

THE CAESAREAN ACTA (*AJ* XIV.190-212)

REVEALING THE HISTORY BEHIND THE CAESAREAN *ACTA* REGARDING
PALESTINE IN JOSEPHUS' *JEWISH ANTIQUITIES* (XIV. 190-212)

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ABSTRACT

The goal of this thesis to prove that in analyzing the Caesarean *acta* as recorded by Josephus in Book Fourteen of his *Jewish Antiquities*, a careful study of the language of the text, as well as its various documentary aspects, helps to reveal the history behind these documents. Although their organization, chronology and authenticity have long been the subject of much scholarly discussion, much of this discussion has paid insufficient attention to the documentary contexts of the decisions. Interpreting them with a view to the formulaic requirements of their respective genres, however, can help to clarify their organization and chronology, and provide us with a new documentary narrative for how Caesar's decisions concerning Judaea and its ruler were made and recorded.

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INTRODUCTION

At the time of Julius Caesar's victory at Pharsalus in 48 BCE, the kingdom of Judaea was not governed by a Roman governor, but was an autonomous ally, with all that this implied. It was free to arrange its internal affairs as it saw fit, but external affairs had to conform to Roman interest. In the fourteenth book of his *Antiquitates Iudaicae*, Josephus argues that the Jews enjoyed an exceptional relationship with Rome during this period. To support this claim, he incorporated a large dossier of documents in the middle of his account of Judaea during the civil war. These documents were presented so that, as Josephus claims, "other nations may not fail to recognize that both the kings of Asia and of Europe have held us in esteem and have admired our bravery and loyalty."¹ Thus the documents are part of the apologetic program of the work into which they were integrated. This dossier, found in §§190-264 of Book Fourteen, offers a number of Roman decisions (senate decrees, magisterial edicts, and official Roman correspondence), with the occasional comment inserted by Josephus himself. The opening section (§§190-212) of Josephus' dossier contains six Caesarean documents. The first two of these (§§190-95) are a letter of Caesar to Sidon and his accompanying edict, which describes various privileges and titles to be awarded to the Jews and to Hyrcanus II. The next four documents (§§196-210) are fragments of decisions confirming and supplementing these privileges. The last document (§§211-12) is presented as a speech of Caesar praising and thanking the Jews and Hyrcanus. Unlike the

¹ *AJ* XIV. 186: 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.

rest of the dossier, which presents decisions regarding Jews in the Diaspora, the Caesarean decisions are concerned exclusively with Palestine.

The decisions recorded in these documents provide details on hereditary titles and diplomatic privileges for Hyrcanus and his descendents. They also describe taxation, awards of territory, and military exemptions for the Jewish nation (Gr. ἔθνος). They have formed much of the basis for our understanding of the position of Judaea at this time, a period which is underrepresented in other evidence. In addition, they give us insight into Caesar's policy vis-à-vis allied states. Most importantly, they define Judaea's relationship with Rome, some of the powers and authority that Hyrcanus might wield, and the extent to which Judaea might enjoy autonomy in law and internal affairs. As such, these documents have attracted much attention and fostered much discussion.

One discussion concerns whether the documents provided the foundation of subsequent Jewish rights and privileges under the Romans. At the beginning of the last century, Juster, to choose one example, interpreted Josephus' larger dossier as providing a legal precedent for Jewish rights, an official blueprint or "Magna Carta" for both Judaea and Diaspora Jewry.² This notion of a Jewish charter of rights, however, has been discredited. Rajak demonstrated that these decisions were made on an *ad hoc* basis.³ Each document or decision was designed for a specific local purpose and never served as

² J. Juster, *Les Juifs dans l'empire romain* I (Paris, 1914), 132-58, 213-17. This was followed by M. Grant, *The Jews in the Roman World* (London, 1973), 59; E. M. Smallwood, *The Jews Under Roman Rule* (Leiden, 1976), 124-25, 128-29.

³ "Was There a Roman Charter for the Jews?", *JRS* 74 (1984), 107-23. This is followed by P. R. Trebilco, *Jewish Communities in Asia Minor* (Cambridge, 1991), 10.

an empire-wide “charter.” In the case of Caesar’s *acta*, the decisions addressed his own particular political needs during the civil wars of 49-44 BCE.

If these decisions had specific goals in mind, the question then becomes whether they were exceptional, revealing that the Jews enjoyed a unique position. Josephus obviously thought so, and he selected and framed the documents in a way that would persuade his readers (Jews and non-Jews alike)⁴ of this. This perception, that the position and privileges of the Jews were unusual, also found support among modern commentators, such as Mendelssohn, Rosenthal, Schürer, Juster, Ginsburg, and Smallwood.⁵ This argument is based on a few assumptions. One is that the Jewish religion, unusual in its monotheistic character, required a special political status under the Romans. The Jews were allowed to live “according to their own customs” (κατὰ πάτρια ἔθνη).⁶ Another assumption, whose problems have been already mentioned above, is that unlike other cities or states whose privileges and rights were based on *ad hoc* legislation,

⁴ S. Schwartz, *Josephus and Judaeae Politics* (Leiden & New York, 1990), 209; Rajak, “Jewish Rights in the Greek Cities Under Roman Rule: A New Approach” in *Approaches to Ancient Judaism* V, ed. W.S. Green, *Brown Judaic Studies* 32 (Atlanta, 1985), 22; Rajak, “Roman Charter”, 121; M Pucci Ben Zeev, *Jewish Rights in the Roman World* (Tübingen, 1998), 5-6.

⁵ L. Mendelssohn, “Senati Consulta Romanorum quae sunt in Josephi Antiquitatibus”, *ASPL* 5 (1875); F. Rosenthal, “Die Erlasse Caesars und die Senatusconsulte im Josephus Alterth. XIV, 10 nach ihrem historischen Inhalte untersucht”, *MGWJ* 28 (1879), 183, 218-19; E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, (Leipzig, 1898; repr. Edinburgh, 1973), 275; Juster, *Les Juifs*, 213-14, 232-33; Ginsburg, *Rome et la Judée* (Paris, 1928), 87-95; Smallwood, *The Jews Under Roman Rule*, 124.

⁶ Jos. *AJ* XIV. 194. See also Pucci Ben Zeev, *Jewish Rights*, 450.

the Jews acquired from Caesar a permanent and universal legislation, protecting religious liberty and their traditional customs.⁷

Such arguments, however, have been consistently challenged. First, while Caesar's decisions concerning the Jews certainly were authoritative, their geographical scope has been overstated, and they do not add up to a definition of Jewish religious freedom.⁸ Second, the grants of Caesar recorded by Josephus, with a few exceptions, were not unparalleled in the Roman world. Various cities and states, both before and after Caesar's dictatorship, acquired diplomatic privileges, land grants, and varying forms of legal autonomy similar to those mentioned in the Josephan documents.⁹ Because of this fact, the Josephan documents have been used as historical sources for this period of Roman history, both as examples of Caesar's general foreign policy and as a source for reconstructing other texts.¹⁰ Ginsburg even went so far as to contend that Caesar's

⁷ Smallwood, *Jews Under Roman Rule*, 120-43, esp. 138-40; M. Rabello, "The Legal Condition of the Jews in the Roman Empire", *ANRW* 2. 13 (1980), 691-92. For further discussion of this viewpoint, see Pucci Ben Zeev, *Jewish Rights*, 451-52.

⁸ Momigliano, "I nomi delle prime 'Sinagoghe' romane e la condizione giuridica della comunità in Roma sotto Augusto", *RMI* 6 (1933), 287; Rajak, "Roman Charter", 110; E. Gruen, *Diaspora: Jews Amidst Greeks and Romans* (Cambridge, 2002), 88, n. 19.

⁹ Pucci Ben Zeev, *Jewish Rights*, 34-53, 413-14, 452-60. She compares the decisions especially to the *Senatus Consultum de Stratonicensibus*. See R. K. Sherck, *RDGE* (Baltimore 1969), no. 18, = Sherck, *RGE* (Cambridge 1984), no. 63. See also the *Senatus Consultum de Plarasensibus et Aphrodisiensibus* in J. Reynolds, *Aphrodisias and Rome* (London, 1982), 12-13.

¹⁰ For their relevance to Caesar's foreign policy, see for example J. M. G. Barclay, *Jews in the Mediterranean Diaspora* (Berkeley, 1996), 263; Z. Yavetz, *Julius Caesar: The Limits of Charisma* (Tel Aviv, 1992), 101-3; Smallwood, *Jews Under Roman Rule*, 558; Trebilco, *Jewish Communities*, 7; M. Gelzer, *Caesar: Politician and Statesman* (Oxford, 1968), 258. For example of textual reconstruction, see Reynolds' commentary in *Aphrodisias and Rome*, doc. 8, 64-5, 74-7.

decisions concerning the Jews were representative of part of a general scheme to unify and consolidate harmoniously all the nations then under Roman rule.¹¹

Because of the documents' importance for our understanding of Judaea under Rome and their application to reconstructing the history of the period, they have also been heavily scrutinized, and justly so. The documents are not organized in any apparent way, their chronology is debated, and some of the text is corrupt and fragmented. This has led scholars to question both their date and authenticity. Freber has argued that the text is so confused that only a partially satisfying recreation is possible; Moehring has even dismissed much of it as forgery.¹² While most writers have rejected the latter argument,¹³ much scholarly energy has been expended on improving the texts.¹⁴ Pucci Ben Zeev's 1998 monograph, which examines each document in detail, argues both that the documents are authentic and that they should mostly be interpreted as Josephus has

¹¹ M. S. Ginsburg, *Rome et la Judée*, 86-7.

¹² Ginsburg, *Rome et la Judée*, 85; P. S. G. Freber, *Der hellenistische Osten und das Illyricum unter Caesar* (Stuttgart, 1993), 52. The argument for forgery is made most strongly by H. R. Moehring, "The *Acta Pro Iudaeis* in the *Antiquitates* of Flavius Josephus" in *Christianity Judaism and other Greco-Roman Cults*, vol. 3, (Leiden: 1975), 133-157. For a lengthy discussion on the shortcomings in interpreting these documents in such a way, see T. Rajak, "Roman Charter", 109ff.

¹³ See Rajak, "Roman Charter", 109; For a summary of these positions, see Pucci Ben Zeev, *Jewish Rights*, 8-9, n. 26.

¹⁴ J. T. Krebs, *Decreta Romanorum pro Iudaeis facta e Josepho collecta et commentario historico-critico illustrate* (Lipsiae, 1768); T. Mommsen, "Sui modi usati da Romani nel conservare e pubblicare le leggi ed i senatusconsulti", *AICA* 30 (1858), 181-212; L. Mendelssohn, "Senati Consulta", 87-288; F. Rosenthal, "Die Erlasse Caesars", 176-83; 216-28; 300-22; P. Viereck, *Sermo Graecus quo senatus populusque Romanus magistratusque populi Romani usque ad Tiberii Caesaris aetatem in scriptis publicis usi sunt examinatur* (Göttingen, 1888); T. Reinach, *Oevres completes de Flavius Josèphe III: Antiquités Judaïques livres XI-XV* (Paris, 1904); A. Momigliano, *Ricerca sull'organizzazione della Giudea sotto il dominio romano* (Bologna, 1934; Repr. Amsterdam, 1967).

presented them.¹⁵ Despite the attention that these documents have received, however, commentators have generally reached similar conclusions; the documents record a variety of official decisions of debated or indeterminable dates made by Caesar and the Roman Senate. Much of this scholarship, however, has paid insufficient attention to documentary contexts. Interpreting the documents with a view to the formulaic requirements of their respective genres, however, can help to clarify their organization and chronology and open new avenues of exploration. That is the aim of this thesis.

The first chapter will put the documents in their historical context. I will briefly review the political history of Judaea from Pompey's eastern settlement in 63-2 BCE to the death of Hyrcanus II in 30, emphasizing especially the roles of Pompey, A. Gabinius, Caesar, and M. Antonius. This period was defined by frequent shifts in power during the Roman civil war that forced many Eastern states, including the Jews, to switch allegiance quickly from one Roman general to another. Combined with the political struggle between Hyrcanus and the family of his brother, Aristobulus, as well as the destructive Parthian invasion in 40 BCE, the Jewish nation was in a state of turmoil. Caesar's decisions concerning the Jews in 47 served several functions. First, they settled the state so that it would be under Roman supervision, and remain a faithful ally against hostile foreign dynasts. Next (although less successful) was Caesar's plan to settle the dispute between the two Hasmonean princes by firmly establishing Hyrcanus as the legitimate ruler. From Caesar's own perspective, the most important element of his settlement was

¹⁵ See above, 3, n. 4.

to establish Judaea and its ruler as a Caesarean ally on whom he could rely while he continued his war against the anti-Caesareans.

The first chapter will also outline Caesar's movements between the battle of Pharsalus in 48 to his embarkation to Africa in 46. I will pay special attention to Caesar's treatment of Eastern states in order to examine his policy towards both those who supported him and those who resisted. This will allow us to view the decisions recorded in Josephus within the context of Caesar's overall diplomatic methods at the time. We will then look at Caesar's edict and accompanying letter (Documents 1 and 2), and I shall discuss their prominent features. In this we shall see that Caesar's decisions concerning the Jews are fairly consistent with grants issued to other eastern states during this period.

Chapter Two will examine the content and language of Documents 3-7. Since these documents are fragments that are missing most of the introductory information necessary for determining their form and date, we shall first review the language and functions of official Roman decisions. Roman decisions were typically highly formulaic, so that correct diplomatic formulae and legal terminology are important for determining both the authenticity and type of the decisions.¹⁶ A brief overview of these traditions will thus allow us to examine the documents in detail and distinguish their form. By doing this, we shall see that Documents 3-7 are actually all fragments of one or more *senatus consulta* issued to confirm Caesar's original edict. This then leaves us to determine how many *senatus consulta* are represented in these documents, and when they most likely would have been issued. By understanding the documents in the context of the political

¹⁶ E. Bickermann, "Une question d'authenticité: les privileges Juifs", *Annuaire de l'Institut de Philol. Et d'Hist. Orient.* XIII (Brussels, 1953), 33ff.

situation in the last years of Caesar's dictatorship, the final part of the second chapter will argue that instead of comprising several different decisions of different dates, Documents 3-7 actually contain fragments of only one decision, and that this decision was made in February of 44, one month from Caesar's death.

If the only Caesarean decree concerning the Jews was issued in 44, then the actions of M. Antonius become relevant to the organization of the documents. The third chapter will consider whether M. Antonius may have had his hand in the decisions that these fragments represent, and how this might be detected. Josephus records another document (§§219-222), a senate decree from April 44 in which the Senate authorizes Antonius to review and pronounce on the dictator's *acta*, both finished and unfinished, so that the Senate might reaffirm them. We shall see that Caesar's decisions regarding Hyrcanus and Judaea that were later recorded by Josephus were included in this task, and that their organization is reflective of the process in which they were cited and restated in a new Antonian measure. Similar to the origination of the *Senatus Consultum Aliaque Acta de Oropiorum et Publicanorum Controversiis*,¹⁷ Antonius had issued a decree that quoted earlier decisions of Caesar and the Senate, a process that conflated the quotations with the newer text, and contributed to the corrupted and confused organization of the documents today.

All together, this will argue for a new interpretation of the Caesarean *acta* recorded by Josephus. By focusing primarily on the formulaic language of the decisions rather than their content, we shall first determine their genre and purpose. This step is

¹⁷ *SIG*³ II, 747; Sherk, *RDGE* 23 = *RGE* 70. See also Appendix C.

critical to recognizing and understanding some of the documentary features present in the *acta*, features which reveal a history of their own, and will provide us with a new documentary narrative for how these decisions concerning Judaea and its ruler were made and recorded.

CHAPTER I

Caesar, Hyrcanus and the Jews

1. 1. Judaea in the First Century BCE

In the decades leading up to the civil wars of 49-44, the Jewish nation had suffered from internal discord and external pressures. In 63 BCE, Pompey established Roman hegemony over the whole region and turned Judaea into a vassal-state. The kingship was abolished, and the Hasmonean dynasty, which had ruled Judaea for a century, diminished, starting it on the path to being eventually supplanted by the growing power of the Idumaeen Antipatrids. Such was the political situation that Caesar confronted in Judaea in 47 and dealt with in a series of official decisions that have been preserved by Josephus. Since these decisions were made to address the political situation in Judaea, a brief account of these events is needed.¹

In 66 BCE, Judaea had split into factions supporting one of the two Hasmonean princes, Hyrcanus II and his younger brother Aristobulus II. Although Hyrcanus had already been appointed high priest and was the legitimate heir, his brother defeated him in battle. Hyrcanus fled and agreed to hand over power to Aristobulus.² It is at this point that the Idumaeen Antipater appears in Josephus' narrative, plotting against Aristobulus in favour of his older brother. Through Antipater's intrigues, Aristobulus himself was

¹ Book XIV of Josephus' *Antiquitates Iudaicae* is our principal ancient source for this period. For an in-depth discussion of these events in relation to Jewish history as a whole, see Schürer, *History of the Jewish People*, 267-71; Smallwood, *Jews Under Roman Rule*, 21-38. For discussion of Roman imperial policy at this date, see E. Badian, *Roman Imperialism in the Late Republic* (Ithaca, 1968), 76-88; Sherwin-White, *Roman Foreign Policy in the East* (Norman, 1984), 58-79, 214-19, 271-79.

² Jos. *AJ* XIV. 4-7; *BJI*. 120-2.

defeated and besieged in Jerusalem.³ While these events were unfolding in Judaea, Pompey was concluding his wars in the East against Mithridates of Pontus.⁴ These wars, however, had left Syria and other Eastern states in anarchy. With his campaign nearly complete, Pompey now sought a general resettlement of the East in order to preserve stability and protect Roman interests there. While in Armenia in 65, Pompey sent one of his legates, M. Aemilius Scaurus, to occupy Damascus and lay the groundwork for Syria's annexation. Scaurus involved himself in Judaeian affairs and settled the conflict in favour of Aristobulus.⁵ Scaurus' decision, however, was short-lived. In 63,⁶ Pompey overturned it in favour of Hyrcanus,⁷ causing Aristobulus to take up arms against Rome. Pompey marched against Jerusalem, besieged it, and forced Aristobulus' surrender.⁸ Pompey then reorganized the region.

Despite the scanty sources on Pompey's settlement, it is clear that its effect was to reduce permanently the power and significance of Judaea. Jerusalem and the surrounding

³ Jos. *AJ* XIV. 8-28.

⁴ Concerning Pompey's wars in the east, see P. W. M. Freeman, "Pompey's Eastern Settlement", *Studies in Latin Literature and Roman History* 7 (1994), 143-79; Seager, *Pompey the Great: A Political Biography* (Oxford, 2002), 53-74; Broughton, *MRR* II, 155, 159-60, 163-4, 169-70, 176; Plut. *Pomp.* 33-42; App. *BC.* II. 1.

⁵ Jos. *AJ* XIV. 29-33; *BJ* I. 127-30. Badian cites Judaea as the best-known case of Pompey's new policy in which former allies now paid tribute to Rome as provinces. See *Roman Imperialism*, 78.

⁶ Josephus here is confused in his dating or has misinterpreted his source, Strabo, since he mentions in *AJ* XIV. 34-36 that this occurred in the winter of 63 BCE, yet in 37 ff. this takes place in 64.

⁷ Jos. *AJ.* XIV. 41-47. For discussion of the Pompey's decision, see A. Schalit, *König Herodes: Der Mann und sein Werk* (Berlin, 1969), 19-30; Smallwood, *Jews Under Roman Rule*, 22-23.

⁸ Jos. *AJ.* XIV. 47-71; *BJ.* I. 132-151; Dio 37. 15. 2. 4 – 16. 1. 2; Strabo 6. 2. 40; Tac. *Hist.* 5. 9; Liv. *Epit.* 102.

lands were subjected to tribute and placed under the supervision of the Roman governor of Syria. Judaeen territory was also greatly reduced, while Judaeen colonists were expelled from neighbouring regions. Non-Jewish subjects were either freed or made part of the new Roman province of Syria. What was left of Judaea was awarded to Hyrcanus, who was reinstated as high priest, but was deprived of the title of king. Aristobulus and his family were taken hostage by Pompey and brought to Rome.⁹

Palestine enjoyed peace for a few years while Scaurus was governor of Syria (63-62 BCE), and under his two successors L. Marcius Philippus (61-60) and Cn. Cornelius Lentulus Marcellinus (59-58).¹⁰ In 57, A. Gabinius came to Syria as a proconsul,¹¹ where he made changes to Pompey's eastern settlement.¹² He weakened the central authority by splitting the country into five districts, each of which was governed by a regional *sanhedrin* (Gr. συνέδριον). Hyrcanus may have lost political power, though he retained the high priesthood.¹³ In 55, Gabinius restored the deposed Ptolemy XI Auletes

⁹ Jos. *AJ* XIV. 73-76, 79; *BJ* I. 155-8; Plut. *Pomp.* 39. 2; 45. 4; App. *Mith.* 116-7; Pliny *NH* V. 74. Smallwood states that Hyrcanus might also have received the title of ethnarch at this time, since although it is not explicitly stated at this point, it may be implied by ἡ προστασία τοῦ ἑθνάρχου in *AJ*. XX. 244. See *Jews Under Roman Rule*, 27, n. 22.

¹⁰ For the dates of Scaurus, see Broughton, *MRR* II, 168, 175; for Philippus, *MRR* II, 180, 185; for Marcellinus, see *MRR* II, 190, 197. See also Jos. *AJ* XIV. 79-81; *BJ* I. 159

¹¹ The tribune P. Clodius passed legislation that according to Cicero gave *imperium infinitum* to Piso. See Broughton, *MRR* II. 203; App. *Syr.* 51; *BC* V. 10; Cic. *Dom.* 23, 55.

¹² Plut. *Ant.* 3. 1; Jos. *AJ* XIV. 82-97; *BJ* I. 160-74.

¹³ Jos. *AJ* XIV. 91; *BJ* I. 170. For further discussion of these administrative districts, see Schürer, *History of the Jewish People*, 268, n. 5; Momigliano, *Ricerche sull'organizzazione della Giudea sotto il dominio romano* (Amsterdam, 1967), 6-7, 20, 25; Schalit, *König Herodes*, 32; Smallwood, *Jews Under Roman Rule*, 32, n. 34, 35. Cf. Cic. *De Prov. Cons.* 10; *Ad Q. Fr.* II. 11. 2; III. 2. 2. We have no evidence that these changes were ratified by the Roman senate.

of Egypt. According to Josephus,¹⁴ Hyrcanus and Antipater assisted him in this task with men, supplies and money. In Gabinius' absence, however, Aristobulus' elder son, Alexander, attempted to seize power and drive out the Roman presence in Judaea. Although initially successful, he was defeated by Gabinius at his return late in the year, apparently again with the assistance of Antipater. Gabinius spared Alexander's life, and before he departed to finish his campaign against the Nabateans, he "reorganized the government of Jerusalem in accordance with the wishes of Antipater."¹⁵

In November of 55 BCE, before he had even finished his consulship for that year, M. Licinius Crassus came to Syria to replace Gabinius as proconsul of Syria with plans to invade Parthia.¹⁶ The costs associated with this induced him to rob the Temple treasury, strip gold from the building, and appropriate a large number of precious objects.¹⁷ Hyrcanus does not seem to have protested. After Crassus' death at the disaster at Carrhae in 53, C. Cassius Longinus, assumed supreme command and organized the defense of the

¹⁴ *AJ* XIV 98-9; *BJ* I. 175, which implies that Gabinius' reforms did not limit Hyrcanus to temple matters only. Neither Dio 39. 58. 1 nor Plut. *Ant.* 3. 2-4 mention Jewish assistance in this expedition. For the dates of Ptolemy XI Auletes, see E. J. Bickerman, *Chronology of the Ancient World*, (London, 1968), 158-59.

¹⁵ Jos. *AJ* XIV. 100-4; *BJ* I. 176-8. Josephus gives no detail as to the nature of the political reorganization or the "wishes of Antipater" (Ἀντιπάτρῳ θέλοντι). Cf. Momigliano, *Recherche*, 25; Schalit, *König Herodes*, 750-2; Smallwood, *Jews Under Roman Rule*, 35.

¹⁶ See Broughton, *MRR* II. 214-215, 224-5; Dio 39. 33-6; Plut. *Pomp.* 52; *Crass.* 15-6; App. *BC* II. 18; Jos. *AJ* XIV. 104.

¹⁷ Jos. *AJ* XIV. 104; *BJ* I. 179; Plut. *Crass.* 17; Dio 40. 12-3; Flor. I. 46. 3.

Roman east from 53-51 BCE.¹⁸ He also suppressed another uprising in Judaea under the general Pitholaus, thus achieving some stability in the region.¹⁹

M. Calpurnius Bibulus replaced Cassius in 51 and himself was succeeded in 50 by a certain Veiento, who was likely a legate of Bibulus. Q. Caecilius Metellus Pius Scipio Nasica was allotted Syria for the following year, and in early 49, with the civil war between Caesar and the Republicans having just begun, he raised troops there for the Pompeian cause. The next year, he joined Pompey in Thessaly and suffered defeat with him at Pharsalus, afterwards fleeing to Africa.²⁰

The political situation in Judaea between Caesar's victory at Pharsalus and his arrival in Syria in the summer of the following year was uncertain, especially while Caesar was embroiled in a dangerous fiasco in Alexandria in 47. This presented Hyrcanus with an opportunity to demonstrate his loyalty by sending troops.²¹ After arriving in Syria, Caesar moved to reward these services. He confirmed Hyrcanus as the high priest (ἀρχιεὺς) and, according to Josephus, awarded Antipater, Hyrcanus' minister, with Roman citizenship, exemption from taxes, and an appointment as "Procurator (ἐπίτροπος) of Judaea."²² That Josephus makes no mention here of the title of ethnarch is

¹⁸ Dio 40. 28-9; Jos. *AJ* XIV. 119; Cic. *ad Att.* V. 20. 1-7; *ad Fam.* II. 10; Veil. Pat. 2. 46. 4; Liv. *Per.* 108; Broughton, *MRR* II, 229, 237, 242.

¹⁹ Jos. *AJ* XIV. 119-21; *BJ* I. 180.

²⁰ Jos. *AJ* XIV. 123-6; *BJ* I. 183-6; Dio 41. 18. 1. For all sources for these three governors of Syria, see Broughton, *MRR* II, 242, 250, 253, 260, 275.

²¹ See below, 21-22.

²² Jos. *AJ* XIV. 127-135, 143. Again, there is no evidence in the documents of Antipater's appointment, and Josephus does not describe the title or its duties further. The position or title of procurator also seems anachronistic in this case. For a description of Josephus' use of this word, see Mason, *Greek Terms*, 142-3.

inconsistent with the very documents that he places later in his narrative, and is possibly another error in the author's understanding of Hyrcanus' titulature. Josephus also states that at the request of Hyrcanus, Caesar permitted him to rebuild the walls of Jerusalem, and that Caesar sent instructions to Rome that these grants be recorded on the Capitol.²³ Antipater then escorted Caesar out of Syria and returned to Judaea, where he had the walls of Jerusalem rebuilt. Josephus also records that at Caesar's return to Rome in 47, envoys of Hyrcanus had already arrived to confirm the treaty of friendship and alliance with him (πέμψας δ' Ὑρκανὸς πρὸς αὐτὸν παρεκάλει βεβαιώσασθαι τὴν πρὸς αὐτὸν φιλίαν καὶ συμμαχίαν).²⁴

Caesar's settlement of Palestine is recorded in the Josephan documents that are the center of this study, and we shall return to them shortly. Despite the space that they take up in Josephus' text, they were not relevant for long. According to Josephus, Hyrcanus' weak nature ensured that Antipater would dominate the political scene. In 47, Antipater appointed his sons, Phasaël and Herod, as governors (στρατηγοί) in Jerusalem and Galilee, respectively. Herod was ruthless in putting down some minor revolts against his position, so that Hyrcanus was then pressured by the Jewish priestly aristocracy to summon Herod to account for stepping beyond his authority. Hyrcanus, however, was also compelled by the new Roman governor of Syria, Sex. Julius Caesar, to acquit him.

²³ Jos. *AJ* XIV. 144: ἐπιτρέπει δὲ καὶ Ὑρκανῷ τὰ τῆς πατρίδος ἀναστῆσαι τεῖχη, ταύτην αἰτησαμένῳ τὴν χάριν...καὶ ταῦτ' ἐπιστέλλει τοῖς ὑπάτοις εἰς Ῥώμην ἀναγράψαι ἐν τῷ Καπετωλίῳ. For the problems with this date, see Chapter 2, 49. Caesar also seems to have sent copies of his edict to various cities in Palestine, such as Sidon (Jos. *AJ* XIV. 190-195).

²⁴ Jos. *AJ* XIV. 156, 185.

Herod was forced to leave Jerusalem, but Sex. Caesar made him “military governor of Coele-Syria” (στρατηγός τῆς Κοίλης Συρίας).²⁵

In 46, Sex. Caesar was assassinated by the Republican Caecilius Bassus, who made himself master of Syria. Between 46 and 44, the Caesarean generals C. Antistius Vetus, L. Statius Murcus, and Marcius Crispus were sent to dislodge him. Although they were assisted by Antipater and his two sons, they were ultimately unsuccessful. In 43, after Caesar’s assassination, C. Cassius Longinus seized control of Syria,²⁶ soon demanding 700 talents from Judaea to fund his armies, and Antipater and Herod assisted him in collecting it. He reaffirmed Herod’s appointment in Coele-Syria.²⁷

Later in 43, Antipater was assassinated, apparently out of personal enmity, though possibly through the connivance of Hyrcanus. When Cassius left Syria early the next year, Judaea was left in anarchy, in which Herod and the Antipatrids grew in influence and power at the expense of Hyrcanus.²⁸ Hyrcanus was later reconciled to Herod, however, when the latter proved critical to preventing an attempt by Antigonus, another son of Aristobulus, to seize control of Judaea.²⁹ The defeat of Cassius and Brutus at

²⁵ *AJ* XIV. 156-80; *BJ* I. 201-13; For discussion of the sources on Herod, see Schürer, *History of the Jewish People*, 275-6. Sex. Caesar was a young relation of the dictator, and was governor of Syria until his death in 46. See Broughton, *MRR* II, 289, 297.

²⁶ *AJ* XIV. 268-70; *BJ* I. 214-17; App. *BC* III. 77; Dio. 47. 26. 3.

²⁷ *AJ* XIV. 271-80; *BJ* I. 216-22. Cassius entered Syria in early 43, but his command was not legitimized until late April. Cf. App. *BC*. III. 63; Dio. 46. 40. 3-4; 47. 28. 5; Cic. *Phil.* 11. 30-31.

²⁸ *AJ* XIV. 277-84; *BJ* I. 223-8. Smallwood, *Jews Under Roman Rule*, 47, sees the murder as motivated by an anti-Antipatrid faction in Jerusalem.

²⁹ *AJ* XIV. 297-9; *BJ* I. 238-40. Josephus’ source, Nicolaus, omits that Herod was not entirely successful, as some Tyrian cities held Jewish territory that Antonius later ordered to be

Philippi later that year resulted in the Roman East falling under M. Antonius' control.

Antonius, however, was friendly toward Hyrcanus and Herod, and maintained their positions in Judaea. At Hyrcanus' request, Antonius also declared any actions by Cassius as invalid, thus restoring to freedom those Jews who had been sold into slavery by Cassius, and instructing Tyrian cities to restore all land that they had taken from Judaea.³⁰

In 41, Antonius appointed Phasaël and Herod as tetrarchs of Jewish territory, while Hyrcanus was reaffirmed as ethnarch and high priest.³¹ These appointments were undermined, however, when the Parthians invaded Asia Minor and Syria the following year. Hyrcanus' nephew, Antigonus, took advantage of this sudden disaster by petitioning and bribing the Parthians to place him on the throne of Judaea. The Parthian prince, Pacorus, agreed to this request, marched on Jerusalem, and installed Antigonus as king and high priest. Hyrcanus and Phasaël were imprisoned by the Parthians, while Herod escaped through Egypt to Rome. Phasaël soon committed suicide, while Hyrcanus was mutilated and deported to Parthia.³² Within three years, however, Rome had driven the Parthians out of their territories, and Herod, with some Roman assistance, retook Jerusalem and had Antigonus executed. Antonius then made Herod king of Judaea,

returned to Jewish control (*AJ* XIV. 306-22). See Schürer, *History of the Jewish People*, 277, n. 40; Schalit, *König Herodes*, 683-4.

³⁰ This is recorded by Josephus, *AJ* XIV. 306-22, in three letters of Antonius to the Jews and to Tyre. For Antonius' friendship with Herod, see Smallwood, *Jews Under Roman Rule*, 49-50.

³¹ *AJ* XIV. 324-6; *BJ* I. 243-4. For the reality of Hyrcanus' power at this juncture, see Schalit, *König Herodes*, 69-70. For discussion of the tetrarchy, see Smallwood, *Jews Under Roman Rule*, 50, n. 18.

³² *AJ* XIV. 330-69; *BJ* I. 248-73; App. *BC* V. 65. L. Decidius Saxa was governor (*legatus*) of Syria in 40, but was driven out by the Parthians and killed. Cf. Broughton, *MRR* II, 384.

restoring the position that Pompey had abolished twenty-six years earlier. In 36, Herod secured the return of Hyrcanus to Jerusalem, where he awarded him every mark of respect, (though Hyrcanus was ineligible for the position of high priest because of his mutilation). This ostensible favour, however, was withdrawn in 30, when Herod had Hyrcanus executed. The Hasmonean dynasty disappeared with him.³³

The machinations and rise of the Antipatrids dominates much of Josephus' narrative in these sections of the *Bellum Iudaicum* and the *Antiquitates Iudaicae*. Josephus has Antipater lead the Jewish contingent that assisted Caesar in Alexandria. He also claims that Caesar's favour towards Hyrcanus was attributable to Antipater, and that for these reasons he was made both a Roman citizen and a "procurator" of Judaea.³⁴ Despite Josephus' assertions, however, there is no evidence of this in the Caesarean documents, where Antipater is not even mentioned. This inconsistency between Josephus' narrative and the documents he quotes may be partly attributable to Josephus' source, Nicolaus of Damascus, whose history, as even Josephus himself admits, was biased in favour of Herod and the Antipatrids.³⁵ In contrast, Caesar's own edict concerning the Jews praises and thanks Hyrcanus only. As we shall see, however,

³³ *AJ* XIV. 375-491; XV. 161-82; *BJI*. 278-356, 431-34. For functional details of Herod's kingship, see Schalit, *König Herodes*, 155-298.

³⁴ See above, 14, n. 22.

³⁵ *AJ* XVI. 187. For the influence of Nicolaus on Josephus' narrative, see R. Laqueur, *Der jüdische Historiker Flavius Josephus: Ein biographischer Versuch auf neuer quellenkritischer Grundlage* (Giessen, 1920. Repr. Rome, 1970), 136ff; Rajak, *Josephus: The Historian and His Society* (London, 1983), 17, 34; S. Schwartz, *Josephus and Judaeae Politics* (Leiden, 1990), 48, 120-23; D. R. Schwartz, "Josephus on Hyrcanus II" in *Josephus and the History of the Greco-Roman Period: Essays in Memory of Morton Smith* (Leiden, 1994), 210-32; Pucci Ben Zeev, *Jewish Rights*, 388-91.

Hyrcanus was not the only Eastern dynast to be granted privileged status during Caesar's rapid rise to power. Caesar's movements between the battles at Pharsalus and Thapsus, as well as the diplomatic relationships that he forged in the East during the civil wars, are directly relevant to the Josephan material in our study. A brief discussion of Caesar's actions in the East during this period, therefore, will place his decisions regarding Judaea in the context of his overall Eastern strategy.

1. 2. Caesar in the East

Although sometimes inconsistent, sources such as Appian, Cicero, Cassius Dio, Plutarch, Hirtius, and Josephus give us a basic framework of the two-year period after the battle of Pharsalus.³⁶ After Caesar's victory at Pharsalus (9 August 48 BCE), he remained in Thessaly for a few days. It was at this time in Rome that Caesar was declared Dictator for the second time, with Antonius later becoming his *magister equitum* (Master of Horse).³⁷ Caesar departed a few days later for Amphipolis, and from there to the Hellespont, where he received envoys from the Aeolians, Ionians and other states of Asia who came to declare their loyalty to him. He also granted to Ilium political

³⁶ Rice Holmes presents a thorough chronology of this period. See *The Roman Republic and the Founder of the Empire* Vol 3, (Oxford, 1923), 178-219. See also Schürer, *The History of the Jewish People*, 270-6; Bickerman, *Chronology*, 181; Broughton, *MRR* II, 286 ff; M. Gelzer, *Caesar: Politician and Statesman* (Oxford, 1968), 243-64; Smallwood, *The Jews Under Roman Rule*, 36-40; S. Mitchell, "The Treaty between Rome and Lycia of 46 BC (MS 2070)", *Papyrologica Florentina* 35.1 (2005), 232-237.

³⁷ Dio 47. 21. 1. For Antonius' return with his legions, see Cic. *Phil.* II 24, 59. For dating of Caesar's second dictatorship, see Broughton, *MRR* II, 286; Raubitschek, "Epigraphic Notes on Julius Caesar", *JRS* 44 (1954), 70.

autonomy, exemption from tribute, and increased territory.³⁸ Three weeks after the conclusion of Pharsalus, he arrived at Ephesus, where he was immediately hailed by many cities in the Greek East who showed their support with statues and inscriptions declaring him a saviour, benefactor, and even a god.³⁹

It is likely that at this time he was also visited by a delegation led by Mithridates of Pergamum. Mithridates was successful in winning Caesar's favour, and Caesar sent a letter⁴⁰ to Pergamum with his edict concerning their new privileges. The letter is incomplete, but we know from another inscription⁴¹ that at least some of Caesar's decisions regarding Pergamum included the restoration of the city's autonomy and inviolability. Caesar was honoured in Pergamum for this:

[ὁ δῆμος ἐτίμησ]ε τὸν ἑαυτοῦ σ[ω]τῆρα καὶ εὐεργέτην [Γάϊον] Ἰούλιον Γαίου υἱὸν Καίσ[α]ρα, τὸν αὐτοκράτορα καὶ [ἀρχι]ερέα καὶ δικτάτορα τὸ δ[ε]ύ[τε]ρ[ο]ν, πάσης ἀρετῆς [ἐνεκ]εν, ἀποκαταστήσα[ν]τ[α] το[ῖς] θεο[ῖς] τήν τε πόλιν [καὶ τήν] χώραν οὖσαν ἱερὰν καὶ ἄσυλον καὶ αὐτόνομον].

[The people honoured] their saviour and benefactor [Gaius] Julius, son of Gaius, Caes[ar], Imperator and Pontifex Maximus, Dictator for the second time, [because of] all his excellence, and because he has restored to the gods the city [and the] land that is sacred [and inviolate and autonomous].

Mithridates later provided greater proof of his loyalty by assisting Caesar in his Alexandrian campaign, which is described in our document. Caesar bestowed similar

³⁸ Strabo 13. 1. 27, 594-5. According to Lucan 9. 961, Caesar conferred these grants while passing through the city on his way to Ephesus. There is also a letter fragment (*RDGE* 53) which mentions Caesar's decisions concerning Ilium.

³⁹ See inscriptions from Athens, Thespieae, Chios, Samos, Pergamum, Ephesus and Mytilene in Raubitschek's "Epigraphical notes", 65-75; *SIG*³ 760; *RGE* 79. For the calculation of Caesar's departure from Larisa, see Rice Holmes, *The Roman Republic*, 179.

⁴⁰ *IGR* 1682 = *RDGE* 54 = *RGE* 80a.

⁴¹ *IGR* IV 304. For further discussion, see Raubitschek, "Epigraphical Notes", 68-9; Mitchell, "Rome and Lycia", 233.

privileges upon Mytilene, and altered the taxation of other Asian cities.⁴² Around 28 September, Caesar sailed from Ephesus to Rhodes, where he continued his policy of clemency and generosity by hearing delegations from Rhodes and Cnidus and granting both freedom and tax exemption to both cities. It was also likely at this time that he granted privileges to various Lycian cities, later confirmed in 46 in a formal treaty. After a few days, he sailed with his forces to Alexandria, where he arrived on 2 October, not long after Pompey's assassination.⁴³

It is difficult to separate the fact from fiction relating to Caesar's time in Egypt, and although I will not go into great detail about his intentions or exploits, a few events still deserve mentioning. Having embroiled himself in an Egyptian war, Caesar and his few troops became besieged within Alexandria. In addition to the aid of ten warships from the Rhodians and five from the Lycians, Mithridates of Pergamum also brought an auxiliary force to the relief of Caesar.⁴⁴ Although none of the ancient sources except Josephus mention it, this force included a Jewish contingent. According to Josephus, the Jewish contingent was 3000 strong and led by Antipater on behalf of Hyrcanus.⁴⁵ In the documents, however, Caesar refers to the assistance of only 1500 Jewish troops, and he

⁴² For Decisions concerning Mytilene, see *IG* XII.2.35; *SIG*³ 764; *IG* XII. Suppl. 11; *IGR* IV. 33; Sherk, *RDGE* 26 d-e = *RGE* 83; "Caesar and Mytilene", *GRBS* 4 (1963), 217-230.

⁴³ App. *BC* II. 88-90; Caes. *BC* III. 106. For details concerning Cnidus, see Strabo 14. 2. 15, 656; Plut. *Caes.* 48.1; App. *BC*. II. 116. Appian in *BC* IV. 66, indicates that they made a treaty with Rome through Caesar (διὰ Γαίου Καίσαρος). Mitchell argues that it was at this time that a formal treaty was also made with Cnidus and Lycia. See "Rome and Lycia", 235.

⁴⁴ Caes. *BC* III. 106. 1; *Bell. Alex.* 13, 26. See Also Rice Holmes, *The Roman Republic*, 188, 198-9; M. Gelzer, *Caesar*, 250.

⁴⁵ *BJ* I. 187, 193-4 has Antipater leading the force on his own initiative.

does not mention Antipater, but gives thanks only to Hyrcanus (§193).⁴⁶ Josephus, citing Strabo as an example,⁴⁷ even admits that some sources claim that Hyrcanus himself was present with Mithridates. In any case, these troops were critical to Caesar's victory at the Nile in March of 47. Two months later, he began to prepare for his expedition to Asia against Pharnaces of Pontus, and he sailed for Syria around the 7th of June.⁴⁸

Hirtius describes Caesar's stopover in Syria after he arrived in mid-June. His primary task in Syria was to reorganize the region both in order to solve internal disputes and buttress against the continuing Parthian threat, but no doubt also to strengthen his own position in an area where Pompey had once enjoyed pre-eminence. He rewarded both deserving individuals and states, held inquiries, and ruled in disputes.⁴⁹ He brought kings and various leaders bordering Syria under his protection and formed treaties of friendship with them.⁵⁰ During this period Caesar ruled concerning Judaea and Hyrcanus,⁵¹ resulting in an edict that is preserved in Josephus. The delegation would not

⁴⁶ The numerical error is likely a simple exaggeration made by Josephus. See T. Reinach, *Oeuvres complètes de Flavius Josèphe III: Antiquités Judaïques livres XI-XV* (Paris, 1904), 239, n. 5.

⁴⁷ *AJ* XIV. 127-139. For the role of Strabo's writings in shaping Josephus' narrative, see K. Albert, *Strabo als Quelle des Josephus* (Aschaffenburg, 1902), 39-41; D. R. Schwartz, "Josephus on Hyrcanus II", 211-12.

⁴⁸ For discussion on the dating of Caesar's departure from Egypt, see Rice Holmes, *The Roman Republic*, 203-204, 509.

⁴⁹ Caesar had legal authority in such cases from his powers as dictator, but all higher magistrates possessed the authority both to judge cases abroad and conduct preliminary investigations. See A. Lintott, *The Constitution of the Roman Republic* (Oxford, 1999), 96.

⁵⁰ *Bell. Alex.* 65-66; *Cic. Ad Att.* xi. 20. 1. See also *Plut. Caes.* 50. 1 and *Suet. Div. Iul.* 35. For commentary on this chronology, see Schürer, *The History of the Jewish People*, 248; Rice Holmes, *Roman Republic*, 209-210; Gelzer, *Caesar*, 257-259; Smallwood, *Jews Under Roman Rule*, 36-43.

⁵¹ *AJ* XIV. 137.

have had much time to present their case, however, since by August of 47 Caesar had hastened to Cilicia to march against Pharnaces, whom he quickly defeated in battle at Zela.

The awards granted to those who aided him against Pharnaces also deserve mention here. It should be noted that Hyrcanus was not the only Eastern dynast to receive a change in title by an edict of Caesar during this period. The sources are consistent in their description of Caesar's relationship with Deiotarus, the king of Galatia. Although Deiotarus had fought with Pompey at Pharsalus, he earned clemency from Caesar's by assisting both him and his legate, Domitius Calvinus, in the battle against Pharnaces. Caesar allowed Deiotarus to retain the title of king,⁵² but transferred some of his land, the tetrarchy of Gallograecia, to the ever-faithful Mithridates. He also bestowed on Mithridates the claim for the title of King of the Bosphorus (formally under the control of Pharnaces), with full support to wage war against Asander, the satrap whom Pharnaces had left in charge of his kingdom.⁵³ Caesar was clearly attempting to establish monarchs friendly to him in Asia and Syria not only to protect Roman interests against foreign invaders, but also to secure his position there as he headed west to continue his war against the anti-Caesareans.⁵⁴ Hyrcanus was part of this plan, and he remained loyal to Caesar until the dictator's death.

⁵² Caes. *Bell. Alex.* 67 ff; Dio. 41. 63. See also Rice Holmes, *The Roman Republic*, 211; Gelzer, *Caesar*, 59.

⁵³ Caes. *Bell. Alex.* 78; Dio 42. 48; App. *Mith.* 120 ff. See also Rice Holmes, *The Roman Republic*, 215; Gelzer, *Caesar*, 260-1. From Deiotarus Caesar also took Armenia Minor and gave it to Ariobarzanes of Cappadocia. See A. H. M. Jones, *The Cities of the Eastern Roman Provinces* (Amsterdam, 1983), 166.

⁵⁴ Gelzer, *Caesar*, 257-61; C. Meier, *Caesar* (London, 1995), 402.

Caesar proceeded to make his way back to Asia through Galatia and Bithynia and transacted public business in the cities, settling disputes and granting various privileges. He continued to reward various monarchs and cities who had remained loyal and exacted money and gifts from those who had not. On 24 September of 47, he had arrived in Rome. Caesar's time in Rome was both brief and turbulent. He was required to undo the political incompetence of Antonius whom he had left in Rome as his *magister equitum*, as well as to put down a mutiny among his veterans. Within a month, Caesar mustered his forces and prepared for his expedition to Africa in order to counter the threat of Cato and Scipio. He sailed for Africa towards the end of November of 47.⁵⁵

1. 3. 1. Caesar's Decisions Regarding Judaea in 47

Caesar's victory at Pharsalus, therefore, allowed him to reshape the political landscape in the Roman East. Representatives from Asian cities or nations, such as Ilium, Ephesus, Pergamum, Mytilene, Cnidus, and Rhodes, were obliged to declare their loyalty to him in order to maintain their safety and privileged status. Those who supported him in his campaigns in Alexandria or against Pharnaces, such as the Jews or Mithridates of Pergamum, were rewarded with additional privileges, while other dynasts, such as Deiotarus, lost territory or position. The Jews were clearly a part of Caesar's task of settling affairs in Syria in the summer of 47 that are described by Hirtius. Caesar met with a Jewish delegation, perhaps with Hyrcanus himself, and he sent a letter to nearby

⁵⁵ Dio. 42. 48-49; App. *BC* II. 386-96; *Bell. Alex.* 66-78; Plut. *Caes.* 51. 2; Strabo. 12. 3. 14. According to Dio, it was at that time that the tetrarchy in Galatia and the title of King of Bosphorus was given to Mithridates of Pergamum.

Sidon (and likely other cities) with instructions to carry out the commands concerning Jewish privileges ordered in his edict. This covering letter and edict (§§190-95) go together and are contained in Documents 1 and 2, respectively.

1. 3. 2. Document 1: Caesar's Covering Letter

Official Roman letters (Lat. *epistulae*, Gr. γράμματα), were not so much a type of decision as much as a way of communicating one. *Epistulae* were sent by the Roman senate or magistrates to officials of a foreign city or state in order to convey to them some decision or policy. They were critical diplomatic devices and were frequently used to communicate magisterial decisions in the Greek East. They also tended to have specific formulae. There is a formal greeting (*salutatio*) in which the writer addresses the magistrate or magistrates and often also the council and people of the city, translated in Greek as ἀρχουσι βουλῇ δήμῳ χαίρειν. Following the *salutatio* is the *formula valetudinis*, in which the writer states something to this effect: “If you are in good health, it is well, I am also well...” (Gr. εἰ ἔρωσθε εὖ ἂν ἔχοι καὶ γὰρ ἐγὼ καὶ ἐγὼμαί). Mention of the wellbeing of the army in the *formula valetudinis* is a Roman invention and became common in the mid-first century BCE.⁵⁶ The magistrate or magistrates would also specify the method by which their decision was to be published or made public. This is precisely the function of Caesar's letter in the first document.

The covering letter (§§190-91) which introduces the edict states the following:

⁵⁶ The first example of it occurs in a document from 117 BCE (*SIG*³ II. 700) but is not common until the mid-first century BCE. It became standard in letters of Caesar and, later, the triumvirs. For a lengthy discussion of the formal language used in a *salutatio* or *formula valetudinis*, see introduction to *Epistulae* in Sherk, *RDGE*, 186 ff.

Γάιος Ἰούλιος Καῖσαρ αὐτοκράτωρ καὶ ἀρχιερεὺς δικτάτωρ τὸ δεύτερον
 Σιδωνίων ἄρχουσιν βουλῇ δῆμῳ χαίρειν. εἰ ἔρρωσθε εὖ ἂν ἔχοι, κἀγὼ δὲ ἔρρωμαι
 σὺν τῷ στρατοπέδῳ. τῆς γενομένης ἀναγραφῆς ἐν τῇ δέλτῳ πρὸς Ὑρκανὸν υἱὸν
 Ἀλεξάνδρου ἀρχιερέα καὶ ἐθνάρχην Ἰουδαίων πέπομφα ὑμῖν τὸ ἀντίγραφον, ἵν'
 ἐν τοῖς δημοσίοις ὑμῶν ἀνακέηται γράμμασιν. βούλομαι δὲ καὶ ἑλληνιστὶ καὶ
 ῥωμαῖστὶ ἐν δέλτῳ χαλκῇ τοῦτο ἀνατεθῆναι. ἔστιν δὲ τοῦτο·

Gaius Julius Caesar, Imperator and Pontifex Maximus, Dictator for the second time, bids greetings to the magistrates, council and people of Sidon. If you are in good health, it is well. I also and the army are in good health. I am sending you a copy of the decision, inscribed on a tablet, concerning Hyrcanus, son of Alexander, the high priest and ethnarch of the Jews, in order that it may be deposited among your public records. It is my wish that this be set up on a tablet of bronze in both Greek and Latin. It reads as follows.⁵⁷

We begin first with the introductory sentence of the letter. The *salutatio* corresponds with traditional language of official Roman correspondence. The description of Caesar as Dictator II places the document to 47 BCE, after his victory at the battle of Pharsalus.⁵⁸ The title combination of αὐτοκράτωρ καὶ ἀρχιερεὺς (Imperator and Pontifex Maximus) was also common for inscriptions for Caesar in the East immediately after that battle.⁵⁹ Next follows the standard *formula valetudinis*, including mention of Caesar's army, which was typical during this period.⁶⁰ After Caesar presents his greetings and best wishes to the Sidonians, he orders that the copy of the decision which he is sending them be put in their public records and set up on a bronze tablet in both Latin and Greek

⁵⁷ Translations are adapted from Marcus unless otherwise stipulated.

⁵⁸ Caesar was dictator for the second time from October of 48 to about April of 46. See above, 19, n. 37, and Appendix D.

⁵⁹ Raubitschek, *Epigraphic Notes*, 73. Cf. *Inscr. de Délos*, no. 1587; *IGR* IV. 928; *IG* II². 3229, 3271/2; *IG* XII. 556; *IGR* IV. 303, 307. See also E. Meyer, *Caesars Monarchie und das Principat des Pompejus* (Stuttgart, 1922), 505; L. R. Taylor, *The Divinity of the Roman Emperor* (Philadelphia, 1975), 59-61.

⁶⁰ For the inclusion of the army in the *formula valetudinis*, see above, 25.

(ἐλληνιστὶ καὶ ῥωμαῖστὶ ἐν δέλτῳ χαλκῇ τοῦτο ἀνατεθῆναι).⁶¹ The letter recorded in Document 1, therefore, is representative of typical Roman magisterial *epistulae*, and introduces the edict that follows in traditional fashion.

1. 3. 3. Document 2: Caesar's Edict

The letter is attached to Document 2, an *edictum* in which Caesar grants various privileges to the Jews and to their high priest, Hyrcanus II. Of all the decisions in the *acta*, the edict is the best-preserved. There is also little debate among commentators concerning its import, dating and purpose.⁶² Since it is in good condition, it provides a logical starting point for our investigation of the decisions concerning the Jews. The edict is also critical to our study, since most of edict's decisions are consistently referred to or confirmed by the later documents. The decision reads as follows:

Ἰούλιος Καῖσαρ αὐτοκράτωρ καὶ ἀρχιερεὺς δικτάτωρ τὸ δεύτερον μετὰ συμβουλίου γνώμης ἐπέκρινα. ἐπεὶ Ὑρκανὸς Ἀλεξάνδρου Ἰουδαῖος καὶ νῦν καὶ ἐν τοῖς ἔμπροσθεν χρόνοις ἐν τε εἰρήνῃ καὶ πολέμῳ πίστιν τε καὶ σπουδὴν περὶ τὰ ἡμέτερα πράγματα ἐπεδείξατο, ὥς αὐτῷ πολλοὶ μεμαρτυρήκασιν αὐτοκράτορες, καὶ ἐν τῷ ἔγγιστα ἐν Ἀλεξανδρείᾳ πολέμῳ μετὰ χιλίων πεντακοσίων στρατιωτῶν ἦκε σύμμαχος καὶ πρὸς Μιθριδάτην ἀποσταλεῖς ὑπ' ἐμοῦ πάντας ἀνδρείᾳ τοὺς ἐν τάξει ὑπερέβαλεν, διὰ ταύτας τὰς αἰτίας Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας Ἰουδαίων εἶναι βούλομαι, ἀρχιερωσύνην τε Ἰουδαίων διὰ παντὸς ἔχειν κατὰ τὰ πάτρια ἔθνη, εἶναί τε αὐτὸν καὶ τοὺς παῖδας αὐτοῦ συμμάχους ἡμῖν ἔτι τε καὶ ἐν τοῖς κατ' ἄνδρα φίλοις ἀριθμεῖσθαι, ὅσα τε κατὰ τοὺς ἰδίους αὐτῶν νόμους ἐστὶν ἀρχιερατικὰ ἢ φιλάνθρωπα, ταῦτα κελεύω κατέχειν αὐτὸν καὶ τὰ

⁶¹ Orders of publication were quite common in both official Roman *epistulae* and *senatus consulta*. See below, Chapter 2, 38, n. 10.

⁶² For further discussion on the content this fragment, see Mendelssohn, "Senati Consulta", 189-197; Rosenthal, "Die Erlasse Caesars", 178-183, 216-226, 302-306; T. Mommsen, *Römische Geschichte* V, (Berlin, 1923-7) 501; Judeich, *Caesar im Orient* (Leipzig, 1885), 122, 129, 138; P. Viereck, *Sermo Graecus*, 97. T. Rice Holmes, *The Roman Republic and the Founder of the Empire*, III (New York, 1967), 507; A. Schalit, *König Herodes*, 148-9; Pucci Ben Zeev, *Jewish Rights*, 31-53.

τέκνα αὐτοῦ· ἂν δὲ μεταξὺ γένηται τις ζήτησις περὶ τῆς Ἰουδαίων ἀγωγῆς,
ἀρέσκει μοι κρίσιν γίνεσθαι παρ’ αὐτοῖς. παραχειμασίαν δὲ ἢ χρήματα
πράσσεσθαι οὐ δοκιμάζω.

I, Julius Caesar, Imperator and Pontifex Maximus, Dictator for the second time, have decreed as follows with the advice of the council.⁶³ Whereas the Jew Hyrcanus, son of Alexander, both now and in the past, in time of peace as well as in war, has shown loyalty and zeal toward our state, as many commanders have testified on his behalf, and in the recent Alexandrian war came to our aid with fifteen hundred soldiers, and being sent by me to Mithridates,⁶⁴ surpassed in bravery all those in the ranks, for these reasons it is my wish that Hyrcanus, son of Alexander, and his children shall be ethnarchs of the Jews and shall hold the office of high priest of the Jews for all time in accordance with their national customs, and that he and his sons shall be our allies and also be numbered among our particular friends; and whatever high-priestly rights or other privileges exist in accordance with their laws, these he and his children shall possess by my command. And if, during this period, any question shall arise concerning the Jews’ manner of life, it is my pleasure that the decision shall rest with them. Nor do I approve of troops being given winter quarters among them or of money being demanded of them.

Caesar, who again is described as Imperator, Pontifex Maximus and Dictator II,⁶⁵ begins by praising the attested loyalty of Hyrcanus, specifically citing his assistance in the recent Alexandrian campaign.⁶⁶ He then instructs that Hyrcanus and his descendants shall be *ethnarchs* of the Jews (Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας Ἰουδαίων εἶναι - §194), retain the office of high priest in accordance with Jewish custom (ἀρχιερωσύνην τε Ἰουδαίων διὰ παντὸς ἔχειν κατὰ τὰ πάτρια ἔθνη - §194), and be counted among Rome’s friends and allies (συμμάχους ἡμῖν ἔτι τε καὶ ἐν τοῖς κατ’ ἄνδρα φίλοις

⁶³ Lat. *ex consilii sententia*, an “advisory board.”

⁶⁴ Mithridates of Pergamum. See above, 20-21.

⁶⁵ The manuscripts give αὐτοκράτωρ τὸ δεύτερον καὶ ἀρχιερεὺς. The text here is clearly corrupted, and Niese emended it on the basis of the edict’s covering letter and because the titles find no parallels in any decree relating to Caesar, and also makes no sense in this context. For further discussion of this title in relation to Caesar, see Chapter 2, 52-53.

⁶⁶ ἐν τῷ ἔγγιστα ἐν Ἀλεξανδρείᾳ πολέμῳ μετὰ χιλίων πεντακοσίων στρατιωτῶν ἦκε σύμμαχος, κτλ.

ἀριθμεῖσθαι - §§194-5). It should be noted that the edict does not declare that the Jews or the Jewish nation are to become friends and allies of Rome, but only Hyrcanus and his family. They are to be added to the “roll of friends” (Lat. *formula amicorum*, Gr. φίλων διάταγμα) and awarded certain privileges.⁶⁷ Caesar states next that Hyrcanus and his descendants shall also possess traditional high priestly rights and privileges (ἀρχιερατικά ἢ φιλόανθρωπα), and that the Jews shall have jurisdiction over internal affairs (κρίσιν γίνεσθαι παρ’ αὐτοῖς - §195). Lastly, he commands that Judaea shall not be required to provide winter quarters for Roman troops, and that no money may be demanded from them (παραχειμασίαν δὲ ἢ χρήματα πράσσεσθαι οὐ δοκιμάζω - §195).

The establishment of the hereditary ethnarchy and high priesthood for Hyrcanus and his descendents is the most important of these decisions. Hyrcanus’ powers seem to have been weakened in Gabinius’ reorganization of Judaea into five administrative districts.⁶⁸ By this *edictum* of Caesar, Hyrcanus now regained control and power over internal affairs for the entire nation. The dating of this edict is confirmed not only by the titles ascribed to Caesar within it, however, but also by the great number of ancient sources which describe this period in detail. The Jews were not the only people to be caught up in the civil wars of the late republic, and not the only people to whom privileges and titles were granted by Caesar in order to secure both his and their position.

⁶⁷ For the titles of *amici* and *socii*, see E. Gruen, *The Hellenistic World and the Coming of Rome* (Berkeley, 1984), 47; A. K. Bowman, “The *Formula Sociorum* in the Second and First Centuries BC”, *CJ* 85 (1989-90), 330-6; Pucci Ben Zeev, *Jewish Rights*, 41. For the process of *in sociorum formulam referre*, see also Willems, *Le Sénat de la République Romaine* (Aalen, 1968), 480. The privileges given to Hyrcanus and his family are possibly those described in a later fragment, Document 5 (§210). For other examples, see *RDGE* 22 = *RGE* 66, 24; *RDGE* 65. 30; *IGRom.* 1.118. See also H. J. Mason, *Greek Terms for Roman Institutions* (Toronto, 1974), 36.

⁶⁸ See above, 12, n. 13.

The grants that Caesar made issued concerning the Jews and their leader fit an overall pattern of Caesar's actions in the East during this period.

1. 4. Caesar's Edict in Relation to the Other Documents

The edict that we have examined is important for a number of reasons. First, it is our best preserved document. Second, it is the earliest evidence for decisions made by Caesar concerning the Jews.⁶⁹ Third, as mentioned above, these very decisions are frequently referenced and reaffirmed in later documents of the *acta*. The edict that Caesar issued in the summer of 47, therefore, provided the basis for the senatorial decisions concerning the Jews that followed. This is seen in Figures 1 and 2 below, which outline the content of Documents 3-7:

Figure 1

AJ Section

Doc. 3	§196-98	Decisions confirming privileges for Hyrcanus and the Jews. Hyrcanus and his descendents shall rule the Jewish nation and enjoy increased territory granted by Rome; Hyrcanus, as high priest and <i>ethnarch</i> , shall be a “protector” of those unjustly treated; Roman embassies will be sent to Hyrcanus to discuss friendship and alliance; description of the publishing of the decree and treatment of the Jewish embassy.
Doc. 4	§199	Decisions confirming privileges for Hyrcanus and the Jews. Hyrcanus and his descendents shall be high priests of the Jews with all traditional high priestly rights.
Doc. 5	§200-1	Decisions confirming privileges for Hyrcanus and the Jews. The Hyrcanus may rebuild the walls of Jerusalem as he sees fit; taxes

⁶⁹ This assertion is contested only by Momigliano, *Recherche*, 194. See Chapter 2, 46-47.

paid by the Jews shall be reduced; no one shall profit from the Jews.

- Doc. 6** §202-10 Decisions confirming privileges for Hyrcanus and the Jews. A Description of the tribute that the Jews must pay to Rome; Hyrcanus and his descendents shall be paid tithes and possess traditional high priestly rights; the Jews shall be free from demands of money, winter quartering or auxiliary troops; The city of Joppa will be given to their control, for which they must pay tribute; they are given areas of the Plain of Esdraelon, Lydda, and territories belonging to dynasts of Syria and Phoenicia; Hyrcanus and his descendents shall possess traditional privileges of friends and allies of Rome, including the right to summon the senate *extra ordinem* through the dictator or master of horse.
- Doc. 7** §211-12 Caesar praises Hyrcanus and the Jews. The loyalty of Hyrcanus and the Jews is praised; they should be given tokens of gratitude by Rome.

Figure 2

Decision	Doc. 2	Doc. 3	Doc. 4	Doc. 5	Doc. 6	Doc. 7
Grant of hereditary ethnarchy and high priesthood	X	X	X		X	
Hyrcanus and family to enjoy traditional priestly rights	X		X		X	
Diplomatic Privileges for Hyrcanus, his family, and their envoys	X	X			X	X
Military exemptions and privileges	X			X	X	
Land grants		X			X	
Taxation privileges				X	X	

The grants of the hereditary ethnarchy and high priesthood are repeated in Documents 3 and 4. The declaration that Hyrcanus and his descendents shall be enrolled in Rome's register of friends and allies (§194),⁷⁰ is recalled in Document 6 with the award of specific diplomatic privileges for Hyrcanus, his descendents, and their envoys. The edict also declares that Hyrcanus and his descendents shall possess traditional high priestly rights (ὅσα τε κατὰ τοὺς ἰδίους αὐτῶν νόμους ἐστὶν ἀρχιερατικά ἢ φιλόανθρωπα). This is repeated in Documents 4 and 6.⁷¹ The edict's final grant (§195), which states that the Jews shall be exempt from demands of money or winter quarters,⁷² is also elaborated in Document 6.

The edict presented in Document 2, therefore, became the basis for the decisions recorded in the documents that follow. As we shall see, the later documents do indeed introduce some decisions that are not present in the edict. Most of the decisions concerning Hyrcanus and Judaea, however, are first seen in the edict, and then confirmed in the later documents. The next chapter will examine the form and function of these documents, and discuss when the decisions recorded in them were made.

⁷⁰ εἶναί τε αὐτὸν καὶ τοὺς παῖδας αὐτοῦ συμμάχους ἡμῖν ἔτι τε καὶ ἐν τοῖς κατ' ἄνδρα φίλοις ἀριθμεῖσθαι.

⁷¹ §§199 and 208, respectively.

⁷² παραχειμασίαν δὲ ἢ χρήματα πράσσεσθαι οὐ δοκιμάζω.

CHAPTER II

Confirming Caesar's *Acta*

2. 1. Official Roman Political Language and Formulae

In Chapter 1, we saw that Documents 1 and 2 are a covering letter and edict of Caesar from 47 BCE. We must now determine the form and date of the remaining five parts of the *acta*. Documents 3 to 7 contain fragments of five decisions concerning Hyrcanus and the Jews of Palestine. Most of these decisions repeat or supplement orders already made in Caesar's edict (see Figure 2 above), but each document is introduced separately, with varying titles ascribed to Caesar, making them difficult to date. We are then left only with the language and the content of the decisions themselves. Since recognizing and contrasting the different forms of decisions is essential to determining the structure of the Josephan documents, we must first review the different types of official Roman decisions as well as the formal language that they employed.

Although official Roman decisions did not always adhere to strict patterns, they were typically highly formulaic, and it is this consistency that allows epigraphers and commentators to rebuild damaged texts. A familiarity with the language is thus important to our study. A common form of decision was the edict (Lat. *edictum*, Gr. διάταγμα¹), which uses language different from a *senatus consultum* and comes from a different authority. An edict was a command or decision of an individual magistrate (such as a praetor, proconsul or propraeor) and, like the *senatus consultum*, was

¹ There was also some elasticity with the Latin term for edict, since *decretum* (Gr. ἐπίκριμα) was sometimes used. See Sherk, *RDGE*, 195.

authoritative and normative. It was rendered in the first person and used such language as “it is my wish that...” (*desidero...esse*) and “I have decided that...” (*constitui*), followed by a relative accusative. In Greek, these structures were often translated as βούλομαι εἶναι and ἐπικρίνω.²

A *lex* (Gr. νόμος) was a statute whose authority was based on the *populus Romanus* and applied to all the people and governing bodies of Rome.³ It was passed in the popular assembly that was convened by a magistrate, and was written and eventually published by being placed in the *aerarium*. The *lex* and a *senatus consultum* were different less because of the subject of the decision than how it was enforced, since unlike a *senatus consultum*, a *lex* did not require any additional executive power to support it. Legislation could deal with any topic, including admission to Roman citizenship, economic and social matters such as sumptuary laws, grain laws, foundation of colonies, constitutional and legal enactments, and the distribution of public land.⁴

A *senatus consultum* (Gr. δόγμα) was the recommendation or advice of the senate to a magistrate who had requested it, and it required his acceptance to be executed. Although it lacked the legal authority of a *lex*, the authority and power of the senate in the late Republic was such that it often guaranteed that its decrees carried real weight and

² For examples of this formula, see *RDGE* 2, 16, 17, 20, 22, 23, 26, 28, 31, 33, 38, 57, 58. See also T. Mommsen, *Römisches Staatsrecht I* (Leipzig, 1887), 202-9.

³ *Lex est quod populus iubet atque constituit* – Gaius. *Inst.* 1. 3.

⁴ A. Lintott, *Constitution*, 3-6, 200-1; “Democracy in the Middle Republic”, *ZSS* 104 (1987), 34-52; *Judicial Reform and Land Reform in the Roman Republic* (Cambridge, 1992), 34-58; Willems, *Le Sénat*, 113-4. For a discussion on some of the different categories of *leges*, see M. W. Frederiksen, “The Republican Municipal Laws: Errors and Drafts”, *JRS* 55.1 (1965), 189ff.

legitimacy. A magistrate called a meeting of the senate and presided over it. In the role of the *relator*, the magistrate introduced a motion (*relatio*) and asked for the opinion (*sententiae*) of the senate. After the subsequent vote was carried, the senate's decision was then enacted as a *senatus consultum*. There was no regular procedure, as far as we know, for publishing *senatus consulta*. In the Republican period, however, decrees were typically copied onto wooden *tabulae* (Gr. δέλτοι) faced with wax and deposited in the *aerarium Saturni*. They were often bound into *codices* and stored in order of registration. Official copies of the decrees (Lat. *exempla*, Gr. ἀντίγραφα) were also often sent to interested parties, especially in the Greek East. It is from these copies that we today have many surviving sections of original *senatus consulta*.⁵

Senate decrees were typically written in the third person, although the plural personal pronoun “we” was often employed. Also, regardless of size, they consistently comprised the following four parts: the prescript, the theme, the decree proper, and the mark of approval. The prescript presents the name and rank of the presiding magistrate(s), the time and place of the meeting, and those witnesses who were present. The theme then pronounces the *relatio*, the reasons or motivations prompting the decree. It begins with the formula “Whereas (name of the magistrate) spoke concerning...” (Lat. *quod verba fecit de / ut*). This was translated into Greek as περὶ ὧν ὁ δεῖνα λόγους

⁵ T. Mommsen, “Sui modi usati da’ Romani nel conservare e pubblicare le leggi ed i senatusconsulti”, *Ges. Schriften* III (Berlin, 1965), 290-313; Sherk, *RDGE*, 4-7; Willems, *Le Sénat*, 114-16, 216-17, 515-19; J. Reynolds, *Aphrodisias and Rome*, doc. 8 lines 1-3, commentary on 65-6; Talbert, *Imperial Rome*, 303-337, 432-3; A. Lintott, *The Constitution of the Roman Republic* (Oxford, 1999), 75-85. On the normative and functional powers of the senate, see A. Watson, *Law Making in the Latter Roman Republic* (Oxford, 1974), 21-30; G. Crifò, “Attività normative del senato in età repubblicana”, *BIDR* 71 (1968), 31ff; P. Culham, “Fraud, Fakery and Forgery: The Limits of Roman Information Technology”, *AncW* 27 (1996), 173-4.

ἐποιήσατο περὶ / ὅπως. It ends with “Concerning this matter (the senate) has resolved as follows,” (Lat. *de ea re ita censuerunt* or Gr. περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν).⁶ The decree proper is the least formulaic part, since it gives the specific decisions made (or suggested) concerning the motion. It is, however, typically introduced with *ut* (Gr. ὅπως or, less commonly, ἵνα). Recognizing the use of this ὅπως formula is a key to determining much of the form of the decisions in the *acta*, since most of the documents lack a theme, and all of them lack prescripts. The mark of approval finally concludes the decree by formally expressing the vote with the word “decreed” (Lat. *censuere* or Gr. ἔδοξεν).⁷

Especially in regard to *edicta* and *senatus consulta*, interested parties (usually foreign nations) often preserved only those clauses that concerned them. Lines of a decision were simply excerpted or abbreviated to suit local the interests. The precision regarding presiding consuls and the month and day in which the decisions of magistrates or the senate were enacted are therefore rare in surviving texts.⁸ In the decisions presented by Josephus, most of these lines only partially describe Caesar’s titles, with some titles missing or others lacking the number, so that we know only that he assumed the relevant title sometime during the period of 48-44 BCE. The type of decisions contained in these documents, therefore, cannot be determined through recognition of

⁶ D. Daube, *Forms of Roman Legislation* (Oxford, 1956), 78-86.

⁷ This part is often missing from extant *senatus consulta*, and is wholly missing from all of the official documents in the *Antiquitates*. For further discussion of these *formulae*, see Sherck, *RDGE*, 7-8.

⁸ Talbert, *The Senate of Imperial Rome*, 304-305; Culham, “Fraud, Fakery and Forgery”, 177.

formal prescripts and marks of approval, but through a careful examination of the language and form of the decree proper. This study will demonstrate that Documents 3-7 all contain fragments of one or more *senatus consulta*.

2. 2. Document 3: First Confirmation of Caesar's Decisions

Document 3 (§§196-8) is fragmented and contains a number of corruptions, but is also the closest in content to Caesar's edict and covering letter. As such, it offers a logical starting point:

Γαίου Καίσαρος αὐτοκράτορος ὑπάτου δεδομένα συγκεχωρημένα προσκεκρίμενα ἐστὶν οὕτως ἔχοντα·

ὅπως τὰ τέκνα αὐτοῦ τοῦ Ἰουδαίων ἔθνους ἄρχῃ, καὶ τοὺς δεδομένους τόπους καρπίζονται, καὶ ὁ ἀρχιερεὺς αὐτὸς καὶ ἐθνάρχης τῶν Ἰουδαίων προῖστίηται τῶν ἀδικουμένων. πέμψαι δὲ πρὸς Ὑρκανὸν τὸν Ἀλεξάνδρου υἱὸν ἀρχιερέα τῶν Ἰουδαίων καὶ πρεσβευτὰς τοὺς περὶ φιλίας καὶ συμμαχίας διαλεξομένους· ἀνατεθῆναι δὲ καὶ χαλκὴν δέλτον ταῦτα περιέχουσαν ἐν τε τῇ Καπετωλίῳ καὶ Σιδῶνι καὶ Τύρῳ καὶ ἐν Ἀσκάλῳ καὶ ἐν τοῖς ναοῖς ἐγκεχαραγμένην γράμμασιν Ῥωμαϊκοῖς καὶ Ἑλληνικοῖς. ὅπως τε τὸ δόγμα τοῦτο πᾶσι τοῖς κατὰ τὴν πόλιν ταμίαις καὶ τοῖς τούτων ἡγουμένοις εἰς τε τοὺς φίλους ἀνενέγκωσιν· καὶ ξένια τοῖς πρεσβευταῖς παρασχέιν καὶ τὰ διατάγματα διαπέμψαι πανταχοῦ.

The following are the grants, decrees and decisions of Gaius Julius Caesar, Emperor and Consul:

That his children shall rule over the Jewish people and enjoy the fruits of the places given to them, and that the high priest himself and ethnarch of the Jews, shall be the protector of those who are unjustly treated. And that the envoys be sent to Hyrcanus, son of Alexander, the high priest of the Jews, to discuss terms of friendship and alliance. And that a bronze tablet containing these decisions shall be set up in the Capitol and at Sidon and Tyre and Askalon in the temples, engraved in Latin and Greek characters. And that this decree shall be communicated to all the urban quaestors and magistrates and to our friends, that hospitality may be shown to the envoys, and that these edicts may be published everywhere.

All of the language is in the third person, and the motions are introduced with a ὅπως construction, immediately suggesting that this is the section of a *senatus consultum*. The last sentence (§198) also begins with this same formula, and includes instructions that this “decree be communicated to all the urban quaestors and magistrates, and to our friends.”⁹ Orders concerning communication and publishing were common to *senatus consulta* and tended to come near the end of the decree.¹⁰ As an introductory sentence, Γαῖου Καίσαρος αὐτοκράτορος ὑπάτου δεδομένα συγκεχωρημένα προσκεκριμένα ἐστὶν οὕτως ἔχοντα, does not conform to the language that we expect in *senatus consulta* or *edicta*. It therefore does not fit with this section and seems to have been added later.¹¹ Since no mention is made of who introduced the decree (the *relator*), it is unknown whether Caesar was in Rome at the time that this decree was issued.

The text of the document is also problematic. The first part (§196) declares that Hyrcanus’ descendants “shall rule over the Jewish nation” (τὰ τέκνα αὐτοῦ τοῦ Ἰουδαίων ἔθνους ἄρχῃ) and enjoy territories granted to them, while Hyrcanus, as ethnarch and high priest of the Jews, shall be a “protector of those who are unjustly treated” (ὁ ἀρχιερεὺς αὐτὸς καὶ ἐθνάρχης τῶν Ἰουδαίων προῖστίται τῶν ἀδικουμένων). This point is abrupt and comes immediately after an introduction which is clearly not part of the original text,

⁹ ὅπως τε τὸ δόγμα τοῦτο πᾶσι τοῖς κατὰ τὴν πόλιν ταμίαις καὶ τοῖς τούτων ἡγουμένοις εἰς τε τοὺς φίλους ἀνενέγκωσιν.

¹⁰ RDGE 16, 22, 26, SIG³ 748; Talbert, *Imperial Rome*, 306-7.

¹¹ J. T. Krebs, *Decreta Romanorum pro Judaeis facta e Josepho collecta*, 230, and Mendelssohn, “Senati Consulta”, 208, both argue that this was likely added by Josephus’ source, while Viereck, *Sermo Graecus*, 97, claims that Josephus himself added these words. E. Taubler, *Imperium Romanum* (Rome, 1964), 174, and Momigliano, *Richerche*, 197, argue that such an opening sentence may have been the heading for a dossier of documents which Josephus mistook as part of the decree.

meaning that there is likely an earlier part of the sentence that is missing. It also makes little sense that Hyrcanus' children would be declared as rulers, but not Hyrcanus himself. The αὐτοῦ, which lacks an antecedent, suggests also that he must have been named directly before in the original text. This phrase makes more sense, however, if we see it as a senatorial ratification of the grant of ethnarchy that Hyrcanus and his descendents received from Caesar's edict in Document 2. This becomes clear with some minor emendation. We should read Ὑρκανὸς Ἀλεξάνδρου καὶ before the τὰ τέκνα.¹² The text would thus read: ὅπως <Ὑρκανὸς Ἀλεξάνδρου καὶ> τὰ τέκνα αὐτοῦ τοῦ Ἰουδαίων ἔθνους ἄρχη, κτλ. This follows closely Caesar's command in Document 2 (§194), Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας Ἰουδαίων εἶναι, and is clearly confirming this earlier decision.¹³

Another point of contention among commentators concerns the use of the word πρὸς in §197: πέμψαι δὲ πρὸς Ὑρκανὸν τὸν Ἀλεξάνδρου υἱὸν ἀρχιερέα τῶν Ἰουδαίων καὶ πρεσβευτὰς τοὺς περὶ φιλίας καὶ συμμαχίας διαλεξομένους. This implies that Rome was responsible for sending an embassy to the Jews in order to discuss terms of friendship and alliance (φιλίας καὶ συμμαχίας). Judeich, among others, has suggested deleting this word, arguing that it is unlikely that the senate would have sent envoys to Hyrcanus rather than Hyrcanus send to Rome.¹⁴ This would make also more sense in relation to the discussion of honours to be awarded to Hyrcanus' envoys that are mentioned at the end

¹² This has already been proposed by Reinach, *Oeuvres Complètes*, 240.

¹³ See Appendix A for the problem of the expression ἔθνους ἄρχη.

¹⁴ W. Judeich, *Caesar im Orient*, 126-128, is supported by Täubler *Imperium Romanum*, 172-3, and Momigliano *Richerche*, 197, though rejected by Mendelssohn, "Senati Consulta", 211. For the opposing view, see Viereck, *Sermo Graecus*, 98; Pucci Ben Zeev, *Jewish Rights*, 58-59.

of the document. These honours assume that the envoys will be in Rome and that any treaty negotiations will occur there. This fits the pattern of other Caesarean treaties, which were formally made in Rome after his “on-the-spot” decisions in the East.¹⁵

Also, the odd line at the end of the document concerning the communicating of “edicts” (καὶ ξένια τοῖς πρεσβευταῖς παρασχεῖν καὶ τὰ διατάγματα διαπέμψαι πανταχοῦ) requires emendation. Although διατάγματα may be translated as edicts or “ordinances,”¹⁶ it makes little sense in this context, and remains inappropriate decree language. In discussion of gifts and lodging for the Jewish ambassadors, however, there is another possible interpretation. *Senatus consulta* frequently order that foreign envoys be provided with gifts (Lat. *munus*, Gr. ξένια). The orders were given to the urban quaestors of Rome, who were responsible for providing for the needs of foreign envoys.¹⁷ This was done “according to official procedure,” (Lat. *ex formula* or Gr. κατὰ τὸ διάταγμα). With the exception of one early decree from 140 BCE or earlier,¹⁸ the formula κατὰ τὸ διάταγμα accompanies every award of ξένια in surviving *senatus consulta*.¹⁹ Here is an example from the *Senatus Consultum de Asclepiade* (lines 25-6):²⁰

τούτους τε πίνα<κα> χαλκοῦν φιλίας ἐν τῷ Καπετωλίῳ ἀναθεῖναι θυσίαν τε ποιῆσαι ἐξ<ῆ>ι, ξενία τε αὐτοῖς κατὰ <τ>ὸ διάταγμα τόπον παροχὴν τε τὸν ταμίαν τὸν κατὰ πόλιν τούτοις μισθῶσαι ἀποστ<εῖ>λαί τε κελεύ<σ>ωσιν.

¹⁵ Those treaties with Mytilene and Cnidus. See Mitchell, “Rome and Lycia”, 235.

¹⁶ The latter is Marcus’ translation. See Mason, *Greek Terms*, 127.

¹⁷ See Lintott, *Constitution*, 136-7; Willems, *Le Sénat*, 429-30.

¹⁸ The *Senatus Consultum de Narthaciensium et Melitaeensium Litibus* (RDGE 9).

¹⁹ See Sherck, RDGE 12, 15, 16, 18, 22.

²⁰ IGUR I. 1 = RDGE 22. For other examples of this formula in Greek, see Liv. XXX.21. For discussion of *munus*, see P. Willems, *Le Sénat de la République Romaine*, (Aalen, 1968), 429-31.

That they be permitted to set up on the Capitolium a bronze tablet of friendship and to perform a sacrifice there, and that gifts to them according to official procedure, and lodging and board be contracted for and sent by the urban quaestor, (the consuls) are to order.

It is more likely, then, that καὶ τὰ διατάγματα in §198 should actually be κατὰ τὸ διάταγμα, an emendation by which the space of only one letter is dropped. The entire line should then read: καὶ ξένια τοῖς πρεσβευταῖς κα<τὰ τὸ> διάταγμα{τα} or “that gifts (be given) to them according to official procedure.” There are several problems with the διαπέμψαι πανταχοῦ at the end of the sentence. The wording is vague and “dangles” at the end of the fragment, and this statement is unparalleled in surviving *senatus consulta*. Lastly, it makes little sense that the text specifically instructs that the decision be sent to three cities in Palestine (Sidon, Tyre and Askalon) for publication, but then declares that the decisions be “sent everywhere.” Given the corrupt state of these documents generally, it is better to leave these last two words as an unexplainable corruption (perhaps they were added at some later stage as the documents circulated within the Jewish diaspora).²¹

Despite missing the proper prescript, a decree theme and mark of approval, as well as containing numerous errors, Document 3 is still clearly a part of a *senatus consultum*. Its formulae correspond to decree language and its formal confirmation of decisions made in Caesar’s edict also points to this conclusion.

²¹ Cf., e.g., the discussion of Eilers at “Josephus’ Caesarian Acta: A History of a Dossier”, *Society of Biblical Literature, 139th Annual Meeting (Society of Biblical Literature Seminar Paper Series 42; Atlanta)*, 189-213.

2. 3. Document 4: Confirmation of Hyrcanus' Position

Document 4 (§199) is the shortest within the *acta*. It is only one sentence in length and is fragmentary. It has been variously interpreted as part of either an *edictum* or a *senatus consultum*, which again declares privileges that shall be awarded to Hyrcanus and his descendents. It reads as follows:

Γάιος Καῖσαρ αὐτοκράτωρ δικτάτωρ ὕπατος τιμῆς καὶ ἀρετῆς καὶ φιланθρωπίας ἔνεκε συνεχώρησεν ἐπὶ συμφέροντι καὶ τῇ συγκλήτῳ καὶ τῷ δήμῳ τῶν Ῥωμαίων Ὑρκανὸν Ἀλεξάνδρου υἱὸν καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ ἱερεῖς Ἱεροσολύμων καὶ τοῦ ἔθνους εἶναι ἐπὶ τοῖς δικαίοις, οἷς καὶ οἱ πρόγονοι αὐτῶν τὴν ἀρχιερωσύνην διακατέσχον.

Gaius Caesar, Imperator, Dictator and Consul, in recognition of the honour, virtue and benevolence of Hyrcanus, son of Alexander, and in the interest of both the Senate and people of Rome, has decided that both he and his sons shall be high priests and priests of Jerusalem and of their nation, with the same rights and under the same regulations as those under which their forefathers held the office of priest.

We cannot date the decision's enactment by its introduction, since there is again no formal prescript or theme, and although some of Caesar's titles are present, they are missing the numbers required to date them. It has been variously dated to 48, 47, 46 and 44 BCE, while some commentators maintain that this introduction was added by Josephus himself.²² One may note, however, that the sentence offers a short part of a theme for rewarding privileges: καὶ ἀρετῆς καὶ φιλανθρωπίας ἔνεκεν συνεχώρησεν, κτλ. This *relatio* language was used in first century BCE *senatus consulta*. Most interestingly, the best parallels come from decrees in which the senate referenced and ratified earlier decisions of grants of dictators or powerful *imperatores* of the first century BCE.

²² Viereck, *Sermo Graecus*, 99. This agrees with O. Roth, *Rom und die Hasmonäer* (Leipzig, 1914), 60-61. For further discussion, see Rice Holmes, *The Roman Republic*, 507; Smallwood, *Jews Under Roman Rule*, 37, n. 53; Pucci Ben Zeev, *Jewish Rights*, 69-73.

2. 3. 1. References in *Senatus Consulta*

All kinds of decisions, whether they were proposed by the Roman people, Senate or magistracy, often had reason for citing earlier decisions.²³ This was especially true with *senatus consulta*, which frequently were enacted to ratify decisions that had already been made. Although the references to the earlier decisions employed slightly different language, they still used formulae which can often be identified. Some of the best parallels of the ἔνεκεν...συνεχώρησεν construction that appears in Document 4 come from decrees that referenced or reaffirmed decisions of Sulla. One such example is the *Senatus Consultum de Tabenis*.²⁴ In 81/80 BCE, an embassy from the Carian city of Tabae came to Rome to seek confirmation of the rewards which Sulla had granted to them while he was still in Asia. This was typical procedure, and the senate agreed to ratify Sulla's acts, which resulted in this decree. Here follows the relevant section (lines 7-11):

τή[ν τε πρὸς τὴν σύν]-
[κλη]τον καὶ τὸν δῆμον τὸν Ῥω[μαίων αὐτῶν (?) πίστιν]
[διὰ] μνήμης ἔχειν ἔξειν τε ν2 ὅσ[ας τε κόμας τῆς]
[τού]των ἀρετῆς καὶ καταλογῆς ἔν[εκεν αὐτοῖς]
[μετ]ὰ συνβουλίου γνώμης Λεύκιος Κ[ορνήλιος]
[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν ν2 ὅπω[ς αὐτ]-
[αι αὐ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὅσιν [ὑπήκοοι....]

(that) [both to the sen]ate and the people of Ro[me their (?) faith in] memory of this, such νν [villages] as they hold and will hold on [account of their] courage

²³ See especially J. L. Ferrary, "Chapitres tralatiques et références à des lois antérieures dans les lois romaines" in *Mélanges de droit romain et d'histoire ancienne: Hommage à la mémoire de André Magdelain* (Paris, 1998), 153-67.

²⁴ *RDGE* 17; *OGIS* 442; *SEG* XIX 655.

and honour, [wi]th the advice of his council, Lucius C[ornelius] [Sulla],
Imperator, granted to them νν that [they] may be subject to their own laws and
regulations

The ἐνεκεν... συνεχώρησεν construction here recalls a similar one at the beginning of Document 4, and the decree as a whole is fulfilling a similar function. Another decree from this period with a similar construction is the *Senatus Consultum de Stratonicensibus*²⁵ of 81 BCE, again in which a decree was issued by the senate to confirm rewards that had already been granted by Sulla to Stratonicea (lines 53-6):

[Πήδασόν τε?,] Θεμισσόν, Κέραμον, χωρία [κώμας λιμένας προσό]-
[δους τε τῶν] πόλεων, ὧν Λεύκιος Κορν[ήλιος Σύλλας αὐτοκράτωρ]
[τῆς τούτων] ἀρετῆς καταλογῆς τε ἔ[νεκεν προσώρισεν συνεχώρη]-
[σεν, ὅπως τ]αῦτα αὐτοῖς ἔχειν ἐξ[ῆι.]

Pedassos (?), Themessos, Keramos and the places [villages, harbours and the revenues of the] cities which Lucius Corn[elius Sulla, Imperator,] for the sake of their courage and honour [added (to them) and decided that] they should be permitted to possess these things.

Although these texts belong to the age of Sulla rather than Caesar, the conditions under which they were written were similar. Sulla, an *imperator* on campaign in Greece, had issued various grants and treaties of friendship there. With his return and the senate's resolution to ratify his acts, the earlier decisions were now being cited in the new decree. Some decrees that refer to prior decisions contained the Greek verb συγχωρέω and were commonly used during Caesar's dictatorship. The Lycian treaty²⁶ of 46 BCE ratifies decisions which had been made by Caesar himself as he traveled down the coast of Asia toward Alexandria in 48 BCE. The Lycians were to receive everything "just as Gaius

²⁵ RDGE 18 = RGE 63; OGIS 441; SEG XXIX 1076.

²⁶ Mitchell, "Rome and Lycia", 169, 232.

Caesar Imperator decreed and which the senate decided with a passed resolution” (καθὼς Γάιος Καῖσαρ ὁ αὐτοκράτωρ ἔκρεινεν ἢ τε σύνκλητος δογματίσασα συνεπεκύρωσεν).²⁷

The other example relates to decisions which Caesar made to confirm the right of asylum for the Sanctuary of Artemis at Sardis. A boundary stone²⁸ from Sardis contains an edict of Caesar (lines 31ff.) from 4 March 44 BCE, granting privileges and asylum to the sanctuary. The last paragraph of the inscription (lines 69-76) contains a confirmation of Caesar’s decision, and is likely a later elaboration or citation of Caesar’s original text.²⁹

This confirmation was not made before Caesar’s death, and therefore belongs to the group of documents published by M. Antonius and the senate after Caesar’s assassination, before the enactment of the *lex Antonia de actis Caesaris confirmandis*.³⁰

The relevant text reads as follows (70-6):

[τα ..5..] κα[θι]έρωσεν(?) ἔδωκεν συνεχώρη]-
 [σενc.12....]Ε αὐτῶν ἀμύνεσθα[ι]
 [...c.7..]Ε[...]Α ἀρέσκει {vac.} μήτε ὑπεναγ-
 τ[ί]ως ᾤ(?) Γάιος Καῖσαρ αὐτοκράτωρ καὶ ἀρχ[χ(?)]-
 [ιερ]εὺς δικτάτωρ τε διὰ βίου συνεχώρη-
 [σε]ν ἔδωκεν καθιέρωσεν ἔστησεν
 [ποι]εῖν μήτε γίνεσθαι ἑᾶν.

It is pleasing (that these things) which he has con[se]crated, given and decid[ed], be uphel[d] and that nobody [d]o or allow something contr[a]ry to that which Gaius Caesar, Imperator, [Pontifex Maxim]us, Dictator for Life has decid[ed], given, consecrated and established.

²⁷ Lines 62-3.

²⁸ P. Herrmann, “Rom und die Asylie griechischer Heiligtümer”, *Chiron* 19 (1989), 127-64; *SEG* 39 (1989) 1290; *AE* (1989) 684.

²⁹ *SEG* 39. 1290.

³⁰ For discussion of this law, see Gelzer, *Caesar: Politician and Statesman* (Oxford, 1968), 283, 289-290. See also Cic. *Phil.* 5, 10; *Att.* 16, 16a; App. *BC.* iii. 81; Dio 44.53.2; 45.23.5.

The expression found in Document 4, then, was not only common in the language of *senatus consulta*, but was often used in language catering toward situations in which the senate ratified decisions that had been made earlier.³¹ Although the introduction provides no chronological data for the decree's enactment, its language suggests that we have here another part of a *senatus consultum* rather than an *edictum*.

2. 3. 2. Hyrcanus' Titles in Document 4

Although it is likely that this decree fragment is confirming earlier decisions in Caesar's edict, the actual grant here has caused some confusion relating to its timing. It begins by stating that Hyrcanus and his descendents shall be "high priests and priests" of Jerusalem and the Jewish nation (Υρκανὸν Ἀλεξάνδρου υἱὸν καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ ἱερεῖς Ἱεροσολύμων καὶ τοῦ ἔθνους εἶναι). The duplication of the grant of priesthood seems unnecessary, and the fact that there is no mention of the title of ethnarch has puzzled commentators. Momigliano, for example, argued that this is the earliest of the decisions because it makes no mention of the titles of ethnarch. He proposed an enactment date of 48, suggesting that since only the title of high priest is mentioned, perhaps Hyrcanus was given the title before Caesar's Alexandrian campaign, as a test of loyalty. Once Hyrcanus proved himself, Momigliano reasons, Caesar then granted additional privileges to Hyrcanus and the Jews, including the hereditary title of

³¹ See also *RDGE* 23. 21, 27, 56; 44. 3. See also P. S. G. Freber, *Der hellenistische Osten*, 57, who comments that throughout *senatus consulta*, regulations of Roman *imperatores* were often inserted with συνεχώρησεν introducing it. For discussion of the potential break in the text, see Pucci Ben Zeev, *Jewish Rights*, 70-1.

ethnarch, in his edict of 47.³² It is more likely, however, that this part of the text is simply corrupted, especially since Josephus, who is narrating the events closely, does not mention any such test. I suggest an emendation to this line similar to the one made in Document 3. Through some minor changes,³³ the line may be read as:

Ὑρκανὸν Ἀλεξάνδρου υἱὸν καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ <ἐθνάρχα>ς
<Ἰουδαί>ων καὶ τοῦ ἔθνους εἶναι, κτλ.

By such a reading, it becomes clear that this fragment is a near-copy of the similar statements in the *senatus consultum* of Document 3 and the *edictum* of Document 2. The second grant of this fragment, that Hyrcanus and his children possess traditional high priestly rights,³⁴ is also confirming a decision first made in Caesar's edict (§195). Document 4, therefore, while containing some variations in language and size, is a fragment of a *senatus consultum* that confirms decisions made by Caesar in his edict. It also resembles Document 3 to such a degree that it would be logical to suggest that they are alternate copies or parts of the same decision.

2. 4. Document 5: Decisions Relating to Judaea

Document 5 (§§200-201) is also fragmentary and contains two decisions made by Caesar regarding the Jews. The decisions listed here, however, are not contained in either the earlier fragmentary *senatus consulta* or in what we possess of Caesar's edict of 47. It reads as follows:

³² Momigliano, *Richerche*, 194. This is followed by Pucci Ben Zeev, *Jewish Rights*, 71-3.

³³ See Appendix B.

³⁴ ἐπὶ τοῖς δικαίοις, οἷς καὶ οἱ πρόγονοι αὐτῶν τὴν ἀρχιερωσύνην διακατέσχον.

Γάιος Καῖσαρ ὕπατος τὸ πέμπτον ἔκρινε τούτους ἔχειν καὶ τειχίσαι τὴν Ἱεροσολυμιτῶν πόλιν, καὶ κατέχειν αὐτὴν Ὑρκανὸν Ἀλεξάνδρου ἀρχιερέα Ἰουδαίων καὶ ἐθνάρχην ὡς ἂν αὐτὸς προαιρῇται. ὅπως τε Ἰουδαίοις ἐν τῷ δευτέρῳ τῆς μισθώσεως ἔτει τῆς προσόδου κόρον ὑπεξέλωνται καὶ μὴτε ἐργολαβῶσί τινες μὴτε φόρους τοὺς αὐτοὺς τελῶσιν.

Gaius Caesar, consul for the fifth time, has decreed that these men shall receive and fortify the city of Jerusalem, and that Hyrcanus, son of Alexander, high priest and ethnarch of the Jews, shall occupy it as he himself may choose. And that in the second year of the rent-term one *kor*³⁵ shall be deducted from the tax paid by the Jews, and no one shall make profit out of them, nor shall they pay the same tribute.

Although the document is short, it still contains enough language for us to determine its form if not its date. The use of the verb κρίνω / ἐπικρίνω is common in formal diplomatic language, used in both *edicta* and in *senatus consulta*.³⁶ One close parallel to the use of it in our text is in a section of the Lycian treaty with Rome, the decree that discusses what Caesar had decided in the past as dictator and the senate was now confirming.³⁷ This document's second sentence also begins with a formulaic ὅπως construction, reflecting again the language of a *senatus consultum*. Although it is possible to interpret Document 5 as part of an edict, a senate decree is preferable.

The first sentence of Document 5 contains more information and is in better condition than that of Document 4, but is still not a formal prescript. It reads: "Γάιος Καῖσαρ ὕπατος τὸ πέμπτον ἔκρινε, κτλ." Caesar is described as consul for the fifth time, which would seemingly date the document to 44 BCE. If this is a formal prescript,

³⁵ One *kor* is equal to roughly seven Attic μέδμηνοι. See Pucci Ben Zeev, *Jewish Rights*, 76-7.

³⁶ It is used both in the sense of "to decide/decreed" in judicial terminology and in language reflecting a decision made by a magistrate. See *RDGE* 14, 15, 22, 31.

³⁷ Mitchell, "Rome and Lycia," 169.

however, it is odd that there is no mention of his dictatorship. After Pharsalus, Caesar was dictator every year between 48 and 44 BCE, and one would expect that in a formal prescript, such a position ought to be listed, especially in comparison with our other fragments. Also missing are his titles of Pontifex Maximus and Imperator (ἀρχιερεὺς and αὐτοκράτωρ).

Commentators have also debated dating this decision to 44 BCE because of the discrepancy with Josephus' own narrative in relation to the order to refortify Jerusalem. Josephus claims³⁸ that Antipater rebuilt the walls soon after Caesar's departure from Alexandria in 47 BCE, almost three years before this apparent confirmation by the senate. A few possible solutions have been raised to address this apparent discrepancy.³⁹ One is that the dating of this fragment is incorrect and that Caesar should be described as "Consul for the second" or "third time" ὕπατος τὸ [δεύτερον or τρίτον], so that the confirmation was made closer to 48 or 46, thereby complementing Josephus' narrative.⁴⁰ Others have suggested that Josephus himself made an error in his narrative.⁴¹ The most favoured reason, however, is that Caesar allowed the fortification to begin in 47 BCE, but the order was not confirmed by senate decree until 44.⁴² This entire argument, however,

³⁸ *AJ* XIV. 144, 156; *BJI*. 199-201.

³⁹ For a discussion of the traditional arguments, see Pucci Ben Zeev, *Jewish Rights*, 78-9. See also Taubler, *Imperium Romanum*, 172 ff; U. Baumann, *Rom und die Juden*, 77, n. 28; Freber, *Der hellenistische Osten*, 58-9.

⁴⁰ Krebs, *Decreta Romanorum*, 170; Mendelssohn, "Senati Consulta", 197. For dates of Caesar's consulships, see Appendix D.

⁴¹ Momigliano, *Richerche*, 198, 200 ff; Smallwood, *Jews Under Roman Rule*, 42-3, n. 68.

⁴² Niese, "Bemerkungen über die Urkunden bei Josephus Archaeol. B. XIII. XIV. XVI.", *Hermes* 11 (1876), 487; Shürer, *History of the Jewish People*, 273-4, n. 23; Rice Holmes, *The Roman Republic*, 508. See also Pucci Ben Zeev, *Jewish Rights*, 78-9.

is again based on the tradition of reading Caesar's titles in the introductory sentence as the primary evidence for the decree's enactment date. We should not distrust completely the accuracy of the first sentence, but since it does not contain the proper introductory formula for a *senatus consultum* and seems to be missing information relating to Caesar, it cannot be used as solid evidence for an enactment date.

Since the content of this decree fragment does not contain any decisions mentioned in Document 2, there are two possibilities for interpreting its function. It might be a part of the same decree which confirms a missing part of Caesar's edict of 47.⁴³ The other possibility is that it is a part of a different decree which confirms a later decision of Caesar now lost to us. Whichever it is, it marks a turning point in the content of the *acta*, since it is the first document that does not discuss hereditary titles for Hyrcanus and his family. This leads to the next and largest document of the entire dossier.

2. 5. Document 6: Land Grants and Tax Exemptions for Judaea

Document 6 (§§202-210) finally presents us with a detailed list of many specific grants made in favour of Hyrcanus and the Jews. It seems to record one or more fragments of *senatus consulta* which grant privileges and specify new regulations concerning the Jews, some of which have not yet been encountered in the dossier. It reads as follows:

Γάιος Καῖσαρ αὐτοκράτωρ τὸ δεύτερον ἔστησε κατ' ἐνιαυτὸν ὅπως τελεῶσιν ὑπὲρ τῆς Ἱεροσολυμιτῶν πόλεως Ἰόππης ὑπεξαίρουμένης χωρὶς τοῦ ἐβδόμου ἔτους, ὃν

⁴³ See below, 62-3.

σαββατικὸν ἐνιαυτὸν προσαγορεύουσιν, ἐπεὶ ἐν αὐτῷ μήτε τὸν ἀπὸ τῶν δένδρων καρπὸν λαμβάνουσιν μήτε σπείρουσιν. καὶ ἵνα ἐν Σιδῶνι τῷ δευτέρῳ ἔτει τὸν φόρον ἀποδιδῶσιν τὸ τέταρτον τῶν σπειρομένων, πρὸς τούτοις ἔτι καὶ Ὑρκανῷ καὶ τοῖς τέκνοις αὐτοῦ τὰς δεκάτας τελῶσιν, ἃς ἐτέλουν καὶ τοῖς προγόνοις αὐτῶν. καὶ ὅπως μηδεὶς μήτε ἄρχων μήτε ἀντάρχων μήτε στρατηγὸς ἢ πρεσβευτὴς ἐν τοῖς ὅροις τῶν Ἰουδαίων ἀνιστὰς συμμαχίαν καὶ στρατιώτας ἐξῆ τούτῳ χρήματα εἰσπράττεσθαι ἢ εἰς παραχειμασίαν ἢ ἄλλῳ τινὶ ὀνόματι, ἀλλ' εἶναι πανταχόθεν ἀνεπηρεάστους. ὅσα τε μετὰ ταῦτα ἔσχον ἢ ἐπρίαντο καὶ διακατέσχον καὶ ἐνεμήθησαν, ταῦτα πάντα αὐτοὺς ἔχειν. Ἰόππην τε πόλιν, ἣν ἀπ' ἀρχῆς ἔσχον οἱ Ἰουδαῖοι ποιοῦμενοι τὴν πρὸς Ῥωμαίους φιλίαν αὐτῶν εἶναι, καθὼς καὶ τὸ πρῶτον, ἡμῖν ἀρέσκει· φόρους τε ὑπὲρ ταύτης τῆς πόλεως Ὑρκανὸν Ἀλεξάνδρου υἱὸν καὶ παῖδας αὐτοῦ παρὰ τῶν τὴν γῆν νεμομένων χώρας λιμένος ἐξαγωγίου κατ' ἐνιαυτὸν Σιδῶνι μοδίους δισμυρίους ἐξακοσίους ἐβδουμήκοντα πέντε ὑπεξαίρουμένους τοῦ ἐβδόμου ἔτους, ὃν σαββατικὸν καλοῦσι, καθ' ὃ οὔτε ἀροῦσιν οὔτε τὸν ἀπὸ τῶν δένδρων καρπὸν λαμβάνουσιν. τὰς τε κώμας τὰς ἐν τῷ μεγάλῳ πεδίῳ, ἃς Ὑρκανὸς καὶ οἱ πρόγονοι πρότερον αὐτοῦ διακατέσχον, ἀρέσκει τῇ συγκλήτῳ ταῦτα Ὑρκανὸν καὶ Ἰουδαίους ἔχειν ἐπὶ τοῖς δικαίοις οἷς καὶ πρότερον εἶχον. Μένειν δὲ καὶ τὰ ἀπ' ἀρχῆς δίκαια, ὅσα πρὸς ἀλλήλους Ἰουδαίοις καὶ τοῖς ἀρχιερεῦσιν καὶ ἱερεῦσιν ἦν τὰ τε φιλάνθρωπα ὅσα τε τοῦ δήμου ψηφισαμένου καὶ τῆς συγκλήτου ἔσχον. ἐπὶ τούτοις τε τοῖς δικαίοις χρῆσθαι αὐτοῖς ἐξεῖναι ἐν Λύδδοις. τοὺς τε τόπους καὶ χώραν καὶ ἐποίκια, ὅσα βασιλεῦσι Συρίας καὶ Φοινίκης συμμάχοις οὔσι Ῥωμαίων κατὰ δωρεὰν ὑπῆρχε καρποῦσθαι, ταῦτα δοκιμάζει ἡ σύγκλητος Ὑρκανὸν τὸν ἐθνάρχην καὶ Ἰουδαίους ἔχειν. Δεδόσθαι δὲ Ὑρκανῷ καὶ παισὶ τοῖς αὐτοῦ καὶ πρεσβευταῖς τοῖς ὑπ' αὐτοῦ πεμφθεῖσιν ἐν τε πυγμῇ μονομάχων καὶ θηρίων καθεζομένοις μετὰ τῶν συγκλητικῶν θεωρεῖν· καὶ αἰτησαμένους παρὰ δικτάτορος ἢ παρὰ ἱπάρχου παρελθεῖν εἰς τὴν σύγκλητον εἰσάγωγιν καὶ τὰ ἀποκρίματα αὐτοῖς ἀποδιδῶσιν ἐν ἡμέραις δέκα ταῖς ἀπάσαις, ἀφ' ἧς ἂν τὸ δόγμα γένηται.

Gaius Caesar, Imperator for the second time, has established that they shall pay a tax for the city of Jerusalem, Joppa excluded, every year except in the seventh year, which they call the sabbatical year, because in this time they neither take fruit from the trees nor do they sow. And that in the second year they shall pay the tribute at Sidon, consisting of one fourth of the produce sown, and in addition, they shall also pay tithes to Hyrcanus and his sons, just as they paid to their forefathers. And that no one, whether magistrate or pro-magistrate, praetor or legate, shall raise auxiliary troops in the territories of the Jews, nor shall soldiers be allowed to exact money from them, whether for winter-quarters or on any other pretext, but they shall be free from all molestation. And whatever they may hereafter acquire or buy or possess or have assigned to them, all these they shall keep. It is also our pleasure that the city of Joppa, which the Jews had held from ancient times when they made a treaty of friendship with the Romans, shall belong to them as at first; and for this city Hyrcanus, son of Alexander, and his sons shall pay tribute, collected from those who inhabit the territory, as a tax on

the land, harbour and exports, payable at Sidon in the amount of twenty thousand six hundred and seventy-five *modii* every year except in the seventh year, which they call the sabbatical year, wherein they neither plow nor take fruit from the trees. As for the villages in the Great Plain, which Hyrcanus and his forefathers before him possessed, it pleases the Senate that Hyrcanus and the Jews shall retain them with the same rights as they formerly had, and that the ancient rights which the Jews and their high priests and priests had in relation to each other should continue, and also the privileges which they received by vote of the people and the Senate. And that they be permitted to enjoy these rights at Lydda also.⁴⁴ As for the places, lands and farms, the fruits of which the kings of Syria and Phoenicia, as allies of the Romans, were permitted to enjoy by their gift, these the Senate decrees that the ethnarch Hyrcanus and the Jews shall have. And that to Hyrcanus and his children and to the envoys sent by him shall be given the right to sit with the members of the senatorial order as spectators of the contests of gladiators and wild beasts; and that when they request permission of the Dictator or Master of Horse to enter the Senate chamber, they shall admit them and shall give them an answer within ten days at the latest from the time when a decree is passed.

Like the previous three fragments, this document has no prescript, theme or mark of approval, while the introductory statement is confusing and does not conform to the formal language of a decree. First, the only title given to Caesar is αὐτοκράτωρ (Imperator) for the second time, which was declared for him some time during his wars in Gaul, and therefore cannot be correct in this context. Although Caesar was often given this title in letters and decrees, it usually appears without numbers.⁴⁵ The title αὐτοκράτωρ has also occasionally been used in Greek to represent the office of *dictator*,

⁴⁴ The text is corrupt here. Schalit suggests reading [ἐν Ἀφαιρέμοις καὶ] ἐν Λύδδοις [καὶ ἐν Ῥαμαθαίμ], proposing that since the districts of Ephraim and Ramathaim were likewise brought back into Jewish control. See *König Herodes*, 756-9.

⁴⁵ Caesar was acclaimed three times, in 57, 55 and 52 BCE, with supplications decreed for him in Rome (Caes. *BG* 2. 35.; 4. 38; 7. 90; Dio 39. 5; 53. 2; 40. 50). He also used this title in letters to Cicero (*Att.* 9. 6a). See also *MRR*, II, 306; Weinstock, *Divus Julius* (Oxford, 1971), 104-105.

but the majority of Greek inscriptions distinguish the two titles or offices.⁴⁶ The traditional answer to this titular problem that was first proposed by Niese and is now generally accepted is to read αὐτοκράτωρ <δικτάτωρ> τὸ δεύτερον, giving us a date of 47 BCE.⁴⁷

The abrupt shifting between orders and textual corruption at the beginning have also led many commentators to suggest that there may be more than one original decision present, or that there are pieces of an *edictum* here. The use of the verb ἵστημι to begin the list of commands is not common for *senatus consulta*, and according to Mendelssohn, resembles more the beginning of an edict than a decree. He suggested that there are two separate decisions here, with the first (§§202-204), containing decisions made by Caesar in an *edictum* from 47 BCE, while the rest of the document may be dated to a *senatus consultum* of a later period, likely 44.⁴⁸ He even went so far as to suggest that the exact division between the two decisions occurs with ὅσα τε μετὰ ταῦτα ἔσχον, κτλ in §205.

There are a number of objections, however, that should be raised to the idea of multiple decisions being present in Document 6. First, if there is an *edictum* and a

⁴⁶ Diodorus Siculus (12. 64. 1) uses αὐτοκράτωρ to translate *dictator*. Other examples of this usage of αὐτοκράτωρ may be found in H. J. Mason, *Greek Terms*, 117-9. See, however, Raubitschek, “Epigraphic Notes”, 65-75, who notes that αὐτοκράτωρ and δικτάτωρ appear together three times. Cf. *IGR* IV. 929; *IGR* IV. 304-1677; *IG* II². 3222. See also S. Mitchell, “Rome and Lycia”, 177.

⁴⁷ Judeich also suggested δικτάτωρ τὸ δ’, which would point to a date of 44 BCE. See Pucci Ben Zeev, *Jewish Rights*, 84. Regardless of which year it was, Caesar must have been dictator, since the final sentence declares that a Jewish envoy may address the senate through the permission of the dictator or Master of Horse (παρὰ δικτάτορος ἢ παρὰ ἱπάρχου).

⁴⁸ Mendelssohn, “Senati Consulta”, 197. He is followed by Viereck, *Sermo Graecus*, 99-100; Schürer, *History of the Jewish People*, 274, n. 23. That there are more than one decisions here is supported by Momigliano, *Recherche*, 196 ff; Taubler, *Imperium Romanum*, 173. For discussion of the change in grammatical construction, see Freber, *Der hellenistische Osten*, 57-8.

senatus consultum here, there actually is no clear division between them, and because of the existence of the ὅπως construction that occurs early in the document, it is arguable that there is not any evidence for two separate documents, but rather one document whose introductory sentence is corrupted or has been added at some point.⁴⁹ The use of the verb ἵστημι here might also not be as strange in a decree as has been believed.⁵⁰ Translated in a way similar to the Latin *statuit* or *constituit*,⁵¹ there is a parallel to it in the aforementioned decree of Sardis⁵² from March 44:

[τα ..5..] κα[θι]έρωσεν(?) ἔδωκεν συνεχώρ[η]-
 [σενc.12....]Ε αὐτῶν ἀμύνεσθα[ι]
 [...c.7..]Ε[...]Α ἀρέσκει {vac.} μήτε ὑπεναν-
 τ[ί]ως ᾧ(?) Γάιος Κα[ίσα]ρ αὐτοκράτωρ καὶ ἀρ[χ(?)]-
 [ιερ]εὺς δικτάτωρ τε διὰ βίου συνεχώρη-
 [σε]ν ἔδωκεν καθιέρωσεν ἔστησεν
 [ποι]εῖν μήτε γίνεσθαι ἐᾶν.

It is pleasing (that these things) which he has decide[ed], given, consecrated and established, be upheld and that nobody [d]o or allow something contr[a]ry to that which Gaius Caesar, Imperator, [Pontifex Maxim]us, Dictator for Life has decid[ed], given, consecrated and established.

The language of the rest of the section is also unmistakably that of a *senatus consultum*.

The ὅπως construction present in the first section is repeated later in the document. Also present are the formulaic lines “It pleases us” or “it pleases the senate” (Lat. *nobis placere* or *senatui placere*), translated in Greek as ἀρέσκει τῇ συγκλήτῳ or ἡμῖν

⁴⁹ This is in agreement with Pucci Ben Zeev, *Jewish Rights*, 95. For the use of ὅπως in *senatus consulta*, see introduction in Sherck, *RDGE*, 14-5.

⁵⁰ For Mendelssohn’s comment, see above, 53, n. 48. See also Freber, *Der hellenistische Osten*, 58, who claims that ἔστησε is contrary to the otherwise usual ἐκρίνε in decrees.

⁵¹ In *Politician and Statesman*, 258, n.3, Gelzer’s discussion of this document refers to this word. His translation is based upon Caesar’s *B. Alex.* 65.4 and *BC.* 3.1.2, respectively.

⁵² See above, 45.

ἀρέσκει.⁵³ In Caesar's edict in Document 2, he declared that Hyrcanus and his descendents would be numbered among Rome's friends and allies (§195).⁵⁴ We see some of benefits of this in §210, where it states that Hyrcanus, his sons and their envoys be given certain diplomatic privileges, including the right to summon the senate *extra ordinem* (Gr. ἐκτὸς τοῦ στίχου), and senatorial seating at gladiatorial games and beast hunts. These privileges are commonly granted in *senatus consulta*, and they finds parallels in diplomatic rights granted in other decrees. The right to summon the senate *extra ordinem* is granted in the *Senatus Consultum de Stratonicensibus*⁵⁵ (lines 65-7):

ὅπως τε πρεσβευταῖς τοῖς παρὰ Στρατονικέων εἰς Ῥώμην
παρεσομένοις ἐκτὸς τοῦ στίχου οἱ ἄρχοντες σύγκλητον διδῶσ[ιν]
περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν·

That to the envoys coming from Stratonicea to Rome the magistrates should give (audience before) the senate outside of regular procedure. About this matter a decree was passed as follows....

Senatorial seating at gladiatorial games or beast hunts is also granted to the envoys in lines 74-81 of the *Senatus Consultum de Plarasensibus et Aphrodisiensibus*:⁵⁶

[αἰράριον ἀναφέρειν? ὄνομα καὶ ξένια τῷ πρεσβευτῇ τῶν Πιλαρασέων καὶ
Ἀφροδει]σιέων δοῦναι ἀποστεῖλαι τε κε-

⁵³ This form of *senatui placere* is less common, but the first-person plural pronoun is common in Greek literature and is also often used to refer to the senate in the language of *senatus consulta*. For examples, see *RDGE* 9, 10, 14, 15, 26, 31.

⁵⁴ εἶναι τε αὐτὸν καὶ τοὺς παῖδας αὐτοῦ συμμάχους ἡμῖν ἔτι τε καὶ ἐν τοῖς κατ' ἄνδρα φίλοις ἀριθμεῖσθαι.

⁵⁵ *RDGE* 18 = *RGE* 63. See sim. in *Senatus Consultum de Plarasensibus et Aphrodisiensibus*, 78-3; *Lex de provinciis praetoriis*, Delphi Copy, Block B, ll. 8-27: Crawford, *Roman Statutes* (London, 1996), 254.

⁵⁶ *SEG* XXXII, 1097; *AE* (1984), 862. For commentary, see Reynolds, *Aphrodisias and Rome*, doc. 8, 88-9.

[λεύσωσιν ἀπὸ? σηστερτίων νόμωνc.34..... ὅπως τ]ε ἐν τοῖς ἀγῶσί
 τε καὶ ταῖς μονομα-
 [χίαις ἔτι τε κυνηγίοις, καὶ ἐὰν ἀθληταὶ ἀγωνίζωνται ἐν πόλει Ῥώμῃ πλησίον τε
 πόλ]εως Ῥώμης μιλίου ενός, ἐν τῷ τῶν
 [συνκλητικῶν τόπῳ τῷ? πρεσβευτῇ Πιλαρασέων καὶ Ἀφροδεισιέων καθῆσθαι,
 θε]ωρεῖν τ' ἐξὸν ἦ

(that the urban quaestors) [register? the name and that to the ambassador of the Plarasans and Aphrodi]sians they be [ordered] to give and pay [gifts to the sum of..?.. and that the ambassadors of Plarasa and Aphrodisias be allowed to sit] as spectators in the [area reserved for Senators] at contests and gladiatorial combats, [also hunts and athletic competitions, should any occur in the city of Rome or within] one mile of the city of Rome.

As awkward and corrupted as Document 6 is, therefore, we nonetheless have here a large part of a single *senatus consultum*. The order of the decisions is generally clear, and language used is again closer in form to that of a senatorial decree than an edict. Like Document 5, this document contains decisions that both echo those of the earlier fragments, yet also new ones not previously mentioned.

2. 6. Document 7: Caesar's *Relatio* Concerning Jewish privileges

Document 7 (§§211-212) is the final document of the *acta Caesaris* recorded by Josephus and also presents commentators with a number of challenges. If it is part of a *senatus consultum*, it possesses no prescript or decree proper. It reads:

Γάιος Καῖσαρ αὐτοκράτωρ δικτάτωρ τὸ τέταρτον ὑπατός τε τὸ πέμπτον δικτάτωρ ἀποδεδειγμένος διὰ βίου λόγους ἐποιήσατο περὶ τῶν δικαίων τῶν Ὑρκανοῦ τοῦ Ἀλεξάνδρου ἀρχιερέως Ἰουδαίων καὶ ἐθνάρχου τοιούτους· τῶν πρὸ ἐμοῦ αὐτοκρατόρων ἐν ταῖς ἐπαρχίαις μαρτυρησάντων Ὑρκανῷ ἀρχιερεῖ Ἰουδαίων καὶ Ἰουδαίοις ἐπὶ τε συγκλήτου καὶ δήμου Ῥωμαίων, εὐχαριστήσαντος δὲ καὶ τοῦ δήμου καὶ τῆς συγκλήτου αὐτοῖς, καλῶς ἔχει καὶ ἡμᾶς ἀπομνημονεύειν καὶ προνοεῖν, ὅπως Ὑρκανῷ καὶ τῷ ἔθνει τῶν Ἰουδαίων καὶ τοῖς Ὑρκανοῦ παισὶν ὑπὸ συγκλήτου καὶ δήμου Ῥωμαίων ἀξία τῆς πρὸς ἡμᾶς εὐνοίας αὐτῶν καὶ ὧν εὐεργέτησαν ἡμᾶς χάρις ἀνταποδοθῇ.

Gaius Caesar, Imperator, Dictator for the fourth time, Consul for the fifth time, designated Dictator for life, made the following speech concerning the rights of Hyrcanus, son of Alexander, the high priest and ethnarch of the Jews: “Inasmuch as the high commanders in the provinces before me have testified on behalf of Hyrcanus, the high priest of the Jews, and of the Jews themselves before the senate and the people of Rome, and the people and Senate have expressed thanks to them, it is fitting that we also be mindful of this and that there be given by the senate and people of Rome to Hyrcanus and the Jewish nation and the sons of Hyrcanus a token of gratitude worthy of their loyalty to us and of the benefits which they have conferred upon us.”

This appears to be a *relatio* made by Caesar.⁵⁷ It declares that since Roman commanders have come before him to testify as to the excellence of Hyrcanus and the Jews, and the senate and the people have given thanks to them, Hyrcanus and the Jews deserve a token of gratitude (χάρις ἀνταποδοθῆν) worthy of their loyalty and the benefits which they have shown to Rome. Caesar is introduced as “Imperator, Dictator for the fourth time, Consul for the fifth time, designated Dictator for life” (αὐτοκράτωρ δικτάτωρ τὸ τέταρτον ὑπατός τε τὸ πέμπτον δικτάτωρ ἀποδεδειγμένος διὰ βίου). The latest recorded reference to Caesar as dictator for the fourth time only was on 26 January of 44 BCE, while the earliest reference to him as dictator for life was 15 February.⁵⁸ This means that the *relatio* as recorded by Josephus in Document 7 was made sometime in between these two dates. The language of the text that follows is consistent with that of *senatus consulta*. The first line contains λόγους ἐποίησατο (*verba fecit*), the formulaic phrase by which the *relatio* of a decree is introduced. The language praises and

⁵⁷ Niese, “Bemerkungen”, 486; Mendelssohn, “Senati Consulta”, 232; Rosenthal, “Die Erlasse Caesars”, 139; Viereck, *Sermo Graecus*, 101; Schürer, *History of the Jewish People*, 273; Smallwood, *Jews Under Roman Rule*, 42, n. 68; Pucci Ben Zeev, *Jewish Rights*, 105.

⁵⁸ Broughton, *MRR* II, 317-18; Crawford, *Roman Republican Coinage* (Cambridge, 1974), 490-95; Pucci Ben Zeev, *Jewish Rights*, 103.

commends Hyrcanus and the Jews for past and present deeds in a fashion typical for the theme of a senate decree,⁵⁹ and implies an introduction to rewards or grants to be given to Jews in the missing decree proper.⁶⁰

Another argument for interpreting this text as the *relatio* of a *senatus consultum* relates to its dating. That Caesar's titles confirm a date of early 44 BCE is important, since we have another document later in the Book XIV of the *Antiquitates* which discusses this period. The document in §§219-222 is part of the decree registered by consuls M. Antonius and P. Dollabella in April of 44 BCE, declaring that decisions made by Caesar regarding the Jews which had been enacted as a *senatus consultum* five days before the Ides of February (9 February) be registered and recorded. The relevant section reads as follows (§§221-2):

Πόπλιος Δολαβέλλας Μάρκος Ἀντώνιος ὕπατοι Λόγους ἐποιήσαντο. περὶ ὧν δόγματι συγκλήτου Γάιος Καῖσαρ ὑπὲρ Ἰουδαίων ἔκρινε καὶ εἰς τὸ ταμιεῖον οὐκ ἔφθασεν ἀνενεχθῆναι, περὶ τούτων ἀρέσκει ἡμῖν γενέσθαι, ὥς καὶ Ποπλίῳ Δολαβέλλᾳ καὶ Μάρκῳ Ἀντωνίῳ τοῖς ὑπάτοις ἔδοξεν, ἀνενεγκεῖν τε ταῦτα εἰς δέλτους καὶ πρὸς τοὺς κατὰ πόλιν ταμίαις ὅπως φροντίσωσι καὶ αὐτοὶ ἐν δέλτοις ἀναθεῖναι διπτύχοις ἐγένετο πρὸ πέντε εἰδῶν Φεβρουαρίων ἐν τῷ ναῷ τῆς Ὁμονοίας. οἱ δὲ πρεσβεύοντες παρ' Ὑρκανοῦ τοῦ ἀρχιερέως ἦσαν οὗτοι· Λυσίμαχος Πausανίου, Ἀλέξανδρος Θεοδώρου, Πάτροκλος Χαιρέου, Ἰωνάθης Ὀνείου.

As for the decision rendered by Gaius Caesar, ratified by the senate, concerning the Jews, which there was not time to have registered in the Treasury, this matter we wish to be disposed of as the consuls Publius Dollabella and Marcus Antonius have decided, and that these decisions be recorded in tablets and brought to the urban quaestors, and that they take care to have inscribed on two-leaved tablets what was decided on the fifth day before the Ides of February in the Temple of

⁵⁹ See *RDGE* 17, 18; Reynolds, *Aphrodisias and Rome*, doc. 7, 49 ff.

⁶⁰ For a discussion on the standard language of a *relatio*, see Sher, *RDGE*, 14ff.

Concord.⁶¹ The envoys from the high priest Hyrcanus were the following: Lysimachus, son of Pausanias, Alexander, son of Theodorus, Patroclus, son of Chaireas, and Jonathan, son of Onias.

This decree was doubtless enacted through power granted to Antonius by the senate in the days following Caesar's death.⁶² It would make sense to assume that Document 7 is the *relatio* of the *senatus consultum* mentioned in §§219-22 that had not yet been registered.⁶³

One of the few problems with accepting Document 7 as a *relatio* is the fact that the singular pronoun ἐμοῦ conforms more to the language of an edict than a decree. It is, however, quite possible that the text could have been corrupted by either an ancient or later copying error. The πρὸ ἐμοῦ might have been πρότερον or “before”, so that the text could read “Inasmuch as the high commanders have *before* testified on behalf of Hyrcanus....” It is easy to see how this mistake could have occurred, and amending the text in this way makes the remainder of Document 7 viewed more preferably as a decree theme.

The discussion in Document 7 of the “testimony of high commanders in the provinces” (αὐτοκρατόρων ἐν ταῖς ἐπαρχίαις μαρτυρησάντων) also references Caesar's similar statement in his edict of 47 (ὡς αὐτῷ πολλοὶ μεμαρτυρήκασιν αὐτοκράτορες).

⁶¹ Translation modified from Marcus. Culham is skeptical about this clause, arguing that the reference to diptychs makes little sense in this context, and that Josephus or his source has confused diptych with *tabula*. See “Fraud, Fakery and Forgery”, 181.

⁶² See above, 45, n. 30.

⁶³ *Senatus consulta* were only considered valid when a copy was deposited into the *aerarium*. See Cic. *De Leg.* 3. 20. 46; Plut. *Cat. Min.* 17.

Although Rosenthal⁶⁴ suggested that this may simply be empty diplomatic language and demonstrate little reality beyond Hyrcanus' personal loyalty to Caesar, this statement should perhaps be taken seriously. Testimony of commanders or governors was not necessarily empty language in either senate decrees or edicts, and might denote real favour or high opinion of Jewish support for the Roman cause. This statement no doubt refers to commanders such as Isauricus, Pompey and Gabinius, as well as to Caesar himself, who was aided at different times by Jewish troops.⁶⁵ The language between the two documents is, therefore, strikingly similar and conveys a sense not of empty diplomatic language but real appreciation of an ally.

Document 7, then, although containing no prescript, decree proper or mark of approval, is best interpreted as the *relatio* of a *senatus consultum*. Unlike the previous decree fragments (§§196-210), this one is also generally in good condition. Although missing a dating prescript, the theme, which adheres to the proper formal language, gives us a date of 44 BCE. Combined with what we know from the later document in the dossier (§§219-22), it is likely that this is the *relatio* of the senate decree of 44 which confirmed decisions that Caesar had made before his death in March of that year.

2. 7. Numbering and Dating the Decisions

To summarize, the *acta Caesaris* in Josephus contain Caesar's edict and letter of 47, together with a number of senatorial decree sections of disputed date which confirm

⁶⁴ "Die Erlasse Caesars", 226.

⁶⁵ Krebs, *Decreta Romanorum*, 291-2; Pucci Ben Zeev, *Jewish Rights*, 104.

his earlier edict. The question that remains is whether these sections presented by Josephus were part of one *senatus consultum* or more. Commentators have traditionally assumed that there are sections from more than one decree present in the *acta*, with 47 and 44 BCE enjoying the most attention for possible dates in which they were enacted. This interpretation is based primarily on the assumption that the varying titles ascribed to Caesar in introductory sentences of the decree fragments may be used to date the fragment, and that both 47 and 44 BCE are indicated. As I have shown, however, dating the enactment of the decisions in these documents by their introductory sentences is problematical, and still does not argue strongly for more than one decree. Documents 3 and 4 are introduced in a fashion that presents no chronological data whatsoever. The introduction to Document 5 is missing the majority of Caesar's titles, while what is left suggests decisions made in 44 BCE.⁶⁶ The only introductory line which could support a date other than 44 is that of Document 6, but this is only with emendation, reading it as Γάιος Καῖσαρ αὐτοκράτωρ <δικτάτωρ> τὸ δεύτερον. Even with an emendation, however, the sentence is not a formal prescript, and one should be cautious to use to date what follows. In fact, the final sentence of that document, that Hyrcanus or his ambassadors be granted permission to summon the senate *extra ordinem* through the dictator or *magister equitum*, suggests that the decision was made in 44. Permission to summon the senate in this manner was typically done through a higher magistrate, such as a consul, praetor or quaestor.⁶⁷ That the grant gives this power to the dictator and

⁶⁶ ὕπατος τὸ πέμπτον (§200).

⁶⁷ See above, 34-36.

magister equitum assumes that in the next year and those following that there will be a dictator in Rome on whom a Jewish embassy could rely to bring them before the senate. This perhaps means that Caesar had already been designated as *dictator perpetuus* by the time this decision was made.

The only evidence for a decree of 47 concerning the Jews is not even in the documents, but in Josephus' narrative. He claims that when Caesar returned from Zela in September of 47, envoys of Hyrcanus were waiting for him in Rome in order to confirm his recent treaty of friendship and alliance (πέμψας δ' Ὑρκανὸς πρὸς αὐτὸν παρεκάλει βεβαιώσασθαι τὴν πρὸς αὐτὸν φιλίαν καὶ συμμαχίαν).⁶⁸ The documents by themselves, however, show no evidence that such an embassy was at Rome in September of 47, nor that there ever was a decree enacted in that year to confirm Caesar's decisions at that time. The only date firmly suggested by any of the decree fragments is 44 BCE, given in the *relatio* of Document 7. By itself, this would be shaky evidence, but this date is also supported by the decree of Antonius and Dollabella in April of 44.

Are these decisions coming out of one document or more? As shown above,⁶⁹ a majority of the decisions contained in Documents 3 to 7 are present first in Caesar's edict. Only Documents 5 and 6 confirm some decisions which are not present, those ordering the refortification of Jerusalem, a change in taxation, and land grants in Palestine. This does not, however, provide an argument for more than one senate decree in the *acta*. First, it is possible that our primary edict is actually incomplete. The edict

⁶⁸ *AJ* XIV. 185.

⁶⁹ See Chapter 1, Figure 2.

ends in §195 very abruptly with a single sentence about winter quartering (παραχειμασίαν δὲ ἢ χρήματα πράσσεσθαι οὐ δοκιμάζω).⁷⁰ This statement, coming immediately after discussing some new internal legal rights, is vague and seems incomplete, especially in comparison to the later and more developed discussion of it in Document 6 (§204). It is quite possible that our edict originally contained much more than what survives in Josephus, and that this missing half or third provided detail on taxes and land grants. It is also noteworthy that the land grants in the decree fragment come immediately after the discussion of winter quartering, and likewise could have followed the same grant in the edict. Caesar certainly had had no difficulty in making quick and broad decisions concerning land allocation while he was in the East during this period, a fact demonstrated by his *beneficia* to Mithridates of Pergamum and his punishment of Deiotarus of Galatia.⁷¹ Although what survives of the edict is in relatively good condition, given the state of the rest of the *acta*, it is entirely possible that this decision was not quoted to its conclusion, a decision made either by Josephus or another writer.

Even if Caesar had issued additional edicts which contained new privileges for Hyrcanus and the Jews, this does not demonstrate that the senate issued more than one decree. Multiple decisions might have been made by Caesar yet only ratified once, in an all-encompassing decree, much like the *senatus consulta* discussed above, which simply confirmed decisions that Caesar or Sulla had already made. Of the two possibilities, then, it seems preferable to assume that we have one rather than two or more Caesarean

⁷⁰ This was noticed first by Viereck, *Sermo Graecus*, 97.

⁷¹ See above, Chapter 1, 23.

decisions present in Documents 3-7. This position will only be strengthened when instead of asking how many decrees there were, we consider rather when one could have been issued.

Based on the content of the documents, we know that Caesar was dictator at the time that he presented the decree *relatio* to the Roman senate, meaning that he was present in Rome when the decree was first enacted. This limits our pool of possible dates for the decree to two. As mentioned above, Josephus claims that 47 BCE is one possibility. After his victory over Pharnaces, Caesar returned to Rome on 24 September of 47, and departed for his campaign in Africa near the end of November. Since his second dictatorship was completed in October of that year, and was not renewed until the Spring of 46,⁷² only in early to mid-October could he have had the senate confirm his decisions concerning Hyrcanus and the Jews. One could argue that in this brief time he possessed, Caesar might have wanted to settle and legitimize his decisions made in the East before continuing the war against the anti-Caesareans in the West.

One could also argue, however, that with all that Caesar was compelled to do during this short stay in Italy, having the senate approve his settlement with one small Eastern ally might not have been a priority. Also, the senate in Rome was especially depleted during this period, with many still fighting on the side of Cato and Scipio, and others either dead or in exile. Lastly, it seems that through his second dictatorship Caesar was exercising the right to decide matters without having to consult the people or the

⁷² Dio 43.14; Raubitschek, "Epigraphic Notes on Julius Caesar", *JRS* 44 (1954), 70; Broughton, *MRR* II, 272, 284-5.

senate,⁷³ and his relationship with the senate during this time seem to be confined to appointing the magistrates for the following year, and filling the senate with his supporters.⁷⁴

The only period that is both politically likely and supported by our documents was during the winter of 45/44 BCE. First, Caesar's titles in the *relatio* of Document 7 suggest this date. We know from Antonius and Dollabella's April decree presented in §§219-22 that a decree concerning the Jews had been enacted at this time. After the final victory over Pompey's sons in Spain in 45 BCE, Caesar had been in Rome for six months and was soon to assume his title of Dictator for life. It is also noteworthy that in the last century of the Republic, February became the customary month during which the senate gave audience to embassies from foreign states.⁷⁵ Lastly, Caesar was planning his Parthian campaign, and was preparing to leave on 18 March.⁷⁶ That Caesar would wish to secure the support and loyalty of Eastern allies at this time is obvious. Caesar wanted the senate to ratify all of the decisions that he had made concerning the Jews and the Hasmonean family during the civil war, none of which had yet been confirmed by *senatus consultum*.

If our *senatus consultum* does indeed belong to the period around the time of Caesar's assassination, then a new variable is introduced to our interpretation of these

⁷³ Dio 42. 20. See also Willems, *Le Sénat*, 722-3; Gelzer, *Caesar*, 277.

⁷⁴ Dio 42. 51. 3-5; 55. 4; 43. 1-3; Caes. *Bell. Afr.* 28. 2; Gelzer, *Caesar*, 263-4.

⁷⁵ This tradition existed in 70, and evidence of it may be found in Cic. *Verr.* II. 3. 31/76; II. 1. 35/90. The *lex Gabinia*, probably completed in 61, provided a legal basis for this (Cic. *Ad Q. fr.* II. 13/3 54). For more on this rule, see Willems, *Le Sénat*, 156-7.

⁷⁶ App. *BC* 2. 460, 3. 92; Suet. *Div. Aug.* 8. 2.

documents: the role of Antonius. To enact and register the decisions of the former dictator concerning the Jews, Antonius must have either recovered the minutes⁷⁷ of the senate meeting from 9 February or collected together the decisions from Caesar's own *comentarii*. He then had them enacted and registered as part of his overall *acta Caesaris* in the Spring.⁷⁸ This raises the question as to the ways in which Antonius may have altered or combined these decisions, and whether such methods are detectable in the documents as recorded by Josephus. The next chapter will explore these possibilities and present some new ways through which we might now interpret these documents.

⁷⁷ Suetonius (*Div. Iul.* 20) records that In 59 BCE, Caesar as consul introduced the procedure of recording the minutes of senate meetings: *inito honore primus omnium instituit, ut tam senatus quam populi diurnal acta confierent et publicarentur*. This was discontinued by Augustus (Suet. *Div. Aug.* 36). See Talbert, *Imperial Rome*, 308-9; Sherk, *The Municipal Decrees of the Roman West* (Buffalo, 1970), 83.

⁷⁸ App. *BC.* 2. 135; Cic. *Phil.* 1. 2-6; See also J. T. Ramsey, "The Senate, Mark Antony, and Caesar's Legislative Legacy", *CQ* 44.1 (1994), 139-44; Lintott, *Imperium Romanum*, 77-8.

CHAPTER III

Antonius and Jewish Privileges

3. 1. Antonius and the *acta Caesaris*

The complete history surrounding Antonius' actions and objectives in passing various laws and edicts of Caesar in 44 BCE is complicated and contentious, and beyond the scope of this thesis. As we shall see, however, Antonius' actions are directly relevant to the Josephan material, and so a short account should be given. Cicero claimed that Antonius forged documents, deceived the public, and intimidated the senate after Caesar's death as part of his campaign to destroy the Republic,¹ claims that came to be reflected in the narratives of Dio and Appian. This allegation has been repeated for other problematic documents of this period.² The notion, however, that Antonius ran roughshod over the senate and manipulated and fabricated sections of Caesar's *comentarii*, has been challenged,³ and justifiably so.

Antonius had acquired Caesar's *acta* within days of his assassination, and the senate was summoned (perhaps under duress)⁴ on the 17th of March to decree a general amnesty and to confirm everything which Caesar "established, decreed, decided"

¹ Dio's major source was Cicero's *Philippics*.

² E. Gabba, "Cicerone e la Falsificazione dei Senato consulti", *SCO* 10 (1961), 92-5; Moehring, "*Acta Pro Iudaeis*", 131-3; Culham, "Fraud, Fakery and Forgery", 178-83. For skepticism and criticism of this approach, see Syme, *Roman Revolution* (Oxford, 1960), 107ff; Rajak, "Roman Charter", 111; M. Frederiksen, "The Republican Municipal Laws: Errors and Drafts", *JRS* 55.1 (1965), 194, makes this point concerning the *lex Rubria*, *Tabula Heracleensis* and our own documents.

³ See especially John T Ramsey, "The Senate, Mark Antony, and Caesar's Legislative Legacy", *CQ* 44.1 (1994), 130-45.

⁴ *Cic. Att.* 15. 4. 3; 14. 14. 2; *App. BC.* 2. 135; *Dio.* 44. 34. 1.

(*statuisset, decrevisset, egisset*).⁵ This confirmed Caesarian measures already in force, as well as (although not explicitly) decisions in his *commentarii* that had not yet been deposited in the *aerarium*.⁶ Another *senatus consultum*, or possibly two,⁷ was passed within a few weeks, which specified which unpublished documents were to be legitimate. This decree established a *consilium* to examine Caesar's *comentarii* and determine their authenticity. Antonius and Caesar's consular replacement, P. Cornelius Dollabella, were themselves entrusted with broad powers to review, decide, and pronounce on Caesar's measures (*cum consules oporteret ex senatus consulto de actis Caesaris cognoscere*).⁸ The report of the *consilium* was later delayed by the consuls until the Kalends of June.⁹ Antonius was able to increase his control of this crucial body of documents through the *lex Antonia de actis Caesaris confirmandis*, which was passed sometime between 20 March and 3 June.¹⁰ This *lex* superseded the earlier senatorial decrees and gave complete authority to the consuls to decide what *acta* to publish.

The issues arising out of these efforts are directly reflected in the *senatus consultum* quoted by Josephus in §§119-22. Enacted on 11 April, this decree revisited a "decision made by Gaius Caesar, ratified by senate decree, concerning the Jews, for

⁵ Cic. *Att.* 16. 16C; *Phil.* 1. 1; Suet. *Div. Iul.* 82. 4; App. *BC.* 2. 126-35; Dio. 44. 22-34.

⁶ Ramsey, "Mark Antony", 133, n. 11, following A.v. Premierstein, "Die Tafel von Heraclea und die Acta Caesaris", *ZGR* 42 (1922), 132; Fredericksen, "Municipal Laws", 194; Willems, *Le Sénat*, 740.

⁷ Only Dio seems to suggest that there were two, and this may likely be the result of a misinterpretation of his evidence. See Ramsey, "Mark Antony," 138-40.

⁸ Cic. *Att.* 16. 16C.

⁹ Cic. *Att.* 16. 16C; *Phil.* 2. 100.

¹⁰ Cic. *Att.* 16. 16C: *lege et senatus consulto permissum erat ut de Caesaris actis "cognoscerent, statuerent, iudicarent*. See also Cic. *Phil.* 5. 10.

which there had not been time to deposit in the *aerarium*.”¹¹ This is referring to the earlier *senatus consultum* from 9 February, whose *relatio* is contained in Document 7. This decree had ratified Caesar’s decisions pertaining to the Jews but had not been published before his death one month later. It was now being reaffirmed by Antonius and Dollabella as part of their overall publishing of Caesar’s *acta*. This raises the question of whether Antonius’ collection and organization of these decisions left any “fingerprints” in the text as it has been reproduced by Josephus.

3. 2. Embedded Fragments

We have already seen in Chapter 2 that Roman measures, whether approved by the senate, its magistrates, or by the people in a legislative *comitium*, often found it useful to restate or re-affirm decisions that had been made before. The decisions of magistrates, even when having made them by virtue of extraordinary commands, required senatorial confirmation.¹² Pompey’s primary goal on his return from the East in 62 had been to acquire senatorial ratification of his *acta*.¹³ This had also been case with Caesar, as we see from contemporary documents such as the boundary stone of Sardis. We find the city territory delimited by a decision of Caesar, later justified on the grounds that on 17 March, two days after his assassination, the senate had confirmed “everything which Caesar had “decided, given, consecrated, and established” (συνεχώρησεν ἔδωκεν

¹¹ 14. 221: δόγματι συγκλήτου Γάιος Καῖσαρ ὑπὲρ Ἰουδαίων ἔκρινε καὶ εἰς τὸ ταμεῖον οὐκ ἔφθασεν ἀνενεχθῆναι.

¹² Frederiksen, “Municipal Laws”, 189. Seager, *Pompey*, 74-5, 79-82.

¹³ App. *BC* II, 9; Dio. 37. 49. 1-2.

καθιέρωσεν ἔστησεν).¹⁴ This decree belongs to the set of decisions enacted by Antonius, and echoes Cicero's statement of the senate's new general resolution to confirm everything which Caesar had "established, decreed and decided" (*statuisset, decrevisset, egisset*).

It was also the case that some earlier decisions, whether in the form of *epistulae*, *edictum*, *lex*, or *senatus consultum*, were obtained from the treasury or from magisterial *commentarii* and then quoted or paraphrased in newer measures.¹⁵ A result of this process is that fragments of earlier measures can sometimes be identified in newer decisions. These "embedded fragments" sometimes reaffirmed earlier decisions, and sometimes cited precedents relevant to the issue at hand.¹⁶ A good example of embedded fragments is the *Senatus Consultum Aliaque Acta de Oropiorum et Publicanorum Controversiis*.¹⁷

3. 2. 2. The Oropian Decree

When Sulla was in the East, he declared by edict that the land around the temple and sanctuary of Amphiaraus in Boeotian Oropus was inviolable, and that certain revenues were to be turned over to the temple to celebrate games and sacrifices for the

¹⁴ Lines 74-6 of the Sardis Boundary Stone. See Chapter 2, 45.

¹⁵ Sherk, *RDGE*, 18-19; Mommsen, *Römisches Staatsrecht* III (Leipzig, 1887), 1015-21; Willems, *Le Sénat*, 204-6; Ferrary, "Chapitres tralatice et références", 158-60; In opposition to this view, see Culham, "Fraud, Fakery and Forgery", 173ff.

¹⁶ See, for instance, the Ephesus Customs Law of CE 62, which revised a series of decisions relating to the *lex portorii provinciae Asiae*: H. Engelmann and D. Knibbe, "Das Zollgesetz der Provinz Asia", *EA* 14 (1989); *AE* (1989), 681; *SEG* 39 (1989), 1180.

¹⁷ *RDGE* 23 = *RGE* 70; *SIG*³ 747; *IG* VII 413. For full text, see Appendix C.

god and for Rome. Sulla's grant was confirmed on his return to Rome by senate decree (80 BCE). Within a few years, however, *publicani* began to ignore this grant, and the Oropians sent an embassy to Rome. Following an inquiry, the senate decided in October 73 in favour of Oropus. The inscription in which the decree is quoted has a complicated structure that we need not elaborate upon here. Especially relevant to our present investigation are lines 29-59, where we find an extended *relatio* that quotes earlier decisions. It begins by quoting a *lex censoria*, described in the following passage (35-42):

ἐν τῷ τῆς μισθώσεως νόμῳ ὑπεξειρημένην δοκεῖ εἶναι οὕτως· ννν
ἐκτός τε τούτων ἢ εἴ τι δόγμα συνκλήτου αὐτοκράτωρ αὐτοκράτορές τ[ε]
ἡμέτεροι καταλογῆς θεῶν ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς νν
καρπίζεσθαι ἔδωκαν, κατέλιπον· νν ἐκτός τε τούτων ἃ Λεύκιος ννν
Κορνήλιος Σύλλας αὐτοκράτωρ ἀπὸ συνβουλίου γνώμης θεῶν ννν
ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς ἔνεκεν καρπίζεσθαι ἔδωκεν ν
ὃ τὸ αὐτὸ ἢ σύνκλητος ἐπεκύρωσεν οὔτε μετὰ ταῦτα δόγματι ννν
συνκλήτου ἄκυρον ἐγενήθη·

In the law of the (state) contract the exemption appears to run as follows: “except for those (lands) or any (land) which a decree of the senate or general or generals of ours out of respect for the immortal gods and for the protection of their sacred precincts have given or left for them to enjoy, ν and except for those (lands) which Lucius Cornelius Sulla, Imperator, according to the decision of his advisory board, for the protection of the immortal gods and their sacred precincts, has given to them to enjoy, and which (gift) has also been ratified by the senate and which has not afterwards by decree of the senate been made invalid.”

Next, it quotes a part of Sulla's initial *edictum* concerning Oropus, which was later ratified by the senate (43-5):

Λεύκιος Κορνήλιος Σύλλας ἀπὸ συν-
βουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ· νν τῆς εὐχῆς ἀποδόσεως ννν
ἔνεκεν τῷ ἱερῷ Ἀμφιαράου χώραν προστίθῃμι πάντῃ πάντοθεν πόδας
χιλίους, ἵνα καὶ αὕτη ἡ χώρα ὑπάρχη ἄσυλος·

Lucius Cornelius Sulla according to the decision of his advisory board appears to have made his decision (as follows): νν “For the sake of fulfilling a vow I grant to the temple of Amphiaraus land everywhere in all directions for one thousand feet, in order that this land too may be inviolate.”

The *relatio* briefly discusses what else Sulla “seems to have consecrated” (line 45-51), before returning to Sulla’s earlier measures, and quoting an earlier *senatus consultum* that had ratified Sulla’s grants (lines 51-9):

περὶ τοῦ-

του τοῦ πράγματος δόγμα συνκλήτου νν ἐπὶ Λευκίου Σύλλα Ἐπαφροδίτου, Κοίντου Μετέλλου Εὐσεβοῦς ὑπάτων νν ἐπικεκυρωμένον δοκεῖ εἶναι ννν ὅπερ ἡ σύνκλητος ἐδογμάτισεν καὶ εἰς τούτους τοὺς λόγους· ὅσα τε θεῶι Ἀμφιαράω καὶ τῷ ἱερῷ αὐτοῦ ν Λεύκιος Κορνήλιος Σύλλας ἀπὸ συ<ν>βουλίου ν γνώμης προσώρισεν συνεχώρησεν, τὰ αὐτὰ ἡ σύνκλητος τούτῳ τῷ θεῷ δοθῆναι συνεχωρηθῆναι ἡγήσατο.

Concerning this matter a decree of the senate ν when Lucius Sulla Epaphoditus (and) Quintus Metellus Pius were consuls ν appears to have been sanctioned, which the senate decreed {and} in the following words: “Whatever to the god Amphiaraus and to his temple ν Lucius Cornelius Sulla according to the decision of his advisory board assigned and decided, these same (properties) the senate has deemed to have been given and granted to the god.”

After quoting these earlier decisions, the decree proper is presented (59-64), deciding in the favour of the sanctuary’s exemption.¹⁸

Especially noteworthy here is the way in which these “embedded fragments” (as we shall call them) are handled. Each reference reflects the language of the kind of decision, whether *lex*, *edictum* or *senatus consultum*, which is being quoted rather than that of decision into which it has been inserted. This suggests that the decisions were

¹⁸ Sherk, *RDGE* 23, commentary on 136.

quoted directly rather than paraphrased.¹⁹ They are also introduced with simple phrases, such as “the exemption appears to run as follows” (ὑπεξηρημένην δοκεῖ εἶναι οὕτως) or “according the decision of his advisory board (he) appears to have made this (following) decision” (ἀπὸ συνβουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ).²⁰ The reference itself contains only what words are required as evidence for the *relatio*, with no preamble. Were the text of the Oropian decree in poorer condition, what function these references served and how they were organized would doubtless be difficult to interpret. Their existence in this decree, however, may tell us something of the Josephan documents.

3. 3. Embedded Fragments in Josephus

Documents 3-7 contain a series of senatorial decisions. Some of them, as we shall see, exemplify the ways in which fragments could become embedded within later decisions. This will be seen in two ways. The first is the way in which the decisions in the documents are handled, that is, how the decisions are introduced within the text. As we have seen, the wording of the introductory sentences of a few of the documents is not typical for decree language, and serves only to introduce quickly the decisions that follow. The most obvious examples are found in Documents 3, 5 and 6.

¹⁹ Culham, “Fraud, Fakery and Forgery”, 177-8, 180, sees only lines 54-7 as citing Sulla’s decision with his *concilium*, drawn from his magisterial *commentarii*, arguing that the remaining references are simply paraphrased. In the case of the latter, however, the verb (line 44) is in the first person, suggesting that the edict was quoted rather than paraphrased. The *lex* is also introduced with οὕτως (Lat. *ita*) in 35, which would seem unnecessary if the line were being paraphrased.

²⁰ Lines 35 and 42-3, respectively.

3. 3. 1. The Grants of Caesar in Document 3

The opening sentence (§196) of Document 3 declares, “The following are the grants, decisions, and decrees of Gaius Julius Caesar, Imperator and Consul” (Γαίου Καίσαρος αὐτοκράτορος ὑπάτου δεδομένα συγκεχωρημένα προσκεκρίμενα ἐστὶν οὕτως ἔχοντα). Several commentators have recognized that this line introduces a decision of which it was originally not a part, some of whom have suggested that these were added by Josephus or one of his sources.²¹ I will argue, however, that these are best interpreted as the byproducts of measures taken by Antonius and the senate in 44 BCE: that is, that these words introduce embedded fragments. The phrase δεδομένα συγκεχωρημένα προσκεκρίμενα announces that the following text is a collection of decisions of Caesar. This statement parallels line 35 of the Oropian decree, which (as we have seen) introduces an embedded fragment of a *lex censoria*. The quoted fragment has no preamble, but begins with a ὅπως clause that bestows the ethnarchy on Hyrcanus and his descendents, a clause that begins abruptly in mid-sentence.²²

The embedded fragment is introduced as Caesar’s “grants, decisions, and decrees.” This again recalls Cicero’s statement of the senate’s general resolution in the *senatus consultum* on 17 March 44 to confirm those things that Caesar had “established, decreed and decided” (*statuisset, decrevisset, egisset*). Another decree of the very same day, mentioned in a boundary stone from Sardis, reaffirmed everything that Caesar had “decided, given, consecrated, and established” (συνεχώρησεν ἔδωκεν καθιέρωσεν

²¹ See above, Chapter 2, 38, n. 11.

²² See above, Chapter 2, 38.

ἔστησεν) in relation to the Temple of Artemis. This language reflects the circumstances that followed Caesar's death, when the legacy of Caesar, which included many half-completed initiatives, was contested. The introductory sentence of Document 3 shares this feature with other documents of these months. This argues for two points. First, the introductory words are later than the decision itself. Second, the decision is a fragment that had become embedded into a later measure. The fragment is from a senate decree, as we have demonstrated.²³ The only senate decree concerning the Jews known before Caesar's death belongs in February 44 (It is mentioned in the senatorial decree of April 11: §§219-22). Taking these factors together, then, this section is best explained as a fragment that had become embedded into whatever measures Antonius ultimately approved on the basis of the authority given to him on April 11. That is, the *senatus consultum* of April gave Antonius the authority to collect Caesar's earlier decisions, including the unpublished *senatus consultum* of February, and re-affirm them as law. That process embedded earlier decisions, including our fragment.

3. 3. 2. The Use of τούτους in Document 5

The decision recorded in Document 5 is probably also an embedded fragment.

The first sentence (§200) states:

Γάιος Καῖσαρ ὕπατος τὸ πέμπτον ἔκρινε
τούτους ἔχειν καὶ τειχίσαι τὴν Ἱεροσολυμιτῶν πόλιν, καὶ κατέχειν αὐτὴν
Ὑρκανὸν Ἀλεξάνδρου ἀρχιερέα Ἰουδαίων καὶ ἐθνάρχην ὡς ἂν αὐτὸς
προαἰρῇται.

²³ See above, Chapter 2, 38ff.

Gaius Caesar, consul for the fifth time, has decreed
that they shall receive and fortify the city of Jerusalem, and that Hyrcanus,
son of Alexander, high priest and ethnarch of the Jews, shall occupy it as
he himself may choose.

At first glance, the wording seems unproblematic. The word τούτους, however, “dangles” and lacks an antecedent. Clearly this records part of an original decision, and the τούτους refers to those who had already been mentioned in the original document,²⁴ perhaps indeed in the same sentence: that is, Hyrcanus and his sons. The fragment then moves on to define Hyrcanus’ individual authority in more detail.

If we view these words as an embedded fragment, however, then the first sentence makes more sense. The τούτους “dangles” because the quotation begins in mid-paragraph. The difficulty presented to us, however, comes from the fact that whatever document quoted this embedded fragment has subsequently disintegrated. Some of what we find in Josephus’ *acta* are the remains of this measure. The words Γάιος Καῖσαρ ὕπατος τὸ πέμπτον ἔκρινε is another example. They were written to introduce the embedded fragment, a part of that earlier *senatus consultum* from February 44 that confirmed Caesar’s decisions relating to the Jews. This decision has then been embedded into Antonius’ later measure.

²⁴ It has been variously interpreted as referring to Hyrcanus and his descendents, Hyrcanus and Antipater, or, more broadly, the Jews generally. For a discussion of these possibilities and their proponents, see Pucci Ben Zeev, *Jewish Rights*, 75-6.

3. 3. 3. Document 6: The “Ruling” of Caesar

As we have already seen,²⁵ commentators have argued that the first few lines of Document 6 are highly problematic, and that there seems to be no logical connection between the first part of the phrase and the second.²⁶ The first sentence (§202) reads as follows:

Γάιος Καῖσαρ αὐτοκράτωρ τὸ δεύτερον ἔστησε
κατ’ ἐνιαυτὸν ὅπως τελῶσιν ὑπὲρ τῆς Ἱεροσολυμιτῶν πόλεως Ἰόππης
ὑπεξαίρουμένης χωρὶς τοῦ ἐβδόμου ἔτους, ὃν σαββατικὸν ἐνιαυτὸν
προσαγορεύουσιν, ἐπεὶ ἐν αὐτῷ μήτε τὸν ἀπὸ τῶν δένδρων καρπὸν
λαμβάνουσιν μήτε σπεύρουσιν.

Gaius Caesar, Imperator for the second time, has established
that they shall pay a tax for the city of Jerusalem, Joppa excluded, every
year except in the seventh year, which they call the sabbatical year,
because in this time they neither take fruit from the trees nor do they sow.

As we shall see, the reason for this confusion is that the first few lines are not part of the same decision. This large section of a *senatus consultum* confirming Caesar’s prior decisions concerning the Jews is introduced only by a short sentence that states, “Gaius Caesar, Imperator for the second time, has established...” (Γάιος Καῖσαρ αὐτοκράτωρ τὸ δεύτερον ἔστησε, κτλ). Although it does not contain expressions typical to *senatus consulta*, the text that follows does. The next part of the sentence is a ὅπως construction that describes new taxation rules for the Jews. It reminds us of the second sentence of Document 3 by how it begins abruptly and in mid-sentence, with no immediate preamble

²⁵ See above, Chapter 2, 50.

²⁶ Pucci Ben Zeev, *Jewish Rights*, 85.

to what is being discussed. The use of the verb ἵστημι here is not common for *senatus consulta*, but as we have already seen, this word (and its Latin equivalent, *statuere*)²⁷ were used in official decisions after Caesar's death in which the Senate ratified his *acta*. The way it is used here is shared by other documents of this period.

This document is likely another one of Caesar's "rulings" that was revisited after his death, and it is introduced as such. The ὅπως commences the quoted fragment. Similar to the first sentence of Document 5, the introduction to the embedded fragment and the first line of fragment itself seem to have been conflated at some point, creating one sentence that makes little sense. The remainder of the document is part the original decision, likely the *senatus consultum* from February of 44. We know that it must have been drafted before Caesar's death, since Hyrcanus and his embassy would not have been granted entrance to the senate *extra ordinem* through the dictator and *magister equitum* if the decree had been enacted after 15 March. This part of that decree was then embedded within a new decree by Antonius and the senate.

3.3.4. Document 4: Priestly Rights

The process of embedding fragments within a new measure has also left its marks on Document 4 (§199). The decision reads as follows:

Γάιος Καῖσαρ αὐτοκράτωρ δικτάτωρ ὕπατος
τιμῆς καὶ ἀρετῆς καὶ φιλανθρωπίας ἔνεκεν συνεχώρησεν ἐπὶ συμφέροντι
καὶ τῇ συγκλήτῳ καὶ τῷ δήμῳ τῶν Ῥωμαίων Ὑρκανὸν Ἀλεξάνδρου υἱὸν
καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ <ἐθνάρχας> <Ἰουδαίων> καὶ τοῦ ἔθνους

²⁷ Gelzer, *Politician and Statesman*, 258, n. 3. See also above, Chapter 2, 50-51.

εἶναι ἐπὶ τοῖς δικαίοις, οἷς καὶ οἱ πρόγονοι αὐτῶν τὴν ἀρχιερωσύνην
διακατέσχον.

<ἐθνάρχα>ς <Ἰουδαίων Reinach; *Oevres Complètes* 240, mss.

Gaius Caesar, Imperator, Dictator and Consul,
in recognition of the honour, virtue and benevolence of Hyrcanus, son of
Alexander, and in the interest of both the Senate and people of Rome, has
decided that both he and his sons shall be high priests and <ethnarchs> of
the <Jews> and of their nation, with the same rights and under the same
regulations as those under which their forefathers held the office of priest.

As discussed before,²⁸ the ἔνεκεν...συνεχώρησεν clause was common to the language of
senate decrees and was commonly employed in decisions that referenced or reaffirmed
prior decisions. Although the sentence makes sense grammatically, certain aspects of the
sentence are also consistent with what we have seen in text that introduces an embedded
fragment. There is a brief and incomplete reference to Caesar's titles, followed by the
decision itself, with no preamble. It appears abrupt and is likely missing an earlier part of
the sentence. The Γάιος Καῖσαρ αὐτοκράτωρ δικτάτωρ ὕπατος is not part of the original
sentence, but a later addition that had introduced a fragment of an earlier decision.
The introductory sentence has since been conflated with the embedded fragment that it
had quoted. The quoted fragment thus begins with a genitive in a way that recalls the
quoted edict in lines 442-4 of the Oropian decree:

Λεύκιος Κορνήλιος Σύλλας ἀπὸ συν-
βουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ νν τῆς εὐχῆς ἀποδόσεως νν
ἔνεκεν τῷ ἱερῷ Ἀμφιαράου χώραν προστίθημι, κτλ.

²⁸ See above, Chapter 2, 41-43.

Lucius Cornelius Sulla according to the decision of his advisory board appears to have made his decision (as follows): *vv* “For the sake of fulfilling a vow I grant to the temple of Amphiaraus land....”

Document 4, therefore, should be interpreted as an embedded fragment, a quoted section of the February decree which confirmed Caesar’s decisions concerning the Jews, which had become integrated into the later decree of Antonius.

3. 3. 5. The *Relatio* of Document 7

Certain features of Documents 3, 4, 5 and 6, then, are consistent with being fragments that had become embedded in a later Antonian measure, a document that is now lost to us, but was the ultimate source for these sections of the dossier. Documents 1 and 2 (Caesar’s letter and edict), by contrast, are self-standing, and were added to the dossier separately. Document 7, the *relatio* of the *senatus consultum* of 44, is more difficult to interpret. As discussed above,²⁹ the formal and diplomatic features of the text correspond with the traditional language of a *relatio* in a *senatus consultum*, most likely that of February 44. The introductory sentence of the document is seems complete and uses the formal language that one would expect, suggesting that it is not a later addition. It is possible that the *relatio* is nonetheless a fragment embedded in the Antonian measure, but there is no way of determining this based on its language alone.

Documents 3-6, and possibly 7, therefore, contain features that are consistent with sentences that introduce embedded fragments. In the case of Document 3, the problematic first line had been added later by Antonius and the senate, and it introduces

²⁹ See above, Chapter 2, 57-8.

the decision that follows in a way that is similar to the embedded fragments in the decree concerning Oropus. The introductory sentences of Documents 4, 5, and 6 were also not part of the original text, but had been added later when the decisions were integrated into the Antonian decree as embedded fragments. They were later conflated with the quoted fragment, creating problematic or illogical sentences. As we shall see, the process by which these fragments of *senatus consulta* were embedded has also affected how Caesar is described in the documents.

3. 4. Caesar's Titulature in the Documents

In Chapter Two, I discussed the problem of dating the enactment of the decisions recorded by Josephus based solely on their introductory sentences. As we have seen, the first sentences in Documents 3-6 (§§196-210) are not formal prescripts in their form or language. The titles that describe Caesar are also inconsistent and lack the details necessary for dating the decision's enactment. Document 3 describes the grants of "Caesar, Imperator and Consul" (Γαίου Καίσαρος αὐτοκράτορος ὑπάτου). He is later described only as "Imperator, dictator and consul" (αὐτοκράτωρ δικτάτωρ ὕπατος), "Consul for the fifth time" (ὕπατος τὸ πέμπτον), and "Imperator for the second time" (αὐτοκράτωρ τὸ δεύτερον) in Documents 4, 5 and 6, respectively. The only decree fragment which presents all of Caesar's titles in a formal way is Document 7, the *relatio*, in which Caesar is declared as "Gaius Caesar, Imperator, Dictator for the fourth time, Consul for the fifth time, designated Dictator for life" (Γάιος Καῖσαρ αὐτοκράτωρ δικτάτωρ τὸ τέταρτον ὕπατός τε τὸ πέμπτον δικτάτωρ ἀποδεδειγμένος διὰ βίου).

If, however, we interpret Documents 3-6 as fragments of a senate decree that have been embedded in a later Antonian measure, Caesar's titles (or lack thereof) make more sense; the introductory sentences are not prescripts, and therefore do not require that all of his titles be listed. This is true in the Oropian decree discussed above. It is noteworthy how inconsistently and ambiguously Sulla is referred to in this decree. He is first described simply as "Lucius Sulla" (line 20). He is referred to as "Lucius Cornelius Sulla Imperator" in line 39, and as "Lucius Sulla Epaphroditus" in 52. His dictatorship, which he held from 82-79 BCE,³⁰ is never mentioned. Although the text refers to the earlier decree passed in favour of the Oropians as being enacted in the consulship of Sulla and Q. Metellus, Sulla is never described as "Consul for the second time."³¹ We may assume that in contrast to formal prescripts in *senatus consulta* and the *salutationes* in *epistulae*, fragments embedded within a decree were not required to list a magistrate's titles in the same formal matter.

Examples of this imprecision in titulature are found in other decrees from Caesar's age, especially those that reference to his prior decisions. In the Lycian treaty with Rome, Caesar is presented in the prescript as "Dictator for the third time" (δικτάτωρ τὸ τρίτον).³² He is neither described as Imperator nor Pontifex Maximus (a title by which he was often identified in other inscriptions of this period), nor as consul. When

³⁰ Broughton, *MRR* II, 66-85; Bickerman, *Chronology*, 180.

³¹ Sulla was consul for the second time and dictator for the third time in 80 BCE. See *MRR* II, 74-85.

³² The text here is damaged and is the only section of the treaty where there is some doubt about how to read the text. In Mitchell's restoration, Caesar is described as dictator rather than consul because of the proximity of the discussion of the *magister equitum*. See "Rome and Lycia", 175-6.

referring later to his decisions, however, lines 62-3 simply read, “just as Gaius Caesar, Imperator has decided” (καθὼς Γαῖος Καῖσαρ ὁ αὐτοκράτωρ ἔκρινεν, κτλ). Likewise, in the decree inscribed on the Sardis boundary stone, Caesar is first referred to as “Imperator and Pontifex Maximus, Consul for the fifth time, Dictator for life” (αὐτοκράτωρ καὶ ἀρχιεὺς, ὕπατος τὸ πέμπτον, δικτάτω[ρ] [τ]ε διὰ Βίου).³³ His consulship, however, is not mentioned in later descriptions of him in the text.³⁴

That Caesar’s or Sulla’s titles are not mentioned in these decisions clearly does not mean that they ceased to be occupy their respective positions or hold their titles, but that it was often not necessary for the text to list all of them. This implies that sentences that refer to prior decisions or introduce embedded fragments were not required to list all of the magistrate’s formal titles, and we should not, therefore, expect to find all of them in the fragments recorded by Josephus. The emendations that some commentators have made to the introductory titles in the documents in order to provide an enactment date, then, might not only be questionable, but also unnecessary. Only Documents 5 and 6 contain titles with a numerical value. In Document 5 (§200), Caesar is described only as “Consul for the fifth time” (ὕπατος τὸ πέμπτον), suggesting a date of 44 BCE. Since this date corresponds with the year of the only known decree concerning the Jews before Caesar’s death, this interpretation might be correct.³⁵ It is more likely that Antonius, authorized by the decree of April 44, later cited in a new measure a decision either that

³³ Lines 31-2.

³⁴ Lines 31-2, 73-4.

³⁵ *MRR* II, 315-19. See also Appendix D

the senate and Caesar had first made or confirmed when he was Consul for the fifth time, and introduces the decision accordingly. The title in Document 6, “Imperator for the second time” (αὐτοκράτωρ τὸ δεύτερον), in contrast, makes no chronological sense, and the emendations that some commentators have suggested reading Caesar as Dictator for the second or fourth times are highly problematic.³⁶ While being described only as αὐτοκράτωρ is typical for Caesar,³⁷ the existence of τὸ δεύτερον by itself here is likely the result of later textual corruption, and it is difficult to suggest a chronological reading of it.

Moehring, then, is correct in challenging the way in which some commentators have emended the text in order to correspond with a preestablished narrative.³⁸ He goes too far, however, in claiming that the text itself is a forgery based on the problems in the introductory sentences. Rajak has rightly challenged this assertion, arguing that because of the complex transmission process, it is unsurprising that some numbers or titles are missing, but that this does not make a case for doubting the overall authenticity of the text.³⁹ While it is true that the transmission of the text doubtless is partly responsible for the obscurity of Caesar’s titulature, I suggest that the primary reason for it is not the result of copyist error, but of the process of embedding fragments of the Caesarean *senatus consultum* within a new Antonian measure.

³⁶ See above, Chapter 2, 52-53. See also Appendix D.

³⁷ See above, Chapter 2, 52, n. 45.

³⁸ “*Acta Pro Iudaeis*”, 135-7.

³⁹ See “Roman Charter”, 111.

3. 5. Summary: The Form of the Caesarean *Acta*

In this Chapter, we have seen how Antonius acquired the legal power to revisit and to reaffirm some of Caesar's finished or unfinished measures in the weeks after his death. The Senate was no doubt wary of the power that Antonius might wield through Caesar's *acta*, and so had passed another decree to establish a senatorial *consilium* to oversee the process. Although Cicero later portrayed this process as dishonest and illegitimate, some of these measures, such as the one concerning the Jews that was enacted on 11 April, were confirmed by senate decree. To assuage the fears of some senators and to strengthen the legitimacy of this decree, Antonius incorporated actual fragments of the earlier decisions concerning the Jews into the new measure. As we have also seen, there is precedent for this sort of process. The Oropian decree of 73 BCE also quoted sections of earlier decisions, in the form of an edict, law, and senate decree. These earlier decisions had been made when Sulla was dictator, and were presented again in order to provide legitimacy for a new decision after his death.

The Caesarean decisions recorded by Josephus should be viewed in this context. The introductory sentences of Documents 3-6, the most problematic in the Caesarean *acta*, share features with sentences that cite embedded fragments. They are not prescripts, but short sentences meant only to cite fragments within a larger decree. This is also reflected in the titles ascribed to Caesar. No exact titlature was required in these sentences because they were neither formal prescripts nor stand-alone decisions, but simply references made in a later measure.

The narrative for the Caesarean *acta* recorded by Josephus, thus, proceeds as follows. In the summer or autumn of 47, Caesar issued an edict concerning the Jews and sent copies of his resolutions to various eastern cities, including Sidon. Documents 1 and 2 are copies of these decisions. For whatever reason, Caesar's edict was not confirmed by senatorial decree until 9 February 44. After Caesar's death, a decree authored by Antonius was enacted on 11 April to reaffirm the former one's legitimacy and to "take care to record on diptychs that which was decided on 9 February in the Temple of Concord."⁴⁰ Antonius did just that, and cited sections of earlier decisions into the new measure. Documents 3-6, and possibly 7, record the remains of this disintegrated measure. In addition, through the process transmission, sentences that were meant to introduce the quoted fragments have become conflated, jumbled together, and later understood as separate decisions of varying date. As we shall see, this interpretation helps to answer some of questions concerning the documents' organization, and opens new avenues of exploration.

⁴⁰ ὅπως φροντίσωσι καὶ αὐτοὶ ἐν δέλτοις ἀναθεῖναι διπτύχοις ἐγένετο πρὸ πέντε εἰδῶν Φεβρουαρίων ἐν τῷ ναῷ τῆς Ὀμονοίας (§§219-222).

CONCLUSION

This thesis has set out to address a number of issues concerning the Caesarean *acta* recorded by Josephus. The first was to determine genres of the decisions present in the documents. My approach has differed from earlier commentators, in that, typically, their interest in the introductory sentences of Documents 3-6 has primarily been in their usefulness for establishing chronology: that is, for dating each of the fragments. In contrast, I have argued that these fragments both reveal history and have a history of their own, and part of that history can be recovered if we consider the formulaic language of these sections. This has allowed us to establish a legislative and temporal context for these fragments.

Document 1 (§§190-91) is a letter of Caesar to Sidon, which (as all commentators recognize) belongs to 47 BCE. The letter accompanies his edict concerning the Jews contained in Document 2 (§§192-95). The first chapter of this thesis placed these in their narrative context. The Jewish state was in turmoil, both because of internal dynastic struggles and because of the constant need to switch political allegiance with Roman magnates. Caesar made his decisions regarding Judaea with this in mind. He praised Hyrcanus for his timely assistance in the recent Alexandrian campaign and cited witnesses of his loyalty in the past. He also established Hyrcanus as the legitimate Hasmonean ruler, confirming him in the position of ethnarch and high priest, though denying him the title of king, which the Hasmoneans had enjoyed until Pompey's reorganization. In recognition of Hyrcanus' services, and given that Caesar also required a stable and loyal Eastern ally for Rome (or for himself), he also awarded Judaea various

privileges, including military exemptions, some autonomy in internal affairs, and possibly other privileges.¹

The first chapter also offered an account of Caesar's movements and decisions between Pharsalus and Thapsus in order to show that the decisions concerning the Jews, although serving a specific function, nonetheless correspond with changes he made to many other Eastern cities or states. In Caesar's voyage from Thessaly to Egypt, he had granted immunity and inviolability to Mytilene, Cnidus, and Rhodes. Ilium was granted these privileges as well as increased territory. Pergamum was especially honoured and granted immunity, inviolability and new swathes of territory at the expense of Galatia. The Roman treaty was made with Lycian cities by *senatus consultum* in 46 BCE and was based on decisions made by Caesar in this period.² We also know that Aphrodisias and Plarasa were freed (39 BCE) by the triumvirs based on decisions that Caesar made during his dictatorship.³ Caesar's letter to Sidon and the accompanying edict of 47 is yet another example of this process. Judaea, like Pergamum, Rhodes, Mytilene, and other Eastern states, was compelled to abandon the Pompeian cause and aid Caesar actively in his Alexandrian campaign. For Caesar's part, the goal was to establish an Eastern ally

¹ This is contingent on whether the edict as it survives is complete. See above, Chapter 2, 62-3.

² See Mitchell, "Rome and Lycia", 235-6.

³ Sherk, *RDGE* 28, commentary on 166-9; Reynolds, *Aphrodisias and Rome*, doc. 8, lines 40-42; doc. 35; Jones, *Cities of the Eastern Roman Provinces*, 63. Tac. *Ann.* III. 63 also refers to Caesar's role in establishing Aphrodisias' freedom.

that would be loyal to him and to Rome, first while he settled affairs in Rome and defeated the remnants of the opposition,⁴ and for the long term.

These decisions in the edict formed the basis for Judaea's status during Caesar's dictatorship, and would later be confirmed by a senatorial decree. Unlike the relatively complete letter and edict of the first two documents in the *acta*, Documents 3-7 (§§196-212) are fragmentary. The aim of the second chapter was to determine the original genre of each of the fragments: that is, whether they had been once part of a *senatus consultum*, an *edictum*, or a *lex*. Despite the fragmentary nature of the text and the missing prescripts and marks of approval, by examining closely the language and form of the decisions, we were able to conclude that these decisions are fragments of one or more *senatus consulta*. Document 3 (§§196-98) uses language typical to *senatus consulta*, such as the ὅπως clause, the reference to itself as a decree (δόγμα), and the bestowal of gifts "according to official procedure" (κατὰ τὸ διάταγμα), which is typical of senatorial decrees dealing with ambassadors. Documents 4 and 5 (§§199-201) also use the ὅπως construction, and the former employs the formulaic phrase, "on account of...he has decided" (ἐνεκεν...συνεχώρησεν), which was common in decrees that referenced or confirmed prior decisions. Document 6 (§§202-10) is clearly a large fragment of a *senatus consultum*, containing the ὅπως clause, as well as the formulaic phrase, "it pleases the senate" (ἀρέσκει τῇ συγκλήτῳ). Its content is also reflective of a *senatus consultum*, awarding common diplomatic privileges such as senatorial seating at games and the right to summon the senate *extra ordinem*. Document 7 (§§211-12) is the *relatio* of a senate

⁴ Rice Holmes, *The Roman Republic*, 210; Gelzer, *Caesar*, 257-61; Meier, *Caesar*, 402.

decree. It contains the formulaic introduction, “He spoke these words” (λόγους ἐποιήσατο), and its phrasing finds parallels in other extant *relationes* of *senatus consulta*.

The second chapter not only proves that Documents 3-7 are fragments of a *senatus consultum*, but also identifies a senatorial decree, no longer extant, that had dealt with the Jews and probably included the decisions that these fragments record. We know from the senate decree of 11 April 44 recorded by Josephus (§§219-22) that a decree regarding the Jews had been enacted on 9 February of that year. This date is also consistent with the *relatio* in Document 7, in which Caesar is described as “Imperator, Dictator for the fourth time, Consul for the fifth time, designated Dictator for life.”⁵

This decree, however, was not published before Caesar’s death. On April 11, 44, Antony called a meeting of the senate to authorize its publication (§§221-2). Chapter Three recovers further Antonian steps in this process. We know from Cicero that Antonius and a *consilium* of senators were authorized to revisit and reaffirm Caesar’s *acta*, both complete and incomplete, including presumably the decree of 9 February. This process naturally involved the quotation and excerpting of prior decisions, and this chapter discusses how senatorial decrees could do this. One cited example is the *senatus consultum* concerning Oropus, which quotes sentences of a *lex censoria*, an *edictum* of Sulla, and a *senatus consultum*. Such embedded fragments have two features relevant to our study. The first is that the fragments were incorporated with short introductory sentences, with little differentiation from the main text. This makes distinguishing between the new and older decisions more difficult. The second is that the text was

⁵ For Caesar’s titles, see Appendix D.

quoted rather than paraphrased, meaning that the language used was that of the original decision, not that of the one into which it had been incorporated.

The third chapter then argued that Documents 3-6 as recorded by Josephus are such embedded fragments. They are decisions from the senate decree of 9 February that had become incorporated into a later Antonian measure. The process of embedding the text deprived each decision of its documentary context, resulting in introductory sentences that either seem abrupt, with key pieces of text missing, or sentences that make little sense. The Antonian measure itself has also disintegrated, and it is this fragmented text that is recorded by Josephus. This interpretation also helps to account for the vague and inconsistent way in which Caesar is described at the beginning of these fragments. Dating the decisions on the basis Caesar's titulature problematic, since it is unclear whether the offices mentioned were held at the time that the decision was actually made, the time that they were announced (if they were), or at the moment that the senatorial decree finally confirmed them.

The results of this study may allow us to make some preliminary conclusions to some of the questions posed in the Introduction. First, this helps put to rest any lingering doubt as to their authenticity. As discussed above, the argument that either Josephus or his source forged the documents has already been discredited. Moehring's doubts over the authenticity of Documents 3-7 are based primarily on the inconsistent and inadequate language of their introductory sentences. We have demonstrated, however, these sentences are typical of the process of embedded fragments, and further suggest that their fragmentary nature probably contributed to further errors in copying and transmission.

The grants accorded to Hyrcanus and Judaea also do not describe a unique and privileged position for the Jews. Many of the decisions concerning the Jews, such as military exemption, territorial enlargements and diplomatic privileges, not only have parallels with decisions made for other states, but are actually typical of Roman policy in the East. A close study of the documents reveal, in fact, that Hyrcanus and his nation actually received very little. Hyrcanus seems to have received little more from Caesar than from Pompey in 63, and he did not re-assume the ancient kingship. Judaea was not awarded immunity from taxation, and no territory was made inviolate. The Jews were not declared friends and allies of Rome. These are privileges and statuses that Caesar had granted to other states mentioned above. The decisions recorded by Josephus are therefore reflective of Caesar's foreign policy in the East only insofar as the state of Judaea was a fairly minor player in Caesar's overall Eastern diplomacy.

The primary goal of this study, however, was to focus on the documentary aspects of these decisions rather than their content. We have seen that there are documentary features present in the *acta*, that is, some of the documents are introduced by sentences that make clear that they are citing earlier decisions. Noticing and understanding these features have led us to reinterpret the historical context in which these decisions were enacted and recorded. Documents 3-7 do not record fragments of Caesarean edicts or decrees of varying date and form, but quoted sections of an Antonian decree that reaffirmed decisions that were never published. Not only does this hypothesis help to answer questions regarding the organization of these particular documents, but its conclusions lead to other questions.

One question that deserves further attention is whether a similar process may have affected other Caesarean *acta*: that is, that decisions acquired from Caesar's *commentarii* were later edited and published after Caesar's death. One possible example is the aforementioned Sardis boundary stone,⁶ which presents a Caesarean edict from 4 March 44, and also details part of a *senatus consultum* from 17 March 44 that elaborates on this text. It uses some of the same documentary language⁷ as the decree fragments recorded in Josephus and belongs to the same period. This might have been a pattern; the unsure constitutional status of Caesar's complete or incomplete *acta* after his death motivated Antonius and the senate to present them as Caesar's decisions, which resulted in a more quotation than was typical. Far from Cicero's charge that Antonius forged decisions away from the eyes of the Senate, he might have been even more meticulous in adhering to precedent than was customary in senatorial legislation.

The methodology employed in this study also may have further uses. Focusing on the formulaic language and documentary aspects of these texts has yielded some interesting results in regard to the Caesarean *acta* recorded by Josephus. Such a method might also prove useful in re-examining the text of other official Roman decisions. We have seen that the key to understanding the chronology of the decisions recorded by these documents is to examine closely their first and last sentences. It is in these places that we find traces of archival filing, citations, or other kinds of documentary appendages. To

⁶ See above, Chapter 2, 45.

⁷ μήτε ὑπεναντ[ί]ως ᾧ(?) Γάϊος Κα[ῖ]σα[ρ] αὐτοκράτωρ καὶ ἀρχ(?)[-]ιερ]εὺς δικτάτωρ τε διὰ βίου συνεχώρη- [σε]ν ἔδωκεν καθιέρωσεν ἔστησεν [ποι]εῖν μήτε γίνεσθαι ἔαν.

study official documents with an eye toward these elements is critical to revealing the full history behind the development of official Roman documents, and it is the goal of this thesis to persuade other writers to adopt a similar focus when examining other ancient texts.

APPENDIX A

Emendation to ἔθνους ἄρχη

One of the fragments (Doc. 3, §§196-8) discussed in Chapters 2 and 3 is introduced as the “grants, decrees and decisions of Gaius Julius Caesar,”¹ and as we saw this introduction, it is not part of the original decision being quoted, but is a vestige of the process by which that decision became embedded in another measure.² The first line of this fragment is corrupt. The original text reads as follows:

ὅπως <Υρκανὸς Ἀλεξάνδρου καὶ> τὰ τέκνα αὐτοῦ τοῦ Ἰουδαίων ἔθνους ἄρχη, καὶ τοὺς δεδομένους τόπους καρπίζονται, καὶ ὁ ἀρχιερεὺς αὐτὸς καὶ ἐθνάρχης τῶν Ἰουδαίων προῖστίηται τῶν ἀδικουμένων.

<Υρκανὸς Ἀλεξάνδρου καὶ> Reinach; om., mss.

That his children shall rule over the Jewish people and enjoy the fruits of the places given to them, and that the high priest himself and ethnarch of the Jews, shall be the protector of those who are unjustly treated.

We have already seen that Hyrcanus’ name must have fallen out of the text.³ This is not the only problem, however. The expression ἔθνους ἄρχη is at first glance logical and idiomatic. The use of ἄρχω with a genitive in this sense is common,⁴ but its use with ἔθνος is unparalleled in documentary evidence and is found in literature only here.

Although the expression is unparalleled, the grant of ethnarchy is well represented elsewhere in these documents. At §194 of Caesar’s edict Hyrcanus and his children are also appointed as ethnarchs. It reads as follows:

¹ Γαίου Καίσαρος αὐτοκράτορος ὑπάτου δεδομένα συγκεχωρημένα προσκεκρίμενα.

² For embedding, see esp. Chapter 3, Section 3. 2.

³ See above, Chapter 2, 39.

⁴ οὐ γὰρ ἂν προσπταίσας τις ἄρχη Λακεδαιμονίων (Plut. *Lys.* 22. 6. 4). For other examples, see ἄρχω in *LSJ* (9th ed.), 254, II. 1.

διὰ ταύτας τὰς αἰτίας Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας
Ἰουδαίων εἶναι βούλομαι, ἀρχιερωσύνην τε Ἰουδαίων, κτλ.

For these reasons it is my wish that Hyrcanus, son of Alexander, and his children
shall be ethnarchs of the Jews and shall hold the office of high priest of the
Jews....

This clearly resembles the first line of our fragment. The unparalleled construction,
however, could be removed by emending ἔθνους ἄρχη to (e.g.) ἐθνάρχαι ὧσι. (A
misreading of ἐθνάρχαι as some kind of abbreviation of ἔθν(ους) may lie behind the
corruption). The reformed sentence would read thus:

ὅπως <Ὑρκανὸς Ἀλεξάνδρου καὶ> τὰ τέκνα αὐτοῦ τοῦ Ἰουδαίων ἐθνάρχ<αι ὧσι>,
κτλ.

That <Hyrcanus, son of Alexander, and> his children <be ethnarchs> of the
Jews....

This would make the sentence (in the subjunctive following ὅπως) conform to Caesar's
earlier edict both in its subject matter and in its phrasing.

APPENDIX B

Emendation to “ἱερεῖς Ἱεροσολύμων”

Another problematic reading is found in the primary grant of Document 4 (§199), the key part of which reads as follows:

Ὑρκανὸν Ἀλεξάνδρου υἱὸν καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ ἱερεῖς Ἱεροσολύμων καὶ τοῦ ἔθνους εἶναι ἐπὶ τοῖς δικαίοις, οἷς καὶ οἱ πρόγονοι αὐτῶν τὴν ἀρχιερωσύνην διακατέσχον, κτλ.

(That) both Hyrcanus and his children shall be high priests and priests of Jerusalem and of their nation, with the same rights and under the same regulations as those under which their forefathers held the office of priest.

The odd duplication of the priesthood in this line, with Hyrcanus and his sons being both high-priest and priest, has been often recognized as problematic¹ and is in need of emendation.

Again, the similarity to the grant in Caesar’s edict is obvious (§§194-195):

διὰ ταύτας τὰς αἰτίας Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας Ἰουδαίων εἶναι βούλομαι, ἀρχιερωσύνην τε Ἰουδαίων διὰ παντὸς ἔχειν κατὰ τὰ πάτρια ἔθνη, εἶναι τε αὐτὸν καὶ τοὺς παῖδας αὐτοῦ συμμάχους ἡμῖν ἔτι τε καὶ ἐν τοῖς κατ’ ἄνδρα φίλοις ἀριθμεῖσθαι, ὅσα τε κατὰ τοὺς ἰδίους αὐτῶν νόμους ἐστὶν ἀρχιερατικὰ φιλάνθρωπα, ταῦτα κελεύω κατέχειν αὐτὸν καὶ τὰ τέκνα αὐτοῦ.

For these reasons it is my wish that Hyrcanus, son of Alexander, and his children shall be ethnarchs of the Jews and shall hold the office of high priest of the Jews for all time in accordance with their national customs, and that he and his sons shall be our allies and also be numbered among our particular friends; and whatever high-priestly rights or other privileges exist in accordance with their laws, these he and his children shall possess by my command.

In both texts we find: Hyrcanus and his descendents (listed identically); they are awarded two positions (though only one is identical); the traditional rights of the high-priesthood

¹ Mendelssohn, “Senati Consulta,” 208; Pucci Ben Zeev, *Jewish Rights*, 71-3.

are confirmed. Clearly these are two versions of the same decisions, but the text of Document 4 has become badly corrupted and requires major emendation.

The first step is to accept Reinach's proposal to replace ἱερεῖς with ἐθνάρχας,² which produces parallel versions of the double grant. The next is to replace Ἱεροσολύμων with Ἰουδαίων. Limiting the domain or jurisdiction of Hyrcanus' high priesthood to Jerusalem only is unparalleled and at odds both with Josephus' narrative and with his documents. The replication of ἱερ- in ἀρχιερεῖς, ἱερεῖς, and Ἱεροσολύμων suggests multiple dittography. With the proposed emendation, the lines would read:

Ἵρκανὸν Ἀλεξάνδρου υἱὸν καὶ τέκνα αὐτοῦ ἀρχιερεῖς τε καὶ <ἐθνάρχα>ς
<Ἰουδαί>ων καὶ τοῦ ἔθνους εἶναι, κτλ.

(That) both Hyrcanus, son of Alexander, and his sons be high priests and
<ethnarchs> of the <Jews> and of their nation....

Similar to emendation proposed in Appendix A, this again makes the sentence recorded in this document confirm Caesar's earlier edict, which conferred the ethnarchy and high priesthood on Hyrcanus.

² Reinach, *Oevres Complètes*, 240.

APPENDIX C¹

The Oropian Decree

- Μ[άαρ]κος Τερέντιος Μαάρκου υἱὸς Οὐάρρων Λεύκολλος, Γάιος Κάσιος Λευκί[ου υἱὸς] Λ[ον]-
γῖνος ὕπατοι νν Ὠρωπίων ἄρχουσιν, βουλῇ, δῆμῳ χαίρειν· εἰ ἔρρωσθε εὖ ἂν ἔχ[οι νννν]
ὕμᾱς εἰδέναι βουλόμεθα, ἡμᾶς κατὰ τὸ τῆς συνκλήτου δόγμα τὸ γενόμενον ἐπὶ Λευκί]-
ου Λικινίου Μαάρκου Αὐρηλίου ὑπάτων ἐπεγνωκέναι περὶ ἀντιλογιῶν τῶν ἀνάμ[εσον]
- 5 Θεῶι Ἀμφιαράῳ καὶ τῶν δημοσιωνῶν γεγονότων {ἐπεγνωκέναι} ννν πρὸ μιᾶς εἰ[δυῶν]
Ὀκτομβρίων ἐμ βασιλικῇ Πορκίᾳ· ἐν συνβουλίῳ νν παρήσαν Μάαρκος Κλαύδιος Μαάρκ[ου]
υἱὸς Ἀρνήσεως Μαάρκελλος, ννν Γάιος Κλαύδιος Γαίου υἱὸς Ἀρνήσεως Γλάβερ, ν
Μάαρκος Κάσιος Μαάρκου υἱὸς Πωμεντίνα, νν Γάιος Λικίνιος Γαίου υἱὸς
{Πωμεντίνα, ν Γάιος Λικίνιος Γαίου υἱὸς} Στηλατίνα {Σ} Σακέρδως, vac.
- 10 Λεύκιος Οὐολύσκιος Λευκίου υἱὸς Ἀρνήσεως, νν Λεύκιος Λάρτιος Λευκίου υἱὸς ν
Πηπιρία, νν Γάιος Ἀναῖος Γαίου υἱὸς Κλυτομίνα, νν Μάαρκος Τύλλιος Μαάρκου υἱὸς ν
Κορνηλία Κικέρων, νν Κόϊντος Ἀξίος Μαάρκου υἱὸς Κυρίνα, νν Κόϊντος Πομπήτιος Κοίν-
του υἱὸς Ἀρνήσεως Ροῦφος, ν Αὔλος Κασκέλιος Αὔλου υἱὸς {ὁ υἱὸς} Ῥωμιλία, vac.
Κόϊντος Μυνύκιος Κοίντου υἱὸς Τηρηρητίνα Θέρμος, νν Μάαρκος Ποπλίκιος νν
- 15 Μαάρκου υἱὸς Ὀρατία Σκαίουας, νν Τίτος Μαίνιος Τίτου υἱὸς νν Λεμωνία, ν Λεύκιος ν
Κλαύδιος Λευκίου υἱὸς Λεμωνία· ννννν περὶ ὧν Ἑρμόδωρος Ὀλυνπίχου υἱὸς ἱερεὺς ν
Ἀμφιαράου ὅστις πρότερον ὑπὸ τῆς συνκλήτου σύνμαχος προσηγορευμέ-
νος ἐστίν, καὶ Ἀλεξίδημος Θεοδώρου υἱός, Δημαίνετος Θεοτέλου υἱός, πρεσβευ-
ταὶ Ὠρωπίων, λόγους ἐποιήσαντο ννν ἐπ<ε>ὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐταὶ αἱ νν
- 20 Χῶραι {ὕ<π>εξειρημέναι εἰσίν}, ἃς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν
φυλακῆς ἔνεκεν συνεχώρησεν, ὑπεξειρημέναι εἰσίν, νν ταύτας τε τὰς προσ-
όδους, περὶ ὧν ἄγεται τὸ πρᾶγμα, Λεύκιος Σύλλας τῷ θεῷ Ἀμφιαράῳ πρ<ο>σώρι-
σεν ὅπως ὑπὲρ τούτων τῶν χωρῶν πρόσοδον τῷ δημοσιῶνι μὴ τελεῶσιν νννν
καὶ περὶ ὧν Λεύκιος Δομέτιος Αἰνόβαλβος ννν ὑπὲρ δημοσιωνῶν εἶπεν ννν
- 25 ἐπεὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐταὶ αἱ χῶραι ὑπεξειρημέναι εἰσίν ννν
ἃς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν φυλακῆς ἔνεκεν νννν
συνεχώρησεν, νν οὔτε ὁ Ἀμφιάραιος ὧι αὐταὶ αἱ χῶραι συνεχωρημέναι ν
λέγονται, θεὸς ἐστίν, ὅπως ταύτας τὰς χώρας καρπίσζεσθαι ἐξῆν ν

¹ See Sherk, *RDGE* 23 = *RGE* 70; *SIG*³ 747; *IG* VII 413.

- τοὺς δημοσιώνας· ννν ἀπὸ συνβουλίου γνώμης γνώμην ἀπεφηνά-
 30 μεθα· ὁ ἐπέγνωμεν, τῇ συνκλήτῳ προσανοίσομεν, νν τοῦτο ὁ καὶ νν
 εἰς τὴν τῶν ὑπομνημάτων δέλτον κατεχωρίσαμεν· ννν περὶ χώρας ν
 Ὠρωπίας, περὶ ἧς ἀντιλογία ἦν πρὸς τοὺς δημοσιώνας, κατὰ τὸν τῆς ν
 μισθώσεως νόμον ν αὕτη ὑπεξειρημένη ἐστίν, ἵνα μὴ ὁ δημοσιώ-
 νης αὐτὴν καρπίζεται κατὰ τὸ τῆς συνκλήτου δόγμα ἐπέγνωμεν·
 35 ἐν τῷ τῆς μισθώσεως νόμῳ ὑπεξειρημένην δοκεῖ εἶναι οὕτως· ννν
 ἐκτός τε τούτων ἢ εἴ τι δόγμα συνκλήτου αὐτοκράτωρ αὐτοκράτορες τ[ε]
 ἡμέτεροι καταλογῆς θεῶν ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς νν
 καρπίζεσθαι ἔδωκαν, κατέλιπον· νν ἐκτός τε τούτων ἂ Λεύκιος νννν
 Κορνήλιος Σύλλας αὐτοκράτωρ ἀπὸ συνβουλίου γνώμης θεῶν νννν
 40 ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς ἔνεκεν καρπίζεσθαι ἔδωκεν ν
 ὁ τὸ αὐτὸ ἢ σύνκλητος ἐπεκύρωσεν οὔτε μετὰ ταῦτα δόγματι ννν
 συνκλήτου ἄκυρον ἐγενήθη· νν Λεύκιος Κορνήλιος Σύλλας ἀπὸ συν-
 βουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ· νν τῆς εὐχῆς ἀποδόσεως ννν
 ἔνεκεν τῷ ἱερῷ Ἀμφιαράου χώραν προστίθῃμι πάντῃ πάντοθεν πόδας
 45 χιλίους, ἵνα καὶ αὕτη ἡ χώρα ὑπάρχῃ ἄσυλος· ὡσαύτως τῷ θεῷ Ἀμφιαράῳ ννν
 καθιερωκέναι τῆς πόλεως καὶ τῆς χώρας λιμένων τε τῶν Ὠρωπίων ν
 τὰς προσόδους ἀπάσας εἰς τοὺς ἀγῶνας καὶ τὰς θυσίας, ὡς Ὠρώπιοι ν
 συντελοῦσιν θεῷ Ἀμφιαράῳ, ὁμοίως δὲ καὶ ὡς ἂν μετὰ ταῦτα ὑπὲρ τῆς
 νίκης καὶ τῆς ἡγεμονίας τοῦ δήμου τοῦ Ῥωμαίων συντελέσουσιν, ννννν
 50 ἐκτός ἀγρῶν τῶν Ἑρμοδώρου Ὀλυνπίχου υἱοῦ ἱερέως Ἀμφιαράου τοῦ ν
 Διὰ τέλους ἐν τῇ φιλίᾳ τοῦ δήμου τοῦ Ῥωμαίων μεμενηκότος· περὶ τού-
 του τοῦ πράγματος δόγμα συνκλήτου νν ἐπὶ Λευκίου Σύλλα Ἐπαφροδίτου,
 Κοίντου Μετέλλου Εὐσεβοῦς ὑπάτων νν ἐπικεκυρωμένον δοκεῖ εἶναι ννν
 ὅπερ ἡ σύνκλητος ἔδογμάτισεν καὶ εἰς τούτους τοὺς λόγους· ὅσα τε θεῷ
 55 Ἀμφιαράῳ καὶ τῷ ἱερῷ αὐτοῦ ν Λεύκιος Κορνήλιος Σύλλας ἀπὸ συ<ν>βουλίου ν
 νόμης προσώρισεν συνεχώρησεν, τὰ αὐτὰ ἢ σύνκλητος τούτῳ τῷ θεῷ νν δοθῆναι
 συνχωρηθῆναι ἡγήσατο· ἐν τῷ συμβουλίῳ παρήσαν ν οἱ αὐτοὶ οἱ ἐμ πραγμάτων
 συμβεβουλευμένων δέλτῳ πρώτῃ ν
 κηρώματι τεσσαρεσκαίδεκάτῳ· δόγμα συνκλήτου τοῦτο γενόμενόν νν
 60 ἐστίν· πρὸ ἡμερῶν δεκαεπτὰ καλανδῶν Νοενβρίων ἐν κομετίῳ ν

- γραφομένου παρήσαν νν Τίτος Μαίνιος Τίτου υἱὸς Λεμωνία, νν
Κοΐντος Ῥάγκιος Κοΐντου υἱὸς Κλαυδία, Γάϊος Οὐσέλλιος Γαΐου νν
υἱὸς Κυρίνα Οὐάρρων· νν περι ὧν Μάαρκος Λεύκολλος, Γάϊος Κάσιος
ὑπατοὶ ἐπιγνόντες ἀπήγγειλαν περι Ὠρωπίας χώρας καὶ τῶν
65 δημοσιωνῶν ἑαυτοὺς ἐπεγνωκέσαι· ὡσαύτως τὴν Ὠρωπίων ν
χώραν ὑπεξεξηρημένην δοκεῖν εἶναι κατὰ τὸν τῆς μισθώσεως νόμον
μὴ δοκεῖν τοὺς δημοσιώνας ταῦτα καρπίζεσθαι· οὕτως ννν
καθὼς ἂν αὐτοῖς ἐκ τῶν δημοσίων πραγμάτων πίστεώς τε τῆς ν
ιδίας ἐφαίνετο, ἔδοξεν. Vacat.

APPENDIX D

Chronology of Caesar's Titles and Honours¹

BCE

- 69 - Quaestor of Further Spain
- 65 - Curule Aedile
- 64 - Iudex Quaestionis
- 63 - Pontifex Maximus
- 62 - Praetor
- 61 - Proconsul of Further Spain; hailed Imperator
- 59 - Consul
- 58 - Proconsul of Cisalpine Gaul, Illyricum, and Transalpine Gaul
- 57 - Imperator II
- 55 - Imperator III
- 54 - Renewed Proconsulship of Cisalpine Gaul, Illyricum, and Transalpine Gaul
- 52 - Imperator IV
- 49 - Declared Dictator (abdicated in December 49)
- 48 - Consul II; declared Dictator II (October)
- 47 - Dictator II (abdicated in September 47)
- 46 - Consul III; appointed Dictator III (late April 46), designated Dictator for the following ten years (*rei gerendae*)
- 45 - Consul IV; appointed Dictator IV (April); Imperator V
- 44 - Consul V; proclaimed Dictator *perpetuus* (Jan. 26 – Feb. 15)

¹ Broughton, *MRR* II, 132, 158, 173, 180, 187-318, contains full details and sources of Caesar's positions and titles.

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