate that the history of Seleucid Jerusalem can be divided into four successive phases. For three of these phases we can easily adduce numerous parallels. Only one phase appears to be unique: the persecution.

As a matter of fact, under Epiphanes, no fewer than four famous sanctuaries were secularized. Mopsuestia became Seleucia on the Pyramus; the temple city of Castabala, also in Cilicia, and Bambyce, the cult center of Atargatis in Syria, were henceforth called "Hieropolis." Finally, the king, known as the "Savior of Asia" and "Founder of the Polis," also Hellenized Babylon which had continued to exist as the temple city of Bel. In no case were measures involving force employed in order to bring about a change in faith. The coins of Mopsuestia, under Epiphanes, always exhibit the gods of the sanctuary, whom the Greeks called "Apollo" and "Artemis." Hierapolis-Bambyce displays a standing "Zeus." The symbol of the lion reminds us that this god, even in Greek dress, was still the ancient Semitic Hadad. In Babylon, too, at the same time as in Jerusalem, a Greek polis with theater and sports-stadium was established. But the sacred writings of the native population were burnt only in Jerusalem. In Hellenized Babylon, the astrologers remained unmolested, and in the year 163 B.C., the venerable cultic prayers were transcribed there from ancient to new tablets.

It was customary for pagans to continue respectfully the ancient rituals of a place and to worship the local gods. When in A.D. 72/3 the pagan city of Flavia Neapolis was founded in the territory of the Samaritan chief town of Shechem (which was thus reduced to the position of a village of the new polis), nobody suppressed the faith of the Samaritans



in the One and Eternal God. On the contrary, the polis itself adopted the biblical tradition of the country. Here, Jephthah's daughter was equated with Proserpine and given divine honors. Hadrian restored the sanctuary on Mt. Gerizim, which Abraham had founded and which had been destroyed by the Maccabeans. Here, the God of Abraham, Isaac, and Jacob was venerated by the pagans under the name of "Supreme Zeus." As the symbol of the city, we find on its coins (from Antoninus Pius on) Gerizim, the sacred mountain of the Samaritans with its two peaks. On one of the peaks there rises the temple, and on the other we see the sacred place of the Samaritans, the spot where, according to their tradition, Isaac was supposed to have been sacrificed. Down to the time of Hadrian, the coins of the city remained devoid of human figures.

Thus the religious oppression which Epiphanes practiced in Jerusalem, constitutes the basic and sole enigma in the history of Seleucid Jerusalem. Whereas changes in the extent of the privileges enjoyed by the sanctuary on Zion in the final analysis can claim no more than antiquarian interest, the only attempt ever made to abolish the religion of Judaism must remain memorable for all times. For the success of the measures taken by Epiphanes would have meant the end of Judaism and would, therefore, also have made impossible the rise of Christianity and Islam.

In order to solve the problem of the persecution, we must, first of all, attempt to grasp the character of the faith that was being forced upon the Jews. This, however, is possible only through the careful examination of the sources.

## 2. *The Nameless God*

II Macc. 6:1f.: Antiochus ordered "to pollute the temple at Jerusalem and dedicate it to Olympian Zeus, and to dedicate the sanctuary on Mount Gerizim to Zeus God of Hospitality." The petition of the Samaritans is actually preserved in Josephus, and it in fact contains the request to proclaim as the sanctuary of Zeus "the nameless sanctuary on the Mountain which is called Gerizim." This request was granted by a decree dating from the year 167/6 B.C.

On the basis of these statements, three facts can immediately be established. One of them is obvious, yet not unimportant: the name of a temple signifies nothing else than the name of the divinity worshipped

there. The temple, for pagans as well as for Jews, is the place “where the name of God is invoked” (Deut. 12:31). The second fact is by no means obvious: our sources, contrary to what is usually stated, do not speak of an introduction of new divinities, but rather of the naming of the god who already was lord of the sanctuary. And this naming – this is the third fact we are able to establish – does not occur as a re-naming, but rather as the first naming of the divinity who until then had been “anonymous.” The last two statements call for some explanation.

To the Greeks and Romans, the God of the Jews appeared to be nameless. The emperor Caligula accuses the Jews that they do not want to consider him a divinity, but only their own “unnameable” God. “In Jerusalem,” we read in an ancient historian, “there exists a sanctuary, the God of which the Jews do not name (Livy, in *Scholion Lucan.* 2,531). After all, the Lord on Zion and Gerizim had for centuries been addressed by his believers only through appellatives: “God of our fathers,” “King of Israel,” etc. For the Samaritans, his temple was “the sanctuary of Hargerizim, which, translated, means: Mountain of the Highest” (Eupolemus in Eusebius, *Praep. Evang.* 9, 17, 419a). If you asked a Jew what his God was called, he would answer: “We are the servants of the only God, who created heaven and earth, and everything that is within it. No man can interpret him” (Ps.-Callisthenes).

The Greek, however, demands that every divinity have a personal name. For him, the absence of such a name is a sign of backwardness in the proper understanding of the divine. How else was one to invoke one of the innumerable divinities, if its name remained unknown? To the Greeks, a divinity without a name appeared just as imperfect as those primitive people in the African wilderness, of whom travellers reported that they had no personal names. People knew from Herodotus that the primeval Pelasgians had not been able to give any of the gods a name, “because of this they had not yet been informed.” Now there were only a few wild peoples left, like a tribe of the Celto-Iberians in Spain, who brought sacrifices to a “nameless god” (Herodotus 2, 52; Strabo, 164).

Thus we can see that the Hellenization of Jerusalem also had to lead to the naming of the “nameless” lord of Zion. But since no native name for him existed (the tetragrammon filled also the Greeks with awe and was praised by them as a power; it was considered a signum that had to be kept secret, and not a cultic name), the God of Jerusalem had to receive a Greek name: Zeus Olympios. This was an action

of “non-essential” designation, what the ancient grammarians called “denominatio.” The same thing had happened with local divinities in other cities of Syria and Phoenicia, decades or centuries earlier. In general, the west Semitic cults also did not use any proper names for their gods. Rather, the divinity “El” was here conceived in its momentary function and then called “master” (Baal). Thus Yehimelek, the king of Byblos, invokes the blessing of “the master of heaven and the master of Byblos and of all the sacred gods (El).” But these gods, designated by assignment, were as such incomprehensible to the Greeks. They appeared to them no less anonymous than did later on the god of Israel. The Greeks wanted to know the gods by their proper names. But since there existed none for the Baals, the Greeks, from the very beginning, lent them the names of their divinities: Zeus, Poseidon, Heracles, etc. This Greek nomenclature for the nameless Semitic gods did not result in any change in the cult, because it was not a substitute for anything, nor did it exclude anything. It added something new. In addition to the local designations, a divinity now received from the Greeks also the designation “Zeus,” “Heracles,” etc. These names were then used without any scruples by the natives in contact with strangers, even in an official sense. Usually foreign gods, when their cults were taken over by other peoples, retained their designations, such as Sarapis, Tammuz, Agdistis, etc., and the rule for both magic and cult was identical: “do not change barbaric names.” But the “anonymous” Baals of the west Semites, from the very beginning, had Greek names which were used in contact with foreigners or abroad. On Delos, Isis or Anubis were venerated, but not Baal: he was worshipped as the “Poseidon” of Berytos. The merchants of Tyros officially called their god in Greek “Heracles,” although for them, of course, he remained also “Baal of Tyros” or simply “the King” (Melkart). Even under their Greek appellatives, these gods always remained “the gods of the fathers.” Even abroad, people prayed to them in the tradition of the homeland, as is shown, for instance, by the layout of the sacred district, which on Delos was dedicated to “Heracles and Aaron, the owners of Yamnia.”

When we read, therefore, that the temple of Jerusalem was named after “Zeus Olympios,” it does not mean that a new lord, a Greek god, had moved in on Mount Zion, but rather that the old owner of the sanctuary, the “anonymous” Jewish god, was listed in the Greek files of the new polis under the entry “Zeus Olympios.” This, however, does not mean in the least that he was in any way identified with the god of Phidias. For in the Hellenistic period “Olympios” was a synonym for

heaven, so that Zeus Olympios was the Almighty in Heaven. Now, “he whose throne stands on Zion” was accordingly given a Greek name. Ever since the Persian period he had officially been understood by foreigners as the “god of heaven,” and it was as such that the Greeks came to know him. Already from the time of Alexander the Great it was certain to the Greeks – and, later, to the Romans – that the Jews (according to a saying of Juvenal) “prayed to nothing but the clouds and the power of heaven” (Juvenal 14, 97).

As *caeli numen*, therefore, the god of the Jews was officially called in the Aramaic imperial language of the Persian period “Ella Shemaya”; in the Greek official language he was now registered under the name of “Zeus Olympios.” But whether under this name or that – he still and always remained the “God of Israel, whose dwelling is in Jerusalem” (Ezra 7:15).

### 3. *The Temple*

This conclusion is confirmed by the fact that no new sanctuary for “Zeus Olympios” was erected in Jerusalem, although pagan cult places were established in the city and in the countryside. Instead, Zeus Olympios continued to be worshipped in the old temple on Mount Zion. “The sanctuary was given over to aliens” (I Macc. 2:7), who at this place celebrated their festivals and offered their sacrifices. This in itself already proves that “Zeus Olympios” was no more than a new name for the ancient numen of the place.

The temple is a cultic place. This means that its lay-out must differ from one form of religion to another. The icon screen, for instance, which separates the altar of the Orthodox church from the nave, corresponds to a form of divine service which differs from that of the Protestants. When the Romanized Gauls, who previously had not had any temple structures, began to build temples for their own gods, they had to select a form which was appropriate for their own rites, and which differed from that of the Romans. The result was that a “Mars” or a “Mercurius,” as the Latin-speaking Gauls now called their ancient numina, dwelt in buildings entirely different from those which were erected for the gods with the same names in contemporary Rome and Italy.

The temple of Jerusalem, just like other west Semitic sanctuaries, represented an entirely different concept of the divine from that reflected

in the Greek temple. The Greek temple (and the Roman, which imitated it) is a dwelling place of the god accessible to any visitor, so that the idols and the priestly actions performed in the *sacrarium* are visible to all. For this reason, the Hellenistic temple is regularly arranged as an edifice for the god in the middle of a court lined with columns. Usually, the gate of the *cella* and the altar of burnt offerings in front of it, as well as the entrance to the columned court, lie in the axle of the road leading to the sanctuary.

The west Semitic temple, on the other hand, is dominated by the principle of the separation of the sacred: the Talmud lists no fewer than ten degrees of purity for Jerusalem and its temple (Massechet Kelim 1, 6). For this reason, the ground plan of the temple exhibits a series of separate zones, which lead to the holy of holies. The visitor, depending upon his degree of sanctification, would pass from one court to the next. Thus in Jerusalem, two courts, separated from one another by a wall, led to the *cella*, in front of which the altar of burnt offerings was located. The entire complex of buildings was closed off from the outer world by a surrounding wall.

In view of this difference in ideological content, and, therefore, layout of construction, between the Greek sanctuary and the Syrian (or the Egyptian, which was arranged as a processional road from the outermost gate to the altar), it is understandable that the Greeks and the Romans, in turn, arranged cultic places for oriental numina according to the native pattern. The temple of the crocodile god (Pneferos) at Theadelphia (Fayyum), which was dedicated by an Alexandrian during the second century B.C., displays the typically Egyptian arrangement. When Damascus and Baalbek-Heliopolis became Roman colonies, the new settlers, following polytheistic custom, also took over local numina, the Baalim, who in the Roman colony were henceforth called "Jupiter." But when the settlers erected sanctuaries for those divinities, they built them, once again, according to the Syrian pattern: two concentric surrounding walls at Damascus, two courts in front of the *cella* at Baalbek. The *cella* itself is here divided into two parts, so that the inaccessible holy of holies lies higher than the anteroom. For even here, at the center of a Roman colony, Baal was still worshipped "according to the Syrian rite" – even though he now bore the name of Jupiter Heliopolitanus.

On the other hand, the Greeks built temples for their gods according to the Greek pattern – even abroad. That was necessary for one simple reason: a cult in a colony or in the diaspora, according to Greek tradition, had to be an exact copy of the cult at home. Not only Massilia

(Marseille) had an "Ephesion" in order to worship Artemis of Ephesos, but also the colonies of Massilia, in turn, faithfully reproduced the composition of the cult statue and all the customs of the original sanctuary (Strabo, 179). When Antiochus IV had temples for Zeus Olympios erected at Athens and in Palestine (Scythopolis), they, of course, were constructed in the pure Greek pattern. A Seleucid officer who wanted to cow the Jews did not threaten to put a Greek god into their temple, as one might have thought, but rather "to level this precinct of God to the ground and tear down the altar, and to build here a splendid temple to Dionysus" (II Macc. 14:33). Two recently discovered examples of this connection between cult place and worship service may serve to illustrate what has just been said. In the Egyptian oasis of Siwa the god Ammon was worshipped, whom the Greeks called Zeus. Modern scholars simply took it for granted that the god of Siwa was the Egyptian god Ammon. More recent examinations of the ruins of the sanctuary have shown that this temple does not display the Egyptian plan for the layout. From this discovery, scholars immediately drew the correct conclusion that the god could not be of Egyptian origin.

The excavations in the Seleucid colony of Dura-Europos on the Euphrates have shown that on the spot where a sanctuary to the Babylonian goddess Nanaia was erected during the first century B.C., a temple dedicated to the Greek Artemis had previously stood, a temple which had been built in the third century B.C. In the third century, Dura was a Greek city and Nanaia was equated with Artemis. However, when Nanaia replaced Artemis, the temple of the Hellenic goddess, which had been constructed in the Greek style, was replaced by a sanctuary in the Babylonian style.

We do not know exactly how the ground-plan for the post-exilic temple in Jerusalem looked. It is certain, however, that its design was Syrian-Phoenician: in front of the temple house itself there were two fore-courts, the "new" or "great" one for the lay people, and the court of the priests. The two were separated from one another by a wall. The entire complex was separated from the outer world by a surrounding wall. This was not a house for an Olympian Zeus. This means that, when the Acra took over the sanctuary on Mount Moriah and there worshipped "Zeus Olympios," this "Zeus" was no more a Hellenic god than the "Jupiter" of Heliopolis was a Roman one. It merely means that the Hellenized city, following the Hellenistic principle of respecting the local divinities, worshipped under the Greek name of "Zeus" the sky-god of Jerusalem at his traditional site.

This conclusion is confirmed by a negative, but nevertheless important, fact: the cult on Zion remained without an image even after the desecration of the sanctuary. That does not mean, of course, that divine images were banned in the polis: on the contrary, many from Israel brought sacrifices to idols. It further does not mean that, as in previous times, there were no statues in the temple; if a statement of Porphyry's is reliable (Jerome, *ad Dan.* 8:5: *in templo dei simulacrum Jovis Olympii statuit*), the temple contained statues of Zeus and Antiochus Epiphanes. But these were votive gifts, and as such they must be clearly distinguished from a cult image. In the Ammon temple in the oasis of Siwa, for instance, the god was represented in human form several times and in Greek style. But, the eyewitness Callisthenes tells us, "what is revered as god is not an anthropomorphic figure, but resembles most nearly the omphalos (*i.e.*, a rock in the form of half an egg)" (Callisthenes, *Jac.* 124f., 14).

Neither Greek nor Jewish authorities ever mention a divine image that had to be worshipped when they describe the temple and the persecution. Occasionally we find references to idols on pagan territory, such as at Azot, where Judah "burnt the graven images of the gods with fire" (I Macc. 5:68, cf. I Macc. 13:47; II Macc. 12:40). But even in the detailed descriptions of the purification of the temple or in the lengthy account of the liberation by Mattathias, we find no reference to cult idols. Daniel, who speaks of the enormous idol which Nebuchadnezzar had erected, and which became a test for the true faith, does not mention any idol in the temple when he speaks of the "abominations of the persecution."

If we remember how excited the Jews got at every attempt to desecrate their sanctuary or their synagogues with idols, as, for instance, under Caligula or Nero, and if we keep in mind what an important position the struggle against idolatry occupies in Jewish law and literature, we shall probably be inclined to accept the *argumentum ex silentio* as sufficient in this case. But if there existed no anthropomorphic cult image in the temple, then also the god and his cult were non-Greek. We know that, from Homer on, the Greeks could not picture their gods except in human form.

The tradition concerning the designation of the temple, the fact that it was taken over into a new cult, and the probability that this cult was not anthropomorphic – all these data prove that the God of Zion remained the same even after the "desecration of the temple."

The god – but not the temple service. For now the “abomination of desolation” ruled in the sanctuary.

#### 4. *The Altar*

Three times the seer proclaimed the desecration of the sanctuary through Epiphanes. “...and for half of the week he shall cause sacrifice and offering to cease, and upon the wing of abominations shall come one who makes desolate” (Dan. 9:27). “Forces from him shall appear and profane the temple and fortress, and shall take away the continued burnt offering. And they shall set up the abomination that makes desolate” (Dan. 11:31). “And from the time that the continued burnt offering is taken away, and the abomination that makes desolate is set up, there shall be a thousand and two hundred and ninety days” (Dan. 12:11).

The church fathers, but also Porphyry and the Mishnah, want to understand the “abomination of desolation” to mean an idol. The term used by Daniel, *šiqus*, taken over from the biblical descriptions of idolatry, means there nothing more than “abomination”: it can refer to an idol, but it need not. Moreover, Daniel himself makes the interpretation of *šiqus* as a divine image impossible, since he connects the *šiqus* not with the *cella*, where a statue would have to be placed, but rather with the altar of burnt offerings in the temple court. The explanation for this we find in I Maccabees where, in continuation of the word of the seer in Daniel, we read: “Now on the fifteenth day of Chislew, in the one hundred and forty-fifth year, they created a desolating sacrilege upon the altar of burnt offering” (I Macc. 1:54). Then: “And on the twenty-fifth day of the month they offered sacrifice on the altar which was upon the altar of burnt offering” (v. 59). Finally: “they had torn down the abomination which he had erected upon the altar in Jerusalem” (I Macc. 6:7). On the basis of this Josephus writes: “And they erected an altar upon the altar of burnt offering” (*Ant.* 12:253).

This act of the desecration of the temple is rather peculiar. If one wishes to abolish a previous cult, one destroys its altar, as had been done by Gideon (Judg. 6:25), and as Nicanor had threatened to do to the Jews in the year 161 (I Macc. 14:33). But if the worship service was continued, the altar, too, continued in use: we see this in Samaria with the temple of Augustus and in innumerable other cases. According to a Greek narrative, Antiochus IV, in order to revoke the laws of the Jews,



had killed a large pig on the altar of burnt offering and had sprinkled the altar and "the image of Moses" with the blood of this sacrifice of purification (Posid. 87, fr. 109, 4). This Greek legend shows most clearly how un-Greek in character the events in Jerusalem actually were. In order to understand what happened in Jerusalem, one must look at Syrian, not Greek data.

The Syro-Phoenician religions mostly did not use images. In this area, the divinity was rather represented by a rock or a wooden pole: these are the idols "of wood and stone" against which the prophets raged. For the Greek "synnaos," we find among these religions the "symbetylos": these are the gods who do not share a temple, but rather a cult rock. When, during the Graeco-Roman period, divine images found widespread acceptance, the old gods continued to receive their worship in the form of cultic rocks (as can be shown in the cases of Tyre and Bostra), but now under the names of Heracles and Dusares. At the same time, however, numerous anthropomorphic representations of them continued to exist, and appeared on coins.

A sub-division of this litholatriy was bomolatriy: the cult of the altar, where the stone upon which the sacrificial animal is slaughtered appears at the same time as the object and as the place of veneration. Bomolatriy was characteristic especially for the religion of the Arabs down to the Moslem period. Here the sacrificial rock represented the divinity; the sacrificial blood was smeared upon it. We hear of the Arabs in Duma that "they worship the altar stone as an idol" (Porph. *de superst.* 2, 56). The idea that the altar as receptacle of the sacrificial blood symbolizes the numen or, at least, is to be understood as its throne, seems to have been familiar also to the other neighbors of Israel. From biblical references and monuments we know of the *masseba*-altar, which combines the divine stone and the place of slaughter. In the area of Aleppo, a sanctuary of "Zeus Altar," was venerated as "god of the fathers." And in A.D. 161, in the same area, a beautiful temple was erected to "Zeus Bomos," *i.e.*, once again, "Zeus Altar." During our century, a dedication to "Zeus Betylos" was discovered. This god had originally been worshipped on the Orontes, in central Syria, but found believers also at Dura-Europos, on the Euphrates. Thus, we encounter another Zeus who revealed himself in his cultic rock.

The fetish, be it a divine rock or a stone for sacrifices, was usually placed upon a foundation. The coins of Seleucia Pieria and of Adraa, the rock pictures at Petra, and especially the representation of "Zeus Altar" on the rocks of the temple in northern Syria just mentioned all

illustrate for us the appearance of such a sacred stone upon a pedestal. At the same time, they allow us to picture for ourselves the shape of the pagan altar construction in Jerusalem, and make the character of the strange act comprehensible: the altar of holocaust offerings in front of the temple was turned into the base for a fetish.

Up till then, the God of Zion had dwelt hidden in the holy of holies. Sacrifices were offered to him at two different places: on the altar in the inner court and in the nave of the temple, where the lampstand stood together with the table of showbread and the altar of incense. But the nave was plundered by Epiphanes and, for this reason, was empty from the autumn of 169 on. Only the Maccabeans produced new holy utensils and placed them in the *cella* (I Macc. 1:21). The cessation of the sacrificial service within the temple itself was recognized by the new cult. The god left the holy of holies. Now, having become "Zeus Olympios" of Jerusalem, he rather revealed himself in a stone, erected on the old place of slaughter in the courtyard. And this stone was, at the same time, the place and object of worship. "Zeus Olympios" of Jerusalem had turned into a god similar to "Zeus Betylos," "Zeus Bomos," or "Zeus Madbachos."

Only in this connection can we comprehend the meaning of the manner in which the temple was purified: the Maccabeans took the "defiled stones" to an unclean place (I Macc. 4:43).

Now we are able to understand why the people at that time considered particularly the pagan altar as the height of desecration, as the real "abomination of desecration." Through this act, the god of Abraham, Isaac, and Jacob had been degraded to the position of one of many Arab-Syrian idols.

##### 5. *The Sacred Precinct (the Temenos)*

Since the reform of King Josiah in the year 621 B.C., God received sacrifices only on Mount Zion; the cultic places in the countryside no longer existed. But as soon as the divinity once again revealed itself in the altar stone, the centralization of the cult lost its meaning. New places for sacrifice were created: everywhere in Judea, in the market of Jerusalem, in a village like Modein (II Macc. 10:2; I Macc. 2:33; 1:51, 54; 2:43, 45). Although our sources do not mention any temples, this need not mean that there were none (cf. I Macc. 1:47). But the tradition has preserved only the memory of sacred groves and altar services

– these were considered to be the cult forms characteristic of the new religion. We read: “They built altars in the surrounding cities of Judah and burnt incense at the doors of the houses and in the streets” (I Macc. 1:54f.). Of Mattathias it is said: “And Mattathias and his friends went about and tore down the altars (I Macc. 1:45), and “they hunted down the arrogant men” (v. 47). After his conquest of Jerusalem, Judah and his followers “tore down the altars which had been built in the public square by the foreigners, and also destroyed the sacred precincts” (II Macc. 2:10). Antiochus, Josephus reports, commanded the Jews “to build sacred places in every city and village, and to set up altars” (*Ant.* 12:253). Josephus is here following I Maccabees, according to which the inspectors of the king “built altars and sacred precincts and shrines” (I Macc. 1:47). The term “sacred precinct” here translates the Greek *temenos*, which designates an area around a cultic monument not to be put to profane use. The excavated *temene* from the same period on Thera or, better still, the Palestinian gods on Delos, may serve to give us a picture of the new sacred places in Judea.

The sanctuary on Mount Zion was changed in the same way. The “sacred gates,” which separated the temple from the outer world and the various parts of the temple from one another, were deliberately burnt down (I Macc. 4:38; intention: II Macc. 8:33; cf. II Macc. 1:8). That turned the entire sanctuary, which lay in front of the deserted temple building, into one large area around the cult place, which was now restricted to the altar of burnt offering in the court. Whereas previously, in accordance with the provision found in the law (Deut. 16:21), not a single tree was to be found in the paved courts (Hecataeus in Josephus, *c. Ap.* 1:199), now the courts were developed into grove-like parks, after the official and service buildings originally located there had been removed. When the Maccabees returned, they found “the sanctuary desolate, the altar profaned, and the gates burnt. In the courts they saw bushes sprung up as in a thicket, or as on one of the mountains” (I Macc. 4:38).

That, however, means that the cult plans of the new worship service corresponded to the old Semitic type of sanctuary, which had been a place of sacrifice, under the open sky, planted and surrounded by a wall. It was exactly the most prestigious sanctuaries of Syria that kept this venerable arrangement even during the Hellenistic period: this was the case, for instance, with the sacred places on Mt. Hermon, on Mt. Casion, or the sanctuary of Abraham at Mamre, which had been visited by pilgrims ever since the bronze age. Before the time of

Constantine, it contained nothing but the well, the terebinth, and the altar of the patriarch. The character of such a sanctuary is defined by Tacitus in his description of the cult place on Mt. Carmel, which has been a cultic center from primeval days to our own age. "According to the tradition of the ancestors, it possesses neither an image nor a temple structure, but only an altar and veneration," *ara tantuin et reverentia* (Tacitus, *Hist.* 2, 78).

### 6. *The Gods of the Acra*

The sources about the gods who were now revered on Mt. Zion are rather sparse and not very informative. It can be assumed from the start that the cult of the Seleucid kings was introduced here, just as it had been in Samaria or Scythopolis. Our sources do not stress at all the contrast between Judaism and the cult of rulers. The legends of Daniel tell us how he refused to revere the pagan kings as gods. But neither the book of Daniel, nor the rest of the tradition mentions similar motifs in connection with the persecution under Epiphanes. We hear only that a statue of the king was erected in the temple and that every month, on the day of the monarch's birth, sacrificial festivals were observed (II Macc. 6:7). These are customary honors which do not involve any divine veneration.

We still know three names of the new gods in the temple in Jerusalem: first of all, Zeus Olympios (II Macc. 6:2). In addition, John Malalas, a Byzantine author who had access to the city chronicles of Antioch, reports that Epiphanes had dedicated "the Solomonic temple of the Jews to Olympian Zeus and Athena" (Malalas, p. 207, Bonn). In II Maccabees we read that the Jews were forced to participate in the procession in honor of Dionysus (II Macc. 6:7).

As we have already seen, Zeus Olympios was the old possessor of Zion, the god of the Jews, "the god of heaven." He now was listed in the Greek registry as "Zeus." People wrote in Greek, but even in Hellenized Jerusalem they spoke Aramaic. It is rather likely that the god continued to be called by his Aramaic designation of "Baal Shamim," "lord of the heavens." The expression *shikuz shomen*, "abomination of desolation," found in Daniel, appears to be a distortion of this Aramaic name. If this is the case, then "he whose throne stands on Zion" was identified with the highest god of the Syrian religions. The Persians frequently identified him with Ahuramazda, the Greeks with Zeus

Olympios. From Palmyra to Carthage, he stood at the head of the line of gods. Was the "Elohey-Shamayim" of the Jews not the same divinity as "Baal Shamim"?

In the case of a Hellenistic polis we must assume from the start the presence of a goddess as the Fortuna of the city. In Jerusalem, if we can rely on Malalas, she was called "Athene." This is the name the Greeks had given to Allat, the "goddess" of the tribes of the Arabian-Syrian desert. On monuments she, just like her worshippers, is depicted with weapons. But, like so many other Syrian divinities, she revealed herself in a fetish, a rock with four corners. She was identical with Anat, that old-Semitic "queen of heaven," for whom, in the days of Jeremiah, the women of Jerusalem baked special sacrificial cakes (Jer. 44). Now she once again had her throne on the sacred mountain.

The Jews were compelled to celebrate Dionysus, "wearing wreaths of ivy" (II Macc. 6:7). The monuments of Syria rather frequently show ivy, the symbol of Dionysus. His cult was very popular in this area, since his Greek name once again was a mask for the Oriental gods, such as the Dusares of the Nabataeans. It is possible that the Dionysus of Jerusalem as well was none other than Dusares, who, too, was present for his believers in a rock. From the beginning, therefore, we assume that "Athene" and "Dionysus," just like "Zeus," were merely Greek names for divinities which, in their character, were Canaanite. This view is confirmed by a statement in II Maccabees. "For the temple," the historian tells us, "was filled with debauchery and reveling by the Gentiles, who dallied with harlots and had intercourse with women within the sacred precincts, and besides brought things for sacrifice that were unfit. The altar was covered with abominable offerings which were forbidden by the laws" (II Macc. 6:4f.).

This statement need not be an invention born of hatred. We possess evidence that in the Syrian religions temple prostitutes continued to serve even in the Hellenistic age. Sacred meals within the sanctuary, the sacrifice of slaughter, which was consumed in communion with the god directly before the altar, always remained the central rite of Syrian paganism (II Macc. 6:7; 7:42; 8:21). As Herodotus remarks (2, 64, 2) intercourse with women within the sacred precinct was to be found among all peoples, and was rather common among the Syrians. The only exceptions were the Egyptians and the Hellenes. The Greeks were also not accustomed to sacrificial meals within the sanctuary. Philo contrasted the Jewish burnt offering with the sacrifice of the Greeks, who "sprinkle the blood around the altar, but then take the meat home for a sacrificial meal and enjoyment" (Philo, *Leg. ad Gai.* 356). An inscrip-

tion from Sardis praises the benefactor who frequently “donated the most beautiful sacrifices for the welfare of the people” and who then distributed all of the sacrificial meat to citizens and strangers “at his own house and in the sports-stadium” (Sardis VI, 127). The miser of Theophrastus, on the other hand, salts the sacrificial meat away, instead of inviting his friends to a meal.

Thus we see that the forms of the new cult were non-Greek since the gods were not Hellenistic. We even find a hint that the people of the time recognized this fact.

For Daniel, Epiphanes is a Greek prince. His kingdom is the “kingdom of the Greeks,” which is juxtaposed to that of the Persians. But the seer says of Epiphanes: “He shall honor the god of fortresses in his place; a god whom his fathers did not know he shall honor with gold and silver, with precious stones and costly gifts” (Dan. 11:38). The interpretation of this verse is rather difficult. One cannot say with certainty what the phrase “in his place” means (RSV: “instead of these”). Is in the second half of the verse the same divinity referred to, or a different one? In any event, it does not matter. Whether the god of fortresses, *i.e.*, the *numen* of the “Acra” is meant, “Zeus-Baalshamim,” or “Athena,” or both of them together: for Daniel these were not Greek divinities, since the ancestors of the greek Epiphanes “did not know them.” Only under this assumption does the word of the seer yield any sense. Otherwise, as was already noticed by Jerome, the saying must remain incomprehensible, if it is applied to Epiphanes, who also showed the greatest respect for the Greek gods (Jerome, *ad Dan.* 11:37).

Our sources, arranged and discussed one after the other, although transmitted to us only by accident, yield a coherent picture of the religion introduced in Jerusalem by Epiphanes. It is polytheistic, but at its center stands the veneration of the previous lord on Mt. Zion, the “god of heaven.” He is equated with Baal-shamim, and his worship can take place, not only on his mountain, but “at every place that you see” (Deut. 12:13), in a *temenos*, where the worshippers abandon themselves in the company of sacred prostitutes. This god reveals himself, without an image as before, in the stone of the altar. Beside him stands Dusares, and the role of his divine consort (Paredros) was performed by the “queen of heaven.” True, this picture is not certain in every detail. But three points can be considered as established: the new order of worship was entirely un-Greek, it retained the veneration of the god of the Jews, who, however, in the form of his revelation and in the form of his worship, was now equated with the divinities of the neighboring peoples, the Syrians and the Arabs.

## CHAPTER FIVE

### THE INTERPRETATION

#### 1. *The Religious Oppression*

When Jean Bodin, the founder of modern political science, in his work written in the midst of the religious struggles of the counter-reformation, came to mention Antiochus Epiphanes, he said: “Although in previous times, too, tyrants had committed unbelievable acts of cruelty against their subjects, no one before King Antiochus had ever conceived that he possessed the authority to issue orders even to the soul of man” (J. Bodin, *De republica*, IV, ch. 5). This expresses clearly the unique character of the religious persecution under Epiphanes. In modern writings this point has been obscured by all the talk about the policy of Hellenization of the Jews allegedly pursued by the king.

We had occasion to point out above that the king did not aim at a unification of religion (above, p. 1064), nor did he (or any other ruler) prohibit the traditional rites when a city or a cult was actually Hellenized (above, p. 1095). The introduction of Hellenistic gods took place already in the year 173 with the founding of the community of the “Antiocheans” in Jerusalem, since this community was exempt from the observance of Jewish law. If, from 167 on, “Zeus Olympios” had his throne on Mt. Zion, this meant that the exclusiveness of the One God was suspended. It did not necessarily mean that the continuation of the traditional rites was violated, and above all: it did not prohibit the traditional rites: circumcision, observance of the Sabbath, etc. The Hellenization of a cult or the introduction of Hellenic gods into the pantheon of an Oriental people, of course, led to a number of changes. In earlier times, the Arabs had known neither libations of wine in the cult of Dusares, nor any artistic representations of the gods. The Greeks, in accordance with their own customs, gradually introduced both of these features into the religion of the Hellenized Arabs. Dusares was even represented as Dionysus, the god of wine. But this method of accommodation did not necessarily have to mean that, in the process, the popular customs of the Orientals were crudely violated or even forbidden. Just as in the Jerusalem of Epiphanes, the

main divinity of the Transjordanian city of Gerasa, which since the time of Antiochus IV called itself "Antiocheia," bore the name of "Zeus Olympios." Here, too, he had taken the place of the previous Oriental, native and divine owner of the city. Even under the Caesars, the citizens of Gerasa-Antiocheia dedicated to him their sons and daughters as "sacred slaves," just as their ancestors and predecessors had been doing for ages. Why, then, did the Zeus Olympios of Jerusalem not tolerate any of the customs which had been sacred to the worshippers of the Lord of Zion for centuries? Why was the circumcision of a Hellenized Jew forbidden, but not that of a Hellenized Arab? Why did Epiphanes consider it a crime that an inhabitant of Jerusalem should serve Zeus and, at the same time, abstain from pork? After all, the pig was considered unclean by all Syrians, and they were allowed to continue holding this view.

In order to comprehend the meaning of the persecution under Epiphanes, we have to understand that, at the same time, it was both a prohibition and a command. The prohibition related to existing Jewish law while the command introduced a new way of life.

The prohibition of customs considered barbaric is found also in other contexts. The Greeks reported that Dionysus of Sicily had ordered the Punics to give up human sacrifice. The Romans, too, prohibited this custom, just as the British outlawed the burning of widows in India. Hadrian considered circumcision a barbaric act and made it a capital crime. During the subsequent rebellion in Palestine, the observance of a number of other ordinances of the Torah, too, was mercilessly persecuted. As we know, the teachers then suspended all legal requirements in order to save the lives of the believers. Only idolatry, murder, and immorality remained forbidden under any circumstance.

Epiphanes, however, forced idolatry upon the Jews. The martyrs under Hadrian died at the stake, wrapped in Torah scrolls, because, in spite of the prohibition, they had studied and taught the law. The Maccabean martyrs, on the other hand, suffered inhuman tortures because the government tried to force them to eat pagan sacrificial meat. Under Hadrian, the Jews revolted because of the prohibition of circumcision, and because of the construction of a temple dedicated to Jupiter on Mt. Zion. The Maccabean revolt, however, did not erupt because pagan gods had found entry into Jerusalem, or because circumcision or the observance of the Sabbath had been forbidden. On the contrary, Mattathias, a priest of the family of Joarib, took up arms because delegates of the king, who went from place to place, came also



to his village in order to force the inhabitants to bring pagan sacrifices. In order words: every Jew was to be involved in the new cult. Nothing demonstrates this more clearly than the remark that sacrifices were offered, not only in the public squares of Jerusalem, but also "at the doors of houses" (I Macc. 1:55). For it was a custom of the period to erect a temporary altar in front of every house when the whole population, without exception, had to participate in the celebration of the new cult (cf., e.g., *Sylloge*, 695).

The persecution meant not only the suspension of the previous law, but also the introduction of a new one. This is the point at which any attempt fails to explain the measures of Epiphanes on the basis of his own ideology or on the basis of the conditions of the age. After all, the introduction of a new regulation presupposes a missionary zeal, for which we can cite only one example from antiquity: the enforcement of the cult of the sun by the Pharaoh Ikhnaton. Ikhnaton believed in his god. Epiphanes, on the other hand, studiously followed the lectures of the Epicureans and proclaimed his adherence to their school. Although the Epicureans taught that the heavenly beings did not interfere with affairs on earth, they also recommended that the traditional rites be observed.

Tacitus believed that Epiphanes had endeavored to introduce the "Greek custom" among the Jews. A careful examination of the authentic evidence, however, has shown (above, p. 1109) that the new cult on Mt. Zion was not Greek at all, but alien to the king. The Greeks had an anthropomorphic conception of the divinity. Yet when the Maccabees purified the temple, the "stones which had defiled it," which they removed to an unclean place, were not fragments of marble statues, but of an idolatrous altar, which had been erected on the base of the altar of burnt offering.

How did Epiphanes come to introduce the gods "unknown to his ancestors" (Dan. 11:38), to force a religion upon the Jews which was alien both to them and to him? The unique character of the persecution now becomes a paradox, the problem turns out to be aporetic in nature. In order to find a solution, we must look, not among the later narrators, but into the facts of the religious oppression itself. Following our own method, then, we have to try to clarify the legal foundations for the persecution under Epiphanes.

## 2. *The Edict of Persecution*

A royal decree demanded that the Jews should “abandon their ancestral customs and no longer regulate their lives according to the laws of God” (II Macc. 6:1). The persecution was ended through another royal edict, the text of which is still extant: “the Jews may follow their own food-laws” (II Macc. 11:31). This decree was addressed to the “Jewish Senate and people” (II Macc. 11:27), *i.e.*, to the Jewry of Jerusalem and its territory. From this we can conclude that the measures aimed at conversion had also been limited to the area under the jurisdiction of the Senate in Jerusalem. The place of the persecution was “Jerusalem and the cities of Judea”; the people persecuted were the “inhabitants of Judea and Jerusalem.” The oppression of religious faith took place in “Judea and Jerusalem” (I Macc. 1:44, 51; 3:35; 2:6).

To this positive conclusion, derived from the unanimous statements in the books of the Maccabees, there corresponds a negative statement: there was no persecution in that part of the diaspora that was subject to Epiphanes. We find no tradition about any oppression of the Jews at Antioch or Tyre (II Macc. 4:36; Josephus, *Ant.* 12:119; *B.ḡ.* 7:43, 106). On the contrary, the books of the Maccabees show that even the Jews in the Greek cities of Palestine remained unmolested during the years of religious oppression in Judea (167–164 B.C.). It was only after the recovery of the temple (toward the end of the year 164), when the persecution in Jerusalem had already been stopped, that the Gentiles in the surrounding area began “to wipe out all those of the race of Jacob who lived among them” (I Macc. 5:2). During the year 163, Judah Maccabeus rushed to the aid of his fellow believers in Transjordan, Galilee, and the valley of the Jordan (I Macc. 5:9, 15, 23, 25). Only a year after the cancellation of the edict of persecution did the people of Joppa (Jaffa) and Jamnia (Yavneh) attack their Jewish neighbors, whereas the people of Scythopolis left the Jews of their city unmolested. Here we are dealing with the usual fights among neighbors which have nothing at all in common with the persecution under Epiphanes (II Macc. 12:1ff., 30). Granted, we read in II Macc. 6:8: “At the instigation of the inhabitants of Ptolemais an order was published in the neighboring Greek cities to the effect that they should adopt the same policy of compelling the Jews to eat the entrails.” But this decree implies that, to the degree that the Jewish religion was persecuted outside of Jerusalem, this happened as a local initiative and not on the basis of a general rule throughout the entire kingdom.

This statement by no means comes as a surprise. We remember that the status of the Jews in the cities, be that Jerusalem, Ptolemais, etc., was in each case determined by special privileges which were valid only at the place concerned (cf. *e.g.*, I Macc. 10:34 and 37; Josephus, *Ant.* 11:338; 12:119, 125, 150; *B. J.* 7:44, 110). The measures of Epiphanes in Judea, seen from a legal point of view, constituted alterations in the charter of freedom issued for Jerusalem by Antiochus III. Other local statutes, in principle, remained unaffected by this step. That means that the Jewish communities of Babylonia or Persia, also subjects of Epiphanes, were not necessarily affected by the edict of persecution issued in Jerusalem. In order to illustrate this, we only need remind ourselves that the Roman Titus, the man who had destroyed Jerusalem, confirmed the privileges of the Jews in Antioch. Epiphanes had defiled the temple on Mt. Zion. But the sacred utensils robbed in Jerusalem were presented by the Seleucids to the synagogue of Antioch (Josephus, *B. J.* 7:43).

The rule of the law of Moses in Jerusalem had been guaranteed by the charter of Antiochus III. Neither Menelaus nor any other renegade was able, on his own authority, to introduce any changes into this arrangement. Only the king himself could revoke the charter and introduce a different constitution. But as soon as that happened, the anti-Torah became just as binding as the Torah had been before.

According to the privilege granted by Antiochus III, for instance, it was forbidden to offer on Zion any sacrifices which the Torah prohibited. The same was true also for the importation of forbidden meat into the city: the penalty for this was 3,000 silver drachmas (Josephus, *Ant.* 12:145). In exactly the same way Antiochus IV now decreed, for example, that pork be used for sacrifices and circumcision be prohibited. The application of these commands and prohibitions of the king we call "persecution." For the Seleucid government, however, this did not constitute a persecution of the Jews, but rather the chastisement of insubordinate subjects who resisted the decrees issued by the monarch and the high priest appointed by him.

According to this view, the "godless" in Jerusalem were the "loyalists" (I Macc. 6:23; 3:14). "We were willing to serve your father, to follow his instructions and to obey his decrees." The Maccabees, on the other hand, were the ones who "disregarded the order of the king."

An important document, the only one to survive from the period of persecution, can serve to illustrate this attitude on the part of the

Seleucid government: the petition of the Samaritans and the reply of Epiphanes, dated to the year 166 B.C.

The Samaritans, i.e., the population of the countryside, whose cult place was the temple on Mt. Gerizim and whose metropolis was the village of Shechem, had at that time administrative ties with Jerusalem. We do not know when these ties were established and exactly what they involved (II Macc. 5:23; I Macc. 3:10). We can draw this conclusion from the fact that Epiphanes appointed his prefects for Jerusalem and Gerizim at the same time, and that the first troops mobilized against the revolt in Jerusalem were "the Gentiles" and the units from Samaria. In addition, there existed within the Samaritan territory Jewish districts "which sacrificed in Jerusalem" (I Macc. 11:34). This administrative status of the Samaritans gave the royal officials cause "to level the same accusation against the Shechemites" as was brought forth against the Jews. It concerned mainly the observance of the Sabbath rest, which in Jerusalem was now illegal: The Samaritans ask not to be confused with the Jews and "to blame them for the crimes of the Jews." Antiochus grants the petition, since the Samaritans "have nothing to do with the accusations brought forth against the Jews."

From this document we learn, first of all, the fact that the crime with which the Jerusalemites were charged was not the observance of the Sabbath or circumcision of boys as such, but rather the continuation of these customs after their prohibition. Indeed, in the document cited from the year 166, as well as in the Seleucid documents from the years 164 and 163 which are still extant in II Macc. 11, we do not find a single reference to the civilizing mission of Epiphanes or the barbarism of the Jews. The Samaritans ask the king to leave them unmolested "so that we can increase your revenues." The temple is returned to the Jews in the year 163 so that "this nation like the rest should be left undisturbed." Freedom of religion is restored by Epiphanes in 164 so that the Jews who have fled from persecution may "return to their business affairs." At the same time, the Jews are granted an amnesty: "none of them shall be charged with any previous infringement." This is the usual formula of Hellenistic decrees of amnesty after internal disturbances and unrest. The "criminal acts" with which the Samaritan petition charges the Jews, are insubordination and rebellion. In the year 164, the governor Lysias promises in his letter to the Jews who want peace to speak on their behalf before the king, "if only you continue with your loyal attitude."

According to these documents, then, the persecution appears as a chastisement of a rebellious people that resists the royal command. But why was this order, which aimed at changing the life of the Jews, issued in the first place?

The documents hint at the answer. Antiochus V returns the temple to the Jews, because they do not agree to the “adoption of Greek ways” which Epiphanes had decreed. “Greek ways,” in this context, refers not only to the polis-type constitution (p. 1070). But in the response of Epiphanes to the Samaritans we read that they remain undisturbed, “because they have nothing to do with the accusations against the Jews, but rather prefer to live according to the Greek customs.” This decree was issued in the midst of the persecution, and in it the Hellenization of the Jews is stated as the goal of the royal measures. It is only consistent, then, that the Samaritans are praised for requesting that their sanctuary be given the name of Zeus.

But to say that the king wanted to Hellenize would only seem to be an explanation for the persecution. In point of fact, Hellenization could take place in different ways, and, as mentioned above (p. 1095), it never led to the enforced prohibition of the previous cults and the enforced introduction of a new faith. Why, then, did the Hellenization of Jerusalem involve the defilement of Zion?

Later defenders of Epiphanes supplied an answer that appeared to be reasonable: Moses had “imposed upon the Jews their strange customs which led them to hate all other people.” The king, “who despised this hostile attitude toward man, no matter among which people he found it,” for this reason tried to abolish the law of Moses.

The Samaritan document proves that this tendentious explanation is a lie (p. 1048). It shows that Epiphanes did not persecute the religion of Moses as such. It further demonstrates that he made no attempt to force the Greek, or any other, cult upon his subjects – except upon the people of Jerusalem. The statutes of Moses, supposed to be “hostile toward man,” which separated the believers from the Gentile world, were just as binding on the Samaritan as they were on the Jew. The Samaritan epic poet Theodotus emphasized the obligation of circumcision in the language of Homer. “Thus it is fixed, for God himself has commanded it,” and in hexameters he declared that the Hebrews were not allowed “to take sons-in-law for their daughters from abroad.” The sacrifices on Mt. Gerizim were offered to the same unique and jealous god as those on Mt. Zion. The Sabbath was the sign of the covenant for the rest of Israel just as much as in Judea. But only in Judea did

the observance of the Sabbath constitute a capital crime, whereas in Samaria Epiphanes himself recognized the feast of the seventh day. The king was satisfied that from now on the "Most High" God of Gerizim was to be known as "Zeus." The "Most High" on Zion was also given the name of Zeus. But at the same time, his sanctuary was defiled, his rites and statutes suspended, and his faithful persecuted. Why was one standard applied to Gerizim and a different one to Zion? Why does Epiphanes, who tolerates the Torah in Samaria and Shechem, send orders to Jerusalem "to compel the Jews to forsake the laws of their fathers and cease to live by the laws of God and to obey the laws of the king"?

### 3. *The Renegades*

One fact is certain: the decree issued by Epiphanes toward the end of the year 167, in which the validity of Torah was suspended and a foreign way of life imposed upon the Jews, affected only the "ethnos" of the Jews, Jerusalem and Judea, *i.e.*, the territory under the jurisdiction of the high priest of Zion.

Since the persecution was limited to a certain area, one is led to assume that it had been instigated by the local authorities. And indeed, the tradition emphasizes in two different places that the high priest Menelaus and his followers were responsible for the religious oppression. Daniel says of Epiphanes: after the second Egyptian campaign, in the year 168, the king returns (to Antioch) "and takes heed of those who forsake the holy covenant; and forces from him shall appear and profane the temple" (Dan. 11:30f.). An ancient commentator on the text explains this passage as follows: the king "was asked to do this by those who had forsaken the divine law and accepted the rites of the Gentiles" (Porphyry in Jerome, *ad Dan.* 11:30).

This hint given by the seer is confirmed by Greek historians. They reported that in the year 163, at the time of the reconciliation of the Seleucid government with the Jews, Menelaus was executed upon the advice of the grand vizier Lysias. "For this man was to blame for all the trouble, since he had persuaded the king's father (*i.e.*, Epiphanes) to compel the Jews to abandon their fathers' religion" (II Macc. 13:4; Josephus, *Ant.* 12:384). The agreement between the Greek, *i.e.*, Seleucid, tradition and the saying of Daniel, which had been written during the persecution itself, demonstrates that the statement concerning the

instigator of the religious oppression is correct. This statement, in turn, illustrates the legal situation during the persecution.

But the paradox of the high priestly shepherd who wants to lead his own herd to apostasy, in itself calls for an explanation. Neither the Seleucid nor the Jewish tradition allows the hated and defeated party of Menelaus to say a word on its own behalf. At most, we can find two sentences in I Maccabees, from which the motivation of the persecutor can still be deduced: "Then the king wrote to his whole kingdom that all should be one people, and that each should give up his customs. All the Gentiles accepted the command of the king" (I Macc. 1:41f.). At three additional places, the author explicitly states that Epiphanes ordered the establishment of a uniform cult throughout his realm and endeavored to abolish the particular rites of the various nations. This thesis, presented by a Jewish author writing sixty years after the king's death, is untenable. A unification of religions was neither ordered by the king, nor enforced. Further, under Epiphanes Nania continued to be worshipped at Susa according to ancient custom, at Byblos the god with the six wings continued to be venerated, and at Babylon the sacrifices to Marduk were not discontinued. The error of the Jewish historian can be explained, however, if we assume that the persecution at Jerusalem was defended as aiming to abolish particularism. This, then, would have been the goal of the people who instigated the measures of the king.

Indeed, according to I Maccabees, the abolishment of Jewish particularism was the idea of the "lawless." "In those days lawless men came forth from Israel, and misled many, saying, 'Let us go and make a covenant with the Gentiles round about us, for since we separated from them many evils have come upon us'" (I Macc. 1:11).

The rationale in this passage still reflects the biblical conception of history, according to which every national disaster is the result of an act of apostasy. In this instance, however, it is not assimilation that is understood as sin, but, on the contrary, particularism. These people call for a return to the spirit of those days when Jews were not separated from other nations. Such a complaint could be heard already in the days of Jeremiah, after the destruction of Jerusalem: we want to bring sacrifices to the Queen of Heaven, "as we did, both we and our fathers." At that time we had plenty of food and prospered. But ever since those sacrifices ceased, "we have lacked everything and have been consumed by sword and famine" (Jer. 44:171).

Jason and Menelaus, however, were separated by three centuries of loyalty to Torah from the days of Jeremiah. When the renegades under Epiphanes maintained that particularism was the misfortune of Israel, and that once there had been a primal time in which separation was not known, they did not repeat the complaints of the women of Jerusalem in exile, but they rather applied to their own people the ideas of the Greek enlightenment. To a Jew loyal to the law, his particularism appeared natural and necessary as a protective wall against the foolish vanity of idolatry (Ps. Aristeas 142). "For this reason, God surrounded us on all sides with purity laws concerning eating, drinking, touching, and seeing."

To the Greek, however, this particularism was nothing but an expression of barbarism. One generation before Menelaus and Jason, the great geographer coined the following sentence: "All barbarians have in common the custom of expelling foreigners" (Strabo, 802). During the early Hellenistic period, when, for instance, in Egypt anybody who participated in Greek culture was considered a Hellene, it was inevitable that the Jew who thought in the Greek way should also give up his particularism. The prevailing teaching of the age was: "He who created us, created us for the common life with all men" (*Stoicor. veter. fragm.* III, 346, ed. Arnim). It was in this sense that the Jewish Hellenists explained the misfortune of their people as the result of their isolation. It is perhaps the most unfortunate gap in our knowledge of the Maccabean period that we do not know exactly what those reformers considered to be the "many evils" from which they wanted to rescue the Jews. Severe blows of destiny? Hatred by the nations? Internal decline? At any rate, they wanted to assimilate to the other nations: they even removed the evidence of circumcision, "in order to appear as Greeks even while naked" (I Macc. 1:15).

But in those days, the life of all nations had a cultic framework. There was no assembly, no official or private act, in which the gods did not participate, which was not accompanied by sacrifice and prayer. Whoever killed a young ram, whoever raised his cup in honor of a friend, never failed, at the same time, to invoke the gods and to pour a few drops as a libation. Even unbelievers followed the ancient custom. For the Jew, therefore, assimilation inevitably involved participation in idolatry. The Gentiles argued that there was no other proof of friendship toward them than the veneration of their gods. In contrast to the god of the Jews, these gods were common to all mankind.



Either the Jews had to adjust their way of life to that of the rest of mankind in this respect as well, or "they have to seek another place in the world, where they could live among themselves, according to their peculiar laws" (Josephus, *Ant.* 4:138).

It was made easier for the Hellenized Jews to give up the Torah, since they saw in it the law of Moses, a human being. The Greeks had developed a comparative study of religion, and thus they knew that many legislators, from Zarathustra to Lycurgus, had claimed divine inspiration, in exactly the same way Moses had done (Diod. I, 94). Accordingly, that assimilation to the Gentiles did not involve the violation of a divine commandment, but merely that of a human statute.

The other idea of the reformers, that once there had been a primal age when separation did not exist, is connected with the former thought. The Greek theory of the history of culture tended to view any phenomenon in the life of a people that displeased a philosopher as a result of decadence. For this reason, sympathetic Greeks viewed Jewish exclusiveness as a sign of decay. When Moses had been expelled from Egypt, he was embittered and prescribed the separation of the Jews from all other peoples. "Having originated out of this motivation, it gradually developed into a sacred form of life." According to other authors, the separation occurred only after the days of Moses. According to them, Moses had merely taught the worship of God without images (a doctrine highly respected by the philosophers) and, for an accidental reason, ordered that the Sabbath be observed as a day of rest. The separation with respect to eating, living, and relations with women was added only later, when the Jewish sect, through the incorporation of proselytes, had become a nation. "For since these constituted the refuse of all the nations, they (in the manner of criminals) banded together for mutual aid and united in their hatred for the rest of mankind." A third Greek historian, the famous Posidonius, on the other hand, reported that Moses had won Jerusalem without a fight. As the reason for this feat Posidonius mentions that Moses had promised a form of worship and sacrificial system in which the participants would be burdened neither by unnecessary expense nor by nonsensical ceremonies. "By this means he acquired a good reputation and was able to establish a considerable rule, since all the neighbors turned to him because of his instruction and promise." Only later his successors, out of superstitious fear of God introduced circumcision,

dietary laws, etc. (Hecataeus in Diod. 40, 3; Tac. *Hist.* 5, 5; Poseid. 87 fr. 79 Jacoby).

A Hellenized Jew could no more ignore these results of Greek scholarship than can an enlightened Jew of today ignore the results of scholarly criticism of the Bible. Philo, at the same time a Jew loyal to the law and an educated Greek, was able to justify the authority of the Torah for himself only by understanding its statutes and narratives symbolically. In the same way, the Greeks salvaged the authority of Homer through an allegorical interpretation of his immoral stories. From Philo we learn that some of his predecessors from a symbolical understanding of the laws of Moses had drawn the conclusion that a strict observance of their literal sense was not required. Others looked in the Bible for the (Cynic) teaching of the Greeks about the perfection of the primeval way of life, which followed exclusively the laws of nature. They rejected the positive legal norms, including the Jewish ones, as being particularistic in nature and constituting a turning away from this order of the world. Others, again, "did not hide their dislike for the ancestral way of life and incessantly criticized the laws." The story of the construction of the tower of Babel, to these people, was a fairy tale, similar to Greek myths.

We only have to retrace the line of thought of these Jewish Hellenists, in order fully to understand the similar ideology of Jason and Menelaus in Palestine. They wanted to reform Judaism by eliminating the barbaric separatism, which had been introduced only late, and by returning to the original form of worship, free of any distortion.

The reformers under Epiphanes remind us of the Jewish reform movement during the forties of the nineteenth century, when men like G. Riesser, A. Geiger, and I. Einhorn proposed the abolition of the dietary laws and declared circumcision not to be binding. They, too, were fascinated by the non-Jewish world around them and were impressed by the hypotheses of (Protestant) scholarship concerning the origin of the Pentateuch.

And indeed, the form of worship introduced by Epiphanes on Mt. Zion corresponded to the Greek conception of a reasonable religion of nature. According to Moses, Posidonius tells us, neither the Egyptians nor the Greeks acted correctly when they depicted the divinity in the form of an animal or a man (Strabo, 761). God is the comprehensive nature of everything. For this reason, man should set apart a sacred area and there worship God without any image. In the opinion of the

philosopher, it was not only Moses who had used this cultic form, but also the godfearing Roman king of the primeval age, Numa Pompilius, who had worshipped the gods on plain altars and had known neither temple nor images (Plutarch, *Numa* 8).

The citizens of the polis of the "Acra" were mostly colonists, and the majority of them were certainly not Greeks, but Syrians and Arabs. They worshipped the gods according to the old Semitic custom with which they were familiar. But at the same time, their cult also corresponded to the religion of the philosophers, who liked to connect their elevated interpretation with a traditional custom. For the Arab inhabitants of Jerusalem, the divinity was symbolized by the altar stone. To the philosopher this same stone, since it did not involve an image, had to appear as a reminder of the divine being (Philostratus, *Vita Apoll.* 3, 58). In the same manner, people also regarded the obelisk which on the island of Paphos represented Aphrodite, as a "symbol of the divinity." Even in one of the church fathers we can read that the pillars of clouds and fire which preceded the chosen people in the wilderness, "expressed the aniconic character of their divinity" (Clem Alex., *Strom.* 1, 24, 163).

Just like the uncorrupted children of nature of Greek theory, the "sons of the Acra," *i.e.*, Menelaus and his partisans, thus worshipped the heavenly god of their ancestors without temple and images, under the open sky upon the altar which stood on Mt. Zion. They were free from the yoke of the law, and in mutual tolerance they were united with the Gentiles. What could be more human, what could be more natural, than their desire to force this tolerance also upon those of their coreligionists who were still unenlightened? That was the persecution of Epiphanes.

#### 4. *The Ideology of Persecution*

When the church praised the Maccabean saints, many Christians rejected the "martyrs for the sake of pork" (Augustine, *Sermo* 300, P.L. 38, 1379). Indeed, the books of the Maccabees emphasize that the persecutors especially tried to force this food upon the Jews (I Macc. 1:47; II Macc. 6:21; 7:1). This piece of information is peculiar. Among the Greeks, as a rule, pig was customary only for sacrifices that were considered unfit for human consumption; further, for sacrifices to Demeter and in the cult of Dionysus. In the list of sacrifices at Erythrai,

for instance, all the gods, including “King Antiochus,” receive a sheep and a lamb, only Demeter is assigned a suckling pig. The new god of Jerusalem, however, was “Zeus Olympios,” and his due was a bull. The pig, on the other hand, was considered unclean, not only by the Jews, but by the Syrians, Phoenicians, Arabs, etc., as well. The Greeks had never made any attempt to change the attitude of these peoples. No Syrian was forced under Epiphanes to eat pork; this was demanded only of the Jews in Jerusalem.

The contradiction is resolved as soon as we realize that abstention from this food was understood as a peculiar characteristic of Israel, and at the same time, evidence of the naive superstition of this nation. “Why do you not want to eat pork?” Caligula asks the Jewish delegation. A cult reform, therefore, that wanted to abolish the particularistic status of the Jews, with the consistency characteristic of every form of rationalism, had to select the pig, out of all animals, as the preferred sacrificial animal of the Zeus Olympios of Jerusalem – though the pig was rejected by the Syrians and, among the Greeks, was not a customary offering for Zeus.

The other statutes and prohibitions can be explained on the basis of the same attitude. Only those animals were used for sacrifice which, in Jewish law, were considered “unclean” (I Macc. 1:47). Since, on the whole, the animals used for the sacrificial cult among the Syrians and the Greeks were the same as among the Jews, this was not only a matter of the selection of certain species of animals, but also the abolition of the Jewish cultic method of slaughtering the animal. That means that the Jewish law which required that the animal be drained of all of its blood was abolished. The Jews were forced to eat meat obtained from animals that had not been killed according to ritual law. A Gentile king who merely wanted to Hellenize the Jews would have had no reason to enforce such a requirement. But it was an important point in the eyes of a Jewish reformer who wanted to abolish every rite peculiar to the Jews (cf. *Ps. Solom.* 8:13).

For the same reason, the Torah scrolls were burnt and the observance of the Sabbath as a day of rest prohibited, which was also considered by the Greeks a mark peculiar to the Jews, and at the same time condemned as silly idleness. There probably was not a single rite of the ceremonial law that was not considered as being, at the same time, both superstitious and a sign of separation. “We reject,” so we read in a philosopher, “the lighting of Sabbath lamps, for the gods need no illumination, and the smoke cannot be pleasant even to humans” (Seneca,

*Ep. ad Lucill.* 95, 47). Circumcision, to the traditional Jew, was the sign of the covenant, but in the eyes of the Gentiles it was a sign of Jewish particularism. "Circumcision was introduced so that by this particularity they can recognize each other" (Tacitus, *Hist.* 5, 5). Circumcision was particularly frowned upon. Two women were executed because they had had their newly-born sons circumcised. The children were hung around their mothers' necks, then they were led through the city and pushed off the wall (II Macc. 6:10).

It will hardly have mattered to Epiphanes, a man who attended the lectures of the Epicureans, whether the people of Jerusalem, like those in Hieropolis, abstained from pork, or, following the Greek taste, preferred that particular food. The reformers, however, who had emerged from Judaism, naturally considered every iota of the law as no less significant than did the orthodox. And, like all religious reformers, they surpassed the traditional believers in intolerance, by arranging a bloody persecution against the "backward."

#### 5. *The Significance of the Maccabean Struggle*

Wide circles from among the people joined the reform party, be it out of conviction or out of opportunism and fear. "Those who forsook the holy covenant" (Dan. 11:30), sat not only in the citadel, in the "Acra," but could be found throughout the country (I Macc. 10:14; 6:21). The sources emphasize again and again that it was the "many" (Dan. 9:27) who joined the Gentiles, offered sacrifices to idols and forgot the law (I Macc. 1:43, 52; 2:16, 23; 6:21).

The Maccabeans fought primarily against these renegades. The movement started when Mattathias killed a Jew who was the first person at Modein to offer an idolatrous sacrifice. Then Mattathias and his sons, during nightly attacks upon villages and towns, "struck down sinners in their anger and lawless men in their wrath" (I Macc. 2:44). By strafing through the places of settlement in Judea, by searching out and killing the godless, and by burning, they turned the "wrath of God" away from Israel (I Macc. 2:24; II Macc. 8:6; I Macc. 3:5; 2:48; 7:24). Even after the recovery of the sanctuary, the war against the renegades, especially the "men of the Acra," did not cease. The "godless," in turn, everywhere joined the Seleucid punitive expeditions and, again and again, invoked the power of the king against the Maccabeans (I Macc. 3:15; 4:2; 7:5; 9:23, 25, 58, 69; 11:21, 25).

The Maccabean movement was, above all, a civil war, a religious struggle between reformers and orthodox. But posterity has remembered it as a war against the Seleucids, just as the internal struggles of the peoples of the Low Countries during the seventeenth century appear as a fight for "independence" from the overlord. In the Maccabean struggle, too, one party, that of Jason and Menelaus, relied upon the strength and power of the foreign ruler. Just as Ezra had introduced the law by the authority conferred upon him by Artaxerxes, so now its abolition was proclaimed by a decree of Antiochus IV. Just as the edict of Artaxerxes declared non-compliance with the Jewish law (which was identified with the royal law) to be a capital crime, so now Menelaus and his men did not hesitate to use executions and torture to convert the Jews to a new form of belief, which, once again, had been ordained by the royal government.

The antinomy of the theocracy of Jerusalem, the paradox of this state of God, the foundation of which was the will of the godless foreign ruler, finds its bloody expression in this struggle. For if Artaxerxes could force the law upon the people, Epiphanes could abolish it. If Darius II could tell the Jews through his satrap how they were to celebrate the festival of *mazzoth* during the month of Nisan, and decreed: "sour dough shall not be eaten," then Antiochus IV, too, could feel justified in decreeing through his "inspectors" (*epistates*) that the Jews should taste pork.

To the alliance Ezra-Artaxerxes, we find the corresponding connection of Antiochus-Menelaus. Menelaus was an Ezra with reversed signs. Ezra and Nehemiah separated the Jews from the other peoples in order to maintain monotheism. Jason and Menelaus abolished monotheism in order to liberate Judaism from its isolation. The reform made the people subject to their god, the counter-reform deposed the god for the sake of the people. The Maccabees fought against the Seleucid troops, but not against Seleucid rule. They took to arms, not to ward off some form of culture or state, but "for our lives and our ordinances" (I Macc. 2:27, 40, 42, 50, 64; 3:43, etc.). It was not a national fight, but a struggle within the nation itself, *i.e.*, a religious war between two groups of Jews: between the polytheists who sacrificed God in order to save their people through assimilation to the surrounding world, and the monotheists, who were ready to give up their lives and that of the people in order to preserve the law of Moses. The first party relied upon the secular power of the Seleucids; on the side of the Maccabees, however, fought God.

Had they been defeated, the light of monotheism would have been extinguished, too. An external oppression could not have led to its destruction, since a fraction of the dispersed people would always have maintained the true faith. It would have been different, however, if the Judeans themselves had lapsed into polytheism, if the pilgrims to Zion had encountered within the walls of the temple sacred prostitutes, who would have led the stranger to the altar of an Allat or a Dusares. The martyrs, through their blood, the fighters of God, through their swords, have saved the motto of Judaism: "Hear, O Israel, the Lord is our God, the Lord alone."

Thus, a very profound meaning lies in the historical injustice committed by the monotheistic religions, when they kept alive the memory of the days of the Maccabees, but forgot the family of the Hasmoneans. While the figures of Mattathias and his sons survived only in the history books, the Jews even today celebrate Hanukkah as a festival in memory of the rededication of the temple and the miracle of the inexhaustible oil. On August 1, the Christians honor the memory of the "holy Maccabeans," *i.e.*, those martyrs whose death is glorified in II Macc. 7. For the deeds of the Maccabeans are worth remembering forever only because they resulted in the survival of monotheism. Through the blood witness of the martyrs, through the service in the rededicated temple the one truth was saved which for mankind during its wanderings of a thousand years, it has found unchangeable and eternal. Man has been deceived and disappointed by innumerable alleged truths – but never by the one truth of the uniqueness of God. Thus, those men and women and children who sacrificed their lives during the persecution under Epiphanes in order to remain faithful to the Eternal One, remain forever and for all peoples examples of true heroism. "May men learn from them to die for the *truth*," says Augustine (P.L. 38, 1379).

## APPENDIX I

### SURVEY OF THE SOURCES

The events which led to the Maccabean revolution are known to us from the following writings:

a) The book of *Daniel* is extant in the Old Testament. Its author took various stories and predictions from earlier (Persian and Babylonian) periods and interpreted them as referring to his own time. He accomplished this by collecting them and giving them appropriate new meaning. He added some sections (especially chapters 8 and 11) which point directly to the persecution of Epiphanes – a fact which was already recognized by interpreters in antiquity. The Neo-Platonist Porphyry (d. 304) discovered that the prophecies of “Daniel” correspond exactly to the course of history down to the time of Epiphanes, but that they are false for the following period. From this fact he drew the inescapable conclusion that the author of the book was a contemporary of the king. By applying Porphyry’s method further, it is possible to give a precise date for the origin of the book as follows: Daniel does not know the final fate of Antiochus, who died in the year 163. The seer rather, erroneously, predicts that there would be a further (third) war between the king and Egypt (Dan. 11:40). Daniel does not yet know anything about the recovery of the temple, which fell in December of the year 164, and instead offers various calculations for the length of the period of defilement. That means that he writes during the persecution itself. “How long,” he asks, “will it last”? But the religious oppression came to an end with the edict quoted in II Macc. 11:30 (shortly before April, 164). The further pinpointing of the date depends upon the question whether Daniel knew of Antiochus’ campaign in the east, which the king had started during the spring of the year 165 (I Macc. 3:37: the year 147 of the (Macedonian) Seleucid era, *i.e.*, the fall of 166/5; the campaign probably started in spring). Porphyry found a reference to that even in Dan. 11:44. But it is more probable to see in this passage a reference to the time of the end, as the church fathers had already done (Jerome, *ad Dan.* 11:44). In this case, the *terminus ante quem* is pushed back as far as the summer of 165. Since Daniel, on the other



hand, knows of the first successes of the Maccabeans (Dan. 11:34) during the year 167, we can conclude that his work was redacted in the year 166 or 165.

The survey of events given by Daniel is our most important source. We may unconditionally accept his statements about the *sequence* of events. As far as we are able to control them, his reports entirely agree with the facts. This was recognized and proven already by Porphyry. Since Daniel clothed his statements about the previous course of the persecution in the form of prophecies, they simply had to be absolutely reliable, so that the reader would also accept the prophecies concerning the future.

b) *First Maccabees* is extant in the Greek Bible (Septuagint). This chronicle extends down to the beginning of the reign of John Hyrcanus (135 B.C.), and for the rest it refers the reader to “the annals of the high priesthood” of Hyrcanus, *i.e.*, the official journal with daily entries, which the Hasmonean rulers kept like other rulers of that period. From this we can conclude that I Maccabees itself was written under John Hyrcanus (135–104), and that, for the reign of Jonathan and Simon, it made use of the court journal. Indeed, the author must have used the archives of the Maccabees, but only that. He quotes *verbatim* a number of official documents, but, apart from the treaty of alliance between Judah and the Romans (8:23), the series only begins with the appointment of Jonathan as high priest (10:17). The documents from the earlier period (*e.g.*, those still extant in II Macc. 11) are unknown to the author.

There have been extensive debates over the question whether the *Tendenz* of I Maccabees is Pharisaic or Sadducean, as if all the inhabitants of Jerusalem at the time had to be members of one or the other of these parties. To any unprejudiced reader of the book it is rather clear that the author simply represented the Hasmonean position. We only have to refer to the well-known passage at 5:62: while Judah and his brothers Simon and Jonathan won successes, two other Jewish army leaders, who wanted to proceed independently, were defeated by the Gentiles. “They were not of the family to whom it was granted to bring deliverance to Israel.” One could say that I Maccabees represents a semi-official history of the rise of the Hasmoneans. The book was originally written in Hebrew. The Greek translation slavishly follows the (lost) original, so that at places it is difficult to understand.

The original I Maccabees must have been a work along the lines

of the book of Judges or of the books of Samuel, since it used biblical historiography as its model. The author of I Maccabees was quite successful in achieving his goal. However tendentious the work is in its ideas (p. 1052), in its presentation it retains the incomparable objectivity of the Hebrew historical works. As an illustration, it would suffice to read the episode in 11:4ff., where the Gentiles adduce for King Ptolemy examples of Jewish barbarism. Just like the biblical narrative, the author of I Maccabees disdains any attempt to influence the reader through anything but an unadorned, seemingly strictly objective narrative. We may only refer to the picture the author gives of the persecution (1:54). For this reason, critics have always held a high opinion of the historical value of I Maccabees. And indeed, wherever we are able to check his narrative, the excellency of his report is confirmed. I Maccabees, for instance, arranges the events of the pre-history of the persecution in exactly the same way as Daniel, and his date for the two campaigns of Lysias is confirmed by Seleucid documents which were inaccessible to the author of I Maccabees (below, p. 1141).

I Maccabees was written about fifty years after the death of Epiphanes. Apart from the Maccabean archives, the author surely made use of numerous oral and written sources of information, which derived from participants in the Maccabean fights, or their relatives. The author not only collected documents, but also songs from the period of the struggle, and, once again following the biblical example, interspersed them in his narrative (1:36; 2:7; 3:3, 45; 9:21; 14:4). It is probable that he also had access to older chronicles about the exploits of his heroes; he seems to allude to that in 9:22.

Concerning the political-historical character of the book, cf. above, pp. 1051–1055; about its chronology below, pp. 1131–1132, 1136–1138.

c) *II Maccabees* has also survived in the Greek Bible. According to its own statement, it is an epitome of a five-volume history produced by Jason of Cyrene, who is otherwise unknown to us (II Macc. 2:23). The narrative goes as far as the victory of Judah over the Syrian general Nicanor in the year 161. (On the political-historical *Tendenz* of the work, see above, pp. 1055–1056). Seen as a literary product, the work, in sharp contrast to I Maccabees, belongs to a certain *genre* of Greek historiography, the “pathetic historiography” of the Hellenistic age. This type of historical writing tried to affect the reader by stressing the author’s personal point of view, giving greater details about certain situations

and describing the emotions of the people involved in the action. It attempted to awaken fear and sympathy in the heart of the reader. II Maccabees is the only example of this *genre* of literature available to us, since otherwise no complete works of this type have survived. It is strange that this unique document of pathetic historiography has still not been discovered by classical philology. An examination of the style and language of II Maccabees would be a rewarding enterprise, from which we could probably also learn further details about the date of origin of this work.

Since modern scholars failed to recognize the character of this work, they underestimated it as being of a purely “rhetorical” character. But Jason of Cyrene, the source of II Maccabees, turns out to be well versed in the history of the Seleucids. He must have written still under the Seleucids, *i.e.*, before the year 63 B.C.

It is only natural that on detailed points, II Maccabees occasionally differs from I Maccabees. But essentially, the general order of events is the same in both works. The mutual relationship between the two books of the Maccabees can be seen on the table on pages 1131–1132.

As we can see, the deviations of II Maccabees from the order in I Maccabees are mainly of a chronological nature. True, II Maccabees never mentions Mattathias at all. But the reason for this was probably purely formal-artistic in nature. The author of the excerpt from the work of Jason tried for a uniform effect, and for this reason he focused his narrative on Judah. His predecessor Mattathias and the death of Judah do not fit into the heroic frame of this picture, and consequently they are passed over. For similar reasons, II Maccabees distributes over various places the reports about the fights between Judea and the Idumeans and other neighboring peoples, which I Maccabees had concentrated in ch. 5. It is likely that in this, both authors were guided by literary considerations. These reports were inserted in order to fill gaps in the narrative.

In II Maccabees, these gaps were caused when Jason, the author of the source, completely mixed up the middle section of his story by putting the death of Epiphanes in the wrong place. For this reason, Jason here also omitted the chronological references. And for the same reason, the author erroneously connected the document in II Macc. 11:22 (which he found without a date), with the documents from the year 148 of the Seleucid era to which he had access (11:17ff.). But since the document in 11:22 refers to Epiphanes as already dead, the author drew the conclusion that the king must have died already before the month of Xanthicos of the year 148 of the Seleucid era

| <i>I Maccabees</i>   | <i>II Maccabees</i>   |
|--|---|
| Alexander and his successors<br>(1:1–10)   | Seleucus IV. Heliodorus in the temple (3:1–4:5)   |
| Ascension to the throne of<br>(1:10)   | Antiochus IV Epiphanes<br>(4:7)   |
| The activities of the renegades<br>(1:11–15)   | (4:7–50)  |
| First Egyptian campaign of Epiphanes, looting of the temple (1:16–28), “two years later” the capture of Jerusalem. Founding of the Acra by the Mysarch (1:29–40) | Second Egyptian campaign of Epiphanes. Rebellion in Jerusalem. The king conquers the city (5:1–23).<br>Second capture of Jerusalem by the Mysarch Apollonius (5:24–26).<br>Judah Maccabeus leaves Jerusalem (5:27). |
| Defilement of the temple. Persecution<br>(1:41–59)   | (6:1–9)   |
| Martyrs<br>(1:60–65)   | (6:10–7:42)   |
| Mattathias leaves Jerusalem and begins the fight against the persecutors<br>(2:1–70)   |   |
| First successes of Judah<br>(3:10–26)  | (8:1–7)   |
| March of Epiphanes to Persia. His vice-roy Lysias sends an army against Judea, under Ptolemy, Nicanor, and Gorgias (3:27–4:25)<br>Campaign of Lysias (4:26–35)   | Victories of Judah over Nicanor, Timotheus, and Bacchides (8:8–36)  |
| Death of Epiphanes (ch. 9)   |   |
| Purification of the temple<br>(4:36–61)  | (10:1–9)  |
| Fights with neighbors<br>(ch. 5)   | (10:10–38) (cf. 8:30–33)  |
| Death of Epiphanes (6:1–17)  | Campaign of Lysias. Documents<br>(ch. 11)<br>Fights with neighbors (ch. 12)   |
| Campaign of Antiochus. Peace<br>(6:18–63)  | (ch. 13)  |

Table (*cont.*)

| <i>I Maccabees</i>  | <i>II Maccabees</i> |
|---|---------------------|
| King Demetrius I. The High Priest Alcimus against Judah<br>(7:1–21) | (14:1–10)           |
| Judah's victory over Nicanor<br>(7:23–48)                           | (14:11–15, 35)      |
| The annual festival in memory of the victory over Nicanor<br>(7:49) | (15:36)             |

(March 164 B.C.). He then corrected any statements in his sources that contradicted this conclusion. He placed, for instance, the purification of the temple, which took place toward the end of the year 164, after the death of Epiphanes which, however, did not occur until the spring of 163. It is exactly this arbitrariness which shows the author as a true historian who felt justified to correct the traditional statements on the basis of documents.

The second confusion found in II Maccabees came about in a similar way. Influenced by a Seleucid source, which in these matters appeared to him trustworthy, Jason dated the looting of the temple in the period after the second Egyptian campaign of Antiochus IV. But that statement was wrong as shall be demonstrated below in the appendix on chronology.

On the chronology of II Maccabees, see p. 1138.

d) *Josephus*, too, brings reports about the Maccabees in *Jewish Antiquities* (book 12) and in *Jewish War* (1:3ff.). It was recognized a long time ago that, in addition to I Maccabees which he employed in *Antiquities*, *Josephus* also used a second source, more precisely, one of Gentile origin. It probably was the historical work of Nicolas of Damascus, a contemporary of Herod; cf. on this point below, p. 1142.

e) Isolated statements of Gentile authors can be found as follows:

1) In the universal history of Diodorus, who wrote under Augustus, book XXXIV, extant in the *Bibliothèque* of the Byzantine patriarch

Photius. Diodorus here brings a section from the historical work of Posidonius of Apamea (d. *ca.* 50 B.C.).

- 2) In Tacitus *Historiae*, book V, 8, written under Emperor Trajan (A.D. 98–117).
- 3) In the Neo-Platonist Porphyry (d. *ca.* A.D. 304) in his work *Against the Christians*; cf. on this p. 1127.

These isolated pieces of information are important, because they have preserved the remains of the Greek tradition.

f) The historical writings of the Byzantines, on the other hand, merely offer more or less skillfully arranged compilations of the statements found in the books of the Maccabees and in Josephus. An exception is made only by John Malalas, who wrote in the sixth century and made use of the city chronicle of Antioch. His presentation differs in principle from the usual Byzantine scheme. But since his statements are highly confused, it is exceedingly difficult to determine to what degree, if at all, his report in the final analysis is based on the Antiochene tradition, or whether it was independently developed by him (or his intermediate sources).

g) There further exists a series of writings which, on more or less convincing grounds, are assigned to the Maccabean period, *e.g.*, the Book of Jubilees, sections from the Book of Enoch, sections from the Testament of the Twelve Patriarchs, etc. Unfortunately, the dating of these books is entirely hypothetical. The most important one, from a historical point of view, is the rules of the “Community of the New Covenant” in Damascus, which was discovered in the *genizah* of the synagogue in Cairo. According to some scholars, this work was produced *ca.* 170 B.C.; but, according to others, it originated in the ninth century A.D. How difficult it is to interpret within a historical framework the more or less obscure words of these books may be illustrated by the following example. In Jubilees 15:33 we hear of the Sons of Israel who tried to abolish circumcision. This looks like a direct allusion to the events mentioned in I Macc. 1:15. But also Paul (I Cor. 7:18) and the Roman poet Martial, besides others, know of Jews who did this.

h) Already the exegetes of the church maintained that certain psalms and some chapters of the prophet Zechariah referred to the time of the Maccabees (cf., *e.g.*, John Chrysostomos on Ps. 43 (44)). Ever since,

scholars have argued over the existence and the number of Maccabean passages in the Bible. It seemed safer to me at the beginning to leave these passages out of consideration, in order to make the results of this investigation not even more uncertain through the exegesis of the rather obscure allusions in these writings than is unavoidable with a topic like this. Only after the relationship among the events had been reasonably cleared up, will it be possible to venture into an investigation whether the biblical sections mentioned above actually belong to the Maccabean period.

We can completely leave out of consideration the edifying or novelistic compilations which, without exception, are dependent upon the Jewish historical writings listed above, but which elaborate or change the statements found there, each according to its own taste. These are:

- a) The so-called Fourth (Greek) Book of the Maccabees, a philosophical-theological treatise dealing with the martyrdom reported in II Macc. 6:18ff., and probably dating from the first half of the first century A.D.
- b) The so-called Fifth Book of the Maccabees, extant only in Arabic. This is a historical compilation which would warrant specific study; but even now it can be stated with certainty that it is dependent on the first two books of the Maccabees.
- c) The mediaeval redaction of Josephus, the so-called *Josippon*; the narrative of this work runs parallel to the two books of the Maccabees and is related to the Arabic book.
- d) The Scroll of Antiochus, a brief representation of the religious oppression, extant in Hebrew and Aramaic; it was obviously meant to be recited at the Hanukkah festival. This is a mediaeval story, produced before the ninth century, without any historical value.

Apart from a few dates cited in the "Fasting Scroll" (below, p. 1139), the Talmud does not contain any data about the period of the Maccabean revolution that would yield any historical information. It mentions the "house of the Hasmoneans" and the "high priest Mattathias," but neither Judah Maccabeus, nor his brothers.

That means, then, that the history of the persecution and the deliverance of Judaism under Epiphanes has reached posterity only through books in the Greek language preserved by the church. The church appreciated these books, because in II Macc. 6 and 7 the Christians found martyrs' stories which particularly appealed to them. Augustine

says about this (*de civ. Dei* XVIII, 36): “The books of the Maccabees are held as canonical, not by the Jews, but by the church, on account of the extreme and wonderful sufferings of certain martyrs, who, before Christ had come in the flesh, contended for the law of God even unto death and endured most grievous and horrible evils.”

The Jew of today glorifies the exploits of the Maccabees, about which he knows only because the Christian church adorned herself with the glory of a Jewish martyrs’ story. This story, in turn, was, perhaps in its entirety, but certainly in all of its details, the invention of a diaspora Jew who had enjoyed a Greek education, and who wanted to write a pathetic narrative in the Greek manner. What a theme, to preach about the vanity of glory!



## APPENDIX II

### CHRONOLOGY

#### 1. *The Calendar System of the Books of the Maccabees*

The books of the Maccabees, in general, report events in their chronological sequence and give a series of precise dates based upon the so-called Seleucid era. According to the counting system prevalent at the court of Antioch and in the Macedonian colonies of the Seleucids (the "Macedonian system"), this era began in *the year 312 B.C.*, more precisely, in the autumn of that year, since the beginning of the Macedonian year fell in the autumn. Wherever the civic New Year fell in a different part of the solar year, the epoch of the imperial era was adjusted accordingly. Since the Babylonians, for instance, began their year in the spring, they also counted the Seleucid years by starting with the spring (first day of Nisannu) of the year 311 B.C.

As is shown by the double date, "in the reign of Demetrius, in the year 169," found in an official document from Jerusalem from the year 143 B.C. (II Macc. 1:7), the Jews, too, calculated their calendar according to years beginning in the spring and with the same epoch as the Babylonians. For the Jews, the Seleucid era started with the *first of Nisan in the year 311 B.C.* Accordingly the author of I Maccabees (a man from Jerusalem) also calculated the years according to this method, prevalent in Judea. An example: I Macc. 10:1 mentions an event from the year 160 Sel. The author then reports a whole series of subsequent events and then tells us (10:21) that "Jonathan assumed the vestments of the high priest in the seventh month of the year 160 at the Feast of Tabernacles." Since the festival is celebrated from the fifteenth to the twenty-first of Tishri, it is clear beyond doubt that the author dates the year starting with the first of Nisan, not with the first of Tishri. A comparison with secular dates shows that he, of course, like all people in Jerusalem at the time, counted the years by beginning with the first of Nisan of the year 311 B.C.

On the other hand, it can be demonstrated that some dates in I Maccabees are given according to the official era which started in the autumn of the year 312 B.C. Thus, in 1:10, we read about Epiphanes:

“he succeeded to the throne in the year 137 of the Greek era.” As is shown by the dates given on coins, Antiochus IV ascended the throne after October, 176 B.C. But in Babylonia, dates were counted according to his reign as early as the year 136 Sel. Babyl., *i.e.*, in the spring of 176/5, after the October of 176 and before March 30, 175. But this winter, according to the statement found in I Macc. 1:10, falls into the year 137 Sel. only if, in this case, the years are reckoned beginning with the autumn of 312, not with the spring of 311. How is one to explain this double system of counting found in I Macc.? It can be shown that all dates connected with the history of the realm (ascension to the throne, deaths, foreign campaigns of the Seleucids) are given according to the era of 312. And, as far as we can test, only dates of general history are given according to that system. We may assume, therefore, that the author of I Maccabees, when he wrote his work toward the end of the second century B.C., took these dates, which he had used as fixed points in his Jewish chronicle, from some Seleucid work. Here, of course, the dates were given according to the official system. The author of I Maccabees failed to make the necessary recalculations, which were without import to him and his readers. Such a dependence upon the calendary system of the sources, used at various points, can be demonstrated in the case of many ancient historians, *e.g.*, Josephus or Porphyry, and even in Polybius.

This conclusion is contradicted by only one single date in I Maccabees: that of the campaign of Antiochus V Eupator against Jerusalem. According to I Macc. 6:34, this campaign took place during the summer; more precisely: the summer of 163 B.C. For, on the one hand, Eupator had to break off the operations because Philip, whom Antiochus IV had appointed viceroy on his death bed, was marching with the king's generals against Antioch (I Macc. 6:55; II Macc. 13:2). Since Antiochus IV died at Isfahan during the first months of the year 163 B.C., the march of Philip must fall into the next summer: the general certainly did not wait a whole year before he started the struggle for the regency. On the other hand, during Eupator's campaign the Jews suffered from a shortage of food, “as it was a sabbatical year when the land was left fallow” (I Macc. 6:49), “because of the sabbatical year” (I Macc. 6:53). Since the sabbatical year ran from the autumn of 164 until the autumn of 163, it was the harvest of the year 163 that was omitted, and, as a result, the hard summer can only have been that of 163, for in April of 162 the new harvest already was ripe. In I Macc. 6:20, however, we read that the campaign of Eupator had been occasioned by the attack

of Judah against the "Acra" in the year "150." But the summer of 163 B.C. fell in the year "150" Sel. only if one were to count the era by starting in the spring of 312 B.C. We have no other evidence that this was ever done in Palestine. The difficulty is solved if we assume that the author, who in his work employed both systems of the Seleucid era side by side, had made a mistake. For when the author read in the source used for general history that Epiphanes had died in the early spring of the year 149 Sel., his mind operated in the pattern of years starting in the spring, as was usual for him, and for this reason he dated the events of the next summer in the year "150."

II Maccabees bases its dates on the "Macedonian" form of the imperial era, which started in the autumn of 312 B.C.

These statements make it possible to express all dates given in the books of the Maccabees in years "B.C." But the correspondence of the months remains uncertain. True, the Seleucids had adopted the Babylonian calendar, the mechanism of which is now so well known that we can easily calculate the dates of days and months. But I Maccabees, the only one to use such dates, follows the Jewish calendar, the pattern of which is unknown. The dates, *e.g.*, for the defilement and the rededication of the temple are, respectively, as follows: twenty-fifth of Kislev 145, and 148 Sel. This statement is surely taken from the Jewish tradition, and not from a Greek handbook of history. We can say, therefore, that the respective years are 168/7 and 164/3 B.C. According to the Babylonian calendar, the twenty-fifth of Kislev would fall on December 17, 167, and December 14, 164 B.C., respectively. But in the case of the Jewish calendar, we must continue to be satisfied with an approximate correspondence: about December.

## 2. *Dates in Documents*

Of the five documents which fall into the period of the persecution, one is undated, since it was available to the author of II Maccabees only in a copy (II Macc. 11:22–26). Four other documents give reliably only the year, whereas the names of the months were corrupted in the transmission of three of the documents (II Macc. 11:21 and 23; Josephus, *Ant.* 12:264). And finally, "the fifteenth of Xanthicus," the date given at the end of the document quoted in II Macc. 11:33, is also subject to suspicion.

The missing dates, however, can, at least partially, be restored with the aid of the "Scroll of Fasting," redacted around A.D. 68 and extant in the Talmud. There we read: "On the twenty-eighth of the month (Shebat) King Antiochus was made no withdraw from Jerusalem." The scholion adds to this: "He had come to destroy Jerusalem and exterminate all Jews. But some bad news reached him, and he withdrew and fell at his place."

As far as we know, it happened twice that an Antiochus withdrew from Jerusalem without having accomplished his purpose: Antiochus V in the year 163/2, and Antiochus VII in the year 134. But the latter had made his peace with the Jews after the Festival of Tabernacles, that means, toward the end of Tishri, and not during Shebat. This leaves only Antiochus V, and for him the statements of the scholion fit word for word: they are probably taken from I Maccabees. The king hastily departed from Jerusalem, because he had received word that troops hostile to the government were on their way from Persia and approaching Antioch (I Macc. 6:55). Soon after, he was murdered in Antioch (I Macc. 7:2).

This campaign found its end in the decree issued by Antiochus V (II Macc. 11:22); it had started (as we saw above, p. 1090) in the year 163. At the time of the grape harvest (I Macc. 6:33), the battle of Bethzechariah was fought; it was followed by the siege and capitulation of Bethzur (I Macc. 6:48). Then followed the siege of Jerusalem; the city put up "a long resistance" (v. 52). The king withdrew on the twenty-eighth of Shebat, *i.e.*, during February of the year 162. That means that his edict (II Macc. 11:22) also falls into the same month.

In another passage in the Scroll of Fasting we read: "On the twenty-eighth (of Adar) the Jews received the glad news that they did not have to give up the Torah." The scholion interprets the date to refer to the end of the Hadrianic persecution, but since the scroll was written down already before the year 70, the festival must have originally related to the end of the persecution under Antiochus IV. The decree by which this was ordered is still available to us in II Macc. 11:27. The document is dated in the year 148 Sel., *i.e.*, the autumn of 165/4. It fixes as the deadline for the return of the Jewish rebels to their homes the thirtieth of Xanthicus, *i.e.*, March 27, 164. We do not know, however, how at this time the Seleucid calendar stood in relation to the Jewish one.

### 3. *Epiphanes in Jerusalem*

With the aid of these absolute dates given in the tradition, it is possible to arrange the other events of the Maccabean period in chronological order. As a result, we are able to fix the sequence of events with a degree of precision which is rare in Hellenistic history. The only point in question remains the placing of the interventions of Epiphanes in Jerusalem, since on this the sources do not agree with each other. Modern scholars follow at times different statements from antiquity. So far, they have not been able to reach a firm result. Since the sources contradict each other, such a result can be achieved only by subjecting the tradition to a critical analysis.

The oldest extant report on the measures taken by Antiochus IV against the Jews is the one found in chapter 11 of the book of Daniel, which was written in the midst of the persecution. The absolute objective reliability of this contemporary presentation is guaranteed by the fact that it is written in the form of a prophetic vision, which is meant to offer comfort and hope in the midst of persecution.

After mentioning the first Egyptian war of Epiphanes, Daniel continues (11:28): "Then one will return home with a long baggage-train, and with anger in his heart against the holy covenant; he will work his will and return to his own land." Then it says (11:29ff.): "At the appointed time he will once more overrun the south, but he will not succeed as he did before": the king is going to be humiliated by the Romans. Then: "He will turn and vent his fury against the holy covenant; on his way back he will take due note of those who have forsaken it. Armed forces dispatched by him will desecrate the sanctuary and the citadel (?) and do away with the daily offering. And there they will set up 'the abominable thing that causes desolation.'" We note, first of all, that Daniel distinguishes two actions, or group of actions, on the part of Epiphanes, one after the first Egyptian campaign (169 B.C.), the other after the second campaign (that is, 168 B.C.).

These statements are explained and elaborated through the description of the events found in *I Maccabees*, which is our second best source, as far as the factual data are concerned. Here we are told: As victor over Egypt, Antiochus returned with his army in the year 170/69 B.C., personally gave orders to plunder the temple in Jerusalem, and after "he had taken everything, he left for his own country (I Macc. 1:20).

As we can see, this report completely agrees with the statements in Dan. 11:28. Even the double reference to the king's return is found in

both sources: once from Egypt (to Jerusalem), and the second time from Jerusalem to Antioch. But most important is the agreement in chronology: the action takes place during the return from the first campaign against Egypt, that is, about September, 169 B.C.

“Two years later” (I Macc. 1:29), *i.e.*, according to the ancient system of calculation, during the year 168, Antiochus sent “the general of the Mysian mercenaries” who unexpectedly occupied Jerusalem, killed many inhabitants and had the city walls razed. That is followed by the edict of persecution and the desecration of the temple (I Macc. 1:41). The summarizing song of lament, 1:36–40, separates this action of Epiphanes from the expedition of the Mysarch and thus underlines the fact that these are two separate events. As a matter of fact, the desecration of the temple does not occur until December of the year 167. This intervention of the king is described in Dan. 11:31 as follows: “Armed forces will do away with the daily offering.” Both sources, then, stress that the persecution was not directed by Epiphanes personally.

According to Dan. 11:30, however, an action of the king against the “holy covenant” had already taken place earlier. This happened, as is shown by the reduplication of the term “return” (cf. 11:28), during the march through Palestine on the way from Egypt to Syria, after Antiochus had been humiliated by the Romans. That puts the date in the summer of 168 B.C. Thus we see that the statement of the seer refers to the expedition against Jerusalem, of the “general of the Mysian mercenaries,” reported in I Macc. 1:29, and the capture of the holy city.

Daniel and I Maccabees, therefore, completely agree with one another and complement one another. As a result, we have to differentiate among three actions of Epiphanes against the “holy covenant,” and these have to be dated accordingly:

- 1) During his return from the first Egyptian campaign (*i.e.*, early autumn of 169), Antiochus IV looted the temple.
- 2) During the return from the second Egyptian campaign (late summer of 168), Jerusalem was occupied by royal troops.
- 3) Toward the end of the year 167, the sanctuary was defiled and the persecution begun.

*II Maccabees* also knows these three interventions of the king and differentiates among them: the plundering of the temple (5:15), the expedition of the Mysarch Apollonius against Jerusalem (5:24), and,

“shortly afterwards,” the dispatch of the edict of persecution (6:1). In their essential points, the last two events are reported similarly to their description in the Hebrew tradition (Daniel and I Maccabees).

But it is different in respect to the personal intervention of the king in the looting of the temple. In disagreement with the Hebrew tradition, we now read (5:11) that Epiphanes, at the time of the second campaign against Egypt, that is, in the year 168 (not 169 B.C.), had to take Jerusalem by force (of which I Maccabees knows nothing). During the fighting he caused much bloodshed. This, again, is unknown to the Hebrew tradition, which can hardly be suspected of wishing to cover up the misdeeds of Epiphanes or to keep silent about any suffering endured by the Jews. How, then, are we to judge this discrepancy?

The answer is found in the fourth report, which has survived in the *Antiquities* of Flavius Josephus.

Josephus used two sources for his presentation of the events leading up to the Maccabean revolt: I Maccabees and a Gentile historian, probably Nicolas of Damascus. As usual for him, he tried to harmonize through contamination the statements found in these two sources. This results in the following picture: Antiochus appears personally in Jerusalem on two occasions and twice causes a bloodbath. The looting of the temple is also duplicated. The chronological statements contradict each other: at 12:246 we are told that the first intervention of Antiochus took place after the return from Egypt which the Romans had forced upon him, i.e., in the year 143 Sel. The relative date corresponds to the year 169 B.C. The second intervention is dated three times: first, “two years later” (12:248); second, 145 Sel. = 168/7 B.C.; third, 153rd Olympiad (168–164 B.C.).

But since Josephus here, as in other places, closely follows his source, and one of the sources, I Maccabees, is still available, we are able to dissolve the contamination which this confusion has caused, and to isolate Josephus’ other Greek source. And, indeed, the “Gentile” narrative differs from I Maccabees to such a degree that Josephus might easily assume that the two sources spoke of two different events. For the Greek historian reported that Antiochus, after his second Egyptian campaign, Olymp. 153, conquered Jerusalem, killed the adherents of the Egyptian party, looted the temple, and initiated the persecution.

This Hellenistic version of the events, which shows an undeniable similarity to the special report in II Maccabees, is found in its purest form, untouched by Jewish interpolations, in the narrative given by Josephus in the first book of his *Jewish War*. Here we read (*B.ḡ.* 1:31):

“At the time when Antiochus, surnamed Epiphanes, was disputing with Ptolemy VI the suzerainty of Syria, dissension arose among the Jewish nobles. There were rival claims to supreme power, as no individual of rank could tolerate subjection to his peers. Onias, one of the chief priests, gaining the upper hand, expelled the sons of Tobias from the city. The latter took refuge with Antiochus and besought him to use their services as guides for an invasion of Judea. The king, having long cherished this design, consented, and, setting out at the head of a huge army, took the city by assault, slew a large number of Ptolemy’s followers, gave his soldiers unrestricted licence to pillage, and himself plundered the temple and interrupted (for a period of three years and six months) the regular course of the daily sacrifices.” (The words in parentheses were added by Josephus from Dan. 9:27).

II Maccabees and the Greek historian quoted by Josephus thus agree in their reports that in the year 168 Epiphanes conquered Jerusalem and plundered the temple. It is particularly important in this connection that II Maccabees gives the same motivation for the king’s action as the Greek source. According to II Maccabees, Jason, the high priest who had been deposed by the king, attacked Jerusalem and ousted the legitimate temple prince, Menelaus. Epiphanes consequently believed that Judea was in revolt, and marched against Jerusalem (II Macc. 5:11).

How are we to explain this agreement between Gentile historiography and the extremely orthodox Jewish author? II Maccabees is not an independent work. It rather declares itself to be an excerpt from the history of Jason of Cyrene. The diaspora Jew obviously made use also of materials which he found in Greek sources. His presentation was influenced by these sources just as much as was the narrative of Josephus by the Greek report. Josephus, and before him Jason, are both dependent on the same Gentile tradition.

Other traces left by this tradition make it possible for us to discover its origin. For Posidonius talks about courtiers of Antiochus VII who want to persuade the king to exterminate the Jews. He has them say that already Epiphanes had penetrated the temple, “after he had defeated the Jews by force of arms” (Posidonius 87 fr. 109, 3 Jacoby). Malalas, the chronicler of Antioch, tells a story based upon the local tradition of his hometown, but now, as is usual with Malalas, utterly confused. According to this story, Epiphanes marched against Jerusalem in order to punish the Jews for their rebellion during the Egyptian campaign. “He laid siege to the city and assaulted it; he took it, killed everybody, and decreed the persecution” (Malalas, 207 Bonn.). In a chapter which



gives information obtained from the Jews of Antioch, Josephus says: "Antiochus, surnamed Epiphanes, plundered the temple after he had taken Jerusalem by storm" (*B.7. 7:44*). We now have to take into consideration the fact that Jason, the source of II Maccabees, who gives the same version of the facts, for his part, also must have used a Seleucid source, since he is extremely well versed in the Seleucid administration, and bases his dates on the system employed at the court of Antioch (epoch: fall of 312) and not on that used by the Jews (epoch: spring of 311). On this basis we are probably justified in concluding that the "Gentile" special source was Seleucid in origin.

True, one could argue that in reality we are confronted with historical errors as they could easily have happened to a Greek historian presenting events which, for him, were of merely secondary importance. It suffices, for instance, to look at the summaries found in the church chronicles to discover far more serious mistakes. In Jerome, for example, we can read that Epiphanes had conferred the office of high priest upon Jason only after his repulsion from Egypt by the Romans, *i.e.*, in the year 168 (Jerome, *Chron. ad 152 et 153 Olymp.*)! On closer examination, however, the confused statements of the Christian historians about the persecution under Epiphanes (if they are not simply due to negligence) can be explained on the basis of the contradiction, mentioned above, in the presentation of the available sources. Thus John of Antioch, for example, obtains his information, sometimes from I, sometimes from II, and sometimes from IV Maccabees (fr. 58; FHG IV, 558). In this way, there developed a mixture of doublets and plain nonsense.

The "Greek" version cannot have come into being by accident, since it was used by three authors who all wrote independently of each other: II Maccabees, Josephus, and Posidonius. It is impossible to assume that all three worked from one and the same source. Josephus, for instance, surely never read Posidonius. Some tradition, therefore, must have existed about the interventions of Epiphanes in Jerusalem, which differed from the Jewish tradition and influenced Greek historiography. As things stand, that tradition cannot have been anything but Seleucid in character.

This tradition, which we want to call "Seleucid," in substance maintained the following facts: (a) in the year 168 B.C. (b) Jerusalem rebelled, (c) Epiphanes appeared himself, (d) called in by a Jewish party, (e) had to take the city by force and (f) then plundered the temple. The Hebrew tradition does not know the rebellion (b) at all, has Jerusalem taken

in the year 168, not by the king (c), but by his general and without resistance (e), and differentiates between this event and the plundering of the sanctuary which had already occurred in the year 169 (f). What are we to make of these differences?

The Hebrew tradition gives no explanation at all why Epiphanes, "evil man" though he may have been, should have ordered the attack on Jerusalem specifically during the summer of 168, and not, say, a year earlier or later. Daniel and I Maccabees simply register the Gentile sacrilege. II Maccabees, on the other hand, retouches the "Seleucid" version of events": Antiochus, ignorant of the true state of affairs, had mistaken an internal Jewish conflict for a rebellion against his rule. From this it is clear that the "Seleucid" version is correct on point (b): Jerusalem, during the year 168, was in fact in a state of rebellion, and this fact was rather inconvenient for the Jewish authors. Accordingly, we should assume that the royal troops met with resistance in Jerusalem (e), and we should further not doubt that one of the Jewish parties stood on the side of the Syrians (d).

As a matter of fact, we possess sufficient evidence for embittered partisan struggles in Jerusalem at the time. And we know that in the year 168 the retreat from Egypt into which the Romans had forced the king, gave the signal for revolts in other places, such as southern Syria.

Up to this point, we should give our preference to the "Seleucid" version, whereas the Jewish tradition, for tendentious reasons, remains silent on unpleasant facts involved in points (b, d, e). As far as the differences are concerned, the Jews had no reason to cover up the personal participation of Epiphanes in the expedition of the year 168 (c); his presence is further ruled out by the testimony of Daniel. The opposing view, of course, could be based on nothing more than negligence on the part of the "Seleucid" version. But within the Greek presentation it forms a necessary link in an unbreakable chain. If Epiphanes, after the conquest of Jerusalem (e), had robbed the temple in the year 168 (a, f), then he must have been personally present (c).

This "Seleucid" date for the defilement of the temple, however, is false; and the falsification is intentional, since it contradicts, not only the report of Daniel, but also the dates in the contemporary chronicles. For "the Greek and the Roman historiography" (*i.e.*, Polybius and Livy, who excerpt him), as Jerome explicitly reports, stated that Antiochus plundered the temple, "after he had been pushed back by the Egyptians, turned back, and arrived in Judea"; that means, in the autumn of the

year 169. On this point, therefore, the Jewish tradition is unconditionally to be trusted, and the Seleucid version to be rejected. As a result, we get the following sequence of events:

169 B.C., autumn: Antiochus comes to Jerusalem. Plundering of the temple.

168 B.C., middle of the summer: revolt in Jerusalem. Conquest of the city through the Seleucid general Apollonius.

## CORRIGENDA ET ADDENDA

The author is particularly thankful to Louis Robert who sent him his comments on the original edition. As the translation omits the notes of the original edition the reader may be interested to learn that seven papers which prepared or supplemented the original edition of this book have been reprinted, with additions and corrections, above, pp. 295–496. The reader may also be referred to O. Morkholm, *Antiochus IV of Syria* (1966); J. Goldstein, *I Maccabees*, 1976 and M. Hengel, *Judaism and Hellenism*, 1974 to supplement and correct the present book and also for bibliography.

*pp. 1072–1074*

The often repeated hypothesis that Epiphanes made Jerusalem a *polis* named Antioch and that all the inhabitants of this city were called “Antiochenes” is philologically unsound and is directly refuted by the documents II Macc. 11:27 and 11:34 addressed to the *gerousia* and the *demos* of the Jews respectively and not to the “Antiochenes.” Likewise, the letter of Antiochus V (II Macc. 11:22–26) speaks of the Jews and their temple.

*p. 1078*

I owe to the kindness of H.L. Ginsberg a new translation of the passage Dan. 11:14: “At that time the many will rise against the king of the south, and those who repair the breaches of your people will endeavor to stop the schedule of events, but they shall fail.” For the translation of the term *hazon* as a program of history or schedule of events see H. L. Ginsberg, *Studies in Daniel* (1948), p. 79.

*pp. 1085–1086*

The paragraph dealing with Panamara is now outdated. The situation of the temple of Labraunda is now illustrated by new documents: Hellenistic kings treated the sanctuary as a quasi autonomous unit, though the members of the temple community were citizens of Mylasa. Cf. J. and L. Robert, *Bulletin épigraphique* (Rev. étud. grecques), 1970, nos. 543–552.

*pp. 1087–1092*

The succession of events in 165–3 has been elucidated by Ch. Habicht, *Harvard Studies in Classic. Philology* 80 (1976). Entangled in the Oriental campaign, Epiphanes in the winter 165–4 tried to appease the Jews by ordering the end of the persecution and by offering amnesty (the document II Macc. 11:27–34). But the Maccabees continued the guerilla war, and the expedition of Lysias was unsuccessful. For this reason, and under Roman pressure (the document II Macc. 11:34–38), Lysias began negotiations with the rebels (the document II Macc. 11: 16–21). The death of Antiochus IV in November (or December) 164 stopped the further process of normalization. In the meantime Judah Maccabeus seized the Temple and swept out the *gerousia* and other traditional authorities in Jerusalem. Lysias, in the name of the baby king offered new concessions (the document II Macc. 11:21–26). But the attacks of Judah on the Acra led to a second expedition of Lysias.

*p. 1108*

The statement about Greek sacrificial meals is inexact. As to prostitution within the sacred precinct it was also practiced in Jerusalem (II Kings 23:17) and banned only in Deuteronomy (25:17).

*p. 1109*

Dan. 11:38 is to be translated as follows: “He will honor the God of Fortresses upon his stand, namely (Wav explicativum), a god whom his ancestors did not know (cf. Deut. 29:25), he will honor with gold, silver, precious stones and costly gifts.”

The suggested interpretation of a *wav* as adding a definition and not a mere connective is grammatically admissible. See E. Kautzch – A. Cowley, *The Hebrew Grammar* (1970) par. 154, p. 484 Note. It makes unnecessary proposed emendations and eliminates the difficulty which baffled ancient and modern interpreters. As Jerome notes *ad locum: deum quem ignoraverunt patres eius colit. Hoc magis Antichristo quam Antiocho convenit*. But Daniel speaks of the deity worshipped in Acra, “a paganized version of the Jewish God of heaven.” (H.L. Ginsberg, *Studies in Daniel*, p. 45).

*p. 1120*

Posidonius and Tacitus, of course, wrote a long time after the Jewish reformers. But Posidonius only developed the seminal ideas inherent

in the Greek comparative method from Xenophanes and Herodotus on. Hecataeus, ca. 300, already speaks of the changes introduced in the (postulated) original religion of the Jews. How could the Hellenized Jews avoid to apply the Greek comparative method to their own cult? Let us imagine, for instance, that Menelaus and his friends read the latest best-seller on the subject, the "Explanation" of the Pentateuch written by Aristobulus between 175 and 170 B.C. They would have learned from this apology of the ancestral faith, for instance, that the Lord's descent on Sinai was a metaphor since the Deity is always omnipresent and that the faith of Israel is a *haïresis*, just, say, as the Peripatetic school of philosophy which Aristobulus followed and which was also a religious confraternity worshipping the Muses. On the other hand, the Torah itself seemed to favor the ideas of the Reformers. In the time of Aristobulus and of the Reformers, everybody believed that the truth was primeval and the earliest wisdom and cult were fundamental. But while elsewhere the main shrines and their cults were or pretended to be primeval, the temple of Jerusalem was recent and built about a millenium after God's call to Abraham, this starting point of the monotheist faith. Again, the wise law-giver, say, Zoroaster or Lycurgus, stood at the beginning of a new faith or a new nation, but Moses was a late-comer. Why should an enlightened Jew, ca. 170, follow the laws of Moses which seemed to the Greeks abstruse and inhuman and not the example of the pre-Mosaic patriarchs? Did not Jacob call a cult-stone a God's dwelling (Gen. 28:22)? Let us note on this occasion that the famous altar of Pergamum (now in Berlin) built ca. 180–160 B.C. was erected in open air and there was no shrine and no idol. This grandiose structure obviously expressed a new religious feeling (K. Schefold, *Griechische Kunst als religiöses Phänomenon*, 1959, p. 41) which was fashionable both in Pergamum of Eumenes II and in Jerusalem of Epiphanes.

p. 1136

K. Schunck, *Die Quellen des I. and II. Makkabäerbuches* (1954), p. 28 made the important observation that the references to months in I Macc, always refer to Jewish events and, thus, are given according to Jewish reckoning. As to the reference to the sabbatical year (p. 1137) our knowledge of the cycle of the sabbatical years in ancient times is far from certain. Cf. J. Goldstein, *I Maccabees* (1976), p. 315.



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*Rabbinica*

## MISHNAH, TOSEFTA, PALESTINIAN AND BABYLONIAN TALMUD

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