

RHETORIC, SPATIALITY, AND THE FIRST-CENTURY SYNAGOGUE: THE DESCRIPTION AND NARRATIVE USE OF JEWISH INSTITUTIONS IN THE WORKS OF FLAVIUS JOSEPHUS

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ABSTRACT

The information about the first-century synagogue provided by Flavius Josephus must be handled with care when used in historical reconstructions. Josephus was a skilled rhetorician who was ideologically invested in the presentation of this institution. Due care must therefore be placed on understanding the context of his various mentions of synagogues within the overall rhetorical context of his works if we are interested in historical reconstruction of this Jewish institution. However, the tendentious nature of Josephus' writings does not preclude historical study, not least because the assumptions and ideologies inherent in this tendenz are themselves historical. Especially in his later works (Antiquitates judaicae, Vita, and Contra Apionem), we find a deliberate presentation of the synagogue as a viable, supra-local rallying point for the Jews throughout the known world, as this institution represents an assembly in which the customs and Law of Judaism may be practiced and disseminated following the loss of the Temple and the Land. Even in the earliest work of Josephus, *Bellum judaicum*, we find a tendentious presentation of the synagogue as a 'holy place' whose precincts were breached due to the impiety of the Jewish insurgents and certain non-Jewish troublemakers.

Due to the rhetorical nature of Josephus' writings and the many hermeneutical issues that arise when we deal with space, the language of Edward Soja's spatial theory is utilized, where heuristically profitable, in order to distinguish between the 'spaces themselves' (firstspace), the ideals held by the author regarding the institution (secondspace), and the combination of the two in the experience represented in the

passages (thirdspace). It is precisely the rhetoric with which Josephus presents the synagogue that will lead us to a better understanding of the ideological importance that synagogues had in the lives of the communities and individuals inhabiting these spaces during the period in question.

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Of making many books there is no end, and much study is a weariness of the flesh." (Qohelet 12:12, NRSV)

Given the truth of the latter stanza, it is amazing that the former could still be true.

As with any who seek to write a book of any substance, I have come to know just how much a writer needs the support and guidance of many in order to complete this task.

I have been immeasurably helped along by a rich and giving academic community. First and foremost, I would like to thank my supervisor, Anders Runesson. His giving and affable nature has made our collaboration a joy. Every page of this work is marked by his guidance, influence, and friendship. I would also like to thank the other members of my committee, Eileen Schuller and Dan Machiela. Both have been sources of warmth, candor, and invaluable instruction throughout my time at McMaster. Special mention should also be made of the help offered by our immensely gracious department administrators, Sheryl Dick, Doreen Drew, and Jennifer Nettleton. I have been fortunate to have an extraordinary group of fellow students with whom to share my time in Hamilton, especially Andy Perrin, Ian Koiter, Matt Walsh, Jeremy Penner, Anthony Meyer, Nick Meyer, Ralph Korner, Miriam DeCock, Whitney Ross, Dan Opperwall, and Eric Montgomery. Moreover, our department has enjoyed a warm and collaborative working relationship with the University of Toronto and Toronto School of Theology. Among the many people involved, I would especially like to thank Judith Newman, Sarianna Metso, Terence Donaldson, Nathalie LaCoste, Eva Mroczek, and Carmen Palmer for enjoyable and profitable discussions. Steve Mason, Al Baumgarten, and

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ABBREVIATIONS

1. Collections

ASSB Runesson, Binder and Olsson, 2007

CIG Boeckh, Franz, 1828–59.

CIJ Frey, 1936–52.

CIL Mommsen, et al., 1863–1974. CPJ Tcherikover and Fuks, 1960.

GCRE Oliver, 1989.

IDelos Roussel and Launey, 1937.

IG II² Kirchner, 1913–40.

 $IG V^1$ Kolbe, 1913.

IGLAM Le Bas and Waddington, 1870.

IGR Cagnat, et al, 1911–27.

IJO Noy, et al., 2004.
IKyme Engelmann, 1976.
ILS Dessau, 1892–1916.
IPriene Gaertringen, 1906.
JIGRE Horbury and Noy, 1992.

LCL Loeb Classics Library, 1929–.

OGIS Dittenberger, 1903–5.

PLond Kenyon, Bell, and Skeat, 1893–1974.PTebtunis Grenfell, Hunt, and Goodspeed, 1902–76.

SEG Roussel, 1923–.

SIG³ Dittenberger, 1915–24.

2. Ancient Authors and Works

Arr. Arrian

Epict.diss. Epicteti dissertationes

Cic Cicero

Att. Epistulae ad Atticum

Clu. Pro Cluentio
Dom. De domo suo
Flacc. Pro Flaccus
Mil. Pro Milone
Or. De oratore

Phil. Orationes phillippicae

Rep. De repubulica

Tusc. Tuscalanae disputationes

Vat. In Vatinium

Dio Cass. Dio Cassius

Dio Chrys. Dio Chrysostom *Or.* Orationes

Diod. Sic. Diodorus Siculus

Dion. Hal. Dionysius of Halicarnassus
Ant. Rom. Antiquitates romanae
Dem. De Demosthene
Thuc. De Thucydide

Eus. Eusebius of Caesarea

Praep. Evang. Praeparatio evangelica

Herod. Herodotus *Historiae*

Hippolyt. Hippolytus

Haer. Refutatio omnium haeresium

Jos Josephus

AJ Antiquitates judaicae
BJ Bellum Judaicum
C.Ap. Contra Apionem

Vita Vita

Just. Justinian

Cod. Just. Codex justinianus

Juv Juvenal Sat. Satirae

Luc. Lucian

Peregr. De morte Peregrini

Philo Philo of Alexandria

Conf. De confusione linguarum

Decal. De decalogo

Deus Quod Deus sit immutabilis

Ebr. De ebrietate Flacc. In Flaccum

Her. Quis rerum divinarum heres sit

Hypoth. Hypothetica
Leg. Legum allegoriae
Legat. Letatio ad Gaium

Migr. De migratione Abrahami

Mos. De vita Mosis

Mut.De mutatione nominumPost.De posteritate CainiProb.Quod omnis probus

Somn. De somniis

Spec. Leg. De specialibus legibus

Virt. De virtutibus

Plato

Rep. Respublica

Pliny the Elder

Nat. Hist. Naturalis historia

Pliny the Younger

Ep. Epistulae

Plut. Plutarch

Aem. Aemilius Paulus Ag. Cleom. Agis et Cleomenes

Caes. Caesar
Cam. Camillus
Cat. Min. Cato Minor

Cor. Marcius Coriolanus

Lyc.LycurgusMar.MariusTim.Timoleon

Polyb. Polybius of Megalopolis

Hist. Historiae

Pseudepigrapha

Let. Aris. Letter of Aristeas

Quin Quintilian

Inst. orat. Institutio oratoria

Rabbinic Materials

b. Meg. Talmud Bavli, Tractate Megillah

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Gen.Rab. Genesis Rabbah

Midr. Ps. Midrash on the Psalms

m. Erub.
m. Meg.
t. Suk.
Mishnah Erubim
Mishnah Megillah
Tosefta Sukkah

y. Šeqal. Talmud Yerushalmi, Tractate Šeqalim

Sen. Seneca

Ep. Epistulae morales

Suet. Suetonius

Dom.DomitianusJul.Divus JuliusTib.TiberiusVesp.Vespasiunus

Tac. Tacitus

Hist. Historiae

Thuc. Thucydides

Vit. Vitruvius

Arch. De architectura

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Introduction

Space that has been seized upon by the imagination cannot remain indifferent space subject to the measures and estimates of the surveyor. It has been lived in, not in its positivity, but with all the partiality of the imagination. Particularly, it nearly always exercises an attraction. For it concentrates being within limits that protect.

-Gaston Bachelard¹

History is the intellectual form in which a civilization renders account to itself of its past

-Johannes Huizinga²

The synagogue arrives on the historical scene without warning or explanation. When it appears, it is treated as if it was always in existence. Eventually the synagogue would become the central institution of medieval and modern Judaism. But whence did this institution come and, more intriguingly, whence did first-century Jews believe it came? The Jewish literary record of the first century CE—which includes the New Testament, and the writings of Philo of Alexandria and Flavius Josephus—exhibits a sudden and pronounced interest in synagogues, with many of these writers assuming considerable antiquity for this institution. Such Jewish writers endow the synagogue with considerable ideological importance and even reverence, so that the use of their texts in reconstructing the history of the synagogue is complicated. Are these historically trustworthy witnesses? Even if they are, how do we read and interpret spatial data from these ancient texts in a responsible manner?

¹ Gaston Bachelard, *The Poetics of Space: The Classic Look at How We Experience Intimate Space* (trans. Maria Jolas; Boston: Beacon Press, 1994), xxxvi.

² Johannes Huizinga, "A Definition of the Concept of History," in *Philosophy and History: Essays Presented to Ernst Cassirer* (ed. R. Klibansky and H. J. Paton; Oxford: Clarendon Press, 1936), 9.

We must remember that the first century CE is axial for Jewish culture and history due to both the arrival of the earliest Christ-believers and the catastrophic events of the First Jewish Revolt (66–70 CE). In terms of the synagogue itself, it has become increasingly clear to scholars that this particular century represents a bridge between early forms of synagogues and the later rabbinic institution, the latter being the progenitor of the modern synagogue. Therefore, the reconstruction of the first-century synagogue may be seen as crucial not only to the question of the origins of the institution, but also to our understanding of the early history of the co-existence of Jews and Christ-believers, and the development of what became known as Judaism and Christianity.

By late antiquity, the Rabbis treated earlier discourses involving synagogues as if these earlier synagogues were mirror images of late-antique synagogues. Non-Jewish Christians likewise spoke of synagogues in the gospels as if they were mirror images of such late-antique synagogues contemporary to their own time, and identified them as enemy institutions 'attacking' Christians. This type of non-Jewish, late-antique Christian discourse became standard in later medieval Christianity and is still detectable in modern scholarship on first-century synagogues. Thus, due to these powerful discursive trajectories within mainstream Judaism and Christianity, we in fact know very little about synagogues in the first century and earlier. Such discourses, maintained by politically empowered enemies of the Jewish people, are not to be taken at face value as trustworthy witnesses to the nature of the early synagogue. Key questions that emerge include: what did synagogues look like before non-Jewish Christianity and Rabbinic Judaism arrived

and began to dominate the discourse on this institution? Can we speak with any certainty of its institutional structure or common practices?

As historians, we have access to a wealth of texts and material remains that should inform our discussions regarding the first-century synagogue. However, we must be discerning as we decide which sources are relevant for the reconstruction of these institutions.³ Firstly, we possess an ever-increasing collection of archaeological remains from early synagogues. These include purpose-built synagogues such as Gamla⁴ and Magdala,⁵ impromptu rebel synagogues such as Herodium and Masada,⁶ or synagogues that appear to be based on the model of Graeco-Roman, semi-public associations such as Jericho and Qumran.⁷ Secondly, we possess a number of inscriptions that mention synagogues, their benefactors, or even synagogue practices. This category includes the

³ For a more comprehensive look at potential sources of synagogue data from this time period, see Anders Runesson, Birger Olsson, and Donald D. Binder, *The Ancient Synagogue from its Origins to 200 CE: A Sourcebook* (AJEC 72; Leiden: Brill, 2007) [Henceforth, *ASSB*].

⁴ *ASSB*, nos. 10.

⁵ Unless otherwise stated, any mention of the Magdala synagogue in the present work should be understood as referring to the 2009 discovery of a synagogue in the ongoing excavations of the town, rather than the much earlier find in the harbor by Corbo (see *ASSB* no. 27), which has subsequently been discredited as a synagogue discovery.

⁶ ASSB nos. 11, 28.

⁷ ASSB nos. 15, 41. While the associational nature of the synagogue in the Diaspora has been argued elsewhere (see below), Runesson and others also contend that various texts and archaeological finds illustrate that the Land also contained a number of semi-public association synagogues, e.g., those of the Pharisees, Sadducees, and Essenes (see ch. 4 excursus). We should also include evidence from Acts 6, Philo's Prob., and CIJ 2.1404, as well as the purported synagogue building found at Herod's winter palace in Jericho, as proof of such Judaean association synagogues. Regarding the Essenes as a Judaean association, see the excursus in chapter 4 below. Regarding Pharisaic associations, see also Anders Runesson, "Rethinking Early Jewish-Christian Relations: Matthean Community History as Pharisaic Intragroup Coflict," JBL 127.1 (2008): 95–132; Andrew R. Krause, "In Association with the Pharisees: Pharisaic Ancestral Traditions as a Semi-Private Association Code in Matthew 15 and Antiquitates judaicae 13," Novum Testamentum: forthcoming. Runesson makes the case for the Pharisees as a Judaean association, with the Matthean Community being a possible branch of this association. Cf. A. I. Baumgarten, "Graeco-Roman Voluntary Associations and Ancient Jewish Sects," in Jews in a Graeco-Roman World (ed. Martin Goodman; Oxford: Clarendon Press, 1998), 93-111; idem., "The 'Outreach' Campaign of the Ancient Pharisees: There is No Such Thing as a Free Lunch," in Judaea-Palastina, Babylon, and Rome: Jewish in Antiquity (ed. Benjamin Isaac and Yuval Shahar; TSAJ 147; Tübingen: J. C. B. Mohr, 2012), 11–28.

dedicatory Theodotus Inscription (*CIJ* 2.1404) and the earlier Delos synagogue inscriptions recording both offerings (*CIJ* 1.727–31; *SEG* 32.809) and dedication (*SEG* 32.810).⁸ Thirdly, we possess a number of papyri that speak of early synagogues in Egypt. Fourthly, and central to the task at hand, a number of literary sources (both Jewish and Gentile) mention synagogues for a variety of reasons. This includes texts such as those found in the New Testament, the works of Philo of Alexandria, 3 Maccabees, Judith, or even Roman works such as Tacitus' *Historiae*. All of these sources offer data for reconstructing the earliest synagogues, though each source type has interpretive issues that must be addressed as scholars seek to understand the ancient synagogue.

This issue of understanding the individual texts and the authors who wrote them will be the central question of the present work. The present thesis aims to contribute to scholarship through investigating one of the key literary sourceses used by scholars to reconstruct the ancient synagogue: the writings of the first-century Jewish historian Flavius Josephus. Josephus is without question one of our greatest resources for information on the history and culture of first-century Judaism. However, the study of Josephus—much like the synagogue—is a rather complicated issue in the study of Second Temple Judaism. Josephus wrote with marked rhetorical skill and *tendenz*. Indeed, Josephus' own writings recount events in his life that may cause us to question his trustworthiness and moral compass, most notably his refusal to follow through with a suicide pact (*BJ* 3.355–61). While many synagogue scholars will at least mention Josephus' *tendenz* and the hermeneutical issues inherent in using him as a source, most

⁸ ASSB nos. 26, 94–101.

functionally ignore such issues and 'fact mine' his writings with little regard for Josephus' intentions or even the literary context of the passages in question. For example, in a short section on the use of Josephus, Donald Binder warns against bias and anachronism, while opining that synagogues were only ever written about incidentally in Josephus' writings. In his exposition of Josephus, though, Binder often leaves issues of intent and rhetoric unstated, as he emphasizes objectivity and accuracy. However, even if we are able to isolate purposeful rhetoric, the question of how Josephus actually saw or imagined the synagogue at the time of writing and what effect this would have on his characterization of this institution remains. Should we not ask what role biases and possible anachronisms play in Josephus' larger story before we dismiss them?

Another problem, beyond Josephus' own tendentiousness, is the tendentiousness of the modern scholar. Like Josephus, we are prone to highlight and incorporate those narratives and citations that fit with our own reconstructions. An example of this would be the incorporation of Josephus' work in Steven Fine's presentation of BJ 7.44–45 as an instance of synagogues being treated as sacred spaces. Fine argues that the use of $i\epsilon\rho\delta\nu$ ('temple') to describe a synagogue proves its sacrality, though he gives little attention to other Josephan passages that speak to the nature of the first-century synagogue, especially those that do not fit his reconstruction. ¹⁰ Likewise, Heather McKay has dismissed a number of Josephan passages that have been understood as illustrating Sabbath worship

⁹ Donald D. Binder, *Into the Temple Courts: The Place of the Synagogue in the Second Temple Period.* (SBL DS 169; Atlanta: Society of Biblical Literature, 1999), 54–59.

¹⁰ Steven Fine, *This Holy Place: On the Sanctity of the Synagogue during the Greco-Roman Period* (CJAS 11; South Bend: University of Notre Dame Press, 1997), 29. For a detailed treatment of this passage, see section 4.2 of the present work.

in synagogues,¹¹ though many scholars have seriously questioned her methodology.¹² As a result of such treatments, the scholarly theories derived from such readings, whether or not the scholar affirms that Josephus' statements bear witness to the historical realities, are impoverished, and they must be questioned. The present study intends to approach Josephus in new ways in order to shed light on how this source can be used in historical reconstructions of ancient synagogues.

As we shall see, when a rhetorical study of Josephus is applied to the analysis of the ancient synagogue, several common assumptions about the nature and development of this institution are challenged. But the reverse is also true: our understanding of Josephus as a historian of Jewish communal life needs to be revised. For example, I will argue that in his later works Josephus used the synagogue as an ideal space for the realignment of Judaism around a supra-local institution¹³ in which the ancestral customs and Law could be studied and disseminated. In this regard, current spatial theory will be used in order to understand better how such common synagogue spaces are described and deployed in his narratives and descriptions. For Josephus, synagogues were not merely buildings or communities to be described; rather, they were uniquely Jewish institutions that would shoulder the burden of being the new rallying point for the Jewish people after the fall of Jerusalem and the Temple. Josephus would refer to aspects of contemporary synagogues,

¹¹ See Heather McKay, *Sabbath and Synagogue: The Question of Sabbath Worship in Ancient Judaism* (Religions in the Graeco-Roman World, 122; Leiden: Brill, 1994).

¹² E.g., Pietr van der Horst, "Was the Synagogue a Place of Sabbath Worship Before 70 CE?" in *Jews*, *Christians*, *and Polytheists in the Ancient Synagogue: Cultural Interaction During the Graeco-Roman Period* (ed. Steven Fine; London: Routledge, 1999), 18–23; Lee I. Levine, *Ancient Synagogue: The First Thousand Years* (2nd Ed.; New Haven: Yale University Press, 2005), 145 n. 59.

¹³ By supra-local, I mean a localized institution in multiple places that lacks any discernible authority structure or even formal connection among separate assemblies.

but would do so within a larger interpretive framework in which he idealized them in order to present a particular vision of Jewish institutional life that was grounded in his own experience and his historically contingent vision of Judaism.

The fact that many scholars have attempted to understand the first-century synagogue in terms of its origins and development is important metholdologically. However, many of the relevant, first-century Jewish writers, Josephus included, were attempting similar historical reconstructions of this institution based upon their own understandings of the synagogue and its place in Jewish religion and culture in their own time. What we find in Josephus—especially in *Antiquitates judaicae*—is not merely an account of Jewish religion and culture as they were, but an attempt to articulate the divinely-led progression of Jewish religion and culture through time. Even if we were able to delimit Josephus' various sources, these sources would themselves likely be prone to the same kinds of perspectival reconstruction. Indeed, as with all witnesses to the first-century synagogue, what we find in the writings of Josephus is a vision of the institution as the author both perceives and conceives the 'true' synagogue.

In the chapters below, I will argue that the synagogue itself is a central aspect of the Judaism that Josephus seeks to represent as legitimate in his later works, i.e., those written in the final decade of the first century CE. After the fall of the Temple under the Romans, the synagogue would be one of the few remaining institutions in which Jews were able to gather in order to continue the practice and dissemination of their distinctive customs and tenets. As Josephus constructed a land-less and Temple-less Judaism using the Law and ancestral customs as an ethnic constitution, the synagogue came to represent

a supra-local setting in which this constitution could be followed and taught without the hierarchical, religio-political leadership found in the Temple. ¹⁴ For Josephus, the centrality of the community assembly was such that it could be traced back through Jewish history. This was due to the amorphous nature of the institution and the centrality of the reading of the Jewish scriptures among the practices of the synagogue. The rhetorical centrality of the synagogue should, in turn, lead us to question how the synagogue is represented in the text. This meaning with which Josephus imbues the institution also leaves his presentation open to historical critique. In the cases of both the synagogue and Josephus, there is a wealth of theory and secondary literature that has led us to the point at which we may interrogate Josephus' presentation of Jewish institutions, all of which provides important contextualization for the present study.

Review of Past Research

1. Early Synagogues

For centuries, scholars assumed that the synagogue originated as a substitute for the Jerusalem Temple when individuals and communities were unable to reach the Temple, either due to distance or the various destructions of the Temple. The pervasiveness of this assumption led to little attention being payed to the historical study of the earliest synagogues; this assumption has been referred to as the 'Deprivation

¹⁴ While most synagogues certainly had leadership structures, as evidenced by named synagogue offices in multiple sources, such structures seem to have been formed at the local level. We have no proof of outside, centralized authorities. See n. 13, above.

Theory. 15 However, subsequent finds and analysis have proven this view inadequate due to the high levels of complexity and varigation in the literary and material corpora. 16 Another, subsequent issue that has hindered synagogue studies is the ongoing proclivity of scholars to focus on origins to the extent that many historical reconstructions have created linear, monogenetic theories, which often force the evidence into a single, unifying narrative of origins and development. Indeed, the questions of origins are important for the understanding of synagogue development. However, overly-simplistic narratives inevitably produce reductionistic theories, which do not adequately explain the diversity we find in the evidence, nor do they responsibly deal with the complexity of individual sources. Too often, such theories are held together with tendentious speculation and reading practices. Describing the history of synagogue studies is a fraught venture, so the most straightforward method is to group the material in terms of periods and localities in which the putative origins and developments took place. 17

Before moving on to the various reconstructions of synagogue development in antiquity, however, it should be stated that many scholars, including some of the most influential, have argued that the terms used to denote synagogues may be differentiated

¹⁵ This term was coined by Runesson (*Origins*, 163)

¹⁶ The most direct piece of evidence is the Theodotus Inscription (*CIJ* 2.1404; *ASSB* no. 26), which is a first-century inscription describing the building and practices of a synagogue a short distance from the Temple itself. For dating and context issues, see John Kloppenberg, "Dating Theodotus (*CIJ* II 1404)," *JJS* 51 (2000): 243–80. For methodological discussion, see Runesson, *Origins*, 150–51, 157. See also discussion in Binder, *Into the Temple Courts*, 105–9; Levine, *Ancient Synagogues*, 56–57; Stephen K. Catto, *Reconstructing the First-Century Synagogue: A Critical Analysis of Current Research* (LNTS 363; London: T & T Clark International, 2007), 83–85. Levine rightly points out the similarities and connections to Diaspora synagogues, which buttresses Runesson's argument that this was a semi-public synagogue run by members of an association.

¹⁷ This reconstruction of the history of scholarship is heavily dependent upon the work of Anders Runesson for its structure. For a more detailed survey, see Anders Runesson, *The Origins of the Synagogue: A Socio-Historical Study* (CBNTS 37; Stockholm: Almqvist & Wiksell International, 2001), 67–168.

for the purpose of understanding this development. This differentiation is often accomplished by referring to what have been understood as the two dominant terms: συναγωγή and προσευχή. However, Josephus also used a number of other terms, including ἐκκλησία (passim), σύνοδος (AJ 14.235), τόπος (AJ 14.259–61), and even σαββατεῖον (AJ 16.164), all for the same type of people's assemblies. I will contend throughout this dissertation that all of these terms refer to the same institution for Josephus.

However, a number of scholars have argued that the varying terms should lead us to treat the referents of these terms as different institutions. Martin Hengel argues that $\pi\rho\sigma\sigma\epsilon\nu\chi\dot{\eta}$ refers specifically to Diaspora institutions which emphasized prayer and singing, while $\sigma\nu\alpha\gamma\omega\gamma\dot{\eta}$ refers to the institution of the synagogue in the Land of Israel, emphasizing reading and study of the Jewish Law. Some have argued that $\pi\rho\sigma\sigma\epsilon\nu\chi\dot{\eta}$ denoted larger structures, whereas $\sigma\nu\alpha\gamma\omega\gamma\dot{\eta}$ was used for smaller meetings. However, other scholars have noted that this is not always or necessarily the case. It is this ambivalence that should caution the reader. It is precisely in the use of these numerous terms in parallel fashion that should lead us to question whether these two terms do

¹⁸ Martin Hengel, "Proseuche und Synagoge: Jüdische Gemeinde, Gotteshaus und Gottesdienst in der Diaspora und in Palästina," in *The Synagogue: Studies in Origins, Archaeology, and Architecture* (ed. Joseph Gutmann; New York: Ktav, 1975), 32–34. See also Joseph Gutmann, "Synagogue Origins: Theories and Facts," in *Ancient Synagogues: the State of the Research* (ed. Joseph Gutmann; Chico: Scholars Press, 1981), 3; Tessa Rajak, "Synagogue and Community in the Graeco-Roman Diaspora," in *Jewish in the Hellenistic and Roman Cities* (ed. John R. Bartlett; London: Routledge, 2002), 22–38.

¹⁹ E.g., Hengel, "Proseuche," 177; Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ*. (vol. II; ed. Geza Vermes, Fergus Millar, and Martin Goodman; Edinburgh; T. & T. Clark, 1986), 439–40.

²⁰ Runesson, *Origins*, 461; Lee I. Levine, "Second Temple Synagogue: the Formative Years," in *The Synagogue in Late Antiquity* (ed. Lee I. Levine; Philadephia: ASOR, 1987), 13–14. Runesson argues that previous to the first century CE, $\pi\rho \rho\sigma\epsilon\nu\chi\alpha$ were temples designated for sacrificial worship, whereas the term would be used in the first century and following for the Torah-reading institution previously referred to as a $\sigma\nu\nu\alpha\gamma\omega\gamma\dot{\eta}$. For Runesson, the two institutions had separate beginnings, though they merged by the time of first century, i.e., the time in which we are interested.

indeed denote different institutions, or even separate aspects of a single institution. This is further complicated by the plethora of terms that seem to be used interchangeably by certain writers.²¹ Even attempts to catalogue and differentiate each use of the various terms used offer a vague and unsystematic set of uses, and this is often done with little attention to the rhetorical and socio-historical contexts in which these terms are being used.²² Indeed, we should follow Lee Levine in affirming that the choice of terminology by a community or writer depended entirely upon local needs and self-perceptions.²³

Until the scholarly community can clearly account for all possible local differences, these terms should be taken to refer to the same constellation of institutions in the first-century Jewish parlance, even if there may have been separate uses earlier, which remain lost in time. The broad definition of synagogue followed in this work will be the fixed, institutional place of popular assembly for a given Jewish community (regional or association). As with various Graeco-Roman institions (e.g., $\dot{\epsilon}$ xx $\lambda\eta\sigma(\alpha)$, the place of meeting could vary widely without compromising the institutional nature of the assembly. As I will argue below, Josephus was able to use the terms listed above in order to present a single institution, which fit his own purposes as he wrote to a Roman audience. This indicates both that a first-century audience would likely know enough to view the various terms as interconnected and that we should not necessarily trust a writer of this period to use the various terms in a strictly lexical manner.

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²¹ Possible synagogue terms include συναγωγή, τόπος, προσευχή, σαββατείον, ἐκκλησία, ἱερά, οἶκος , σύνοδος, θίασος, πολίτευμα, ἀμφιθέατρον, διδασκαλεῖον, εὔχειον, collegia, universitas, templum, proseucha, ασια, αποπ. αποπ.

²² E.g., Catto, *Reconstructing*, 14–48.

²³ Levine, Ancient Synagogue, 23.

²⁴ Regarding such variation in the places of meeting for the ἐχκλησία, see section 2.2.1 below.

Much of synagogue scholarship up to the present day has been interested in looking for a singular trajectory describing the origin and nature of the early synagogue. This is often done by finding a time in which the named nature or function was lacking in Israelite, Judahite, or Jewish culture and then drawing a straight line in time from this purported need to its eventual fulfillment in the first-century institution. However, any synthetic work runs the risk of grasping for similarities and too quickly harmonizing sources without addressing questions of the intent of the individual author and their text or uniqueness in archaeological remains. For example, some scholars, especially those taking the rabbinic materials at face value, have argued for the possibility of identifying early synagogues in the Patriarchal or Exodus traditions.²⁵ Indeed, as we shall see in chapters 3 and 5, Josephus himself ties the synagogue to Moses; however, it is clear that he does so due to his perceived connection between the synagogue and Law. Other modern scholars have attempted to place the origins of the synagogues in Israel's Monarchic Period.²⁶ There exists no clear proof, however, that even an embryonic version

²⁵ For example, see Samuel Krauss, *Synogogale Altertümer* (Berlin-Vienna: Verlag Benjamin Harz, 1922), 32. Following Gen. Rab. 63.6 and select targumim of Gen 25:22, Krauss argues that Jacob attempted to spring from his mother's womb every time she passed a בית הכנסת, which would prove that these institutions existed at this time, at least in some form. However, the clear differentiation between the synagogue and beth ha-knesset in rabbinic sources and Krauss' reliance on the later rabbinic material, rather than on the biblical text, led many to dismiss this assertion. In such cases, it is important to understand that many Second-Temple and rabbinic sources are attempting to retroject later institutions into the earliest biblical times in order to grant them increased validity and authority (see Runesson, Origins, 73-86). ²⁶ E.g. Louis Finkelstein, "The Origins of the Synagogue," in *The Synagogue: Studies in Origins*, Archaeology, and Architecture (ed. Joseph Gutmann; New York: Ktay, 1975), 3-13; Hans E. Von Waldow, "The Origins of the Synagogue Reconsidered," in From Faith to Faith: Essays in Honor of Donald G. Miller on His Seventieth Birthday (ed. D. Y. Hadidian; Pittsburgh: Pickwick, 1979), 269–84; Leopold Löw, "Der synogogale Ritus," MGWJ 33 (1884): 97–114; Moshe Weinfeld, Deuteronomy and the Deuteronomic School (Oxford: Oxford University Press, 1972); idem, Deuteronomy 1–11 (AB; New York: Doubleday, 1991) 78-81; J. Weingreen, "The Origin of the Synagogue," Hermathena (1964): 68-84. Finkelstein and von Waldow both place the origin of the synagogue in the time of Manasseh, as faithful worshippers sought to worship in local sites, while the Jerusalem Temple was desecrated. Von Waldow elaborates, arguing that both Jeremiah and Deuteronomy are sermons given during this period in local worship assemblies, with

of what may be termed a synagogue originated so early and these theories thus rest on unproven conjecture. Also, these theories are unable to make sense of the development of the synagogue beyond the idea of the institution as a Temple-substitute.

As early as the sixteenth century, scholars claimed that the synagogue could be traced back to the Babylonian Exile, as an institution meant to take the place of the destroyed First Temple.²⁷ This was considered the dominant theory throughout the early and mid-twentieth century, often being spoken of as common sense.²⁸ George F. Moore assumed that this was the obvious genesis of the institution, as it would have allowed the exiles to celebrate feasts and Sabbaths, and thus solidified their identity in a foreign land.²⁹ Taking this theory one step further, Julius Wellhausen famously argued that such assemblies were held on high places (i.e., *bamoth*), as the exiles sought to develop non-sacrificial liturgies.³⁰ According to Löw and Silber, the city gates, which had been the refuge of prophets during any time of persecution, would have been endowed with increasing religious significance in the absence of the Temple, leading to the first

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Deuteronomy becoming a text from which regular teachings in a local assembly were derived. Conversely, Löw, Weingreen, and Weinfeld all argue that the destruction of local cult centres during the reforms of Josiah would have led to local, non-sacrificial worship centres to be created. For Weingreen, the emphasis on prayer, reading of the Law, and explication of the Law would have been the central activities of such assemblies.

²⁷ According to Rowley, the first scholar to argue this was Sigonius in the 16th century CE, though *b.Meg*. 29a states that Sherira Gaon spoke of a synagogue formed from the *spolia* of the Jerusalem Temple in Babylonia; see H. H. Rowley, *Worship in Ancient Israel: Its Forms and Meaning* (London: SPCK, 1967), 225; Joseph Gutmann, "Sherira Gaon and the Babylonian Origins of the Synagogue," in *Occident and Orient* (ed. R. Dan; Budapest: Akademiai Kiado, 1988), 209–12.

²⁸ E.g. Rowley, Worship, 224.

²⁹ George F. Moore, *Judaism in the First Centuries of the Christian Era* (vol. 1; Cambridge: Harvard University Press, 1927), 1.283.

³⁰ Julius Welhausen, *Israelitische und jüdische Geschichte* (7th Ed.; Berlin: Georg Reimer, 1914), 194.

synagogues.³¹ However, this theory suffers the same fate as other theories arguing for the biblical period as the time of origin: a dearth of direct evidence.³²

Given the above assumptions regarding the synagogue as a 'temple-substitute' in its earliest days and the later mentions of synagogue holiness on the part of the Rabbis, some scholars argue that the synagogues of the first century were endowed with an intrinsic holiness. If this sacrality were indeed the case, however, we would expect to find some reference to or other continuity with the Temple in sources related to synagogues. As we shall see, though, such continuity is difficult to discern consistently in the evidence.

Still other scholars have spoken of a genesis for the synagogue in the reconstruction of Jewish life during the Persian Period. This is either stated as the institutionalization of the impromptu meetings during the Babylonian Exile³⁴ or as a new institution founded after the time of Ezra.³⁵ While many relate this development to the

³¹ Leopold Löw, "Der synogogale Ritus," *Monatschrift für Geschichte und Wissenshaft des Judentums* 33 (1884): 97–114; Mendel Silber, *The Origin of the Synagogue* (New Orleans: Steeg, 1915), 17–19.

³² By 'direct evidence' I mean the use of synagogue terminology or the description of synagogue practices in a local context that might be argued to be Jewish. This, of course, does not mean that we do not find elements or evidence of the various synagogue forerunners, whose connections to later synagogues we may theorize.

³³ See Joan R. Branham, "Vicarious Sacrality: Temple Space in Ancient Synagogues," in *Ancient Synagogues: Historical Analysis and Archaeological Discovery*. (vol. 2; ed. Dan Urman and Paul V. M. Flesher; StPB 47; Leiden: Brill, 1995), 319–45; A. T. Kraabel, "The Diaspora Synagogue: Archaeological and Epigraphic Evidence since Sukenik," in *ANRW* II.19.1 (ed. W. Haase; Berlin: de Gruyter, 1979), 477–510. While Binder does argue for such a relationship between the Temple and synagogues, he does so by arguing for a city-gate genesis for the synagogue (see below).

³⁴ E.g. Schürer, *History*, 2.426; Helmer Ringgren, *Israelite Religion* (London: SPCK, 1966), 325; Paul M. Joyce, "Dislocation and Adaptation in the Exilic Age and After," in *After the Exile* (ed. John Barton, et al; Macon: Mercer University Press, 1996), 56. See also Campegius Vitringa, *De synagoga vetere libri tres* (Franequerae: Typsis, 1696), 413–28; see Runesson, *Origins*, 123.

³⁵ Krauss, *Synagogale*, 65; Leo Landman, "The Origin of the Synagogue," in *Essays on the Seventieth Anniversary of the Dropsie University* (ed. A.I. Katch, et al; Philadephia: Dropsie University, 1979), 317–25; Shmuel Safrai, "The Synagogue," in *The Jewish People in the First Century: Historical Geography*,

institution of public Torah reading by Ezra in Neh 8:1–12, this is again not the same as direct evidence of a synagogue institution. These theories regarding the Persian Period have much that commend them in the reconstruction of first-century synagogues, especially the primacy of the reading of the Law. Multiple texts, including those of Josephus, speak of reading the Law as the key liturgical component of the first-century synagogue. By itself, however, this centrality of the Law leaves many spatial, liturgical, and organizational questions unanswered. For example, we lack direct reference to synagogues as an institution at this time. While the reading of the Law by Ezra may fit the eventual picture of synagogue study, this reading is in a Jerusalem context and therefore difficult to argue as emerging and continuing at the local level. This is not to say that Ezra's reading was not a formative event in Jewish communal practice, but merely that we lack a direct connection between the Jerusalemite and local practices.

The first indisputable uses of synagogue terminology come to us from Greece and Egypt during the time of the *Diadochoi*. For example, inscriptions dating from the third century in Delos³⁹ and papyri in Ptolemaic Egypt⁴⁰ each specifically speak of a π ροσευχή. It is thus not surprising that many of the more current theories of synagogue origins and practice look to this period for the beginning of synagogue traditions. As I will illustrate in chapters 3 and 5, Jospehus himself gives evidence that many in the ancient world

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Political History, Social, Cultural, and Religious Life and Institutions (ed. Shmuel Safrai, et al; CRINT 1.1; Assen: Van Gorcum, 1976), 913.

³⁶ See the critique of this theory by H. G. M. Williamson, *Ezra*, *Nehemiah* (WBC 6; Waco: Thomas Nelson, 1985), 281–82.

³⁷ E.g.; BJ 2.291; AJ 14.216, 260; 16.43, 163; 19.303–5; C.Ap. 2.175–78. CIJ 2.1404; Philo's Mos. 2.178.

³⁸ 2 Chron 17:7–9 may point to a possible connection, though its historical veracity is questionable.

³⁹ SEG 32 810; ASSB no. 100.

⁴⁰ CPJ 1.129, 134; ASSB nos. 147–48.

traced the origins of the synagogue to the Land of Egypt. While most of these ancient historians trace the institution back to Moses in Egypt, this may in fact be due to the same Ptolemaic evidence. However, the evidence, as it stands, has led many scholars to choose between either Diaspora or Judaean origins. Given the diasporic provenance of the abovementioned inscriptions and papyri, many have argued that the first synagogues were Jewish worship centres in the Diaspora. Others have noted the parallel between these προσευχαί and the Egyptian temples that surround them in order to argue for non-Jewish temple influences on the origins of the synagogue. However, it should be noted that few of these theories can account for the rise of the very different synagogues in the Land that we find in the first-century sources, especially those that functioned as centres of civic government (e.g., *Vita* 271–303).

Others argue that the synagogues as they would later be understood actually began in the Land during the Hellenistic Period. A popular argument for the origin taking place in the Land states that the early Pharisees sought to "democratize" temple worship and began to hold meetings in order to teach the Law, thus challenging the Temple-based

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⁴¹ Ernest Renan, *Histoire du peuple d'Israël* (vol. 4; Paris: Calman Lévy, 1893), 4.218–20. See more recently, using more current literature, L. Michael White, *Building God's House in the Roman World: Architectural Adaptation among Pagans, Jews, and Christians* (Baltimore: Johns Hopkins University Press, 1990), 61–83; Peter Richardson, *Building Jewish in the Roman East* (Waco: Baylor University Press, 2004), 111–33; Philip A. Harland, *Associations, Synagogues, and Congregations* (Minneapolis: Fortress Press, 2003). Likewise, Friedländer speaks of a lack of mention of synagogues in the Land of Israel during this period as proof of Diaspora origins. See M. Friedländer, *Synagoge und Kirche in ihren Anfängen* (Berlin: Georg Reimer, 1908), 56 – 63; cf. Lester L. Grabbe, "Synagogues in Pre-70 Palestine," *JTS* 39 (1988): 401–10, who questions the equation between the προσευχή of this period and the synagogue of the late first century. See also Runesson, *Origins*, 436–58.

⁴² Griffiths, who focussed on the dual purposes of worship and instruction in the *Per Ankh* cultus of Hellenistic Egypt, argues that this context offers a better context. See J. Gwyn Griffiths, "Egypt and the Rise of the Synagogue," in *Ancient Synagogues: Historical Analysis and Archaeological Discovery* (ed. Dan Urman, et al; StP-B 47.1; Leiden: Brill, 1995), 3–16. On the relationship of Egyptian architectural influence on Judaean synagogues, see Z. U. Ma'oz, "The Synagogue in the Second Temple Period as a Reflection of Alexandrine Architecture," *Bulletin of the Israeli Academic Center in Cairo* 18 (1994): 5–12. ⁴³ An exception, as we will see below, are the theories of Runesson, *Origins*.

authority of the Sadducees.⁴⁴ However, these theories have fallen out of favor, due largely to the absence of any direct connection between Pharisees and the early synagogues, and the lack of proof of rivalry between the Temple and synagogues.⁴⁵ As Lee Levine succinctly states, "the truth of the matter is, the Pharisees had little or nothing to do with the early synagogue, and there is not one shred of evidence pointing to a connection between the two."⁴⁶

Conversely, Levine himself influentially argues that the rise of Greek-style city planning would lead to the abandonment of the use of city gates as a place for civic assembly, which in turn would necessitate a location for a central assembly within the city in order to conduct civic governance, as well as to incorporate certain local religious practices from the gates.⁴⁷ Levine argues that the placement of the Gamla synagogue so close to the gate and along the outer-wall of the town makes sense given his theory.⁴⁸ This theory seems to be consistent with Josephus' own claims that the town council of Tiberias attempted to try him for poor leadership in the synaoguge (see chapter 2), as

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⁴⁴ See Solomon Zeitlin, "The Origin of the Synagogue: A Study in the Development of Jewish Institutions," in *The Synagogue: Studies in Origins, Archaeology, and Architecture* (ed. Joseph Gutmann; New York: Ktav, 1975), 14–26; Gutmann, "Synagogue Origins," 1–16. Hengel, "Proseuche und Synagoge," 27–54; Elias Rivkin, "Ben Sira and the Non-Existence of the Synagogue," in *In the Time of Harvest* (ed. D. J. Silver; New York: MacMillan, 1963), 320–54. Rivkin and Hengel both differentiate the προσευχή and the συναγωγή as two separate institutions. Gutmann rejects the use of προσευχή in this period out of hand.

⁴⁵ For a clear and concise problematization of Pharisaic and Rabbinic involvement in the synagogues prior to the fourth century CE, see Seth Schwartz, *Imperialism and Jewish Society* (Princeton: Princeton University Press, 2001), 221–39. As Schwartz shows, the Rabbis had no role in the origin or diffusion of the synagogue, and only half-heartedly accepted them, as forbidden acts (like public feasts) were a continual part of the community's life, until the Rabbis established their authority and attempted to regulate the activities of the synagogue.

⁴⁶ Levine, *Ancient Synagogues*, 41. See also Shaye J. D. Cohen, "Were Pharisees and Rabbis the Leaders of Communal Prayer and Torah Study in Antiquity?: The Evidence of the New Testament, Josephus, and the Early Church Fathers," in *Evolution of the Synagogue* (ed. Lynn Cohick and Howard Clark Kee; Harrisonburg; Trinity Press International, 1999), 89–105; Runesson, *Origins*, 135–40.

⁴⁷ Levine, *Ancient Synagogue*, 28–44.

⁴⁸ Levine, Ancient Synagogue, 37–38.

courts led by the town council were one of the key functions of the earlier city gates.

Donald Binder follows Levine's argument, though he contends that the Temple was also turned into an agora at this time, which would lead to a 'temple-like' nature of the earliest synagogues. These theories are able to account for many of the organizational and non-liturgical aspects of the first-century synagogue, such as tribunals or meetings of the town council in synagogues. However, as with many other theories, much has to be inferred, as no source speaks directly of the connection between city gates and synagogues. This is not to say that no connection exists, but rather that the sources themselves do not directly speak of such a developmental link.

As the first unequivocal, literary evidence of synagogue terminology is found in the early Roman Period (e.g. Josephus, Philo, New Testament), many scholars present this era as the only reliable *terminus post quem* for the institution.⁵¹ Horsley argues that synagogues at this time were village assemblies, which were only peripherally religious in nature, though he is notably vague on the dating of the synagogue as an instution with any religious importance.⁵² Likewise, Rachel Hachlili claims that the synagogue as a religious institution appeared only after 70 CE, as prior to this period synagogues lacked any perceptible standardization or 'canonical' status.⁵³ However, as Runesson has pointed out, Hachlili remains ambivalent regarding the level of religious observance occurring

⁴⁹ Binder, *Into the Temple Courts*, 218–20. The ambiguity of 'temple-like' remains problematic.

⁵⁰ See for example in *AJ* 14.235; *Vita* 271–303.

⁵¹ See Grabbe, "Synagogues," 410; Paul J. M. Flesher, "Palestinian Synagogues before 70 CE: A Review of the Evidence," in *Ancient Synagogues: Historical Analysis and Archaeological Discovery* (ed. Dan Urman, et al; StP-B 47.1; Leiden: Brill, 1995), 27–39.

⁵² Richard Horsley, *Galilee: History, Politics, People* (Valley Forge: Trinity Press International, 1995), 222–37:

⁵³ Rachel Hachlili, "The Origin of the Synagogue: A Re-Assessment," JSJ 28 (1997): 34–47.

pre-70, and the later (i.e. second to third centuries CE) synagogues which she points to as examples of standardization are far from uniform themselves.⁵⁴ Thus, while Hachlili is correct to point out a variety of influences, contrary to theories with single points of origin and static natures, her reconstruction is still somewhat unsatisfying.

Other scholars have gone even further with their skepticism about the synagogue as an institution in the early Roman Period. Howard Clark Kee argues that prior to the second century CE synagogues were informal gatherings in private homes or improvised public spaces. Kee states that no clear evidence in the texts or archaeology point to purpose-built synagogues, and, further, that if a carpenter's son could teach in a synagogue (see Luke 4), it could not have been an official institution. Stopecifically, Kee argues that based on linguistic and archaeological grounds, $\sigma \nu \nu \alpha \gamma \omega \gamma \gamma \gamma m$ may only be taken to mean a voluntary meeting, rather than a religious institution (though he admits that Luke 7:5 must be excepted), and thus only in the mid-second to third centuries CE did purpose-built synagogues become a reality. However, Richard Oster and Kenneth Atkinson both wrote replies to this article in which they challenged Kee's use of the New Testament and other sources as tendentious. Likewise, John Kloppenberg decisively refuted Kee's attempts to re-date the Theodotus Inscription, which unequivocally speaks of a purpose-built, first-century synagogue in Jerusalem. Kee has written two responses

⁵⁴ Runesson, *Origins*, 153–55.

⁵⁵ Howard Clark Kee, "The Transformation of the Synagogue after 70 CE: Its Import for Early Christianity," *NTS* 36 (1990): 1–24.

⁵⁶ Richard Oster, "Supposed Anachronism in Luke-Acts' use of συναγωγή: A Rejoinder to H. C. Kee," *NTS* 39 (1993): 178–208; Kenneth Atkinson, "On Further Defining the First-Century CE Synagogue: A Rejoinder to H. C. Kee," *NTS* 43 (1997): 491–502. See also van der Horst, "Was the Synagogue," 18–23. ⁵⁷ Kloppenberg, "Dating Theodotus," 243–80.

to these challenges, but ultimately fails to convince. 58 Carsten Claußen likewise argues that while some purpose-built synagogues did exist, most would still have met in homes.⁵⁹ While this is a welcome softening of Kee's position, it still relies upon vagaries in the texts and a perceived silence in the material corpus.

Another challenge to the existence of the synagogue as a religious institution in the first century has been that of Heather McKay. McKay claims that there exists no clear evidence for any form of Sabbath worship in the first century CE. In order to make this claim, McKay systematically seeks to dismiss the usual examples of the synagogue as a religious, Sabbath institution. This rejection of evidence includes a number of passages from Josephus that illustrate the existence of a synagogue institution during the first century CE. While she admits that Torah instruction occurred in this period, it was a purely educational (i.e., non-liturgical) endeavor. Due to the systematic nature of McKay's challenge, her work will be countered at various, relevant points in the present study. It suffices to note that most scholars have dismissed her work as tendentious and prone to special pleading.⁶⁰

Other scholars have attempted to use various archaeological remains in order to produce a more accurate picture of the architectural or spatial development of synagogues in the Land. For example, Michael Avi-Yonah attempts to sketch a three-step typology as

⁵⁸ Howard Clark Kee, "The Changing Meaning of a Synagogue: A Response to Richard Oster," NTS 40 (1994): 381–83; idem, "Defining the First Century Synagogue: Problems and Progress," NTS 41 (1995): 481-500.

⁵⁹ Carsten Claußen, Versammlung, Gemeinde, Synagoge: Das hellenistisch-jüdische Umfeld der *frühchristlichen Gemeinden* (StUNT 27; Göttingen: Vandenhoeck & Ruprecht, 2002). ⁶⁰ See van der Horst, "Was the Synagogue," 8–43; Runesson, *Origins*, 193–96.

follows: 1) Galilean, 2) Transitional Broadhouse, and 3) Byzantine. ⁶¹ The early Galilean synagogues faced Jerusalem with an ornamental facade and three rows of columns, examples of which include Capernaum, Chorazin, and Meiron. The Broadhouse synagogues incorporated Torah shrines and faced one of the broad walls towards Jerusalem. However, as archaeological arguments sometimes do, this typology has fallen by the wayside due to subsequent analysis of the finds, which have shown that the dating of these synagogues was incorrect. Jodi Magness contends convincingly that the 'Galilean-type' synagogue was actually a Byzantine phenomenon, based on the numismatic evidence. ⁶² Such issues of dating and typology will inevitably arise as synagogues continue to be excavated and archaeological methodology progresses.

While the above sketch of synagogue studies has emphasized either the presentation or challenging of early synagogue reconstructions based on ideas about singular origins or natures, recent works have offered a welcome problematization of such linear, monogenetic theories. Chief among these challenges is that of Anders Runesson. Runesson begins by noting and challenging the proclivity of other scholars to emphasize only limited aspects of the synagogue in order to present these linear models. Runesson counters that early synagogues show clear signs of having specific spatial, institutional, liturgical, and non-liturgical aspects; according to Runesson, only theories which account for all aspects should be considered viable. Runesson himself argues for

⁶¹ Michael Avi-Yonah, "Ancient Synagogues," in *The Synagogue: Studies in Origins, Archaeology, and Architecture* (ed. Joseph Gutmann; New York: Ktav, 1975), 98–99.

⁶² Jodi Magness, "The Question of the Synagogue: The Problem of Typology," in *Judaism in Late Antiquity: Part 3: Where We Stand: Issues and Debates in Ancient Judaism, vol. 4: The Special Problem of the Synagogue* (ed. Alan J. Avery-Peck and Jacob Neusner; HO 1.55; Leiden: Brill, 2001), 18–26. ⁶³ Runesson, *Origins*, 34–35.

a polygenetic genesis for synagogues, as he states that this institution originates in public synagogues in the Land and association synagogues in the Diaspora. Indeed, many subsequent scholars affirm the multiple influences and aspects of the synagogue.⁶⁴

The present study will support a reconstruction of the early synagogue that cannot be reduced to a single, specific origin story and purpose. Far too often, Josephus and his contemporary writers have been read in tendentious ways in order to make them fit into various simplistic narrativizations of synagogue development. As we shall see in the chapters below, Josephus seems aware of synagogue origin theories similar to those advocated by certain modern scholars and provides some evidence for other theories. The nuance and variation with which an early writer like Josephus presents the synagogues in the first century CE are themselves enough to caution against simplistic, monogenetic theories of synagogue origins. Thus, the present study will consciously challenge such trends in order to understand better Josephus' perception and conception of the synagogue as a necessary pre-requisite to clarifying the development of the early synagogue. Further, in the argument below, I will show that Josephus himself is trying to outline the nature of this institution and exploit the origins and development of the synagogue as he understands them, in order to present this institution to his contemporaries as a viable and long-standing institution for supra-local assemblies in the decentred Jewish culture after 70 CE. That Josephus himself treats the synagogue as an enduring element of Jewish society should lead us to take this institution seriously during the Second Temple Period,

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⁶⁴ E.g., Rachel Hachlili, *Ancient Synagogues—Archaeology and Art: New Discoveries and Current Research* (HO 105; Leiden: Brill, 2013), 16. It should be noted that Lee Levine also acknowledges that synagogues in the Land and Diaspora likely evolved separately before the first centuries; Levine, *Ancient Synagogues*, 44.

no matter how outlandish his claim of Mosaic origins might seem to the modern historian. Josephus offers us a perspective through which to view the synagogue, and we will do well to consider seriously what he has to say. In order to do so, however, we must first consider the question of how to understand his writings.

2. Synagogues in Josephus

Few works have sought to understand the place of the synagogue in the writings of Josephus in particular. This is partly due to the skepticism of many previous scholars regarding our ability to rely upon the historical witness of Josephus, as we shall see below. Here, I will survey the few, short works which have sought to use Josephus as a source for synagogue studies, in order to situate the present work.

Possibly the most influential essay relating to Josephus' understanding of the synagogue has been that of Arnaldo Momigliano. Momigliano argues that Josephus did not understand the synagogue tradition. ⁶⁵ He bases this assertion on the absence of a Rabbinic-led institution of scripture reading and commentary in the writings of Josephus. 66 However, at no point does he deal with the numerous synagogue terms or descriptions used for set meetings of various groups of Jews in Josephus' writings. Pharisaic-Rabbinic control of the synagogue has been roundly rejected in subsequent years by synagogue scholarship, which renders Momigliano's statements moot.⁶⁷

⁶⁶ Momigliano, Essays, 71.

⁶⁵ Arnaldo Momigliano, Essays on Ancient and Modern Judaism (ed. Silvia Berti; trans. Maura Masella-Gayley; Chicago: University of Chicago Press, 1994), 70-74 [the original Italian article was published in 1984].

⁶⁷ See Levine, Ancient Synagogue, 40–41; Runesson, Origins, 138–47; Cohen, "Were Pharisees," 89–105. See discussion in previous section.

Another work which has attempted to understand the synagogue data found in Josephus is a short essay by Per Bilde. As with most of Bilde's other work on Josephus, it is marked by a high level of optimism regarding the amount of historical data that can be mined from the narratives and pronouncements of Josephus. This 'fact-mining' is evident in his listing of many of the texts that use assembly terminology (including times in which books are assembled, e.g., AJ 1.10). Only 12 years after declaring that Momigliano was correct in his assessment of Josephus' lack of synagogue knowledge, ⁶⁸ Bilde wrote this catalogue of synagogue texts that affirms the historical accuracy of the picture in Josephus' works when they are read at face value, so long as these works are read with adequate attention to literary methods. ⁶⁹ However, Bilde takes Josephus at his word far too quickly. For example, his treatment of the synagogue encroachment at Caesarea Maritima in BJ 2.284–92 states that this episode describes a ritual desecration, though with little question of why it is a desecration or why this was so important as to start a war. ⁷⁰ Such purely historicist readings lead to a lack of historical acumen when treating the relevant pericopae. These readings also betray a lack of attention to Josephus' own rhetoric, which Bilde in his writings on Josephan hermeneutics states as paramount to understanding Josephus, as we will see below.

Unlike Bilde, Frowald Hüttenmeister utilizes primarily comparative methods in assessing the relevant passages in Josephus. Using mostly New Testament and Rabbinic texts, Hüttenmeister declares Josephus' passages relating to synagogues accurate, if

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⁶⁸ See Per Bilde, *Flavius Josephus between Jerusalem and Rome: His Life, his Works, and their Importance* (JSPSupp 2; Sheffield: JSOT Press, 1988), 166.

⁶⁹ Per Bilde, "Was hat Josephus über die Synagogue zu sagen?" in *Internationales Josephus-Kolloquim Brussell 1998* (ed. U. Jürgen; Münsteraner judaistische Studien 4; Münster: Lit Verlag, 1999), 15–35.
⁷⁰ See ch. 4 for discussion of this text.

somewhat tendentious.⁷¹ In his two articles, Hüttenmeister argues that Josephus provides clear proof that the various terms used of synagogues denote the same institution and that this institution is consistent with other representations in early Christian and Rabbinic literature and inscriptions.⁷² While the former conclusion can be affirmed to some degree due to the rhetorical consistency of these passages, the latter conclusion moves beyond what can be proven with such brief treatments, especially given his face value readings of Josephus' works. For example, while many of the passages in Josephus do agree with the importance of Torah reading in synagogues as described in the Theodotus Inscription,⁷³ this tells us nothing in particular regarding why this was important to Josephus nor is this comparative methodology able to deal with the dissimilarities between the two sources, including the use of the synagogue to house pilgrims spoken of in the inscription.

The final work to be treated is a study by Samuel Rocca. In this study, Rocca wisely limits himself to a single passage (*Vita* 271–303) and attempts to understand this pericope within its larger literary and historical contexts. Rocca argues that this passage may be used to affirm the inclusion of various functions—most notably courts, council meetings, and religious assembly—in the meeting of the $\pi\rho\sigma\sigma\nu\chi\eta$ in this narrative of *Vita*. ⁷⁴ Rocca even argues (problematically, as we shall see in ch. 2 below) that the

⁷¹ Frowald G. Hüttenmeister, "Synagoge und Proseuche bei Josephus und in anderen antiken Quellen," in *Begegnungen zwischen Christentum und Judentum in Antike und Mittelalter* (ed. Dietrich-Alex Koch and Hermann Lichtenberger; Göttingen: Vandenhoeck & Ruprrecht, 1993), 163–81; *idem*, "Συναγωγή, προσευχή, und τόπος bei Josephus und der rabbinische Hintergrund," in *Internationales Josephus-Kolloquim Aarhus 1999* (ed. Jürgen Kalms; Münsteraner judaistische Studien 6. Münster: Lit Verlag, 2000), 77–96.
⁷² See esp. Hüttenmeister, "Συναγωγή," 94.

⁷³ See Hüttenmeister, "Συναγωγή," 171.

⁷⁴ Samuel Rocca, "The Purposes and Functions of the Synagogue in Late Second Temple Period Judaea: Evidence from Josephus and Archaeological Investigation," in *Flavius Josephus: Interpretation and History* (ed. Jack Pastor, Pnina Stern, and Menahem Mor; SJSJ 146; Leiden: Brill, 2011), 295–313.

προσευχή found in Tiberias in this passage is likely the same monumental, dyplastoon synagogue mentioned in various Rabbinic texts.⁷⁵ While Rocca's study is better argued than those previously mentioned, his latter point regarding the monumental synagogue is endemic of the problem found in many studies: Josephus is merely judged historically reliable based on a comparison with other corpora, rather than by seeking Josephus' rhetorical goals and how these synagogue passages fit within such goals.

As pointed out above, the common prioritization of Rabbinic literature in past studies is based on anachronistic use of these later texts, through which Second Temple data is viewed and understood. This inevitably obscures Josephus' own witness to the synagogue. The current study will show that Josephus' later works present a coherent, if tendentious, picture of the synagogue as a central institution in first-century Judaism. This will be argued using a minimum of comparative data, as comparison must be preceded by proper understanding of the texts themselves. The short treatments that I have listed above do not adequately investigate Josephus' intentions and rhetorical strategies in order to evaluate his perception and conception of the synagogue. The importance of Josephus' perspective should lead us to analyse Josephus' rhetoric and the ocean of secondary literature that has been produced in the scholarly study of this writer.

3. Josephus as a Historical Source

The use of Josephus as a historical source is an endeavor fraught with danger. One of the most difficult issues is the variety of opinions regarding Josephus' trustworthiness as a historical witness. I will therefore begin this section with a brief look at the problem

⁷⁵ Rocca, "Purposes," 304, citing m. Erub. 10:10; y. Šeqal.7:5, 50c; Midr. Ps 93.

of generalizing views regarding Josephus as a historical witness. Following this, I will continue with a brief survey of key theories and voices in the study of Josephus, in order to situate the present work in the wider spectrum and history of Josephan scholarship. A proper understanding of Josephus and his historiographical and literary tendencies are of the utmost importance if we are to understand and use his treatment of Jewish institutions in historical reconstructions of first-century Judaism.

There is little doubt that Josephan scholars of all stripes will agree both that Josephus' works are of prime importance for the study of Second Temple Judaism, and that Josephus is one of the most difficult sources to use when Second Temple Judaism is to be reconstructed. However, how we understand this problem and move forward in dealing with it are often two of the largest conundrums, as scholars seek to find productive methods and to situate themselves within the field of Josephan studies. Far too often, scholars have based their understandings of the field on untenable binary oppositions, from the evaluative (e.g., "he is historically reliable" vs. "he is not historically reliable"), to the methodological (e.g., "those who use source criticism care about history" vs. "those who use composition criticism only care about Josephus"). Such absolute pronouncements are often based on studies that are limited in scope, isolating specific sections on which the scholar is able to rest their conclusions and opinions. As Lester Grabbe argued decades ago,

The sweeping, summary statement is perhaps the bane of Josephus scholarship. . . Frequently, however, no such evaluation is possible, because the evaluation depends on which part of his work one has in mind. Josephus is perhaps typical of the Hellenistic historian—better than some and worse than others. Nevertheless,

the dominant conclusion is that each section of his history must be examined on its own merits.⁷⁶

What Grabbe refers to as the "dominant conclusion" shall be followed in the present work. Josephus wrote his histories in order to communicate his version of history.

Josephus' *tendenz*, opinions, and beliefs are themselves historically contingent and situated in his socio-historical milieu. The historian's rhetoric and conclusions are every bit as contingent upon historical cause and effect as any other aspect of the Second Temple Judaism. The present work is unapologetically interested in the rhetorical study of Josephus, and it will seek to explicate the wider implications of Josephus' understanding of Judaism and utilize various historical-critical tools where appropriate.

While the works of Josephus were kept and copied for a millennium and a half in the Christian Church, the Enlightenment occasioned a deep suspicion of Josephus' history, especially the *Testamonium Flavanium* (*AJ* 18.63–64), which lauded the works and life of Jesus. By the 19th century, the work of Josephus had all but been relegated to the refuse bin due to Josephus' questionable morals and his perceived lack of ability in editing his sources. For example, in his study of *AJ* 12–17, von Destinon argues that Josephus slavishly and uncritically copied other, uncited histories and compendia, which von Destinon termed *middle sources*, in order to write his own poorly synthesized histories.⁷⁷ Conversely, Heinrich Luther rejects the trustworthiness of Josephus based on the perceived incongruity between Josephus' own actions and his claims about these

⁷⁶ Lester L. Grabbe, *Judaism from Cyrus to Hadrian* (vol. 1; Minneapolis: Fortress Press, 1992), 1.11.

⁷⁷ J. von Destinon, *Die Quellen des Flavius Josephus in der Jüd. Arch. Buch XII – XVII—Jüd. Krieg. Buch I* (Kiel: Lipsius, 1882), 19–39.

actions and history.⁷⁸ Gustav Hölscher combines such perspectives in his complete rejection of Josephus as a historian; as Josephus was not trustworthy from a moral standpoint, we should not trust that he had done any more than compile various sources.⁷⁹ The spectre of such anonymous sources has led many scholars to dismiss Josephus as a historian.

However, a number of scholars pushed back against such attacks on Josephus' reliability. For example, Hans Drüner argues that von Destinon's claims about Josephus' use of sources are unjustified, as we may discern a coherent and consistent set of formulae for citation throughout *AJ* 12–13, which we are able to affirm through Josephus' use of extant sources. Henri Bloch takes another route, as he argues that Josephus was an adept and creative redactor of his sources. However, the most famous and effective attack on the belief that Josephus was a '*stumpfter Abschreiber*' (i.e., 'Stupid Copyist') is mounted in the work of Richard Laqueur. Laqueur argues that the application of source criticism to the writings of Josephus fails precisely because it relies on formal, external criteria for understanding the issues and inconsistencies in Josephus' writing, rather than

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⁷⁸ Heinrich Luther, *Josephus und Justus Tiberias: Ein Beitrag zur Geschichte des jüdische Aufstandes* (Halle: Wischan & Burkhardt, 1910), 15.

⁷⁹ Gustav Hölscher, "Josephus," *PWRE* 18 (1916): cols. 1951–94.

⁸⁰ Hans Drüner *Untersuchungen über Josephus* (Marburg: John Hamel, 1896), 70–94; See also Benedictus Niese, "Der jüdische Historiker Josephus," *Historische Zeitschrift* 40 (1896): 218–19, 35; E. Täubler, "Die nicht bestimmbaren Himweise bei Josephus und die Anonymushypothese," *Hermes* 51 (1916): 211–32.

⁸¹ Henri Bloch, *Die Quellen des Flavius Josephus in seiner Archäologie* (Leipzig: M. Sändig, 1968), 7. Bloch does note some inconsistency, however. For one example, Bloch notes Josephus anti-Herodian stance in *AJ*, which would mean that any pro-Herodian statement must have been overlooked as it was quoted from a pro-Herodian source. See Steve Mason, *Josephus, Judea, and Christian Origins* (Peabody: Hendrickson, 2009), 108. Cf. Tamar Landau, *Out-Heroding Herod: Josephus, Rhetoric, and the Herod Narratives* (AJEC 63; Leiden: Brill, 2006).

understanding Josephus as a creative writer. 82 Laqueur bases his conclusions on a study of AJ 14, in which he argues that Josephus actually used Bellum judaicum as his primary source, though he made subtle changes in order to fit his rhetorical needs. 83 Laqueur supplants the understanding of Josephus as a passive compiler of sources with one of Josephus as an active forger and apologist for the Principate. Based upon Josephus' own life, Laqueur argues that Josephus was a respectable priest who slowly succumbed to all manner of egotism, treachery, and self-service, which would eventually lead to his role as a Jewish propagandist for the Flavian Dynasty.⁸⁴ Much of this criticism of Josephus' character and objectivity is followed by Hans Drexler, who argues Josephus writings are plagued by un-resolvable contradictions and consistency issues, such as the allegiances of Berenice, the relationship between Ananias the High Priest and his son Eleazar, or the relationship between Justus and Agrippa. For Drexler, the issues and events are at times inconceivable for the modern historian, as Josephus' relationship with Agrippa and his own treason force us to question the historical reliability of his writings. 85 The theories of Bloch, Laqueur, and Drexler would become immensely popular, leading to a boon in the composition criticism of Josephus.

Within a decade of Laqueur's work, Henry St. J. Thackeray pushed even further in the direction of Josephus' trustworthiness. While agreeing with Laqueur's argument that scholars must seek to understand Josephus' own aims and compositional techniques,

⁸² Richard Laqueur, *Der jüdische Historiker Flavius Josephus*, ein biographischer Versuch auf neuer quellenkritischer Grundlage (Darmstadt: Wissenschaftliche Buchgesellschaft, 1970), 129–32, 218, 241–42. ⁸³ Laqueur, jüdische Historiker, 128–29.

⁸⁴ Laqueur, jüdische Historiker, 245–78.

⁸⁵ Hans Drexler, "Untersuchungen zu Josephus und zur Geschichte des jüdischen Aufstandes 66-70," *Klio* 19 (1925): 277–312.

Thackeray rejects Laqueur's personal distrust of Josephus, as he argues that Josephus was attempting to write a legitimate history with a coherent political standpoint outside of his service to the Principate. So Thackeray affirms that Josephus' own self-presentation regarding his involvement in the Revolt and his subsequent benefaction by the Flavians are not enough to dismiss Josephus as a devout Jew or a legitimate historian. According to Thackeray, Josephus' inconsistencies can be attributed to a group of assistants, many of whom told their stories using different historical methods and schools. While Thackeray's arguments for a coherent and honest *tendenz* in the works of Josephus were influential, his assistant hypothesis was rejected by many scholars based on linguistic and generic consistency in the works of Josephus.

Another voice that sought a rhetorical goal in the writings of Josephus is Morton Smith. Unlike those who argue that Josephus was a pro-Roman apologist among the Jews, Smith claims that *Antiquitates* is actually an attempt by Josephus to advocate for the nascent Rabbinic circle at Yavneh as a viable local authority. ⁹⁰ However, as Steve Mason correctly argues, this argument fails due to a) the vagueness of the language for such a goal, b) the expectation that Roman readers would comprehend such an obscure

⁸⁶ Henry St. J. Thackeray, *Josephus: The Man and the Historian* (New York: Jewish Institute of Religion Press, 1929), 29.

⁸⁷ Thackeray, *Josephus*, 22–29.

⁸⁸ Thackeray, *Josephus*, 105–18. According to this hypothesis, the assistants were Sophoclean (*AJ* 15–16) and Thucydidean (17–19), respectively.

⁸⁹ G. C. Richards, "The Composition of Josephus' 'Antiquities," *CQ* 33 (1939): 36–40. Based on word usage and style, there is no reason to distinguish between these two assistants, nor is there any clear reason to see this as any more than the accidents of the author himself.

⁹⁰ Morton Smith, "Palestinian Judaism in the First Century," in *Israel: Its Role in Civilization* (ed. Moshe Davis; New York: Jewish Theological Seminary of America, 1956), 67–81.

purpose in Jewish allegory, and c) that our knowledge of what actually occurred at Yavneh is unsatisfactory. 91

Likewise, Helgo Lindner contends that Josephus was a conscious editor who presents a coherent view of history, which he applies to his main source for *Bellum*: an unnamed Roman history. ⁹² Unlike previous scholars who argue that Josephus was using an official, Roman source, ⁹³ Lindner contends that Josephus was responsible for more than a clumsy redaction, as he wrote a large portion of *Bellum* himself. ⁹⁴ This leads Lindner to advocate for greater emphasis placed on the literary study of Josephus' works for understanding his aims and themes.

According to Per Bilde, this movement away from questioning Josephus' character and abilities led to a resurgence of attempts to understand Josephus as a legitimate author. However, not all scholars of this period were so easily placed in one category or another. In his dissertation, *Josephus in Jerusalem and Rome*, Shaye J. D. Cohen addresses the similarities and differences between *Vita* and the corresponding sections of *Bellum* and *Antiquitates*. According to Cohen, Josephus attempted to render

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⁹¹ Steve Mason, "Should Anyone Wish to Enquire Further: The Aim and Audience of Josephus's *Judean Antiquities/Life*," in *Understanding Josephus: Seven Perspectives* (ed. Steve Mason; JSPSupp 32; Sheffield: Sheffield Academic Press, 1998), 71.

⁹² Helgo Lindner, *Die Geschichtsauffasung des Flavius Josephus im Bellum Judaicum* (Leiden: Brill, 1972).
93 A. Schlatter, *Der Bericht über das Ende Jerusalems: Ein Dialog mit Wilhelm Weber* (Gütersloh: Bertelsmann, 1923), 43–67; Wilhelm Weber, *Josephus und Vespasian: Untersuchungen zu dem Jüdischen Krieg des Flavius Josephius* (Berlin: Kohlhammer, 1921), 196. According to Schlatter, this source was the work of Antonius Julianus mentioned in *BJ* 6.238, whereas Weber argued that it must have been the official *commentarii* of the Flavian Dynasty.

⁹⁴ Lindner, Geschichtsauffasung, 99–125.

⁹⁵ Bilde, *Josephus*, 132. However, Bilde himself is attempting to present a narrative of Josephan scholarship moving away from negative treatments of the trustworthiness of Josephus (he often associates this dismissal of Josephus as a historian with source criticism), which he terms the 'Classical Conception,' in favor of more open and trusting readings of Josephus through composition criticism.

⁹⁶ Bilde accounts for this nuancing by accusing authors such as Schalit and S. Rappaport of inconsistency. See Bilde, *Flavius Josephus*, 135–37.

his sources faithfully, though he molded and chose his sources to suit his own intentions or to resolve difficulties. However, he did so in a "sloppy" manner. ⁹⁷ Cohen thus affirms both Josephus' creative nature and his fallibility. According to Cohen, we can discern movement from Josephus as a Flavian propagandist in his earlier work towards a fervent, Jewish nationalist in the time of Domitian. ⁹⁸ However, this also leads Cohen to argue that as a patriotic Jewish aristocrat, Josephus would have been in full support of the Revolt. ⁹⁹ According to Cohen, Josephus had a change of heart after writing *BJ* 1–6, moving from a full support of Roman power to a more earnest Jewish nationalism in order to court the favor of Yavneh. ¹⁰⁰ As Bilde notes, however, Cohen is not entirely consistent in these thematic statements and falls back too quickly to the belief that Josephus is too difficult to understand fully. ¹⁰¹

Another voice who would question Josephus' honesty due to his aristocratic allegiances is Martin Goodman. Goodman argues that in *Bellum* Josephus was seeking to suppress the Jewish aristocracy's active role in inciting the Revolt. According to Goodman, Josephus and Tacitus' accusations against the procurators as leading to the outbreak of the Revolt are too easy, as these officials had already fallen out of favor. The true catalyst was the power struggle amongst the ruling classes, as Josephus himself

⁹⁷ Shaye J. D. Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (CSCT 8; Leiden: Brill, 1979), 24–47.

⁹⁸ Cohen, *Josephus*, 239–40.

⁹⁹ Cohen, *Josephus*, 228–32.

¹⁰⁰ Cohen, *Josephus*, 85–100; 140–41. On the disjunction between *BJ* 7 and the rest of the work, see e.g. Seth Schwartz, "The Composition and Publication of Josephus' *Bellum Judaicum* Book 7," *HTR* 79.4 (1986): 373–86.

¹⁰¹ Bilde, Flavius Josephus, 139.

blames the Revolt on strife and discord. ¹⁰² For example, Goodman states that the crises in Caesarea and Scythopolis (*BJ* 2.284–308, 466–68) show a desire on the part of Jewish aristocrats to seize land. These oligarchs had become tired of waiting for a favorable ruling from Rome and used the strife as pretext to take what they desired. ¹⁰³ Thus, for Goodman, "the intercommunal violence of A.D. 70 may well have been the consequence rather than the cause of the revolt." ¹⁰⁴ However, the reader may note that such "reading Josephus against himself" is too easy. We simply lack any data to support the assumption that the Jewish leadership must have been to blame for the revolt. While Josephus clearly does seek to show that the aristocracy was not to blame, it does not necessarily follow that they must have been to blame. When we reject the pejorative connotations of rhetoric (which we must) we can no longer refer to rhetoric as proof of dishonesty. Such proof must be evident. While Goodman's emphasis on economic issues is indeed timely, he does not adequately move this thesis beyond the realm of speculation. ¹⁰⁵

At around the same time, an increase in composition-critical studies may be noted. For example, Tessa Rajak's programmatic study of Josephus' rhetoric in *Bellum* and *Vita* seriously damages the accepted disjunction between the two works, as Rajak analyzes the themes and goals of both works individually, while also rejecting much of the speculation

¹⁰² Martin Goodman, *The Ruling Class of Judaea* (Cambridge: Cambridge University Press, 1987), 14–25.

¹⁰³ Goodman, Ruling Class, 19.

¹⁰⁴ Goodman, Ruling Class, 18.

¹⁰⁵ See Steve Mason, *Josephus*, 39. "The main problem with [reading Josephus against himself] is that it must reduce Josephus' complex narrative to a sort of slogan or thesis, against which 'contrary' evidence may be especially valued; but if the narrative is filled with demonstrably deliberate and artful tensions, the rationale for such a procedure collapses. Reconstructing the real past is not as simple a matter as positing Josephus' thesis or 'position' and then finding things to contradict it."

about Josephus' own circumstances in his works. ¹⁰⁶ For Rajak, Josephus' aim to acquit the common Jewish people of the wrongdoing perpetrated by the Jewish insurgents and the maladroit Roman officials was consistent and well documented. His works follow contemporary historiographical forms, even if Josephus did make some changes due to differing goals in the two works. ¹⁰⁷ Overall, *Bellum* presents Josephus' own contribution as valiant and positive elements of a well-planned Jewish defense, whereas *Vita* 271–303 is meant to answer the various charges leveled against the author by his enemies. Minor changes include the inclusion of new material, chronological changes, and factual contradiction in *Vita* as compared to *Bellum*; however, both carry the same overall assessment of the causes behind the Revolt. ¹⁰⁸

Likewise, Per Bilde offers a more systematic treatment of the works of Josephus and their goals. As discussed above, Bilde affirms the trustworthy nature of Josephus' narratives and intentions. ¹⁰⁹ This is partly due to Bilde's generalization between the "Classical Conception" (i.e., deprecatory theories and treatments) and "Modern Conception" (i.e., allowing Josephus authority in matters of history) in the study of Josephus. According to Bilde, a proper understanding of Josephus' literary methods, patterns, and aims will allow for a proper, dependable reading of history through Josephus. ¹¹⁰ Likewise, in his treatment of the biblical paraphrase, Louis Feldman affirms that Josephus's treatment of the various biblical heroes, once we understand the Graeco-

¹⁰⁶ See Tessa Rajak, *Josephus: The Historian and His Society* (London: Duckworth, 1983; 2d ed., London: Duckworth, 2002 [originally published in 1984]).

¹⁰⁷ Rajak, *Josephus*, 104–73.

¹⁰⁸ Rajak, Josephus, 154.

¹⁰⁹ Bilde is willing to admit some embellishment and that Josephus does at times get "carried away." See Bilde, *Flavius Josephus*, 196, 205.

¹¹⁰ Bilde, *Flavius Josephus*, 196.

Roman influences (especially Dionysius of Halicarnassus) and tropes used (Feldman emphasizes Isocrates' "great personality" traits), shows a consistent and responsible use of biblical sources and ancient historical methods.¹¹¹

The increased interest in historiographical schools and influences was renewed in the early 1990's. While scholars such as Shutt, Thackeray, and Drüner had long ago ascribed certain tropes and methods to the requisite historiographical schools, the increased emphasis on rhetoric allowed for a more systematic interest to develop.

Gregory Sterling has written what remains the most complete and comprehensive study of Josephus' historiographical influences and methods, as he charts a path through both Roman and Jewish historians. Sterling separates the Thucydidean school of history found in *Bellum*, which was also followed by one of Josephus' named influences, Polybius of Megalopolis, from the more antiquarian, Herodotean School used by Josephus in *Antiquitates*, as well as Dionysius of Halicarnassus in his own larger history. However, Josephus goes well beyond these forms to use the methods and tropes of Jewish and non-Jewish apologetic historiography, which Sterling defines as,

the story of a subgroup of people in an extended prose narrative written by a member of the group who follows the group's own traditions but Hellenizes them in an effort to establish the identity of the group within the setting of the larger world. 113

¹¹¹ E.g., Louis Feldman, "Josephus' Portrait of Saul," *HUCA* 53 (1982): 45–99 (esp. 46–52).

¹¹² Gregory E. Sterling, *Historiography & Self-definition: Josephos, Luke-Acts, & Apologetic Historiography* (NovTSup 64; Leiden: Brill, 1992), 5–6, 240–54. Such attribution of influence was also made by many of those dealing with the biblical paraphrase, see Feldman and Thackery above, as well as Harold W. Attridge, *The Interpretation of Biblical History in the* Antiquitates judaicae *of Flavius Josephus* (HDR 7; Missoula: Scholars Press, 1976), esp. 145–64.

¹¹³ Sterling, *Historiography*, 17.

Such works include Manetho, Artapanus, and Berossus. For Sterling, this apologetical interest in historiography fits with the interest in both antique histories written by marginalized groups and the increased affirmation by modern scholars that history writing is a cultural act. ¹¹⁴ This level of specification allows us a more complete look at Josephus' various methods from which he was able to self-consciously draw.

An almost completely opposite view from that of Bilde regarding Josephus' rhetoric and its trustworthiness is taken by James McLaren. For McLaren, Josephus' rhetoric is so pervasive and consistent that it is almost impossible to move beyond Josephus' interpretive framework. McLaren contends that while there are some clear differences between Antiquitates and Bellum, the general outline of the narratives remains fairly coherent and follows the same general plotline. While Josephus utilized multiple sources in a responsible manner, sought historical truth, and separated his personal reflections from the historical facts, the modern historian is left with little certainty when separating the facts from Josephus' rhetoric. However, McLaren notes that even those scholars who reject Josephus' version of events tend to be inconsistent in drawing on Josephus, as they still inevitably follow aspects of Josephus' account and read at face value where it suits them. This state of affairs leads McLaren to seek some historical

¹¹⁴ Sterling, *Historiography*, 19. For an example of such a modern view, see the quote by Huizinga on page 1 of the present work. For the reciprocal nature of history shaping community and community remembering its history through its current ideological shape, see Ronald S. Hendel, *Remembering Abraham: Culture, Memory, and History in the Hebrew Bible* (Oxford: Oxford University Press, 2005), 7–9; following Jan Assmann, *Moses the Egyptian: The Memory of Moses in Western Monotheism* (Cambridge: Harvard University Press, 1997). It should be noted that the cultural importance of the Land of Israel was a key example in the theories of Maurice Halbwachs, one of the most important thinkers in the study of cultural memory. See Maurice Halbwachs, *La topographie légendaire des évangiles en terre sainte* (ed. Ferdinand Dumont; Paris: Presses Universitaires de France, 1941).

¹¹⁵ James S. McLaren, *Turbulent Times? Josephus and Scholarship on Judaea in the First Century CE* (JSPSupp 29; Sheffield: Sheffield Academic Press, 1998), 17.

¹¹⁶ McLaren, Turbulent Times, 46.

method for using Josephus.¹¹⁷ His approach involves taking each pericope independently, then isolating and extracting all elements of Josephus' own interpretive framework. This results in historical kernels, which may be synthesized for a rough picture of the events themselves.¹¹⁸ However, numerous scholars have pointed out the inconsistency and vagueness of this type of "case study" approach, which leads to little scholarly progress in terms of method.¹¹⁹

At the same time, however, source criticism continues to be well represented in the scholarly discourse regarding Josephus and history. Daniel Schwartz has been the most vocal proponent for the continued use of *Quellenkritik*, as he argues that composition criticism is unable to move us beyond the opinions and thoughts of Josephus himself, while source criticism allows the emphasis to remain on the historical sources. Schwartz' most sustained work has been his delimitation of sources in Josephus' narratives on Agrippa I and II, which he bases on perceived contradictions and inconsistencies, as well as formal citation formulae. Schwartz argues that a proper understanding of Josephus' sources will allow us to understand the workspace or

¹¹⁷ McLaren, Turbulent Times, 189–210.

¹¹⁸ McLaren, Turbulent Times, 252–59.

¹¹⁹ See Lorenzo DiTommaso, review of James McLaren, *Turbulent Times? JSJ* 30.3 (1999): 359–63; Morten Hørning Jensen, *Herod Antipas in Galilee* (WUNT 2.215; Tübingen: J. C. B. Mohr, 2006), 59; Mason, *Josephus*, 134–35. DiTommaso questions our abilities to segregate the historical kernel from the framework. Jensen further questions the objectivity of such matters and further argues that separating the stories from their literary context will inevitably lead to misunderstanding. Mason responds to McLaren by forcefully stating that, "We have no way to transmogrify selected pieces of [Josephus' work] into something more neutral, to decode it, disinfect it, or distill from it a residue of factual statements. That would require magic or alchemy, not history." (Mason, *Josephus*, 135–36).

Daniel R. Schwartz, *Agrippa I: The Last King of Judaea* (TSAJ 23; Tübingen: J. C. B. Mohr, 1990), xiii – xiv; *idem, Reading the First Century* (WUNT 300; Tübingen: J. C. B. Mohr, 2013), 2–5.

¹²¹ See Daniel R. Schwartz, "KATA TOYTON TON KAIPON: Josephus' Sources on Agrippa II," *JQR* 72 (1982): 241–68.

"tabletop" at which Josephus works as a historian. ¹²² For Schwartz, source criticism allows the reader to discern the sources and understand how Josephus used them. ¹²³

However, it is precisely here that many have questioned the methods and results of source criticism. Can statements by hypothetical sources tell us anything about history? Even at its best, such source criticism allows a subjective conjecture by the reader about possible mistakes by the redactor, based on perceived contradiction, to control the discourse and interpretation of the text. This leads to over-simplistic conclusions, such as the idea that Josephus could not have written anti-Pharisaic lines, because he was a Pharisee. 124 Further, this ignores the fact that we can be even less sure of the historical veracity of the accounts of such hypothetical sources than we are of Josephus himself. The age-old criticism of such methods, that they constitute an unverifiable reading of the critics own views of history back onto the author, should lead us to question the results. Steve Mason argues persuasively, following Bloch and others, that Josephus certainly used various unknown sources, from which he has quoted verbatim, though in the end he has integrated them so well that they cannot be extracted with any of the 'mathematical precision' to which Schwartz strives. According to Mason, Schwartz' programme is comparable to an attempt to reconstitute the eggs from a fully baked cake. 125

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¹²² Schwartz, *Agrippa I*, 2.

¹²³ Schwartz, *Reading*, 8–9.

¹²⁴ Hölscher, "Josephus," col. 1936; Daniel R. Schwartz, "Josephus and Nicolaus on the Pharisees," *JSJ* 14 (1983): 157–71. This view has been refuted by Steve Mason, *Flavius Josephus on the Pharisees* (St.P-B. 39; Leiden: Brill, 1991); *idem, Josephus*, 185–215. Mason has been able to show that Josephus was extremely forthright in his criticism of the Pharisees. Mason shows that scholarly understanding of Josephus as a Pharisees was based on a misunderstanding of Josephus' comments regarding his use of Pharisaic rulings (*Vita* 12) and the various comments regarding the sect's popularity based on their politically expedient rulings.

125 Mason, *Josephus*, 112.

Steve Mason himself remains the most vocal proponent of rhetorical methods in the scholarly study of Josephus. Early in his career, Mason advocated for the study of Josephus in terms of the historian's own writings, though keeping the intended audience in mind, a concern which he felt had been almost entirely absent in previous scholarship. 126 Contrary to past scholars who have argued that Romans would not have cared to read materials on Jewish culture and heritage, Mason argues that we find a sustained curiosity from Roman audiences and writers, ¹²⁷ which would justify such extended histories and argumentation about the history and culture of the Jews. Perhaps Mason's most important contributions have been, firstly, the emphasis placed on understanding the various pericopae within the context of the larger work and, secondly, the importance of explicit moral commentary and the primacy of national constitutions for understanding an ethnic group in the various Roman writers, including Josephus. The latter point is argued based on the preponderance of Roman historiographers who have displayed a clear correlation between proper following of a nation's constitution, the 'character' of the people, and a nation's success. ¹²⁸ This emphasis on constitution also leads Mason to argue that Josephus' idealization of oligarchy led him to criticize subtly the various biblical kings and Roman Principate, the latter of which he had long been

¹²⁶ Mason, "Should Anyone Wish," 64-65.

¹²⁷ E.g., Suet. *Dom.* 12.2; Tac. *Hist.* 5; Arr. *Epict. diss.* 2.9.20; Juv. *Sat.* 14.96–106. Steve Mason, "Flavius Josephus in Flavian Rome: Reading on and between the Lines," in *Flavian Rome: Culture, Image, Text* (ed. A. J. Boyle and W. J. Dominik; Leiden: Brill, 2003), 562.

¹²⁸ See Mason, "Flavius Josephus," 569–88; Steve Mason, "Introduction to the *Judean Antiquities*," in Louis H. Feldman, *Judean Antiquities 1–4*. (FJTC 3; Leiden: Brill, 2004), xxiv–xxix.

accused of treating obsequiously. 129 Thus, such moralization, rather than obviating Josephus' inclusion among the Roman history writing community, leads Mason to conclude that Josephus was adept at using the tropes and themes of other celebrated, Roman historians.

Such sustained emphasis on Josephus as a rhetorical artist has led to a greater stress placed on understanding Josephus as a writer, though it has also led Mason to question the ability of the modern historian to extract historically veracious data from Josephus. Mason admits that he himself is agnostic regarding our ability to find any historical truth behind the rhetoric of Josephus. Further, Mason contends that Josephus should not be considered an 'authority' on the history of Judaism, as the whole programme of modern historical study should avoid positivistic acceptance of the word of authorities. For Mason, ancient authors can at most provide the historian with a perspectival version of an event or set of events. This should lead us to focus primarily on the narrative of Josephus, rather than any history that stands behind the narrative.

While many subsequent scholars have rejected this agnosticism regarding Josephus' presentation of history, ¹³² I will follow many of Mason's cautions, as Josephus is at best a creative writer who presents a perspective on history through highly stylized narratives, which should keep us from accepting any historical reconstruction as fact. Increasingly, it has become important to understand the literary and historical context of

¹²⁹ See Mason, *Josephus*, 69–103; *idem*, "Of Despots, Diadems, and *Diadochoi*: Josephus and Flavian Politics," in *Writing Politics in Imperial Rome* (ed. W. J. Dominik, J. Garthwaite, and P. A. Roche; Leiden: Brill, 2009), 323–49.

¹³⁰ Mason, *Josephus*, 134–37.

¹³¹ Mason, Josephus, 7–43.

¹³² See e.g. Jensen, Herod Antipas, 68.

any Josephan text discussed, including how it relates to his ongoing development of thought. ¹³³ I do, however, acknowledge the legitimacy of Schwartz' rejoinder that even those who believe we can only know about Josephus through his writings are admitting *de facto* that we can know something about the first century; i.e., Josephus' view of the matters discussed is itself a historical referent. ¹³⁴ Such a perspective will be the goal of this work, as I argue that the works of Josephus exhibit a coherent understanding ¹³⁵ of the synagogue and that this understanding should be studied in the context of late first-century Judaism, when the Jewish people needed a supra-local institution in which to study and practice their ancestral Law and customs after the decentring of the Judaean state in 70 CE.

Theory, Methodology, and Prospect

The present study will seek to understand better Josephus' witness regarding the first-century synagogue and how he positioned this institution within his larger description of an ideal Judaism. It will do so utilizing rhetorical-critical and sociohistorical methods, in the hope of understanding this witness in both its rhetorical and

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¹³³ A prime example of such care in understanding Josephus' development of theology and social thought after the fall of Judaea and the Temple is Michael Tuval, *From Jerusalem Priest to Roman Jew* (WUNT 2.357; Tübingen: J. C. B. Mohr, 2013). Tuval argues persuasively that in *Bellum*, Josephus was a Judaean priest who had recently moved to Rome and continued to struggle with the fall of the Temple. Conversely, in *Antiquitates*, Tuval argues that Josephus was comfortable as a Diaspora Jew and he no longer relied on his connection to the Temple for his Jewish identity, as indeed Diaspora Jews had ceased doing long before. ¹³⁴ Schwartz. *Reading*, 4.

¹³⁵ By 'coherent understanding' I am referring to an understanding which can be explicated from the texts and applied in a consistent matter when the context and intended audience of the relevant passage are properly understood. Such coherence and consistency are evidence that Josephus' understanding is at least a partial representation of the synagogues as they were and their socio-religious functions, though this is more complicated, as we will see below. This consistency and coherence does not mean that Josephus does not idealize the institution or portray it in a way that is favorable to his rhetorical goals, but rather that we can understand such ideals and favorable uses when we understand Josephus' views and expectations of the synagogue.

historical contexts. However, while the present work will undertake a rhetorical study of Josephus, it will also seek to remedy the implicit prioritization of the conceptual over the material and the spatial in such readings. It will seek to understand the ways in which the spatial aspects of Josephus' lived Judaism are inscribed in his rhetoric. While it is not surprising that rhetorical methods tend to emphasize concepts, we must also understand how an author conceives and speaks of space, especially ideologically loaded space.

The rationale for such an approach is simple: we interact with and think about space differently from other 'things' in the world around us. To explicate the difference, we might compare a synagogue to a gladius (i.e., the common short-sword carried by Roman legionaires). Both synagogues and gladii are manufactured objects that might also carry certain ideal or metaphorical capital for the one in contact with them. Both can be symbols of pride based on the ethnicity of the people making use of them. However, like most objects, the gladius must be handled and used by the one wielding it for any efficacy. Conversely, a synagogue, as a space, may be affected by human usage to some extent, though its efficacy lies more in how it constrains and contains the actions of those inside. Such spaces are both object and context for those inside or even near them. Further, an individual or group will have certain spatial requirements and expectations as they act within a space. These expectations vary in time, place, and culture, a state of affairs which further complicates our understanding of how space is understood and described. Spatial studies have been gaining ground in academia, especially in the socialscientific studies of cultures and institutions, and this has led to a change in the way spaces are studied as a whole.

One particularly important and popular theory of space in the past couple of decades has been the Thirdspace theory of Edward Soja. Soja follows the theories of Henri Lefebvre, who argues that in order to understand how we conceive of space we must first understand that the actual space (historical space) should be held in dialectic with the ideals we have of a given space (abstract space). ¹³⁶ This is due to the inherently social nature of space, which will manifest itself in the ordering and use of said space based on the actions and expectations of those in the space. ¹³⁷ Soja developed Lefebvre's theories, however, as he added a third axis, leading from a dialectic to a trialectic of spatiality. Soja's three axes are the actual or perceived space (firstspace), ideal or conceived space (secondspace), and the lived experience of space as the first two spaces are combined in the cognition of those in the space (thirdspace). ¹³⁸ To state this simply, we do not merely experience the space itself, but we experience it as a combination of the space 'as it is' and as we want or expect the space to be. This theory is based on the notion that we have specific assumptions about how a space should be ideally experienced, which will inevitably affect how we act in and experience a given space. This distinction between the space itself and the experience of the space by individuals and communities is also important because it allows us to acknowledge that, as with any form of religious experience, we do not have access to the experience itself. Rather, we possess a textual articulation of the writer's experience or his experience of his tradition.

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¹³⁶ Henri Lefebvre, *The Production of Space* (trans. Donald Nicholson-Smith; London: Blackwell, 1991), 229–91.

¹³⁷ Lefebvre, *Production of Space*, 68–168.

¹³⁸ Edward W. Soja, *Thirdspace: Journeys to Los Angeles and Other Real-and-Imagined Places* (London: Routledge, 1996), 73–82. It should be noted, however, that Lefebvre did acknowledge the interplay between the two poles of the dialectic. He referred to this as 'representational space,' though this space was seen as limited in its scope. See Lefebvre, *Production of Space*, 49–50.

This shift towards the ontological mapping of the individual's or group's 'beingin-the world' (i.e., their interaction with the world around them in and through their
existence) is based largely on Martin Heidegger's idea of the *Dasein*, as we must navigate
the ontological trialectics of Historicality-Sociality-Spatiality in order to understand our
own relationship with our environment. That is to say, we are always being acted upon
by our own temporal nature, our social prerogatives, and the spaces which we inhabit.
How we view each of the points on this trialectic is the result of a dynamic interaction in
which each of these aspects of our existence acts upon the others as we continue to exist.
To do away with any of the above aspects of being is to misunderstand how we act and
are acted upon. So too, then, with the trialectics of space; we must analyse how the real,
ideal, and experiential aspects of a given space lead to how we understand this space. As
a combination of our perception and conception of space, lived space is a paradigm that
allows the individual an ongoing, dynamic interaction with space, as the individuals'
conception will inevitably change over time as spaces are perceived and experienced.

Alongside this existential element, Soja acknowledges a social element, as he further defines Thirdspace as,

an-Other way of understanding and acting to change the spatiality of human life, a distinct mode of critical spatial awareness that is appropriate to the scope and significance being brought about in the rebalanced trialectics of spatiality-historicality-sociality. ¹⁴⁰

This element of dynamic and subversive interaction with space allows the individual to redefine, reconfigure, and improvise spaces as their circumstances change, a state of

¹³⁹ Soja, *Thirdspace*, 68–69, 73. For a description of *Dasein*, see Martin Heideger, *Being and Time* (trans. John Macquarrie and Edward Robinson; London: S.C.M., 1962), 32. Heidegger defines *Daesin* as a contextual existence, in which our being is affected by and perceives multiple outside forces. ¹⁴⁰ Soia. *Thirdspace*, 10.

affairs that fits Josephus' use of the synagogue as a rallying point for the newly decentred Jewish people after 70 CE. Josephus is actively subverting Roman attempts to decentre Judaism as he presents this space as a supra-local institution which would act as a local centre for this marginalized population. This element of subversion in Soja's theory has been compared to Foucault's idea of 'heterotopia,' which describes a potential space in which new modes of sociality and the sites they inhabit are realized and practiced in a theoretical utopia, as social moors are represented, questioned, and inverted.¹⁴¹

The theory of Thirdspace has been used profitably in biblical studies to map understandings of the Tabernacle in the Pentateuch, ¹⁴² the geographic understanding of the Qumran Movement, ¹⁴³ Jesus' Kingdom of God, ¹⁴⁴ and even Paul's presentation of the Ephesian church community. ¹⁴⁵ The present work will use Soja's trialectics of spatiality to refine our understanding of how Josephus might have combined his perceived and conceived spatialities into a single rhetorical representation of his experience of first-century synagogues. This includes his presentation of earlier synagogues, which was

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¹⁴² Mark K. George, *Israel's Tabernacle as Social Space* (SBLAIL 2; Atlanta: Society of Biblical Literature, 2009).

¹⁴¹ Michel Foucault, "Of Other Spaces," *Diacritics* 16 (1986): 22–27. For the comparison of Thirdspace and Heterotopia theories, see Harry O. Maier, *Picturing Paul in Empire: Image, Text, and Persuasion in Colossians, Ephesians, and the Pastoral Epistles* (New York: Bloomsbury, 2013), 137–38.

^{Philip R. Davies, "Space and Sects in the Qumran Scrolls," in 'Imagining' Biblical Worlds: Studies in Spatial, Social, and Historical Constructs in Honor of James W. Flanagan (ed. David M. Gunn and Paula M. McNutt; JSOTSupp 359; Sheffield: Sheffield University Press, 2002), 81–98; Liv Ingeborg Lied, "Another Look at the Land of Damascus: The Spaces of the Damascus Domument in the Light of Edward W. Soja's Thirdspace Approach," in New Directions in Qumran Studies (ed. Jonathan G. Campbell, William John Lyons, and Lloyd K. Pietersen; LSTS 52; London: T & T Clark International, 2005), 101–25; George M. Brooke, "Room for Interpretation: An Analysis of Spatial Imagery in the Qumran Pesharim," in Dead Sea Scrolls: Texts and Contexts (ed. Charlotte Hempel; STDJ 90; Leiden: Brill, 2010), 309–24; Alison Schofield, "Em-bodied Desert and Other Sectarian Spaces in the Dead Sea Scrolls," in Constructions of Space IV: Further Developments in Examining Ancient Israel's Social Space (ed. Mark K. George; LHBOTS 569; London T & T Clark International, 2013), 155–73.}

Halvor Moxnes, "Landscape and Spatiality: Placing Jesus," in *Understanding the Social World of the New Testament* (ed. Dietmar Neufeld and Richard E. DeMaris; London: Routledge, 2010), 104–6.
 Maier, *Picturing Paul*, 137–44.

inevitably informed by his own perception and ideals of the synagogues in his own day as a supra-local institution. This perspective also makes better sense of Josephus' rejection of previously held Jewish land theologies in favor of a matrix of international communities, which would be rallied together through their common assemblies.

Thirdspace theory will help us to explicate the spatial elements of the rhetoric of Josephus, which have too often either been accepted as historical or dismissed as purely ideal. Josephus had little reason to guess or lie about synagogue space, though he would have spoken of such an institutional space as he experienced it at the time of his writing.

The resultant perspective regarding Josephus' treatment of synagogues should problematize postivisitic comparisons of various literary sources as if they represented the synagogue spaces 'as they were.' In order to compare such spaces, we should treat each witness as one perspective on what the synagogue was and what it meant to the individuals that comprised its assembly. This is not to say that comparison is not possible, but rather that it must be preceded by more detailed exeges of the texts being used and an understanding of each passage as it is presented by the author within the larger text.

I will use Thirdspace theory as a social model through which to understand how Josephus' rhetoric presents space rather than as the dominant method. Such heuristic use of this theory is due to the simple fact that this work is seeking to provide a rhetorical reading of Josephus, and it would not be beneficial to add method upon method, as this would inevitably lead to confusion and inconsistency. ¹⁴⁷ However, to ignore the

¹⁴⁶ E.g. Momigliano, "What Josephus," 67–78.

¹⁴⁷ A social model should be differentiated from a sociological law. In the latter, it is assumed structural parallels in all societies will lead to certain universal truths about these cultures or societies. A model, on the other hand, holds that the comparison of various societies leads to certain commonalities, though these

hermeneutical issues raised in the reading of ideologically charged narrative uses of given spaces would impoverish the discussion. Josephus' discussion of synagogue space is in the form of cultural critique. As such, it is important to ask the question of how this rhetoric of space contributes to our author's critique. Any rhetoric of space will inevitably be contingent upon how we understand and experience said space. With this model in mind then, I will show that Josephus' later works envision the synagogue as the supra-local centre for the practice and dissemination of the ancestral customs and Law of the Jewish people. Due to the fall of the autonomous Judaean state in 63 BCE¹⁴⁹ and the fall of the Second Temple in 70 CE, the Jews would need to find a new institution for organizing their society and religious practice, and the synagogue was an ideal fit. This ideal vision of the synagogue structured the Jewish institution as an ethnic association and

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commonalities must still be verified and taken as an analogy that helps the researcher compare, contrast, and predict based on certain social parallels, rather than expecting commonalities to lead to reductionistic laws. For the discussion of sociological models in the study of ancient history and religion, see Bengt Holmberg, *Sociology in the New Testament* (Minneapolis: Fortress Press, 1990), 12–17. See also Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basic Books, 1973), 5; Daniel J. Harrington, "Sociological Concepts in the Early Church: A Decade of Research," *TS* 41 (1980): 181–90.

148 While most spatial theorists would view spatial rhetoric as having critical potential, Isabel Hoving is correct to challenge spatial theorists to articulate the ways in which their theories contribute to a wider critique of culture and imperial structures. See Isabel Hoving, "Imagined space/Lived space, Alienation/Destruction, Singularity/Specificity: Testing Three Oppositions to Find Out What (Lived) Space Means," in *The Ideologies of Lived Space in Literary Texts, Ancient and Modern* (ed. Jacqueline Klooster and Jo Heirman; Gent: Ginkgo Academia Press, 2013), 122.

¹⁴⁹ This is based on the argument that Pompey's conquest and Gabinus' subsequent restructuring of Judaea into a vassal state meant the end of any true Judaean state. This state of affairs was further complicated by the imposition of Roman governors in 6 BCE. See Daniel R. Schwartz, "Introduction," in *Was 70 CE a Watershed in Jewish History? On Jews and Judaism Before and After the Destruction of the Second Temple* (ed. Daniel R. Schwartz and Zeev Weiss; AJEC 78; Leiden: Brill, 2012), 3; Nadav Sharon, "Setting the Stage: The Effects of the Roman Conquest and the Loss of Sovereignty," in *Was 70 CE a Watershed in Jewish History? On Jews and Judaism Before and After the Destruction of the Second Temple (ed. Daniel R. Schwartz and Zeev Weiss; AJEC 78; Leiden: Brill, 2012), 415–45; see also Lester L. Grabbe, <i>Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh* (London: Routledge, 2000), 333–34. Grabbe treats 63 BCE–67 CE as a transitional period with limited independence.

¹⁵⁰ See Grabbe, "Synagogues," 401–10. Followed by Sharon, "Setting the Stage," 438 – 49. While Grabbe states that this was the actual state of affairs, I will limit the scope and argue simply that this was Josephus' perspective.

emphasized the ongoing practice of Jewish ancestral customs and the Law. For Josephus, the synagogue is coterminous with the Law, as the Law is first presented in the assembly that formed as Moses descended Sinai. This representation of the synagogue is used to counter the slanderous representations of synagogues in anti-Jewish polemics, which present the institution as fraught with poor morals and questionable religious practices.¹⁵¹

I will thus begin by analysing how Josephus conceived of and experienced synagogue space. To this end, chapter one will deal with Josephus' most voluminous work: *Antiquitates judaicae*. After a brief argument for a new rhetorical structuring of the work, I will examine the programmatic presentation of the synagogue and its rights, practices, and international acceptance in the narratives and Roman *acta* of *AJ* 12–16. Following this, I will treat Josephus' retelling of the biblical history (*AJ* 1–11), in which he retrojects his idea of the synagogue back through the Pentateuchal narrative using the 'Congregation of Israel' as a referent. Josephus presents this institution as the norm until the imposition of the Monarchy. Finally, I will examine the place of the synagogue in the final books of *Antiquitates* (17–20), as he maps the movement towards the final political dissolution of Judaea, despite the success of Jews throughout the rest of the Empire.

In the second chapter, I will address one of the central narratives of *Vita* (271–303) and its use of the synagogue as a setting, in which the leadership and piety of Josephus' enemies is called into question based on their opposition to Josephus and their abuses of proper synagogue practice. While this narrative shows clear signs of what constituted a public synagogue, it also displays aspects of Josephus' later conception of

¹⁵¹ *AJ* 13.62–73; *C.Ap.* 2.10–11.

the synagogue as the central space in Jewish religious practice. However, this should not be surprising, as we would expect to find a similar conception of the Jewish institutions in both *Antiquitates judaicae* and its addendum.

The third chapter will be a discussion of Josephus' lone philosophical tractate, *Contra Apionem*, which seeks to counter specific arguments commonly leveled against the Jews, that the Jews were morally inferior to other nations. In this tractate, Josephus corrects misrepresentations of the synagogue and portrays this institution as the central assembly of the people, in which they learn the perfect constitution: the Jewish Law.

In the fourth chapter, I will argue that *Bellum judaicum*, Josephus' earliest history, lacks much of the programmatic portrayal of the synagogue as the central Jewish institution. As stated above, it will be argued that this history presents a synagogue that was portrayed as sacred in order to further the condemnation of the insurgents whom Josephus wishes to portray as in the wrong. However, we should note that *Bellum* still presents the synagogue as a central assembly for the Jewish community in the Diaspora and on the geo-spatial margins of the Land of Israel as Josephus defined them. He also separates synagogues open to all Jews from the sectarian assemblies of his ideal Jewish sect: the Essenes.

Finally, I will compare the Leontopolis narratives of *Bellum* and *Antiquitates*, arguing that AJ 13.62–73 provides us with a unique presentation of previous, negative examples of sacred synagogues, which housed inappropriate, heteropraxic meetings. These $i\epsilon\rho\dot{\alpha}$, while being treated as inauthentic, are congruent with the early Egyptian synagogues mentioned in various inscriptions and the conceptions of synagogues found in

other writers, such as Philo of Alexandria. This chapter will allow both a comparison between the spatial rhetoric of *Bellum* and *Antiquiates*, and it will argue that *Antiquitates* may indeed show some signs of knowledge of earlier Egyptian, temple-influenced synagogues in the writings of Josephus.

Through all of these chapters, it will be shown that Josephus had a dynamic, though ultimately coherent, idea of the synagogue as a central institution of assembly for the Jewish people. While this is the perspective of one ancient writer in all his complexities and idiosyncracies, it is nonetheless a perspective on historical realities. Josephus positioned the synagogue as his rhetorical needs dictated; however, such rhetorical pragmatism does not mean that Josephus would necessarily have been recounting events dishonestly. Josephus was telling the stories as he saw them from a post-Revolt perspective, at which time he had re-evaluated the synagogue based on his ever-changing ideals, to which he synchronized his perceptions of the past in order to create his lived experience (thirdspace). The testimony of this experience must be taken into account if we are to understand the ancient synagogue and its meaning for Josephus. Ultimately I will argue that greater care must be taken in how we investigate and use literary sources regarding early synagogues in synthetic presentations of Jewish institutions, as we must understand the intentions and rhetoric of the author before we may use any text in the reconstruction of early synagogue history.

Chapter 1: The Ideal Synagogue and Ancestral Customs in Antiquitates judaicae

Antiquitates judaicae was Josephus' most ambitious and detailed work. This history spans the creation of the cosmos to the twelfth year of Nero's reign (AJ 20.259), i.e., to the eve of the First Jewish Revolt. However, this work was no slavish attempt at presenting history as it happened (as if such were possible for any historian). In his paraphrasing of the Jewish scriptures and telling of the story thereafter, Josephus set out to draw a line of continuity from Sinai to the Judaism that he perceived in his own time. According to Josephus, in his post-war, Temple-less Judaism, the people would be ruled by their constitution, which was founded on Torah and the collection of customs developed over the years. However, beliefs and laws do not exist in a social vacuum, without recourse to education, group identity, and the ability of the people to adjudicate this constitution. How would the nation organize itself in this new form of Judaism?

The answer, according to Josephus' ideal portrait of Judaism, would be the supralocal institution of the synagogue. To this end, Josephus consistently presents the synagogue as being coterminous with the origin of the Jewish Law and ancestral customs. First forming at the foot of Mount Sinai, the synagogue would become the preferred institution for the assemblies of the Jewish people alongside the ideal Jewish constitution. As Josephus insists, this institution was upheld as legitimate and socially beneficial by the earliest emperors, and the rights associated with it would be upheld in the most turbulent periods of Jewish history.

In this chapter, I will argue that Josephus expends a great deal of effort to present the synagogue as an ideal (secondspace) institution in which the Jews practice and propagate their Law and ancestral customs; it is to be a permanent centre for the constitution of the nation and of group identity now that they have lost the Land and Temple. This picture is presented through a variety of putatively historical narratives, speeches, and legal decrees, which portray the historical synagogue (firstspace) as living up to the ideal in the lived experience of the Jews throughout their history. This argument is a move beyond the *a priori* historicist attempts simply to catalogue mentions of synagogues as data to be synchronized with other sources. Josephus understood the importance of synagogues and knew how they were organized and run, but he did not present the synagogues 'as they were.' Instead, he characterized them as an institution that fulfilled an important role in his ideal Judaism, though in a manner that was rooted in his own experience and perceptions.

I will begin by arguing for an alternative rhetorical structure and progression of the narrative in *Antiquitates* in order to supplant the current consensus structure, which over-emphasizes potential source divisions and obscures Josephus' consistent rhetorical themes and goals. This new structure emphasizes the narrative progression from the biblical paraphrase (*AJ* 1–11) to the period of Hellenistic and Roman domination of Judaea (12–20) and highlights the antiquity and licit nature of Judaism. This alternative structure also charts the rise of the fortunes of the Jews (*AJ* 12–16) before the subsequent Herodian and Roman leaders plunge the nation into the strife which will ultimately lead to the First Jewish Revolt (*AJ* 17–20).

Following this, I will present the relevant aspects of Josephus' historical tendenz illustrated in the penultimate section of the work (AJ 12–16). In the third section, I will trace this tendenz back through the beginning of this story (AJ 1–11), as Josephus writes his ideal Judaism back into the scriptural traditions in order to bolster the antiquity, continuity, and relevance of the synagogue, which he reads back into the founding of the nation and origin of its constitution. In the final section, I will address the occurrences, and conspicuous absences, of the synagogue in the final books of the work (AJ 17–20) as the nation hurtles towards the First Revolt, while also spreading across the Roman Empire. Throughout this story, we detect a consistent characterization of the synagogue as the ideal, supra-local centre of Jewish life, Law, and propagation for what in Josephus' estimation was a decentred Jewish nation. For Josephus, this emphasis on Law and ancestral customs in the synagogue is consistent with the pan-Diasporic institution at the end of the first century CE. The following presentation of the data on synagogues from Josephus will thus be a departure from purely historicist readings. Josephus does not present the synagogue 'as it was,' but rather he envisions an exemplary version of the institution within his idealized vision of post-Revolt Judaism.

1.1 The Rhetorical Structure of Antiquitates judaicae

While the rhetorical study of Josephus has rightly taken hold of the scholarly discussion of this elusive author, most researchers still follow the narrative structure of *Antiquitates* proposed by Harold Attridge in the 1980's, which is based on precisely the *Quellenkritik* theories that such scholars of rhetoric seek to overturn. In this section, I will present the consensus structure in order to show its shortcomings and ultimately argue for

an alternative rhetorical structure for *Antiquitates judaicae*, which will be followed in this chapter. As this alternative structure will indicate, the synagogue and its place in Josephus' portrait of Judaism are illustrated and emphasized in a consistent manner.

Prior to the mid-twentieth century, few scholars had committed much energy to the delimitation of *Antiquitates*' structure beyond putative sources. Henry St. J. Thackeray noted a symmetrical bifurcation based on the First Temple (AJ 1–10) and Second Temple (AJ 11–20), as well as the possible influence of Dionysius of Halicarnassus in the use of 20 books. 152 However, neither the bifurcation nor the Dionysian influence are adequately elaborated upon. In his 1984 survey of the writings of Josephus, Harold Attridge also presents a literary structure for *Antiquitates* which splits the narrative into two equal halves at the end of book 10.¹⁵³ Following Thackeray, this structure separates these halves based upon the parallel of the falls of the First (10) and Second (20) Temples, intersected by the Babylonian Exile. The rise of Israel (1–5) thus mirrors the restoration of Judaea (11–13). ¹⁵⁴ The first half is then split into two sections: the rise of Israel (1–5) and the evolution and fall of Israel (6–10). The second half, however, is split into three sections (already calling the parallel into question): the post-Exilic and Hasmonean history (11–13), rise and fall of the Herodian Kingdom (14–17), and ending with a block of material for which Attridge can find no clear overriding theme (18-20).

¹⁵² Thackeray, Josephus, 58, 69.

Harold W. Attridge, "Josephus and His Works," in *Jewish Writings of the Second Temple Period* (ed. Michael E. Stone; CIRNT 2.2; Assen/Philadelphia: Van Gorcum/Fortress Press, 1984), 211–215.

While many ancient texts are bifurcated and follow similar patterns, this structure is somewhat over-generalized and unclear, as the final major section's lack of cohesion illustrates. Another problem arises in that the delimitation of the penultimate section is argued based upon the perception of Josephus' uncritical usage of the works of Nicolas of Damascus in 14-17, 155 a theory that has largely fallen out of favor. Further, we may question Attridge's claim that the major theme of AJ 14-17 is the rise and fall of the Herodian Kingdom, as Josephus continues to treat the Herodian dynasty throughout books 18-20, especially in the person of Agrippa I. The fact that Nicolas' memoirs of Herod are mentioned in AJ 15.174 as the source for portions of this narrative does not necessitate the assertion that the entire major section is comprised of uncritical copying of such a work. Despite these problems, this general structure has been elaborated on and used by a majority of scholars until the present, with a resultant dearth of fresh insight into exactly how Josephus sought to structure his overall argument.

Per Bilde utilized Attridge's structure in his introduction to the works of Josephus. ¹⁵⁶ In elaborating on *AJ* 11–20, Bilde begins by labelling the various subsections "Restoration" (11–13), "First Phase of the Second Fall: Herodians" (14–17), and "Second Phase of the Second Fall: National Disintegration" (18–20). It should be noted at the outset that Bilde certainly recognizes and deals with many of the issues raised by Attridge's structure, though Mason is correct to argue that insufficient argumentation is

¹⁵⁵ Attridge, "Josephus and His Works," 214–15; see also Shaye J. D. Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (CSCT 8; Leiden: Brill, 1979), 52–58.

¹⁵⁶ Per Bilde, *Flavius Josephus between Jerusalem and Rome: His Life, his Works, and their Importance* (JSPS 2; Sheffield: Sheffield Academic Press, 1988), 89–91.

offered for many of Bilde's points. ¹⁵⁷ Firstly, Bilde recognizes that the symmetrical halving of *AJ* functionally separates the final book of the biblical paraphrase (11) from the preceding books. He argues unconvincingly, however, that this is acceptable because books 1–10 consist of the law and the prophets, while the final book of the paraphrase is made up of the writings. ¹⁵⁸ This is problematic for two reasons: a) Josephus synchronizes many of the writings in the body of books 1–10, including harmonizing Samuel-Kings with Chronicles and placing Ruth and Daniel where they fit chronologically, and b) too little is actually known about how a first-century author and his readership would view a bipartite or tripartite scriptural canon. ¹⁵⁹ Bilde, following Thackeray and Attridge, also

¹⁵⁷ Steve Mason, "Introduction to the *Judean Antiquities*," in Louis H. Feldman, *Judean Antiquities 1–4* (Leiden: Brill, 2004), xx.

¹⁵⁸ Bilde, Flavius Josephus, 89.

¹⁵⁹ The possible mention of a tripartite canon in 4QMMT C 10–11 (as reconstructed in Elisha Qimron and John Strugnell, DJD X, 58–59) has led to renewed discussion of an early date for a tripartite canon. However, the reconstruction has been challenged as an anachronism by Timothy Lim and Eugene Ulrich. See Timothy H. Lim, "The Alleged Reference to the Tripartite Division of the Hebrew Bible," RevQ 20.1 (2001): 23–37; Eugene Ulrich, "The non-Attestation of a Tripartite Canon in 4QMMT," CBO 65 (2003): 202-14. Moreover, even many scholars who accept the reconstruction display misgivings reading this as a witness to a clear belief in a tripartite canon. See Moshe J. Bernstein, "The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations," in Reading 4QMMT: New Perspectives on Qumran Law and History (ed. John Kampen and Moshe J. Bernstein; SBLSymS 2; Atlanta: Society of Biblical Literature, 1996), 29-51; George J. Brooke, "The Explicit Presentation of Scripture in 4OMMT," in Legal Texts and Legal Issues (ed. Moshe J. Bernstein, Florentino García Martínez, and John Kampen; STDJ 23; Leiden: Brill, 1997), 67-88. Since the completion of the editing of the Qumran Scrolls, there has been renewed interest in issues of scriptural formation and canon. For more general treatments of this issue, see Steve Mason, "Josephus and his Twenty-Two Book Canon," in The Canon Debate (ed. Lee M. MacDonald and J. A. Sanders; Peabody: Hendrickson, 2002), 110-27; William Schniedewind, How the Bible Became a Book (Cambridge: Cambridge University Press, 2004); Emanuel Tov, "Some Thoughts About the Diffusion of Biblical Manuscripts," in The Dead Sea Scrolls: Transmission of Tradition and Production of Texts (ed. Sarianna Metso, Hindy Najman, and Eileen Schuller; STDJ 92; Leiden: Brill, 2010), 151-72; Eugene Ulrich, "The Evolutionary Production and Transmission of the Scriptural Books," in Dead Sea Scrolls, 209–25; David M. Carr, The Formation of the Hebrew Bible (Oxford: Oxford University Press, 2011), 153-79; Timothy H. Lim, *The Formation of the Jewish Canon* (ABRL; New Haven: Yale University Press, 2013), 17–34. Lim notes the danger of reading too much into statements such as 'Writings' and the 'Prophets' in Second Temple literature. He also argues that we must rethink overly linear theories regarding the formation of a Jewish canon and the idea of a canonical library in the Temple. Carr notes the issue of power and subversion were at work in the area of delimiting authoritative literature during the Second Temple period, with many groups rejecting the centrality of Jerusalem through the production of rival texts and actualizing interpretations of the mutually agreed upon texts. For Carr, the Hasmonean monarchy was

reasons that the Exile was an obvious place to bisect the narrative, using a similar halving in the genealogy of Jesus in Matt 1:1–17 as an analogy, largely ignoring the differences in the rhetorical aims of these two works.

Secondly, Bilde finds a solution to Attridge's admitted ambivalence regarding books 18–20, and rightly points to the general movement in these books towards national disintegration. ¹⁶⁰ This is certainly correct at a general level, though it needs further elaboration. For Bilde, this is the second phase of the fall, preceded by that of the Herodians. ¹⁶¹ He argues that Herod the Great is an entirely negative character, because of Herod's parallels with King Saul (book 6) and his status as a demagogue and Roman sycophant. Herod also hastens the unfolding controversy begun in *AJ* 13.372, in which Alexander Jannaeus oppresses his Jewish opponents. ¹⁶² Unfortunately, this treatment of the section entirely ignores the laudatory treatment of both Rome and Herod in both *Antiquitates* and *Bellum judaicum*, which has been highlighted by subsequent studies of the moral ambivalence and rhetorical importance with which Josephus imbues Herod. ¹⁶³ Moreover, and important for the new structure to be presented, Bilde's reading ignores the fact that this section includes ample proof that Josephus wishes to illustrate the

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the watershed period for the canonization process among mainstream Jews. More recently, Michael Satlow has argued that the Judaeans and Alexandrian Jews progressed towards such clear demarcations of canon at different rates, with the translation of the LXX leading the Alexandrians to have a firmer concept of 'scripture' as over against the ongoing Judaean primacy of the ancestral customs until the beginning of the first century CE. See Michael L. Satlow, *How the Bible Became Holy* (New Haven: Yale University Press, 2014), 136–70.

¹⁶⁰ Bilde, Flavius Josephus, 91.

¹⁶¹ Bilde, Flavius Josephus, 91.

¹⁶² Bilde, *Flavius Josephus*, 91.

¹⁶³ See Mason, "Introduction," xxii–xxiii; *idem.*, "Flavius Josephus and Flavian Rome: Reading on and between the Lines," in *Flavian Rome: Culture, Image, Text* (ed. A. J. Boyle and W. J. Dominik; Leiden: Brill, 2003), 571; Landau, *Out-Heroding Herod*. On Herod in this section, see section 1.2.1 below.

strengthening of Judaea by Herod and Rome, especially within the data offered by the Roman acta of books 14 and 16.

Steve Mason has also utilized Attridge's basic structure to put forth his much more elaborate rhetorical argument regarding the aims of Josephus in *Antiquitates*. In his introduction to *Antiquitates*, Mason presents the same structure, though based on very different reasoning. 164 Mason chides other commentators for not answering the questions of aims, audience, structure, and themes, except in the most general of ways. 165 Beyond looking at the general themes that might be found in parts of the various books, Mason points to the parallel summaries in AJ 10.147–53 and 20.224–61 in order to establish formal connections beyond the themes. Mason claims that Josephus uses a chiastic structure (i.e., a parallel structure in which the second half of a text mirrors the first in reverse order), which is indicated by markers such as a tirade regarding the omnipotence of Israel's God over time (AJ 10.277–81) mirroring the proem of the work (AJ 1.1–26), which bookends the first half as part of the structure, and Josephus presenting himself as a second Jeremiah (BJ 5.391–94) and a modern Daniel (BJ 3.350–54, 406–8). 166 Following this, Mason points to numerous chiastic parallels running through the work which mirror one another, including the commonalities between Abram (AJ 1.147–158) and Izates (AJ 20.17–96), both of whom come from Mesopotamia after a conversion, and the comparison of the perfect constitution given in AJ 3–4 with the faltering constitution of Rome in AJ 18–19.¹⁶⁷

¹⁶⁴ Mason, "Introduction," xxii.
165 Mason, "Introduction," xiii.
166 Mason, "Introduction," xx–xxi.

¹⁶⁷ Mason, "Introduction," xxi.

Mason rejects outright Bilde's themes for the sections in 11–20, choosing instead to speak more appropriately of "The Re-establishment of the Aristocracy through the glorious Hasmonean house and its decline" (11–13), "Monarchy Writ Large: Herod" (14–17), and "World-wide Effectiveness of the Judean Constitution (18–20). Mason presents these sections as being unified in the themes of "The Antiquity of Judean Culture," "An Alternative Political Constitution," "An Alternative Philosophy," and "A Personal, Moralizing History. Mason have a rather fluid distinction between them, and we must add to this the important theme of the imperial protection of the Jews in the second half of *Antiquitates*. Beyond this connection, these themes are well founded in the text and will be followed in the current chapter.

There are, however, certain problems with Mason's suggested structure. Firstly, Mason's own work in toppling the edifice of Josephan *Quellenkritik*, ¹⁷⁰ especially in the case of books 14–17, have called into question exactly this sort of source-driven structure. Secondly, given Josephus' many summaries, we must ask why those found in 10 and 20 are the most important. Thirdly, Josephus' self-identification with Jeremiah and Daniel is only made in *Bellum*, whereas he explicitly presents himself as the literary heir to Eleazar the High Priest and the Septuagint (LXX) translators within the Proem of *Antiquitates* (*AJ*

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¹⁶⁸ Mason, "Introduction," xxii.

¹⁶⁹ Mason, "Introduction," xxii–xxxiii; *idem*, "Should Anyone Wish," 64–103.

¹⁷⁰ It should be noted that this is not to say that this study rejects outright the idea that Josephus used various sources when writing either *Bellum* or *Antiquitates*, but rather that it rejects the idea that Josephus used them uncritically or without thought to how they fit his rhetorical aims. The work of Daniel R. Schwartz has shown that both elements may be affirmed in the work of Josephus, and thus Schwartz' writings see ample citation within the present study.

1.10–12). This personal portrayal is a more fitting parallel for Josphus in *Antiquitates*, wherein he is a self-proclaimed 'translator' of Jewish traditions.

It is with the shortcomings of these previous attempts at structuring *Antiquitates* in mind that I will seek to explicate the rhetorical structure of the Antiquitates-Vita complex, in order to better understand Josephus' portrayal of Jewish society, of which the synagogue was a major component. I will begin by redefining the central division of the text. Secondly, I will address the division of the second half. As was the case with the previously suggested structures, I will argue that the individual books constitute discreet units, given the clear purpose statements and summaries Josephus provides in the beginnings and ends of the individual books, obviating the need to separate the books further. 171

One element that has heretofore been ignored in the division of the rhetorical structure of Antiquitates is the place of Vita. While Mason and others argue consistently that *Vita* is a component part of this literary unity despite being written later, ¹⁷² he still follows Attridge in leaving it out of the delimitaion of the symmetrical division. If we do include Vita, we are left with an odd number of books, which complicates a symmetrical bifurcation. However, the inclusion of Vita is necessary if we affirm (as we should) that Vita was designed as a conclusion to Antiquitates. Josephus himself tells us that it is necessary to append an autobiographical book to the end in order to conclude and buttress the authenticity of the larger work (AJ 20.266–67). This is also a good reason to reject

Attridge, "Josephus and His Works," 212–16; Mason, "Introduction," xxi.
 Mason, "Should Anyone Wish," 101–3. That *Vita* was written later does not mean that it was not envisioned as a constituent part of the work from the start and would be in keeping with ancient book writing to produce and distribute sections separately.

Thackeray's argument that Josephus sought to mirror the 20 books of Dionysius of Halicarnassus, ¹⁷³ though it would not be beyond the pale of reasonable conjecture to suppose Josephus might also attempt to surpass one of his influences in this way. We are still, however, left with an unequally divided text either way.

I propose that the more appropriate place to split this text would be between the biblical paraphrase in its entirety (1–11) and the subsequent history (12–20, *Vita*). To split the work between books 11 and 12 is not without precedent: in a recent article regarding the rhetorical links between the biblical paraphrase and the subsequent history, Steve Mason speaks of 1–11 as the first half, though without readdressing his previous structural presentation.¹⁷⁴ To be fair, Mason does argue correctly in his introduction to *Antiquitates* that the idea of only one rhetorical structure is rather simplistic and should not be held as absolute.¹⁷⁵ This new division is helpful in that it ameliorates the need for Bilde's awkward and likely anachronistic division of the paraphrase based on a tripartite canon, as discussed above. It also better fits with the use of the self-identification of Josephus as the second Eleazar, as it separates the biblical traditions treated by Eleazar from the subsequent history 'translated' by Josephus.

In AJ 1.10–13 Josephus parallels the giving of the Law to the Greeks by Eleazar the High Priest with his own work in writing *Antiquitates*, stating,

I truly thought that it was fitting for myself to emulate the magnanimity of the high priest [Eleazar] and to suppose that even now there are many who are eager

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¹⁷³ Thackeray, *Josephus*, 69.

Steve Mason, "The Importance of the Latter Half of Josephus' *Judaean Antiquities* For His Roman Audience," in *Pentateuchal Traditions in the Late Second Temple Period* (ed. Akio Moriya and Gohei Hata; SJSJ 158; Leiden: Brill, 2012), 129–153 (esp. 131–132).

¹⁷⁵ Mason, "Introduction," xxiii.

for knowledge similar to the king [Ptolemy II Philadelphus]. Not even he [Eleazar] anticipated me in obtaining the entire scripture... $(AJ 1.12)^{176}$

Josephus highlights the importance of Eleazar in his presentation of Jewish culture to the west 177 and explicitly tells the audience that he wishes to emulate the magnanimity of Eleazar in his own work. After the completion of the biblical paraphrase, we find an extended telling of the LXX myth, taking up nearly one quarter of book 12 (12.11–120). This rehearsal of the LXX myth ends with the declaration that this is the true Law, which Josephus presents as the constitution of the Jews that led to their being welcomed into Greek society (12.118). This sponsored translation becomes the first of many honors paid to the Jews by Hellenistic and Roman rulers throughout 12–16. This ongoing bestowal of privileges upon the Jewish people is immediately said to have continued up to Josephus' own time under Vespasian and Titus (*AJ* 12.119–28). This summary of ongoing benevolence by the *Diadochoi* and Romans acts as a summary of the first section of the second half, stating especially that,

From this one may get some notion of the fairness and generosity of the Romans, especially of Vespasian and Titus, for in spite of having suffered great hardships in the war with the Jews and feeling bitter toward them because they had not laid down their arms and persisted in fighting to the very last, they still did not deprive them of their existing rights of citizenship...they did not yield in any respect to the temptation of revoking any of the ancient acts of kindness to the Jews...they would not allow those who had done no wrong to be deprived of their existing rights. (*AJ* 12.122–24)¹⁷⁸

This short digression to summarize the future privileges under the Romans only stresses the connection between Josephus' time under the Romans and the privileges given to the

¹⁷⁶ Translation from Feldman, *Judean Antiquities 1–4*, 6.

¹⁷⁷ See Klaus-Stefan Krieger, "Die Funktionen der Septuaginta-Legende in Flavius Josephus' *Antiquitates Judaicae* und *Contra Apionem*," in *Internationales Josephus-Kolloquium Aarhus 1999 (ed.* Jürgen U. Kalms; Münster: LIT Verlag, 2000), 246–61.

¹⁷⁸ Marcus, LCL.

Jews from the time of Eleazar to his own day, before Josephus returns to his history at the time of Alexander's triumph over Persia (*AJ* 12.1, 129). Throughout *AJ* 12–16, these privileges are spoken of in such a way as to portray the rulers granting them as direct political benefactors of the Jewish people. Thus, *AJ* 12–16, which treats the period from the time of Alexander the Great to the height of the Herodian Kingdom, becomes a discreet section within the second half of the larger work. It presents a period of unmatched royal and civic patronage of the Jews before the slow movement towards national collapse between the waning years of Herod's reign, which would see infighting and tension within Herod's court, to the final years of the First Jewish Revolt (*AJ* 17–20).

Such a narrative progression illustrates the importance and continuance of the blessings mentioned in the Proem,

one who would wish to read through it would especially learn from this history that those who comply with the will of God and who do not venture to transgress laws that have been well enacted succeed in all things beyond belief and that happiness lies before them as a reward from God. $(AJ\ 1.14)^{179}$

The Deuteronomistic understanding of history evident in the above quotation also foreshadows the privileges that the various rulers will grant to the Jews in order that they might prosper, just as God had done in the scriptural history. The parallel between Eleazar and Josephus also allows for Josephus' narratival movement through history, as Eleazar's work ends with the completion of the biblical translation, after which Josephus' own unique contribution begins. Thus, we do not need to import the self-representation of Josephus as a second Jeremiah or modern Daniel from *Bellum judaicum*. Instead, Eleazar

¹⁷⁹ Feldman, *Judean Antiquities 1–14*, 6.

becomes the one to hand off the proverbial torch at the centre of the narrative, with Josephus continuing the interpretation and implementation of the Law and ancestral customs. ¹⁸⁰ This parallel thus highlights the important themes of royal protection and Jewish Law as constitution.

Within the above mentioned digression which connects Ptolemy II and Titus as the rulers who blessed the Jews in the time of Eleazar and Josephus, Josephus can be argued to set up the endpoint of the first division within the second major section of *Antiquitates*. Specifically, Josephus refers to the speech of Nicolas of Damascus in 12.126, which will act as the most cogent presentation of the royal and civic patronage of the Jews running through the narratives and pronouncements of books 12–16. In this speech (*AJ* 16.31–57), Nicolas provides Marcus Agrippa with a thorough defense of the history and legitimacy of the rights of the Jews through history, which set the scene for the final benefactions in the subsequent narratives and the *acta* in book 16. This bookending of 12–16 with the work of Nicolas separates this section as a discreet unit, staccatoed with Josephus' illustrations of the legality and importance of Judaism throughout the world, a narratival progression that Attridge himself notes in his treatment. This delimitation also better fits with the general themes of the work, as the antiquity and constitution of Judaism are emphasized in *AJ* 12–16.

In delimiting AJ 12–16 thus, we also explicitly reject the use of the Herodian Dynasty as the cohesive element of this pericope. This is done for two reasons. Firstly,

¹⁸⁰ Terence L. Donaldson, *Judaism and the Gentiles: Jewish Patterns of Universalism (to 135 CE)* (Waco: Baylor University Press, 2007), 287; Mason, "Importance," 136–140.

¹⁸¹ Attridge, "Josephus and His Works," 213.

the Herodian Dynasty continues until the death of Agrippa II, though never again attaining the heights of Herod the Great's rule. Herod, despite his many faults, is presented as a shrewd leader and a benefactor of world Judaism, whose sons will signal the beginning of the downward cycle of political chaos ending in the First Jewish Revolt. Like the familial intrigues and death of King David in the opening of 1 Kings, the narrative progression towards the death of Herod the Great in book 17 (17.1–190) is presented as the beginning of the disintegration of Judaea, which is explicitly paralleled to the same movement in Rome (books 18–19). This decline will continue in the final sections (17–20; Vita). However, along with this degeneration of the Judaean state, Josephus also highlights the spread of the Jewish constitution to the rest of the world. These two progressions allow us to affirm the themes of both Bilde and Mason in 18–20, as the chaos in the Land leads to greater blessing in the growing Diaspora. ¹⁸² Secondly, as we shall see in section 1.2.1 of this chapter, Herod is a main character, though he acts simply as the agent through which Josephus presents the important themes of imperial protection and national constitution in these books.

While we may agree with Mason that no single rhetorical structure adequately summarizes Josephus' goals, ¹⁸³ we are on good footing to treat the second section of *Antiquitates-Vita* (12–20; *Vita*) as a unit. Books 12–16 describe a crescendo of Jewish fortunes, which presents our best glimpse into Josephus' portrayal of ideal Judaism as he seeks to interpret history through this ideal. In the process, Josephus gives the synagogue a place of prominence as the setting for the practices and propagation of the Law and

¹⁸² See Mason, "Introduction," xxiii; Bilde, Flavius Josephus, 91.

¹⁸³ Mason, "Introduction," xxiii.

ancestral customs in the lives of Jews. It is for this reason that I begin the study with these central books, from which we may draw the *tendenz* of our author in order to better understand the biblical paraphrase (*AJ* 1–11) and the later movements towards the landless Judaism following the Revolt (*AJ* 17–20).

1.2. Antiquitates judaicae 12–16

Josephus, like so many other Roman historians, did not see himself merely as an antiquarian. With *Antiquitates judaicae*, he set out to write a history which included explicit evaluative judgments on the events described and which presented an intelligible version of Judaism for his non-Jewish intended readers. This version of Judaism was not the Judaism with which he grew up, nor was it the one he practiced during his time as a priest in Jerusalem. This Judaism is only a potential version of Judaism as viewed by Josephus, presented over twenty years after the destruction of Jerusalem and its Temple, though it is portrayed by Josephus as being congruent with the historic customs and practices of the Jews, from Moses to the end of the first century CE. In books 12–16, this ideal portrait of Judaism is presented as not only historical, but as being a respectable and licit national *ethos* within the Hellenistic and Roman empires. Within the narratives and speeches of *AJ* 12–16, the synagogue constitutes a key locus of the Jewish practice of the ancestral customs, which Josephus presents as the historical constitution of the Jews.

Josephus cites the Roman *acta*, a group of formal and purportedly official edicts, rulings, *senatus consulta*, and letters given on behalf of the Jews by various emperors, officials, and town councils, as a proof of Roman protection and acceptance of the Jewish Law and customs. These edicts were interspersed amongst his various narratives, as

Josephus moves towards the height of the Judaean kingdom under the morally ambiguous, though politically savvy, Herod the Great, to whose reign Josephus dedicates 3.5 books. These documents and narratives function as a defense of key Jewish rights and customs under the Roman Empire, which will allow the reader direct access to Josephus' ideals. Time and again, these ancestral customs are shown to be the heart of Judaism for Josephus and the practice of these customs is situated in the synagogues of the Jews throughout the world. A proper understanding of Josephus' intentions in this section, I will argue, allows us to address Josephus' historical tendenz with greater certainty before we read through the rest of *Antiquitates*. I will begin by setting the *acta* within the literary context of Herod's early reign, as they frame the narratives of Herod's benefaction of the Diaspora communities and Nicolas of Damascus' defense of synagogue practice before Marcus Agrippa. This will be followed by a discussion of the importance of the narratives and speeches that are framed within the acta for understanding AJ 12–16 and its editorial comments. Following this, I will present the Roman acta of AJ 14.185–267, 305–22 and 16.160–78, arguing that these offer the interpretive keys to understanding synagogues as the central locus for the decentralized, post-Temple Jewish practice of the Law and customs which Josephus portrays as having been passed down to those Jews contemporary with the historian. I will argue that the various speeches, narratives, and acta provide a clear and unified portrayal of Josephus' ideal Judaism and the central role of the synagogue as the institution responsible for the practice and propagation of the ancestral customs and Law of the Jews.

1.2.1 Narratives and Speeches in AJ 12–16

As mentioned in section 1.1, most scholars tend to place Herod at the centre of this general section of Antiquitates. However, I would contend that a presentation of the life and actions of Herod are neither the absolute rhetorical purpose of this section nor the purpose of one poorly integrated source. 184 I will argue that Josephus makes heavy use of Herod and a few of the other characters orbiting his sphere of influence, though as constituent pieces of a larger presentation of an ideal period in Jewish history. Along with Ptolemy II and Antiochus III, Herod is a key leader in this section; he forges alliances with Rome and builds the nation, though he is also the greatest example of what happens to those leaders who break with ancestral traditions, as he turns to those of the Greeks and Romans. He thus becomes a paradigm of both the irenic leader who supports the Diaspora Jews and the regions they inhabit, and the ruler who embodies all the evils associated with the breaking of the perfect constitution. The example of Herod will also be used in books 18 and 19 as an archetype against which the later Roman emperors will be judged, as they break with the Roman constitution and oppose the constitution of the Jews.

As we have seen in section 1.1, Attridge admits that book 12 opens the recurrent motif of Graeco-Roman benefaction with the rights and respect offered to the Jews by

hightlighted in section 3 of the Introduction, many have rejected the conclusions of Quellenkritik as a whole. Schwartz is correct to address Josephus' rhetorical goals with his sources, rather than merely portraying him as being at the mercy of said sources.

¹⁸⁴ Cf. treatment in Michael Grant, *Herod the Great* (London: Weidelfeld & Nicholson, 1971), 235–39; See section 3 of the introduction above regarding Josephus' sources. For a summary of early research, see Menahem Stern, "The Greek and Latin Literary Sources," in The Jewish People in the First Century (vol. 1; ed. Shemuel Safrai and Menahem Stern; CRINT 1; Assen: Van Gorcum, 1974), 23-26. Subsequent authors have emphasized some use of Nicolas, though with greater degrees of integration and skill in Josephus' redaction and the possibilities of other sources being incorporated. See e.g., R. J. H. Shutt, Studies in Josephus (London: SPCK, 1961), 88-92; Schwartz, "Josephus and Nicolaus," 157-71. Finally, as

Ptolemy II and Antiochus III. ¹⁸⁵ Ptolemy II had become a famous benefactor of the Jews, as the wide circulation of the *Letter of Aristeas* and its reception in Josephus illustrates, and the completion of the Greek translation of the Law made the perfect transition point for Josephus as he moved from the biblical narratives to more recent history (*AJ* 1.10–12; 12.11–118). In this transitional narrative, Eleazar the High Priest becomes the model of translating the Law and customs to the Greeks, though Ptolemy is the model ruler since he accepts and preserves the Jewish Law (*AJ* 12.11–118). ¹⁸⁶ In the case of Antiochus III, he is the first to affirm the autonomy and rights of the Jews (*AJ* 12.145). Antiochus is not portrayed by Josephus as doing so for his own political reasons; ¹⁸⁷ rather, he is portrayed as strengthening the Judaean political infrastructure by affirming the roles of priests in both religious and juridical matters for the sake of the people. ¹⁸⁸

Recent studies have noted a clear difference with regard to how Josephus renders his central characters in *Antiquitates judaicae-Vita*, as opposed to *Bellum judaicum*. In *Antiquitates*, he presents his main characters in more ambiguous terms. Tamar Landau has written a book-length treatment of Josephus' different characterizations of Herod the Great in his two historical works, arguing that the static characterization of Herod as a wholly loyal subject to Rome in *Bellum* is characteristic of Josephus' intentions in that work, as opposed to the more nuanced and conflicted treatment of Herod in

¹⁸⁵ Attridge, "Josephus and his Works," 213

¹⁸⁶ See Mason, "Introduction," xix; Krieger, "Die Funktionen," 247–52.

¹⁸⁷ Contra Peter Schäfer, *The History of the Jews in the Greco-Roman World* (Rev. Ed.; London: Routledge, 1995), 29; Anathea E. Portier-Young, *Apocalypse against Empire: Theologies of Resistance in Early Judaism* (Grand Rapids/Cambridge: Eerdmans, 2011), 73.

¹⁸⁸ Victor Tcherikover, Hellenistic Civilization and the Jews (Grand Rapids: Baker Academic, 1999), 85.

Antiquitates.¹⁸⁹ Steve Mason has agreed with this idea of a nuanced treatment of the characters in the context of his more general assessment of *Antiqutates*, in which he argues that "[n]oteworthy in this context is Josephus' effort to achieve balance in his moral assessments and to render his characters plausible human beings with conflicting drives toward good and evil." Both scholars note this nuanced moral aspect in *Antiquitates* as part of the work's overall treatment of characters like Herod and as congruent with similar moral ambivalence in other works of Roman historiography. As such, Herod's place of dominance through books 14–17 is an indication of the importance of the moralizing assessment of the King, just as many Roman historians and rhetors (e.g. Cicero *Or.* 2.35–36) would illustrate the importance of the Roman constitution in similar ways with moral assessments of prominent citizens.¹⁹¹ Thus, Herod is for Josephus an important vehicle through whom he is able to illustrate the themes he wishes to track through history in both this section and the larger work of *Antiquitates*. His life is not, however, the dominant theme of *AJ* 14–17 as a whole.

The treatment of Herod can be argued to begin as early as the annexation of Idumea by John Hyrcanus (*AJ* 13.257–58), in which the Idumeans were forcibly brought into the nation and under the Jewish Law and ancestral customs, thus making their inclusion somewhat questionable. However, we should note that Idumea, like Pella, did

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¹⁸⁹ Landau. *Out-Heroding Herod*. This is in opposition to the multiple treatments of Herod in which the various sources in his life are synthesized with little to no treatment of the rhetoric of the texts involved in reconstruction. Ironically, many of the same reconstructions follow the belief that Josephus was merely copying the works of Nicolas of Damascus regarding the life of Herod, Nicolas' benefactor.

Mason, "Between the Lines," 57.

¹⁹¹ Mason, "Introduction," xxxii–xxxiv.

¹⁹² Aryeh Kasher, Jews, Idumeans, and Ancient Arabs (Tübingen: J. C. B. Mohr, 1988), 46–78.

not submit and was destroyed (AJ 13.318–19). Thus the attentive reader who knew of the slur against the infamous ruler as an 'Idumean half-Jew' (AJ 14.403) would associate this geographic region and ethnic designation with Herod and acknowledge the tenuous link between the Idumeans and the ancestral customs of the Jews.

However, contrary to what has been argued by many scholars, ¹⁹⁴ Herod did not immediately spell the beginning of the end for the Jews in Josephus' story. In many passages, Josephus portrays Herod as caring deeply for the people and seeking their welfare. Moreover, Josephus continues to present Herod as the ideal king in the Greek sense, through both the narratival emphasis placed on his work with the surrounding nations and the editorial use of Graeco-Roman literary tropes reserved for ideal leaders. For example, as Jan Willem van Henten has cogently argued, the commander speech of AJ 15.127–56 presents Herod as bringing together the best rhetorical tropes of a commander speech, including courage, just war, and lack of proper customs on the part of the enemy. 195 Despite the fact that the famine of AJ 15.299–316 begins due to God's anger with Herod, he is able to start a national relief plan which helps the people, especially the weak among them, to regain footing, all of which leads to a brief period of popularity. 196 In Josephus' view, Herod was also a great builder who constructed wondrous cities and temples (15.318–41), including the Jerusalem Temple. To these building projects, Richardson has added the building or funding of the 'Synagogue of the

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¹⁹³ Donaldson, Judaism and the Gentiles, 325.

¹⁹⁴ Eg. Thackeray, Josephus, 68; Bilde, Flavius Josephus, 91

¹⁹⁵ Jan Willem van Henten, "Commonplaces in Herod's Commander Speech in Josephus' *AJ* 15.127–146," in *Josephus and Jewish History in Flavian Rome and Beyond* (ed. Joseph Sievers and Caia Lembi; SJSJ 104; Leiden: Brill, 2005), 183–206.

¹⁹⁶ Peter Richardson, *Herod: King of the Jews and Friend of the Romans* (Minneapolis; Fortress Press, 1999), 222–23.

Herodians' (*CIJ* II 173) in Rome, which would be fitting given Herod's benefaction of Diaspora Jews, though Josephus has omitted mention of this patronage. While it is not clear whether the naming of this synagogue points directly to Herod the Great or his family in general, such a reconstruction would seem to be in keeping with Josephus' treatment of Herod in this section.

The building of the Temple is a case study of Josephus' nuanced treatment of Herod (*AJ* 15.380–425). In this section, Josephus presents an account of the building of the Temple which is uncommonly detailed for a building narrative. Whereas *Bellum* focuses on the interior elements of the building in these narratives, *Antiquitates* emphasizes the exterior elements such as the porticoes and outside courts, which had direct political importance for Herod. 199

Thus, despite this praise of the king, Josephus' characterization of Herod is much more nuanced than is often acknowledged, rightly being linked with the paradigm of kingship originating in Saul, as he is the embodiment of both manliness (*AJ* 14.430, 442–44, 462–63, 482–83; 15. 121–54, 305; cf. 6.344–50) and transgression (14.403; 15.267–76; 16.1–4; 17.151, 180–81; cf. 6.166, 378). ²⁰⁰ It is within this ambivalent moral portrayal that we should situate the general benefactions of Herod to the pagan cities, which negatively affected Herod's popularity with the Jewish people, yet led to praise from Roman leaders on account of his beneficence (*AJ* 15.326–330; 16.141). ²⁰¹ Herod's links

¹⁹⁷ Richardson, *Herod*, 266–69. For fuller discussion of this and other synagogue inscriptions from Rome, see Harry J. Leon, *The Jews of Ancient Rome* (Rev. Ed.; Peabody, MS; Hendrickson, 1995), 135–66.

¹⁹⁸ Richardson, *Herod*, 247.
¹⁹⁹ Ehud Netzer, *The Architecture of Herod the Great Builder* (Grand Rapids: Baker Academic, 2006),138.
²⁰⁰ Mason, "Between the Lines," 571.

²⁰¹ See Richardson, *Herod*, 273; cf. the more negative assessment of Landau, *Out-Heroding Herod*, 122.

with Augustus are of special note, which Josephus seeks to highlight despite the fact that Herod had supported Marc Antony until the Battle of Actium. Augustus had become famous for his magnanimity in the writings of both Graeco-Roman and Jewish writers (e.g. Dio Cassius 53.16; Philo's *Legat*. 143–47), which would render this positive treatment in book 16 as historically believable for both Roman and Jewish readers.

As we shall see in section 1.4, it is towards the end of book 16 through to his death in book 17 that Josephus truly portrays Herod as a villain and paradigm of political malfeasance. Herod's grasp on power was uncontested until book 15, which makes this the perfect point to introduce the motif of national customs broken by Herod (*AJ* 15.260–304). This willful breaking of the ancestral customs leads to Herod giving himself over to outright tyranny (*AJ* 16.395–404; 17.150, 168–81; 191–92), which would eventually lead to God judging him and sending illness and calamities his way as a direct result of the placing of the eagle on the Temple (*AJ* 17.168). Within these narratives of Herod's later reign, idolatry was a clear motif used by Josephus, who narrates both the incident of the eagle and Herod's building of statues in pagan cities as illustrations of the king's break with ancestral customs. These acts, for Josephus, show an unequivocal repudiation of Jewish traditions. Herod is portrayed even as losing the support of Augustus due to this tyrannical behaviour (*AJ* 17.304–8). Thus, Josephus presents the later Herod as the very paradigm of political malfeasance against which other rulers may be judged.

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²⁰² Mason, "Importance," 148.

²⁰³ See John M. G. Barclay, "Snarling Sweetly: Josephus on Images and Idolatry," in *Idolatry: False Worship in the Bible, Early Judaism and Christianity* (ed. Stephen C. Barton; London/New York: T & T Clark International, 2007), 73–87; Jason von Ehrenkrook, *Sculpting Idolatry in Flavian Rome: (An)Iconic Rhetoric in the Writings of Flavius Josephus* (SBLEJL; Atlanta/Leiden: SBL/Brill, 2011), esp. 69.

However, within this larger treatment of Herod, we find a narrative which is crucial for our purposes: the benefaction of the Ionian Jews by Herod and Nicolas of Damascus' speech (16.31–57). This speech embodies a critical piece of the puzzle regarding Josephus' view of the synagogues, as it demonstrates the concrete effects of decrees and letters, such as those found in the *acta*. This speech alludes to the edicts given in book 14, summarizing their contents and utilizing their language. This speech also acts as an introduction to the more general decrees of Augustus and Marcus Agrippa in *AJ* 16.160–78, foreshadowing and informing the later edict of Agrippa in terms of the language and tone. ²⁰⁴

Before we address the actual contents of this speech, it should be noted that Landau's characterization of this speech as "ironic" is incorrect, in my view, as all three of her reasons for this claim are without merit. Firstly, she states that there exists a disjunction between the Jews of the Diaspora and those of Judaea, and she notes that this speech is the most "Graeco-Roman in tone" of all the speeches thus far in *Antiquitates-Vita*. As I shall argue in the following section, the distinction between the Jews in the Land and those in the Diaspora had dissolved for Josephus, as all Jews were in Diaspora after 70 CE. This is important, as we begin to find the language of rights "for all the Jews" beginning in this speech (*AJ* 16.36). Secondly, Landau cites the increasing

²⁰⁴ Richardson, *Herod*, 270–72.

²⁰⁵ Landau, *Out-Heroding Herod*, 125, 140–42. Toher makes the argument that Nicolaus' rhetoric bears a number of strong affinities to those of Josephus himself. See Mark Toher, "Nicolaus and Herod in *Anitquitates judaicae*," *HSCP* 101 (2001): 427–48. Landau agrees and even notes that there may be more affinities between the two beyond the mere use of Nicolaus as a source (*Out-Heroding Herod*, 23 n.71), a point which makes her subsequent disjunction between the two difficult to reconcile.

point which makes her subsequent disjunction between the two difficult to reconcile. ²⁰⁶ In a similar way, Richardson parallels the benefactions given those in the Diaspora with the tax remission for those in the Land by Herod. Richardson, *Herod*, 272.

divide between Herod and the Jews, which would call into question the Herodian beneficence Nicolas describes in AJ 16.54–56. While Nicolas certainly does present favorable rhetoric, it is not beyond what would be expected by any Roman reader of such a speech given by the professional orator of a reigning monarch. Thirdly, Landau argues that Josephus himself condemns Nicolas for his fawning towards Herod in AJ 16.183– 87. 208 However, given Josephus' ambivalent moral characterization of major characters which Landau is seeking to argue—we should question how prevalent this obsequiousness is in the portrayal of Nicolas. We should also question just how likely a first-century reader or hearer of this text would be to dismiss this impassioned speech due to the later obsequiousness of Nicolas. Furthermore, we should remember that, as Landau herself admits, it was very common for ancient historians to offer criticism of their predecessors, even of those who had influenced the author the most. ²⁰⁹ It suffices to mention that the version of this speech we find in this section is suffused with the recurrent language of books 12–16, which illustrates the continuity of this speech with Josephus' larger argument and therefore the sincerity of the contents. Far from being ironic, this speech is one of the major pericopae for advancing Josephus' narratival rhetoric because this characterization of the Jews as studious and law-abiding fits so well in the Graeco-Roman political milieu, even if Nicolas is later chided for fawning.

Nicolas presents the customs of the Jews as not only something to be protected, but as the very reason why the Jews were important to the Empire: their laws make them

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²⁰⁷ Landau, Out-Heroding Herod, 141.

²⁰⁸ Landau, *Out-Heroding Herod*, 173–75.

²⁰⁹ Landau, Out-Heroding Herod, 174.

exceptionally just. Nicolas begins by addressing the dishonour the Ionians pay to the rulers who have offered the various decrees, edicts, postscripts, and letters granting the Jews special rights (34–35). The importance of the Roman ideal that all groups are free to worship their own deities in their own ways is then explicitly cited (36–42). In *AJ* 16.43, Nicolas turns to the argument that the Jewish Law and customs protected by past rulers are precisely what makes the Jews law-abiding,

There is nothing hostile to humankind in our customs, rather they are all pious intended for preserving righteousness . . . We spend every seventh day in the study of our ancestral customs and Law. 210

Nicolas brings the Sabbath meeting and the laws themselves together to argue that studying these laws as a group in the Sabbath assembly is precisely what makes the Jews a just nation and a model to others, which Josephus will later argue in *C.Ap.* 2.175–78. This emphasis of the reading of the Law is consistent with the importance of legal study found throughout Second Temple literature.²¹¹ Nicolas' speech makes explicit reference to the many honours paid to the Jews up to this point, but also ties such past honors together with the *acta* yet to come from Augustus and Agrippa in *AJ* 16.160–78.²¹²

Throughout the *acta*, as we shall see below, Josephus presents rulers as upholding the rights of the Jews to follow their own Law and ancestral customs because these customs make the Jews a just people. Given the continual emphasis on customs and legal

²¹⁰ Marcus, LCL.

²¹¹ See e.g., Neh 8, 4QHalakah A 1 5; 4QD^a 5 ii 1–3//4QD^b 5 iii 3–5//4QpapD^h 2 1; *Legat.* 156; *Somn.* 2.127; Luke 4:16–21; Acts 13:13–15. For further list, discussion, and purportedly early Rabbinic material, see Lawrence H. Schiffman, "The Early History of Public Reading of the Torah," in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. Steven Fine; BSHJ; London: Routledge, 1999), 44–56. Schiffman argues that by the turn of the era, public readings of the Jewish Law were commonplace in synagogues, based on the above listed texts. For further discussion, see chapter 3 of the present work.

²¹² See Richardson, *Herod*, 270.

rights up to this point, one wonders how this could be "ironic" simply because it fits the Graeco-Roman context, given that it is consistent with Josephus' careful editing of the many Graeco-Roman texts and speeches together with his most prevalent theme in *Antiquitates-Vita*: the Jewish constitution. To this recurrent theme we should add the fact that Nicolas here prefigures the exact argument Josephus would use in defending the rights and customs of the Jews in his own defense of Judaism. This parallel should be enough to refute the suggestion that Nicholas' speech is anything but a statement of the themes of this general section, even if it occurs within the morally ambivalent Herodian narrative.

1.2.2 Roman *acta* and the Place of the Synagogue in Josephus' Judaism

Perhaps nowhere in the presentation of Josephus' ideal Judaism is the synagogue so prominently and explicitly spoken of as in the Roman *acta* of *AJ* 14.185–267, 305–22 and 16.160–78. However, the importance of the synagogue for Judaism in this section has often been obscured by the fact that these pericopae are commonly dismissed as ahistorical. Such pronouncements lead many commentators to focus on issues of historicity and the light these documents can shed on other events, especially the Pogroms of Alexandria, rather than on the importance of their contents for Josephus' overall project. This is not to say that the question of the historical veracity of these documents is unimportant; a proper understanding of these supposed imperial decrees will allow a clearer perspective on Josephus' writing process. In the following, I will present a survey of the discussion of these purportedly archival documents and their reception. This will

inform and illuminate the detailed exposition of their contents as we ask what they can tell us about Josephus' understanding of the synagogue and its importance for Judaism.

1.2.2.1. Compositional and Dating Issues

As with many aspects of Josephus' historical project, the turn of the 20th century saw scholarship question the documents presented by Josephus among the Roman *acta* regarding their authenticity and historicity. ²¹³ Laqeueur, for example, affirmed the possible authenticity of these sources. ²¹⁴ Others, such as Juster, ²¹⁵ did not even feel the need to discuss such issues, but rather took these documents at face value, as he refers to them as a "Jewish Magna Carta." ²¹⁶ Thus, it was not until a skeptical article by Horst Moehring in 1975 that the discussion of the authenticity of these documents became imperative for any who wished to deal with these documents. ²¹⁷ Still others, like Elias Bickermann, are more ambivalent, arguing that we lack adequate data to make a responsible decision regarding their authenticity. ²¹⁸ Despite Moehring's arguments, current consensus offers a guarded optimism, allowing the researcher some confidence in using these documents, which Josephus presents as offering legitimate proof of Jewish respectability and protection by Rome, as reliable data. Space will not allow for a full discussion of all scholarly views. Rather, I will survey the most important issues, as I seek

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²¹³ E.g. H. Willrich, *Judaica: Forschungen zur hellenistisch-jüdischen Geschichte und Literatur* (Göttingen: Vandenoeck & Ruprecht, 1899).

²¹⁴ Richard Laqueur, *Der jüdische Historiker Flavius Josephus* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1970), 228.

²¹⁵ Jean Juster, *Les Juifs dans L'Empire Romain* (2 vols.; New York: Burt Franklin, 1914).

²¹⁶ Juster, Les Juifs, 2.132–58, 213.

²¹⁷ Horst R. Moehring, "The *Acta Pro Judaeis* in the *Antiquities* of Flavius Josephus: A Study in Hellenistic and Modern Apologetic Historiography," in *Christianity, Judaism, and Other Greco-Roman Cults* (ed. Jacob Neusner; SJLA 20.3; Leiden: Brill, 1975), 124–158.

²¹⁸ Elias Bickermann, Studies in Jewish and Christian History (vol. 2; Leiden: Brill, 1980), 24–43.

to find a way through this methodological and theoretical maze, which in many ways epitomizes the modern use of Josephus as a historical source.²¹⁹

As stated above, Moehring would become the first to raise serious arguments against the authenticity of these documents. As the subtitle of the essay ("A Study in Hellenistic and Modern Apologetic Historiography") indicates, Moehring made the important argument that the modern interpreters of his day had their own part to play in the possibly false attribution of authenticity to these documents, as he contends that political and theological interests have too often influenced the discussion. ²²⁰ While we should question whether Moehring himself was entirely free of ideological bias in making his arguments, he is certainly correct to have indicated the propensity for subjectivity when scholars deal with such politically loaded texts. Firstly, Moehring stresses the problematic nature of Josephus' presentation of these documents as coming from the archives of Rome (AJ 14.266), as these archives were said by Suetonius (Vesp. 8.4) to have burned down in the fire of 69 CE. 221 For Moehring, Josephus' silence about such a fire is glaring. 222 Secondly, as Cicero witnesses (*Phil.* 5.12; *Att.*15.26; *Dom.* 50) such documents had been fabricated often in ancient literature and speeches. ²²³ Finally, and most significantly, Moehring argues that Josephus' narrative contains inconsistent and ambiguous information about the documents themselves, including the actual number of

²¹⁹ For a more comprehensive treatment, See Miriam Pucci ben Zeev, *Jewish Rights in the Roman World:* Greek and Roman Documents Quoted by Josephus Flavius (TSAJ 74; Tübingen: J. C. B. Mohr, 1998). Pucci ben Zeev's general framework will be followed and adapted here.

²²⁰ Moehring, "The *Acta Pro Judaeis*," 124–25. ²²¹ Moehring, "The *Acta Pro Judaeis*," 130.

²²² Moehring, "The Acta Pro Judaeis," 131.

²²³ Moehring, "The Acta Pro Judaeis," 132–33.

documents presented. Moehring assumes that these issues are due to purposeful emendations or fabrications on the part of Josephus as part of his apologetical designs.

Moehring's skepticism stemmed primarily from the fact that these passages generally differ from the style displayed by the epigraphic evidence known at the time when Moehring wrote.²²⁴ Moehring's argument proved to be important, influencing such scholars as Harold W. Attridge and Philip S. Alexander,²²⁵ and leading to a new spate of studies defending Josephus' work.

While Moehring forced scholars to rethink their suppositions and political moorings, most researchers have rightly questioned Moehring's own arguments as ideological in nature and more specious than legitimate. Moehring's arguments tend to assume dishonesty in any potential inconsistencies and his examples generally go no further than presenting a level of literary adaptation that is in line with what we find in other ancient authors dealing with comparable decrees, including Dio Cassius, Appian, Suetonius, Cicero, Livy, Valerius Maximus, and others, some of whom Moehring has no trouble taking at face value when it suits his purposes. However, no work has been

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²²⁷ See Pucci ben Zeev, Jewish Rights, 369.

²²⁴ Moehring, "The *Acta Pro Judaeis*," 124–58; see also Pucci ben Zeev, *Jewish Rights*, 134–49.

²²⁵ Attridge, "Josephus and his Writings," 226; Philip S. Alexander, "Epistolary Literature," in *Jewish Writings of the Second Temple Period* (ed. Michael E. Stone; CIRNT 2.2; Assen/Philadelphia: Van Gorcum/Fortress Press, 1984), 588. It is noteworthy that Attridge claims Josephus likely lacked a carefully thought out political theory; see Harold W. Attridge, *The Interpretation of Biblical History in the* Antiquitates judaicae *of Flavius Josephus* (HDR 7; Missoula: Scholars Press, 1976), 139 n. 3; cf. Daniel R. Schwartz, "Josephus on the Jewish Constitutions and Community," *SCI* 7(1983–84): 30–52. According to Schwartz, Josephus made deft use of his sources as he utilized the standard Greek political terminology in order to describe the Jewish constitution in such a way as to make the Jewish Law palatable for a Roman audience. For Schwartz, Josephus created one of the most detailed and well-adapted associational codes, which he compares to those of other *collegia*.

²²⁶ See especially Pucci ben Zeev, *Jewish Rights*, 357ff; Paul R. Trebilco, *Jewish Communities in Asia Minor* (SNTSMS 69; Cambridge: Cambridge University Press, 1991), 7.

more damning for Moehring's than that of Tessa Rajak.²²⁸ Rajak illustrates effectively that Josephus' documents are close enough to the canon of authentic decrees and *senatus consulta* to be treated as possibly authentic, though she also strikes down Juster's notion of these documents acting as a historically operative charter or Magna Carta.²²⁹ Moreover, this uniformity of language and phraseology also points to the fact that these documents were likely translated from Latin to Greek in Rome, not in the location in which they were received.²³⁰ In the end, we are left to conclude that these documents are likely authentic, though we cannot *a priori* affirm their authenticity.²³¹

The issue of historical contingency in the documents thus also becomes important. These documents are similar to the occasional rulings for specific cities and provinces mentioned by Pliny the Younger (*Ep.* 10.66.1–2), as Rome is presented as responding to a set of given political situations in the decrees. Thus, we are left with the question of the dating of the writing and compilation of the *acta*. Shirley Case argued early last century that the reign of Domitian (a traditional date assigned to the writing of *Antiquitates*) supplies the best period, as Domitian instituted oppressive taxes for the Jews of the Empire. Domitian's need for money led to the need to enact high taxes for the Jews, which occasioned a deterioration of the fortunes of the Jews and thus the need to affirm their rights to perform their ancestral customs, according to Suetonius (*Dom.* 12). For

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²²⁸ Tessa Rajak, "Was There a Roman Charter of the Jews?" in *The Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction* (AJEC 48; Leiden: Brill, 2001), 301–33 (reprinted from *JRS* 74 [1984]: 107 – 23).

²²⁹ Rajak, "Was There a Roman Charter?" 301–3; Trebilco, *Jewish Communities*, 7.

²³⁰ R. K. Sherk, *Roman Documents for the Greek East* (Baltimore: Johns Hopkins University Press, 1969), 13–19; see also Pucci ben Zeev, *Jewish Rights*, 15.

John H. Gager, "Pseudo-Hecataeus Again," ZNW 60 (1969): 130–39; followed by Pucci ben Zeev, *Jewish Rights*, 361–62.

²³² Trebilco, *Jewish Communities*, 10.

Case, this situation caused Josephus to feel the need to advocate for the ongoing precedence of Roman protection for the rights of the Jews. ²³³ This rather simplistic dating of the compilation is adequately refuted by Seth Schwartz among others, who argues that certain documents mentioned in Josephus post-date Domitian and Josephus seems to have had a reasonably positive attitude towards this emperor. ²³⁴ Thus, we should be cautious about finding one specific set of events that led to the writing and compilation of these documents. We should instead affirm that they could have been occasioned by various known or unknown historical issues that arose over time. ²³⁵ Likewise, we must remain somewhat agnostic regarding minor emendations and inconsistencies, as these may be purposeful or merely the mistakes of the translators or copyists. We must realize instead that we are to some extent at the mercy of the half truths and narrativization which are the stock and trade of the rhetorician. Josephus himself is arguing a point that he likely believed. ²³⁶ At this point, we might simply affirm that Josephus compiled—and probably adapted in some manner—a series of sources, which he likely drew from diverse archival

²³³ Shirley Jackson Case "Josephus' Anticipation of a Domitianic Persectution," *JBL* 44 (1925): 12–14.

²³⁴ Seth Schwartz, *Josephus and Judean Politics* (CSCT 18; Leiden: Brill, 1990). 17

²³⁵ E.g. Jews were surely affected by the aftermath of the Mithradatic War (88 BCE), in which the Parthians overran Roman Asia and left the destroyed region in the hands of the still rampant tax farmers; for those trying to revive local fortunes and pride, such a large community only partially taking part would become a clear target. This makes more sense of the Josephan decrees for Asian Jews around this time, like the decree that the natives of Miletus may not interfere with the moneys sent by Asian Jews to Jerusalem. Philo speaks of Augustus ruling on behalf of the Asian Jews for their rights to meet in associations and keep holy objects. John M. G. Barclay, *Jews in the Mediterranean Diaspora: From Alexander to Trajan* (Berkeley: University of California Press, 1996), 267ff.

²³⁶ See Tessa Rajak, "Document and Rhetoric in Josephus," in *Studies in Josephus and the Varieties of Ancient Judaism: Louis H. Feldman Jubilee Volume* (ed. Shaye J. D. Cohen and Joshua J. Schwartz; AJEC; Leiden: Brill, 2007), 177; Pucci ben Zeev, *Jewish Rights*, 362–65. One example of a novel, yet unverifiable set of emendations would be those argued by Claude Eilers, whereby Josephus mistakes his superscriptions either by presenting more congenial locations of origination or because the superscriptions are the archival location, not the group it is actually addressed to in some cases. See Claude Eilers, "Josephus' Caesarian *Acta*: History of a Dossier," in *SBL 2003 Seminar Papers*, (SBLSP 42; Atlanta: Society of Biblical Literature, 2004), 189–213; idem, "A Decree of Delos Concerning the Jews? (Jos. *AJ* 14.231–232)," *SCI* 24 (2005): 65–74.

holdings, 237 and which were simply compiled as they fit Josephus' stated purposes in AJ 16.174: 238

Now it was necessary for me to cite these decrees since this account of our history is chiefly meant to reach the Greeks in order to show them that in former times we were treated with all respect and were not prevented by our rulers from practicing any of our ancestral customs, but, on the contrary, even had their co-operation in preserving our religion and our way of honoring God.²³⁹

Josephus notably leaves out instances where Jewish claims to certain rights were rejected (e.g. *CPJ* II 153), ²⁴⁰ as he is merely interested in displaying a sense of overwhelming precedence for such protection of rights and their history through the succession of regimes. ²⁴¹ Smallwood rightly notes that these rights were affirmed elsewhere, including in Philo's *Legat*. 156, which speaks of pre-Augustan rights to assemble and to send money to Jerusalem. ²⁴² Indeed, Roman support of Jewish rights is likely, though for the practical reason that advocacy of the cult of a conquered people was the general rule in Roman diplomacy. The *status quo ante* helped to placate the masses, so long as the customs of the people did not run contrary to Roman interests and practices. ²⁴³ Romans may also have looked upon the various deities as manifestations of the supreme deity, which Josephus himself acknowledges, following *Aristeas* (*AJ* 12.21–23). ²⁴⁴ Thus, contra Moehring, ²⁴⁵ we may affirm that Josephus indeed followed the rhetorical practices of

²³⁷ Pucci ben Zeev, *Jewish Rights*, 400ff.

²³⁸ Barclay, *Jews*, 262–64.

²³⁹ Marcus, LCL.

²⁴⁰ Trebilco, *Jewish Communities*, 12; Pucci ben Zeev, *Jewish Rights*, 4.

²⁴¹ See *C. Ap.* 2.42–64; Rajak, "Document and Rhetoric," 178.

²⁴² E. Mary Smallwood, *The Jews under Roman Rule: From Pompey to Diocletian: A Study in Political Relations* (SJLA 20; Leiden: Brill, 1976), 205, 236.

²⁴³ Trebilco, *Jewish Communities*, 11. see Shaye J.D. Cohen, "Respect for Judaism by Gentiles according to Josephus," *HTR* 80.4 (1987): 414.

²⁴⁴ See Shaye J.D. Cohen, "Respect," 414.

²⁴⁵ Moehring, "Acta pro Judaeus," 125.

contemporary historiographic traditions in presenting various congenial rulings of past rulers to support his own political and religious purposes. 246

That these documents were all occasioned by specific issues in specific places is clear, though Josephus compiles them in order to illustrate the licit nature of Judaism as a whole, which will later be affirmed in the time of Claudius as pertaining to all Jews throughout the world (AJ 19.289). 247

1.2.2.2. The Contents and Significance of the Roman Acta

Based on the above discussion, the Roman acta should be treated as a key component of Josephus' presentation of the heritage and legitimization of his own ideal version of Judaism. While scholars often analyze these documents for information regarding historical Jewish rights, we will look at them as part of the larger argument of Josephus, namely that the Law and ancestral customs of the Jews are of early, mostly Mosaic, origin and were treated as such by the most august Caesars as part of their larger programme of advocacy of the Jewish cultus. Throughout Antiquitates, this same Law and ancestral customs are a recurrent theme. This theme is present in many extant decrees and consulta recorded elsewhere, and therefore we will begin with a discussion of the motif of Jewish ancestral customs in Josephus' acta in the context of other known examples of such written decrees. Following this, six other recurrent motifs in the acta presented by Josephus will be discussed. Overall, I will argue that Josephus consistently uses language which illustrates that Judaism in the cities of the larger Roman world

Rajak, "Document and Rhetoric," 177–89.Rajak, "Charter," 312.

existed as legitimate ethnic associations. This is consistent with the view that Josephus presents Diaspora synagogues as the new socio-political reality for all Jewish communities—even those in Israel—after the fall of the Jerusalem Temple.

Table 1: Jewish Communal Rights in the Roman acta

Passage	Right to/ Place of Assembly	Keep the Sabbath	Ancestral Foods	Self- Governance	Sending Money	No Sabbath lawsuits/ theft	Law and Custom	Sacrifice (?)
XIV.190-95				X			X	
XIV.196-98				X				
XIV.199				X			X	
XIV.200-1				X				
XIV. 202–10					X			
XIV.211-12				X				
XIV.213-16	X		X		X		X	
XIV.219-22								
XIV.225-27		X	X		X		X	X
XIV.228-29		X					X	
XIV.230		X						
XIV.231-32		X						
XIV.233								
XIV.234		X						
XIV.235	X			X			X	
XIV.236-37		X						
XIV.237-40		X						
XIV.241-43		X					X	
XIV.244-46		X					X	
XIV.256-58	X	X					X	
XIV.259-61	X		X	X			X	X
XIV.262-64		X				X	X	
XVI.162-65	X				X	X	X	
XVI.166		X			X		X	
XVI.167-68					X		X	
XVI.169-70					X		X	
XVI.171					X		X	
XVI.172-73					X	X	X	
XIX.280-85 XIX.287-91							X X	
XIX.303-11	X						X	

The chart above illustrates the inclusion of specific motifs related to Jewish communal life and practice in the various acta. 248 Josephus both refers to and implies the various motifs listed above in a number of ways. For example, in Josephus' treatment of selfgovernance, the first four documents (AJ 14.190–201) mention this right once and then implicitly assume it within the following decrees. In other motifs, like the right to a place of assembly or practice of ancestral customs, a number of different, clearly connected terms will be used to refer to the same general motif. I will argue that all of the motifs adduced therein are part of the ancestral customs referred to ubiquitously in the biblical paraphrase²⁴⁹ and affirmed throughout these documents. Furthermore, I will contend that in all cases, these aspects of community life presuppose a place of assembly to fulfill their conditions. In order to do so, each motif requires separate analysis. However, the first motif to be dealt with—'ancestral customs'—in many ways acts as the overarching category into which the others should be grouped. Josephus will continually return to this group of terms relating to ancestral customs, as he presents his ideal Judaism with the ancestral customs of the Jews as the community assemblies' reason for being.

1.2.2.2.1. Ancestral Customs

Within the last 30 years, there has been a renewed interest in the designation of certain laws and customs referred to as those of the 'ancestors' or 'elders.' The reasons for this are many. Within historical Jesus research, the interest in understanding texts like

²⁴⁸ This demarcation of distinct documents is from Pucci ben Zeev's Delimitation of Documents (*Jewish Rights*, 22–357). Motifs are judged to be present in all cases where the motif is spoken of directly or clearly implied in the decree or *consultum*.

²⁴⁹ See section 3 of the current chapter.

Matt 15:2 ("Why do your disciples transgress the traditions of the elders?") and what they can tell us about Jesus' view of the law and the *halakha* of the Pharisees have dominated the discussion. However, many have also noted the importance of the terms referring to these customs, which are related to traditions and customs in other texts such as Josephus, Philo of Alexandria, *2 Maccabees*, and various association inscriptions, especially those of the Jews and Phoenicians. In this section, I will argue that Josephus presents the Law and ancestral customs of the Jews as legitimate and protected aspects of synagogues, which he treats as Jewish ethnic associations. Josephus viewed such Jewish associations as the political reality of all Jews, even those in the Land of Israel, and this Law and customs would act as the constitution of Jews throughout the world.

This perceived reality of Josephus, that all Judaism was Diasporic after the First Revolt, would inform his view and presentation of the synagogue. As John Barclay states:

Josephus' Jewish identity now had to be defined in a Diaspora context. Thus in paraphrasing Balaam's predictions, Josephus highlights the positive aspects of the Diaspora (as a 'permanent home,' [AJ] 4.115–16), while repressing the Messianic expectations which could be derived from Num 24.17. Elsewhere, too, Josephus is carefully restrained on the theme of Israel's national expectations (e.g. [AJ] 10.210 on a Danielic prophecy). It was crucial to represent Jewish tradition as a matter of 'law' and 'constitution' which could and should be maintained wherever Jews made their home. ²⁵⁰

This was not simply an intellectual challenge for Josephus. Josephus did not leave the discussion at the level of an academic exercise in jurisprudence. He needed a rallying point, an institution that would gather the Jews in their various locales in order to disseminate and practice the customs that Josephus now portrayed as the centre of Judaism, and the existing Diaspora synagogues, set up as Jewish ethnic associations, were

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²⁵⁰ Barclay, *Jews*, 359–60.

perfect for this purpose. As Nadav Sharon convincingly argues, following Lester Grabbe, ²⁵¹ the ongoing development of the synagogue both before and after the Revolt made it a potential substitute for the Temple as the national centre. ²⁵² Such a circumstance would have made it that much easier for Josephus to present this ubiquitous institution as the constitution and proper centre of Judaism. As we shall see in section 1.3, Josephus would systematically downplay the land theology of the Jews, while presenting the landless congregation motif throughout his biblical paraphrase in order to set up this ideal.

Firstly, as mentioned earlier, a number of different terms were used to describe the Law and customs, and he uses them in a rather fluid manner. As Pucci ben Zeev has argued, these terms are at home in such decrees, especially in phrases like $\pi\alpha\tau\rho$ ίοις ἔθεσι καὶ ἱεροῖς (AJ 14.213). Other terms include, but are not restricted to: $\pi\alpha\rho$ άδοσιν, νόμιρος, νόμος, $\pi\alpha\tau\rho$ ιά, ἔθος. This recurrent emphasis on the importance of ancestral laws and customs is consistent with C.Ap. 1.42, in which Jews are presented as having been wholly faithful in their practice of the totality of their Law and ancestral customs, never

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²⁵⁴ Pucci ben Zeev, *Jewish Rights*, 111.

Lester G. Grabbe, "Synagogues in Pre-70 Palestine: A Re-Assessment," *JTS* 39 (1988): 401–10.
 See Nadav Sharon, "Setting the Stage: The Effects of the Roman Conquest and the Loss of

Sovereignty," in Was 70 CE a Watershed in Jewish History?: On Jews and Judaism before and after the Destruction of the Second Temple (ed. Daniel R. Schwartz and Zeev Weiss; AJEC 78; Leiden: Brill, 2012), 438–45. Such a presentation of the synagogue does not contradict the desire of Sharon and many of the other contributors to this volume in downplaying the cultural effects of 70 CE, but rather shows that ca. 23 years later Josephus possessed an institution that was capable of rallying the Jews around his own ideal Judaism. This, of course, does not mean that the synagogue was viewed as such by any other Jews at this time. We should, however, question Grabbe and Sharon's relatively late dating of the synagogue, especially as they both present it as a monolithic, monogenetic institution.

²⁵³ Steve Mason, *Life of Josephus* (FJTC 9; Leiden: Brill, 2001), 123 n. 1177; *idem. Flavius Josephus*, 100–10. While Mason cautions against completely generalizing these terms in all texts, he does note that the use of these terms overlaps significantly and that they are usually used as synonyms.

altering them, as they are said to be divinely given. ²⁵⁵ This makes sense, since Moses is presented in both AJ 4 and C.Ap. 2.145–286 as the perfect legislator (νομοθέτης), compared favorably to the legendary legislators of Athens and Sparta, Lycurgus and Solon, as his Law and customs dictate every aspect of Jewish life. 256 We may also note that the different terms for Law and custom may be alternated in parallel passages, such as in BJ 1.648//AJ 17.149 where πάτριος and πάτριος νόμος are used, respectively, to suit his needs.²⁵⁷ Given this fluid usage, we may speak of these terms, when applied to the Law and customs of the Jews, as belonging to the same 'linguistic register,' in which a group of terms are used together based upon their social context (i.e., in a use-based continuum, rather than in strict lexical terms). ²⁵⁸ To use such diverse terms, even those which denote separate aspects of law, was common among contemporary writers, including Polybius²⁵⁹ and Dionysius of Halicarnassus, ²⁶⁰ both of whom influenced Josephus. In C.Ap. 2.287, Josephus presents this Law as the unifying theme for the whole work of Antiquitates, which all other themes buttress: "In my writings on the Antiquities, I gave the precise transmission concerning the laws and the constitution."²⁶¹ Most notably

²⁵⁵ See Barclay, *Jews*, 368.

²⁵⁶ C.Ap. 2. 171–178, 225–235; John M. G. Barclay, *Against Apion*, (FJTC 10; Leiden: Brill, 2001), lviii. See 1.3 and chapter3 below.

²⁵⁷ See Schwartz, "Pharisees as Diaspora Jews," 138–140.

²⁵⁸ See Cameron Boyd-Taylor, "Linguistic Register and Septuagintal Lexicography," in *Biblical Greek Language and Lexicography* (ed. Bernard A. Taylor, et al.; Grand Rapids: Eerdmans, 2004), 152.

²⁵⁹ Laws in *Hist.* 2.39.6, 4.25.8, 81.12; constitution in 6.47.4, 50.2, 37.2.2; see Mason, "Importance," 137.

²⁶⁰ Ant. rom. 2.26.2, 5.45.2, 7.20.4, 10.57.1, 11.58.2; Mason, "Importance," 137.

²⁶¹ Mason, "Importance," 137; cf. Gunnar Haaland, "Jewish Laws for a Roman Audience," in *Internationales Josephus-Kolloquium Brussells 1998* (ed. Jürgen U. Kalms and Folker Siegert; Münster: LIT Verlag, 1999), 282–304. For full discussion, see ch. 3 below.

in the Proem of *Antiquitates*, Josephus affirms that the fate of the entire nation rests on the Jews' ability to follow this Law and ancestral customs. ²⁶²

Scholars have often tended to take Josephus at his word when he treats the Law and ancestral customs as concurrent with the Mosaic Law. 263 Some inconsistency inherent in this approach was noticed early in the 20th century CE, however, as scholars like Schürer, Bickermann, and Tcherikover began to note that these terms could not be automatically assumed to refer to the Mosaic Law, despite the fact that Josephus presented them as such. Schürer noted that what was included under the heading of ancestral customs seemed to vary by locality and time. 264 Bickermann argued that the ancestral laws were actually those statutes compiled during the Exile and enacted as law by Artexerxes I, later to be ratified by subsequent rulers. 265 Tcherikover merely noted that the laws were clearly broader than the totality of laws in the Pentateuch, having taken on various accretions and interpretations over time. ²⁶⁶ Another stance, based largely on the similarities in the terminology used by Josephus (especially in AJ 13.297) and Matt 15:2, adopted most notably by E. P. Sanders²⁶⁷ and the early work of Albert Baumgarten, ²⁶⁸ was to affirm these customs as being a proto-Oral Torah originating among the Pharisees.²⁶⁹

²⁶² AJ 1.14, which Barclay takes to be the thesis statement of the entire work; .Barclay, Jews, 356–61.

²⁶³ E.g. Schäfer, *History of the Jews*, 30.

²⁶⁴ Schürer *History of the Jewish People*, 3.113.

²⁶⁵ Elias J. Bickerman, *The Jews in the Greek Age* (Cambridge: Harvard University Press, 1988), 30.

²⁶⁶ Tcherikover, *Hellenistic Civilization*, 84–85.

²⁶⁷ E. P. Sanders, *Judaism: Practice and Belief 63 BCE–66 CE* (London/Philadelphia: SCM Press/Trinity Press International, 1992), 421.

²⁶⁸ Albert I. Baumgarten, "The Pharisaic *Paradosis*," *HTR* 80.1 (1987): 63–77.

²⁶⁹ More recently see Martin Hengel and Roland Deines, "E.P. Sanders' 'Common Judaism,' Jesus, and the Pharisees," *JTS* 46.1 (1995): 30; cf. Jürgen Zangenberg, "Common Judaism and Character of Material

In recent times, however, this group of terms has elicited a number of larger treatments. Most notably, Bernd Schröder has recently written a monograph on Josephus' use of the terms under discussion, though emphasizing πάτριος νόμος. For Schröder, this terminology denotes that which is handed down. This interpretation highlights the antiquity and parallel nature of these customs to those found in other Graeco-Roman societies or groups, even if this chain of reception is not actually historical.²⁷⁰ Only rarely do these terms denote Graeco-Roman-style civic laws, according to Schröder, who reads them as normally referring to the totality of Jewish faith, law, and belief. 271 For Schröder, the use of these terms was meant to indicate the importance of these customs for Jewish life to non-Jewish readers (e.g. in BJ 2.184ff//AJ 18.263ff; BJ 6.334; AJ 12.381ff; 14.216). While this is certainly true to a degree, I agree with Daniel R. Schwartz in questioning Schröder's assertion that ancestral customs could not refer to civic constitutions. Schwartz is correct that Josephus does not limit this language to the law of a single *ethnos*, but that it is presented as originating in the nation itself. ²⁷² Thus, we should follow Schröder regarding the importance of the issue of the antiquity of these decrees in Josephus. However, he is incorrect, in my opinion, in arguing that they would stand as a mere set of outdated statutes to Josephus.²⁷³

Culture," in *Redefining First-Century Jewish and Christian Identities: Essays in Honour of Ed Parish Sanders* (ed. Fabian E. Udoh, et al.; CJA 16; South Bend: University of Notre Dame Press, 2008), 176ff.

²⁷⁰ Bernd Schröder, *Die 'väterlichen Gesetze'* (TSAJ 3; Tübingen: J. C. B. Mohr, 1996), 263.

²⁷¹ Schröder, väterlichen Gesetze, 264.

²⁷² Daniel R. Schwartz review of Schröder, *Die 'väterlichen Gesetze,' SCI* 17 (1998): 248–52; *idem*, 2 *Maccabees* (CEJL; Berlin: Walter de Gruyter, 2008), 275; see also Brent Nongbri, "The Motivations of the Maccabees and Judean Rhetoric of Ancestral Tradition," in *Ancient Judaism in its Hellenistic Context* (ed. Carol Bakhos; SJSJ 95; Leiden: Brill, 2005), 85–111. Nongbri also connects this term with the civic constitutions like the fifth century BCE Athenian Constitution.

²⁷³ Schröder, väterlichen Gesetze, 267.

Another common way of approaching the ancestral customs is that of colonially mediated or imperially enacted laws. This position is most notable in the recent work of Anathea Portier-Young. ²⁷⁴ Based on AJ 14.192–195, wherein Julius Caesar affirms the rights of priests and ethnarchs based on the pre-existing $\pi \acute{a}\tau \rho \iota \alpha \not\in \theta \eta$, Portier-Young argues that the terms under discussion are used in the *acta* to illustrate that these were the emperor's laws. ²⁷⁵ This stance seems, however, to ignore the fact that this terminology was spoken of as the anti-imperial rallying cry for so many, including in Mattathias' deathbed testament to his sons in AJ 12.280:

... be mindful of the purpose of him who begot you and brought you up, and to preserve our country's customs ($\pi \acute{\alpha} \tau \rho \iota \alpha$) and to restore our ancient form of government, which is in danger of passing away, and not to make common cause with those who are betraying it. ²⁷⁶

or in Simon's exhortation to the Jerusalemites in AJ 13.198:

It was for your liberty, my countrymen, that I and my brothers together with our father have gladly dared death, as you cannot fail to know by now. And having such good examples before me, and believing that the men of my house were born to die on behalf of our laws ($\nu \delta \mu \omega \nu$) and our religion, I know not any fear great enough to drive this thought from my mind. . . 277

Another example may be found in Nicolas of Damascus' speech on behalf of the Ionian Jews (16.35), as he argues that the Jews would die rather than allow potentates to revoke these laws and customs. Portier-Young's presentation of this issue also ignores the consistent usage of the terms throughout the biblical paraphrase, in which the Law and customs are shown to come from Moses. To be sure, Portier-Young is correct to a point to

²⁷⁴ Portier-Young, *Apocalypse*, 73–75. See also Tessa Rajak, "Hasmonean Kingship and Invented Tradition," in *The Jewish Dialogue with Greece and Rome: Studies in Cultural & Social Interaction* (AJEC 48; Leiden: Brill, 2000), 39–60.

²⁷⁵ Portier-Young, *Apocalypse*, 73 n. 125.

²⁷⁶ Marcus, LCL.

²⁷⁷ Marcus, LCL..

follow Homi K. Bhaba in presenting traditions as being forever changing as they are performed and articulated, yet linking this aspect of tradition as often being a colonial prerogative. ²⁷⁸ However, this is not how Josephus uses these terms in the *acta*. Josephus is explicitly presenting these documents as proof of the protection of the Jews' traditions by Caesars and various imperial and civic functionaries in *AJ* 14.187–89, wherein Julius Caesar installs a bronze plaque enumerating the rights of the Jews in Alexandria, and 16.174, wherein Josephus states his purposes in citing the *acta*. Thus, for Josephus, there is to be no question about who has allowed the Jews to continue their way of life.

Like Polybius before him (e.g. *Hist.* 3.2.6; 6.1.1), Josephus presents the constitution as fundamental to his understanding and analysis of his people's history.²⁷⁹ We should thus follow the treatment of Mason and Rajak outlined above, wherein the decrees and the customs contained therein are wholly positive for the Jews, illustrating their continued protection from the earliest of Roman rulers to the present. The lack of detail or enumeration of these customs is notable, though this ambiguity works in Josephus' favor as he attempts to provide the reader with a normative presentation of groups who even Josephus has elsewhere shown to be anything but unified in practice.²⁸⁰ These decrees represent for Josephus clear proof that the Jews were indeed affirmed as a just and peace-loving nation within the larger Roman world, as Josephus seeks to argue even further that the Law and ancestral customs made them the pre-eminently just nation.

²⁷⁸ Portier-Young, *Apocalypse*, 74–75; Homi K. Bhaba, *The Location of Culture* (London: Routledge, 1994), 3.

²⁷⁹ Mason, "Importance," 137.

²⁸⁰ Regarding Josephus' lack of halakhic specificity, see Jonathan Klawans, *Josephus and the Theologies of Ancient Judaism* (Oxford: Oxford University Press, 2012), 137–38; *idem.*, "Heresy Without Orthodoxy: Josephus and the Rabbis on the Dangers of Illegitimate Jewish Beliefs," *JJMJS* 1 (2014): 99–126 (esp. 103–16).

However, even if we may agree that this is how Josephus is utilizing terms related to Jewish Law and ancestral customs, this does not entirely answer the question of why Josephus uses these particular terms. I propose that the terminology used is related to the decrees themselves, which speak of the Jewish communities as ethnic or immigrant associations (AJ 14.213–16).²⁸¹

Over the last decade and a half, there has been an increased proclivity by historians of Second Temple Judaism and the Judaism of Late Antiquity to understand synagogues as $collegia/\theta ia\sigma ot$ (i.e., Graeco-Roman associations). This approach has assisted the historian in his or her understanding of the organizational pattern of Jewish groups and institutions. However, we must take care, as many associations adopted the terminology and practices of public institutions. This is not overly surprising, however, as many associations played important roles in local government. Thus, such public institutions should be kept separate from semi-public associations, which were unofficial assemblies, coming together for a variety of social functions. As such, the latter were tolerated, at most, by the authorities.²⁸² One example of the former is the ruling college of Sparta ($IG V^1 51$). Examples of the latter are more diverse, with either relational or purpose-centred connections, the two most common being trade associations (guilds) and those devoted to a specific deity (e.g. Dionysius or Isis).²⁸³ Philip Harland provides a particularly useful typology of associations, which highlights networks and relational ties

²⁸¹ See especially, πατριά and ἔθος, though also νόμιμος and νόμος. For a working definition of such associations, see Harland, *Associations*, 33 – 36; see also John S. Kloppenborg, "*Collegia* and *Thiasoi*: Issues in Function, Taxonomy, and Membership," in *Voluntary Associations in the Graeco-Roman World* (ed. John S. Kloppenborg and Stephen G. Wilson; London: Routledge, 1996), 16–30.

²⁸² Kloppenborg, "Collegia and Thiasoi," 16–30.

²⁸³ Runesson, *Origins*, 467–70

as the defining characteristics of the various types. He specifically enumerates household, ethnic, neighborhood, occupational, and cultic associations.²⁸⁴ One could be a member of multiple semi-public associations, as well as larger public institutions (see the multiple associations mentioned in *CIJ* 777). Also, most associations combined various elements of religious and social activities.²⁸⁵

While this form of social demarcation originated in Greece, it seems clear that Jewish groups during the Hellenistic and Roman periods organized themselves—and were viewed by outsiders—as associations. Jewish assemblies in the Diaspora were treated as ethnic or immigrant associations. Indeed, Josephus speaks of synagogues, in general, in apposition to Graeco-Roman associations, especially in the various decrees in AJ 13–16. For example, AJ 14.215–16, which was part of a edict of Julius Caesar, upholds the rights of synagogues to follow their ancestral customs ($\xi\theta \circ \zeta$), while banning more recent associations.

For example, Gaius Caesar, our consular praetor, by edict forbade religious societies ($\theta(\alpha\sigma\sigma)$) to assemble in the city, but these people alone he did not forbid to do so or to collect contributions of money or to hold common meals. Similarly do I forbid other religious societies ($\theta(\alpha\sigma)$) but permit these people alone to assemble and feast in accordance with their native customs and ordinances ($\tau \alpha \pi \alpha \tau \rho \alpha \epsilon \theta \gamma \kappa \alpha \nu \delta \mu \mu \alpha$).

Even outsiders compared Jewish association traditions to those of Roman ethno-religious groups (e.g., Tacitus' *Hist*. 5.5). Moreover, both an individual community synagogue and

²⁸⁴ Harland, *Associations*, 28–52; see also Richard S. Ascough, *Paul's Macedonian Associations* (WUNT 2.164; Tübingen: J. C. B. Mohr, 2003), 20–24.

Harland, Associations, 61–86.

²⁸⁶ E.g. *IGR* IV.1114 or *IG* II⁵ 1335. See discussion in Harland, *Association*, 33–36.

For detailed discussions of these connections, see Richardson, *Building Jewish*, 111–33.

²⁸⁸ Marcus, LCL.

the Jews as a larger community could be spoken of as a *politeuma*, as illustrated by Josephus' terminology in *C.Ap.* 2 and the use of *politeuma* for the local synagogue in Berenice in Cyrene.²⁸⁹ Such terminological correspondence between larger public synagogues in the Land and semi-public association synagogues, among other factors, has led Anders Runesson to theorise that such association synagogues could exist both in the Diaspora and in the Land, depending on the purpose of the synagogue and whether it was in a Jewish-controlled municipality.²⁹⁰ However, for Josephus, such distinctions seem to have been of little account, as the loss of political independence in the Land led him to present the association synagogue as the new reality for all Jews.

One of the most important elements of the Graeco-Roman association was the ability of such institutions to codify and enforce a moral code for the group. References to such codes abound. A prime example is found in *IG* II² 1275, which speaks of laws which will bind the group together, while other laws may describe the proper conduct at specific events, such as *CIL* XIV 2112 (133 CE). While some posted their association codes publicly (*SIG*³ 1109, ca. 325–275 CE; *ILS* 7212, 136 CE), most disseminated them via papyrus, as the state allowed for limited juridical authority within the associations; in such lists, the laws of the state were often said to be upheld and presented as the basis for proper conduct.²⁹¹

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²⁸⁹ See *NewDocs* IV, 203; Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (2nd ed.; New Haven: Yale University Press, 2005), 96–104.

²⁹⁰ Runesson, *Origins*, 478–82. Thus all synagogues in the Diaspora would have association traits, whereas not all synagogues in the Land would be public assemblies (e.g., Theodotus' synagogue and possibly Jericho).

²⁹¹ Yonder Moynihan Gillihan, Civic Ideology, Organization, and Law in the Rule Scrolls: A Comparative Study of the Covenanters' Sect and Contemporary Voluntary Associations in Political Context (STDJ 97; Leiden: Brill, 2012), 87.

Another direction we might take in understanding the customs and Law mentioned by Josephus would be to address $\pi\alpha\tau\dot{\eta}\rho$ -derived terms in the inscriptions of Phoenician immigrant associations in Delos and Puteoli from the first and second centuries CE. In these inscriptions, the paternal-derived terms are used consistently to refer to the ancestral gods, ²⁹² which become the primary locus of ethnic identity for Tyrians living abroad. In terms of praxis, however, these terms were also used in relation to unique cultural practices. For example, one group of Tyrian immigrants speaks of "sacrifices and rites of our ancestral gods ($\pi\dot{\alpha}\tau\rho\iota\alpha$)" (*OGIS* 595//*IGR* I.421 lines 3–4; 174 CE). This latter inscription provides a valuable, culturally-proximate parallel to Josephus' usage of the terms in question within both the Jewish *ethnos* and individual associations as socio-religious obligations (see especially *AJ* 14.216). Associations were not normally mass movements with extensive recruitment, but typically small groups seeking to worship and live according to the laws and customs to which they were accustomed.²⁹³

This analogy between Jewish synagogues and other immigrant associations such as those of the Tyrians is nothing new, as Schürer pointed to the relevance of many of these same texts long ago. However, the use of similar 'ancestral customs' terminology by such groups has not been sufficiently studied in light of Josephus' usage. This understanding of ancestral customs as association obligations makes the most sense of language relating specifically to the allowances for the Jews to follow their ancestral

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²⁹² e.g. *IDelos* 1519, 1772, 1774, 1776, 1781, 1783, 1785, 1789, 2326; See Joshua D. Sosin, "Tyrian *stationarii* at Puteoli," *Tyche* 14 (1999): 275–28; Philip A. Harland, *Dynamics of Identity in the World of the Early Christians* (London: T & T Clark International, 2009), 111–116.

²⁹³ Ian H. Henderson, "Mission and Ritual: Revisiting Harnack's 'Mission and the Expansion of Christianity," in *The Changing Face of Judaism, Christianity, and Other Greco-Roman Religions in Antiquity* (ed. Ian H. Henderson and Gerbern S. Oegema; München: Gütersloher Verlagshaus, 2006), 37.

customs, as evidenced by Josephus' corpus of documents. ²⁹⁴ Such language is consistent with Josephus' presentation of Judaism in terms of associations and their customs in these documents. I will argue that the other activities mentioned in the *acta* would all be viewed by the ancient reader as falling within the scope of common association practices.

Moreover, as we shall see in the following section, such obligatory practices demand a place of assembly (i.e., synagogue) in order for the rites to be performed, which is only buttressed by the fact that the right to assemble is never spoken of without also referring to the ancestral customs. (see Table 1 above).

1.2.2.2.2. The Right to Assemble

The idea of a group from a given *ethnos* seeking to gather together in order to practice their common traditions in a foreign land was, as we have seen above, nothing new. It is likely that such practices were normal as early as the Persian Period, when large portions of the West were colonized and trade routes opened. This phenomenon continued under the *Diadochoi* and the Romans.²⁹⁵ According to Philo, the Jews could live in the Diaspora for multiple generations and not lose contact with their homeland and identity due to their unique, strong ancestral customs (Philo's *Mos.* 2.178). According to *3 Macc* 1.3, it was important for Dositheus to change his customs and ancestral beliefs in order to leave Judaism behind, even in the Diaspora.²⁹⁶ Adherence to such customs would

 294 As we shall see, this prepares for the universal declaration of these rights in AJ 19.288, which will be treated in section 4 of the present chapter.

²⁹⁵ E.P. Sanders, "Common Judaism and the Synagogue in the First Century," in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. Steven Fine; London: Routledge, 1999), 1.

²⁹⁶ Gideon Bohak, "Ethnic Continuity in the Jewish Diaspora in Antiquity," in *Jews in the Hellenistic and Roman Cities* (ed. John R. Bartlett; London: Routledge, 2002), 183–84. While we may question the over-

require some level of organization and regular meetings, as Jews living in isolation would be likely to assimilate to the dominant culture due to lack of support and community.²⁹⁷

Some, like Howard Clark Kee, have claimed that prior to the end of the first century CE, synagogues were not purpose-built edifices, but rather informal gatherings of people. ²⁹⁸ However, as noted in the introduction, Kee's theories have been decisively refuted in subsequent scholarship. ²⁹⁹ Josephus, unfortunately, gives little information on the practical issues of organization and buildings, ³⁰⁰ likely because this would have varied in the individual communities. As has been argued above, the Diaspora communities were likely treated as a form of association (*collegium*), a circumstance that would have required that the Jews seek permission to assemble, as well as a given place to assemble in order to practice and to propagate their customs. It is in this socio-political context that we locate the importance of the synagogue as an institution for the Diaspora communities, in which Josephus now places all Jews. Synagogues are presented as the centre for Jewish communities seeking to practice their ancestral customs, which Josephus understands as the political and legal constitution of the Jews.

There are several observations that can be made here. Firstly, it should be noted that Josephus is not the only writer to quote official Roman documents to support the right of Jews to assemble. Philo of Alexandria, writing at least a half century earlier, cites

generalized differentiation of Bohak that the Jews would have held harder to their customs than the Phoenicians, we do find a predominantly conservative stance in the texts. However, the texts cited in the previous section do illustrate a concern to continue specific socio-religious traits within Phoenician communities in the West despite their high levels of adaption in other aspects of cultural practice.

297 A point made poignantly in Barclay, *Jews*, 111–12, 325–26.

²⁹⁸ Kee, "Transformation,"1–24; *idem*, "Changing Meaning," 381–83; idem, "Defining," 481–500; see the overall treatment of synagogues from this period in *ASSB*.

²⁹⁹ See discussion of Kee's work in the Introduction.

³⁰⁰ L. Michael White, *Building God's House in the Roman World: Architectural Adaptation among Pagans, Jews, and Christians* (ASOR; Baltimore: Johns Hopkins University Press, 1990), 86.

the letter of Augustus to the governors of Asia Minor in which he states specifically that the Jews had the right to assemble in their synagogues (συναγώγια; *Legat*. 311). While Josephus notably never uses such absolute, direct statements, ³⁰¹ we may note that his pervasive emphasis on the need for such assemblies provides more than adequate proof of the place of the synagogue in such a context.

Secondly, it is clear from Suetonius' *Jul.* 42.3 and *AJ* 14.213–216 that Julius Caesar banned all *collegia* (i.e. associations) except those of the most ancient foundation. According to *AJ* 14.214–15, Julius Gaius decreed to the Delians that

It displeases me that such statutes should be made against our friends and allies [i.e., the Jews] and that they should be forbidden to live in accordance with their customs ($\rlap/\epsilon \theta \eta$) and to contribute money to common meals and sacred rites for this they are not forbidden to do even in Rome. For example, Gaius Caesar, our consular praetor, by edict forbade religious societies to assemble in the city, but these alone he did not forbid to do so. . . 302

Such legal action would have forced the Jews to prove the antiquity of their practices and assemblies. Outside of Suetonius and the *acta*, Cicero's treatment of the Jews at Flaccus' trial (*Flacc*. 66–68; 59 BCE) shows that the Jewish synagogues were likely an exception to the ban on *collegia* in 64 BCE. This ban would likely have been enacted due to the risk of political fomentation in such assemblies, a circumstance which could help to explain the need for Josephus to prove both the inherently virtuous nature of the Jewish communities and their antiquity. While we cannot be sure how much of Josephus' argument was actually occasioned by a fear of being refused assembly rights, we do have

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³⁰¹ See Erich S. Gruen, *Diaspora: Jews amidst Greeks and Romans* (Cambridge: Harvard University Press, 2002), 108–9. Gruen does admit that *AJ* 14.260–61 comes close, though even here the declarations made in the decree are somewhat qualified and localized.

³⁰² Marcus, LCL.

³⁰³ Smallwood, "Jews," 134; Rabello, "Legal Condition," 661–761.

some proof of this right to assemble being revoked for the Jews of Rome by Claudius in Dio Cassius (60.6.6), just as it had been from the Rhodesians (Polyb. *Hist.* 30.5.11–12) and Cyzicians (Suet. *Tib.* 37.3).³⁰⁴ Thus, the right to assemble needed to be claimed explicitly, since losing it, even if all other rights to follow Jewish customs and laws were kept (as Dio reports that they were retained), would have meant the end of the Jewish way of life in general.

However, while AJ 14.213–16 is located in the setting of this type of discussion regarding which legal rights pertained to associations, other texts place the right to assembly in other rhetorical contexts, having been occasioned by different crises. The letter by the Proquaestor and Propraetor Lucius Antonius to Sardis (AJ 14.235) specifically states that the Jews were allowed to have an assembly ($\sigma\dot{\nu}\nu\delta\delta\sigma$) of their own according to their ancestral laws ($\pi\dot{\alpha}\tau\rho\iota\sigma\varsigma\nu\dot{\alpha}\mu\sigma\varsigma$) and a place of their own ($\tau\dot{\sigma}\pi\sigma\varsigma$ $i\delta\iota\sigma\varsigma$) so that they might settle their own disputes. While this letter does not specifically speak of a synagogue, it does present a situation in which such a 'place' is assumed, which points towards the necessity of Jewish assemblies and buildings within which to assemble.

Given the emphasis Josephus places upon the synagogue as the context for Jewish ancestral customs to be practiced and propagated, the use of other *polis* language for the synagogues makes sense, given the innate ties between the association and the city. ³⁰⁵ As Rajak states,

The texts make perfectly clear one essential principle of the synagogue's functioning. In common with other civic associations in a Greek *polis*, synagogues operate precisely as miniature versions of the city of which they are a part: not

³⁰⁴ Pucci ben Zeev, *Jewish Rights*, 447–48.

³⁰⁵ See especially Schwartz, "Review of Schröder," 250 – 51; *idem*, 2 Maccabees, 275.

only the underlying social assumptions, but the language of symbol and gesture in which those assumptions are expressed, echo what goes on in the city. 306

It should be remembered, however, that such use of language associated with the *polis* does not mean that the associations took the place of the city, as some scholars have previously argued.³⁰⁷ Rather, these groups, as we shall see below, were given limited rights of self-governance, including juridical processes. This allows for the use of the same type of language as applies in a *polis* context, since the group made up a microcosm of the city in which it was a part.³⁰⁸

Likewise, the decree of the people of Halicarnassus (AJ 14.257–58) promises the right of the Jews to hold assemblies (σύνοδος), specifically tying such assemblies to the practice of Jewish holy rites (ἱερός συντελεῖν) according to Jewish Law (Ἰουδαῖος νόμος). ³⁰⁹ Josephus quotes,

Since we at all times have a deep regard to piety towards the divine and holiness, and since we aim to follow the example of the people of Rome, the benefactors of all mankind, who has written to our city concerning their friendship and alliance with the Jews, to effect that their sacred rituals to God and their customary festivals and assemblies shall be carried on, we have also decreed that the Jews, men and women alike, who so wish may keep the Sabbaths and perform their sacred rituals according to the Jewish laws, and may build prayer halls by the sea, in accordance with their custom. ³¹⁰

³⁰⁶ Tessa Rajak, "The Synagogue within the Greco-Roman City," in *Jewish, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. Steven Fine; London: Routledge, 1999),164–65; Henderson, "Mission and Ritual," 50.

³⁰⁷ William Tarn and G. T. Griffith, *Hellenistic Civilization*. (3rd Ed.; London: Arnold, 1952), 47–125; Claude Mossé, *Athens in Decline 404 – 86 B.C.* (London: Routledge, 1973); Heinz Kressig, "Die Polis in Griechland und im Orient in der hellinistischen Epoche," in *Hellenische Poleis: Krise—Wandlung—Wirkung* (ed. Elisabeth Charlotte Welskopf; Berlin: Akademie, 1974), 1074–84. See discussion in Harland, *Associations*, 89–112.

³⁰⁸ See Lucio Troiani, "The πολιτεία of Israel in the Graeco-Roman Period," in *Josephus and the History of the Greco-Roman Period: Essays in Memory of Morton Smith* (ed. Fausto Parente and Joseph Sievers; S. P-B 41; Leiden: Brill, 1994), 11 (ignoring Troiani's dated low view of the city); Rajak, "Synagogue within the City, 165.

³⁰⁹ *ASSB* no. 109.

³¹⁰ Marcus, LCL.

The building of places of prayer (προσευχή) is thus directly connected the fulfillment of Jewish ancestral customs (πάτριος ἔθος), which Josephus consistently states as the synagogues' reason for being in his other writings.

However, the reading of this text that has been offered above has been challenged. Heather McKay, as we shall see below, has questioned the systematic identification of $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$ as a synagogue institution, citing ambiguity in texts such as *Flacc*. 40–55 and *Vita* 273–303. She concludes that $\pi \rho \sigma \sigma \epsilon \nu \chi \alpha i$ were centres for imperial homage offered by Jews that nonetheless regularly housed sedition. While the latter is what we find in the *Vita* text, it does not follow from either of her characterizations that these are not synagogues. Also, the use of $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$ in *AJ* 4.257–58 is inconsistent with McKay's generalizaton.

A more nuanced (though equally problematic) argument against our present understanding of this text comes from Stephen Catto, who argues that π ροσευχὰς π οιεῖσθαι refers not to building places of prayer, but rather to offering prayers, as the middle voice of π οιεῖσθαι is never used of constructing an entire building, only portions of a building. He also notes that the plural would open the door to multiple synagogues for a single

³¹¹ Heather A. McKay, *Sabbath and Synagogue: The Question of Sabbath Worship in Ancient Judaism* (RGRW 122; Leiden: Brill, 1994), e.g. 67 – 69, 78–81; cf. William Horbury and David H. Noy, *JIGRE*, 36–27

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&</sup>lt;sup>312</sup> E.g., Pieter W. Van der Horst, "Was the Synagogue a Place of Sabbath Worship before 70 CE?" in *Jews, Christians, and Polytheists in the Ancient Synagogue: Cultural Interaction during the Greco-Roman Period* (ed. Steven Fine; London: Routledge, 1999), 27–40; Runesson, *Origins*, 193–96.
³¹³ Catto, "Does," 165.

community, which he states would be unlikely.³¹⁴ These points, however, do not justify rejecting the traditional translation. This is especially the case given the lack of precision Catto is able to provide regarding how much of a building can be constructed when $\pi o i \epsilon \omega$ is used in the middle voice.³¹⁵ Catto's proposed translation requires him to synthesize his reading too quickly to certain New Testament (Luke 5:33, Phil 1:4) and Philonic (e.g., *Post.* 179; *Mos* 1.149, 1.285, 2.133) texts,³¹⁶ largely ignoring the contextual and generic differences found in such texts. This argument also ignores Josephus' explicit 'right to assembly' motif illustrated in the other pericopae treated in this section. In the end, Catto gives no convincing argument that would call into question the translation of building synagogues near the sea, as indeed other early synagogues had been built this way, including Delos, Ostia, and those spoken of in Acts 16:13 and *Flacc*. 122–23.³¹⁷

In the decree issued by the people of Sardis (AJ 14.259–61), the people are again said to need a place $(\tau \delta \pi \sigma \varsigma)^{318}$ in order to fulfill certain juridical and religious aspects of

³¹⁴ Following E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies*, (London/Philadelphia: SCM Press/Trinity Press International, 1990), 259

³¹⁵ Catto must deal with two other Josephan texts which might be translated 'to build': *BJ* 6.269–70 and *C.Ap.* 1.119 (Catto, "Does," 165 n.29). However, his statement that these are better translated as 'to erect' is a false differentiation. On the whole, this strikes the reader as special pleading, at best.

³¹⁶ See Catto. "Does," 166–67.

³¹⁷ ASSB, nos. 102, 138, 179, 185. For discussion on the connection between synagogue worship and water, see Anders Runesson, "Water and Worship: Ostia and the Ritual Bath in the Diaspora Synagogue," in *The Synagogue of Ancient Ostia and the Jews of Rome: Interdisciplinary Studies* (ed. Birger Olsson, Dieter Mitternacht, and Olof Brandt; Acta Instituti Romani Regna Sueciae 4.57; Stockholm: Paul Åströms, 2001), 119 – 119–26. In the case of Acts 16:13, there is some disagreement about whether or not a synagogue is actually found at the sea, as we are told ἐνομίζομεν προσευχήν εἶναι. While we do find a mention of a προσευχή, it is not clear if this actually refers to a synagogue building, or if one is simply expected. It is noteworthy that all other usages of νομίζω in the books of Luke and Acts speak of false suppositions (e.g., Luke 2:44; 3:23; Acts 7:25; 8:20, 14:19; 16:27; 17:29; 21:29), though this would be the least explicit case. See Luke Timothy Johnson, *Acts of the Apostles* (SP; Collegeville: Michael Glazier, 1992), 292. However, this does not take away from the arguement above, as the expectation of a synagogue here is the key point. ³¹⁸ Contra White (*Building God's House*, 62), there is no indication whatsoever as to the size or level of grandeur here.

their community life. Here the controversial aspect is the possible inclusion of sacrifices as part of Jewish communal life. We shall return to this issue in section 1.2.2.2.7 below.

A final text in our corpus that deals with the synagogue and the right of the Jews to assemble is found in AJ 16.164,

And if anyone is caught stealing their sacred books or sacred monies from a synagogue ($\sigma\alpha\beta\beta\alpha\tau\epsilon$ iov) or an ark (of the Law), he shall be regarded as sacrilegious . . .

While this first edict in book 16 concerning the Jews of Asia is purportedly authored by Augustus, it acts in many ways as a rehearsal of most of what was said in the *acta* of book $14.^{320}$ What is interesting for our purposes is the inclusion of a rare term relating to the synagogue: $\sigma\alpha\beta\beta\alpha\tau\epsilon\tilde{\imath}o\nu$. While this term is found nowhere else in the Second Temple Period, there are multiple cognate usages of such terms in the immediately following centuries (e.g., *CIJ* II 752, ca. 120–30 CE). We can thus be reasonably sure of its usage here as a synagogue term. ³²³

In all of the above cases, we have seen that the place of assembly becomes the setting in which the Jews are said to practice their Law and ancestral customs. The Jewish practice of assembly is itself a protected custom. For such assemblies to be taken away would in reality mean an inability for the Jews to live as a religio-ethnically differentiated group (*AJ* 4.114). This refusal of assembly rights would in turn work against the practice of Jewish Law and customs, which illustrate the moral pre-eminence of the Jewish

³²⁰ See *ASSB*, no. 120.

³¹⁹ Marcus, LCL.

³²¹ Manuscripts differ regarding morphology of *sabbateiou/sabbathiou* and the relationship between *sabbateiou* and *andronos* is not clear, whether appositive or adjectival, though *andronos* is often used in documentary evidence for a general use 'livingroom'; see Pucci ben Zeev, *Jewish Rights*, 242.

³²² Catto, *Reconstructing*, 28.

³²³ Levine, Ancient Synagogue, 115 n. 180; ASSB, no.120.

people.³²⁴ It would result in a high level of isolation for the Jews and an inability to worship their God in their own ways. This need for assembly space illustrates, as Sanders argues, the need for associations and a limited Jewish self-governance, as well as the possibility of observing their own rites and collecting money for specific purposes.³²⁵

1.2.2.2.3. Money to Jerusalem

Various Jewish and non-Jewish sources confirm that the collection of money for Jerusalem was regularly conducted. However, such sources never elaborate on the exact reasoning behind the collection. The fact that such practices did not need explanation illustrates that collections were widely accepted and implicitly understood. So why then were such collections taken? Further, does Josephus place them in the same category as the other dominant rights of the Jewish communities throughout Asia Minor and the world? I will argue that this custom fits with the others spoken of in that it was a common practice amongst immigrant associations and colonies in the larger Roman world. The language Josephus uses is consistent with the language used by other ethnic groups, once again with the Phoenicians providing the closest ancient analogy.

It is likely that the decree represented by AJ 14.213–16 is the earliest extant text to speak of a Jewish monetary collection. This text twice draws a parallel between collections and the sacred community meals of the Jewish communities, a parallel which

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³²⁴ See Barclay, *Jews*, 3.

Sanders, "Common Judaism and the Synagogue," 4; see also Carsten Claußen, "Meeting, Community, Synagogue—Different Frameworks for Ancient Jewish Congretations in the Diaspora," in *The Ancient Synagogue from its Origins until 200 C.E* (ed. Birger Olsson and Magnus Zetterholm. CBNT 39. Stockholm: Almqvist and Wiksell International, 2003) 144–167

is also made by Philo of Alexandria.³²⁶ This was followed by Cicero in *Flacc*. 69, in which he speaks of the Jews sending money to Jerusalem as part of their organized subversion of the common good within the Roman world. For Cicero, the Jews should rather have sent that money directly to Rome.³²⁷

It is also noteworthy that many of the eight separate mentions of the collection of money in the *acta* use similar language, highlighting again that this was a common, well-understood right.³²⁸ For example,

. . . their sacred monies (ἱερὰ [χρήματα]) 329 shall be inviolable and may be sent up to Jerusalem (ἀναπέμπεσθαι εἰς Ἱεροσόλυμα) and delivered to the treasurers in Jerusalem. (AJ 16.163)

The Jews, however numerous they may be, who have been wont, according to their ancestral custom, to bring [accustomed] monies (εἰώθασιν χρήματά) to send up to Jerusalem (ἀναπέμπειν εἰς Ἱεροσόλυμα), may do this without interference. (AJ 16.166)

. . . the sacred monies may be sent up to Jerusalem (ἀναπέμπηται τὰ ἱερὰ χρήματα εἰς Ἱεροσόλυμα) without interference, as is their ancestral custom (AJ 16.169)

The Jews shall not be prevented from collecting sums of money, however great they may be, in accordance with their ancestral custom, and sending them up to Jerusalem (ἀναπέμπεσθαι εἰς Ἱεροσόλυμα). $(AJ 16.171)^{330}$

Money as a sacred commodity is one element of the language shared by Josephus, Philo, and Cicero that has garnered attention. However, we should note that this money was sent

³²⁶ According to Smallwood (*Jews*, 205, 236), the language of Philo illustrates that this was a pre-existent grouping of rights

grouping of rights ³²⁷ However, we must remember that elsewhere (e.g., *Clu.* 139; *Mil.* 1–2) Cicero will admit that his pronouncements in court do not always match his own personal convictions, but are rather stated as if by an actor creating a desired effect; he used the same tactics against other conquered, ethnic groups in defense of Roman leaders. See Leon, *The Jews of Ancient Rome*, 5–7.

 $^{^{328}}$ One exception to this homogeneity would be AJ 16.162–65, as it actually speaks of this money being kept specifically in the synagogue or hall (ἀνδρών).

³²⁹ Χρήματα restored based upon Latin manuscripts. See Marcus, LCL, 66 n.3.

³³⁰ Marcus, LCL.

to Jerusalem with no mention of the Temple in Jerusalem.³³¹ Nonetheless, there is a sense of sacrality in this practice, which has led many scholars to connect this collection of money for Jerusalem to the sending of taxes and other moneys to Rome as an act of honouring and venerating the city.³³² However, the texts commonly cited are Roman, and the groups sending money are doing so due to taxation.³³³

It is notable that Philo of Alexandria speaks of the Jerusalem monetary collection as πατριά (*Legat*. 156, 313), which we have argued above best fits within the context of association customs and obligations.³³⁴ That Philo makes a direct connection between the collection of money and sacred meals, which will be dealt with below, suggests an association context. As with association codes, our closest ancient analogy to such practices is the Phoenician immigrant associations. When Tyrians founded a colony or commercial enclave, it was customary for them to build a temple or association house to Melqart, their patron deity, which both allowed the furtherance of customs and acted as a visual reminder of the presence of the king and the god.³³⁵ We know from classical sources that the sending of a one-tenth offering to Tyre was explicitly mentioned in the founding myth of Carthage, which would justify the religious and social necessity of this

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³³¹ Marin Niehoff, *Philo on Jewish Identity and Culture* (TSAJ 86; Tübingen: J. C. B. Mohr, 2001), 37. While the lack of mention of the Temple does not preclude the Temple from handling the money, the text merely specifies the city. As we shall see below, this seems to follow the practice of other ethnic associations, as well as all Roman-controlled towns and cities, that specifically sent the money to the specified city as a religious rite.

 $^{^{332}}$ Niehoff, *Philo*, 37. See also the discussion of Cicero above. For discussion of ἱερόν as a synagogue term, see chapters 4 and 5 of the present work.

³³³ Niehoff refers to the work of Fergus Millar, but Millar himself limits his scope to Roman associations, questioning if this was a pan-imperial trait. See Fergus Millar, "Empire and City, Augustus to Julian: Obligations, Excuses, and Status," *Journal of Roman Studies* 73 (1983): 76–96.

³³⁴ Emphasized by Niehoff, *Philo*, 37.

³³⁵ Maria Eugenia Aubet, *The Phoenicians and the West: Politics, Colonies, and Trade* (trans. Mary Turton; Cambridge: Cambridge University Press, 1993), 130.

ongoing obligation (Polyb. *Hist*, 31.12.11–12; Arr. *Epict. Diss*. 2.24.5; Diodorus Siculus 20.14.2). ³³⁶ It is notable that similar terminology of ancestral and association customs is used in both Polybius ($\pi\alpha\tau\rho$ íoυς) and Arrian (ν óμιμον) when discussing monetary collection by the Phoenicians, further illustrating that such collections were seen as the prerogative of immigrant associations.

While the collection of moneys for Jerusalem would have practical justifications, we are on firm ground in grouping this activity with the other ancestral customs within the context of common association obligations. The strong parallel with Tyrian practice provides a culturally proximate analogy for an immigrant association context.

1.2.2.2.4. Ancestral Foods and Sacred Meals

Of all the rights and motifs mentioned in the *acta*, sacred meals are the most widely accepted example of Graeco-Roman association practice. However, in various sources, both ancient and modern, there is a pejorative treatment which Josephus gives us reason to question. Here, especially, we may address this issue in Philo of Alexandria's famous passage in *De vita contemplativa* (57–63), in which the sacred meals of the Greek associations are presented as nothing but hedonism and debauchery. This has led many scholars to view the ancient associations as hedonistic dining clubs with a religious veneer. Such views have recently been critiqued in the work of Philip Harland. We should note that even Philo admits that banquets may be enjoyed when reason is allowed

³³⁶ Aubet, *Phoenicians*, 131.

³³⁷ E.g. M. P. Nilsson, *Dionysiac Mysteries of the Hellenistic and Roman Age* (Lund: Gleerup, 1957), 64,147; This idea appears as recently as Sandra R. Shimoff, "Banquets: The Limits of Hellenization," *JSJ* 27 (1996): 452.

Harland, Associations, 59-61.

to dominate the passions (*Leg.* 3.156), which is certainly how Josephus would conceive the law-abiding banquets and symposia of the Jews in the *acta*.

Banquets and symposia made up a positive, important aspect of ancient life, often with clear religious and political symbolism. As Dio Chrysostom, one of Josephus' near contemporaries, would write, "What symposium could please without the good cheer of the guests? What sacrifice is acceptable to the gods without those celebrating the feast?" (Or.3.97). The actual meaning of a feast could vary among different associations. For the Mithraic associations, the feast was a cosmological sacrament, illustrating the workings of the universe. ³⁴⁰

In terms of politics, all aspects of meals were constrained by and had implied social meaning. For example, many Graeco-Roman associations only came together for meals, so the meals were important for ascribing and inscribing hierarchies within the community. Meals in antiquity often included elements meant to represent the various statuses (e.g., economic class and political authority) of those involved, so that one's authority and wealth could be put on display and honoured. It is thus not surprising to find specific regulations posted in some association halls to set out rules surrounding such events (e.g. *CIL* XIV 2112; 133 CE). Even changing the order of events in a meal could have political meaning as we see in Cicero *Vat.* 6.14. However, we must also remember that most of our evidence regarding ancient dining practices originates in

³³⁹ Quoted in Harland, Associations, 77.

³⁴⁰ J.P. Kane, "The Mithraic Cult Meal in its Greek and Roman Environment," *Mithraic Studies* 2 (1975): 313–51.

³⁴¹ Benedikt Eckhardt, "Meals and Politics in the *Yahad*: A Reconsideration," *DSD* 17 (2010): 183–85; Dennis E. Smith, *From Symposium to Eucharist: The Banquet in the Early Christian World* (Minneapolis: Fortress Press, 2003), 9.

³⁴² Eckhardt, "Meals and Politics," 187; Smith, Symposium to Eucharist, 10.

highly stylized literary works, which used such rhetorically-charged dining narratives to make political points. The data, however, is still important and useful for reconstructing actual dining activities and expectations.³⁴³ That such hierarchy is so common among contemporary accounts should also lead us to note the complete absence of such hierarchical language in Josephus' treatment of sacred meals.

As with most other elements of the ancestral customs listed here, little information is actually given about what this right to Jewish ancestral food and sacred meals looked like. Most importantly it becomes clear in *AJ* 14.226 and 261 that special food is necessary,

Alexander, son of Theodorus, the envoy of Hyrcanus, son of Alexander, the high priest and ethnarch of the Jews, has explained to me that his co-religionists cannot . . . obtain the native foods to which they are accustomed (μήτε τροφῶν τῶν πατρίων καὶ συνήθων κατ' αὐοὺς εὐπορεῖν). (AJ 14.226)³⁴⁴

The market officials of the city shall be charged with the duty of having suitable food for them brought in. $(AJ 14.261)^{345}$

It is not specified what makes this food suitable, though in 14.215 we are told that money collected could be set aside for Jewish common meals (σ ύνδει π ν α). It is also notable that we are not told whether this was for a specific feast or merely an association dinner. However, we should note that this right is compatible with the fact that the Law and ancestral customs were furthered in a setting of association-like synagogues. Levine goes so far as to translate the controversial $\dot{\alpha}\nu\delta\rho\dot{\omega}\nu\sigma\varsigma$ of AJ 16.164 as 'banquet hall' to parallel

345 Marcus, LCL.

³⁴³ Smith, *Symposium to Eucharist*, 6–7.

³⁴⁴ Marcus, LCL.

³⁴⁶ Sanders, "Common Judaism and the Synagogue," 14 n. 15.

the synagogue ($\sigma\alpha\beta\beta\alpha\tau\epsilon\tilde{i}o\nu$). At a similar translational level, we must question whether the sacrifices mentioned in AJ 14.227 and 260 are simply a meal or whether they were sacrifices with sacred meals as the climax. The answer to this question is not clear, as we shall see in section 1.2.2.2.7 below. For Josephus, it is enough to have the right to eat such common meals of specific foods within an assembly context.

1.2.2.2.5. Protection of the Sabbath

Given the importance of the Sabbath in Jewish thought, it is surprising that it receives such short-shrift in the *acta*. That Roman writers looked down on the Sabbath practices of the Jews is well known.³⁴⁹ The Jews were portrayed as lazy and indolent (Agatharchides in *C.Ap.* 1.22; Juvenal *Sat.* 14.105–6), wasting one seventh of their life (Tacitus, *Hist.* 5.4). With regard to the *acta*, it is enough to note that it is specifically here that we may affirm that Josephus presents the Sabbath as the set day for communal assembly, which would necessitate a place of assembly, thus tying this right together with the other association-related rights presented in the *acta*.

Sabbath observance, which many Romans viewed so negatively, was portrayed as a right specifically being given to an ally of Rome, no matter where they appeared in the Empire. As with the other ancestral customs, Josephus presents the Sabbath as being protected as a rite of religious devotion. The first seven *acta* mentioning this right (*AJ*

³⁴⁷ Levine, *Ancient Synagogue*, 141. see p. 5 above for full translation of this passage.

³⁴⁸ See Sanders, "Common Judaism and the Synagogue," 7.

³⁴⁹ See Sten Hidal, "The Jews as the Roman Authors Saw Them," in *The Synagogue of Ancient Ostia and the Jews of Rome* (ed. Birger Olsson, Dieter Miternacht, and Olof Brandt; SUASIR 4.57; Stockholm: Peter Ålströms Förlag, 2001), 141–44.

³⁵⁰ Robert Goldenberg, "The Jewish Sabbath in the Roman World up to the Time of Constantine the Great," *ANRW* II.1 (1979): 419–20.

14.225–27; 228–29; 230; 231; 234; 236–37; 237–40) in relation to Jews being protected specifically from military obligations, which would interfere with their ability to celebrate the Sabbath. In one example, Dolabella commands, "allow them to follow their ancestral customs and to congregate (συναγομένοις) for sacred and holy things, according to their customs." (AJ 14.227). After the third version of the military exemption for Roman Jews in Ephesus, however, the right to observe the Sabbath is spoken of as a sacred rite and ancestral custom, rather than merely being a time for the performance of such rites and customs:

- ... it shall be lawful for them [the Jews] to observe their Sabbaths and perform their other rites in accordance with their native laws $(AJ\ 14.242)^{351}$
- ... contrary to our expressed wish you are attacking the Jews and forbid them to observe their Sabbaths, perform their native rites or manage their produce in accordance with their custom. $(AJ\ 14.245)^{352}$
- ... their sacred services to God and their customary festivals and religious gatherings shall be carried on, we have also decreed that those Jewish men and women who so wish may observe their Sabbaths and perform their sacred rites in accordance with the Jewish laws... $(AJ\ 14.257-58)^{353}$

In the final two mentions of the Sabbath (AJ 16.162–65; 167–68), the magistrates go one step further, presenting the meeting places of the Jews as protected on the Sabbath. For example,

And if anyone is caught stealing their sacred books or their sacred monies from a $\sigma\alpha\beta\beta\alpha\tau\epsilon\tilde{i}$ ον or ἀνδρών, he shall be regarded as sacrilegious, and his property shall be confiscated to the treasury of the Romans. $(AJ\ 16.164)^{354}$

³⁵² Marcus, LCL.

³⁵¹ Marcus, LCL.

³⁵³ Marcus, LCL.

³⁵⁴ Marcus, LCL.

This is especially the case with regard to their sacred monies and books on the Sabbath, as well as protection for the Jews from having to appear in court on the Sabbath or past the ninth hour on the eve of the Sabbath. Pucci ben Zeev aptly compares this to *Lex Municipii Tarentini* I 1–5 (*GCRE* 38; 74 CE),

Nor shall any person appropriate by fraud or peculation any money which does or shall belong to the said *municipium*, whether public or employed for religious ends. . . Any person so acting shall be liable to a fine of four times the amount appropriated and shall be condemned to pay the said money to the *municipium*."³⁵⁶

Thus, the money collected for religious ends is inherently protected as if it was collected for the city itself, and thus the city is involved implicitly.

As mentioned above, Heather McKay has problematized the Sabbath as the day of worship in the synagogue before 200 CE. She contends that the first-century evidence in general provides no clear proof of such worship and that the witness of Josephus in particular is ambiguous. McKay defines worship as, "rites and rituals which pay homage, with adoration and awe, to a particular god or gods." For McKay, Sabbath scripture reading does not fall under this definision "unless given a place in a planned session of worship." However, the information provided by Josephus and the various texts (those in the chart on pp. 85–86, as well as *Vita* 271–79, *BJ* 2.284–92, *C.Ap.* 2.175–78) makes it quite clear that the Sabbath was the set time for assembly and instruction in the Law in both the Land (*BJ* 5.289; *Vita* 271–79) and the Diaspora (*AJ* 16.43; *C.Ap.*

³⁵⁵ AJ 16.163. See Sanders, "Common Judaism and the Synagogue," 2–3.

³⁵⁶ Pucci ben Zeev, *Jewish Rights*, 213.

³⁵⁷ McKay, Sabbath and Sacrifice, 77–88.

³⁵⁸ McKay, Sabbath and Sacrifice, 3.

³⁵⁹ McKay, Sabbath and Sacrifice, 3.

2.175–78).³⁶⁰ Moreover, Runesson has aptly noted that McKay's own definition of worship would include scripture-reading, given that it is presented by Josephus as a specific rite within a "planned session." This factor sufficiently contradicts McKay's own thesis that synagogues were not a place of Sabbath worship.³⁶¹ For Josephus, one of the activities on the Sabbath was the synagogue meeting, although Jews could also meet at other times (as *Vita* 280–303 illustrates). This was the time when the Law was read and discussed, and thus a time when the community came together to affirm its connections and boundaries, all within a setting of liturgical observance.

Zeitlin argues that ἀνδρών (hall) was added after $\sigma\alpha\beta\beta\alpha\tau\epsilon$ ĩον in order to differentiate two separate buildings and illustrate that the Jews did not meet together in a synagogue for the reading of the Law on Sabbath in AJ 16.164. However, this assertion runs into the same problems as McKay's arguments against Sabbath worship in Diaspora synagogues.

The Sabbath is thus brought under the heading of the ancestral customs, being both a time of the main synagogue meeting and a component part of the customs that this day is designed to perpetuate. For Josephus, the Sabbath does not stand on its own as a custom. Rather, it is consistently presented as the time during which the other customs

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³⁶⁰ For discussion of texts from his other works, see the following chapters. As Levine succinctly summarizes, "Her [i.e. McKay's] argument relies on a series of methodological and conceptual errors: making an arbitrary and artificial distinction between the terms *proseuche* and *synagoge* and thus not relating to the plain meaning of the former (i.e. a place of prayer); explaining away contradictory evidence as not reflecting contemporary Jewish norms (e.g., Qumran); positing a difference between the weekday and Sabbath rituals (thus dismissing the Tiberias evidence). . . Most crucial of all is her narrow definition of what exactly constituted worship in the ancient synagogue." Levine, *Ancient Synagogue*, 145–46 n. 59; see also van der Horst, "Was the Synagogue," 18–43.

³⁶¹ Runesson, *Origins*, 193–96.

³⁶² Solomon Zeitlin, "The Edict of Augustus Caesar in Relation to the Judaeans of Asia," *JQR* 55 (1964–65): 160–63.

(including the assembly of the community) were enacted, as illustrated by the protection of collected money and sacred books (i.e. Law) on the Sabbath in Augustus' summary law to the Jews of Asia Minor in *AJ* 16.162–65. This decree fits Josephus' aims, as it continues to bring the various customs together as a logical and meaningful group of practices, which have been protected by both Julius Caesar and Augustus.

1.2.2.2.6. Self-Governance

Another of the rights given to the Jews in the *acta* is the right to adjudicate lawsuits and minor criminal cases. In five of the first six documents, all relating to the promises made to Hyrcanus II by Julius Caesar, Hyrcanus was granted the authority to govern the nation based on the Jewish Law. This sort of colonial politics is in keeping with the legal practices of Rome, in allowing a client king to adjudicate the affairs of his nation, so long as it did not pose a threat to or interfere with the concerns and practices of Rome itself.³⁶³

The right of Diaspora Jews to make rulings regarding such lawsuits and minor criminal cases amongst themselves as we find in AJ 14. 235, 260 is notable. As we remember that the Jewish rights to follow their Law and ancestral customs was affirmed in such decrees, and that such Law and ancestral customs were what made up association life, this is not surprising. In becoming part of an association, one agreed to uphold certain rules, as the association had the authority to punish transgressors. ³⁶⁴ Josephus argues in AJ 16.43 and C.Ap. 2.175–78 that it is precisely their community practice of

³⁶³ Bickermann, Jews, 32; contra Schürer, History of the Jews, 107.

³⁶⁴ Gillihan, Civic Ideology, 87; Harland, Associations, 75–76.

reading their Law that makes the Jews the most just and law-abiding of all peoples. While this was at times done in ways that might subvert the juridical institution of the city, it was generally in harmony with local justice. 365 Josephus would clearly prefer to present the Jews as being in the latter category. This allowed the group to enforce its own rules in a limited capacity, while still placing them under the local authorities in criminal cases. 1.2.2.2.7. Sacrifice (?)

Finally, and most controversially of all, Josephus cites the rights of the Sardian Jews to perform prayer and sacrifices (τὰς πατρίους εὐγὰς καί θυσίας τῷ θεῷ) in AJ 14.260. The same term (θυσία) is used earlier by Dollabella in the letter to the Ephesian Jews in AJ 14.227. In this latter passage, we have explicit mention of sacrifice taking place in a Diaspora synagogue ($\tau \delta \pi o \varsigma$). Some scholars have suggested that the phrase should be translated "prayer and ritual" on the basis of the belief that sacrifices could only have been made in Jerusalem. 366 As Binder states dismissively,

The references to "making sacrifice," of course, cannot refer to animal or incense offerings, since these were expressly forbidden outside the Temple, and we have no indications whatsoever that the Jews of Alexandria or Sardis disobeyed these strictures. Therefore thyō must be understood more broadly as "ritual," and may have included prostrations, chanting, and the rendering of votive offerings.³⁶⁷

However, the mere fact that Binder needs to make such a statement about the lack of evidence when dealing with multiple texts that speak of sacrifice should indicate that this issue cannot be dismissed so easily. The language of 'prayer and sacrifice' is mirrored by Philo's instruction for the woman in *Spec. Leg.* 3.171, to lay aside gossip for a life of

³⁶⁵ Gillihan, Civic Ideology, 87.

³⁶⁶ See Binder, *Into the Temple Courts*, 407.

³⁶⁷ Binder, Into the Temple Courts, 407.

solitude, going to a Jewish ἱερόν in order to offer "θυσίας καί εὐχὰς." While Binder has translated θυσία as general worship practices and ἱερόν as 'synagogue' in this Philonic passage, this rendering is theologically tendentious, given his argument regarding the complimentary role of the pre-70 synagogue to the Jerusalem Temple, which assumes that sacrifice could only happen in the Temple. ³⁶⁸

Runesson illustrates the possibility of temple influences on the origins of the synagogues in Syria and Asia Minor. He cites statements such as the continued offerings at the Antioch synagogue (*BJ* 7.44–45), the above mentioned Philo text (*Spec. Leg.* 3.171), and the mentions of 'prayer and sacrifice' in the *acta* (*AJ* 14.227, 260) as proof of this influence. These multiple attestations of some form of sacrifice in synagogue institutions open the door for considering the possibility of sacrifices outside Jerusalem as included within those practices Philo and Josephus would view as proper. However, we still cannot know for sure which sacrifices are spoken of in the *acta* passages. We cannot simply explain away these sources, based on assumed orthopraxy. The issue of the relationship between synagogues and Jewish temples outside Jerusalem will be discussed in chapter 5.

³⁶⁸See also the critique in Runesson *Origins*, 447–48.

³⁶⁹ Runesson, *Origins*, 463 – 66.

³⁷⁰ To this we might add Cassiphia (Ezra 8:17), Elephantine, Lachish, Beersheba, 'Araq el-Emir; for discussion on each, see *ASSB* nos. T1–12. See chapter 5 for full discussion.

³⁷¹ Contra Sanders, *Judaism*, 133–34, who argues that it was likely the Passover sacrifice, based on the limited Rabbinic statements about domestic Passover sacrifices (e.g., *t.Besa* 2.15)

³⁷² For fuller argumentation, see Andrew R. Krause, "Diaspora Synagogues, Leontopolis, and the Other Jewish Temples of Egypt: Rhetoric and Practice in *Antiquitates judaicae* 13.62–73," in *The Other Temples* (ed. Lidia Matassa; SJSJ; Leiden: Brill, forthcoming).

1.2.3. Conclusion

Antiquitates judaicae 12–16 is a section that transitions from the biblical past to Josephus' own period, as Josephus presents an idealized version of Judaism. The transition is affected through the self-identification of Josephus as the heir to Eleazar's task of cultural translation, which brought the Jewish scriptures to the Western world (AJ 1.12). The latter task is accomplished by portraying the Law and ancestral customs as the national constitution of the Jewish people given by Moses, operative and protected by the highest levels of Roman government. Within this section, we find both official documents and historical (or, at least historicized) narratives illustrating this point. It is within this rhetorical program that we find the synagogue taking an ideologically central, though geographically supra-local, place, in which the ancient customs are both practiced and taught, ensuring their preservation and practice within the Jewish ethnos.

Josephus presents activities undertaken in the various synagogues and notes where they were located (e.g., located by water or not, with sacrifices or not). However, he makes no attempt to indicate that the synagogue was a monolithic institution, let alone what such an institution would look like or how it would be run. Rather, he simply tells the reader what is expected of this institution in terms of the fundamentals of association practice. Such synagogues are institutions in which the Mosaic Law is taught, Sabbath meetings are convened, sacred meals are held, money is collected, limited political and juridical autonomy is exercised, all as the ancestral laws of the *ethnos* in their immigrant associations. Beyond all of these motifs being grouped under the rubric of ancestral customs and necessitating places of assembly, many of these practices are connected. For

example, the sacred meal is often spoken of in relation to both the collection of money and likely sacrifices. This set of social and religious obligations would be the common denominator for Jewish communities as they came together wherever they might find themselves.

Thus, Josephus makes no attempt to describe a normative synagogue space, as he is concerned rather with how Jews should interact with their neighbours and the Empire, while keeping their ancestral obligations. The biblical texts which Josephus has just finished paraphrasing in the previous books of *Anitiquitates* (*AJ* 1–11) are then applied in the Graeco-Roman world. Josephus moves from Eleazar and Ptolemy to the Jewish people in every nation, who will continue to preserve and practice the Law and customs they are meant to embody in the context of their synagogues. Josephus does not use ideal figures in his narratives to show what these ancestral customs look like, but rather tells us how Jews should act and shows us where past historical figures have failed, with Herod being the most important character. Josephus' ideal for this space is ultimately the proper practice of Jewish Law and customs in the various Jewish communities.

Based on the sparse information given, Josephus seems to have conceived of these synagogues operating as immigrant or ethnic associations, though it is not entirely clear how far we may take this equation. Were they legally associations, or merely association-like? Based on *AJ* 14.213–16, we may conclude that as far as Julius Caesar was concerned, synagogues could be dealt with in the same way as the associations. This is specifically the case in Delos, where Caesar himself explained why the synagogue could remain while other associations were banned (*AJ* 14.213–16). In terms of language,

Josephus used various elements of association language and presented various association practices as relevant in synagogue settings, most notably those that have come to characterize their ethnically proximate neighbours from Phoenicia. Thus, the data constrains us to understand Josephus' ideal synagogue as a Jewish version of the Graeco-Roman associations. This fits with his idea of Judaism as a world religion in the strictest sense of this concept, spreading over the face of the earth (*AJ* 14.114–15) and living harmoniously with the native populations. Josephus also illustrates the justification and vindication of the rights of the Diaspora synagogues in the various narratives of this section, most notably in Nicolas of Damascus' speech to Marcus Agrippa in defense of the Ionian Jews (*AJ* 16.27–65).

The synagogue constitutes the necessary supra-local point of contact between the Jewish communities and individuals in various geographical areas. This portrayal of Jewish assemblies mixes the perception of synagogues by both Jews and Romans through the narratives, speeches, and purportedly historical *acta*, with Josephus' ideal conception of the synagogue through the rhetorical presentation of this institution. According to Josephus' portrait, the synagogue is a licit and peaceful association that benefits the Empire, while allowing the Jews to continue their ethnic identity after the decentering of their state following the First Revolt. This lived experience of the synagogue is meant to assuage Roman fears of ongoing Jewish sedition, though it also ironically subverts Roman attempts to decentralize the Jewish people. Such an institution would allow the Jews a place to practice and propagate their Law and customs, which were specifically presented as originating with Moses and coming down to the Jews in a perfect chain of

succession due to the Jewish concern for the practice and propagation of such customs. For Josephus, this characterization of the synagogue would fit the displaced nature of the nation, which Josephus would highlight in his biblical paraphrase, through the various wilderness travels and Babylonian Exile.

1.3. Antiquitates judaicae 1–11

Given the importance of the synagogue as a place of meeting during the Hellenistic and early Roman periods, we must ask how Josephus views (or at least portrays) the origins of this institution. The answer, it would seem, is to be found in the first 11 books of *Antiquitates judaicae*, i.e., in the biblical paraphrase. Not surprisingly, we find the first inklings of the later synagogue assembly at Sinai, the very place where Moses receives the national constitution. This link between the Law and the Mosaic assembly allows Josephus to present the synagogue as intrinsically tied to the Law, which he portrays as a divinely given, perfect constitution. However, Josephus employs a more limited set of synagogue terms here than those utilized in books 12–16, specifically συναγωγή and ἐκκλησία. The terms συναγωγή and ἐκκλησία are the common translations for the Hebrew Bible's της in the LXX³⁷³ translation of the Pentateuch. I will argue that Josephus employs these synomymous terms in purposeful, technical ways, in order to justify the later public and association synagogues, of which he speaks in the later books of *Aniquitates-Vita*.

³⁷³ LXX is here defined in its more narrow sense of the Old Greek (OG) translation.

In the following, I will present the salient aspects of Josephus' reception of the Bible, especially his source material, his appropriation and adaptation of Graeco-Roman hermeneutical and historiographic practices to Jewish contexts and traditions, and his approach to translation. Following this, I will discuss the parallel use of ἐκκλησία and συναγωγή in speaking of Moses' congregation throughout these early books of Antiquitates. I will emphasize the appropriation and adaptation of Graeco-Roman terminology and idioms within the historian's retelling of the foundational events of the nation and how this relates to the rhetoric of the larger work. Finally, I will show that the giving of the Law and ancestral customs at Sinai was a paradigmatic event, which marks the inception of the putatively original, national institution. Josephus presents this wilderness congregation as a precursor (or origins myth) to his later re-envisioned, synagogue-oriented Judaism. This presentation is infused with ideological meaning and is intended to affect how Jews both viewed and acted within the assembly space of the synagogue. In other words, Josephus creates an ideal that is meant to describe to the reader how the Jews would experience the perceived space in order to create more meaningful lived space through the evocation of such an ideologically charged congregation.

1.3.1. Josephus' 'Bible'

Despite Josephus' promise in the Proem of *Antiquitates* to present the precise details of the Hebrew Scriptures and neither to add to nor to subtract from the text (*AJ* 1.17), even the casual reader will note that Josephus does not live up to this promise. However, it is also clear that this is not merely an issue of dishonesty or sleight-of-

hand.³⁷⁴ Josephus is carefully and thoughtfully presenting these Hebrew Scriptures using etic language for an external audience, and he is attempting to track certain themes, which he views as germane to the larger programme of the work. For our purposes, it is notable that Josephus utilizes specific terminology through this biblical retelling which sets up his later treatments of Jewish institutions of assembly in the Land and the Diaspora. In this section, I will begin with preliminary remarks regarding various theories which pertain to Josephus' biblical source material and his usage of such sources. Following this, his rewriting of biblical history will be compared to various models, both Graeco-Roman and Jewish. This will provide a foundation for subsequent discussion of changes and amplifications made in Josephus' biblical paraphrase.

1.3.1.1. Josephus' Biblical Text

Before we may deal with Josephus' exegesis of the biblical text, we must first attempt to understand which biblical text(s) Josephus was using. According to Louis Feldman's influential treatment of Josephus' biblical *Vorlagen*, Josephus likely used a Hebrew text or a targumic paraphrase for his retelling of the Pentateuch. However, Feldman himself is quick to caution that, on average, the LXX of the Pentateuch has the closest word-for-word correspondence to the wording of Josephus, though this may also

³⁷⁴ Cf. C. Siegfried, "Die hebräischen Worteklärungen des Josephus," *ZAW* 3 (1883): 32–33 n.3. More convincing is Shaye Cohen's argument that this was a rhetorical commonplace, citing such writers as Dionysius of Halicarnassus (*Thuc.* 5, 8), Diodorus Siculus (Diod. Sic. 2.32), and Hecataeus of Abdera (cited in Diod. Sic. 1.69); Cohen, *Josephus*, 27. For larger discussion, see Louis H. Feldman, "Use, Authority, and Exegesis of Mikra in the Writings of Josephus," in *Mikra: Text, Translation, Reading, and Interpretation of the Hebrew Bible in Ancient Judasim and Early Christianity* (ed. Martin J. Mulder; Compendia Rerum Iudaicarum ad Novum Testamentum 2.1; Assen/Philadephia: Van Gorcum/Fortress Press, 1988), 466–67.

³⁷⁵ Feldman, "Use, Authority, and Exegesis," 460.

be due to its high level of correspondence to the Hebrew text. ³⁷⁶ Thackeray likewise believes that Josephus used a combination of text types, including LXX for certain texts and Targumim for others; more often than not, Thackeray opines, Josephus used a Lucianic text of the LXX. 377 According to Attridge, Josephus himself lauds the LXX and we should not be surprised to find heavy usage, including the use of versions and stories only extant in the Greek, such as the books of the Maccabees and 1 Esdras. However, Attridge warns against hasty conclusions, as the evidence is far from conclusive. Josephus was fluent in Hebrew, Aramaic, and Greek, which should lead us to remain somewhat ambivalent on the subject. 378 Attridge adds that other material, including the Alexandrian apologetic histories and various oral traditions, may also have been used.³⁷⁹ Moreover. while in many places Josephus is freer in his translation of the Pentateuch, Sanders has shown that Josephus often conforms his wording to the LXX, though he changes elements to suit his purposes, especially when it comes to cultic terminology. This is likely due to his work as a priest in the Temple. 380 In either case it is clear that all sources, including the LXX, translate and interpret the Hebrew text in specific ways (usually for clarification). This pervasive exeges is in all possible sources makes any definite delimitation of sources difficult without clear quotation of unique, recognizable readings.

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³⁷⁶ Feldman, "Use, Authority, and Exegesis," 460.

Thackeray, *Josephus*, 75–85. Followed by Salomo Rappaport, *Agada und Exegese bei Flavius Josephus*(Wien: Alexander Kohut Foundation, 1930), xxi – xxiv; Abraham Schalit, *Introduction to the Hebrew Translation of the* Antiquities (Jerusalem: Mosad Bialak, 1967), xxxi–xxxii.

³⁷⁸ Attridge, *Interpretation*, 29–34. Following Heinrich Bloch, *Die Quellen des Flavius Josephus in seinerArchaeologie* (Leipzig: Teubner Verlag, 1879); Schürer, *History*, 1.80. Contra G. Hölscher, "Josephus," *PWRE* 9 (1916): 1934 – 2000. Hölscher argued that Josephus lacked the sophistication to translate and was thus a mere copyist, followed only one source.

³⁷⁹ Attridge, *Interpretation*, 29–38. See also

³⁸⁰ Sanders, *Judaism*, 101–12. Sanders compares Josephus' translation to those of Philo and the LXX. He argues that Josephus is more precise when it comes to cultic terminology.

Despite the near scholarly consensus of a half-century ago, we must question whether the Targumim were actually used by Josephus. This is a problematic assertion due to the difficulty in dating pericopae in the *Targumim*.³⁸¹ Beyond this, the *Targumim* have specific exegetical concerns, such as providing exclusive readings of texts, and they usually have very different concerns from those of Josephus.³⁸² In all, Feldman's assumption that Josephus would have heard both Torah and *Haftarot* readings in the synagogue in Aramaic is impossible to substantiate, given the dearth of evidence and the above mentioned difficulty in dating targumic pericopae.

In my view, Josephus would have been careful and precise in his exegesis and use of the LXX, which he viewed as an accurate representation of the biblical text, based on his extensive presentation of the *Aristeas* story. While some of this interpretation was mere copying of sources, it also included what Gregory Sterling has termed "amplification and explanation." This would have included his various additions and subtractions, as Josephus attempted to present a coherent text to his readership, thus amplifying certain concerns in a given passage. Siven Josephus unique readings,

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³⁸¹ See Philip S. Alexander, "Jewish Aramaic Translations of Hebrew Scriptures," in *Literature of the Sages: Part 1* (ed. Shmuel Safrai; CRINT; Assenn/Minneapolis: Van Gorcum/Fortress Press, 1987), 217–253.

³⁸² See Alexander Samely, *The Interpretation of Speech in the Pentateuch Targums* (TSAJ 27; Tübingen: J.C.B. Mohr, 1992), 181–84.

³⁸³ Even Feldman would affirm this likelihood. Feldman, "Use, Authority, and Exegesis," 475.
³⁸⁴ Sterling, *Historiography*, 254; following Louis H. Feldman, "Hellenizations in Josephus' Portrayal of Man's Decline," in *Religions in Antiquity: Essays in Memory of E. R. Goodenough* (ed. Jacob Neusner; SHR 14; Leiden: Brill,1968), 336–69. Sterling also notes Rajak's assertion that similar forms of interpretive translations were found in Berossus, Manethon, and Hecataeus of Abdera; Tessa Rajak, "Josephus and the Archaeology of the Jews," *JJS* 33 (1982): 467–469. Cf. more recently John Marincola, *Authority and Tradition in Ancient Historiography* (Cambridge: Cambridge University Press, 1997), 34–36.

Feldman, "Use, Authority, and Exegesis," 475, 481; Attridge, *Interpretation*, 30–38; Paul Spilsbury, "Reading the Bible in Rome: Josephus and the Constraints of Empire," in *Josephus and Jewish History in Flavian Rome and Beyond* (ed. Joseph Sievers and Gaia Lembi; SJSJ 104; Leiden: Brill, 2005), 209.

however, Etienne Nodet speculates that he must have obtained an eclectic text, though he did not note the origins of his various textual emendations and choices, while at times failing to redact adequately these sources for consistency. The information of the property of the sources for consistency. The impossible for us to know exactly what such texts would have looked like or whether it was Josephus himself who failed to reconcile the various readings. Thus we are best served in following Jonathan Norton, who has recently argued that Josephus' work displays a high level of textual plurality, which Josephus used to his benefit. According to Norton, Josephus judiciously selected texts and translations as they suited his own needs in his own context. It is also important to note that we cannot merely derive Josephus' intent based on audience and comparison to other extant biblical texts; we must understand Josephus' translation of specific passages within the larger work and subsequent history (AJ 12–20, Vita), which is being presented as consistent with the biblical text.

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³⁸⁶ Etienne Nodet, "Josephus and Discrepant Sources," in *Flavius Josephus: Interpretation and History* (ed. Jack Pasor, Pnina Stern, and Menahem Mor; JSJSupp 146; Leiden: Brill, 2011), 259–65. Nodet notes that Josephus probably gained access to various texts throughout his career, including the so-called Temple Library (see *Vita* 418).

³⁸⁷ Jonathan D. H. Norton, *Countours in the Text: Textual Variation in the Writings of Paul, Josephus, and the Yaḥad* (LNTS 430; London: T & T Clark International, 2011), 57–81. This theory is in line with, and dependent upon, the growing predilection of scholars to affirm a textual plurality, as many books from the Hebrew Bible display multiple versions, which were held in parallel. This is due largely to the multiple additions of various books found at Qumran, which have allowed scholars to move beyond the notion of textual fidelity and infidelity to a more complicated acceptance of textual plurality, which better accounts for the various presentations of biblical books found in Second Temple Period Jewish texts. However, scholarship is still far from consensus on this issue. See Ulrich, "Evolutionary Production," 209–25 for discussion.

³⁸⁸ Mason, "Importance," 132, 135–37.

1.3.1.2. Josephus' Biblical Paraphrase in Historiographic Context

It is certainly true that Josephus makes use of a number of important historiographic and literary traditions, especially within his biblical paraphrase. He will at times show affinity for the historiography of the Alexandrian Jewish apologists in his presentations of origin narratives, while at the same time he carefully presents his narratives within the Herodotean and Thucydidean schools of historiography.

Ancient writers often spoke of taking up their story where another ceased. Examples of such literary continuation include Xenophon following Thucydides or Polybius following Aratus, as they drew on the larger trends and luminaries in the field. ³⁸⁹ For Josephus, this predecessor was Eleazer the High Priest, who organized the translation of the Greek Bible for Ptolemy II, an act that Josephus explicitly cites as his own goal to finish (*AJ* 1.10–12; 12.11–120). Like so many others, Josephus would claim that the previous writers had given only a partial story. ³⁹⁰ Josephus cites 21 separate sources in *AJ* 1–11, though it is likely that there were countless others he did not cite. ³⁹¹ As Rajak has noted, however, this was not done to check the Bible as a source, but rather to reinforce the veracity of, and previous Greek knowledge regarding, what the historian viewed as a divinely given text. ³⁹² At times Josephus cites certain respected Greek authors in order to point out the errors in their histories. A prime example of this is found in *AJ* 8.253–62,

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³⁸⁹ See Doron Mendels, "The Formation of an Historical Canon of the Greco-Roman Period: From the Beginnings to Josephus," in *Josephus and Jewish History in Flavian Rome and Beyond* (ed. Joseph Sievers and Gaia Lembi; SJSJ 104; Leiden: Brill, 2004), 3–19.

³⁹⁰ E.g. Dionysius of Halicarnassus claims that the Greek authours only give a partial story (*Ant. Rom.* 1.4.2, 5.4 – 6.3), as do Diodorus Siculus (Diod. Sic.1.3.2–3) and Thucydides (Thuc. 1.97).

³⁹¹ See James E. Bowley, "Josephus Use of Greek Sources for Biblical History," in *Pursuing the Text: Studies in Honor of Ben Zion Wacholder on the Occasion of his Seventieth Birthday* (ed. John C. Reeves and John Kampen; JSOTSupp 184; Sheffield: Sheffield Academic Press, 1994), 202–15. Bowley notes that 14 of these named sources are credited only once, though the number of cited quotations adds up to 36.

³⁹² Raiak, "Josephus and the Archaeology," 470–71.

where he argues that Herodotus credits the acts of Shishaq to Ramses II, who had ruled 400 years previously.³⁹³ All of this is meant to convey a sense of veracity and superiority in the biblical paraphrase of Josephus.

Dionysius of Halicarnassus and Polybius of Megalopolis were Josephus' two dominant Graeco-Roman historiographic influences, and here we may note a variety of these influences coming through in AJ 1–11. The 'Antiquarian Rhetorical Historiography' of Dionysius of Halicarnassus and the Herodotean School, which sought various sources for the delivery of a polished, antiquarian history, best describes the biblical paraphrase of Josephus.³⁹⁴ Like Dionysisus, Josephus wrote character-driven stories in which biblical virtues and vices were exemplified in various biblical characters. ³⁹⁵ We might add to this the moralizing aspect of the god(s) helping those who follow their ancestral customs as a major theme and narrative element in both writers (Ant. Rom. 8.56; AJ 1.14). ³⁹⁶ In both cases, such rhetoric has also lead to modern scholars initially dismissing these writers as unreliable due to their overly-rhetorical writings, with more recent scholars defending the legitimacy of such use of rhetoric in history writing. ³⁹⁷ It is precisely in this 'rhetoricality' that the purpose of Dionysius' work emerges: illustrating the Greekness of the Romans while presenting the origins of their state institutions. Dionysius mixes elements of the chronicle, the war history, and the constitutional history (see Ant. Rom. 1.8.3). This merging of origins and institutions is a common connection amongst ancient historians

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³⁹³ See Bowley, "Greek Sources," 211.

³⁹⁴ Sterling, *Historiography*, 285–88; Marincola, *Authority and Tradition*, 9–10, 113.

³⁹⁵ Sterling, *Historiography*, 93; Steve Mason, "Introduction," xxxii–xxxiv.

³⁹⁶ See broader discussion in Attridge, *Introduction*, 162–64.

³⁹⁷ Marincola, *Authority and Tradition*, 3; Jeffrey Walker, *The Genuine Teachers of this Art: Rhetorical Education in Antiquity* (Columbia: University of South Carolina Press, 2011), 217ff.
³⁹⁸ Walker, *Genuince Teachers*, 268–70.

that we shall continue to see as operative in the connection between synagogue and constitution in Josephus.

Despite Polybius' distaste for the antiquarian style, we find in Polybius a number of rhetorical parallels to Josephus' biblical paraphrase. Like Dionysius and Josephus, he placed a great deal of importance on the communal organization for the institutional foundations of society and the formation of group character. As Polybius relates in his encomium of his patron, Scipio states,

It is my view that every state is the product of two factors, which determine whether its institutions and constitutions are good or bad. These factors are customs and traditions. When customs and traditions are good, they make private citizens respectful and restrained, and give the state an equitable and fair character, but when they are bad they have the opposite effect. Therefore, just as we can confidently infer that the citizens of a state with good customs and traditions will themselves be good and will have a good system of government, so it also makes perfect sense to conclude, when we come across a state where individuals are rapacious and public policies are unjust, that the traditions, local customs, and entire system of government are bad. (*Hist.* 6.47.1–2)⁴⁰⁰

As we shall see, this is very much in keeping with Josephus' presentation of the communal organization and customs of the nation produced through the founding traditions of Israel at Sinai in the biblical paraphrase.

However, Josephus utilizes not only the styles of his Greek forbears, but he also draws on the styles and traditions found in the Jewish apologetic historiographers. Here we might note especially the common traditions in Artapanus regarding novelistic aspects of Moses' life, though we cannot be sure whether these traditions were passed through

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³⁹⁹ Craige B. Champion, *Cultural Politics in Polybius's Histories* (Berkeley: University of California Press, 2004), 81–82.

⁴⁰⁰ Quoted in Champion, Cultural Politics, 163.

use of Artapanus, common sources, or a compilation such as that of Alexander Polyhistor. Josephus' style in *AJ* 1–11 also displays elements of affinity with other paraphrases of the Hebrew Scriptures, including Pseudo-Philo, the *Genesis Apocryphon*, *Jubilees*, and the Samaritan *Asatir*, as well as certain works of Philo of Alexandria, especially *De opificio mundi* 1–3. As Sterling illustrated many years ago, Josephus betrays an apologetic "bi-polar stance, i.e., an apology to Hellenism through the glorification of the Jewish past and the Hellenization of Israel's traditions, [which] appears to be the dominant hermeneutical device. Like the previous apologetic historiographers, Josephus utilized the categories and doctrines of the various Greek schools of thought in order to illustrate that the Jews had not only predated the Hellenistic schools, but were also superior in every way.

For the purposes of Josephus' rhetoric, the telling of biblical history was not merely left as an antiquarian concern, but was drawn upon in the subsequent books of *Antiquitates-Vita*. Josephus presents the biblical story as the hermeneutical foundation upon which the subsequent story is to be read, and many of the alterations made by the historian are for the purposes of illustrating and buttressing a sense of consistency between the remote and contemporary historical elements.⁴⁰⁴

One element of contemporization that has long been noted in scholarly literature is the typological characterization we find in *Antiquitates*, especially as Josephus presents

⁴⁰¹ Attridge, *Interpretation*, 35 n.4.

⁴⁰² See Feldman, "Use, Authority, and Exegesis," 472–74. While Feldman's question as to whether these illustrated oral midrashic or written exegetical traditions is somewhat dated and superfluous for our concerns, he is nonetheless able to show a variety of theological and literary affinities amongst these texts. ⁴⁰³ Sterling, *Historiography*, 297.

⁴⁰⁴ Mason, "Importance," 132, 135-40.

parallels between himself and many of the prophets and priests found in the biblical text. 405 Here we should note especially his affinities to Joseph (as a dream interpreter and a Jew serving a foreign king) and Daniel (another dream interpreter and servant of a foreign king, who was distinguished from his youth). Josephus also draws connections between biblical characters and his contemporaries, such as King Saul and King Herod.

Another oft-cited element of Josephus' exegetical practice is the omission of land theology. Betsy Halpern Amaru argues convincingly that Josephus expunged the promise of land from the various covenants, which minimized the importance of the land covenants themselves. This alteration replaced land claims with an inflated sense of law, virtue, and obedience. 406 This allowed for a Judaism more amenable to the Diaspora experience of Josephus' Jewish contemporaries. 407 More recently, Paul Spilsbury has rightly noted that this perspective would be more acceptable to a Roman audience through the Patron-Client relationship between God and Israel. 408 As I will argue below, this is in much the same spirit as Josephus' treatment of the people's assemblies in AJ 1– 11, in which Josephus retrojects and amplifies his concerns in order to illustrate consistency in God's treatment of his people and in his Law.

In all cases, we find an interest in amplifying biblical events and translations.⁴⁰⁹ The historian possesses a robust rhetorical toolbox which he uses in order to present his case for ideal Jewish assembly institutions, drawing from both his native traditions and those traditions he would find current in the Diaspora. Josephus clearly seeks to present

⁴⁰⁵ David Daube, "Typology in Josephus," *JJS* 31 (1980): 18–36.

Betsy Halpern Amaru, "Land Theology in Josephus' *Jewish Antiquities*," *JQR* 71.4 (1981): 201–29.
 Halpern Amaru, "Land Theology," 201–29.

⁴⁰⁸ Spilsbury, "Reading the Bible," 216–21.

⁴⁰⁹ Marincola, Authority and Tradition, 34.

biblical material in a careful manner, teasing out those elements amenable to his argument, while being true to his reading of what he viewed as a reliable, sacred text.

1.3.2 Public Assemblies in Josephus' Biblical Paraphrase

While terms associated with synagogue institutions do not appear until the third century BCE, Josephus portrays this institution as present in the founding narratives of Israel. As we see in the Roman *acta* found in *AJ* 14 and 16, Josephus wished to present the synagogue as the spatial and legal centre of Judaism in his own time. His desire to illustrate the antiquity of Judaism would place emphasis on tracing Judaism's key institutions back to the very beginnings of the nation. However, as we shall see, Josephus did not write the synagogue into ancient history whole-cloth, but rather was able to utilize and to amplify the existing traditions to this end, drawing upon the Exodus, Wilderness, and Conquest traditions regarding the 'congregation' of Israel. The term אָרָהָל had already received a translation favorable to Josephus' aims in adapting the LXX ἐκκλησία as a synonym for συναγωγή, which fits with his experience of the synagogue as a people's assembly in later traditions and history.

Έκκλησία had long been used in Hellenistic, and later Roman, circles⁴¹⁰ as the designation for the people's assembly in which all (male) citizens could gather in order to make decisions, which would be received by the *polis* leadership. Έκκλησία could be used both in the technical sense of a governing institution and in the non-technical sense

⁴¹⁰ This was one of the elements of the Hellenistic establishment appropriated by Rome in the third century BCE; see White, *Building*, 37.

of an occasional assembly (i.e., συναγωγή), with both terms translating קֿהָל. While έκκλησία is almost always a rendering of קהל, קהל is not always translated with ἐκκλησία, though in LXX Joshua, Judges, Samuel (excepting I Sam 19:20), Chronicles, Ezra-Nehemiah it is always used. Ἐκκλησία is always used for קהל in Deuteronomy, except when σ עטעמץ γ is used in $5:22.^{412}$ In Genesis, Exodus, Numbers, and Leviticus, קהַל is usually translated with שנדה which elsewhere translates עדה. עדה is itself more common than קהל in Exodus, Leviticus, and Numbers, where it is only ever translated as συναγωγή. 413 Thus, Josephus' parallel, consistent usage of ἐκκλησία and συναγωγή for is all the more conspicuous in the sections relating to the Pentateuch and it seems that he would have been aware of the implications of such word choices given his Roman readers' understanding of the text as based on their own experience of first-century people's assemblies. The equation of ἐκκλησία and συναγωγή likely stood as one of the justifications for Josephus' conflation of the ἐκκλησία with later synagogue traditions. As part of this targeted use, as we shall see, the terms ἐκκλησία and συναγωγή are used in a more technical sense, as they relate to the official people's assembly, which matches his conception of later synagogues. Josephus uses ἐκκλησία 48 times 414 and I will argue that

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⁴¹¹ K. L. Schmidt , "ἐκκλησία," *ThDNT*, 3.528.

⁴¹² K. L. Schmidt , "ἐκκλησία," 3.529.

⁴¹³ K. L. Schmidt, "ἐκκλησία," 3.529. Much of this is obfuscated by Burtchaell, who merely combines the MT and LXX usages of the terms for all such "post-Exilic" plenary assemblies in Israel; see James Tunstead Burtchaell, *From Synagogue to Church: Public Services and Offices in the Earliest Christian Communities* (Cambridge: Cambridge University Press, 1992), 209 – 11.

 $^{^{414}}$ AJ 3.84, 188, 292, 300, 306, 307; 4.22, 24, 35, 36, 63, 142, 176, 309; 5.72, 93, 105, 110, 111; 6.86, 222; 7.370; 8.122, 222, 358, 368; 9.8, 10, 250; 11.172, 228; 12.164; 13.114, 216; 14.150, 252; 16.62, 135, 393; 19.332; BJ 1.550, 654, 666; 4.159, 162, 255; 7.412. Vita 268. To this we might add the use of ἐχχλησιάζοντες in AJ 10.93.

his usage presents a clear and coherent picture of a public assembly of the Jewish people. Of course it is impossible to know just how cognizant Josephus might have been regarding whether or not a synagogue was actually envisioned by the biblical writers, though his usage of ἐκκλησία and συναγωγή is consistent with the later synagogue in his idealized Judaism. This correspondence lends credence to the idea that this is how he meant ἐκκλησία to be read in his own 'translation' of events.

Another semiotic issue confronts the modern scholar who studies these synonymous terms in a first-century CE Jewish context: the use of $\dot{\epsilon}$ xx $\lambda\eta\sigma\dot{\epsilon}$ term by the Apostle Paul to denote the early Christ-believing assemblies. This has led to many researchers analysing Josephus' use of $\dot{\epsilon}$ xx $\lambda\eta\sigma\dot{\epsilon}$ to treat this language in a way that subordinates it to the Pauline and Deutero-Pauline Epistles, as well as Acts. This, in turn, has lead to various theologically tendentious interpretations. It is thus important to address some of these studies before moving to a Josephus-centred reading.

Beyond those who have argued that the Christian idea of the ἐχκλησία was created entirely by the early Church, scholars have understood ἐκκλησία as either a reference to the Graeco-Roman civic institution or as a reference to the aforementioned LXX translation of the term. Where these scholars situate the usage of the early Christbelievers will inevitably affect how they read contemporary Jewish and Roman uses of the term ἐκκλησία. For Erik Peterson, ἐκκλησία represents an appropriation of the language of the Graeco-Roman *polis*, with the Christ-believers modelling themselves

⁴¹⁵ E.g. W. Schrage, "Ekklesia' und 'Synagoge.' Zum Unsprung des urchristlichen Kirchenbegriffs," *ZThK* 60 (1963): 178–202.

after the $\delta\eta\mu\sigma\varsigma$ that populated the people's assembly. ⁴¹⁶ Leonhard Rost, on the other hand, argues that Jesus himself utilized this term in order to claim the status of true Israel in his appropriation of the term from the Mosaic congregation in the LXX. ⁴¹⁷ However, subsequent scholars have attempted to bridge this binary opposition by finding some place for first-century usage of this term on a spectrum between the two, or by arguing that elements of both exist in the later usage.

One such study is that of Klaus Berger, who argues that the usage of ἐχκλησία in early Jewish and Christ-believing communities matches both ends of this polarity insofar as the Jewish usage appropriated the fact that the monarch was often present in the civic ἐχκλησία through letters sent to the institution, which in the Jewish institution was represented by the reading of the Law and prophets in the synagogue. Ale According to Berger, this practice of legal reading would inform the understanding of the various Diaspora communities who had been granted self-governance. Such an understanding of the reading of the Law also allows for the fact that Herod, as king, called a number of ἐχκλησίαι himself (e.g., AJ 16.62–65 in which Herod calls an ἐχκλησία in Jerusalem after his travels with Marcus Agrippa). The royal connection to this institution would lead early Christ-believers to connect the ἐχκλησία and Kingdom of God as parallel

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⁴¹⁶ Erik Peterson, *Die Kirche* (München: Beck Verlag, 1929), 14–15.

⁴¹⁷ Leonhard Rost, *Die Vorstufen von Kirche und Synagoge im Alten Testamentum* (BWANT 4.24; Stuttgart: Kohlhammer Verlag, 1938), 154–55. This of course ignores the fact that 'True Israel' was not actually coined by Christ-believers until the second century CE, with Justin Martyr providing the first extant example.

⁴¹⁸ Klaus Berger, "Volksversammlung und Gemeinde Gottes: Zu den Anfängen der christlichen Verwendung von »ekklesia«," *ZThK* 73 (1976): 167–207.

expressions of a single salvation event. According to Berger, there was no need for an exemplary assembly, as every $\partial x x \lambda \eta \sigma \alpha$ could be treated as a constituent expression of the Kingdom of God enacted in Christ. Thus, for Berger, the form of the $\partial x x \lambda \eta \sigma \alpha$ was appropriated from Hellenism, whereas the content of the $\partial x x \lambda \eta \sigma \alpha$ was borrowed from Judaism. Unfortunately, much of the argumentation seems focused on the importance of these issues for the Church as $\partial x x \lambda \eta \sigma \alpha$, with too little attention paid to the actual meaning for non-Christ-believing Jews in the first century. Josephus was likely cognizant of both traditions, as he used the LXX, but was also knowledgeable regarding the political organization of towns and cities under Roman rule.

For Wayne A. Meeks, the evidence is more one sided. Meeks compares the early Pauline churches to four different models possibly designated as ἐχκλησίαι: households, voluntary associations, Greek speaking synagogues, and philosophical schools. ⁴²¹ According to Meeks, ἐκκλησία never applied to Jewish synagogues. Meeks contends that Berger's alleged usages ⁴²² were never applied directly to such Greek-speaking Jews, because neither Josephus nor Philo use this term for Sabbath assemblies. ⁴²³ According to Meeks, only the household was a workable fit, based on his understanding of the early churches and household architecture in the synagogues found at Stobi, Dura Europus, and

⁴¹⁹ Klaus Berger, "Volksversammlung," 171.

⁴²⁰ Klaus Berger, "Volksversammlung," 204, 206.

Wayne A. Meeks, *The First Urban Christians: The Social World of the Apostle Paul* (New Haven: Yale University Press, 1983), 75–84.

⁴²² Berger, "Volksversammlung," 175.

⁴²³ Meeks, First Urban Christians, 80.

Delos. 424 Meeks also questions the links between Diaspora synagogues and early churches based on the dearth of direct evidence. However, Meeks admits that the idea of the Pauline ἐκκλησία parallels the synagogue functionally, though we lack requisite systematically presented data to form a proper picture of the early synagogue. 425 Such desire on the part of Meeks to find static institutions for comparison seems somewhat obscuring, though, as all four comparative examples actually displayed equal (if not greater) variance to that of the early Christ-believing assemblies. In the end, Meeks follows Rost in simply arguing that the biblical usage was applied to a Graeco-Roman context, unmediated by the synagogue. 426 However, Meeks' explicit purpose of finding a functional precedent for the ἐμκλησίαι of the early Christ-believers spoken to by Paul obscures this discussion, which should cause us to call into question his brief statements on synagogues. Also, if I am correct regarding the functional equivalence of the synagogues in AJ 12–20 and the ἐμκλησίαι in AJ 1–11, this equation invalidates Meeks' claims that Josephus does not directly equate Jewish Sabbath observance with the LXX έκκλησίαι.⁴²⁷

A final example is the recent article of Andrie du Toit. Du Toit attempts to balance the dialectical semiotic elements of the term in question, arguing that ἐκκλησία was a highly Hellenized vehicle for transmitting biblical values and convictions. He

⁴²⁴ Meeks, *First Urban Christians*, 80. We should note that none of these edifices dates from the first century CE and that the material remains are much more ambiguous than Meeks is willing to admit. ⁴²⁵ Meeks, *First Urban Christians*, 81.

⁴²⁶ Meeks, First Urban Christians, 108.

⁴²⁷ Cf. Ralph Korner, "Before 'Church': Political, Ethno-Religious, and Theological Implications of the Collective Designation of Pauline Christ-Followers as *Ekklēsiai*," (PhD dissertation, McMaster Univeristy, 2013). Korner argues that ἐκκλησία should be treated as a synagogue term even in the letters of Paul. See also, *ASSB* nos. 201–3, 216.

argues this on the basis of the increasing recognition of cultural convergence between Rome and Judaism, as he posits that Paul's use of certain terms illustrates this convergence, while also showing some ethnic distinctiveness. However, such language is rather vague, leaving us no further along than Berger's comments, as we are left with a Hellenized veneer for a patently Jewish idea.

All of the above theories regarding Paul's usage of ἐκκλησία rest on what I would like to argue is an untenable polarity between the ἐκκλησία of the Graeco-Roman polis and that of the LXX. Firstly, these theories undervalue the mediation and reception of the Graeco-Roman concept in the translation of the LXX. Secondly, there is an increasing recognition among scholars of Hellenistic influence pervading late Second Temple Judaism, as John Barclay has shown. Barclay's work illustrates that key elements of Hellenism were adapted by Judaism in such ways that the Jews themselves would simply have viewed them as Jewish. In such circumstances, these traditions would be understood as merely resembling those of their neighbours. A perfect example of this is the synagogue buildings during this period, which architecturally adapted local customs and influences. Within this understanding, Jews like Josephus would have viewed their institutions in relation to, not in opposition to, the institutions of their neighbours. The above studies obfuscate the issue of actual practice associated with public assemblies, committing the 'Fallacy of Idealism' insofar as they reduce socio-cultural practices to

⁴²⁸ Andrie du Toit, "*Paulus Oecumenicus*: Interculturality in the Shaping of Paul's Theology," *NTS* 55 (2009): 121–43.

⁴²⁹ See especially Barclay, *Jews*, 9–15.

Kraabel, "Diaspora Synagogue," 475–510; Richardson, *Building Jewish*, 207–21. For discussion of the relationship between early Diaspora synagogues and polytheistic temples, see Krause, "Diaspora Synagogues."

mere ideas. If the Jews were consciously modelling and defining their assemblies in ways parallel to their neighbours, we no longer need to speak in adversarial or polarizing language when dealing with such institutions. This is especially the case when we deal with sources such as Artapanus, Josephus, Philo, Paul, and arguably the LXX, which illustrate the congruence of Judaism with the dominant culture of the Empire. 431

Beyond this, as we have seen, Josephus has clear apologetic aims in presenting the institutions of the dominant culture as finding their origins in Judaism itself. There is no reason to believe that we should treat the synagogue institution differently. As we shall see below, the assemblies that Josephus presents throughout *Antiquitates-Vita* are treated as Jewish despite clear Graeco-Roman influences. This cannot merely be described as filling the blanks of Judaism with Graeco-Roman ideas, ⁴³² but should rather be understood as a purposeful analogy in the rhetoric of Jewish authors such as Josephus and in the actual lives of Jews who would adapt institutional norms and behaviours that originate in Graeco-Roman life as they saw fit. To put all of this another way, can the

⁴³¹ The LXX is included here as it can be shown to translate based upon the dominant cultural milieu in Alexandria at the time. See Jennifer M. Dines, *The Septuagint* (London: T & T Clark International, 2004), 71–72, 142, 155–56. It is also important to note that many scholars see the LXX as being translated as a resource for worship, for study, or both. Regarding worship, see Henry St. J. Thackeray, *The Septuagint and Jewish Worship: A Study in Origins* (Schweich Lectures 1920; Oxford: Oxford University Press, 1923); cf. Marguerite Harl, Gilles Dorival, and Olivier Munnich, *La Bible Grecque de Septante* (2nd Ed.; CNRS; Paris: Editions du Cerf, 1993), 68–69. Regarding study, see Harry Orlinsky, "The Septuagint and its Hebrew Text," in *The Cambridge History of Judaism* (vol. 2; ed. W. D. Davies and Louis Finkelstein; Cambridge: Cambridge University Press, 1989), 536; Robert J. V. Hiebert, "Translation Technique in LXX Genesis and its Implications for the NETS Version," *BIOSCS* 33 (2000): 76–93. Current discussion regarding plurality of editions should caution us from making too much of unique readings, as different readings may derive from different and non-extant *Vorlagen*. See discussion in Timothy Michael Law, *When God Spoke Greek: The Septuagint and the Making of the Christian Bible* (Oxford: Oxford University Press, 2013), 43–57. However, when translations do follow consistent, ideological tendencies, we can hypothesize some intent, whether in translation or choice of *Vorlage*.

⁴³²Contra Burtchaell, *Synagogue to Church*, 263. It is noteworthy that Burtchaell can only come to such a conclusion after drawing certain Jewish ideas as *a priori* equal to Roman institutions such as the elders as being equal to γερουσία or βουλή (*Synagogue to Church*, 228), both of which were technical terms with specific purposes and related to the ἐχχλησία, as we shall see.

usage of such terms as βουλή and ἐκκλησία truly be viewed as etic if Josephus and various other Jews using the terms view themselves and their fellow Jews as part of the larger culture, possibly even its originators?

As many recent works have illustrated, synagogues—especially those of the Diaspora—appropriated and assimilated the language and character of Graeco-Roman associations, a point of view clearly reflected in Josephus, as we have seen above. 433 These studies have also shown that certain aspects of the *polis*, especially the language of ancestral customs, were appropriated and assimilated from the *polis* by such associations. The term ἐκκλησία is no different. Scholars have recently noted the use of this term for people's assemblies of Mithras and Isis cults in Aspendos in Pamphylia and the island of Delos (*IGLAM* 1381–82, second century BCE; *CIG* 2271, 196 BCE; possibly *IDelos* 1519, 153/152 BCE), as these associations model the paradigms and leadership epithets of the ἐκκλησία, among other terminology and practices. 434

With this in mind, we must now address how ἐκκλησία is used in Josephus' AJ 1–11. As Schmidt has pointed out, ἐκκλησία was utilized specifically for the translation of though συναγωγή was also a common translation for this term, thus drawing a parallel between the concepts and practices of ἐκκλησία and συναγωγή by illustrating a synonymous correlation. ⁴³⁵ In either case, Schmidt has rightly argued that Josephus

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⁴³³ E.g. Runesson, *Origins*; Harland, *Associations*; Kloppenborg, "*Collegia* and *Thiasoi*," 16–30.
⁴³⁴ Harland, *Associations*, 2–3, 106, 182; Karl Galinsky, "The Cult of the Roman Emperor: Uniter or Divider," in *Rome and Religion: A Cross-Disciplinary Dialogue on the Imperial Cult* (ed. Jeffrey Brodd and Jonathan L. Reed; WGRWSupp 5; Atlanta: Society of Biblical Literature, 2011), 13 – 14.

While some may argue that it may have been the more general meaning of $\sigma \nu \nu \alpha \gamma \omega \gamma \dot{\gamma}$ that is being used here, this need not necessarily be the case, especially given the technical term it parallels.

makes greater use of ἐχκλησία in its political sense. 436 This is best illustrated through the references to the ἐχκλησία in the final books of *Antiquitates*. In AJ 16.62, Herod calls the ἐχκλησία in Jerusalem in order to make specific decisions affecting the people.

From there he called [the] assembly ($\ell x x \lambda \eta \sigma (\alpha v)$) of all the people of the land, and there was a large crowd from the country as well. 437

Likewise, in AJ 19.332, Simon calls the revolutionary ἐκκλησία of Jerusalem in order to officially exclude Agrippa II from the new leadership. Josephus also adopts the proper technical usage of this term in its in AJ 14.150, wherein the ἐκκλησία of Athens affirms a treaty. ⁴³⁸ In *Vita* 268, Josephus himself leads an ἐκκλησία regarding the Galilean plans to communicate with the κοινόν of Jerusalem, which was the national assembly at this time. ⁴³⁹ In *Vita* we find the ἐκκλησία as a local assembly subordinate to the national assembly. This parallel usage to that which we find in AJ 1–11 further supports my contention that Josephus is consciously retrojecting his contemporary institutional realities of the Jewish people upon their forebears.

Within the Exodus, Wilderness Wanderings, and Conquest narratives of Josephus, we also find a specific call to assembly which Nodet has correctly noted as giving a

⁴³⁶ Schmidt, ἐκκλησία, 3.527–28. Spilsbury makes the same equation, though with no discussion to substantiate this claim; Paul Spilsbury, *The Image of the Jew in Flavius Josephus' Paraphrase of the Bible* (TSAJ 69; Tübingen: J.C.B. Mohr, 1998), 138.

⁴³⁷ Marcus, LCL.

⁴³⁸ This matches the language used in Demosthenes 24.27 (4th century BCE) and Antipho 6.45 (1st century BCE) when speaking of the tribal or presidential civic assembly of Athens.

⁴³⁹ See Mason, *Life of Josephus*, 58 n.346; κοινόν used to denote the assembly of commonwealth as over the local people's assembly throughout *Vita* (72, 190, 254, 267, 309, 341, 393); while he is said to use this sense only sparingly elsewhere (only *AJ* 6.17), this is still noteworthy. Contra usage in Burtchaell, *Syangogue*, 211. cf. Herod. *Hist*. 3.80, 84, 156; Thuc. 1.90.5, 91.7, 2.12.2, 4.58.1

technical aspect to the ἐκκλησία: εἰς ἐκκλησίαν συνάγω. 440 While this formula occasionally varies and includes different groups specifically called, it is nonetheless a commonly used formula for gathering official assemblies. We should also note that after the ascent of the first king, the few uses of this phrase are best understood as being location-specific, with David (7.37), Ahab (8.368), and Jehoshaphat (9.8, 10) calling assemblies in Jerusalem or its environs, as well as Mordechai calling together the Jews at Susa (AJ 11.228). This formulation is also conspicuous in the writings of Plutarch when he speaks of the official convening of civic ἐκκλησίαι. 441 The purposeful usage of this technical idiom in Josephus' paraphrase thus connects this act of calling a public assembly with the official administration of civic and association assemblies alike. These assemblies are best understood as synagogues, due to their role in the governing of Judaean communities and the consistent parallel usage with συναγωγή. 442 They are explicitly portrayed as official, deliberative bodies and public assemblies for the communities in which they are found.

However, as is the case in other sections of Josephus' works, not all assemblies are run properly, nor do they all promote the laws and ancestral customs of the nation. In fact Feldman is correct in noting that over half of Josephus' treatment of the Wilderness

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⁴⁴⁰ Étienne Nodet, *Flavius Josèphe, Les Antiquités Juives*, Vol II: Livres IV et V (Paris: Les Éditions de Cerf, 1995), 4.176. Nodet notes especially *AJ* 3.188 and 4.176, but others should be included as well: 4.63, 142, 309; 5.72, 93; 8.368; 9.8, 10; 11.228. See also discussion in Feldman, *Judean Antiquities 1–4*, 393 n. 527

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&</sup>lt;sup>441</sup> Plut. *Dion* 33.2; 48.2; *Tim.* 10.2; *Caes.*19.2; *Lyc.* 6.2; 29.1; *Mar.* 33.3; *Aem.* 11.1; 30.4; 36.2; *Ag. Cleom.* 9.1; *Cam.* 42.4; *Cat. Min.* 18.1; *Cor.* 26.3; Korner, "Before Church," 137.

⁴⁴² See Runesson, Origins, 379–400; Binder, *Into the Temple Courts*, 446, 498; Levine, *Ancient Synagogue*, 28–44; Harland, *Associations*, 2–3 (esp. n. 1). Levine's complete dearth of discussion of the use of the term $\partial \kappa \lambda \eta \sigma d \sigma$ does not change the fact that his argument that synagogues emerged from the City Gate traditions, slowly becoming a civic institution in the Second Temple period, is foundational to the arguments of others regarding the role of synagogue as a public assembly in the period in question. While regrettable, the lack of mention is likely due to the difficulties in dealing with *AJ* 1–11 due to past controversies (see above) and the ongoing Christianization of the term.

Wanderings narratives is given over to the various rebellions against Moses and Aaron, which Josephus often refers to using his stock phrase for degenerate politics and rebellion: στάσις. He argues that passages such as AJ 4.22 read similarly to the Athenian mob's attack on Pericles in Thucydides (Thuc. 3.36, 6.19). 444 Korah's charge that there was no vote for the leadership and thus that Moses was a tyrant shows marks of concern for an Athenian-style constitution, which is bolstered by the use of terms such as ἐχχλησίαν, ἀγωνιζόμενος (competitor), and κόσμος τῆς κατάστασεως (ordered beauty of constitution) in 4.34–37. 445 In the Jewish and early Christ-believing context, we may also note similar usages in Sir 26:5 and Acts 19:21. Through all of this, the abuse of a foundational institution should be viewed as an especially grave offense in the writings of Josephus, as the rebels are working against what God has created, as well as the Law and customs of the people.

The use of the term ἐχχλησία for the national assembly continues in the passages relating to Joshua, where we find technical, political uses of the term ἐχκλησία (e.g. AJ 5.24, 72, 93, 105, 110–11). Similar usage of this term is found in the story of Samuel preceding the bestowal of kingship (6.22–23, 49, 86). While many of these usages can be explained as an unconscious keeping of the LXX translation, we should note Josephus' unique encomium to Joshua on his death (AJ 5.118), which includes the mention of πρυτανεύω (political dexterity), which Feldman intriguingly notes was common in Athenian politics, especially for those who held tribal presidency and presided over the

⁴⁴³ Louis H. Feldman, *Josephus' Interpretation of the Bible* (HCS 27; Berkeley: University of California Press, 1998), 389–90; see also Attridge, *Interpretation*, 128.

⁴⁴⁴ Feldman, Interpretation, 389.

⁴⁴⁵ Spilsbury, Image, 138.

βουλή and ἐκκλησία. 446 To this we should also add the fact that ample precedence exists for Josephus to change technical titles of specific councils in favor of more exact terms. In AJ 4.38, for example, Josephus inserts $\pi\rho\delta\beta$ ουλοι in the place of the more general γ ερουσία of LXX Num 16:25 as the council in question was convened to rule in a provisional manner. Thus we have every reason to believe that Josephus is purposefully utilizing specific, official political terminology and presenting the Mosaic $\dot{\epsilon}$ κκλησία as continuing until at least the ascendancy of Saul as the first king, after which point this term is used for local-specific $\dot{\epsilon}$ κκλησίαι. This would be consistent with Josephus' belief that the monarchy altered the ideal, aristocratic governance and constitution. However, in these later passages, aristocratic governance remained at the local, civic level. We should not be surprised that it was at this same local, civic level we find the later synagogue functioning.

Such usage of ἐκκλησία language for an assembly-based governing institution can also be found in the writings of Philo of Alexandria. While we cannot simply assume that Philo and Josephus will use terminology in similar ways, their usage of this terminology makes for a reliable analogy. Notably, *Spec. Leg.* 1.324–25 contains an allegorical reading of Deut 23, excluding certain contemporary groups from the holy congregation, always using ἐκκλησία. 448

But while the law stands preeminent in enjoining fellowship and humanity, it preserves the high position and dignity of both virtues by not allowing anyone whose state is incurable to take refuge with them, but bidding him avaunt and

⁴⁴⁶ Spilsbury, *Image*, 443 n. 2.

See Feldman, *Judean Antiquities 1–4*, 342 n. 95.

⁴⁴⁸ *ASSB*, no. 201.

keep his distance. Thus, knowing that in assemblies (ἐκκλησίαις) there are not a few worthless persons who steal their way in and remain unobserved in the large numbers which surround them, it guards this danger by precluding all unworthy from entering the holy congregation (ἱεροῦ συλλόγου). It begins with the men who belie their sex and are affected with effemination, who debase the currency of nature and violate it by assuming the passions and the outward form of licentious women. For it expels those whose generative organs are fractured or mutilated, who husband the flower of their youthful bloom, lest it should quickly wither, and restamp the masculine cast into a feminine form.

Here we should note that the contemporary assemblies (ἐκκλησία) are equated to the "Holy Congregation" of Deut 23:1–8. This same allegorical treatment is notably used in numerous other Philonic passages that interpret this Deuteronomic text. For example,

For this reason Moses shut out their impious and impure progeny from every holy assembly ($\sigma \upsilon \lambda \delta \gamma \upsilon \upsilon \theta \epsilon i \upsilon \upsilon \pi \alpha \upsilon \tau \delta \varsigma$). For he says, "Ammonites and Moabites shall not enter into the congregation of the Lord," and these are the descendents of the daughters of Lot. They are people that suppose that sense-perception and mind, a male and female, act as father and mother for the procreation of all things, and take this process to be in truth the cause of creation. (*Post.* 177)

Thus I, the servant of that Pharaoh who keeps his stubborn incontinent thinking in an intensity of looseness, am an eunuch, gelded of the soul's generating organs, a vagrant from the men's quarters, an exile from the women's, a thing neither male nor female, unable either to shed or receive seed, twofold yet neuter, base counterfeit of the human coin, cut off from the immortality which, through the succession of children and children's children, is kept alight for ever, roped off from the holy assembly and congregation ($\sigma u \lambda \delta \gamma o u \kappa a i \epsilon \kappa \lambda \eta \sigma i a c)$. "For he that hath lost the organs of generation is absolutely forbidden to enter therein." (*Somn.* 2.184)

What then is the truth? Those who ascribe to existing things a multitude of fathers as it were and by introducing their miscellany of deities have flooded everything with ignorance and confusion, or have assigned to pleasure the function of being the aim and end of the soul, have become in very truth builders of the city of our text [Babel] and of its acropolis. They pile up as in an edifice all that serves to produce that aim or end and thus differ not a whit to my mind from the harlot's offspring, whom the law has banished from God's congregation with the words

⁴⁴⁹ Colson, LCL.

"he that is born of a harlot shall not enter the congregation of the Lord." (*Conf.* 144)⁴⁵⁰

And yet what evil was there that the Egyptians neglected to inflict upon our nation, ever adding new evils to old with schemes contrived for the sake of cruelty? Nevertheless, since they initially welcomed them, neither closing off their cities nor making the countryside inaccessible to those who came, he says that, because of this acceptance, they should be granted as a privilege terms of peace. And if any of them should want to cross over to the Jewish polity, they are not to be scorned unyieldingly like the children of enemies, but are to be treated in such a manner that the third generation is invited into the congregation and granted that share of the divine oracles into which the native- and noble-born are also rightfully initiated. (*Virt.* 107–8).

All of these texts deal with who should be barred from the synagogue, which Philo consistently alters to localize the communities from which these individuals should be barred, whether speaking of "every congregation of God" (συλλόγου θείου παντὸς) or speaking of the συλλογή in apposition to ἐκκλησία (συλλόγου καὶ ἐκκλησίας; Post. 177). Philo (like Josephus) uses ἐκκλησία to refer to both an administrative assembly (Spec. Leg. 1.44, 324; Prob. 138; Post. 177) and to the whole congregation at Sinai (Her. 251; Decal. 32, 45), 452 paralleling Josephus in this dual local and supra-local usage.

We are thus on firm footing in arguing that Josephus uses the term ἐκκλησία as he does other technical, political terms: with intention and meaning. Josephus utilizes and elaborates on the LXX usage of ἐκκλησία and συναγωγή, presenting the earliest assembly of Israel in terms of a Roman era public assembly. However, Josephus continues to develop the terms ἐκκλησία and συναγωγή through the narratives of his biblical

⁴⁵⁰ Colson, LCL.

⁴⁵¹ Walter T. Wilson, *Philo of Alexandria On Virtues* (PACS 3; Leiden: Brill, 2011), 261.

⁴⁵² *ASSB*, no. 201.

paraphrase and utilizes these terms in consistently similar contexts as those of the synagogues in the later narratives of this book. To this we shall add that, like the later synagogues, Josephus presents these ἐκκλησίαι and συναγωγαί as centres for the practice of the national Law and ancestral customs, as indeed this formative national assembly is the same one that would receive these very traditions from Moses. Just as the Apostle Paul did, Josephus presents his ἐκκλησία as both a local and a supra-local assembly of the elect people of God, in both their glory and shame. 453

1.3.3. Moses' ἐκκλησία/συναγωγή and the Ancestral Traditions

As in his presentation of the Roman acta, the ancestral customs of the Jews were a prime concern for Josephus in his presentation of the ideal, Mosaic synagogue. It should not surprise us that, for Josephus, this connection between ancestral customs and the public assembly goes back to the very beginning of both the Law and people of Israel, since the convening of the multitude into its first assembly occurs upon Moses' initial descent from Sinai (AJ 3.84). Moses, as he often does, functions as a medial character, calling the assembly to present to them the revealed Law, which will come to define them and their communities throughout Josephus' stories and which will be the major deciding factor in their ongoing success and survival, as explicitly laid out in AJ 1.14.

As Steve Mason has argued, the constitutional Law of Moses in *Antiquitates* represents both a malleable set of customs whose changes Josephus will chart over time

⁴⁵³ Cf. Berger, "Volksversammlung," 198, 206–7; Meeks, *First Urban Christians*, 108. ⁴⁵⁴ *AJ* 3.223; 4.316, 318. For a more general treatment of this element in Mosaic traditions, see Hindy

Najman, Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism (SJSJ 77; Leiden: Brill, 2003), 1–39 and Ronald Hendel, "The Exodus in Biblical Memory," JBL 120.4 (2001): 615–22.

and a fixed entity, which represents for Josephus the Natural Law. This Law is given by the Creator, thus representing the highest ethical and legal ideal for all nations. 455

Josephus was of course not alone in presenting constitutional law as a fundamental aspect of the analysis of history, as Polybius could be said to do the same, as noted above. For Josephus, humanity must begin by contemplating God and virtue, then follow the model they have seen (*AJ* 1.18–20). Rather than starting with myth, Moses starts with the Law in order to teach perfect virtue (*AJ* 1.21–23). It is precisely with Moses that the constitution and Law are brought together as a hendiadys (*AJ* 3.213; 4.45, 184, 193–94, 223, 230, 292, 302, 312; 5.132, 186; 10.275; 11.140; 12.240). According to *AJ* 3.317–22, it will be the keeping of the Law and ancestral customs that will ultimately set the nation apart from other peoples.

For Josephus, the character of Moses must match his status as the perfect lawgiver. Josephus gives Moses all the attributes of an ideal statesman, especially the Hellenistic connection between the giving of Law and proper $\pi\alpha\iota\delta\epsilon i\alpha$, which Josephus elsewhere (*C.Ap.* 2.171–75) links specifically with Moses, as he gives the Law and ordains its weekly reading. 459

⁴⁵⁵ Mason, "Importance," 136–37. *C.Ap.* 2.287 notabley presents this as the chief concern and theme that Josephus attempted to track through *Antiquitates-Vita*.

⁴⁵⁶ e.g. *Hist.* 3.2; 6.1; Mason, "Importance," 137. Dionysius of Halicarnassus also defends the belief that the gods take care of those who follow the customs of their forefathers (*patrios ethismon*) (*Ant. rom.* 8.56.1), which buttresses his belief that history can be used to draw moral conclusions based on the retributive course of history; Josephus follows this same belief of moral wrongdoing being followed by political degradation; Attridge, *Interpretation*, 163

⁴⁵⁷ See Sterling, *Historiography*, 243.

⁴⁵⁸ Sterling, *Historiography*, 243.

⁴⁵⁹ Feldman, *Interpretation*, 394. While Feldman does not pick up on this, it is worth noting that this connection of Moses to the later expectation to read the Law ties Moses to the synagogue, the setting of such reading in this passage.

[Moses] appointed the Law to be the most excellent and necessary form of instruction ($\pi\alpha i\delta\epsilon\nu\mu\alpha$), ordaining, not that it should be heard once for all or twice or on several occasions, but that every week men should desert their other occupations and assemble ($\sigma\nu\lambda\lambda\dot{\epsilon}\gamma\omega$) to listen to the Law and to obtain a thorough and accurate knowledge of it, a practice which all other legislators seem to have neglected. 460

As Yehoshuah Amir argues, this concern for the unity of Moses' πολιτεία becomes the focal point of the treatment of Moses in Josephus' biblical paraphrase. For Josephus, this political structure will inevitably lead to a unified and just nation. His πολιτεία is said to rival even the finest *poleis* in the Hellenistic traditions (AJ 4.194, 196, 224). Piety and justice are the ultimate effects of the Law being given.

I was writing the account of the war, to reveal who the Judeans were from the beginning and what fortunes they experienced, under what sort of lawgiver they were trained as to piety and the exercise of virtues. $(AJ\ 1.6)^{462}$

The emphasis on piety and justice was so central to Josephus' exegesis that Moses inverted the usual place of piety as a singular virtue, instead making all virtues elements of piety (*C.Ap.* 2.170). This sustained emphasis on the Law and ancestral customs informs and defines Josephus' ideal Judaism thoroughout *Antiquitates-Vita*.

Furthermore, within this connection between the community and the Law, it is noteworthy that Josephus emphasizes social sins as the greatest possible detriment to the following of the Law and customs. Marriage with foreigners becomes an occasion to draw people away from their ancestral customs in the Midianite seduction (*AJ* 4.137–39),

⁴⁶⁰ C.Ap. 2.175 (Thackeray, LCL). See ch. 3 for interpretation and further discussion.

⁴⁶¹ Yehoshua Amir, "Josephus on the Mosaic Constitution," in *Politics and Theopolitics in the Bible and Postbiblical Literature* (ed. Henning Graf Reventlow, Yair Hoffman, and Benjamin Uffenheimer; JSOTSupp 171; Sheffield: JSOT Press, 1994), 14–16. While Amir ties this to the Temple as the primary cultic centre, we are well within responsible exegesis to argue that Josephus is presenting the synagogue as his contemporary ideal given the loss of the Temple.

⁴⁶² Feldman, *Judaean Antiquities 1–4*, 5. See also *C.Ap.* 2.146.

⁴⁶³ Feldman, *Interpretation*, 421.

an assertion that is also explicitly stated in AJ 8.190–92 and 18.349.⁴⁶⁴ As Attridge has pointed out, one of the major themes in the following of the Law is the Hellenistic belief that one cannot follow the Law if one is beset by passions and tyranny, both of which lead to $\sigma\tau\dot{\alpha}\sigma\iota\varsigma$.⁴⁶⁵ This theme receives its clearest presentation in Zambrias' self-serving rebellion, in which the proper interpretation and following of the Law are the contentious issues between the ambitious Zambrias and Moses (AJ 4.145–49).⁴⁶⁶

As Harold Attridge⁴⁶⁷ and William Horbury⁴⁶⁸ have argued, given the lack of covenantal land theology, it is not surprising that the Law is given as a gift, with the expectation that the Jews will be indebted to God. This allows the Law to be separate from the Land, though we should also note for our purposes that it would bring the Law more into the sphere of the Graeco-Roman association. Josephus would subsequently establish this sense of legal observance as the model for the pan-Diasporic synagogues.

1.3.4. Conclusion

Throughout his formative narratives of the Jewish nation, Josephus seeks to present his idealized Judaism as possessing demonstrable antiquity and as originating in the revelation of God at Sinai. Due to the care and elegance with which Josephus weaves his rhetorical concerns into the tapestry of his contemporary Hellenistic Jewish scriptural and exegetical traditions, it has been necessary to present a cumulative argument in order

⁴⁶⁴ See Spilsbury, *Image*, 127–28, 145.

⁴⁶⁵ See Attridge, *Interpretation*, 126ff. E.g. *AJ* 2.43; 4.143, 186–87; 5.132–35, 179–80.

⁴⁶⁶ See Feldman, Interpretation, 418.

⁴⁶⁷ See Attridge, *Interpretation*, 78ff, 150.

⁴⁶⁸ William Horbury, "Ezekiel Tragicus 106: δωρήματα," VT 36.1 (1986): 40–42. Followed by Spilsbury, "Reading the Bible," 221–24; *idem*, "God and Israel in Josephus: A Patron-Client Relationship," in *Understanding Josephus: Seven Perspectives* (ed. Steve Mason; JSPSupp 32; Sheffield: Sheffield Academic Press, 1998), 172–91.

to show that Josephus purposefully portrays the ἐκκλησία as synonymous with the συναγωγή. This presentation of the synagogue is consistent with his treatment of this institution in subsequent books of Antiquitates-Vita, as well as his other works. The ἐκκλησία or συναγωγή was the paradigmatic public assembly in which the people would come together for decisions, worship, and sedition, all of which matched Josephus' own experience of the local Jewish assemblies in his own time. It comes as no surprise that the origins of this Mosaic assembly are said to be coterminous with the giving of the national laws and ancestral customs that Josephus would present as finding a home in his contemporary synagogues. This connection is bolstered by the language of constitutional, legal observance which replaced land-based covenant language throughout the biblical paraphrase. Within this constitution the local assembly becomes the true home of the Law, just as it was in the earliest times of the nation. If the earliest Jews, who did not possess their own land, were capable of and responsible for the keeping of the Law, so too could the Jews at the end of the first century CE be able to follow these putatively revealed statutes in their local communities.

Josephus thus presents his reader with an ideal picture of the synagogue, as it would constitute a link to the earliest assembly of the Israelites. This conceived (or, secondspace) presentation would be used to illustrate how the synagogue should form, as it becomes the place in which the Law would be made known and carried with the landless people even before they entered the Land. This would act as the perfect analogy to how Josephus himself would view the synagogues and Judaism in the final decade of the first century CE, i.e., his lived space. The people were without a geographical or

sacred centre. They only had their Jewish identity and Law, both of which were to be bolstered in their Jewish assemblies. In a recent study, Jo Heirman acknowledged the pervasive practice among Greek poets to offer symbolic representations of the lived space of the symposium, including a sea voyage or a fertile pasture, in order to communicate the ideals and dangers of such assemblies. According to Heirman, such metaphorical presentations would both reinforce the internal cohesion of the group and warn about the socio-political dangers which were inherent within the group. To so too in our texts, Josephus is presenting us with not only an origins myth of the synagogue, but a dominant symbol of its purpose and meaning for those taking part in this space. This is why it is to be protected and its rituals are to be performed: the synagogue is the true centre of the Law and Jewish assembly. This ideal would thus inform how one would view the space and act within it, as the experience of the Mosaic congregation was evoked to legitimate the synagogue space.

1.4 Antiquitates judaicae 17–20

As discussed in section 1.1, the narrative movement of *Antiquitates* is one that necessarily leads towards the First Revolt, as Josephus strives to present a version of

⁴⁶⁹ See Jo Heirman, "Symbolic 'Lived Spaces' in Ancient Greek Lyric and the Heterotopia of Symposium," in *The Ideologies of Lived Space in Literary Texts, Ancient and Modern* (ed. Jacqueline Klooster and Jo Heirman; Gent: Ginkgo Academia Press, 2013), 83–93. Heirman uses Archilocus (frag. 105) and Theognis (lines 667–82) as examples of those who would liken symposia to a rough sea due to the myriad social and political dangers in such aristocratic gatherings. She also cites Sappho (frag. 96.1–17) and Anacreon (frag. 346.1–13) as examples of pastoral scenes used to identify the lived space of symposia with erotic encounter. ⁴⁷⁰ Heirman, "Symbolic," 89; following Sean Corner, "Transcendent Drinking: The Symposium at Sea Reconsidered," *CQ* 60 (2010): 352–80. Corner argues that the metaphor of the sea journey can highlight both the cohesion and danger due to the varying emotions and images evoked by the sea. We might argue the same for the Wilderness Congregation, who both received and practiced the Law, but also failed catastrophically, as the synagogue itself was capable of both fulfilling and breaking the Law and customs.

Judaism that he views as amenable to the situation in which post-70 CE Jews would find themselves. However, after the biblical paraphrase (*AJ* 1–11) and the idyllic presentation of a protected Judaism under the Roman rule (*AJ* 12–16) discussed in the previous two sections, *AJ* 17–20 presents a picture of Judaism both rapidly expanding after its success and political protection, and being persecuted by its neighbours because of its rights and privileges. The narrative progression moves towards the malfeasance of the Judaean bandits that led to catastrophic, epoch-making war with the Romans in the Land, which is contrasted with the rights and customs fostered in the Diaspora.

Within this escalating tension, the synagogue plays a small, though important, role. The absence of the synagogue is noticeable at times, though this is likely intentional, as I will discuss below. The synagogue makes one final appearance as a protected institution in Dora (*AJ* 19.300–11), though this passage must be understood within the contexts of the Roman constitutional crisis, the preceding edicts of Claudius, and the theme of false worship found in books 18–19. I will argue in this section that Josephus' presentation is highly polemical, but that it nonetheless allows a window into his view of the Diaspora synagogue as still being protected under the later Principate and the centre of the inviolable ancestral customs and political constitution of the Jews. In order to argue this, I will begin with a brief summary of the rhetorical movements and themes found in this final section of *Antiquitates*. Following this, I will present the issues surrounding Gaius, Claudius, Agrippa, and the events of Alexandria between 38 and 40 CE. Finally, I will address the place of the incident at Dora within this ongoing tension, as presented by Josephus.

1.4.1. Movement towards the Revolt in AJ 17–20

According to the rhetorical structure offered above, AJ 17–20 constitutes the final and concluding section in the larger presentation of Jewish history. This section emphasizes dual themes which cohere with the ideal portrayal of Judaism in the larger work. The first such theme is the faltering relations between Judaea and Rome. Unlike in AJ 12–16, the Romans are not presented in wholly positive terms, as Josephus portrays their faltering succession and degraded constitution as serious impediments to the ongoing peace, as do the strife-ridden succession of the Herodians and their ignorance of the proper ancestral customs on the Jewish side of this equation. This tension leads to the Dora incident, which is the central conflict of this section, though here again the proper protection of Jewish customs by Rome prevails. The second theme to be discussed is the Jewish expansion and success throughout the Empire, as illustrated by the Adiabene story in AJ 20.17–96.

That we should find these dual themes of expansion and persecution is not surprising, as it has often been noted that it is the success and expansion of the Jews, without full participation of the Jewish people in local communities and cults (*AJ* 18.257–58; *C.Ap.* 2.33–78), that would lead to persecution and strife.⁴⁷¹

As noted above, Bilde focuses upon the steady disintegration of the nation in books 14–20,⁴⁷² a pattern against which I have argued previously. Beyond his questionable presentation of all Herodian narratives as leading to national ruin,⁴⁷³ Bilde

⁴⁷² Bilde, *Flavius Josephus*, 89 –91.

⁴⁷¹ E.g., Barclay, *Jews*, 72–78.

⁴⁷³ Bilde, *Flavius Josephus*, 91. Bilde states that event the seemingly positive passages belie the fact that Josephus treated Herod as a Roman puppet-king, which would lead to negative consequences for the nation.

forces all of AJ 14–20 into national devolution. He downplays the positive aspects of Diasporic success as he presents this section as mirroring of the fall of the First Temple society. It is certainly true that book 17 presents the end of the Herod the Great story as negative, as the nation is embroiled in a succession narrative reminiscent of that found in 2 Sam 9–1 Kings 1. 474 This succession narrative is also mirrored in the positive presentation of succession in terms of the ancestral customs through the High Priesthood and the negative succession in the Roman Principate (e.g., AJ 18.259–77). This negative presentation of the Roman succession is part and parcel of the constitutional failure on the part of the Romans, which centres on the failure of Gaius to rule justly and the consequent strife left to Claudius in AJ 18–19. 476 In the conclusion to Antiquitates, Josephus highlights the importance of the succession and conduct of High Priests and kings in his story (AJ 20.261), which only underscores the importance of such narratives. That this is related to the theme of the Jewish constitution and customs becomes clear in the contrast created between the strife occasioned by royal succession and Josephus' ideal aristocratic rule (AJ 5.179, cf. 19.173). 477 This theme is further underscored by the importance of ἐχέγγυος, i.e., provision of security, as a key word in AJ 17–20. Thus, we may affirm a theme of national degradation and persecution for AJ 17–20, though one that is tempered by the theme of successful Jewish expansion.

⁴⁷⁴ While Mason consistently presents King Saul as the characterizing archetype used in the characterization of Herod the Great, the similarities in terms of palace intrigue, incest, and attempted patricide are telling.

⁴⁷⁵ Mason, "Flavius Josephus," 580–81; *idem*, "Despots," 323–49.

⁴⁷⁶ Mason, "Introduction," xxi, xxviii. Mason presents this Roman constitutional failure in AJ 18–19 as the chiastic converse to the perfect constitution of Moses presented in AJ 3-4.

⁴⁷⁷ Mason, "Flavius Josephus," 580; *idem*, "Introduction," xxvii–xxix. ⁴⁷⁸ Mason, "Latter Half," 151. This term only appears in *AJ* 17–20, where it occurs 4 times.

While the Jewish dispersal is a theme that runs through AJ 12–16, its inclusion in the final books of Antiquitates illustrates the importance of Jewish expansion and prosperity in the Diaspora. Early in book 18, the dethronement and exile of Archelaeus leads to Judaea becoming an official Roman province (rather than its previous colony status). This happens alongside the prosperity and relative well-being of the Jews in Alexandria, which leads to the animosity that would eventually manifest itself in the Alexandrian Pogroms and persecution in the time of Gaius. For Josephus, the Adiabene story (AJ 20.17–96) is the climax of this theme, as King Izates and his mother Helena are independently proselytized, which leads to a Jewish proselyte ruling a small nation in Mesopotamia. According to Mason's chiastic formula, King Izates is a latter-day Abram, who turns from his ancestral religion towards Judaism in the same geographic location. 479 Terence Donaldson connects this section to the larger theme of authentic proselytism, which tracks through *Antiquitates*. ⁴⁸⁰ However, Donaldson notes the ambivalence of the narrative regarding just how far Izates turned from his past life, especially with reference to the following of the Law and ancestral customs. 481 It is perhaps more important for the present study that this is a conversion without the intervention of priests or the Temple. This lack of official agency in such narratives leads to the more personalized and

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⁴⁷⁹ Mason, "Introduction," xxi.

⁴⁸⁰ Donaldson, *Judaism and the Gentiles*, 337. This contra Cohen and Schiffman who both view this narrative as a clumsily copied narrative with no relation to the surrounding story; Shaye J. D. Cohen, "Respect," 409–30; Lawrence Schiffman, "The Conversion of the Royal House of Adiabenein Josephus and Rabbinic Sources," in *Josephus, Judea, and Christianity* (ed. Louis Feldman and Gohei Hata; Detroit: Wayne State University Press, 1987), 294.

⁴⁸¹ Donaldson, *Judaism and the Gentiles*, 337. Donaldson cites Segal in noting that Izates is said to move from being a God-fearer to a Jew; Alan F. Segal, *Paul the Convert: The Apostolate and Apostacy of Saul the Pharisee* (New Haven: Yale University Press, 1990), 100.

localized character of Jewish communities and institutions. 482 While most scholars have noted the importance of Jewish customs, especially circumcision (*AJ* 20.38–39), 483 in the narrative, we should also note that both Izates and Helena make gifts to Jerusalem (*AJ* 20.40–43, 71, 95), a custom highlighted as part of ideal Judaism in Josephus' presentation of the *acta* (see section 1.2.2.2.3 above). All of this leads to Izates becoming "assuredly Jewish" (*AJ* 20.38) in his acceptance of Jewish customs, a fact which leads to complete social realignment and places him and his throne in danger, though in this case the people accept the change. 484 In the end, Izates does send his sons to Jerusalem for training in Hebrew and Jewish customs. That such study is the consistent purpose for the synagogues in Josephus' later works leads to the possibility of synagogue institutions being fostered after the conclusion of the story, though Josephus never states this possibility in an explicit manner.

The dual themes of the oppression of the nation by its neighbours and Jewish expansion, work together in raising the tension of the story. The envy of other nations increases with Jewish expansion and prosperity. In this conflict, however, Josephus is able to continue the overarching themes of the protection of Judaism and the justice of the Jewish constitution. We also find stories, such as that of Fulvia (*AJ* 18.81–84), where

⁴⁸² Martin Goodman, *Rome and Jerusalem: The Clash of Ancient Civilizations* (New York/London: Penguin, 2007), 171.

⁴⁸³ See Peder Borgen, "Militant and Peaceful Proselytism and Christian Mission," in *Early Christianity and Hellenistic Judaism* (Ed. Peder Borgen; Edinburgh: T & T Clark International, 1996), 53; Neil J. McEleney, "Conversion, Circumcision, and the Law," *NTS* 20 (1973–74): 319–41; Gary Gilbert, "The Making of a Jew: 'God-Fearer' or Convert in the Story of Izates," *Union Seminary Quarterly Review* 44 (1991): 299 – 313; John J. Collins, "A Symbol of Otherness: Circumcision and Salvation in the First Century," in "*To See Ourselves as Others See Us*": *Christians, Jews, and 'Others' in Late Antiquity* (ed. Jacob Neusner and Ernest S. Frerichs; Chico: Scholars Press, 1985), 179; Scot McKnight, *A Light among the Gentiles: Jewish Missionary Activity in the Second Temple Period* (Minneapolis: Fortress Press, 1991), 80.

Jewish expansion is an excuse for Jewish criminals to sow strife. However, in the case of both the Fulvia and Adiabene stories, synagogues are never mentioned. These themes of expansion and conflict are important factors in the strife of both Alexandria and the synagogue at Dora, to which we now turn.

1.4.2. The Dora Synagogue Crisis in Context

While the Dora synagogue crisis stands alone as a tale of strife relating to a small Syrian town, this narrative is a key component of larger narratological threads sewn through this section and concludes the larger complex of edicts and letters found in Antiquitates. This complex includes the Jewish-rights stories, though also the larger motif of graven images from the imperial cult being taken into Jewish institutions as a form of persecution. 485 This situates the narrative within the aforementioned Roman constitutional crisis begun by Gaius' 'madness' and the protection for the Jews afforded by Publius Petronius. In the end, Petronius affirms the Augustan and Claudian bestowal of the right to follow Jewish ancestral customs, illustrating once and for all the universal rights of Diaspora Jews. As we address these narratives, though, we must resist historical reconstruction before we properly understand Josephus' purposes in his rhetoric, as scholars have too often dismissed the Josephan version of the events based on inconsistencies and perceived dishonesty after having noted the differences between the works of Josephus and other witnesses. This has kept most scholars from addressing the story as Josephus presents it, sometimes even largely ignoring Josephus in the

⁴⁸⁵ See *ASSB*, no. 193; Levine, *Ancient Synagogue*, 66; Binder, *Into the Temple Courts*, 268; Pucci ben Zeev, *Jewish Rights*, 341–42; Pieter W. van der Horst, *Philo's Flaccus: The First Pogrom* (PACS 2; Leiden: Brill, 2003), 144.

reconstruction of the surrounding events. When we accept that Josephus' version is highly polemical, we are free to study Josephus' version in earnest and better understand what he is actually trying to communicate to his audience.

In Josephus' version of events (*AJ* 19.300–11), a group of youths in the Syrian town of Dora erect a statue of the emperor in a synagogue. These actions lead Agrippa to complain to Petronius, governor of Syria. Petronius immediately sends a letter to the magistrates of Dora demanding that the statue be taken down and the offending youths be brought to justice.

Inasmuch as some of you have had mad audacity, notwithstanding the issuance of an edict of Claudius Caesar Augustus Germanicus pertaining to the permission granted the Jews to observe the customs of the fathers, not to obey this edict, but to do the very reverse, in that you have prevented the Jews from having a synagogue by transferring to it an image of Caesar, you have thereby sinned not only against the laws of the Jews, but also against the emperor, whose image was better placed in his own shrine than in that of another, especially in the synagogue; for by natural law each must lord over his own place, in accordance with Caesar's decree. 486

In this letter, Petronius tellingly cites the city's familiarity with the previous decrees of Emperor Claudius (the *acta* of *AJ* 19.280–91), which give the Jews full rights to follow their own customs. He also states that this act not only dishonors the Jews and keeps them from using the synagogue, but also insults Caesar himself by using his image for such unjust purposes. As this narrative stands, it fits well into the general motif of the protection of rights and ancestral customs by various authorities in the Empire. This becomes even clearer when we note that this passage takes place directly after the edicts

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⁴⁸⁶ *AJ* 19.304–5. Feldman, LCL.

of Claudius dealing with the ongoing strife in Alexandria upon his ascension.⁴⁸⁷ Petronius cites these edicts in a way that emphasizes that they were known to the Syrian magistrates. Josephus had previously claimed that the second of these edicts (*AJ* 19.287–91) was sent to "all the inhabitable world" (*AJ* 19.286). This second edict also alludes to the continued validity of the rights affirmed in the Augustan *acta* (see section 1.2.2).

We should also note the narratival similarities between the Dora synagogue crisis and Gaius' attempt to erect a statue of himself in the Jerusalem Temple (AJ 18.257–309). The Dora story is part of the larger narrative containing the Pogroms of Alexandria in 38 CE and Gaius' failed statue erection, though the narrative is interrupted by Josephus' extensive reporting of the death of Gaius and the ensuing constitutional crisis. Following the Alexandrian riots, Apion accuses the Jews of not showing due deference to Gaius through his imperial cult. Gaius then sends Publius Petronius to Jerusalem to set up an imperial image in the Temple. As Josephus' story goes, Petronius was wise and respectful enough to know that the Jews would revolt should this statue be erected. Petronius stalled Gaius after meetings with the Jews proved fruitless and a miraculous rain led him to believe that God was with the Jews. Petronius finally sent a letter to Gaius rejecting the plan to erect the image, not knowing that Agrippa I had convinced Gaius to desist from his plan. While Petronius' letter sent Gaius into a rage, the Emperor was assassinated before he was able to act. This story fits well with the Dora narrative in the use of common elements, especially in referring to the introduction of such statues in Jewish space as contrary to the Law and customs of the Jews. Both stories also present Petronius

⁴⁸⁷ The narrative separating these two pericopae is an account of Agrippa I assuming his new authority and Claudius showing respect to Jewish culture and religion.

and Agrippa as the primary heroes, who thwart those who would set up such statues. Finally, both narratives begin with strife between Jews and 'Greeks' in Alexandria.

Unfortunately, it is because of this latter commonality that so few scholars take these narratives seriously. Specifically, most scholars deride Josephus' inclusion of a Claudian edict that reads very differently from CPJ II 153, a document that speaks of remarkably similar strife as found in Alexandria in 41 CE, though Claudius rules against the Jews' claims to citizenship in this papyrus. Noting differences between Josephus' edict and that of CPJ II 153, most scholars either dismiss the Josephan edict as a forgery or a favorable Jewish version, 488 or they seek to make this Josephan version fit with the events found in CPJ II 153 and Philo's Legatio ad Gaium. The best examples of the latter would be Victor Tcherikover and Miriam Pucci ben Zeev. Tcherikover, the editor of CPJ, notes that the papyrus is a problematic Greek translation from a Latin original with sufficiently serious problems to hamper proper understanding. 489 To this, Pucci ben Zeev adds that CPJ II 153 V 88 acknowledges a former edict, arguing that this is likely referring to the same edict as Josephus. 490 Pucci ben Zeev also notes the generic difference between the two documents—one is an edict, while the other is a letter—which leads to different legal characteristics. 491 However, as many scholars have pointed out, the mention of the former edict is simply too little upon which to build a proper historical

⁴⁸⁸ E.g. D. Hennig, "Zu neuveröffentlichten Bruchstücken der 'Acta Alexandrinorum," *Chiron* 5 (1975): 317–35; Schwartz, Agrippa I, 100; Rajak, "Was there a Roman Charter?" 115 n. 29; idem, "Jewish Rights," 29; Barclay, "Jews," 263 n. 12; Sandra Gambetti, The Alexandrian Riots of 38 CE and the Persecution of the Jews: A Historical Reconstruction (SJSJ 135; Leiden: Brill, 2009), 233–34.

⁴⁸⁹ Victor A. Tcherikover and Alexander Fuks, *Corpus Papyrorum Judaicarum [CPJ]* (Vol. II; Cambridge: Harvard University Press, 1960), 38.

⁴⁹⁰ Pucci ben Zeev, Jewish Rights, 309. In this, she follows Smallwood, The Jews, 246 n. 101; Aryeh Kasher, The Jews in Hellenistic and Roman Egypt (Tübingen: J. C. B. Mohr, 1985), 265-69; Tcherikover and Fuchs, CPJ, 49-50; I. D. Amusin, "The Letter and Edict of Claudius Caesar," VDI 2 (1949): 222. ⁴⁹¹ Pucci ben Zeev, *Jewish Rights*, 310–13.

reconstruction. 492 Thus we are likely left with either a forgery or a 'Jewish version,' which most scholars treat as the same thing.

However, Aryeh Kasher is correct in stating that we must reject both literal, positivistic readings of Josephus' truth-claims regarding these events and those readings that simply dismiss these truth-claims as inauthentic; the fact that he spent so much time and space on the subject points to a clear belief on Josephus' part that the rights of the Jews were a fact. 493 This need not, however, lead us to Kasher's argument that Josephus' version was wholly authentic. Instead, we need only point out that Josephus has throughout his work presented that information which fits his rhetorical goals and excluded that which would have hurt them. 494 Thus, it is possible that Josephus is simply presenting that information which is complimentary to his aims, while rejecting negative examples. This does not make this document a historical 'forgery,' but simply a favorable example. This is in keeping with Josephus' tendenz as a rhetorical historian seeking to build a case based on the events and documents he has at his disposal. There is no more evidence that Josephus has written dishonestly than there is evidence for a second edict. Indeed, even those who reject Josephus' version as a forgery must admit that the Claudian letter (CPJ II 153) shows a remarkable even-handedness on the part of Claudius.

Another element of the story found elsewhere that Josephus conspicuously leaves out is the role of the Alexandrian synagogues in the initial strife spoken of in AJ 18.257. Josephus merely speaks of a great strife before recording the debate between the

⁴⁹² E.g., Schwartz, Agrippa, 100; John J. Collins, Jewish Cult and Hellenistic Culture (SJSJ 100; Leiden: Brill, 2005), 182 n. 9.

⁴⁹³ Kasher, *Jews*, 262. 494 As noted by Barclay, *Jews*, 71, 263.

embassies of the two groups. But why would Josephus leave out such information when Philo provides such minute detail, ⁴⁹⁵ especially given the larger theme of graven imperial images erected in Jewish institutions in *AJ* 18–19? The likely answer is that, like the Claudian rejection of certain rights for the Jews, it did not work favorably for Josephus' argument. As the Philonic version of the story illustrates, the Jews became just as guilty of strife as the Greeks in fighting back. Moreover, Gaius did not uphold the rights of the Jews in this instance, which works against the general theme of Hellenistic and Roman rulers supporting Jewish rights found throughout *AJ* 12–20. In the case of *AJ* 18.257–303 and 19.278–311, the Jews are able to stand up to Gaius and the Alexandrians without partaking in the violence and are justified by both Rome and God. Thus, the inclusion of Dora at the end of this thematic thread gives a positive ending without the need of a negative example in the beginning. This allows the synagogue a continued, consistent treatment as the right and protected centre of Jewish ancestral customs within the larger Roman Empire.

To this notable absence and the aforementioned dearth of a synagogue in the Adiabene story, we might also add the absence of the synagogue in the story of Fulvia (AJ 18.81–84). Here, we find that the criminals who seek to defraud Fulvia never do so within the context of a synagogue. To do so, once again, would be contrary to Josephus' rhetorical use of the synagogue. Of course, we must be careful not to make too much of an argument *ex silentio*, but we may nevertheless note simply that such silence allows for a consistent presentation of the synagogue in Josephus' ideal portrayal.

⁴⁹⁵ *Legat* 132–39; *Flacc.* 45–53.

Thus, returning to Dora, we find that this narrative is a parallel to the attempt by Gaius at erecting his own statue in the Temple, which likely had some precedence in reality after the Alexandrian Pogroms, as many communities sought to persecute the Jews. 496 As Petronius states in his letter, the offense against the Jews keeps them from using their synagogue. 497 But is this enough to argue for sacral inviolability in the synagogue "as a time-honored Jewish privilege," as stated by Levine?⁴⁹⁸ Levine is correct to note that Publius Petronus states that the offending Dorians have transgressed the Jewish rights to follow their own customs. However, nowhere is it stated that this means that the synagogues themselves are inviolable. As we shall see in chapter 5 below, we have ample evidence from earlier periods that many of the Diaspora synagogues were treated as sacred, but Josephus nowhere explicitly states this belief. Instead, we should follow Barclay, who notes in the first Claudian edict that it is actually the ancestral customs themselves that are inviolable, which makes better sense of AJ 19.306. Here, it is the violation of Jewish customs that has disrupted the synagogue institution, given the connection Josephus has continually drawn between the synagogue and the ancestral customs. This is also in keeping with Josephus' general demythologization of the emperor cult, presenting the statue and cult as needing just as much protection as the Jewish

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⁴⁹⁶ Van der Horst, *Flaccus*, 138–44.

⁴⁹⁷ Here we should roundly reject Kee's assertion that Petronius actually states that "you have kept the Jews from being a synagogue" ("Defining the First Century Synagogue," 487), as the better contextual reading of συναγωγὴν Ἰουδαίων κωλύοντας εἶναι in *AJ* 19.305 is "you have kept the Jews from having a synagogue." As has been argued above, we have ample evidence of synagogue edifices before the second century CE, making Kee's argument unnecessary. See Runesson, *Origins*, 219 n. 188.

⁴⁹⁸ Levine, Ancient Synagogue, 67.

ancestral customs. 499 As such, the Dora synagogue crisis becomes in the Josephan narrative an illustration of the rights presented throughout the *acta* and other edicts, which act as precedent for the protection of the ancestral customs associated with the synagogue institution, even in times of great tension.

Thus Josephus ties *AJ* 19.300–11 together with the *acta* through the immediate quotation of the Claudian edicts and as part of the larger graven imperial images theme, which began with Herod placing the eagle in the Temple (*AJ* 17.168) and finds its conclusion in Agrippa being tragically struck down by God after deifying himself (*AJ* 19.343–53). Dora is the paradigmatic example of the Roman protection cited by Josephus, presenting the Jewish customs and Law as licit throughout the Empire.

1.4.3. Conclusion

In AJ 17–20, Josephus portrays Judaism existing in a tension between positive expansion throughout the Roman Empire and negative attention leading to strife with their neighbours and Rome itself. All of this leads slowly towards the final (from Josephus' standpoint) war with Rome in the First Jewish Revolt. It is precisely in this narrative context that we find the narrative of the Dora synagogue crisis. Josephus uses this narrative as the final example of Roman protection of Jewish ancestral customs, which had the synagogue as their centre. Petronius, the stalwart protector of Syrian and Judaean Jews, once again affirms the words of the past and present emperors in his demand that the Jews receive justice for the incursion against their institution. This will

⁴⁹⁹ According to Barclay, "Josephus learned that the most effective form of apologetic was not an unremitting blast against a putatively unified religious system, but precisely the exploitation of its inconsistencies, the wedging open of the gaps that lay between one system of religion and another." Barclay, "Snarling Sweetly," 76.

act as one more example of the protection of Jews by the Empire as they seek to practice their customs peacefully. Such a portrayal of the synagogue thus buttresses the presentation of such institutions in the previous two sections and solidifies the picture of a peaceful and law-abiding association looking to respect the rule of Roman law, while protecting their own divinely-given Law. This is thus a (likely) historical event that Josephus has chosen because it matches the actual events related to a synagogue with his conception of the institution; in this way he illustrates the validity of his ideal portrait through recourse to the lived experience of the Jews of Dora.

1.5 Summary and Conclusion

The licit and peaceful practice of Judaism's Law and customs was for Josephus the heart of the nation and its collective identity. However, practice without social context and performance is inconsequential and cannot survive. For Josephus, the true practice of the customs and constitutional law of Judaism would find their supra-local institutionalization in the synagogue. Before the fall of Judaea in the First Jewish Revolt, Josephus perceived the synagogue to be an institution that allowed disparate Jews to come together and practice their customs. In the synagogue, the Jews could study their Law and customs in order to perform them well and thereby to preserve them in the now pan-Diasporic Judaism of his own day. This institution was created based on the model of the Graeco-Roman association, specifically presenting aspects of immigrant associations, which are parallel to similar association attributes mentioned in the inscriptions of the Phoenician immigrant associations.

In the narratives and acta of AJ 12–16, we find the clearest articulation of the synagogue institution as a centre where the Jews were safe to practice and disseminate their customs and Law, adjudicating their own affairs with imperial approval. This matches the national ideal presented in the biblical paraphrase, in which the synagogue institution is the proper assembly of the people under the priest-led, ideal constitution, until the ascendancy of the kings of Israel. Further, even in a time of Roman constitutional crisis, the synagogue would be protected from the local intimidation of those who sought to oppose the customs and practices of the Jews and who utilized the images of the very Principate that Josephus sought to present as the benefactors and protectors of the Jewish nation. This presentation of the synagogue would highlight the ongoing and consistent idea that the synagogue was the true, supra-local meeting place of a nation that was so often without a home, though it was always united under a divinelygiven Law. Even at the local level, in Josephus' own life, the synagogue was the key public assembly of the Jewish people, though one that needed to be protected from seditious bandits, such as the followers of John of Gischala. This was a point he emphasized in his autobiography, Vita, which was appended to Antiquitates judaicae, as we shall see in the following chapter.

Chapter 2: The Synagogue as Ideal Association and Historical People's Assembly in *Vita*

Despite the fact that Vita forms a conclusion to Antiquitates judaicae (as outlined in section 1.1) and is therefore a constituent part of a larger literary work, Vita stands apart from the rest of this composition in terms of its narrative focus. Vita was completed later, though it is presented as a necessary component of Antiquitates (AJ 20.266–67). In this work, we find the narratival point-of-view distinctly narrowed in order to present Josephus' actions and agency in history. Having already written two histories, Josephus merely annotates the wider historical movements and actions, as he focuses instead on the early stories of both himself and his enemies such as John of Gischala. For many scholars, this narrative reads like a somewhat unfaithful rewriting of BJ 2. However, much of this divergence likely has to do with the inclusion of Vita within the larger work of Antiquitates, as Josephus correlates his own story with the wider history of Israel written in later life. Thus, we should expect to find the synagogue portrayed in a manner largely consistent with what we find in *Antiquitates*. This is essentially the case, though Josephus presents a number of nuances that come from both personal participation in this institution and the importance of these stories for the larger narrative of his life. Thus, while this is an eye-witness account, we must critically examine Josephus' narrative and separate the historical kernel from its narrative chaff in order to understand what is legitimate historical data, rather than mere rhetorical and aesthetic artifice.

In this work, we find an identical conception (secondspace) of the synagogue as in *Antiquitates*, despite certain historical and institutional inconsistencies with the

descriptions found in the larger history. Specifically, the Galilean synagogue described in Tiberias shows all the descriptive elements of a public assembly, where civic business was conducted, including the meeting of the town council and people's assembly. However, Josephus still makes this institution the centre for the practice of Jewish ancestral customs and the Law. This synagogue thus displays many of the same associational traits as the Diasporic synagogues described in the previous chapter. This makes perfect sense given Josephus' presentation of his ideal synagogue as a universal assembly point for all Jews in the new pan-Diasporic Judaism for which Josephus is advocating. However, this notion of the synagogue as an association should not simply be dismissed as a historical anachronism or rhetorical sleight of hand. Josephus makes the most of this institutional ambiguity regarding the various ideals and expectations from the earlier 20 books of *Antiquitates* and thus illustrates the high level of continuity between the public and association synagogues.

In the present chapter, I will analyze the one scene in which the synagogue—here termed π ροσευχή, or 'prayer hall'—is the setting: *Vita* 271–303. Most synagogue scholars have correctly noted that the synagogue generally takes on multiple uses, from courtroom, to community centre, to prayer hall. For most of these scholars, this diversity in the synagogue is representative of first-century, Galilean synagogues in general. But how does such variance correspond with Josephus' programmatic presentation and usage of the institution in the larger *Antiquitates-Vita* complex? How does the description of civic organization match with what we know about the governance of cities and towns during

⁵⁰⁰ E.g., Levine, *Ancient Synagogue*, 52–54; Runesson, *Origins*, 190, 347–48; Binder, *Into the Temple Courts*, 344 – 48, 404 – 15; McKay, *Sabbath*, 77–80; *ASSB* no. 43.

this period? How much can be generalized from this narrative in a historical reconstruction of the synagogue in the first century?

I will begin by analyzing Josephus as a writer of autobiography, taking special note of issues that are pertinent to the passage in question. Following this, I will summarize the narrative, especially as it pertains to the study of the synagogue, within its socio-historical and rhetorical contexts. Despite Josephus' many biases and rhetorical goals, I will show that he offers some valuable information regarding the nature of the synagogue as he understood it. This information includes references to Jewish customs, such as assembly traditions, Sabbath meals, and prayer, though Josephus emphasizes socio-political issues in the running of this institution.

2.1. Josephus as Autobiographer

As we will be addressing a passage from Josephus' autobiography, it is important to understand *Vita*'s unique literary context and treatment of history. While all of Josephus' works are somewhat personal, *Vita* presents a complete, even programmatic, picture of his life. In order to present this more microcosmic self-portrait, Josephus annotates the larger events which occurred during his lifetime spoken of in *Bellum judaicum*. ⁵⁰¹ However, scholars have noted key discrepancies between *Vita* and the earlier *Bellum*, a state of affairs which only compounds the difficulties of verifying the historical information found in the *Vita*.

⁵⁰¹ Per Villalba Verneda, "The Early Empire," in *Political Autobiographies and Memoirs in Antiquity* (ed. Gabriele Marasco; Leiden: Brill, 2011), 327. Verneda states that this leads to a narrative without the essence of the account.

Biography was ubiquitous in antiquity, though this genre is, in my view, misunderstood by many modern historians due to the overt apologetical nature of these texts. Often these accounts are treated as imaginative retellings which do not adequately separate historical fact from rhetorical reconstruction. 502 This is especially the case with regard to autobiography. Scholars of historiography often refer to this genre as a "pseudoart," which by its very nature distorts the truth for the personal aims of the one writing.⁵⁰³ However, this type of tendentiousness was anticipated by ancient readers as well. It is likely due to this tendentiousness that autobiography, or even biographies written during the lifetime of the subject, were rare among the Greek literature, especially within those schools following Aristotelian peripatetic conventions. 504 Given the recent, antipositivistic turn in the study of historiography, it has become commonplace now to admit that no history is without rhetoric and imaginative reconstruction. This state of affairs should lead us to rethink how we treat all historical accounts. Also, we must earnestly examine the specific contexts and conditions for writing such works. 505 In the case of autobiography and *encomia*, these were often written in response to attacks by outsiders and other groups. 506 For example, Nicolas of Damascus composed his biography of Caesar Augustus in response to a biography of Augustus written by Herodes, which he

⁵⁰² E.g., Arnaldo Momigliano, *The Development of Greek Biography* (Expanded Ed.; Cambridge: Harvard University Press, 1993), 110.

⁵⁰³ E.g., Verneda, "Early Empire," 334.

Tomas Hägg, *The Art of Biography in Antiquity* (Cambridge: Cambridge University Press, 2012), 199; Verneda, "Early Empire," 358. They were more common in Latin literature, as Suetonius illustrates. ⁵⁰⁵ Hägg, *Art*, 3.

⁵⁰⁶ Momigliano, Development, 84; Hägg, Art, 202.

viewed as illegitimate and libelous.⁵⁰⁷ It is within this rhetorical context that we should view Josephus' own autobiography, as he sought to defend his own name and credentials.

For centuries, it has been believed that *Vita* was a response to a rival historian, Justus of Tiberias, who wrote a history that not only called *Bellum judaicum* into question. Justus also blamed much of the strife on Josephus himself. To be sure, in *Vita* 40 and 357–58, Josephus does defend himself against the charges of Justus by calling his accuser's own historical integrity into question. According to Josephus, Justus, firstly, waited until Agrippa II and other eyewitnesses had died, and, secondly, he was contradicted by the imperial commentaries, which Josephus had used in his account of the history. However, as both Shaye Cohen and Tessa Rajak have argued, this defence against the attacks of Justus is in no way pervasive through the work, nor is Justus the main target of Josephus' derision. This honour is reserved for John of Gischala.

Also, as noted above, it must be remembered that *Vita* was originally appended to *Antiquitates judaicae*. While many have simply ignored this fact, Shaye Cohen pioneered the study of these texts as companion works and found many key parallels in terms of vocabulary and theme, even arguing that *Vita* was the key to understanding *Antiquitates*. Shaye Cohen pioneered the study of these texts as companion works and found many key parallels in terms of vocabulary and theme, even arguing that *Vita* was the key to understanding

⁵⁰⁷ Momigliano, *Development*, 91.

⁵⁰⁸ E.g., Verneda, "Early Empire," 328–331.

⁵⁰⁹ Cohen, *Josephus*, 101–70.

⁵¹⁰ Tessa Rajak, "Josephus and Justus of Tiberius," in *Josephus, Judaism, and Christianity* (ed. Louis Feldman and Gohei Hata; Detroit: Wayne State University Press, 1987), 81–94.

⁵¹¹ Rajak, "Josephus and Justus," 86.

⁵¹² Cohen, *Josephus*, 145.

written in an attempt to curry favor with Yavneh, ⁵¹³ many have agreed with him in viewing these works as intimately connected. Here we will follow Mason's more cautious assertion that *Vita* was meant as a conclusion to, and thus pivotal section of *Antiquitates judaicae*. ⁵¹⁴ Both works were written primarily for a Gentile audience as the regular explanation of Jewish beliefs and practice illustrate. ⁵¹⁵ According to Mason, Josephus' self-presentation would have functioned as proof of his trustworthiness in relation to the larger historical work, as he extolled his own moral rectitude and good breeding. ⁵¹⁶ This is of great importance, as Josephus is concerned throughout this work with the challenges of his critics that he was a traitor and a failed general, whom the κοτνόν of Jerusalem attempted to dismiss.

Perhaps the most important issue for understanding the purpose of *Vita* is the observation that it follows the ancient literary form of *encomium*.⁵¹⁷ Often listed in the *progymnasmatai*, the ancient rhetorical textbooks current at this time, the *encomium* was a formulaic and praising account of an individual's life. Polybius characterizes these works as statements of the identity of the individual and his family through lists of his

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⁵¹³ Cohen, *Josephus*, 145, following Smith, "Palestinian Judaism," 67–81. See further discussion in the Introduction (section 1.2).

⁵¹⁴ Mason, "Should Any Wish," 102.

Should Any Wish," 66–67. As noted in chapter 1, this desire to explain Jewish practice to a Gentile audience is not as odd as it may seem, as many Roman authors evinced clear distrust of Jews given that many Romans were drawn away from their traditional religions to Judaism's religious practices. E.g. Quintilian (*Inst. orat.* 3.7.12), Tacitus (*Hist.* 5), and Juvenal (*Sat.* 3.296) who explicitly mentions Jewish synagogues (as $\pi po\sigma \epsilon \nu \chi \hat{\eta}$); See Sten Hidal, "Jews as the Roman Authors Saw Them," in *The Synagogue of Ancient Ostia and the Jews of Rome: Interdisciplinary Studies* (ed. Birger Olsson, Dieter Mitternacht, and Olof Brandt; AIRRS 4.57; Stockholm: Paul Åströms Förlag, 2001), 141–44.

⁵¹⁶ Mason, "Should Any Wish," 102; idem. Life of Josephus, xlvii.

⁵¹⁷ Jerome H. Neyrey, "Josephus' *Vita* and the Encomium: A Native Model of Personality," *JSJ* 25.2 (1994): 177–206.

famous actions in somewhat exaggerated terms.⁵¹⁸ Early *encomia* included Isocrates' biography of Euagoras, Clearchus' biography of Plato, and Dionysius of Halicarnassus' lost biography of Demosthenes, which he references in *Dem.* 53.⁵¹⁹ For our purposes, however, Nicolas of Damascus' *encomia* of himself and Augustus are of primary comparative value, as we seek to understand Josephus' self-representation. In these works, Nicolas sought to defend Augustus as the proper heir to Julius Caesar, as well as to defend Augustus against such charges as being the victim of pederasty in his youth, as reported later by Suetonius (*Augustus* 68).⁵²⁰ Such personal apologetics in the *encomia* of Nicolas and his former patron should be seen as parallel to Josephus' own presentation of various patrons and national heroes, but also of his own defense of his life and the appropriateness of his work as a historian.

Encomiastic texts were rather wooden in their formula, as noted by Jacoby. ⁵²¹ These works began with the individual's origin (genealogy) and birth in such a way that the noble virtues shown later in life were apparent from childhood. ⁵²² The theme of a noble pedigree is a well-developed aspect of Josephus' self-presentation, as he claims to have been born into the first course of priests (*Vita* 1–2). Following this, nurture and training (including education, teachers, and skills) were enumerated. Josephus describes himself having been a prodigious student at a young age, actively seeking out truth from multiple schools and teachers (*Vita* 10–12). Following these preliminaries, the writer

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⁵¹⁸ *Hist*. 10.21.

⁵¹⁹ Momigliano, *Development*, 77.

⁵²⁰ Hägg, *Art*, 202

⁵²¹ See Felix Jacoby, *Die Fragmente der griechischen Historiker* (Leiden: Brill, 1923–59), IIC.261–62. See also Hägg, *Art*, 200–1.

⁵²² Vit. Caes. 10–12; Hägg, Art, 6, 201.

presents accomplishments and deeds, as well as a comparison to other individuals who act as a foil for the character of the subject discussed. These deeds and accomplishments would be of specific types: Deeds of the Body, Deeds of the Soul, and Deeds of Fortune. The proper practice of a presented his own life and that of Augustus as being in line with the proper practice of Aristotelian ethics, as he enumerated their virtues. The proper practice of Aristotelian ethics, and their many companions through his self-portrait as a pious leader. As Neyrey points out, the individual is presented chiefly in terms of relationships and cultural values. The proper practice of the set of the integrity of its author, as he follows the standard rhetorical model for such an argument.

By incorporating language from the larger history and apology of the Jews of which *Vita* is a part, Josephus presents himself as a model citizen of a noble race. Unlike his dishonest opponents, Josephus is attempting to stave off rebellion, though he must show his fortitude as a noble citizen in the case of a war ('manliness' is another Deed of the Soul in an *encomium*), since he has already been declared a general ($\sigma\tau\rho\alpha\tau\eta\gamma\delta\varsigma$) in Galilee. It is this desire to stave off rebellion in Tiberias that will lead Josephus into the synagogue in the passage in question.

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⁵²³ Neyrey, "Josephus' Vita," 181.

Momigliano, Development, 86.

⁵²⁵ Neyrey, "Josephus' *Vita*," 181–82.

2.2. Vita 271–303 on the Synagogue

Vita 271–303 is the lone, sustained narrative taking place in a synagogue in Josephus' autobiography. It presents three narrative sequences set in the π ροσευχή, or 'prayer hall,' of Tiberias. While Josephus gives only a minimal description regarding the prayer hall itself, he does mention a number of important details regarding synagogue practice.

In these narratives, Josephus' enemies John of Gischala and Jesus, $\alpha \rho \chi \omega v^{527}$ of Tiberias, as well as Jonathan of Cyrene's faction, attempt to foment revolt in Tiberias among the populace in the assembly.

On the following day [the Sabbath], then, everyone came together $(\sigma \nu \nu \acute{\alpha} \gamma \omega)$ into the prayer house $(\pi \rho \circ \sigma \epsilon \nu \chi \acute{\eta})$, the largest building and able to accommodate a large crowd. When Ionathes [i.e. Jonathan] went in, although he did not dare to speak openly of defection, he did say that their city had need of a better general. The council-president Iesous [i.e. Jesus], holding back nothing, said plainly, "It is preferable, citizens, for us to submit to four men rather than to one, especially those who are so brilliant with respect to ancestry and so renowned with respect to insight." He indicated Ionathes' group. (*Vita* 277–78)⁵²⁸

This occurs while Josephus is encamped at nearby Tarichea (or, Magdala). In the first attempt, these foes fabricate what are described as baseless accusations about Josephus'

⁵²⁶ Here, as elsewhere in the 1st century CE, προσευχή should be taken as synonymous with συναγωγή 'assembly,' from which the modern term derives. This term is well documented throughout Jewish literature and earlier epigraphy, though Josephus (unlike Philo) seems to prefer συναγωγή. See Mason, *Life of Josephus*, 122 n.1165; Runesson, *Origins*, 429–36; William Horbury and David Noy, *Jewish Inscriptions of Graeco-Roman Egypt* (Cambridge: Cambridge University Press, 1992), 14 §§9, 22, 24, 25, 27, 117. While this term could be used for polytheistic prayer halls, it should be understood here to refer to specifically a Jewish meeting place; see Irina Levinskaya, "A Jewish or Gentile Prayer House? The Meaning of προσευχή," *TynBul* 41.1 (1990): 154–159; David Noy, "A Jewish Place of Prayer in Roman Egypt," *JTS* 43.1 (1992): 118–22.

Translated 'council-president' by Mason (see Mason, *Life of Josephus*, 81). Josephus continually offsets this prestigious title as a head of the synagogue with Jesus' actions as a 'sedition instigator' and revolutionary (e.g. *Vita* 66, 134).

⁵²⁸ Mason, Life of Josephus, 122–23.

ineptitude as their general and almost incite a riot during a Sabbath meeting. However, the sixth hour (noon) meal interrupts the fervor, thus saving the conspirators.

But the mob $(\pi\lambda\tilde{\eta}\theta\circ\varsigma)$ was not pleased by what was said. They would surely have proceeded to riot if the meeting $(\sigma\dot{v}v\circ\delta\circ\varsigma)$ had not dissolved at the arrival of the sixth hour, at which time it is lawful for us to take our luncheon on sabbaths. (*Vita* 279). ⁵²⁹

On the following day, Jonathan's group had assembled the people of Tiberias for the same reason, though this time Josephus arrives and answers the accusations and schemes, thus keeping the populace on his side. Out of frustration, Ananias, one of Jonathan's men, proposes a dubious fast on the third day, once again assembling the Tiberian Jews in the prayer hall. While the group says that this fast is for ensuring God's support in the coming war with the Romans, it is secretly instigated to trap Josephus. Josephus claims that he knew of the plot, due to his network of spies, though he enters the prayer hall willingly in order to fulfill his legal, or customary, duties (νόμιμος; Vita 295). Jesus, abusing his position, holds the door to keep Josephus' men out, so that John's faction may accuse Josephus publicly, though Josephus answers their charges and maintains support.

Cohen has rightly noted that Tiberias is the key location in *Vita* and Josephus' two strikingly similar altercations with John and his supporters occur in Tiberias (*Vita* 85–103 and 271–308).⁵³⁰ The city was a key post and metropolitan centre, despite having been built so recently (ca. 18–19 C.E. by Herod Antipas; *AJ* 18.36–39).⁵³¹ It was also one of the centres of the Revolt, and thus Josephus would have felt a need to defend himself regarding the sedition of one of the cities in his charge. I will address three practices in

⁵²⁹ Mason, Life of Josephus, 123

⁵³⁰ Cohen, *Galilee and Rome*, 81–82; See Mason, *Life of Josephus*, xxv, for discussion.

⁵³¹ Jensen, *Herod Antipas*, 135–37.

these narratives as they pertain to the Tiberian synagogue: assembly, fasting and communal meals, and the use of synagogues in fulfilling one's religious obligations.

2.2.1 Assemblies

Most often, this pericope of *Vita* is simply read as a description of Jews assembling at the local prayer hall or synagogue. But we must ascertain exactly what is going on. What sort of assemblies are these? How is Josephus depicting those assembled and the leadership? These questions are important for understanding Josephus' intentions and the place of the synagogue in such a text. Issues such as the size of the synagogue, on the other hand, are incidental.

Unfortunately, Josephus makes only one passing comment regarding spatial description (firstspace) of the προσευχή. We are told that it was "the largest building and capable of containing a massive crowd" in Vita 277 (μέγιστον οἴκημα καὶ πολὺν ὄχλον ἐπιδέξασθαι δυνάμενον). Contra Rocca, we are given no reliable data regarding the architectural features of the synagogue, other than this vague mention of its large capacity. 532 Rocca states that the synagogue must have contained a bet din (i.e., a courthouse), 533 though this ignores that the synagogue assembly itself is used for this purpose in this passage. Rocca is correct that synagogues in the Land were by their nature public assemblies with juridical functions, so we are left with little need to distinguish (as Rocca does) between functions as synagogue and court of law. 534 Josephus also gives no

⁵³² See Samuel Rocca, "Purposes," 295–313. Rocca, "Purposes and Functions," 295.

⁵³⁴ See Levine, *Ancient Synagogue*, 395–96; Runesson, *Origins*, 370–79.

indication, contra Rocca, that this synagogue was basilical, and we have no proof that this is the *dyplastoon* mentioned in either *y*.Šegal. 7:5, 50c or *Midr*. Ps 93.⁵³⁵

It should be pointed out, however, that village assembly models should not be privileged over religious aspects when dealing with synagogues, although civic meetings, both official and *ad hoc*, were a key element. As *Vita* 280 states, the people did not know why they were assembling on the day following the Sabbath, so this is clearly not a regular assembly. Likewise, on the third day, it is only due to Ananias' dubious day of fasting that the people congregate *en masse* at the synagogue. Thus we must take care when generalizing these narratives in terms of synagogue practice.

However, the corporate practices described in this text needed a place to be performed. The people needed to come together at a fixed place in order to observe their various civic meetings and religious rites as a group. As argued in chapter 1 above, Jewish assemblies were an important and protected aspect of Jewish life in *Antiquitates*. The Roman *acta* explicitly allowed for the assembling of a Jewish populace to fulfill their ancestral customs and to make community decisions, including legal rulings. While the

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⁵³⁵ Rocca, "Purposes and Functions," 299. It is notable that Chad Spigel, in his work on seating capacities, is reticent to rule out such large synagogues at an early date, though he cannot prove them outside of inferences based on this text and Philo's *Legat*. 134; see Chad S. Spigel, *Ancient Synagogue Seating Capacities* (TSAJ 149; Tübingen: J.C.B. Mohr, 2012), 43 n.98, 314–16.

⁵³⁶ Contra Richard Horsley, *Galilee: History, Politics, People* (Valley Forge: Trinity Press International, 1995), 223–27. While Horsley does admit some religious aspects, he treats this as the old consensus in the field and argues against this in favor of a more juridical institution. In so doing, he fails to incorporate the various aspects of public synagogues adequately. This should be compared to Levine's more balanced approach of noting multiple functions, including religious functions such as Torah reading (*C.Ap.* 2.175; *Legat.* 156; *Somn.* 2.127; *Hypoth.* 7, 12; Luke 4:16–22; Acts 13:14–15, 15:21; *t.Suk.* 4, 6; Theodotus Inscription [*CIJ* II 1404]), religious instruction (*Mos.* 2.216–18; *Spec.* 2.62–64; *Hypoth.* 13), and sermons or expositions of the texts read (*AJ* 12.107–8; *Let. Aris.* 305–8; Luke 4:20; Acts 14:14); Levine, *Ancient Synagogue*, 139–62. Levine does, however, doubt communal prayer as an institutional practice at this time, as we shall see below.

⁵³⁷ Mason, *Life of Josephus*, 122 n. 1165.

⁵³⁸ See Claußen, "Meeting," 153–55.

acta were written explicitly for the Diaspora, Josephus' reorganization of the Diaspora and the Land created a single, unified model with the Jewish ancestral customs forming one Law and constitution.⁵³⁹ Thus, we should not expect Josephus to differentiate too neatly between the public synagogues of the Land and the immigrant association synagogues of the Diaspora, especially given this now pan-Diasporic ideal Josephus presents in *Antiquitates*. Indeed, Runesson has argued that certain synagogues, including Jericho, Herodium, and Masada, likely operated as association synagogues in the Land before 70 CE, ⁵⁴⁰ which could justify Josephus' attempt at conflating the two models in this passage. ⁵⁴¹ All of this fits with a consistent conception of synagogues throughout the larger *Antiquitates-Vita* complex, as one would expect with one of Josephus' key innovations.

The Sabbath meeting in our pericope seems to follow what we would expect of a civic or public synagogue meeting in the Land, with motions being officially put forward and the proceedings ceasing for the customary meal. It should, however, be remembered that the assemblies mentioned were, according to Josephus, themselves seditious, as Jesus attempts to encourage $d \pi b \sigma \tau \alpha \sigma \iota \varsigma$ ('defection') in *Vita* 277. This runs counter to the purpose of such rights to assemble, as presented in *Antiquitates-Vita*.

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⁵³⁹ Barclay, *Jews*, 359–60.

Anders Runesson, "The Origins and Nature of the 1st Century Synagogue," *Bible and Interpretation* (June 2004) (http://www.bibleinterp.com/articles/Runesson-1st-Century_Synagogue_1.htm); *idem*, Origins, 357–70; *ASSB*, no. 15. Runesson uses the examples of the Theodotus Inscription and Acts 6:9, both of which illustrate some level of association practice in Judaean synagogues before the Revolt.

⁵⁴¹ Cf Runesson, *Origins*, 483–88. Runesson argues that this conflation did not occur until the fourth century CE or later. However, it should be remembered that Josephus is challenging the piety of the leaders of the synagogue, so the level of actual, historical conflation should be questioned given the rhetorical artifice of the narrative.

⁵⁴² Rocca "Purposes and Functions," 298; Runesson, *Origins*, 368.

Josephus seems to be rhetorically heightening the guilt of his opponents by placing such actions in a religious space—as denoted by the conspicuous use of $\pi \rho \sigma \epsilon \nu \chi \gamma^{543}$ —on a sacred day (the Sabbath). Such transgression on a holy day would have been repugnant to both Jews and Romans. This is all the more striking given Josephus' usual ambivalence as to whether synagogues were actually sacred space for the Jews who used them.

But this pseudo-sacrality belies a remarkably political institution. Josephus utilizes Graeco-Roman terminology in describing the various groups in the synagogue in this narrative. For instance, Josephus explicitly differentiates the town council (β ουλή) from the populace (δ ημος/πληθος) in *Vita* 277–79. The populace tends to side with Josephus, but the β ουλή is more ambivalent, as its leader, Jesus, is one of the revolutionaries who oppose Josephus. It is also worth noting that this civic structure resembles the leadership structures of associations, with the deliberative β ουλή led by an ἄρχων. Moreover, the use of *polis*-terminology bolsters the argument for such synagogues acting as the primary deliberative public centre, though in this case as a negative example of such. This, along with Jesus' abuse of his power as ἄρχων when he disallows Josephus' companions from entering the synagogue with him, further illustrates the abuse of the legal rights to

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 $^{^{543}}$ While Levine, *Ancient Synagogue*, 630–31, is correct to point out that the political element likely predated the sacred, Josephus' conspicuous usage of $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$ here connotes these precincts as having some sanctity, even if this is merely a rhetorical element geared towards Josephus' intended Roman audience. See Runesson, *Origins*, 429–36.

⁵⁴⁴ While the office of ἄρχων could take many forms (especially in non-Jewish associations), it is here taken as a general leader of the assembly. On diversity of usage, see Margaret H. Williams, "The Structure of Roman Jewry Reconsidered—Were the Synagogues of Ancient Rome Really Homogenous?" *ZPE* 104 (1994): 129–41.

See Runesson, *Origins*, 379ff; Rocca, "Purposes and Functions," 296–300. Contra Rocca, however, the link between the leader of the council and Torah Scroll is far from clear.

hold such assemblies. This may be treated as parallel to Jesus' abuse of power by publically encouraging revolt while symbolically holding the Law scroll in *Vita* 134.

Another notable differentiation made by Josephus in the larger work is between the βουλή and the κοινόν, or national assembly in Jerusalem. Specifically, it is notable that κοινόν is used consistently rather than Sanhedrin (συνέδριον), which is used by Josephus for individual tribunals rather than the national assembly in Jerusalem. This relationship acknowledged by Josephus between the two groups only strengthens the aspect of civic governance operating within the synagogue building, whereas the $\delta \tilde{\eta} \mu o \varsigma$, operating as the people's assembly (i.e., ἐκκλησία), met without the council in the larger stadium (*Vita* 92–96). Such a construal of the synagogue as the meeting place of the people's assembly buttresses the claim that Josephus viewed the ἐκκλησία as synonymous with the synagogue (see section 1.3 above).

All cities in antiquity, irrespective of constitution, had councils and these councils required space for regular meetings. ⁵⁴⁸ By the early Imperial Period of Rome (ca. $1^{st}-3^{rd}$ century CE), all civic constitutions universally included some form of $\alpha\rho\chi\omega\nu$, $\delta\eta\mu\sigma$, and

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 $^{^{546}}$ Vita 65, 72, 190, 254, 267,309, 341, 393. Vita 64–65 and 267 especially make this relationship clear. This term is often used in relation to the work of the town council (βουλή), with the national assembly being presented as a more powerful council, though not necessarily one to which the town council is directly subordinate. As in most *poleis*, the city was its own governing entity with rights of its own. Mason, *Life of Josephus*, 58 nn. 341, 346.

⁵⁴⁷ See Sanders, *Judaism*, 472–81.

⁵⁴⁸ Mogens Herman Hansen and Tobias Fischer-Hansen, "Monumental Political Architecture in Archaic and Classical Greek *Poleis*: Evidence and Historical Significance," in *From Political Architecture to Stephanus Byzantius: Sources for the Ancient Greek Polis* (ed. David Whitehead; Historica 87; Stuttgart: Franz Steiner Verlag, 1994), 37; Anthony Snodgrass, "Interaction by Design: The Greek City-State," in *Peer Polity Interaction and Socio-Political Change* (ed. C. Renfrew and J. F. Cherry; Cambridge: Cambridge University Press, 1986), 47.

βουλή. 549 However, unlike the earlier Greek *poleis* in which the δημος held the final vote and greatest amount of power, 550 by the Imperial Period the appointment to the βουλή was a perpetual one. 551 This increase in power for the upper classes resulted in broadening oligarchic controls (which we have seen Josephus held as the ideal) and a mounting tension between the βουλή and δημος, which at times lead to a need for military intervention. 552 Despite this move towards oligarchy, the council and people continued to meet in order to attempt to make decisions. 553 Thus both the terms and relations between these deliberative bodies presented by Josephus match what we find elsewhere in the contemporary ancient world.

But how do these civic institutions compare to the synagogues we find in the region of the Galilee? To begin with, it must be stated that *bouleuteria* and *ekklesiasteria* (i.e., the structures in which the ruling councils and public assemblies met) were different structures with divergent exemplars. The *ekklesiasterion*, which is the closer functional analogy to the synagogue, is difficult to generalize in Hellenistic and Roman contexts. This is likely due to the large amount of space needed to assemble the citizens of a city, which led to the common practice of using either large open air *agora* or theatres for use

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⁵⁴⁹ Fergus Millar, "The Greek City in the Roman Period," in *The Ancient Greek City-State* (ed. Mogens Herman Hansen; Historisk-filosofiske Meddelelser 67; Copenhagen: Royal Danish Academy of Sciences and Letters, 1993), 240–41.

⁵⁵⁰ See *IG* XII.6 172a 3–5 (Samos, ca. late 3rd century BCE); Sviatoslav Dmitriev, *City Government in Hellenistic and Roman Asia Minor* (Oxford: Oxford University Press, 2005), 104–6.

⁵⁵¹ Millar, "Greek City," 241.

⁵⁵² E.g., Strabo Geogr. 12.576. Millar, "Greek City," 241; Dmitriev, City Government, 327.

⁵⁵³ See Pliny *Ep.* 10.110.1 *boule et ekklesia consentiente*; *IPriene* 246.9–10 βουλεχχλησιῶν; Dmitriev, *City Government*, 327.

in this regard. ⁵⁵⁴ In this political system, the ἐκκλησία may well have met anywhere they could congregate as a group, with wooden bemai being carried in for use of those addressing the crowd. 555 It is now considered likely that theatres (and to a lesser degree stadiums) were constructed for this purpose, as the lavish presentations of theatres would not fit their usage merely for yearly festivals and occasional dramatic spectacles. 556 Even the etymology of θέατρον indicates that they were understood as housing public assemblies. 557 This would support the suggestion that the $\delta \tilde{\eta} \mu o \varsigma$ of Tiberias met in the stadium when the βουλή was not present (Vita 92–96). Yitzag Hirschfeld recently discovered a monumental theatre at Tiberias, though we cannot assume that his find and the building spoken of by Josephus were one and the same. 558

The institution of the *bouleuterion*, on the other hand, was somewhat more static. This was usually a purpose-built structure meant to house the ruling council of the town and was usually built in close proximity to the area set aside for public meetings. 559 While the old *bouleuterion* from the Dionysiac Agora of Athens forms the proto-typical bouleuterion, scholars have delimited multiple forms of bouleteria: (1) oblong with a row

⁵⁵⁴ Thus, for example, Yadin's use of the Priene *ekklesiasterion* as an analogy for the Masada synagogue fails due to the uniqueness of the Priene assembly hall. See Yigael Yadin, "The Synagogue at Masada," in Ancient Synagogues Revealed (ed. Lee I. Levine; Jerusalem: Israel Exploration Society, 1981), 20 n.1. Gideon Foerster notes this problem, as he argues that Priene was the only ekklesiasterion of this period to have a roofed structure; Gideon Foerster, "Architectural Models of the Greco-Roman Period and the Origin of the 'Galilean' Synagogue," in Ancient Synagogues Revealed, 45.

Hansen and Fischer-Hansen, "Monumental Political Architecture," 46–53.

State of the Political Architecture, "46–53.

State of the Political Architecture," 46–53.

State of the Political Architecture, "46–53. More Studies in the Ancient Greek Polis (ed. Thomas Heine Nielsen; Historia 162; Stuttgart: Franz Steiner Verlag, 2002), 80–87; Frank Kolb, Die Stadt im Altertum (Berlin: Albatros Im Patmos Verlag, 1984), 51– 52.
557 Fredriksen, "Greek Theatre," 71–75.

⁵⁵⁸ Hirschfeld dates the structure to the second or third century CE. See http://www.antiquities.org.il/Dig Item eng.asp?id=1165; Jürgen K. Zangenberg, "Archaeological News from the Galilee: Tiberias, Magdala, and Rural Galilee," EC 1 (2010): 473.

⁵⁵⁹ Hansen and Fischer-Hansen, "Monumental Political Architecture," 43.

of columns on the long axis of the building, (2) Square with seats at right angles on four sides (3) rectangular (broad) with seats arranged at right angles on three sides, (4) rectangular (deep) with seats arranged at right angles on three sides (5) Square or rectangular with curved stone benches. 560 Both in terms of geography and chronology, we find a variety of bouleuteria plans and influences. One commonality that remains, however, is that they were only large enough to accommodate the council itself and a minimum of others. 561 Interestingly, in the cases of such finds as Magdala and Gamla, which both had small rooms adjoining the larger synagogue, both deliberative bodies may have been housed in a single structure. This is itself enough to call into question the simple equation made by Rocca and others of the synagogue to the *bouleuterion*. ⁵⁶²

Returning to the Jewish institution we find in our primary text, we must ask how a synagogue such as the one described in Vita 273–303 functions as a public assembly, while the aspects that would later come to dominate the institution only have secondary architectural importance at this time. ⁵⁶³ Certainly the stepped benches along two, three, or four walls that we find in multiple synagogues match various bouleuteria, though the

⁵⁶⁰ Hansen and Fischer-Hansen, "Monumental Political Architecture," 42. This challenge to the commonly held views of static bouleuterion architecture even extends to the the standard reconstruction of the old bouleuterion of Athens as a roofed structure. See Stephen G. Miller, "Old Metroon and Old Bouleuterion in the Classical Agora of Athens," in Studies in the Ancient Greek Polis (ed. Mogens Herman Hansen and Kurt Raaflaub; Historia 95; Stuttgart: Franz Steiner Verlag, 1995), 133-56; T. Leslie Shear, Jr., "Bouleuterion, Metroon, and the Archives at Athens," in Studies in the Ancient Greek Polis, 156-90. ⁵⁶¹ Hansen and Fischer-Hansen, "Monumental Political Architecture," 43. Hansen and Fischer-Hansen cite Athens, Delos, Aiya Pelagia, and Delphi as proof. Even the larger bouletaria at Akragas, Argos, Olynthos, and Orchonminos are questionable as monumental buildings, with Miletos as a unique exception.

⁵⁶² Rocca, "Purposes and Functions," 304–10. While Rocca does admit that we should not refer to this as a bouleuterion, his arguement that they were "bouleuteria-shaped" still makes too much of this parallel. ⁵⁶³ Lee I. Levine, "The First-Century Synagogue: Critical Reassessments and Assessments of the Critical," in Religion and Society in Roman Palestine (ed. Douglas R. Edwards; London: Routledge, 2004), 93-94.

attendant column systems diverge from the classical *bouleuterion*. ⁵⁶⁴ Both of these elements were thus reminiscent of Graeco-Roman public buildings, and both resulted in a centre-facing orientation. ⁵⁶⁵ The central columns were ubiquitous in first-century synagogues and led to a resemblance to early, "secular" basilicas. As mentioned earlier, the classical, western *ekklesiasterion* was an open air structure, like a stadium or amphitheatre. ⁵⁶⁶ But where do such differences between Graeco-Roman public buildings and the public synagogues originate? One answer may be the eastern influences, especially the City Gate model. As Levine has argued, the public synagogues functionally resemble the ancient city-gates from the Iron Age. When such gates were replaced with Hellenistic city-gates that lacked the necessary chambers to gather the council and community, Hellenistic public architecture would have made a feasible alternative. ⁵⁶⁷ Whether the transition was this simple or not, this reconstruction adequately allows for a gradual transition to the synagogue's public aspects.

We must also be careful not to group all first-century synagogues in the Land together. As Anders Runesson has argued, we are better served separating the sectarian, or semi-public, synagogues of the Land from the public synagogues. The former include Masada, Qumran, and Herodion, as well as possibly Jericho and the Theodotus synagogue. Runesson lists Gamla, Qiryat Sefer, Nabratein, and the first-century

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James F. Strange, "Archaeology and the Ancient Synagogues up to About 200 CE," in *The Ancient Synagogue: From Its Origins until 200 CE* (ed. Birger Olsson and Magnus Zetterholm; CBNTS 39;
 Stockholm: Almqvist and Wiksell International, 2003), 42. See introduction for synagogue typologies.
 James F. Strange, "Ancient Texts, Archaeology as Text, and the Problem of the First-Century Synagogue," in *Evolution of the Synagogue: Problems and Progress* (ed. Howard Clark Kee and Lynn H.

Cohick; Harrisburg, PA: Trinity Press International, 1999), 35–45.

The term 'amphitheatre' was itself used when referring to some potential synagogues. See *ASSB*, nos.

⁵⁶⁷ Lee I. Levine, "The Nature and Origins of the Palestinian Synagogue Reconsidered," *JBL* 115.3 (1996): 425–448; *idem*, *Ancient Synagogue*, 34–42.

synagogue represented by the foundations of the Byzantine synagogue of Capernaum among the latter. To this we might also add the finds of Khirbet Cana, Magdala, Modi'in, and Horvat Etri. Among this latter group, we find a consistent grouping of public spaces that would allow for the βουλή and δημος to meet together. It is this function of the common meeting, or βουλεκκλησιῶν (*IPriene* 246.9–10), that best fits the functioning of the synagogue in *Vita* 271–303. This is in keeping with the city-gate model and allows the meeting of the δημος to be held separately in the stadium or theatre.

However, we still should not necessarily understand the form these particular assemblies took as wholly representative of common practice in the life of a synagogue. While the coming together of the people for the purpose of a civic council was licit and common, the specific events described by Josephus are gross abuses on the part of Jesus and his companions. In many ways, these narratives—especially that of the third day—mirror a previous narrative, in which Josephus' opponents trap him in John's manor (*Vita* 246–248), only now it is in a public precinct. Also, such seditious meetings were abuses of the special rights offered to the synagogues, as opposed to other, non-Jewish associations, which were forbidden because of their political plotting, as Josephus has gone to pains to illustrate. Thus, this assembly is not a βουλή meeting, but rather an $\frac{1}{2}$ $\frac{1}{2}$

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⁵⁶⁸ Runesson, *Origins*, 358–62; idem, "Architecture, Conflict, and Identity Formation: Jews and Christians in Capernaum From the 1st to the 6th Century," in *The Ancient Galilee in Interaction: Religion, Ethnicity, and Identity*. (ed. Jürgen Zangenberg, Harold W. Attridge, and Dale Martin; Tübingen: J. C. B. Mohr, 2007), 231-57

⁵⁶⁹ AJ 14.215. Regarding the linkage between imperial powers and the synagogue, see Fine, *This Holy Place*, 27.

conceived in *Antiquitates* through the use of association practices and terms, as we shall see below.

2.2.2. Fasting and Communal Sabbath Meals

During the initial Sabbath meeting, Josephus reports that the claims made by John and his group nearly have the people ready to riot, except that the customary sixth hour meal disrupted the rally (*Vita* 279). It seems clear that this must be a specific meal, due to the fact that it is able to cease such fervour. But what do we know about such meals and why was it relevant for Josephus at this juncture in the narrative?

Non-Jewish sources are sometimes read at face value when they state that the Jews fasted completely on the Sabbath. Suetonius takes such fasts to be proverbial, as he reports that Augustus boasted of fasting more diligently than a Jew on the Sabbath (*Aug.* 76.2), while Tacitus ties such fasts to the desert wanderings of Israel (*Hist* 5.3–4). Josephus gives counter-evidence to such claims, stating that a communal meal was actually the norm. As Feldman points out, however, even waiting until the sixth hour would have been viewed by a Roman audience as undue fasting. ⁵⁷⁰

Regarding the Sabbath meal, we must question its relevance for the narrative. If we were to view the synagogue as a variation on a voluntary association in Josephus' narrative, we may note that the communal meals were a vital aspect of an association's community life.⁵⁷¹ The actual meaning of a meal could also vary between associations.⁵⁷²

⁵⁷⁰ Louis H. Feldman, *Jew and Gentile in the Ancient World* (Princeton: Princeton University Press, 1993), 163

⁵⁷¹ For discussion of this importance, Harland, *Associations*, 61–78.

⁵⁷² See discussion in section 1.2.2.2.4.

In the end, Josephus continues to make the most of the ambiguity between this institution as an association synagogue or a public assembly. 573

Moreover, while Dio Chrysostom mentions feasting as part of the sacrifices in association contexts, it should be remembered that, while the Temple stood, Jewish sacrifice outside of Jerusalem was highly contentious. Many have argued that the mention of sacrifices in the Jewish charter for Sardis and Delos (*AJ* 14.214, 260) refer simply to the communal meals or other 'sacred rituals' in the synagogue. ⁵⁷⁴ However, as I have argued above, we should be cautious not to dismiss the possibilities of sacrifices altogether based on any assumptions of normative practice at this time. ⁵⁷⁵ If this connection between sacrifice and communal meals is accurate, then the charter for Sardis may be explicitly placing the communal meals on par with prayer as a synagogue-related obligation.

Unfortunately, *Vita* 279 reveals nothing of the sixth hour meal other than the time of day and it is not clear if the dissolution of the meeting meant that the crowd congregated elsewhere for a meal or whether they dispersed entirely. What seems important for Josephus is that proper, customary synagogue practice quelled the discontent caused by the schemes of Josephus' enemies. The incidental mentioning of the meal, while somewhat providential in timing, is not colored by Josephus' aims and

⁵⁷³ To be sure, the inclusion of a *triclinium* in the Jericho synagogue may point to synagogue meals in Judaea by the second century BCE, though the placement of this potential synagogue in the royal winter palace makes it difficult to view this structure as a public synagogue. See Runesson, "Origins and Nature;" *ASSB* no.15.

⁵⁷⁴ Levine, *Synagogue*, 140–141; Harland, *Associations*, 77; Shaye J. D. Cohen, "Pagan and Christian Evidence on the Ancient Synagogue," in *The Synagogue in Late Antiquity* (ed. Lee I. Levine; Philadelphia: Jewish Theological Seminar and ASOR, 1987), 166; Pucci Ben Zeev, Jewish Rights, 107–18; Binder, *Into the Temple Courts*, 407.

⁵⁷⁵ See sections 1.2.2.2.7 and 5.3 of the present work.

purposes, except insofar as it contrasts this proper piety with the machinations of the revolutionary group. The same should be said for the impromptu fast, which is otherwise unattested during this period. 576 Both are clearly spoken of as common practices, but both offer a contrast (one of the constituent elements of the *encomium*) between the rights given by Caesar in AJ 14 and the actions of Josephus' enemies, just as we saw with the assembly. This continued contrast between the actions of the insurgents and proper piety leads us to the final element, the religio-legal ancestral customs, as a whole.

2.2.3. Piety and Religious Obligations

As we have seen, both assemblies and common meals in our pericope relate back to the *acta* of *Antiquitates*. Both are elements of the communal rights protected by the various political bodies in the adjoining work, and both are abused by Josephus' foes. In the final section of this chapter, I will address Josephus' clear invocation of the ancestral customs (νόμιμος) of the Jews relating to the synagogue, this time with regards to prayer.

In *Vita* 295, Josephus claims to be undertaking his ancestral duties by praying in the prayer hall:

Just when we were performing our lawful duties ($\nu \delta \mu \iota \mu \alpha$) and directing ourselves to prayer, Iesous stood up and began interrogating me about the furnishings and uncoined silver that had been taken from the burning of the royal palace.⁵⁷⁷

According to some scholars, other chronologically proximate sources present prayers throughout the week as common practice amongst the Jews of the Second Temple Period,

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⁵⁷⁶ While the text does mention non-Sabbath fasting, it is sufficient to point out that this is conceived of as a special fast under the guise of petitioning God, and that it is used by the revolutionary group more to lure Josephus into a trap than out of piety. Hence we are told nothing of fasts beyond the apparent acceptability of such impromptu communal fasting by an assembly.

Mason, Life of Josephus, 126.

despite the minimal detail these texts offer.⁵⁷⁸ In a recent study, Jeremy Penner argued cogently that such regular prayer practices were still crystallizing in this period and were based on three separate programmes: those of sacrifice, scripture, and cycles of heavenly luminaries. 579 As a result, there was no pervasive obligation to pray daily at this time. 580 Moreover, Josephus does not connect this prayer to a specific prayer cycle. 581 He also does not let the reader know whether this was part of the fast, or even (like the meal) whether it was personal or communal. As in AJ 14.258, Josephus communicates that prayer was an ancestral custom and one of the explicit purposes of the synagogue, though without giving any detail as to the organization of such prayer. 582 These vagaries. however, likely suit his purposes as he presents such recent practices as originating with the ancestors, and therefore his opponents who are barring his fulfillment of this custom seem that much more nefarious. This irony is only heightened as this passage follows the statement in Vita 292, in which Jonathan's schemes are laid out, so that "he could immediately have me at his mercy and do whatever he had prayed for (ἔχει δι' εὐχῆς)." Thus, the narrative specifically compares Josephus' pious prayers to the impious prayers of his enemies.⁵⁸³

While Josephus takes his life in his hands, knowingly walking into a trap to fulfill his 'pious obligation' to pray, in all instances his enemies abuse their authority. These

⁵⁷⁸ E.g. Spec Leg. 3.171 and Matt. 6:5; See Binder, Into the Temple Courts, 414.

⁵⁷⁹ Jeremy Penner, *Patterns of Daily Prayer in Second Temple Period Judaism* (STDJ 104; Leiden: Brill, 2012),

⁵⁸⁰ See also Levine, *Ancient Synagogue*, 162–69. Levine also doubts the regularity and institutionalization of communal prayer in the Second Temple period.

⁵⁸¹ Penner, *Patterns*, 68 n.93.

⁵⁸² See also *Flacc*. 122–23.

⁵⁸³ Mason, *Life of Josephus*, 125. Mason notes the irony regarding this statement and the impiety of the schemes of the delegation, which are cloaked in pious rhetoric (see 125 n.1214).

opponents once again either fail due to the various Jewish customs or twist the practices associated with the synagogues to their own ends. 584 It is noteworthy that only in the Vita does Josephus polemically compare his own piety to the dubious machinations masquerading as piety in his opponents. 585 As we have seen, the *encomium* specifically contrasts the virtues of the subject with the malfeasance of their competitors. The piety of the individual is one of the 'Deeds of the Soul,' which illustrate the moral rectitude of the individual. Josephus has clearly laid out assemblies, fasts and meals, and prayer as established ancestral customs protected by the Empire in Antiquitates. He has also placed all of these activities in a synagogue setting, which he uncharacteristically describes in this passage using a term (προσευχή) usually reserved for holy spaces. This rhetorical strategy results in an indictment of Josephus' enemies that would be all the more damning for both Roman and Jewish readers of Antiquitates-Vita.

2.3 Conclusion

In his autobiography, Josephus systematically presents himself as a reliable and trustworthy historian by not only showing good breeding and education, but also by presenting himself as a model citizen compared to his opponents. It is precisely in his treatment of his opponents that the synagogue comes into view in this text, in which we find the sole detailed treatment of Jewish institutions in this short work. It is a sacralpolitical precinct for the law-abiding citizens of Tiberias, until it is abused by its leader and his companions. Despite knowing of their plot, Josephus enters the synagogue to

 $^{^{584}}$ See also Vita 75, 290. Mason, Life of Josephus, 64 n. 410. 585 Cohen, Josephus, 89, 218.

fulfill his pious duties, and his opponents use against this time of religious observance to trap him. All of these duties are upheld in the charters of the *Antiquitates*, but while Josephus and the populace follow the Law, Josephus' enemies abuse the Law for their own illicit ends, inciting strife ($\sigma\tau\dot{\alpha}\sigma\iota\varsigma$) amongst the people.

We should be careful, then, not to read too much of this narrative as normative for synagogue practice at this time. Josephus presents a civil governance aspect to the synagogue, which is distinct enough within *Antiquitates-Vita* to lead us to assume that this is likely a realistic representation of first-century synagogues. However, the terminology used is ambiguous to the point of obscuring exactly what this civil function actually was. Likewise, Josephus includes mentions of communal feasting and prayer that we must take seriously as data, though their paucity and function as aspersions on the piety of Josephus' enemies make the exact nature of these religious obligations uncertain. These rhetorical turns make sense when we note that the spatial conception evident in *Vita* is meant to match with the conception found in *Antiquitates*. We should not be surprised that Josephus emphasizes commonalities between the historical synagogue he found himself in during this episode in his life and the associational synagogue which typifies the pan-Diasporic Jewish communities he is presenting as his ideal in the larger historical programme.

Chapter 3: Synagogue as an Ideal Educational Institution in *Contra Apionem*

In the previous two chapters, it has been argued that Josephus' later writings sought to make the Jewish Law and ancestral customs the ultimate and unifying elements of his ideal Judaism as he rewrote history with the Judaism of his day in mind, and he consequently portrays the Jewish constitution as transcending both land and Temple. Within this larger historical complex, which Josephus wrote after the fall of Jerusalem and its Temple, synagogues were presented as the institutional centre for these ancestral customs from the time of the very inception of both the assembly and Law under Moses. Josephus did so by placing the origins, discussion, and practice of the Law in the synagogue. However, we must ask, was the synagogue merely a convenient supra-local institution into which Josephus could invest the ancestral obligations of the nation? Or was there something about the synagogue that allowed it a special claim regarding the Law? The answer to the latter question, for Josephus, is yes. The synagogue was where the Law was both practiced and propagated. While the theme of the propagation of the Law was briefly touched on in *Antiquitates*, it becomes an important part of the argument we find in Contra Apionem.

Unlike the works of Josephus that preceded it, *Contra Apionem* is not a history meant to give a favorable report for the Jews against the attacks and accusations of outsiders. Rather, it is a short treatise in two books dealing with the specific attacks of outsiders in a direct and reasoned manner. Within this work, the Law and its supra-local home, the synagogue, are both rebuffed by 'cultured despisers' of the Jews and then

defended by Josephus as being both rationally founded and culturally beneficial. The synagogue itself is defended against accusations that it is an appropriation of Egyptian religious practices (*C.Ap.* 2.10–11), by countering that it is a place of moral and legal education (*C.Ap.* 2.170–175), which appropriates and surpasses the Roman ideal.

In this chapter, I will show that in *Contra Apionem* Josephus presents the synagogue as an institution with the antiquity of Moses and which finds its reason for being in the maintenance and dissemination of the Jewish Law and ancestral customs. This argument represents a crystalization of the defense offered elsewhere by Josephus on the part of Judaism: that the Jewish Law is of great antiquity and promotes justice and citizenship among its people, and that the synagogue is the spatial centre for such activity. Contrary to recent arguments that *Antiquitates* and *Contra Apionem* present varying ideas of Jewish law, this reading is in keeping with the presentation of both the Law and the synagogue as originating at Mt. Sinai, as argued in section 1.3. Such a portrait is consistent with the educational ideals of both the Greeks and the Romans. Also, just as it was argued from the acta, the synagogue is presented as the place where the ancestral customs and Law are given to the people, with the understanding that these are the same Law and customs given by God to his people at Sinai. Consequently, the Jews are the only people following the Creational or Natural Law. The Jewish people should thus be treated as an example of harmonious living, not as a rebellious and antisocial nation. We are thus presented with a purely ideal conception (secondspace) of the synagogue, which makes use of specific ideals that Josephus' intended Roman audience nurtured.

3.1. Context and Rhetoric of Contra Apionem

Given the clear differences in how Josephus goes about his defense of Judaism in *Contra Apionem* as compared with *Antiquitates-Vita*, it is important to understand the genre, date, rhetorical structure, and key themes of this work in order to understand better Josephus' intentions therein. However, given the more intricate, propositional arguments of this treatise, care will need to be taken in the contextualization of the synagogue within the larger argument, in order to situate more specifically how the synagogue is being described and portrayed.

3.1.1. Place within the Josephan Corpus

There remains a great deal of debate regarding the exact context and character of *Contra Apionem*. Given that Josephus references the completed work of *Antiquitates* in *C.Ap.* 1.1, we may be certain that it is the latest extant work from the author. However, despite this *terminus post quem*, the lack of later writings makes it impossible to know exactly when the text may have been written. *Contra Apionem* is also generally considered the most sophisticated of Josephus' works, which has led some scholars to question both its authenticity and its actual genre.

Regarding dating, it has largely been accepted that this work was written sometime in the reign of either Domitian (81–96 CE), Nerva (96–98 CE), or early in the reign of Trajan (98–117 CE). We know that it shares the same named patron as *Antiquitates-Vita*: Epaphroditus.⁵⁸⁶ Many scholars have attempted to find markers for the

⁵⁸⁶ AJ 1.8–9; Vita 430. Unfortunately, Epaphroditus was an extremely common name in 1st century CE Rome, which has led to a plethora of options for the identity and dating of this Epaphroditus (assuming that he is an otherwise known figure, which we cannot), so there is no consensus on this issue. See Barclay,

socio-political context found in the text for the dating. Often, scholars attempt to correlate the specific charges against or defenses of the Jews in the treatise with oppressive policies of Domitian against the Jews.⁵⁸⁷ However, John Barclay, in my view, is correct to caution against making too much of such inferences.⁵⁸⁸ I will thus treat the date as likely, though not certainly, sometime between 93–100 CE.

Another important issue is the genre of the work. While it is generally accepted that this work is an *apologia* of some sort (Josephus himself states this in *C.Ap.* 2.147), many scholars have sought to refine this identification. Most often, scholars have attempted to place this work within the sub-genre of 'Jewish Apologetics,' which seek to defend the customs and culture of the Jews against their various detractors, with examples such as Philo's *Hypothetica* or the native histories of Artapanus and Eupolemus. ⁵⁸⁹
Others, like Steve Mason and Per Bilde, have viewed this as a missionary work intended

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Against Apion, 3–4 n.3. Barclay sees M. Mettius Epaphroditus, a freedman grammaticus mentioned in CIL VI 9454, as the best option, though admits that we lack the requisite information for any real certainty.

587 E.g. L. Troiani, Commento storico al 'Contra Apione' di Giuseppe. Introduzione, Commento storico, traduzione e indici (Pisa: Giardini, 1977), 26–29. Troiani argues that the repression of the later reign of Domitian occasioned Josephus defense. Gunnar Haaland contends that the 'Stoic Opposition' of 93–94 CE, in which Domitian expelled or killed many Stoic teachers and senators, including Musonius Rufus, Junius Arulenus Rusticus, and the Pythagorean Apollonius of Tyana. This led to a general uneasiness about philosophy, which Romans had previously viewed with ambivalence. Haaland argues that this resulted in the use of certain philosophical terminology in a sparing way. This allows Moses to be a philosopher without being party to the anti-social behavior of which philosophers had been judged guilty. Gunnar Haaland, "Josephus and the Philosophers of Rome: Does Contra Apionem Mirror Domitian's Crushing of the 'Stoic Opposition'?" in Josephus and the Jewish History in Flavian Rome and Beyond (ed. Joseph Sievers and Gaia Lembi; SJSJ 104; Leiden: Brill, 2005), 297–316.

588 Barclay, Against Apion, xlv-ix.

⁵⁸⁹ See Schürer, *History*, 3.609–616. For general 'apologetics' as the genre, see Barclay, *Against Apion*, xx; *idem.*, "Josephus v. Apion: Analysis of an Argument," in *Understanding Josephus: Seven Perspectives* (ed. Steve Mason; JSPSupp 32; Sheffield: Sheffield Academic Press, 1998), 195; Martin Goodman, "Josephus' Treatise *Against Apion*," in *Apologetics in the Roman Empire: Pagans, Jews, and Christians* (ed. Mark Edwards, Martin Goodman, and Simon Price; Oxford: Oxford University Press, 1999), 45; Shaye J. D. Cohen, "History and Historiography in the *Against Apion* of Josephus," *History and Theory* 27.4 (1988): 1.

to draw in proselytes, such as a protreptic.⁵⁹⁰ Barclay, however, argues cogently that Mason assumes too quickly a link between defense and advocacy, incorrectly assumes an audience already prepared to accept arguments against Hellenistic thought, and at the end of the day must accept that the protreptic elements in this work are subtle, at best.⁵⁹¹ Moreover, scholars are increasingly lamenting the general difficulties of searching for any particular fixed generic conventions. Thus, we are better served allowing for Josephus to have used certain generic and rhetorical conventions related to protreptic, though in deliberate and unique ways as he writes this *apologia*.

With regard to audience, we are likewise left with a great deal of ambiguity.

While it is abundantly clear that Gentiles are targeted, which Gentiles does Josephus have in mind? And would Jews not have interest in a text like this, as well? Regarding the latter question, such apologetic texts are usually most valued by insiders who are seeking confidence and arguments for their beliefs. Thus, the probable goal was to boost sympathies in outsiders, though it may secondarily have been to encourage insiders. ⁵⁹²

Regarding the former question of specific Gentiles targeted, we may be more certain of our answer. Despite the common usage of 'Greeks' as a general term for all Greeks and Romans within the secondary literature, Josephus gives us reason to question

⁵⁹⁰ Per Bilde, *Flavius Josephus between Jerusalem and Rome: His Life, his Works, and their Importance* (JSPS 2; Sheffield: Sheffield Academic Press, 1988), 120–21. Per Bilde understands this text as a 'missionary text.' Steve Mason, "The *Contra Apionem* in Social and Literary Context: An Invitation to Judean Philosophy," in *Josephus* 'Contra Apionem: *Studies in its Character and Context* (ed. Louis. H. Feldman and John R. Levison; AJEC 34; Leiden: Brill, 1996), 187–228. Mason argues that *Contra Apionem* is an example of protreptic, in which the author persuades those who may stand at the brink of different ways of life, with the intent of convincing the hearer of the author's way of life, e.g., the *Epistle to Diognetus*. This would make sense of the positive arguments regarding the perfection of the Judaean *ethos* or philosophy in 2.145–286.

⁵⁹¹ Barclay, "Josephus v. Apion," 198–99.

⁵⁹² Barclay, Against Apion, li-iii.

this equation. Greeks are often spoken of in negative terms, notably using Roman stereotypes of the Greeks. 593 All Greeks, even Spartans, are accused by Josephus of being lazy (C.Ap. 2.229–30), promiscuous (C.Ap. 2.220, 273–75), lenient in punishment (C.Ap. 2.224), and unwilling to undergo hardships for their laws (C.Ap. 225–231). These traits, in the end, are said to be so ingrained that the Greeks represented their gods as being equally deplorable in these respects (C.Ap. 2.275). Josephus' statement that "we neither hate nor envy them" is an attempt to indicate the same level of indifference to Greeks as was shown by Romans. 594 On the other hand, Josephus leaves Romans out of such ridicule and even praises them (C.Ap.2.40). As Martin Goodman has noted, Josephus seems to take pains in order to present the Jews in a distinctly Roman light. 595 Jews are presented as innovative (C.Ap. 2.182), sober (C.Ap. 2.95, 204), community-minded (C.Ap. 2.196), and patriarchal (C.Ap. 2.201, 206). They seek justice, work hard, avoid extravagance, and educate their children properly (C.Ap. 2.173–74), all of which parallel Roman self-portraits. Thus, Josephus targeted the sympathies and values of the Romans as he defends Judaism. However, it must be remembered that such use of ethnic terms tells us more about the ones using the terms than those designated, as Josephus attempts to create a portrait of Judaism favorable to his target audience: literate Romans. 596

 ⁵⁹³ See Gunnar Haaland, "Jewish Laws for a Roman Audience: Toward an Understanding of *Contra Apionem*," in *Internationales Josephus-Kolloquium Brussells 1998* (ed. Jürgen U. Kalms, Folker Siegert; Münsteraner Judaistische Studien 4; Münster: Lit Verlag, 1999), 284–85.
 ⁵⁹⁴ Haaland, "Jewish Laws," 285.

⁵⁹⁵ Martin Goodman, "The Roman Identity of the Roman Jews," in *The Jews in the Hellenistic-Roman World: Studies in Memory of Menahem Stern* (ed. Israel Gaphni, Aaron Oppenheimer, Daniel R. Schwartz; Jerusalem: Graphit, 1996), 92.

⁵⁹⁶ John M. G. Barclay, "Judaism in Roman Dress: Josephus' Tactics in *Contra Apionem*," in *Internationales Josephus-Kolloquium* Aarhus 1999 (ed. Jürgen U. Kalms; Münsteraner Judaistische Studien 6; Münster: Lit Verlag, 2000), 231; *idem.*, "The Empire Writes Back: Josephan Rhetoric in Flavian Rome,"

The final controversy related to the context of *Contra Apionem* within the Josephan corpus is his use of sources. Many scholars have either accused Josephus of plagiarizing the arguments of other, more talented Jewish scholars or of manufacturing 'straw-man' arguments and sources, which could easily be knocked down. Regarding the plagiarism argument, many have noted similarities to other Jewish apologetic works. One such work is the fragmentary *Hypothetica* by Philo of Alexandria, upon which Samuel Belkin claims the entire second book of *Contra Apionem* is dependent. ⁵⁹⁷ However, the fragmentary nature of *Hypothetica* makes such claims impossible to substantiate. Others, such as Seth Schwartz, have claimed that Contra Apionem is too subtle and masterful for Josephus. 598 Tessa Rajak is probably closer to the mark in arguing that Josephus was a successor to Philo insofar as he presented an exposition of Jewish Law in Greek and according to western standards. 599 There is reason to believe that he knew and used Philo's works (especially *Hypothetica*), though *Contra Apionem* should be located within the same tradition, rather than assuming that the exposition was not Josephus' own. 600

Others have argued that Josephus either invented or did not do justice to his sources. 601 However, as Barclay argues, while it is possible that Josephus misrepresented

in Flavius Josephus and Flavian Rome (ed. Jonathan Edmondson, Steve Mason, and James Rives; Oxford: Oxford University Press, 2005), 315–32.

⁵⁹⁷ Samuel Belkin, "The Alexandrian Source for Contra Apionem II," JQR 27.1 (1936): 1–32.

⁵⁹⁸ Schwartz, *Josephus*, 23. Schwartz comes to this conclusion based on his opinion of the contemporary Vita as "literarily wretched," which would make it unlikely that he would be capable of such arguments. Thus for Schwartz it was likely based on common Jewish apologetic pamphlets. Note the anachronism of

⁵⁹⁹ Tessa Rajak, "The Against Apion and the Continuities of Josephus' Political Thought," in *Understanding* Josephus: Seven Perspectives (ed. Steve Mason; JSPSupp 32; Sheffield: Sheffield Academic Press, 1998), 226-27.

⁶⁰⁰ Rajak, "Against Apion," 227; Barclay, Against Apion, xxiv n.17.

⁶⁰¹ See Cohen, "History," 3; Arthur J. Droge, "Josephus between Greeks and Barbarians," in *Josephus*" Contra Apionem: Studies in its Character and Context (ed. Louis. H. Feldman and John R. Levison; AJEC

the arguments of others, our meager evidence makes this impossible to prove. ⁶⁰² In either case, the general themes and presentation of Judaism in this work are similar enough to *Antiquitates* to put such plagiarism in question without further proof (see section 3.1.4).

It is important to note that *Contra Apionem* is Josephus' chronologically final extant work, clearly referring to his other works. Josephus sees the need to buttress the claims made in his histories, even if he does not outline all of the misrepresentations of Judaism he is contesting. Josephus sought rhetorically to make his countrymen more Roman than the Romans, as they are claimed to fulfill the cultural expectations of the Romans in a way that no Roman could. While this stands within the larger tradition of Jewish apologetic, Josephus' purposes and his Roman context make it stand apart from the bygone days of Alexandrian attacks, even if the primary detractor of the Jews to be treated in this work was the Alexandrian *grammateus*, Apion. 603 In the end, he has presented all of the issues involved as his own and as they pertain to his purposes, using his own clear rhetorical structure.

3.1.2. Rhetorical Structure

Unlike some of Josephus' other works, *Contra Apionem* possesses its own clear, distinct rhetorical structure. At the basic level, the two books are distinct as the majority of book one is used to counter those who would question the antiquity of the Jews (1.6–

^{34;} Leiden: Brill, 1996), 125; Erich S. Gruen, "Greeks and Jews: Mutual Misperceptions in Josephus' *Contra Apionem*," in *Ancient Judaism in its Hellenistic Context* (ed. Carol Bakhos; SJSJ 95; Leiden: Brill, 2005), 40, 48.

⁶⁰² Barclay, *Against Apion*, xxxvi. Contra Haaland, who states that Barclay suggests the content of the arguments has been changed. See Gunnar Haaland, "Convenient Fiction or Causal Factor? The Questioning of Jewish Antiquity according to *Against Apion* 1.2," in *Flavius Josephus: Interpretation and History* (ed. Jack Pastor, Pnina Stern, and Menahem Mor; SJSJ 146; Leiden: Brill, 2011), 164.

 $^{^{603}}$ It is possible, as Barclay opines, that some of the charges leveled by Apion are from the lawsuit against the Alexandrian Jews (AJ 18.257–59); Barclay, "Josephus v. Apion," 197.

218), while the end of book one and the first half of book two (1.219–2.144) are dedicated to countering the various anti-Jewish slanders, including a misrepresentation of synagogue practice (2.10–11). The remainder of book two reverses directions, as Josephus finishes his defensive or negative argumentation, taking up a more positive and laudatory presentation of Judaism and its 'constitution' (2.145–286), including a positive and noticably Roman depiction of the synagogue (2.175), as we shall see below. Following this, Josephus sums up and concludes his argument (2.287–92).

3.1.3. Ethnicity

As noted in the discussion of audience, Josephus sought to distinguish the Jews from the Greeks, while highlighting cultural convergence with the Romans. Ethnicity is notably malleable in such comparative exercises, especially as a colonized writer seeks to use or mimic the categories of the colonizers. Such 'hybridity' allowed the conquered to conflate their culture with the dominant culture in a way that seeks to destabilize power imbalances. However, Josephus does not rely entirely on the comparison of Jews and Romans, as he utilizes cultural comparisons to the Greeks and the Egyptians with the purpose of casting the Jews in a positive light. Such comparisons to other minorities allow for positive presentations of Judaism within this defense and a better understanding of how Josephus is presenting his ideal Judaism and the synagogue within this *apologia*.

⁶⁰⁴ Barclay, *Against Apion*, 1v; *idem.*, "Constructing Judean Identity after 70 CE: A Study of Josephus' *Against Apion*," in *Identity and Interaction in the Ancient Mediterranean: Jews, Christians, and Others* (ed. Zeba A. Crook and Philip A. Harland; New Testament Monographs 4; Sheffield: Sheffield Phoenix Press, 2007), 101.

⁶⁰⁵ Bhabha, Location of Culture, 102–22; Barclay, "Empire Writes Back," 317–18.

One exception to the Roman ambivalence towards the Greeks is the occasional idealization of Sparta by the Romans, which we also find in *Contra Apionem*. Laudatory mentions of Sparta include their perseverance, inward focus (2.261), and constitution (2.222–27, 275). However, in all cases Jews are shown to outstrip Spartans in these regards. This is especially the case where law is concerned, as the Law of Moses is portrayed as having greater antiquity and is kept with greater fidelity than that of Lycurgus:

So, let this be granted, that obedience to the laws is proof of virtue. But let those who admire the Lacedaemonians [i.e. Spartans] compare their time-span with the more than two thousand years of our constitution. (*C.Ap.* 2.226)⁶⁰⁷

All of this fits with the general presentation of Jewish customs standing up to time and not failing like those of other nations.

Such ambivalence is cast aside when Josephus turns to the Egyptians. As with many Roman authors, Josephus treats the Egyptians as the worst of barbarian nations despite the accepted antiquity of their civilization. While he is happy to use texts like Manetho's Egyptian native historiography in order to illustrate the antiquity of the Jews in C.Ap.~1.73-105, Josephus does not respect the culture of the Egyptians. He attacks the Egyptians, largely due to the fact that he must counter Apion's libelous statements that the Jews are native Egyptians who were expelled due to tumors of the groin (C.Ap.~2.8). It is notable that Josephus' summation of the accusations of Apion, who Josephus accuses of being an Egyptian masquerading as a Greek (C.Ap.~2.140-45), immediately precedes the misrepresentation of the original $\pi \rho \sigma \sigma \epsilon \nu \chi \alpha i$ of Moses as deviant Egyptian temples.

⁶⁰⁶ Rajak, "Against Apion," 232-33.

⁶⁰⁷ Barclay, Against Apion, 301.

Josephus absolutely rejects such portraits of the synagogues (see section 3.2 below). He blames the Egyptians for starting all of the unfounded libels against the Jews,

It was the Egyptians who initiated the slanders against us, and certain people who wanted to gratify them attempted to twist the truth, neither the admitting arrival of our ancestors in Egypt as it actually took place, nor truthfully recounting their exodus $(C.Ap.\ 1.223)^{608}$

Throughout the slander section of the work (*C.Ap.* 1.219–2.144), Josephus systematically attacks the Egyptians, especially due to what he presents as unenlightened and misguided religion, which worships unethical, savage animals (*C.Ap.* 1.224–25). Egyptians become the antithesis of the Roman(ized) Jews, the very picture of the 'barbarian.' 609

So how then does Josephus portray or construct the Jews? Firstly, contra Philip Esler and others, the terms 'Jews' and 'Judaism' are actually apt when dealing with *Contra Apionem*. Esler, in dealing with the 72 mentions of *Ioudaios* in *Contra Apionem*, argues that the people are defined by common ancestry (*C.Ap.* 179) and are therefore a cultural rather than a religious entity. He also argues that Josephus is not constructing Jewish culture, but simply putting a positive slant on it. However, in my opinion, this is a rather vague distinction, especially as he himself uses the 'myth of common ancestry' as his guiding social-scientific model. As Barclay has illustrated, despite the clear use of

⁶⁰⁸ Barclay, Against Apion, 129-30.

⁶⁰⁹ See John M. G. Barclay, "The Politics of Contempt: Judaeans and Egyptians in Josephus' *Against Apion*," in *Negotiating Diaspora: Jewish Strategies in the Roman Empire* (ed. John M. G. Barclay; LSTS 45; London: T & T Clark International, 2004), 111–14.

⁶¹⁰ Philip F. Esler, "Judean Ethnic Identity in Josephus' *Against Apion*," in *A Wandering Galilean: Essays in Honour of Seán Freyne* (ed. Anne Fitzpatrick-McKinley, Zuleika Rodgers, and Margaret Daly-Denton; SJSJ 132; Leiden: Brill, 2009), 73–74. It is notable that Esler begins the discussion by stating categorically the inappropriateness of the term 'Jewish' for anyone in this period. For a more general statement of this argument, see Mason, *Josephus, Judea, and Christian Origins*, 141–84. For a more recent discussion of this important issue, see Daniel R. Schwartz, *Judeans and Jews: Four Faces of Dichotomy in Ancient Jewish History* (Toronto: University of Toronto Press, 2014).

⁶¹¹ Esler, "Judean Ethnic Identity," 76–77.

land and ancestry within Josephus' portrayal of the *Ioudaioi* in *Contra Apionem*, the religiously infused constitution becomes the defining element of this group. With regard to the issue of ancestry, we should note that ancestry is presented in the sections where the young are said to be inculcated with the Law from an early age (*C.Ap.* 1.60, 2.174), thus placing the emphasis on knowledge of ethnic traditions and constitution rather than simple descent. Moreover, any attempt to distinguish ethno-cultural and religious elements of a larger *ethnos* misunderstand the necessary ideological element found in any *ethnos*, which we usually term 'religion.' 613

Thus, Jews are represented as a nation distinct from and greater than both Greeks and Egyptians, largely becoming identifiable through the differences listed. They are equal to the best qualities with which Romans portray themselves, though are able to fully actualize this ideal Romanness. This Romanizing of the Jews will be important for the discussion of the synagogue below, as Josephus plays on various Roman institutional expectations and conceptions found in the historian's portrayal of the synagogue. In all of this, it is the Law, or constitution, of the Jews which he uses in order to make such favorable comparisons to the instutitons of the Empire.

3.1.4. Law and Constitution

As in *Antiquitates-Vita*, a key theme in *Contra Apionem* is the constitutional nature of the Jewish Law and customs. Moreover, as with the previous works, it is in the practical workings of this constitution that we find the supra-local institution of the

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⁶¹² Barclay, "Constructing," 106 – 110.

⁶¹³ See Anders Runesson, "Inventing Christian Identity: Paul, Ignatius, and Theodosius I," in *Exploring Early Christian Identity* (ed. Bengt Holmberg; WUNT 1.226; Tübingen: J. C. B. Mohr, 2008), 65–70.

synagogue. However, as with other elements of *Contra Apionem*, Josephus goes about his argument somewhat differently than in his larger history. In this section, I will outline the presentation of the Law as constitution in *Contra Apionem*, including how it compares and contrasts with the *Antiquitates-Vita* complex. Specifically, in the encomiastic presentation of the Law in *C.Ap.*2.149–285, the Jewish Law is presented as the defining element of the Roman(ized) Jews, which allows for them to claim the standing of beneficial members of the larger Empire.

In *Contra Apionem*, the ultimate foundation of the Law and history of the Jews is their God-given status through Moses and the prophets, ⁶¹⁴

Naturally, then, or rather necessarily—seeing that it is not open to anyone to write of their own accord, nor is there any disagreement present in what is written, but the prophets alone learned, by inspiration from God, what happened in the distant and most ancient past and recorded plainly events in their own time just as they occurred—among us there are not thousands of books in disagreement and conflict with each other, but only twenty-two books containing the record of all time, which are rightly trusted. (*C.Ap.* 1.37–38)⁶¹⁵

Well, I maintain that our legislator exceeds in antiquity the legislators referred to anywhere else. The Lycurgeses, and Solons, and Zaleukos, the legislator of the Locrians, and all those admired by the Greeks seem to have been but "yesterday or the day before" compared to him, which is why not even the term "law" was known among the Greeks of old. (2.154)⁶¹⁶

This Law, for Josephus, is the perfect constitution, the only one able to affect all aspects of life and conduct due to its origin in the Creator God, who through this Law becomes the true ruler of the nation.

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⁶¹⁴ Contra Cohen who claims that the social nature of the Law leaves out the prophetic nature of the Law elsewhere; Cohen, "History," 7.

⁶¹⁵ Barclay, *Against Apion*, 28–29.

⁶¹⁶ Barclay, Against Apion, 254–55.

Josephus repeatedly uses the terms πολιτεία and πολίτευμα⁶¹⁷ to refer to the constitution as the guiding principles of the nation. Unlike other nations that espouse ever-changing laws that lead to infighting and social strife, the Jews are able to be a model of social cohesion and order due to their comprehensive, static Law (C.Ap. 1.38– 40). 618 Interestingly, this parallels Cicero's accusation against the Greeks, that for all of their subtleties and concepts of justice, their laws are always changing and this inevitably leads to strife (Rep. 3.17). However, the Jews are said to leave behind all of the constitutional models of other nations for a theocracy, in which the priests become the keepers of the tradition (C.Ap. 2.188) and oversee the education of the entire community. Thus with God as the author of the Law and head of the nation, the law is perfectly harmonious (C.Ap. 2.163, 179, 190). This is the key, positive argument made by Josephus: the perfect fidelity to the Law led to the positive contribution of the Jews within the Empire. This assertion highlights the practical and self-sacrificing nature of this legal observance that matched the legal ideals of the Romans. 619 Thus, the Jewish Law is set up as the only perfect and complete legal system, in which every element of life is treated, forming an organic whole (*C.Ap.* 2.171). 620

Beyond the completeness and divinely revealed nature of the Law, Josephus claims that the Jewish Law was the first, true legal system. As proof, he compares the complete lack of discussion of law in Homer, who merely assumes a questionable set of

⁶¹⁷ Regarding πολίτευμα, we must keep this separate from claims to citizenship found elsewhere, but rather see it as a term for the Law as a legal system in *C.Ap.* 2. 145, 164, 165, 184, 250, 257; Rajak, "*Against Apion*," 228.

⁶¹⁸ See Haaland, "Jewish Laws," 287; Cohen, "History," 5.

⁶¹⁹ Haaland, "Jewish Laws," 297; Barclay, "Judaism in Roman Dress," 240–245.

⁶²⁰ Cf. AJ 4.198; Amir, "Josephus," 13–14.

unwritten ethical maxims (*C.Ap.* 2.154–55). Likewise, Spartan legislators come later and fail to match the comprehensive and practical nature of Moses' legislation (*C.Ap.* 2. 222–27, 275). All of this is in keeping with the general theme in Josephus and other apologetic historians who present the Greeks and Romans as culturally dependent upon the Jews. For Josephus, only the Jews were self-generating in this regard. As in *Antiquitates* (e.g., *AJ* 2.168), this Law and the knowledge that lay behind it were entirely Jewish and all parallels with the systems of the Spartans or Plato (e.g., *C.Ap.* 2.257) illustrate the derivative nature of Graeco-Roman society.

We must note that key differences did exist between the Law as presented in *Contra Apionem* and *Antiquitates judaicae*; 623 however, the differences are not so great that they would render the arguments of the two incompatible. At a basic level, *Contra Apionem* is much more Roman in its presentation of the Law. 624 It uses the idioms of its time in order to present the Law as being a good fit with Roman ideals, using less recourse to Semitic wisdom language. However, this is not a case of contradiction between the two works, but of greater emphasis upon the concord between Jewish and Roman law. This generally accounts for the differences we find between the summaries

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⁶²¹ Rajak, "Against Apion," 232-33.

⁶²² Droge, "Josephus," 125–26. According to Droge, the ability of a nation to claim to be autochtonous (i.e. self-generating, rather than new and dependant upon the traditions of older nations) was an important part of the discourse in the apologetic historians of various nations. This claim represented an important aspect of the discussion of national antiquity.

⁶²³ Contra Geza Vermes, "A Summary of the Law by Flavius Josephus," *NovT* 24.4 (1982): 289–303. Vermes too often conflates the summaries and concepts of the Law in the two works in order to present a unified concept during the Second Temple period.

⁶²⁴ Rajak, "*Against Apion*," 226 – 27; Haaland, "Jewish Laws," 300. Haaland even gives an example of an instance where *Contra Apionem* is brought in line with Roman jurisprudence, as Josephus alters Deut 21:18 so that a disrespectful child may be legally punished without trial in *C.Ap.* 2.207.

of Law. ⁶²⁵ Given the stress on concord between the Jewish laws and Roman legal ideals, it is not surprising that Josephus should downplay concepts such as Sabbath, food laws, and purity. For example, it is notable that such little space is given to defending the practice of the Sabbath in *Contra Apionem*, though arguments similar to those we find in *Antiquitates* are made as Josephus presumes that the reader has already read the previous work. ⁶²⁶ Moreover, contra Haaland, the fact that many Jews in *Antiquitates* failed to live up to the Law does not contradict the claims of Jewish fulfillment of the Law. ⁶²⁷ Josephus presents the Jews as having no recourse to ignorance when they have broken the Law and simply claims that it is impossible for them to avoid punishment (*C.Ap.* 2.178). This is certainly in keeping with the Deuteronomistic nature of *Antiquitates*, where the Jews are presented as thoroughly schooled in the Law and as being consistently punished when breaking it. Thus, differences are those of emphasis and language, not of contradiction. ⁶²⁸

In *Contra Apionem*, the Law is a perfectly instituted system of practice and behaviour that rules every aspect of Jewish life. However, the Roman style of this work would not allow for this Law to remain simply conceptual. A specific educational institution would be needed: the synagogue. While this pedagogical aspect of Jewish assembly institutions was mentioned in *AJ* 16.43, *Contra Apionem* makes this practical education, not some form of secretive and deviant mysticism, but the purpose of the Sabbath practice within the synagogue, as I will argue below.

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⁶²⁵ Barclay, Against Apion, xxiii; contra Haaland, "Jewish Laws, 282–302.

⁶²⁶ Barclay, *Against Apion*, xliv; Paul Spilsbury, "*Contra Apionem and Antiquitates judaicae*: Points of Contact," in *Josephus* 'Contra Apionem: *Studies in its Character and Context* (ed. Louis. H. Feldman and John R. Levison; AJEC 34; Leiden: Brill, 1996), 359.

⁶²⁷ Haaland, "Jewish Laws," 299-300.

The one true exception may be that Josephus shifts the hearing of the law from every 7 years (AJ 4.209–11) to every 7 days (C.Ap. 2.175–78).

3.2. Proper and Improper Synagogues in C.Ap. 2

The location of this education would be in the synagogue. Such use of the synagogue should come as no surprise, as we have already seen that AJ 12–16 continuously presented the synagogue as the centre of Jewish customs and praxis. We have also noted that Josephus makes the propagation of these customs a key point in the speech of Nicolas of Damascus to Marcus Agrippa in AJ 16.42–43. However, here we find that Josephus places a level of importance on this dissemination of the national customs and laws in the synagogue that was previously lacking. This need to emphasize the pedagogical nature of the synagogue is likely due to Apion's negative portrayal of synagogues ($\pi \rho o \sigma \epsilon \nu \chi \alpha l$) found in C.Ap. 2.10–11:

Moses, as I have heard from old people in Egypt, was a native of Heliopolis, who, being pledged to the customs of his country, erected prayer houses ($\pi\rho\sigma\sigma\epsilon\nu\chi\alpha i$), open to the air, in the various precincts of the city, all facing eastwards; such being the orientation also of Heliopolis. In place of obelisks, he set up pillars, beneath which was a model of a boat; and the shadow cast on this basin by the statue described a circle corresponding to the course of the sun in the heavens. ⁶²⁹

Josephus seeks to counter this negative conception of the Sabbath synagogue practices as secretive mysticism and derivative, deviant, practice of Egyptian styles of worship specifically set up by Moses. He combats this apparently widespread misconception of the synagogue with a presentation of the Sabbath synagogue practices as not secretive, but rather educational, and not derivative of Egyptian superstitions, but rather living up to the highest ideals of both Greek and Roman educational thought based on the ideal, Mosaic constitution.

⁶²⁹ Thackeray, LCL.

As outlined above, the negative portrayal of the synagogue is the first issue raised by Apion against the Jews, as Apion presents this institution as originating under Moses in Heliopolis (C.Ap. 2.10–11). Based on the grammatical errors in the text, Barclay states that this passage was likely a truncated summary from another, earlier writer such as Manetho (who shared Apion's negative aetiology of the Jews). 630 It should be noted here that not all elements of Apion's description were without warrant. The Leontopolis Temple of Onias (BJ 7.421–32; AJ 13. 62–73)⁶³¹ had still been standing during Apion's day and was said to have been preceded by many different Jewish 'temples' (AJ 13.66). While the προσευχή in C.Ap. 2.11 did not entirely match the Leontopolis Temple in form, there were similarities, especially in terms of the Egyptian sun iconography. This may be seen both in the sun dial in Apion's version and the hanging, golden lamp that took the place of the lampstand in BJ 7.429. Likewise, Egyptian temples in Heliopolis were said by Herodotus (*Hist*. 2.111) to have obelisks, which Moses is said to have replaced with pillars. If this claim were true, it would make this precinct deviant to the Egyptians and present Moses as a modifier of tradition. 632 This is in line with the accusations against Moses as a deviant leader of former Egyptians afflicted with tumors of the groin ($sabb\bar{o}$, based on Apion's etymology of Sabbath), which Josephus would spend much of the first half of book two refuting (C.Ap. 2.12–40).

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⁶³⁰ Barclay, Against Apion, 174 n. 31.

⁶³¹ See chapter 5 for discussion.

⁶³² Barclay, Against Apion, 175 n. 38.

Likewise, certain texts present Jews as being celestially-oriented in prayer, ⁶³³ though whether this was a synagogue practice has been vigorously questioned. ⁶³⁴ Praying with hands toward the sky is even referred to in *C.Ap.* 1.208–9,

After telling this story and mocking Stratonice for her superstition, Agatharchides uses as an example a story about us, and writes as follows: Those called Judeans inhabit the best fortified city of all, which, it happens, the natives call *Hierosolyma*, and it is their custom to do no work every seventh day—neither to carry weapons on the occasions mentioned, nor to put their hands to any agriculture, nor to attend to any public service—but to pray in the temples until evening, with hands outstretched.⁶³⁵

This is another citation which some have taken as a trustworthy synagogue text. 636

However, a proper, contextual reading of this text illustrates that the Jews are being caricatured as passive, because they refuse to do proper work, undertaking instead false worship. This negative portrayal runs contrary to the ideal synagogue conceived of in Josephus' positive exposition of the Law, and should be rejected as a historical truth claim. Given Apion's negative account and the solar aspects it describes, it is more likely that this vague celestial focus is being offered by Josephus' interlocutors as an insult.

Given this negative presentation, we should not be surprised that when Josephus turns to the positive presentation of the synagogue as an ideal educational institution, all such superstition and negative portrayal of the Sabbath are opposed. This is done in a

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⁶³³ E.g. *Flacc*. 121; Sir 35:20–21.

⁶³⁴ Solomon Zeitlin, *Studies in the Early History of Judaism* (New York: Ktav, 1973), 1.92–133; Levine, *Ancient Synagogue*, 163–69; Stefan Reif, *Judaism and Hebrew Prayer: New Perspectives on Jewish Liturgical History* (Cambridge: Cambridge University Press, 1993), 44–52.
⁶³⁵ Barclay, *Against Apion*, 118–19.

⁶³⁶ E.g. Binder, *Into the Temple Courts*, 412. Binder states that the plural *hiera* is enough to prove that we are dealing with a legitimate synagogue text.

section outlining the work of Moses and the structure of his constitution (*C.Ap.* 2.151–89).⁶³⁷ In *C.Ap.* 2.175, Josephus states,

[Moses] appointed the Law to be the most excellent and necessary form of instruction ($\pi\alpha i\delta\epsilon\nu\mu\alpha$), ordaining, not that it should be heard once for all or twice or on several occasions, but that every week men should desert their other occupations and assemble ($\sigma\nu\lambda\dot{\epsilon}\gamma\omega$) to listen to the Law and to obtain a thorough and accurate knowledge of it, a practice which all other legislators seem to have neglected. ⁶³⁸

Many will note that this passage does not specifically state that these readings take place in the synagogue. However, the practice of reading the Law seems to have been a common and well-known practice in synagogues during the Sabbath at this time. Some scholars have tried to read this educational component as a secularization of the Sabbath synagogue practice. They argue that synagogues of the first-century were for public meeting and education rather than liturgy. However, this argument fails to convince due to the specifically religious nature with which Josephus infuses his exposition of the constitution. As Stefan Reif aptly states, the study of ancient worship must move beyond conventional, contemporary ideas of liturgy and include the study of texts as a primary aspect of liturgy, alongside prayers, amulets, and the like. Specifically, we must note the liturgical nature of reading sacred texts in a communal setting, rather than retrojecting views of education as separate from ritual observance. According to Philo, the expressed

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⁶³⁷ Barclay, Against Apion, xxi.

⁶³⁸ Thackeray, LCL.

⁶³⁹ e.g., Philo's *Legat.* 156; *Hypoth.* 7.11–14; *Somn.* 2.127; *Prob.* 81; *Mos.* 2.215–16; as well as Luke 4:16–22; Acts 13:14–15, 15:21. See Levine, *Ancient Synagogues*, 148–49; Levine also notes that this is how Philo presents the Essenes as worshiping in their synagogues (*Prob.* 81–82) and that Suetonius presents Diogenes as lecturing on the Sabbath (*Tib.* 32.2). It is notable that *Legat.* 156 presents Caesar Augustus as acknowledging the importance of the study and instruction of the Law in Jewish culture.
640 E.g., McKay, *Sabbath*, 77–78.

⁶⁴¹ Stefan C. Reif, "Prayer in Early Judaism," in *Prayer from Tobit to Qumran* (ed. R. Egger-Wenzel and J. Corley; DCL 1; Berlin: Walter de Gruyter, 2004), 442.

purpose of education in the Jewish Law is to make all Jews "believe that the Father and Creator of the universe is one God" (*Legat*. 115). As Runesson argues, reading of the Law stands out beyond all other liturgical aspects of synagogue practice and was the uniquely Jewish practice of the synagogue. Thus, both here and in Nicolas' speech of defense (*AJ* 16.42–43), Josephus counters accusations that the Jews are secretive and antisocial by lauding the communal knowledge of the Law and its positive effects on the Jews as citizens when performed as part of the synagogue liturgy.

The Jews are here said to have complete knowledge of their Law, and the entire community is entrusted with the responsibility of educating the young (*C.Ap.* 1.60; 2.188). This leads to the concern to pray for the welfare of the whole community, which is contrasted specifically with the kind of self-serving licentiousness and debauchery found in mystery associations (*C.Ap.* 2.195–96). Thus, Josephus is presenting this legal teaching as a practical educational performance within the community and for the community's benefit. This conception fits the description of so many other sources regarding the reading of the Law in synagogues, so Josephus' ideal (secondspace) seems firmly set in the synagogue 'as it was' (firstspace), which should lead us to see this as Josephus' lived experience of the synagogue (thirdspace). The importance of the synagogue lay in its communal nature and scripture reading. While Philo (*Legat.* 156) echoes Josephus' interest in the synagogue as a place of education, Josephus extends the

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⁶⁴² See Peder Borgen, "Application of and Commitment to the Laws of Moses: Observations on Philo's Treatise *On the Embassy to Gaius*," *SPhilo* 13 (2001): 91.

⁶⁴³ Runesson, *Origins*, 191–92, 451; See also Levine, *Ancient Synagogue*, 148.

⁶⁴⁴ Cohen, *Respect*, 421–22.

institution to Moses. 645 However, it should be noted that neither treats these assemblies as specifically sacred places, but rather both emphasize the supra-local nature of the reading of the Law, in order to reach all Jews.⁶⁴⁶

3.3. Education and its Place within the Synagogue and Roman Culture

Thus we find that Josephus has presented the synagogue here as a uniquely educational institution with responsible citizenship and character as the primary desired outcomes. But to what end? As I have contended above, Josephus sought throughout this work to present Judaism in a specifically Roman light, and it is in this context that Josephus' argument receives proper illumination. Josephus claims that this Jewish education combined practical and conceptual teaching (C.Ap. 2.171–72). In this final section of the current chapter, I will argue that Josephus presents Jewish education as fulfilling the ideals of both Greek (conceptual) and Roman (practical) educational ideals. Both systems stressed the goal of education to be proper moral development, but in very different ways.

In terms of Greek educational theory, no work has attained the same level of importance as Plato's Republica. This work outlines the importance of conceptual education for the moral development of the individual and the betterment of the state. For Plato, the perfect state was one transformed into an educational institution, which would develop the best human personalities and lead to happiness for all. 647 All states are

⁶⁴⁵ Martin Goodman, *Judaism in the Roman World* (AJEC 66; Leiden: Brill, 2007), 220.

⁶⁴⁶ For discussion of synagogue sacrality in history, see chapter 5.

⁶⁴⁷ Rep. 445c; Werner Jaeger, Paideia: The Ideals of Greek Culture (trans. Gilbert Highet; Oxford: Oxford University Press, 1943), 2.320–21.

capable of perfection, though all states to date had degenerated due to poor leadership and constitutions.⁶⁴⁸ Strife was caused when the wrong ideals were followed.⁶⁴⁹

For Plato, education should be separated into elementary education, done by the father through the use of emulation, and the secondary education under a teacher. The former is often accomplished through poetry and, according to Plato, leads to servile, illiberal morality. Conversely, secondary education leads to a transcendent move beyond the senses, wherein education turns or converts the soul to proper vision. Such conversion is done only through the grasping of the concepts implicit in the heavenly, perfect forms and can only be done, says Plato, in private teaching and contemplation.

Roman education, on the other hand, valued practical and more 'democratic' democratic' ideals. This is best illustrated through the unfortunately fragmentary portion of Cicero's patently Roman version of the *Republic*, wherein Scipio presents the pragmatic *paideia* of Rome as vastly superior to that of Greece, personified in Polybius, who laments the loss of Greek conceptual study (*Rep.* 4.3). Cicero sought to discard the arts and sciences of the Greek system and instead train the student through proper oratory and develop the inborn *ingenium*, or character, through studying the life and works of great Romans. Likewise, Quintillian states that morality is learned through the general education (*Inst. orat.* 1.1.36;

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⁶⁴⁸ Rep. 545d.

⁶⁴⁹ Here we should note Josephus' claim that both the Law and the government of the Jews were God-given, with God at the head of the nation (*C.Ap.*2.179, 190), unlike what Josephus describes as the ever-fluctuating Greek laws (*C.Ap.* 2.155).

⁶⁵⁰ Rep. 555b–562a; Andrea Wilson Nightingale, "Education in Plato's Republic and Aristotle's Politics," in Education in Greek and Roman Antiquity (ed. Yun Lee Too; Leiden: Brill, 2001), 141.

⁶⁵¹ Rep. 518d, cf. Philo's Cong. 22–28; Nightingale, "Education," 143–49.

⁶⁵² I.e., open to all.

⁶⁵³ *Tusc. 1.5*; Anthony Corbeill, "Education in the Roman Republic: Creating Traditions," in *Education in Greek and Roman Antiquity* (ed. Yun Lee Too; Leiden: Brill, 2001), 262–63, 266–67.

12.2.15, 29–30) as the reading of text leads to philosophical knowledge, which breeds virtue. 654 Perhaps the best example is to be found in *Inst.orat*. 12.29:

It is desirable that we should not restrict our study to the precepts of philosophy alone. It is still more important that we should know and ponder continually all the noblest sayings and deeds that have been handed down to us from ancient times. And assuredly we shall nowhere find a larger or more remarkable store of these than in the records of our own country [i.e., Rome].

This seems to be the exact context of C.Ap. 2.204, in which children's education consists of learning to read so that they may learn both the laws and the deeds of the forefathers:

Indeed, not even on the occasion of the birth of children did it [i.e. the Law] permit laying on feasts and making pretexts for drunkenness, but it ordered that from the very beginning their upbringing should be in sober moderation. And it gave instruction to teach reading, in relation to the laws, and that they know about the exploits of their forebears, in order that they imitate the latter and, being brought up with the former, neither transgress nor have an excuse for ignorance. 655

Unlike Plato who presented democratic education as being of poor quality, Roman education allowed for more community involvement, especially at the lower levels. 656 Likewise, Josephus presents the inclusion of the whole community as one of the most important elements of Jewish education, including children, women, and slaves. 657 For Jospehus and Quintilian, such inclusivity in education leads to social harmony. 658

Regarding Roman educational practices, it should be noted that Josephus has once again gone to great pains not to paint the Romans in a negative light when dealing with

⁶⁵⁴ Corbeill, "Education," 275; Teresa Morgan, Literate Education in the Hellenistic and Roman Worlds (Cambridge: Cambridge University Press, 1998), 124, 145-4. 655 Barclay, Against Apion, 287.

⁶⁵⁶ See C.Ap. 2.169 – 70; Edward J. Watts, City and School in Late Antique Athens and Alexandria (Transformation of Classical Heritage 41; Berkeley: University of California Press, 2006), 2.

⁶⁵⁷ See C.Ap. 2.181. Cf. AJ 4.209; Philo Hypoth. 7.11–14. Note that the latter, Philonic text also stipulates a synagogue context for such education in the case of men and the home as the locus of education for women, children, and slaves (ASSB no. 162), while the former Josephan passage is in the context of the Mosaic Congregation.

⁶⁵⁸ See Haaland, "Jewish Laws," 292–93.

the deficiencies of the purely practical education. In *C.Ap.* 2.172, Josephus compares the Athenian conceptual ideal of education with the Spartan practical ideals of education as two systems that must be combined for proper legal knowledge to flourish. However, Romans would likely have seen the Spartans as a key ideal and forerunner of their style of education and constitution, especially as they both prized conservatism in education and practice. Spartans were also more democratic in their education (which Plato condemned), like the Romans. 660

In all of this, it is interesting to note that one of Josephus' primary sources for defending the Jews, Hecataeus of Abdera, may have compared the Jewish educational system to that of Sparta (Diod. Sic. 40.3.1–8). Arthur Droge has made the novel argument that Hecataeus' native history was the basis of the native histories of the later Egyptian native historians such as Manetho. However, Hecataeus' native history seems to have contained an *encomium* of Jewish traditions and laws, which the later historians felt the need to counter due to social tension with the Jews. ⁶⁶¹ While the use of Hecataeus' non-extant native history in *Contra Apionem* is a fraught issue, we should not be so quick as some scholars have been to dismiss these citations as illegitimate based solely on the grounds either that a Greek author could not have presented the Jews in a positive light or

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661 Droge, "Josephus," 134–38.

⁶⁵⁹ Nigel M. Kennell, *The Gymnasium of Virtue: Education and Culture in Ancient Sparta* (Chapel Hill: University of North Carolina Press, 1995), 49, 71. Cicero lauds even the most gruesome Spartan spectacle of child torture, the *agoge*, as a positive expression of courage dating back to Lycurgus, the Spartan lawgiver (*Tusc.* 2.34, 46).

Geo Jean Ducat, Spartan Education: Youth and Society in the Classical Period (trans. Emma Stafford, P.-J. Shaw, Anton Powell; Swansea: Classical Press of Wales, 2006), 168–69.

that Philo of Byblos cited him in an opposing manner. 662 The former assertion rests on a begged question, while the latter is unfalsifiable, as Philo is just as likely as Josephus to have altered the source text. Of course, we cannot be sure just how faithful Josephus was to the thought of Hecataeus. However, Droge's theory certainly does make the most sense of Josephus' use of Hecataeus, as he cites Hecataeus against the later, native historians who strayed from his treatment of the Jews, as Josephus refers to the same moral virtues lauded by Hecataeus (*C.Ap.* 2.184–89). Romans, in turn, would likely have been expected to see their shared values with the Spartans in a positive light, as the three nations shared a practical value of moral education through ancestral role models.

Finally, only a good system of customs would make for a proper state in Roman thought. As Scipio states in the history of Polybius, only a well-crafted constitution, as Josephus presents the Jewish Law, could lead to proper citizenship (*Hist.* 6.47.1–2). ⁶⁶³ Moses' constitution is presented as perfect in its theoretical and practical elements, with the synagogue standing as the perfect educational context. ⁶⁶⁴

Thus, the language that suffuses the synagogal text of *C.Ap.* 2.175 finds its context in the educational discourse of ancient Rome. The perfect constitution is disseminated using the best of both conceptual and practical methods from a young age.

Josephus even goes so far as to say that this Mosaic educational system finds no equal, as indeed no other nation may claim the level of adherence as the Jewish Law does. This counters the Greek accusations that Jews were antisocial and lazy due to the Sabbath by

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⁶⁶² Bezalel Bar-Kochva, *Pseudo-Hecataeus, "On the Jews": Legitimizing the Jewish Diaspora* (Hellenistic Culture and Society 21; Berkeley: University of California Press, 1996), 3, 39–40.

⁶⁶³ Full text quoted on p. 130 above. See also *Hist*. 31.29.1–12; cf. 13.3.6 – 8, 18.35.1–2; Champion, *Cultural Politics*, 163.

⁶⁶⁴ Rajak, "Against Apion," 235; Barclay, "Judaism in Roman Dress," 238–41.

making the Sabbath the occasion for the systematic and necessary dissemination of the perfect, God-given Law of the Jewish nation, across the Empire in the supra-local synagogue institution. Josephus uses distinctly Roman concepts to make this argument. This plays on the conceptions of institutions found in Imperial Rome, in order to justify and laud the synagogue as universally beneficial through the use of the Romans' own categories.

3.4 Conclusion

In this uniquely apologetic work, Josephus counters the barbs and libels of various anti-Jewish writers by presenting the Jews and their synagogues in a patently Roman light. For the Roman audience, the Jews were presented as the singular *ethnos* that was able to live up to the legal and educational ideals of the Empire. Despite a lack of precision in our understanding regarding the exact context and occasion of this work, it seems as though Josephus has endeavoured to present a unique and compelling characterization of the Jews. He presents them as a people who should be valued by the Empire, as they were the true originators of many of the highest ideals of Roman culture.

Within this presentation of the Jewish nation, the synagogue is defended as the centre of unequaled legal and moral education, including that of women and children, rather than the caricatures of a secretive and derivative celestial cult offered by various Greek authors. Moreover, while Roman authors had sought to contrast their practical educational programmes with those of the overly-conceptual contemplation, Josephus rejects such dialectics of education, arguing that Moses had created the perfect practical education buttressed by a robust and unified conceptual foundation. This is in keeping

with Josephus' consistent presentation of the Jews as good citizens governed by a unified and God-given constitution, which finds its home in the synagogues in the earlier *Antiquitates-Vita* historical complex. Here again, Josephus is consistently able to present a spatial conception of the synagogue as a place of Law and education. He presents the reader with a negative conception of the synagogue, which he cites as coming from his enemies, in order to present a synagogue that fulfills many of the highest ideals of Roman institutions. This trans-cultural secondspace allows Josephus to portray Judaism and the synagogue as not only consistent, but harmonious, with the highest ideals of the Empire. Such trans-cultural ideals were also evident in his earliest history, *Bellum judaicum*.

Chapter 4: Synagogue as (Contrived) Holy Place in *Bellum judaicum*

While *Bellum judaicum* represents the earliest extant work written by Josephus, it has been saved for last within the present work due to its unique *tendenz* and the difficulties regarding how synagogues are dealt with in the narrative. Unlike the other writings of Josephus, this work is not part of a larger programme that attempts to present an ideal Judaism for its Roman audience from the creation of the cosmos to the end of the first century CE, as we have found in the rhetoric of *Antiquitates-Vita*. Rather, this work is simply an attempt to defend the Jews against the various accusations leveled against them relating to the First Jewish Revolt. As such, this work employs various tropes and themes more amenable to a short, contemporary history, unlike the antiquarian scope and methods of *Antiquitates-Vita*.

As we analyse the presentation of synagogues within this shorter history, we find a more modest treatment of the synagogues as a type of Jewish sacred space, with no description of synagogue practices or their place within first-century Judaism. The supposedly straightforward presentation of the synagogue as ἱερόν ('holy place') has led many scholars, especially Binder and Fine, to correlate this data with other proof of synagogues as developing out of ancient temples and temple practice. Whether these temple influences stem from conscious patterning of the synagogues based on the Jerusalem Temple (as per Binder) or a more general understanding of this institution as a necessarily sacred space (as per Fine), there nonetheless exists surprisingly little in the way of incontrovertible proof of such influence in *Bellum*. In this chapter, I will show that

the rhetorical and ideological importance of this sacral characterization complicates such reconstructions. While there exists good reason to believe that Diaspora synagogues may have developed in a way that indicates some direct temple-influences, Josephus is using iερά to condemn the Jewish insurgents who have stolen from these institutions and the Roman procurators who failed to protect these spaces, as we see in BJ 4.408. Conversely, when BJ 7.144–48 utilizes the term $i\varepsilon\rho\dot{\alpha}$ for synagogues in the Romans' taking of the Jerusalem Temple implements as spoils of war, we should understand these passages as connoting the rightful taking and displaying of spoils. Further, if understood within the context of Roman ideals of city and nation construction, BJ 2.285-92 and 7.44-45 instruct us more about the ideological importance of these synagogues and how the Jews were treated by those around them than about the nature or origins of the synagogue. I will argue that Josephus' use of such sacral terminolgy is closer to what Homi K. Bhaba has termed 'hybridity.' Understood from this perspective, Josephus appeals to the ideal spaces (secondspace) of his Roman audience, using the concepts of the conquerors to the benefit of the conquered, as he seeks to represent the lived experience (thirdspace) of late first-century Jews. Thus, the reader should acknowledge that the many uses of the term iερά were more likely meant to affect Josephus' Roman readership, and that we should therefore resist rushing to judgment regarding the historical truth claims for such sacral characterizations. I will also treat the Essene passages, in both *Bellum* and *Antiquitates*, arguing that the Essene assemblies are best left out of our discussion, as Josephus himself brackets them out of everyday Jewish life and practice.

4.1. Context and Rhetoric of Bellum judaicum

Given the aforementioned unique context and rhetoric of *Bellum* among the various works of the Josephan corpus, it becomes especially important for the interpretation of the synagogue passages that we outline the salient social and literary features of this work. This contextualization is necessary so that we do not uncritically read these passages as if they were seeking to make the same points as Josephus argues for in his other works. Thus, in this section, I will begin by discussing the date and audience of *Bellum* in order to understand better its purpose. Following this, I will outline the primary themes and influences of this work in order to illuminate how the pertinent passages function within the larger narrative. I will show that in this (mostly) early work, Josephus set out with a vastly different purpose, and with much more humble intentions, than the later works discussed in the previous three chapters. Josephus sought to defend the Jewish people from accusations of being seditious by nature, while also affirming the Roman right to act as they did, even though much of the blame must fall on a few corrupt procurators.

Despite the fact that *Bellum* constitutes Josephus' earliest work, a uniformly early dating is somewhat complicated. However, there is little reason to question the rhetorical unity of the work on these grounds, as we will see. It is generally accepted that the majority of *Bellum* was completed under Vespasian, as Josephus himself tells us that he presented parts of the work to Vespasian, Titus, and King Agrippa II for verification and affirmation (*C.Ap.* 1.50; *Vita* 361–66). This would set a date for the larger work sometime before 79 CE, in which year Vespasian died. In terms of setting a *terminus post quem*, the

noted early point would be the creation of the Temple of Peace, which Vespasian had erected in 75 CE (*BJ* 7.158). Hence the seven books must have been completed after this event.⁶⁶⁵

However, this dating is complicated by the fact that the seventh book contains information regarding a specific event from the mid-nineties CE. Specifically, we find the death of Catullus mentioned in *BJ* 7.451, which likely occurred in 93 CE. This, as well as the commonly noted 'poorer' style of composition in this final book, has led many scholars to separate the seventh book as a separate work. ⁶⁶⁶ The common date for this specific book thus becomes the reign of Domitian. ⁶⁶⁷ However, as Steve Mason notes, we must not retroject our own, modern notions of publication. Ancient book publication relied on a gradual and social process in which an author sought out and read drafts to individuals from his intended audience, which meant that even books 1–6 would not have been released all at once. ⁶⁶⁸ Further, as we shall see, the later date and less formal style should not force us to reject the work's unity. Given a thematic and structural unity of the work, which we will treat below, there is considerable reason to believe that this work was unified and intended to be written as it presently exists. ⁶⁶⁹

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⁶⁶⁵ Thackeray, *Josephus*, 34–35, 105; Seth Schwartz, "Composition," 373–86.

⁶⁶⁶ Thackeray (*Josephus*, 34–35) opines that Josephus wrote this later without the aid of his tutors, though does not provide much proof for this assertion beyond the differing style. Cohen (*Josephus*, 87–88) finds a dating for the whole book sometime in the reign of Domitian. For a comprehensive look at this evidence, see Schwartz, "Composition," 373–86. Brighton analyses the *Sicarii* as they appear in books 1–6 in a separate chapter from book 7. See Mark Andrew Brighton, *The Sicarii in Josephus*' Judean War: *Rhetorical Analysis and Historical Observations* (SBLEJL 27; Atlanta: Society of Biblical Literature, 2009). See Cohen, *Josephus*, 84–90.

⁶⁶⁷ Cohen, *Josephus*, 85; Attridge, "Josephus," 237–38.

⁶⁶⁸ Mason, *Josephus*, 52–57. Mason also notes that the style of Atticized Greek is much more sophisticated than most scholars have allowed.

⁶⁶⁹ Brighton, Sicarii, 33–41.

The first thing we must note in ascertaining the audience of *Bellum* is the fact that Josephus wrote it in fine, Atticized Greek similar to that of Roman statesmen such as Plutarch, Dio Chrysostom, and Lucian. Josephus did not write in the Koine Greek, Aramaic, or Hebrew of other Jewish authors, any of which would have been more natural to him. This Attic style includes numerous formal aspects of contemporary historiography and state-craft, as well as vocabulary popular among the various authors in the Second Sophistic. Further, the fact that Josephus introduces all Jewish characters and practices as if the reader knows nothing, while not introducing Roman characters or practices, indicates that the intended audience is Roman and has little knowledge of Judaism. All of the above data constitute good, formal reasons to situate the intended audience of the work within the educated Roman populace, as Josephus writes in the Proem (*BJ* 1.3, 6).

The rhetorical structure of *Bellum* is marked by increasing tension, which leads to the fall of Jerusalem in book 5, followed by the destruction of the Temple and the aftermath of the Revolt in books 6 and 7. The work opens with an extended Proem (*BJ* 1.1–30), which presents the reader with the interpretive key for the rest of the work. The remainder of the first book charts the repression of Jews by Antiochus IV Epiphanes and many after him until Herod the Great. Book 2 presents the many issues arising between Jews and their neighbours from the time of Herod's death until the start of the war with continued escalation of tension, which includes the division of land between Herod's sons (*BJ* 2.1–79), the various schools within Judaism (*BJ* 2.119–66), the start of the war at

⁶⁷⁰ The Second Sophistic is a term for the literary output of various authors who wrote in Greek between the reign of Nero and the writing of the *Lives of the Sophists* by Philostratus in ca. 230 CE. Thackeray, *Josephus*, 104; Mason, *Josephus*, 48.

⁶⁷¹ Mason, *Josephus*, 59–62.

Caesarea (*BJ* 2.277–92), and the defeat of Cestius Gallus by the Jewish insurgents. Book 3 begins with the appointment of Vespasian to the head of the Roman forces in the Revolt (*BJ* 3.1–8) and narrates his taking of the Galilee. Books 4–5 present the actions of the Romans and Jews climaxing in the taking of the Temple of Jerusalem. Books 6–7 narrate the aftermath of the Revolt and present a measured and gracious Roman response to the hostilities, with little difference in theme, despite the marked difference in style and possible chronological gap.⁶⁷²

The contents of *Bellum* are reminiscent of Thucydidean 'tragic history.' Like Thucydides, *Bellum* is full of digressions on geography and culture, set speeches, acts of heroism, and reversals of fortunes. These elements force the reader into the role of witnesses before a great spectacle and Josephus even presents some characters as the spectators through whom we view the action. As we shall see, this is especially the case when dealing with Titus' triumphal procession in BJ 7.132–57 and the inclusion of elements of the Jewish $i \epsilon \rho \dot{\alpha}$ as spoils of war.

The Proem has long been acknowledged by scholars to be written in fine Thucydidean form, ⁶⁷⁴ as it presents the interpretive key to the whole work:

Of these [past historians of the Revolt], some, having taken no part in the action, have collected from hearsay casual and contradictory stories which they have then edited in a rhetorical style; while others, who witnessed the events, have, either

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⁶⁷² Bilde, *Josephus*, 65–66.

⁶⁷³ Honora Howell Chapman, "Spectacle and Theatre in Josephus' *Bellum judaicum*," (PhD. diss., Stanford University, 1998); *idem.*, "Spectacle in Josephus' *Jewish War*," in *Flavius Josephus and Flavian Rome* (ed. Jonathan Edmondson, Steve Mason, and James Rives; Oxford: Oxford University Press, 2005), 289–313. For an analysis of these elements in Thucydides and the influence on other Greek historians, see Andrew D. Walker, "*Enargeia* and Spectator in Greek Historiography," *TAPA* 123 (1993): 353–77. For both Chapman and Walker, the eyes and various verbs of sight become one of the key tropes as the onlookers in the narrative interact with the various events within the story.

⁶⁷⁴ E.g. Attridge, "Josephus," 195; Sterling, *Historiography*, 241.

from flattery of the Romans or from hatred of the Jews, misrepresented the facts, their writings exhibiting alternatively invective and encomium, but nowhere historical accuracy. I—Josephus, son of Matthias, a Hebrew by race, a native of Jerusalem and a priest, who at the opening of the war myself fought against the Romans and in the sequel was perforce an onlooker—propose to provide the subjects of the Roman Empire with a narrative of the facts. . . 675

Josephus thus presents his account as not only that of a direct witness and authority in the events of the war, but also as free of bias, in good Thucydidean form. However, even Josephus must admit that he must present the full force of the tragedy brought on by the Jewish insurgents:

I shall faithfully recount the actions of both combatants; but in my reflections on the events I cannot conceal my private sentiments, nor refuse to give my personal sympathies scope to bewail my country's misfortunes. For, that it owed its ruin to civil strife, and that it was the Jewish tyrants who drew down upon the holy temple the unwilling hands of the Romans and the conflagration, is attested by Titus Caesar himself, who sacked the city; throughout the war he commiserated the populace who were at the mercy of the revolutionaries. . . ⁶⁷⁶

As we have seen in previous chapters, such interpretation of the facts was not only accepted in contemporary historiography, but was ultimately lauded as necessary by the likes of Polybius and Cicero. Such an interpretive Proem allows us to understand qualitatively the actions of the various parties; "the list of contents reflects the 'truth' of Jospehus's stated view of how to understand the war." We are thus presented from the outset with the rhetorical and chronological bounds of the story. Unlike in *Antiquitates*, the historian is purposefully avoiding antiquarian forms, as is consistent with the style of Thucydides and Josephus' own near contemporary, Polybius. 678

⁶⁷⁵ BJ 1.1–3 (Thackeray, LCL).

⁶⁷⁶ *BJ* 1.9–10 (Thackeray, LCL).

⁶⁷⁷ McLaren, Turbulent Times? 80.

⁶⁷⁸ Sterling, *Historiography*, 242.

Within the Proem, then, we find the main themes that Josephus seeks to emphasize in his narrative of the Revolt. Hence, we know from the outset that the primary point of the work is to show that most Jews were not insurgents and suffered at the hands of these villainous revolutionaries. Josephus also argues that he is deeply concerned with Jewish-Roman relations as he seeks to show the Romans that most Jews are law abiding, though because of the insurgents, the Romans were left with no other option than to destroy Jerusalem. Tessa Rajak adds to this the final theme to be followed through the narrative: the maladroitness of the Roman procurators and failure of the Jewish ruling classes to intervene.

Such a forthright construal of themes within a history has, not surprisingly, incurred the ire of many modern scholars, who thus attack the historicity of Josephus` work. For example, Martin Goodman, Martin Hengel, and David Rhoads have all applied a hermeneutic of suspicion to the text, as they 'read Josephus against himself' or utilize 'reverse polemic' in order to contend that those arguments Josephus is most vehement about are themselves lies Josephus is using to cover himself, other elite Jews, or the Romans. However, the problem with such methods is evident as we note the divergent conclusions reached. David Rhoads presents the Romans, whom Josephus portrays as being in the right, as the ones that Josephus is attempting to acquit due to his patronage by

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⁶⁷⁹ Rajak, Josephus, 107.

⁶⁸⁰ Rajak, Josephus, 107.

⁶⁸¹ See David M. Rhoads, *Israel in Revolution 6–74 CE: A Political History Based on the Writings of Josephus* (Philadelphia: Fortress, 1976), 166; Martin Hengel, *The Zealots: Investigations into the Jewish Freedom Movement in the Period from Herod I until 70 AD* (trans. D. Smith; Edinburgh: T & T Clark, 1989), 221; Martin Goodman, *The Ruling Class of Judaea* (Cambridge: Cambridge University Press, 1987), 1–25; *idem*. "The Origins of the Great Revolt: A Conflict of Status Criteria," in *Greece and Rome in Eretz Israel: Collected Essays* (ed. Aryeh Kasher, Uriel Rappaport, and G. Fuks; Jerusalem: Yad Ben-Zvi/Israel Exploration Society, 1990), 39–53.

the Flavians. 682 Conversely, as noted in the introduction, Goodman argues that the Jewish elite are to blame, although Josephus characterizes them as victims of the insurgents. 683 The latter theory is, in my view, better developed, but is still open to the charge of contrivance. Tacitus also places the blame for lack of leadership on the procurators and multiple attestation should trump suspicion in any historical reconstruction. While Josephus is indeed an interested party with ample rhetorical skill, we must still take him seriously as a source of historical data until we have direct proof against his version of events. With the data at hand, the most we may say is that Josephus himself was very likely dealing with accusations that the Jewish elite were to blame, though we lack the proof to argue that they were indeed to blame. We cannot merely dismiss him as "not to be trusted on this subject."684

However, the charge that *Bellum* was a piece of pro-Flavian propaganda is a charge that must be addressed in a more sustained manner. The classic version of this theory comes from Thackeray and Laqueur, who argue that Josephus crafted *Bellum* as a piece of propaganda aimed at those around the borders of the Empire (especially the Parthians), and intending to show the strength and reach of Rome. However, as Rajak has astutely argued, even with Josephus' vaunted language of Jewish importance and might, it would be hard to believe that any larger powers such as the Parthians would have found this narrative intimidating. She also rightly questions just how much of a

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⁶⁸² Rhoads, *Israel in Revolution*, 166.

⁶⁸³ Goodman, Ruling Class, 14–25; idem., "Origins," 48–53.

⁶⁸⁴ Goodman, "Origins," 39.

⁶⁸⁵ Thackeray, *Josephus*, 23–50; Laqueur, *judische Historiker*, 126–27.

threat of war there was between the Rome and Parthia. 686 Likewise, Lindner uses the major speeches in order to argue that the theme of God's use of Rome as his instrument of judgment should also call this theory of *Bellum* as Flavian propaganda into question, as no Roman or Roman foe would be willing to take seriously the idea of a national deity of a minor nation controlling and using Rome for its own ends. 687

While this work certainly did present Josephus' benefactors in a positive light, this is secondary to his indictments against the insurgents and maladroit procurators as the true enemies. Mason goes even further, arguing that a careful reading of the text illustrates that the positive picture of the Flavian emperors is far from consistent.

According to Mason, what we actually find is a contrived, though nuanced and balanced version of events. As Jonathan Price argues, Flavian apology is the least important of Josephus' impetus in writing *Bellum*, and even when we note Josephus' tendentiousness, all propagandistic literature must be taken seriously in historical reconstruction. For example, historians do not entirely dismiss the writings of Herodotus because he blames all of the problems of Greek society on the Phoenicians (*Hist.* 1.1). Likewise, we know that Suetonius and Polybius had political arguments to make in their histories, but classicists have treated their rhetoric as an intrinsic part of these histories and the historical circumstances that occasioned them.

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⁶⁸⁶ Rajak, *Josephus*, 181–83. Rajak also aptly challenges the idea of Titus' endorsement as proof of propagandistic intent, as this was a relatively common practice for a variety of different works (*Josephus*, 185–222)

⁶⁸⁷ Lindner, Geschichtsauffassung, 142–45; see also Brighton, Sicarii, 29–30.

⁶⁸⁸ Mason, *Josephus*, 51–67.

⁶⁸⁹ Jonathan J. Price, *Jerusalem Under Siege: The Collapse of the Jewish State 66–70 CE* (Brill's Series in Jewish Studies 3; Leiden: Brill, 1992), 180

Having rejected the above challenges to Josephus' trustworthiness, we should however not allow Josephus to lead us up the proverbial garden path. As Gottfried Mader has stated, Josephus presents himself as a master of bluffs and clever ruses during the Revolt, and we should therefore expect to find some of these elements in his account to the Revolt, as well. 690 As Jensen writes, Josephus merely "tells us what we need to know." Despite *Bellum*'s status as the earliest account of the events it narrates, we cannot merely a priori accept it as more historically reliable than later accounts from Josephus and others. ⁶⁹² Josephus, in presenting his *tendenz* in the Proem, allows us to see how he is interpreting the events and using the standard Roman methods of commenting on the events he is narrating: reflections on the general situation, comments on events alluded to in the narrative, comments on events narrated, choice of subject matter, and commentary within the narrative (with evaluation as positive or negative). ⁶⁹³ If we take Josephus' unavoidable *tendenz* seriously, we should be able to accept this version of events as a source for reconstruction. However, as in previous chapters, we must be careful not to take him at his word when he is clearly displaying tendentious elements that run contrary to other evidence. This certainly may be the case for the presentation of synagogues as holy places in *Bellum*. In this particular case, the sacral portrayal of Jewish institutions is used in order to achieve specific rhetorical effects in the narrative of Bellum.

⁶⁹⁰ Gottfried Mader, Josephus and the Politics of Historiography: Apologetic and Impression Management in the Bellum Judaicum (Mnemosyne 205; Leiden: Brill, 2000), 1.

⁶⁹¹ Jensen, *Herod Antipas*, 99. As Jensen astutely states, however, Josephus had fundamentally different questions to answer than do modern historians. ⁶⁹² E.g. Tcherikover, *Hellenistic Civilization*, 113, 289.

⁶⁹³ See McLaren, *Turbulent Times*, 80–107.

4.2. Ἱερά, Temples, and Triumphs in Bellum judaicum

Within *Bellum*, synagogues are spoken of sporadically, though in some of the key narratives of the larger work. This includes the actual outbreak of the war, Josephus' most succinct condemnation of the Jewish insurgents, and the Roman triumphal procession. Josephus also speaks of Jewish institutions in an important historical footnote on the Jewish population in Antioch, a provincial capital north of Galilee. In each of these texts, certain scholars have claimed that these mentions of synagogues illustrate the sacral nature of this institution. However, the rhetorical importance and intended effect of these texts on a Roman audience are enough to call such claims of sacrality into question.

The understanding that Josephus' use of the term $i\epsilon\rho\delta\nu$ for these institutions denotes a sacral nature for synagogues is based on two questionable propositions. ⁶⁹⁴ Firstly, it assumes a monogenetic understanding of synagogues. This problem has been discussed at length in the introduction and need not be repeated here. Secondly, problems arise from the cataloguing of 'synagogue texts' by the term used, with the historicist assumption that this will necessarily tell us something about what these institutions actually looked like and how they functioned. To compound the error, this is often done with a myriad of texts from a variety of authors with only minimal context for the claims

⁶⁹⁴ See especially Binder, *Into the Temple Courts*, 122–30; Fine, *This Holy Place*, 29–33; Claußen, *Versammlung*, 134–35. It becomes apparent, however, that these writers come to their conclusions

Versammlung, 134–35. It becomes apparent, however, that these writers come to their conclusions in different ways. For Fine, synagogue sanctity in the later Second Temple Period was due to the holiness of the Scriptures found therein and the increased use of communal worship forms, which originated in the Jerusalem Temple. For Binder, this is a part of a more monolithic view of synagogues being patterned after the temple following the loss of city gates as local places of worship. However, both fail to take Josephus' *tendenz* into account and are reached through historicist reconstructions of various sources, which are treated similarly. To this we might compare Runesson's conclusion that there is no direct correlation between the earlier Yahwistic temples and the provincial synagogues, despite this terminology. Runesson, *Origins*, 462.

actually being made in the texts.⁶⁹⁵ However, as we shall see below, Josephus was using $i\epsilon\rho\delta\nu$ for rhetorical reasons beyond any functional equivalence between synagogues and temples. As we have seen in chapter 1 and will see in chapter 5, there is good reason to believe that there were some genetic and functional similarities between early synagogues and temples, but this was not the issue at hand in *Bellum*.

The first two texts to be dealt with, BJ 4.408 and 7.144, both speak of the destruction of and spoils taken from Jewish $i\epsilon\rho\dot{\alpha}$ in the Land.⁶⁹⁶ However, at closer inspection, these texts are meant to affect opposite responses.

In the case of BJ 4.407–8, the mendacity of the insurgents is put on display by their abuse of their own sacred spaces.

And as in the body when inflammation attacks the principal member all the members catch the infection, so the sedition and disorder in the capital gave the scoundrels in the country free licence to plunder; and each gang after pillaging their own village made off into the wilderness. Then joining forces and swearing mutual allegiance, they would proceed by companies—smaller than an army but larger than a mere band of robbers—to fall upon 'holy places' ($i\epsilon\rho\dot{\alpha}$) and cities. ⁶⁹⁷

In these paragraphs, Josephus condemns the insurgents for plundering their own towns and holy places. As with $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$ in *Vita* 279, it is likely that a term denoting heightened sanctity ($i\epsilon\rho\dot{\alpha}$) would be used to emphasize the moral shortcomings of these actions. Levine's statement that these could not be synagogues for the very reason that no Jew would plunder a synagogue only enforces the power of this condemnation, even if

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⁶⁹⁵ Contra Binder, *Into the Temple Courts*, 125–26; Paul-Eugene Dion, "Synagogues et Temples dans l'Égypte Hellénistique," *Science et Esprit* 29 (1977): 55.

⁶⁹⁶ See *ASSB* nos. 61, 62.

⁶⁹⁷ Thackeray, LCL.

Levine's statement cannot be supported by the text. As Mader argues, Josephus denies a link between traditional Jewish piety and the Jewish nationalism that found voice in the insurgency. This indictment is further referenced in BJ 6.122,

... the indignation which the Jews might naturally have displayed had the Romans inflicted such wanton outrages upon them, was now manifested by the Romans against the Jews, for profaning their own sacred places ($\varepsilon i \zeta \tau \alpha i \delta \iota \alpha$).

These texts both fit with the major theme of the suffering of the majority of the Jews at the hands of the insurgents. It is precisely here that we find the problem of this term as a historical referent. Given that this term is so ideologically charged for a Roman reader and fits so well within one of the key sets of charges against the insurgents, we must question whether we are indeed dealing with holy places, or this is simply a shrewd equivalence that Josephus is using to his benefit. We are best served in following Carsten Claußen in affirming that, if indeed these may be affirmed as synagogues, Josephus is knowingly heightening the charges against the insurgents in this text through his use of this term. ⁷⁰¹

We find the same problem with the mention of Jewish $i\epsilon\rho\dot{\alpha}$ in the triumphal procession of BJ 7.143–44, though with a very different intended effect.

Here was to be seen a prosperous country devastated, there whole battalions of the enemy slaughtered; here a party in flight, there others led into captivity; walls of surpassing compass demolished by engines, strong fortresses overpowered, cities with well-manned defences completely mastered and an army pouring within the ramparts, an area all deluged with blood, the hands of those incapable of

⁶⁹⁸ Levine, Ancient Synagogue, 46.

⁶⁹⁹ Mader, *Josephus*, 145–57.

 $^{^{700}}$ Thackeray, LCL. While this text is located within the narratival context of the direct aftermath of the sacking of the Jerusalem Temple and the term used for the structures is less specific, the plural is instructive for paralleling the sacrilege shown in the non-Jerusalem 'holy places' in the surrounding cities and towns in BJ 4.408.

⁷⁰¹ Claußen, Versammlung, 135.

resistance raised in supplication, holy places (ἱερά) set on fire, houses pulled down over their owners' heads. . . ⁷⁰²

As stated in section 4.1 above, Josephus made heavy usage of the Thucydidean spectacle, in which we are presented with the sights and sounds of history through the eyes of those watching it happen. This trope would come to a climax in the ultimate spectacle: the Roman triumphal procession. In BJ 7.144, we are told that the procession included reenactments of the burning of Jewish $i \epsilon \rho \dot{\alpha}$ as a matter of course. Polybius viewed these processions as a means for generals to bring their triumphs to display at the centre of the Roman world (*Hist.* 6.15.8). 703 Unlike *BJ* 4.408, the audience is meant to take this as a show of strength and grandeur on the part of the Romans, as Josephus is clearly enamoured and respectful of the procession. Mary Beard goes so far as to declare that Josephus' procession is presented as a show of the greatness of the Empire, as he presents the spoils as a "river of riches," which itself constitutes a naturalizing presentation of the idea of imperialism in BJ 7.133–34.⁷⁰⁴ Unlike the passages previously discussed, we are not to see this destruction as an indictment against those destroying the synagogues, but rather as in light of the deuteronomistic theology of BJ 7.145,

For to such sufferings were the Jews destined when they plunged into the war; and the art and magnificent workmanship of these structures now portrayed the incidents to those who had not witnessed them, as though they were happening before their eyes.⁷⁰⁵

Thus, the audience is being shown the sure consequences of the Jewish insurgency and its victimization of its own sacred institutions. The Jewish insurgents had attempted to show

⁷⁰² Thackeray, LCL.

⁷⁰³ See Mary Beard, *The Roman Triumph* (Cambridge: Belknap Press, 2007), 162–63.

⁷⁰⁴ Beard, Roman Triumph, 150–53, 163. See also Chapman, "Spectacle," 310.

⁷⁰⁵ Thackeray, LCL.

their might through their feats of evil, but were wholly outdone by the masters of the spectacle in Rome. 706 However, in the latter case, Roman indignation over this evil was the Josephan justification for such actions on the part of his imperial benefactors.

A third text which is of importance for us here is BJ 7.44–45, part of a historical flashback in which the Jewish role in the founding of Antioch is explained by the investiture of the Temple treasures taken by Antiochus IV Epiphanes into the Antioch synagogue by Antiochus' heirs.

For, although Antiochus surnamed Epiphanes sacked Jerusalem and plundered the temple, his successors on the throne restored to the Jews of Antioch all such votive offerings as were made of brass, to be laid up in their synagogue (συναγωγή), and, moreover, granted them citizen rights on an equality with the Greeks. Continuing to receive similar treatment from later monarchs, the Jewish colony grew in numbers, and their richly designed and costly offerings formed a splendid ornament to the temple (iερόν).⁷⁰⁷

This investiture is followed by a strengthening Jewish authority in the area and even leads to many Syrians becoming proselytes. 708 Here again, some interpreters have taken this to be a clear indication that prior to the investiture of the Temple accourrements, the synagogue must have been a temple. 709 Samuel Krauss and Martin Hengel have argued that this synagogue must originally have been a temple for such vessels to be housed. 710 Conversely, for Per Bilde and Steven Fine, the use of the two terms here for the same

707 Thackeray, LCL.

⁷⁰⁶ Chapman, "Spectacle," 303–12.

⁷⁰⁸ Not surprisingly, this mention of conversion has led to a general ignoring of synagogue issues in favor of the concerns of Jewish citizenship and proselytism. See Smallwood, Jews, 358 – 64; Gruen, Diaspora, 128–

⁷⁰⁹ Krauss, Synagogale, 86 – 87; Hengel, "Proseuche und Synagoge," 37–38; Bilde, 'Was hat Josephus," 20; Dion, "Synagogues et Temples," 55; Binder, Into the Temple Courts, 123–24; Fine, This Holy Place,

Krauss, *Synagogale Altertümer*, 86 – 87; Hengel, "Proseuche und Synagoge," 38. For Krauss, it is important that Josephus would have known this to be the case, as it would have been improper to place such implements in a non-temple.

place is tantamount to an equation between the terms.⁷¹¹ However, as Runesson states, the evidence for such previous sacrality is tenuous.⁷¹² Certainly we should see this return of Temple treasures as an act of benefaction for the sake of building up a powerful and loyal Jewish base on the part of the Seleucids.⁷¹³ As we shall see in the next chapter, it was common for foreign rulers to set up such rival temples in order to curry favor with local adherents of a specific cult. Further, as Levine astutely states, the synagogue was the natural target for both aggression and honours from outside rulers and communities.⁷¹⁴ But as we have seen, the texts in *Antiquitates-Vita*, which go to great lengths to show support for the community through support for the synagogues, make no claims regarding the sanctity of these institutions. Thus we should not assume an already established sanctity for these institutions.

A better answer for the curious use of parallel terms is provided by Carsten Claußen. Claußen states that we should understand the use of the term $i\epsilon\rho\delta\nu$ for that which was previously referred to as a $\sigma\nu\nu\alpha\gamma\omega\gamma\dot{\eta}$ as an indication that the investiture of the synagogue with Temple vessels is what made this building a holy place. In other words, the building was not a former temple now called a synagogue, as argued by Krauss and Hengel. Indeed, the order of the terms, with it being referred to as an assembly before the investiture and a temple afterwards, supports this claim and makes

⁷¹¹ Bilde, "Was hat Josephus," 25; Fine, *This Holy Place*, 29.

⁷¹² Runesson, *Origins*, 421. We should note that Runesson does correlate this with other proof for some sacral aspects in early Diaspora synagogues. See Runesson, *Origins*, 463–66. As we shall see below, even if this is likely the case in a historic sense (see ch. 5 of the present work), this does not mean that Josephus used these terms for that reason, nor even that Josephus or his audience had recourse to such knowledge.

⁷¹³ Runesson, *Origins*, 421; Gruen, *Diaspora*, 130; Dion, "Synagogues et Temples," 52.

⁷¹⁴ Levine, *Ancient Synagogues*, 136.

⁷¹⁵ Claußen, Versammlung, 134.

better sense in such a setting. This was not a Jewish temple later called a synagogue. This was a Seleucid temple, intended to rival the Jerusalem Temple in order to curry Jewish support in the region, made from a synagogue.

In each of the above texts, Josephus does indeed present the reader with multiple so-called 'holy places' in the Land or on its borders. Scholarly consensus correctly states that these 'holy places' are best understood as synagogues. As will be argued in the following chapter, there is a preponderance of proof that points to many Diaspora synagogues having some sacral characteristics. However, to make the leap from these views to presenting Josephus as intending to make historical truth claims regarding the sanctity of these spaces is, in my view, premature. In each case we have addressed, Josephus has good reason to present the space as sacred, though at no point does he actually describe or explain any holy characteristics. In his attempts to show the contemptible nature of the Jewish insurgents, Josephus is able to present the Roman reader with a picture of a group willing to sack their own holy places, which would have been one of the greatest crimes for any Roman. In another case, the spectacle of the burning holy places is figuratively placed in full view as Josephus once again presents the Roman legions as stoically and rightfully destroying the holy places of the Jews due to the sacrilege of the insurgents. Finally, Josephus is willing to show the social fragmentation begun by the Seleucids by presenting a synagogue transformed into a rival of the Jerusalem Temple by a now-defeated political power. In each of these cases, Josephus' historical tendenz seems to be the governing factor for the choice of terms used for the Jewish institutions. As we shall see in the following section, a Roman audience

would have viewed the holy places as highly symbolic of the sanctity of the Land, a concept which governs the final text to be treated.

In each of these cases, Josephus is appropriating the terminology and categories of his imperial readers. He is using the hegemonic culture to alter the conception of the space in order to meet his needs in a creative manner. In many ways, this fits with the cultural hybridity mentioned in chapter 3 above. This theory was notably influential in Soja's thirdspace theory. To use Soja's language, Josephus is appealing to the Roman conception (secondspace) of sacred space, in order to present a creative, new Jewish space. The marginalized Jews can thus appropriate the categories of their overlords in order to join and control the dialogue. According to Bhabha,

What is theoretically innovative, and politically crucial, is the need . . . to focus on those moments or processes that are produced in the articulation of cultural differences. These "inbetween" spaces provide the terrain for elaborating strategies of selfhood—singular or communal—that initiate new signs of identity, and innovative sites of collaboration, and contestation, in the act of defining the idea of society itself.

The social articulation of difference, from the minority perspective, is a complex, on-going negotiation that seeks to authorize cultural hybridities that emerge in moments of historical transformation. The "right" to signify from the periphery of authorized power and privilege does not depend on the persistence of tradition; it is resourced by the power of tradition to be reinscribed through the conditions of contingency and contradictoriness that attend upon the lives of those who are "in the minority."

In other words, the differences between Jews and Romans may become elastic in the articulation of Jewish identity in Roman terms, as the conquered gain power back from the conquerors through the use of the Empire's own categories and ideas. The oppressed

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⁷¹⁶ See Soja, *Thirdspace*, 140–44. Soja thus champions 'hybridity' as an effective cultural politics of Thirdspace, which aims "to dislodge its entrapment in hegemonic historiography and historicism" (142) by re-characterizing the space within this cultural dialogue.

⁷¹⁷ Bhabha, *Location of Culture*, 1–2.

status of the Jews justified the appropriation of the spatial categories of the Romans in order to join and re-direct the dialogue. Josephus is able to use the Roman view of synagogues as at least temple-like in order to vilify his opponents. It is also very likely that the Romans would have brought up the synagogue treasures and destruction in the triumphal procession, as evidenced by the Arch of Titus, which would have authorized his creative use of such categorization of the space. Such language may have even occasioned and authorized Josephus' own usage of this characterization, a rhetorical strategy which would allow Josephus to use an existing dialogue in Rome to his advantage. This rhetorical move could be used as a 'place of resistance,' as he subverted the dialogue and rhetoric of the Empire for the needs of his Jewish identity and cause.

4.3. The Caesarea Synagogue as a Constructed and Bound Space

As we know from the writings of the Roman military engineer Vitruvius, Romans did not merely view the planning of cities, especially the placement and construction of holy places, as a matter of pure expediency. In a rather uncharacteristic way, this empire, which has become known for its pragmatism, took the symbolism regarding planning of cities, provinces, and public buildings very seriously. This symbolism must be taken into account as we address the pivotal scene in the Caesarean synagogue (*BJ* 2.285–92). Josephus explicitly states that this affair, which occurred on the border with Syria, was the flash-point for the entire First Jewish Revolt. This text, once again, has been taken by some synagogue scholars as proof of an inherent sacrality of the building due to the fact that the space was susceptible to impurity. However, a better understanding of Roman city-craft should lead us to nuance Josephus' actual claims regarding the nature of this

space. I intend to show here that this text relies on such assumptions of symbolic construction and bounded nature of the Jewish public assembly space in order to communicate the severity of the religious insult paid to the Jews.

The hostilities in Caesarea Maritima were the result of a protracted conflict between the Syrians and the Jews in Caesarea beginning in BJ 2.266. The Jews of the city claimed to control the *polis* based on the founding of the city by Herod. ⁷¹⁸ In response, the Syrians pointed out the previously Syrian nature of Strato's Tower (i.e., the previous settlement) and that Herod's erection of non-Jewish statues and temples would call the Jewish nature of the city into question. This led to internecine strife, which had to be put down by Felix. Subsequent procurators failed to quell the tension. Following this, Josephus reports the scene that would officially open the Revolt (BJ 2.284–92): a Jewish synagogue, which had been unsatisfactorily built in a marginal space due to the refusal of neighbours to sell the Jewish community the necessary land, was targeted by Syrian troublemakers,

... the Judeans in Caesarea, having a meeting [place] (συναγωγή) beside a site whose owner was a certain Caesarean Greek, tried hard and often to acquire the spot, offering a price many times its worth; but while disdaining their appeals, with added insult, he himself built across the site, constructing workshops. He was thus leaving them a passageway that was both narrow and constrained in every direction. 719

Thus, the placement of this synagogue, whether it is to be understood as a civic or sacred edifice, is highly marginalizing. However, this sense of marginalization was exacerbated

⁷¹⁸ On the ideological importance of the founder of a city, see Stephen Fai, "Architecture and Conflict in Caesarea Maritima," in Religious Rivalries and The Struggle for Success in Caesarea Maritima (ed. Terence L. Donaldson; SCJ 8; Waterloo: Wilfrid Laurier University Press, 2000), 268–72. The obvious example of Romulus and Remus in Livy book 1 is instructive. ⁷¹⁹ *BJ* 2.285–86. Mason, *Judean War* 2, 232–34.

when, on the Sabbath, the Jewish community approached the alleyway that led to the synagogue and found a Syrian youth sacrificing a bird on an overturned pot at the synagogue's entrance. Despite pleas for peace on the part of the Jewish leaders, Jewish youths engaged in battle with the Syrians who had orchestrated the sacrifice. After a previous failed attempt to bribe Florus for aid—Florus took the money but did nothing to help—the Jews were left to remove their Law scroll and flee, for which they were arrested on the charge of removing sacred paraphernalia from the city. This strife is staccatoed with issues of city and building craft, especially as it relates to the sacred, for which the aforementioned Vitruvius is our foremost source of information.

Vitruvius, a seasoned military architect, made the recently ascendant Octavian the gift of a ten volume work entitled *De architectura*, which focused on Roman architectural theory in ca. 27 BCE (thus at a time previous to Octavian being named Caesar Augustus). Vitruvius is a key figure in our knowledge of city planning and architecture, though we know that his own contribution lies more in his synthesis and organization of previously understood concepts from both Greek and Roman sources, many of whom Vitruvius lists in the prefaces to books 4 and 7. Vitruvius famously speaks of the city and the building as bodies, an analogy that illustrates his naturalizing of the built environment. For Vitruvius, architecture had a series of perfect forms which rendered a cosmological meaning for any building project, including everything from the form of the

⁷²⁰ On date, see Indra Kagis McEwen, *Vitruvius: Writing the Body of Architecture* (Cambridge: MIT Press, 2003) 1

⁷²¹ McEwen, *Vitruvius*; See also George Hersey, *The Lost Meaning of Classical Architecture* (Cambridge: MIT Press, 1988), 43–44.

edifice down to the sand of the bricks.⁷²² While we cannot know for sure how much of this theory would have been common knowledge at this time, Vitruvius presents enough of this theory as being well-known to educated Romans that we are justified in assuming a relatively high-level of popular belief in the basics of this theory.

That Josephus was deeply concerned with the religious geography and architecture of Israel in *Bellum* is the subject of a recent monograph by Jason von Ehrenkrook entitled *Sculpting Idolatry in Flavian Rome: (An)Iconic Rhetoric in the Writings of Flavius Josephus.* With regards to *Bellum*, von Ehrenkrook argues that Josephus consistently inverts the common, Graeco-Roman treatment of statues as delimiting sacred space; he treats them instead as a profaning element, becoming a boundary marker both religiously and politically. While we should indeed take care not to retroject a modern geographic understanding of such space, there is good reason to acknowledge that Josephus accepted an idea of general national boundaries. As in the works of Vitruvius (*Arch.* 1.7.1–2), the placement of statues and temples would demonstrate the nature of a given city and its relation to the larger 'bodies' of the

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⁷²² On the Epicurean and Pythagorean influences of Vitruvius, see *Arch.* 2.2.1–2; Fai, "Architecture," 273. von Ehrenkrook, *Sculpting Idolatry*, 101–2.

⁷²⁴ See Steve Mason, review of Jason von Ehrenkrook, *Sculpting Idolatry in Flavian Rome:* (*An)Iconic Rhetoric in the Writings of Flavius Josephus*, Enoch Seminar Reviews. n.p. [cited 26 May 2014]. Online: http://www.enochseminar.org/drupal/sites/default/files/review_pdfs/2013.03.03%20Mason%20on%20Ehre nkrook%20Sculpting%20Idolatry_Final_0.pdf. Mason is correct that we view geographic space differently, though a sense of the boundaries of the Land are evident beginning in the Pentateuch (Exod 23:31). Also, given Josephus' unmitigated praise of Herod in *Bellum*, a Herodian city, especially one so close to the boundaries of the Land, would have been viewed as important by Josephus. Also, as Mason argues, the historian had a clear sense of Galilean, Samarian, and Judaean geography (see *BJ* 3.35–58), even if it lacks the cartographic precision modern historians may prefer. Thus, we may better positioned if we drop the use of sacred mapping, while acknowledging that the land continues to be important for Josephus.

province and the whole Empire. 725 In terms of Caesarea, von Ehrenkrook points out the prominence of the statues mentioned by the Syrians in BJ 2.266 and the fact that this city stands on the very boundaries of the Jewish heartland. 726 Indeed, we know that the history of Caesarea Maritima was fraught with the issues of being a connection point between the Greek and Jewish communities in the north, as it acted as a conduit for Roman imperial presence, military force, and goods eastward. 727 Von Ehrenkrook is thus correct to use Caesarea as a key boundary and a source of potential profanation from the outside world.

However, von Ehrenkrook ignores the possible implications of these issues for the synagogue pericope under discussion, despite some instructive correlations. Given the ideological importance of the placement of public and sacred buildings for both Josephus and Vitruvius, the relegation of the Jewish synagogue to a remote, industrial space should be viewed as an act of derision. That the Syrian populace in *BJ* 2.284–85 forced the Jewish population to follow an alleyway to reach their assembly space would be marginalizing for Vitruvius, as their synagogue was removed from main streets and the harbour, as well as obscuring the sight of the space. As Vitruvius states in *Arch.* 1.7.1,

The choice of sites [for public buildings] for the convenience and common use of citizens is to be explained. . . if the ramparts are by the sea, a site where the forum is to be put is to be chosen next to the harbour; but if inland, in the middle of the town. But for sacred buildings of the gods under whose protection the city most

⁷²⁵ Fai, "Architecture," 274; McEwen, *Vitruvius*, 279; John S. Kloppenberg, "Ethnic and Political Factors in the Conflictat Caesarea Maritima," in *Religious Rivalries and The Struggle for Success in Caesarea Maritima* (ed. Terence L. Donaldson; SCJ 8; Waterloo: Wilfrid Laurier University Press, 2000), 237. ⁷²⁶ von Ehrenkrook, *Sculpting Idolatry*, 107–8, 127. Von Ehrenkrook aptly points to the difference between *BJ* 2.266 and its parallel text in *AJ* 20.173, in which the issue is the lack of Jews at the founding of Strato's Tower and whether or not the Jews had claim to ἰσοπολιτεία. Regarding the different texts, see Lee I. Levine, "The Jewish-Greek Conflict in First Century Caesarea," *JJS* 25.3 (1974): 381–97; Aryeh Kasher,

[&]quot;The *Isopoliteia* Question in Caesarea Maritima," *JQR* 68.1 (1977): 16–27.

⁷²⁷ Kloppenberg, "Ethnic," 230.

seems to be, both for Jupiter and Juno and Minerva, the sites are to be distributed on the highest ground from which the most of the ramparts is to be seen. ⁷²⁸

Thus, whether the synagogue is to be understood as a civic or sacred edifice, its construction and placement do not meet with any of Vitruvius' standards for the building of sacred or civic assembly spaces. To add to this, irregular space (i.e. space lacking perfectly round or quadrangular shape) was also a sign of lack of divine approval. All of this would have led to a sense that the Jewish community was being symbolically, as well as politically, marginalized.

Many scholars have viewed the mention of sacrilege in this scene as further proof of synagogue sanctity, ⁷³¹ though such an assertion is rather vague. This is partly because there is little consensus regarding the exact nature of the sacrilege. Hüttenmeister attempts to connect the sacrifice of two birds with the sacrifice of birds for removal of leprosy in Lev 14:4. ⁷³² This answer, however, expects too much knowledge of Jewish texts and practices on the part of both the expected Roman reader and Syrian youth, and it runs counter to the aforementioned practice of Josephus to explain all relevant Jewish practices in *Bellum*. Brighton is probably closer to the mark in claiming that Josephus presents the resultant *stasis* as being the polluting agent, as Josephus does elsewhere. ⁷³³ Indeed, Josephus consistently presents those who seek peace (in this case the Jewish elite)

⁷²⁸ Granger, LCL. *Arch.* 7.1.2 goes on to describe the importance of space for the individual deities, with prominence of place correlating to prominence of the deity. See also *Arch.* 3.2.1.

While a synagogue excavated in the north fortification wall near the sea was found, this synagogue dates to ca. 100 years later, so should not be taken as a possible site; Steve Mason, *Judean War 2* (FJTC 1b; Leiden: Brill, 2000), 232–33 n. 1829.

⁷³⁰ Arch. 3.1.3. See McEwen, Vitruvius, 166–67, 181.

⁷³¹ E.g. Sanders, "Common Judaism," 10; Binder, *Into the Temple Courts*, 156.

⁷³² Hüttenmeister, "Συναγωγή," 83–84.

⁷³³ Cf. *BJ* 2.424; Brighton, *Sicarii*, 73.

as intrinsically positive, while condemning those who cause war. ⁷³⁴ However, we may also add that the act of sacrificing something was intrinsically an act of claiming in the Roman world (e.g., Soph. Ant. 256, 775). Once a place had been thus claimed, religious convention would necessitate strict ceremonies to approach the space in question, otherwise this act would pollute the one approaching.⁷³⁵ Thus, the synagogue need not have been previously sacral to have been viewed as polluted by the youth for a Roman readership. In this reading, the alleyway is that which would have been rendered inaccessible to the Jewish community. This sacrilege would thus bring to completion the explicit programme of the Syrians to bar Jews from their synagogue. 736

To complicate matters, however, there is one synagogue item that is expressly deemed as sacred in this text: the Law scroll. The execution of the soldier who burned a Law Scroll and the arrest of the Jews who removed the Law Scroll from Caesarea in BJ 2.228–31 and 292 makes sense only if we understand the Scroll as a holy object, parallel to a pagan statue, which the Romans would see as adding insurance for the protection of the city through its presence. 737 But what does this mean for the synagogue's holiness? Later Rabbinic literature would present the Torah Scroll as an object which would sanctify everything in the synagogue relative to their spatial proximity with the scroll itself (m. Meg. 3:1–3), and scholars such as Levine and Fine see Josephus' statements (as well as a few others) as confirming that this was the case during the late Second Temple

⁷³⁴ McLaren, Turbulent Times, 102–3. We should also note that in the closing speech of Eleazar ben Yair at Masada in BJ 7.361, the Caesarean Jews are specifically said to have not even contemplated starting this Revolt.

⁷³⁵ Hersey, *Lost Meaning*, 43.
736 Per Bilde, "Was hat Josephus," 19.

⁷³⁷ Levine, Ancient Synagogues, 147.

Period as well. 738 However, the text is not clear about the Scroll leading to the sanctity of the synagogue. We should note that Jews only removed the Scroll when they were about to flee to Narbata, and this with no direct mention of its holiness or relation to or effect upon the synagogue (BJ 2.291).

Furthermore, we should ask why precisely the sacrality of the synagogue would have led to the Jews being imprisoned for removing their own sacred books. Once again, we are told very little about these legal books, though Mason is probably correct to view this story as simply being further proof of Florus' corruption and contemptibility, as he perverts the very law he is charged to administer and ultimately plunges the region into war. 739 As we have noted above, such corrupt and incompetent behaviour on the part of Florus stands as one of the major themes of this work and as the cause of the Revolt. 740

Thus, at the very start of the Revolt, we find Josephus narrating a version of the Caesarean crisis which places a premium on the location of the Jewish synagogue on the margins of what was itself a city on the boundary of the Land. The Jews were being pushed out of a city in a way that encroached both on their local community space and their land as a whole. That this took place in synagogue environs, which elsewhere have been treated as sacred space, is more narrativally symbolic than historical. It is a statement of their spatial marginalization and the work of the Syrians to keep them from creating a meaningful assembly space in such a way as they conceive of such space. The Jews did not seek out war (see BJ 7.361), but were forced by the marginalizing actions of

⁷³⁸ Levine, Ancient Synagogues, 147–53; Fine, This Holy Place, 30, 179 n.37.

⁷³⁹ Mason, *Judean War*, 238 n.1889.

⁷⁴⁰ Rajak, *Josephus*, 72–73; contra Per Bilde, "The Causes of the Jewish War According to Josephus," *JSJ* 10 (1979): 179–202.; idem., "Was hat Josephus," 31–32.

those around them to fight for their rights. The religious and political boundaries of the Jewish nation are thus of key importance here and the greatest insult symbolically takes place in, or at least in front of, the synagogue.

Excursus: Essenes in the Writings of Josephus

One issue that has not been dealt with heretofore in the present work is the issue of the Essenes in Josephus. This group is the most researched assembly in the Josephan corpus, though it stands almost entirely outside of the narratives in the histories themselves. For a variety of reasons that should become evident in the following excursus, most notably the size of the treatment in BJ 2.119-66 as compared to the other treatments in the Josephan corpus, this discussion has been saved for the present chapter. While it is clear that Josephus is treating an institution of sorts in this passage, he goes to great pains in order to describe the Essenes in such a way that they do not fit into his lived experience of the synagogue. What we find instead in *Bellum* is an idealized association of Jews who stand outside of the ongoing problems and strife of *Bellum*. ⁷⁴¹ In the later writings, we find much shorter treatments of the Essenes, which are closer to the descriptions of the Essenes by Philo. As I will argue, this issue of incongruity between the Essene passages in *Bellum* and *Antiquitates* is largely resolved if we note that many of the idealized traits of the Essenes in *Bellum* are applied to all synagogues in the later writings of the historian, especially in *Contra Apionem*.

⁷⁴¹ This argument is represented in a number of previous studies that illustrates the applicability of the association model in the writings regarding both the Essenes and the sectarian writings from Qumran. See Weinfeld, *Organizational Pattern*; Runesson, *Origins*, 223–26; Gillihan, *Civic Ideology*.

In *Bellum*, the Essenes represent a possible example of a Jewish association. However, too often scholarly reconstructions of this group, like that of the synagogue itself, are based on a composite picture from a variety of disparate sources. This picture, best represented by the Qumran-Essene Hypothesis, has recently been questioned by scholars from both within and without mainline Qumran scholarship. Some of the most vociferous challenges have come from Josephan scholars who charge the proponents of the Qumran-Essene Hypothesis with irresponsible handling of Josephus' works.

Therefore, it behooves us to clarify Josephus' treatment of this community in order to chart its place within Josephus' presentation of synagogues and institutions.

The majority of Josephus' treatment of the Essenes occurs in the 'Three Schools' passages (*BJ* 2.119–61; *AJ* 13.171–73, 18.11–22).⁷⁴² A number of other ancient writers, including Philo of Alexandria, Pliny the Elder, Hippolytus, and Dio Cassius, also mention the Essenes in some capacity. From these sources, and sometimes the Dead Sea Scrolls, scholars have attempted to synthesize a picture of the Essenes. However, as with so many other aspects of early Jewish culture, far too much of the research consists of fact mining these ancient sources with little discussion of rhetorical purposes or differences in point of view. As I hope to show, though, Josephus' various comments make sense when

The only three reports regarding Essenes not included in the 'Three Schools' texts are narratives about Essene prophets: Judas (*BJ* 1.78–80; *AJ* 13.311–13), Menahem (*AJ* 15.373–79), and Simon (*BJ* 2.112–13; *AJ* 17.345–48). All three prophesy either about or on behalf of foreign rulers, though Menahem and Simon are never wrong (Judas is specifically said to have made only one false prophecy, for which he wished his own death). Rebecca Gray surmises that their exceptional abilities are likely related to their emphasis on and study of the Law, and thus this ability was a part of the wider esoteric knowledge of the school. Gray also argues that Judas and Simon are both forerunners to Josephus' own prophetic abilities, as Jeremiah and Daniel were previously. See Rebecca Gray, *Prophetic Figures in Late Second Temple Jewish Palestine: The Evidence from Josephus* (Oxford: Oxford University Press, 1993), 80–111.

understood in light of his developing concerns regarding Jewish culture and assembly traditions through the various stages of his corpus.

One of the primary reasons for this section being left until the present chapter is the glaring preponderance of space given to the Essenes in Josephus' earliest extant work. In *Bellum*, Josephus devotes 42 paragraphs (out of the 47 total paragraphs in this 'Three Schools' passage) to the Essenes, whereas he devotes 5 paragraphs in *AJ* 18 and 2 in *AJ* 13 to this sect. In the two *Antiquitates* passages, Josephus gives roughly comparable space to each of the three schools, whereas the majority of space in the *Bellum* passage is given to the Essenes. This lack of balance has led many scholars to speculate about Josephus' actual role in the writing of these passages. Roland Bergmeier, for example,

⁷⁴³ This imbalance in the length of passages, mixed with the often verbatim wording with Hippolytus (*Haer*. 9.18.2-28), led both Morton Smith and Matthew Black to argue that this description comes from a now lost, common source. For Smith, the stark difference in length and quality between the Bellum and Antiquitates passages proved that all passages had to be copied directly from sources, as Josephus would not have replaced an earlier, longer description in Bellum with one so close to the wording of Philo in Antiquitates. See Matthew Black, "The Account of the Essenes in Hippolytus and Josephus," in The Background of the New Testament and its Eschatology (ed. W. D. Davies and David Daube; Cambridge: Cambridge University Press, 1956), 172-75; Morton Smith, "The Description of the Essenes in Josephus and the Philosopheuma," HUCA 29 (1958): 273-313. Black argues incorrectly that Hippolytus' elaborations on Josephus could not have come from Josephus as they were too Jewish (i.e., too close to the Rabbis); Smith argued that Hippolytus usually quotes sources verbatim but does not woodenly follow Josephus. This is ably refuted by Burchard, who shows that this section was indeed replete with Hippolytus' own terminology and themes with some Josephan tropes, showing that he likely used Josephus, elaborating where necessary; C. Buchard, "Die Essener bei Hippolyt: Hippolyt, Ref. IX 18, 2–28, 2 und Josephus, Bell. 2, 119 – 61," JSJ 8 (1977): 1–41. Albert I. Baumgarten argues that there was a more Jewish tone to Hippolytus, including a more pro-Pharisaic stance, though he believes that Hippolytus was using an intermediate, Christian source which itself elaborated on Josephus in this way; A. I. Baumgarten, "Josephus and Hippolytus on the Pharisees," HUCA 55 (1984): 1-25. Thus, most scholars now accept that Hippolytus likely followed Josephus or another source dependent upon Josephus. Burchard argues that the corresponding section in Hippolytus was indeed replete with Hippolytus' own terminology and themes with some Josephan tropes, showing that he likely used Josephus, elaborating where necessary; Buchard, "Die Essener," 1–41. Albert I. Baumgarten argues that there was a more Jewish tone to Hippolytus, including a more pro-Pharisaic stance, though he believes that Hippolytus was using an intermediate, Christian source which itself elaborated on Josephus in this way; A. I. Baumgarten, "Josephus and Hippolytus on the Pharisees," HUCA 55 (1984): 1–25. Regarding the hapax legomena, Steve Mason rightly points out that this likely comes down to the change of subject matter. Steve Mason, Judean War 2 (FJTC 1b; Leiden: Brill, 2008), 89; John J. Collins, Beyond the Qumran Library: The Sectarian Movement of the Dead Sea Scrolls (Grand Rapids: Eerdmans, 2010), 139.

argues that, based on high levels of *hapax legomena* and Hellenistic coloring, Josephus was likely using a source such as Nicolas of Damascus. However, David S. Williams has subsequently shown that the language of this passage is "demonstrably Josephan." Also, the issue of Hellenistic influence in first-century Judaism is now accepted as commonplace, and so needs no further discussion. The likelihood of Josephan authorship and knowledge will thus remain an important point of discussion for this section, due to their affect on discussions of Josephus' intentions and rhetoric.

Bellum judaicum 2.119–61 remains our most detailed discussion of Essene practice and belief. A number of Essene proscriptions and practices are outlined by Josephus in this passage. He begins with a detailed summary, which speaks of their sanctity, unity, and self control (BJ 2.119). This is followed by protracted praise for their shunning of marriage and carnal urges (BJ 2.120–21), due to the 'wantonness of women' (γυναικῶν ἀσέλγεια) and need to control their passions. The Essenes do not entirely condemn marriage, and a note at the end of the larger passage admits that some Essenes do take wives. The Following this, we are told that they are "despisers of wealth" (καταφρονηταὶ δὲ πλούτου) who share their possessions as a matter of course (BJ 2.122). They avoid cosmetic oil (123), elect overseers (124), and live in all towns and villages in

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⁷⁴⁴ David S. Williams, "Josephus and the Authorship of *War* 2.119–61 (on the Essenes)," *JSJ* 25 (1994): 207–21.

⁷⁴⁵ This matches Josephus' consistent treatment of women (and some men) as lacking self-constraint due to effeminacy, e.g., Jezebel (*AJ* 8.318), Cleopatra (*AJ* 15.98), and Herod's wife Mariamme (*BJ* 1.439). See Mason, *Judean War* 2, 85; *idem, Josephus*, 262.

⁷⁴⁶ This issue is especially acute for rhetorical critics, who find it difficult to account for a seemingly less austere group within this exemplary movement. Tessa Rajak, however, is probably correct that Josephus took accuracy seriously enough to set the record straight, though saving this for the end and treating the marrying Essenes as secondary. See Tessa Rajak, "Cio Che Flavio Giuseppe Vide: Josephus and the Essenes," in *Josephus and the History of the Greco-Roman Period: Essays in Memory of Morton Smith* (ed. Fausto Parente and Joseph Sievers; StPB 41; Leiden: Brill, 1994), 157.

the land (124–27). Following these sundry descriptive elements, we find a long description of a 'day-in-the-life' of an Essene community, beginning with morning prayers directed towards the sun (128) and moving through work and holy meals (129–33). Descriptions of their hierarchical structure and practices (134–36) follow. The central portion of the larger passage is a description of the initiation ritual for the movement (137–42), followed by a description of the expulsion ceremony (143–44). This emphasis on organizational and judicial matters leads to a detailed discussion of their courts (145–49) and a comparison of the elder and younger grades within the sect (150). Following this, there is a long discussion of the Essenes' contempt for death due to their belief in the immortality of the soul (151–59).⁷⁴⁷

Conversely, the *Antiquitates* passages simply speak of Essene beliefs regarding predestination (*AJ* 13.172) and the immortality of the soul (*AJ* 18.18–22). The wording of these later passages is noticeably consistent with the wording and content of Philo of Alexandria's descriptions of the Essenes in *Quod omnis probus*.⁷⁴⁸

Almost immediately after the discovery of the scrolls from Qumran Cave 1, many scholars sought to identify the authors, compilers, and keepers of the Qumran Scrolls with the Essenes. Eleazar Sukenik was the first to argue that the Qumran Scrolls were written by Essenes, based on parallels in the Josephan 'Three Schools' passages and the Cave 1

According to Mason, contempt for death is a conspicuously Jewish virtue throughout his writings. E.g. BJ 2.60; 3.357, 475; 5.88, 458; 6.42; 7.406; AJ 6.344 – 47; C.Ap. 2.146, 294. Mason connects this with an ongoing comparison of Jews and Spartans. See Mason, *Josephus*, 257–60. As we will see, however, the comparison is not simply symptomatic of an exemplarization of the Essenes for all Jews, but rather an appropriation of this language for all Jews in the later works, which makes such language redundant if applied to one school alone.

⁷⁴⁸ See for example the Essene hatred of slavery in AJ 18.21, that God is the cause of all good and not evil in AJ 18.18//Prob. 84, and finally the claim that there are 4000 adherents to this school in AJ 18.20//Prob. 75.

Serekh texts.⁷⁴⁹ The reasoning for this attribution was threefold. Firstly, Pliny the Elder speaks of the Essenes being located with En Gedi "below them" (*infra hos*).⁷⁵⁰ Following De Vaux' connection of the caves with the settlement at Khirbet Qumran, scholars began to connect the site with the scrolls, and later the Essenes.⁷⁵¹ Secondly, the scrolls correspond paleographically to the late Second Temple Period, the time in which we know the Essenes to be active.⁷⁵² Thirdly, evidence from the scrolls and the various ancient sources displays a variety of parallels in terms of theology and practice. These parallels include celibacy, group hierarchy, initiation practices, ban on spitting, avoidance

⁷⁴⁹ James VanderKam, *The Dead Sea Scrolls Today* (2nd ed.; Grand Rapids: Eerdmans, 2010), 97. Sukenik admitted that issues remained with the Pliny texts, though argued that this was an issue of Pliny's sources. VanderKam agrees that the theology of predestination spoken of in AJ 13.171–73 matches what we find in 1OS III 15–16, 21–23 (as well as the general theme of columns III and IV); 1OH^a IX 7–8, 18–20; CD II 6– 10; See VanderKam, Dead Sea Scrolls, 102-4. As Mason contends, however, Sukenik's entire premise rests on only three texts from Cave: 1QS, 1QpHab, and 1QapocGen; Steve Mason, "The Historical Problem of the Essenes," in Celebrating the Dead Sea Scrolls: A Canadian Collection (ed. Peter W. Flint, Jean Duhaime, and Kyung S. Baek; SBLEJL 30; Atlanta/Leiden: Society of Biblical Literature, 2011), 230. ⁷⁵⁰ Nat. Hist. 5.15.73. cf. Dio Chrysostom, who places them near the Dead Sea in Or. 3.2. See Roland De Vaux, Archaeology of the Dead Sea Scrolls (Oxford: Oxford University Press, 1961), 128, 133; Frank Moore Cross, *The Ancient Library of Qumran* (3rd ed.; Minneapolis: Fortress Press, 1995), 66; VanderKam, Dead Sea Scrolls Today, 97-101: Todd S. Beall, Josephus' Description of the Essenes Illustrated by the Dead Sea Scrolls (SNTSMS 58; Cambridge: Cambridge University Press, 1988), 5; Jodi Magness, Archaeology of Oumran and the Dead Sea Scrolls (Grand Rapids: Eerdmans, 2002), 40–41; Lester L. Grabbe, Judaism from Cyrus to Hadrian (vol. 2; Minneapolis: Fortress Press, 1992), 492–94; idem., Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh (London: Routledge, 2000), 202. This is problematic in that Engedi is actually below Khirbet Oumran. According to Andre Dupont-Sommer, however, 'beneath' simply refers to Engedi being "to the south of them." While many scholars who accept versions of the Qumran-Essene Hypothesis are satisfied with this solution, many other scholars argue that this answer begs the question, logically. See Mason, "Historical Problem," 231; Edna Ullmann-Magarlit, Out of the Cave: A Philosophical Inquiry into Dead Sea Scrolls Research (Cambridge: Harvard University Press, 2006), 39-55. While Grabbe has argued that Pliny's entire Levantine itinerary runs north-to-south in favor of the above reading, it still must assume the above reading, and thus still begs the question; see Grabbe, Judaic Religion, 492.

⁷⁵¹ Cross, Ancient Library, 56–57.

⁷⁵² See S. A. Birnbaum, *The Qumran (Dead Sea) Scrolls and Paleography* (2 vols.; BASORSup 13–14; New Haven: ASOR, 1952); Frank Moore Cross, "The Oldest Manuscript from Qumran," *JBL* 74 (1955): 147–72; *idem.*, "The Development of the Jewish Script," in *The Bible and the Ancient Near East: Essays in Honour of William Foxwell Albright* (ed. G. E. Wright; New York: Doubleday, 1961), 133–202; N. Avigdad, "The Palaeography of the Dead Sea Scrolls," in *Aspects of the Dead Sea Scrolls* (ed. C. Rabin and Yigael Yadin; ScrHier 4; Jerusalem: Magnes, 1957), 56–87.

of oil, and a theology of predestination.⁷⁵³ For many, these commonalities between the classical sources and the Scrolls were adequate to declare that the two groups are the same.

However, for many scholars, this attribution is questionable for a number of reasons. As mentioned above, the geographical issues regarding Pliny the Elder's description have left many scholars dissatisfied. Moreover, others have argued that Josephus' 'Three Schools' passages were not comprehensive, which would open the door to other groups being possible authors of the scrolls. This is especially likely when we note the absence of any form of dualism, priestly lineage, solar calendar, or apocalypticism in Josephus' portrayals of the Essenes, all of which formed key points of Qumran identity for the early descriptions of the Qumran Movement. Even the term 'Essene' has no clear connection to the Qumran corpus.

⁷⁵³ Several of these correspondences will be taken up in detail below. For commentary, see Cross, *Ancient Library*, 66–87; Beall, *Josephus' Description*; VanderKam, *Dead Sea Scrolls Today*, 97 – 114.

⁷⁵⁴ See n. 743.

⁷⁵⁵ E.g. Martin Goodman, "A Note on the Qumran Sectarians, the Essenes, and Josephus," *JJS* 46 (1995): 161–66; see even Magness, *Archaeology*, 42–43.

⁷⁵⁶ See Rajak, "Cio Che," 157–59; Momigliano, "What Josephus," 70–74; Mason, "Historical Problem," 247–48.

Both Ἐσσαῖοι (BJ 1.78; 2.113, 167; 3.11; AJ 13.311; 15.371; 17.346) and Ἐσσηνοί (BJ 2.119, 158, 160; 5.145; AJ 13.171–72, 298; 15.372; 18.18–22; Vita 10–12) are designated 'Essenes.' However, there is no Hebrew from which this might clearly be derived. Philo opines that the name is derived from οἶος (i.e. 'from a specific class' or 'holy') in Prob. 75. Andre Dupont-Sommer argued that this name derived from number (i.e. 'council'); Andre Dupont-Sommer, The Essene Writings from Qumran. (trans. Geza Vermes; Cleveland: World, 1962), 43. William Brownlee disagreed, arguing that this could not lead to the Greek gentilic, and therefore a more linguistically conducive term would be yet (i.e. 'tree') might work better, as it would relate to a name for the Lebanon region; William H. Brownlee, The Midrash Pesher of Habakkuk (SBLMS 24; Missoula: Scholars, 1979), 199–201. Goranson has argued for a derivative of the verb yet (i.e., 'do'), which is widely attested at Qumran; Stephen Goranson, "'Essenes': Etymology for 'śah," RevQ (1984): 483–98. The most accepted answer is the use of yet (i.e. 'pious'), as in 1 Macc 2:42, 7:13 and 2 Macc 14:6, where it is transliterated Aσιδαῖοι; see J.T. Milik, Ten Years of Discovery in the Wilderness of Judea (trans. John Strugnell; Naperville: A. R. Allenson, 1959), 80 n.1. Kampen alternatively notes that 'Εσσηνοί was also used for the priests of Artemis at Ephesus, who likewise had to keep strict purity; Essenes have a clear role in the administration of the city and cult of Artemis in Ephesus according to multiple

Lawrence Schiffman has illustrated that there are also a number of commonalities between the *halakhah* of the Qumran Scrolls and that of the Sadducees. ⁷⁵⁸

One response to these challenges has been to claim that the Essenes and the Qumran Movement were related, though not the same. Hartmut Stegemann has argued that the Essenes were a movement that arose out of the persecution of the priesthood during the Antiochene Crisis and the resultant Hasmonean High Priesthood. In Stegemann's reconstruction, the Qumran group would be one of many groups in an Essene Union. Stegemann also notes that neither Khirbet Qumran nor a camp in Jerusalem could hold the 4000 members cited by both Josephus and Philo, so we should assume that they were dispersed and likely at all levels of the social hierarchy. Moreover, Stegemann believed that the Essenes were a mainstream, respected group. Conversely, the Groningen Hypothesis argues that the Essenes arose out of the various apocalyptic movements prior to the Antiochene Crisis in the third to second centuries BCE.

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inscriptions from the 4th-1st century BCE possibly related to the importance of the bee in Ephesian iconography. The strict purity of these priests makes them an ideal parallel for Josephus' Essenes. See John Kampen, *The Hasideans and the Origin of Pharisaism: A Study in 1 and 2 Maccabees* (SBLSCS 24; Atlanta: Scholars, 1988), 161–72. Kampen's solution makes the most sense as a direct parallel for the same term and in terms of the target audience being Roman, or at least highly Romanized. The Josephan and Ephesian uses may be synonymous variants of the same transliterated Semitic term, though this possibility lacks any direct evidence.

⁷⁵⁸ Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: Their True Meaning for Judaism and Christianity* (ABRL; New Haven: Yale University Press, 1995), 145–52.

⁷⁵⁹ Hartmut Stegemann, *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus* (Leiden/Grand Rapids: Brill/Eerdmans, 1998), 141, 165–66. Stegemann posits that the Qumran Teacher of Righteousness was the unnamed High Priest who held office after Alcimus and was removed by Jonathan Maccabeus (ca. 159–152 BCE) based on *CD* VII 18–20; 1QH^a II 21 – 22, 28; IV 23 – 25; V 8–9, 23. The Teacher would unite various 'pious' groups to form the Essene Union in Damascus (4QPs^a 1–10 iv 7–9; 1QpHab XI 2–8). He would then return to Judaea with a group of Zadokite priests, where he would implement a more stringent policy.

⁷⁶⁰Stegemann, *Library*, 147–52. See also Jerome Murphy-O'Connor, "La genèse littéraire de la Règle de la Communauté," *RB* 76 (1969): 528 – 49. Murphy-O'Connor sees the Essenes originating in Babylonia, with a group led by the Teacher of Righteousness breaking off and settling in Palestine, despite lack of direct reference to Babylonia.

According to this hypothesis, the Qumran group separated from the larger community during the reigns of the later Hasmoneans (the Wicked Priest is a designation for all of these Hasmonean King/Priests), though we cannot be sure of anything other than the contemporaneous lives of the Teacher and John Hyrcanus. Thus, like Stegemann, the Groningen Hypothesis would understand the Qumran writers as a small group in the larger Essene Movement. Unfortunately, all of these hypotheses base their narratives on a few hints in the various texts and all assume that the Qumran Movement was a static entity.

More recently, a number of scholars have argued that the Qumran rule texts themselves (both in the *Serekh* and Damascus Traditions) display a long history of development and evolution on the part of the Qumran Movement. Sarianna Metso, more than any other, has shown that the ideas and proscriptions of the Qumran rule texts were not a static set of rules for a single group, but likely represented the rules of a number of

⁷⁶¹ Florentino García Martínez and Julio Trebolle Barrera, *The People of the Dead Sea Scrolls: Their* Writings, Beliefs, and Practices (trans. Wilfrid G. E. Watson; Leiden: Brill, 1995), 62-64. See also Jerome Murphy-O'Connor, "La genèse littéraire de la Règle de la Communauté," RB 76 (1969): 528–49. Furthermore, the emphasis on actualizing exegesis in Qumran literature finds its impetus in the earlier apocalyptic prophecies in the third century BCE, especially in the Enochic literature. García Martínez and Trebolle Barrera, People, 87–91; see also Joseph Blenkinsopp, "Interpretation and the Tendency to Sectarianism: An Aspect of Second Temple History," in Jewish and Christian Self-Definition (vol. 2; ed. E. P. Sanders, A. I. Baumgarten, and Alan Mendelson; London: SCM Press, 1981), 1-26. This theory may be contrasted with Gabriele Boccaccini, who argues that the Qumran group was a faction in the Essene Movement. Boccaccini argues that the Qumran group was an anti-Zadokite faction that embraced the prophecies of the Enochic literature, a corpus which Boccaccini believes records the schisms between the mainstream Essenes and the more eschatologically oriented Enochic Qumran Group. Gabriele Boccaccini, Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism (Grand Rapids: Eerdmans, 1998), 106–62. Eyal Regev has argued in the opposite direction, positing that the Essenes were an introversionist sect of the Oumran Movement, based on the differences in institutional structure and hierarchy between the Essenes in BJ 2.119-61 and the sectarian descriptions in both Serekh and Damascus traditions from Oumran. Eval Regev, Sectarianism in Oumran: A Cross-Cultural Perspective (Religion and Society 45; Berlin: de Gruyter, 2007), 248 – 66. Regev argues that the Essene descriptions are more recent than the Qumran literature and shows a higher degree of complexity, which would have developed over generations.

communities, which were redacted to form 1QS.⁷⁶² Likewise Charlotte Hempel has argued that 1QS columns six and eight are the same material in different versions, which further illustrates the difficulty in piecing the various texts together as a static corpus of a single, static group.⁷⁶³ Moreover, John Collins and Alison Schofield have both countered the belief that the Qumran Community was a single, desert camp. Both argue that the movement was formed out of a variety of groups, all of whom cited the Isaianic language of a "voice crying out in the wilderness" (Isa 40:3) in an ideological—rather than a strictly historical—manner.⁷⁶⁴ These more complex and nuanced understandings of the Qumran Movement appear to be more congruous with the description of the Essenes as taking residence throughout the Land in Josephus (*BJ* 2.126–27). However, it should still be noted that these descriptions continue to privilege the Qumran texts in the discussion.

Many Josephan scholars have objected that Qumran scholars have not taken Josephus' rhetorical goals and language adequately into account. As mentioned earlier, Martin Goodman argues that the question of the Essenes and their link to Khirbet Qumran and the Qumran Scrolls may only be answered through a proper appreciation of what Josephus actually wrote. He argues that in *BJ* 2.119–65 Josephus is presenting a

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The Metso illustrates this point by tracing the uses of the various offices and structures through the various Community Rule texts from caves 1 and 4. She finds that they are so different as to posit different traditions and interpretations of the theologically-loaded terms used in these documents. See Sarianna Metso, "Qumran Community Structure and Terminology as Theological Statement," *RevQ* 15 (2002): 429–44. This also agrees with the findings of Matthew Collins, who argues that the various sobriquets used for individuals, including the Teacher of Righteousness, are themselves flexible traditions that do not point to singular individuals in the Movement's past that can be identified with historical figures. See Matthew A. Collins, *The Use of Sobriquets in the Qumran Dead Sea Scrolls* (LSTS 67; London: T & T Clark International, 2009).

⁷⁶³ Charlotte Hempel, *The Qumran Rule Texts in Context* (TSAJ 154; Tübingen: J. C. B. Mohr, 2013), 95–105

⁷⁶⁴ Collins, *Beyond*, 65–79; Schofield, "Em-bodied," 155–74. In referring to this passage in this way, the various camps sought to lend credibility to their break from a perceived illegitimate Jerusalem Temple Cult.

description of three groups that would help the reader to understand the Fourth Philosophy, which held sway among the insurgents. Also, the list of schools should not be considered comprehensive, as the scrolls themselves seem to point to multiple sects in Judaism not mentioned in these texts. Tessa Rajak cautions against using the Essene passages of Josephus as they have been used in the Qumran-Essene Hypothesis. She argues that we have every reason to believe that Josephus wrote the account himself and that it was written from first-hand knowledge. She also notes the marked disparity between the accounts in *Bellum* and *Antiquitates*, as well as the obvious omissions of any dualism and apocalypticism. For both Goodman and Rajak, the comparative attempts to correlate the Qumran Scrolls to one of the 'Three Schools' fail precisely because they ignore Josephus' own intentions in favor of synthesizing them with Qumran scholarship.

However, the largest scale attack on the Qumran-Essene Hypothesis through the rhetorical analysis of Josephus' works comes via Steve Mason. Mason, like Goodman and Rajak, argues that Qumran scholarship has failed to read Josephus responsibly. He contends that Qumran scholars have either dismissed or minimized many of the discrepancies between the rule texts and Josephus. For Mason, the long, non-sequitorial nature of the *Bellum* text shows its centrality to the larger narrative, in which Jewish insurgents and leaders fail to attain the demands of the Law. The Essenes are, according to Mason, an exemplary group of Jews who resemble the Spartan ideal of order

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⁷⁶⁵ Goodman, "Note," 161–66.

⁷⁶⁶ Rajak, "Cio Che Flavio," 141–60. Contra Black, "Account," 172–75; Smith, "Description," 273–313; Buchard, "Die Essener," 1–41. See above.

⁷⁶⁷ Rajak, "Cio Che Flavio," 156–59. Contra Momigliano, "What Josephus," 70–74. See above.

⁷⁶⁸ Mason, *Josephus*, 240–49; *idem., Judean War* 2, 84.

⁷⁶⁹ Mason, *Josephus*, 261. See also Joan E. Taylor, *The Essenes, the Scrolls, and the Dead Sea* (Oxford: Oxford University Press, 2012), 60–72.

and manliness. The Essene passage in *Bellum*, imparts the Spartan virtues of manliness and valor specifically on the Essenes. This bestowal of such virtue makes the Essenes the greatest examples of Jewish virtue due to their discipline, celibacy, and hard work. The language used to describe this group is always martial, matching the language that Josephus would use to compare all Jews to the Spartans in *Contra Apionem:* τάγμα (legion; 2.122, 125, 143, 160, 161), προτάσσω (to order; 2.133), ἐπίταγμα (command; 2.139), ἄσκησις/ ἀσκέω (discipline/training; 2.119, 150, 166, and καρτερία (endurance, perseverance; 2.138, 151 – 53). This description also makes greater sense of many of the practices described, which are themselves much like those of the Spartans or of various noble philosophical schools. The language is always martial, matching the language that

⁷⁷⁰ Mason, *Judean War* 2, 85. Josephus even praises them for rejecting wonton ways of women (and some men), which is a common trope in Josephus (see Jezebel [AJ 8.318], Cleopatra [AJ 15.98], and Herod's wife Mariamme [BJ 1.439]).

⁷⁷¹ Mason, Judean War 2, 86; idem., Josephus, 262–67. For example, they would despise death (2.151–58; cf. Seneca Ep. 24: Lucian Peregr. 13, 23, 33: Philo Prob. 30), which was a key outcome for any philosophical group that faced adversity. Mason, Judean War 2, 86. Mason lists numerous other classical parallels. Mason's work, however, has met with some resistance. Jodi Magness and Kenneth Atkinson have countered by arguing that the traditional parallels are sufficient to posit some relationship between the Essenes and Qumran. Magness and Atkinson also contend that any inconsistency merely relates to differences over time and that Josephus was not comprehensive in presenting an Essene rule text. Jodi Magness and Kenneth Atkinson, "Josephus's Essenes and the Qumran Community," JBL 129.2 (2010): 317-42. illustrate that they were as rigorous as any Greek or Roman school. For these two writers, the completion of the publication of Oumran Scrolls without any large-scale discrepancies or serious challenges to the picture painted by writers like Sukenik and Cross is ample proof of the validity of this picture. However, Mason has rightly rejoined that the criteria used for such correlations continue to be made by simply anticipating the needs of a coordinating hypothesis; i.e., those following the Qumran-Essene Hypothesis are still shaping the discourse to fit vague similarities. Mason, "Historical Problem," 202-3. Others, such as John Collins, have continued to hold that Josephus was using a source. For Collins, contra Mason, the disproportionate size of the passage is the best indicator for the use of sources in BJ 2; such length cannot be explained as an exemplarization of the group, as the Essenes do not play enough of a role elsewhere in the work. Collins, Beyond, 139. However, this position entirely misses the point of Mason's argument that they are left out elsewhere due to their idealization. It is important to note that Collins agrees with Mason that there have been significant methodological problems inherent in the Qumran-Essene Hypothesis.

to be examples of Jewish ideals at work and to illustrate that the Essenes were as rigourous as any Greek or Roman school.

But what has all this to do with synagogues? According to Josephus, the Essenes are comprised of supra-local assemblies (*BJ* 2.124–25) and it is important to understand how these assemblies relate to synagogues in Josephus' rhetoric. Firstly, as has been noted elsewhere, the correspondences between synagogues and associations have been a key point of discussion in synagogue studies. So, do the Essenes fit the description of an association? A number of scholars have answered this question in the affirmative. Most notably, Yonder Moynihan Gillihan argues that Josephus' Essene pericopae and Qumran texts indicate a high level of correspondence between the Essenes and other associations

⁷⁷² E.g. Hans Bartdke affirmed such a correspondence by arguing that legal evolution is apparent in the law codes of Qumran, as they continued to be influenced by other associations. This was especially the case in terms of juridical practice, living arrangements, admissions practices, and power structures; Hans Bardtke, "Die Rechtsstellung der Qumrān-Gemeinde," ThLZ 86 (1961): 93-104. Moshe Weinfeld provided a similar, though more comprehensive treatment of the same issues, comparing the legal documents to 17 different community codes, including full translations of the three, which he saw as being representative. He sees the Yahad terminology as remarkably consistent with that of the Greek associations; Weinfeld, Organizational Pattern. Matthias Klinghardt argues that the previous two erred in stating that the Covenanters were a 'cenobitic sect,' as they were instead a synagogue community and that the rule texts were community codes from multiple synagogue associations; however, Gillihan sees every point made by Klinghardt as problematic in some way; Matthias Klinghardt, "The Manual of Discipline in the Light of Statutes of Hellenistic Associations," in Methods of Investigation of the Dead Sea Scrolls (ed. Michael O. Wise, et al; New York: New York Academy of Sciences, 1994), 251–70. Sandra Walker-Ramisch compares the D tradition and an idealized collegium ultimately rejecting the equation of the two, though in an unconvincing manner; Sandra Walker-Ramisch, "Graeco-Roman Associations and the Damascus Document," in Voluntary Associations in the Graeco-Roman World (ed. John Kloppenborg and Steven Wilson; London: Routledge, 1996), 128-45. Al Baumgarten compared all of the schools to voluntary associations, arguing that we may not homogenize the various types of associations. He follows this by portraying similar contexts out of which the associations and the Yahad originated, as well as similar literary forms in communicating their respective community standards; Baumgarten, "Graeco-Roman," 93-111. Taylor readdresses Hellenistic influence, arguing it was relatively late in its affect upon Jewish associations and that it was the reason for similarities in the purity practices of the *Yahad* and Pythagoreans; Justin Taylor, Pythagoreans and Essenes: Structural Parallels (Louvain: Peeters, 2004), 53 - 69. Cf. Randolph Hermann, who chastised previous thinkers for making too much out of shallow similarities and imprecise comparisons and for failing to explain the similarities beyond vague statements of influence; Randolph Herrmann, "Die Gemeinderegel von Qumran und das antike Vereinswesen," in Jewish Identity in the Greco-Roman World (ed. Jörg Frey, Daniel R. Schwartz, and Stephanie Gripentrog; AJEC 71; Leiden: Brill, 2007), 161–203. For a more comprehensive summary, see Gillihan, *Civic Ideology*, 37–65.

that seek alternative civic ideologies.⁷⁷³ Like many before him, Gillihan accepts the equation of Essenes and the Qumran Movement, as he uses both Qumran rule texts and the Essene texts of the various classical authors in tandem. Gillihan favorably compares the codes of the community to the *nomoi* (i.e., community codes) of the various associations, as he argues that both drew on state and civic language, practices, and patterns. *Nomoi* were often inscribed, though would be disseminated using papyri. Associations would appropriate the terminology of the state through either assimilative or antagonistic stances towards the state, with the latter providing an alternative ideology to that of the civic institutions. All of these aspects of association codes are found in the politically subversive ideology and codes of the Qumran Movement. For Gillihan, the correspondences are instructive and decisive.⁷⁷⁴

However, Gillihan's equation of the subversive Qumran Movement with Josephus' ideal Jewish association is in need of further discussion. As noted above, many scholars have argued that Josephus is using the Essenes as a counterpoint to the rebellious Fourth Philosophy in order to prove that Jews are capable of the highest ideals of nobility in Roman society. They were a group known for legal study. Why then would he use a group that is defined by its break with mainstream Judaism to make such a point?

Returning to the equation of the Essenes with other associations, another important question is how much we may make of the parallels between the Qumran Movement and the Essenes, given that most of the points of contact are shared with other Graeco-Roman associations. The favorable comparison should lead us to question if

⁷⁷³ Gillihan, *Civic Ideology*.

⁷⁷⁴ Gillihan, *Civic Ideology*, 6–21, 75–502.

many of the previously accepted correspondences between the Essenes of Josephus and the Qumran Movement are not simply a reflex of the two being introversionist associations. For example, Josephus' Essene meal ritual is narrated as follows,

They are again assembled in one area, where they belt on linen covers and wash their bodies in frigid water. After this purification they gather in a private hall (ἴδιον οἴκημα), into which none of those who hold different views may enter: now pure themselves, they approach the dining room, as if it were some [kind of] sanctuary. After they have seated themselves in silence, the baker serves the loaves in order (τάξις), whereas the cook serves each person one dish of one food. 775

Beall, in his commentary, notes that the eschatological meals of the *Rule of the Congregation* stress the order of the meal and social structures, which corresponds to Josephus' use of $\tau \acute{\alpha} \xi \iota \varsigma$. ⁷⁷⁶ Likewise, these meals required absolute, ritual purity. ⁷⁷⁷ Regarding both the hierarchy and purity of the meal, we should note that multiple associations show similar notions of order and purity. ⁷⁷⁸ We should also note that

⁷⁷⁵ BJ 2.129–30. Mason, Judean War 2, 106–7.

⁷⁷⁶ 1QS VI 4, 26–27; 1QSa II 17–21. Beall, *Josephus' Description*, 59; see also Jodi Magness, *Debating Qumran: Collected Essays on its Archaeology* (ISACR 4; Leuven: Peeters, 2004), 86; Weinfeld, *Organizational Pattern*, 28–29; Per Bilde, "The Common Meal in the Qumran-Essene Communities," in *Meals in a Social Context: Aspects of the Communal Meal in the Hellenistic and Roman World* (ed. Inge Nielsen and Hanne Nielsen; Aarhus: Aarhus University Press, 1998), 145–66; Russell C. D. Arnold, *The Social Role of Liturgy in the Religion of the Qumran Community* (STDJ 60; Leiden: Brill, 2006), 85–101; Hempel, *Qumran Rule Texts*, 40–42. Hempel highlights the ongoing debate regarding the Qumran meals. ⁷⁷⁷ Cf. 1QS V 13; 1QSa II. Beall, *Josephus' Descriptions*, 55 – 58; Johannes van der Ploeg, "The Meals of the Essenes," *JSS* 2 (1957): 163–75. Karl Georg Kuhn, "The Lord's Supper and the Communal Meal at Qumran," in *The Scrolls and the New Testament* (ed. Krister Stendahl; Westport: Greenwood Press, 1975), 65–93; Bilde, "Common Meal," 145–66; Magness, *Debating Qumran*, 86–107. The issue of purity and sacrality of meals at Qumran is a fraught one. See Arnold, *Social Role*, 87; Laurence H. Schiffman, "Communal Meals at Qumran," *RevQ* 10 (1979): 45–56.

⁷⁷⁸ Syll³ 1109 73; *PTebtunis* 243 6–7; *PLond* 2710 recto 13–14 [69–58 BCE]; *IG* II² 1369 [2nd century CE]; *ILS* 7212 44–48 [136 CE]; Aeulius Astrides of Smyrna, *Orations* 45.27–28 [140–80 CE]. For texts, see Weinfeld, *Organizational Pattern*, 28–29; Richard S. Ascough, Philip A. Harland, and John S. Kloppenborg, *Associations in the Greco-Roman World: A Sourcebook* (Waco/Berlin: Baylor University Press/Walter de Gruyter, 2013), no. 8, 310, L13. Cf. Levine, *Ancient Synagogue*, 141–42.

multiple Graeco-Roman associations prescribe absolute purity for their meals.⁷⁷⁹ Given these similarities, it is hard to justify a reading of these texts that shows any more than that both the Qumran Movement and the Essenes were conservative Jewish associations.

Likewise, the study of ancient texts and Law are important to Josephus' Essenes: "they are extraordinarily keen about the compositions of the ancients, selecting especially those oriented toward the benefit of the soul and body" (*BJ* 2.136).⁷⁸⁰ Philo's mention of the study of Torah as their occupation (*Prob.* 81–82) also matches well with semi-public associations.⁷⁸¹ As Gillihan has stated, the expounding of ancient Laws is important for associations and this is seen at Qumran, as well.⁷⁸² But as was discussed in the previous three chapters of the present work, this was a trait that Josephus sought to illustrate as a pan-Jewish trait.⁷⁸³ So once again we are left with little beyond the likelihood that such commonalities merely illustrate that both are Jewish associations.

This correlation to the later characterization of all Jews may help to explain the differences between the *BJ* 2.119–61 passage and the two much shorter passages in *AJ* 13 and 18. Whereas the Essenes are presented by Josephus as an exemplary Jewish group in *Bellum*, the later works of Josephus use many of the same traits of valor, legal knowledge, and unity for all Jews as they meet in synagogues. For example, the study of ancient texts and Law has been a characteristic aspect of synagogue life in the later works.⁷⁸⁴ Likewise, we find that many of the Spartan comparisons made of the Essenes in *Bellum* are made of

 $^{^{779}}$ SIG³ 985 30 – 35 [late 2^{nd} – early 1^{st} centuries BCE]; IGS II² 1366 1–8 [late 2^{nd} – early 3^{rd} century CE]; see Ascough, Harland, Kloppenborg, Associations, no. 22, 121.

⁷⁸⁰ Mason, Judean War2, 110.

⁷⁸¹ Runesson, *Origins*, 223–26.

⁷⁸² See Gillihan, *Civic Ideology*, 6–21.

⁷⁸³ For a brief summary article, see Schiffman, "Early History," 44–56.

⁷⁸⁴ See esp. *C.Ap.* 2.171–75; *AJ* 1.14, 16.43.

all Jews in *C.Ap.* 2.222–75. So whereas the exemplary Essenes of *Bellum* held these Jewish virtues perfectly for themselves, all Jews in the later works of Josephus would have a claim to them, too. So here, unlike the Essenes who assembled in the descriptively named $i\delta\iota\sigma\nu$ $oi\kappa\eta\mu\alpha$, 785 the Jews in the pan-Diasporic synagogue would make these virtues and practices universal, rather than exclusive. Thus, in *Antiquitates*, Josephus not only had little use for his previous description of the Essenes but it would run counter to his overarching rhetoric regarding all Jewish assemblies as having these ideals. Josephus' appropriation of the Philonic description of the Essenes as a virtuous, though non-exemplary, Jewish association in *AJ* 18.11–22 was thus understandable. 786

Thus, we have strong grounds to eschew the purely historicist readings of the Qumran-Essene Hypothesis, many of which are based on vague commonalities that are not limited to the Qumran literature but are in common with many associations. Josephus sought in the *Bellum* description of the Essenes to show a group who fulfilled all the Jewish values, practices, and customs, unlike those Jews who would spark the Revolt. The later works had no need for this description, other than to find the language to praise all Jews for fulfilling these values, practices, and customs. Thus, as before, we see that understanding the rhetoric of Josephus is a prerequisite to making historical truth claims based on Josephus' texts.

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⁷⁸⁵ Mason himself notes that this term is a rather general term for a place of gathering. See Mason, *Judean War* 2, 107 n.811.

⁷⁸⁶ See Taylor, *Essenes*, 96.

4.4. Conclusion

In the Roman world, holy places were ubiquitous, and important. The placement, treatment, and functions of sanctuaries were primary data in judging a culture and its constituent communities. Moreover, holy places were diverse and varied in almost every way, which led to ambiguity regarding which institutions could actually be placed in this category. Such ideological importance and semiotic ambiguity suited Josephus in Bellum judaicum. Unlike in Antiquitates-Vita, the symbolic centrality of the Jerusalem Temple was unquestioned and Josephus was not attempting to provide a new centre of praxis that would help the Jews to navigate their decentred cult. Instead, Josephus was merely attempting to show that only the Jewish insurgents and flawed imperial rulers were to blame for the conflagration of the First Jewish Revolt. He thus used the semiotics of space to his advantage, playing on the Romans' own characterization of synagogues as temple-like, using the cultural expectations and perceptions of the Romans to his advantage. He adapted the sacred secondspace of the Romans in order to make his point. Josephus was thus free to portray certain assemblies as holy for the sake of illustrating the mendacity of the Jewish insurgents and their war-mongering neighbors through the portrayal of these institutions as temples or temple-like.

Moreover, we have also seen that the Essenes of *BJ* 2.119–61 were bracketed out of this discussion of synagogues. While having clear association practices and self-identity, this group was not presented as a synagogue, but was characterized instead as a personification of Josephus' ideal Judaism. This characterisation would be superfluous in

the later writings, making it necessary to jettison this portrayal in favor of the brief theological descriptions found in *AJ* 13.171–73 and 18.11–22.

In the cases of BJ 4.408, 6.122, and 7.44–45, 145, we have good reason to question the historical sacrality of those edifices designated $i\epsilon\rho\dot{\alpha}$, based on the tendentious nature of such attributions. In each of these cases, Josephus is magnifying the importance of these structures for the sake of his intended Roman audience, not because of any ontological status of holiness. This fits with both the intentions and style of Josephus' writing, as well as the sensibilities of his audience. In the case of BJ 2.289–92, we must understand the ideological strictures placed on holy places for this intended audience to comprehend both how the Jews are being targeted and what this meant for the Land. That the Jews were targeted and marginalized through the encroachment on the Caesarean synagogue was of the utmost importance as it related to the marginalization and encroachment on the Land as a whole, which magnifies the offense of the Syrians. In all of these cases, we find that the use of sacral terminology is rhetorical, and should thus not be taken as a historical truth-claim. However, as we shall see in the following chapter, Josephus did not entirely ignore sacral aspects of certain Jewish institutions.

Chapter 5: Diaspora Synagogues, Leontopolis, and the Other Jewish Temples of Egypt

In the previous chapter, it was argued that Josephus presents the synagogues in *Bellum judaicum* as holy places, though this is reported in such a way that it should lead us to question such claims as historically accurate. However, given that in the wider Jewish society of this period we may find some cases in which synagogues are treated as holy places with temple-like architecture and possibly sacrifice, we should still ask if Josephus gives any reliable evidence for treating some synagogues as sacred sites. Did synagogues, as some have argued, 787 display evidence of influence from temples, whether Yahwistic or polytheistic? One passage that has thus far been omitted from the discussion is the building of the Leontopolis Temple as described in *Antiquitates*. Specifically, AJ 13.66 mentions pre-existent $i\epsilon\rho\dot{\alpha}$ in the nome of Heliopolis, which should give us pause to entertain the possibility of Josephus acknowledging such holy institutions. Indeed, Egypt in general and Heliopolis in particular hosted some of the earliest known synagogues. 788

These synagogues are described epigraphically in such a way as to lead us to believe that Egyptian temples may have been an influence for these institutions.

In this chapter, I will address the narrative of the building of the Leontopolis

Temple in *Antiquities judaicae* 13.62–73 and the mention of pre-existent 'holy places' in

⁷⁸⁷ E.g. Binder, *Into the Temple Courts*, 122–30; Fine, *This Holy Place*, 29–33; Claußen, *Versammlung*, 134–35; Runesson, *Origins*, 423–36. Rachel Hachlili makes this claim in a novel way in that she notes the parallel between the dedication inscriptions of later synagogues and the dedication of the Leontopolis Temple by Onias: συμπεπτωκὸς οἰκοδομῆσαι ναὸν τῷ μεγίστῳ θεῷ καθ΄ ὁμοίωσιν τοῦ ἐν Ἱεροσολύμοις αὐτοῖς μέτροις ὑπὲρ σοῦ καὶ τῆς σῆς γυναικὸς καὶ τῶν τέκνων. See Hachlili, *Ancient Synagogues*, 14, 665. However, Hachlili dismisses this text from discussion of synagogues due to the inclusion of sacrifice in both the preceding ἱερά and the Leontopolis Temple.

preceding ἱερά and the Leontopolis Temple.
⁷⁸⁸ See *JIGRE* 18, 117 (*ASSB* nos. 145, 150), *CPJ* 1.129, 134 (*ASSB* nos. 147, 148); 3 Macc 2:28, 3:29, 4:17–18 (*ASSB* nos. 135–37).

the region.⁷⁸⁹ I will show that in *Antiquitates*, unlike the description of events in *Bellum judaicum* (*BJ* 7.422–35), Onias and the Leontopolis Temple are treated with nuance and understood as a positive step forward from the heteropraxy that Onias found upon his arrival in Ptolemaic Egypt, even if Josephus does not entirely acquit Onias of wrongdoing. Such a conclusion, as we have seen in the preceding chapters, is in keeping with recent comparative studies treating the rhetoric of these two histories.⁷⁹⁰ These studies illustrate subtle historiographical differences between the two and open the door to new possibilities in the study of the earliest Jewish synagogues in Egypt.

Indeed, as has been argued above, we cannot merely assume a static, monogenetic institution throughout the development of the synagogue. Nor can we simply assume that no synagogue ever held sacrifices. As in the other chapters of this work, I am interested in how Josephus portrays synagogues in his later works, and it is my contention in this chapter that the building of the Leontopolis Temple in *Antiquitates* is part of this larger dialogue regarding both Jewish legal and customary observance, and the ongoing support for the Jews by world leaders. As I will show, the $i\epsilon\rho\dot{\alpha}$ in AJ 13.66 are largely consistent with what we know of the earliest $\pi\rho\sigma\sigma\epsilon\nu\chi\alpha\dot{\alpha}$ of Egypt. When theologically-driven, normative expectations of these early Jewish institutions are left to the side, we find that these possible early synagogues ($i\epsilon\rho\dot{\alpha}$) may be understood as in keeping with the religious assimilation we find in other Second Temple period texts from the Egyptian Diaspora. ⁷⁹¹

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⁷⁸⁹ *ASSB* nos. 153, T5, T7

⁷⁹⁰ E.g. Landau, *Out-Heroding Herod*.

The Mile he does argue that the needs of the Jews in the Land and Diaspora would not differ significantly, Levine notes that the προσευχαί of the Diaspora had a greater emphasis on religious dimensions of assembly, whereas he argues that the συναγωγαί of the Land had almost no religious dimension; Levine,

I will begin with an exposition of AJ 13.62–73 within the literary context of Josephus' larger project in Antiquitates. I will problematize past readings and present a more nuanced representation of this complex pericope. Following this, I will survey the little evidence we have of early Jewish communal practices and concerns in the Egyptian Diaspora with an eye for the complexities and struggles of the Jewish community in Heliopolis during the Ptolemaic Period. That this passage departs from the ideal conception of synagogues found elsewhere in Josephus' later works should lead us to take seriously the implications of this passage for the historical reconstruction of the earliest synagogues. Even if we may term these ἱερά synagogues or proto-synagogues, Josephus terminologically places them closer in form and consequence to the heteropraxic and divisive Egyptian temples in the area. Josephus presents a lived experience of space more in tune with the historical realities (firstspace) than his spatial ideals (secondspace) in this text. Ultimately, I will argue that heteropraxy and religious assimilation were key aspects of Jewish life in Egypt during this time period, a point which Josephus exploited in the rhetoric of this story within the larger work of *Antiquitates*.

5.1. Antiquitates judaicae 13.62–73: Onias, Champion of Orthopraxy

As has been argued throughout the present work, historians of ancient Judaism have too often generalized the evidence found in Josephus and other early sources to present a unified and normative narrative of what Jewish institutions looked like during

Ancient Synagogue, 137–39. However, what we have seen from Josephus (see ch. 2 above) should cause us to question such generalizations. Runesson is closer to the mark as he takes seriously the implications of temple architecture in the descriptions of the earliest Egyptian synagogues (see section 5.2.1 below) and allows for a greater deal of diversity among the various synagogues over time and in different locales. See Runesson, *Origins*, 436–59.

than many such scholars admit. In this section, I will argue that Josephus presents a tradition of early temple-like synagogues in Heliopolis, which were rejected by Onias due to their heteropraxy in favor of a single, non-Jerusalem temple. These synagogues were presented as comparable to the religiously divisive Egyptian temples in the area. As we shall see in the following section, this idea of synagogues that were similar to Egyptian temples is historically verifiable. However, Josephus plays on the sacral ambiguity in these early temple-like synagogues in order to present them as counter to the ancestral customs, and therefore unacceptable in light of his synagogue ideals.

It is in this atmosphere of ambiguity that we address the $i\epsilon\rho\dot{\alpha}$ found in AJ 13.66, institutions which are too often simply assumed to be either entirely heretical Jewish temples or normative synagogues. Often, such assumptions are based on negative generalizations of Onias' intentions and the scholarly construct of an implicit orthopraxy. The scene is set in AJ 13.62–68,

Now the son of the High Priest Onias, who had the same name as his father, having fled to King Ptolemy surnamed Philometer, was living in Alexandria, as we have said before; and seeing that Judaea was being ravaged by the Macedonians and their kings, and desired to acquire for himself eternal fame and glory, he determined to send to King Ptolemy and Queen Cleopatra and request of them authority to build a temple ($\nu\alpha\delta\varsigma$) in Egypt similar to that at Jerusalem, and to appoint Levites and priests of his own race. In this desire he was encouraged chiefly by the words of the prophet Isaiah, who had lived more than six hundred years before and had foretold that a temple to the Most High God was surely to be built in Egypt by a Jew. Being, therefore excited by these words, Onias wrote the following letter to Ptolemy and Cleopatra. "Many and great are the services which I have rendered the course of the war, with the help of God, when I was in Coele-Syria and Phoenicia, and when I came with the Jews to Leontopolis in the nome of Heliopolis, and to other places where the nation is settled; and I found that most of them have [holy places] (ἱερά), contrary to what is proper, and that for this reason they are ill-disposed toward one another, as is also the case with the Egyptians

because of the multitude of their [holy places] ($i\epsilon\rho\dot{\alpha}$) and their varying opinions about the forms of worship; I have found a most suitable place in the fortress called after Bubastis-of-the-Fields, which abounds in various kinds of trees and is full of sacred animals, wherefore I beg you to permit me to cleanse this temple ($i\epsilon\rho\delta\nu$), which belongs to no one and is in ruins, and to build a temple to the Most High God in the likeness of that at Jerusalem and with the same dimensions on behalf of you and your wife and children, in order that the Jewish inhabitants of Egypt may be able to come together there in mutual harmony and serve your interests. For this indeed is what the prophet Isaiah fortold, 'There shall be an altar in Egypt to the Lord God,' and many other such things did he prophecy concerning this place.

For many scholars, references to Jewish $i\epsilon\rho\acute{\alpha}$ or other synagogues in the third and second centuries BCE have been understood within a static conception of synagogues. This understanding has led to certain notions of what such an institution could and could not include. Even many of those who see clear commonalities existing between these earliest known synagogues and non-Jewish temples *a priori* reject any notion of sacrificial worship or traditional polytheistic practice as related to such Jewish institutions. For example, Donald Binder assumes that Josephus must be speaking of altarless synagogues when speaking of $i\epsilon\rho\acute{\alpha}$ in AJ 13.62–73. Likewise, as Leonard Rutgers deals with the commonalities between early Egyptian synagogues and non-Jewish temples he states, without argumentation, that ancient synagogues differed from contemporary, non-Jewish religious architecture in one important aspect: they lacked altars. Still others, noting the issues raised by temple terminology being used for such structures try to find creative ways of making these synagogues sacred without including sacred practices. An example of this would be Joan Branham, whose notion of 'vicarious sacrality' claims its origins in

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⁷⁹² Marcus, LCL.

⁷⁹³ Binder, *Into the Temple Courts*, 235.

⁷⁹⁴ Leonard V. Rutgers, *The Hidden Heritage of Diaspora Judaism* (CBET 20; Leuven: Peeters, 1998), 99.

the commonalities between synagogues and the Jerusalem Temple. Generally, such arguments are based on an implicit idea of orthopraxy. However, as we shall see below, the dearth of Egyptian synagogues in the current material corpus and the ambiguities in the literary witnesses should keep us from assuming orthopraxy when dealing with texts such as AJ 13.62–73. As I will argue, Josephus' claim that Onias' impetus for building the Leontopolis Temple was the lack of common practice found in Egypt at this time, as well as the prophecy of Isa 19:19, is consistent with the themes of ancestral customs of the Jews and the benefaction of various rulers in AJ 12–16.

Implicit ideas of orthopraxy and orthodoxy in Diaspora Judaism of this period have also been called into question in recent studies by Anders Runesson, Gregory Sterling, and Michael Tuval, among others. In all three surveys of the relevant literature, Alexandrian Jews are argued to take their Hellenistic loyalties just as, if not more, seriously as their Jewish identity. Tuval specifically focuses on the reaction of

⁷⁹⁵ Branham, "Vicarious Sacrality," 319–45. Branham applies Eliade's theories of sacred space in order to argue that Jewish sacred space is all tied to the Jerusalem Temple. According to Eliade, sacred space is a rupture within profane space enacted by the deity, and often taking place in high places and using hierophany. While I would contend that Branham too quickly limits Jewish holiness to the Temple (especially given the long history in Ancient Israel and Judaea of multiple high places and sacred spaces), she is correct to note that too many scholars are too quick to limit the discussion to the binary opposition of sacred or non-sacred. We must take seriously the wider spectrum of gradation in holiness and remain open to different kinds of holiness when speaking of synagogues.

⁷⁹⁶ E.g., Erich Gruen, "The Origins and Objectives of Onias' Temple," *SCI* 16 (1997): 67–70. Gruen has taken seriously the implications of these elements of the story by arguing that Onias IV is portrayed with substantial nuance. Even if priests like Josephus may not have entirely endorsed the Leontopolis Temple, *AJ* 13.62–73 has too many positive features that are consistent with the larger story to dismiss it as anti-Oniad Propaganda. Chief among the factors that Gruen touts is the use of Isa 19:19, which has been expanded, much like LXX Isa 19:18, and gives similarly favorable precedent for the building of this temple. Ultimately, Gruen is correct to advocate that we stop labelling such variants 'anti-Leontopolis' or 'pro-Leontopolis,' but rather accept that these Isaianic texts and Leontopolis both have long histories and are poorly understood at present.

⁷⁹⁷ Runesson, *Origins*, 401–76; Gregory E. Sterling, "Thus are Israel" Jewish Self-definition in

⁷⁹ Runesson, *Origins*, 401–76; Gregory E. Sterling, "Thus are Israel" Jewish Self-definition in Alexandria," *SPhilo* 7 (1995): 1–18; Michael Tuval, "Doing without the Temple: Paradigms in Judaic Literature of the Diaspora," in *Was 70 CE a Watershed in Jewish History?: On Jews and Judaism Before*

Diaspora Jews to the absence of contact with the Temple in Jerusalem and finds that they found many creative ways of compensating for this absence, finding alternative methods of access to the divine. Even in texts such as *The Letter of Aristeas*, Tuval argues rightly that the Temple was an important symbol, though not the axis of Jewish religious observance. In the same vein, Daniel R. Schwartz argues that the Jews of this region and period would have viewed the Leontopolis Temple as being of prime importance, though the lack of enthusiasm we find in the various writings is due to the ongoing search for other avenues for communion with God. On the assumption of a normative Judaism that mirrors modern Jewish sensibilities and is operative in Ptolemaic Egypt must be questioned, especially as it pertains to loyalties to a single sanctuary in Jerusalem that few Jews of the Diaspora would ever visit.

The second aforementioned assumption, that of harmonizing readings of Josephus' two histories, is even more common. Many otherwise brilliant studies dealing

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and After the Destruction of the Second Temple (ed. Daniel R. Schwartz and Zeev Weiss; AJEC 78; Leiden: Leiden, 2012), 181-239; M. J. Martin, "School of Virtue and the Tent of Zion," (PhD diss., University of Melbourne, 2000). Runesson argues that the earliest Egyptian synagogues went through a slow movement from supra-local temples to association assembly houses that centred on readings of the Torah. Sterling argues that a great deal of flexibility in terms of religious praxis existed in the Jewish communities in Egypt. Various groups, especially those in the upper-classes, would likely have taken part in the civic cults and may have brought some of these practices into the synagogues. Tuval, whose interest lies in how Diaspora communities in the Second Temple Period would have worshiped, concludes that Jews in the Diaspora would have actively sought to create new religious systems in order to worship God outside of the Jerusalem Temple. Tuval also sees a slow but consistent move towards Torah study as the centre for the theological systems in Diasporic Judaism. Finally, Martin has studied the place of the synagogue in the writings of Philo of Alexandria and he concludes that Alexandrian Jews showed little attachment to the Temple, as they focused their attention instead on synagogue worship and practice. This was especially the case for the lower-classes, who had no ability to ever go to the Temple itself. See also Jack N. Lightstone, Commerce of the Sacred: Mediation of the Divine among Jewish in the Greco-Roman World (Rev. Ed.; New York: Columbia University Press, 2006), 7–11.

⁷⁹⁸ Tuval "Doing without," 238–39.

⁷⁹⁹ Tuval, "Doing without," 227–30.

⁸⁰⁰ Daniel R. Schwartz, "The Jews of Egypt Between the Temple of Onias, the Temple of Jerusalem, and Heaven," *Zion* 62.1 (1997): 5–22 [Hebrew, with English Summary]. Contra Tcherikover, *Hellenistic Civilization*, 278–80.

with this passage treat our passage and that of *BJ* 7.423–32 as if they were two tellings of the same version of a story, though with certain glaring inconsistencies, most notably the similarities between the Leontopolis Temple and the Jerusalem Temple. However, when we refuse to synthesize the two and treat the variance as part of the telling of these stories within their literary and rhetorical contexts, we find more inconsistencies, though they tend to follow certain patterns, as we shall see.

While I have separated the various works of Josephus with only minimal comparison, to this point, we are now able to compare the two very different versions of the building of the Leontopolis Temple within the rhetorical structures of *Bellum* and *Antiquitates*. Comparative, rather than mere synthetic, readings have been one of the welcome elements of the new stress placed on the rhetoric of Josephus and are consistent with analysis of the rhetoric of Roman historians in the first century CE. Indeed, this is in keeping with ancient views the role of literary and historical context in historiography, as Polybius noted:

Therefore both writers and readers of history should not pay so much attention to the actual narrative of events, as to what precedes, what accompanies, and what follows each. For if we take from history the discussion of why, how, and wherefore each thing was done, and whether the result was what we should have reasonably expected, what is left is a clever essay but not a lesson, and while pleasing for the moment of no possible benefit for the future. 802

Thus, we should expect that ancient writers knew the value of context and intent, and that they took seriously the importance of placing these events in a coherent structure. Such

⁸⁰¹ E.g. Robert Hayward, "The Jewish Temple at Leontopolis: a Reconsideration," *JJS* 33 (1982): 429–43; Jörg Frey, "Temple and Rival Temple: the Cases of Elephantine, Mt. Gerizim, and Leontopolis," in *Gemeinde ohne Tempel/Community without Temple* (ed. Beate Ego, Armin Lange, and Peter Pilhofer; WUNT 118; Tübingen: J. C. B. Mohr, 1999), 186–95.

⁸⁰² Polyb. *Hist*. 3.31.11 (Paton, LCL).

ancient writers understood that history was to be formed into narrative sequences, fusing the *memoria* of the historian with the *inventio* of the orator. Moreover, as discussed in chapter 1, recent studies have also noted the clear difference in how Josephus renders his characters in *Antiquitates judaicae-Vita*, as opposed to *Bellum judaicum*, in more ambiguous and human form. Specifically, Tamar Landau argues that the static treatment of Herod as a loyal subject to Rome in *Bellum* is characteristic of Josephus' intentions therein, as opposed to the more nuanced treatment of Herod in *Antiquitates*.

But what has this to do with Leontopolis? Or to put it in another frame, what has Herod to do with Onias? As with Herod, Josephus presents Onias IV as a more nuanced character within the sequence of events found in *Antiquitates*, especially as we address the constitution or 'ancestral customs' of the Jews as paramount in this work. In *Bellum*, the building and destruction of Leontopolis bookend the story of the First Jewish Revolt (see *BJ* 1.33). This edifice was created by Onias III as a political and religious rival to the Temple of Jerusalem, and it was the setting of the ultimate climax of *BJ* 7, in which the Leontopolis Temple was destroyed as the last outpost of the Jewish insurgents. In *Antiquitates*' version of the story, Leontopolis' genesis is found in a section thematically structured around the push for orthopraxy amongst the Jews of this period, as evidenced by the fact that this pericope is immediately followed by the destruction of the Mt. Gerizim temple due to its heteropraxic nature (*AJ* 13.73–79). The actual chronological placement of Onias and his building project is found in *AJ* 12.386–88.

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⁸⁰³ See Timothy P. Wiseman, "Lying Historians: Seven Types of Mendacity," in *Lies and Fiction in the Ancient World* (ed. Christopher Gill and Timothy P. Wiseman; Austin: University of Texas Press, 1993), 142–43

⁸⁰⁴ Landau, Out-Heroding Herod.

So it is in this context that we situate the multiple reasons given for the building of the Temple at Leontopolis in Antiquitates. Firstly, Onias laments the state of affairs he finds in Heliopolis, as the Jews are divided due to their multitude of ἱερά. He parallels this Jewish social divide to the division of Egyptians due to their multitude of $i\epsilon\rho\dot{\alpha}$ (13.65– 66). 805 The same temple terminology (ἱερόν) is used for the ruins of Bubastis-on-the-Fields (13.70). This consistent use of $i\varepsilon\rho\dot{\alpha}$ to parallel the improper Jewish temples with those of the Egyptians in this passage is in stark relief to Josephus' use of ναός for the Temple of Leontopolis (13.63), a term he usually reserves for the Jerusalem Temple (e.g. AJ 8:62, 15.380, BJ 5.185, 207, 215). This concern for proper worship on the part of Onias IV contrasts to the political dominance Onias III promises Ptolemy in BJ 7.423–24. The sense of religious variegation is then contrasted to the temple that Onias wishes to build. Onias states that his temple will lead to the Jews meeting in 'mutual harmony' (ὁμοίωσιν; AJ 13.67). This term and its cognates (e.g., ὁμονοέω) are used at strategic points throughout the narrative in *Antiquitates*, such as Moses' charge to the people to be of one mind (ὁμονοέω, AJ 3.302), in order to present such harmony as a consequence of proper Jewish practice in the larger historical work. 806

Secondly, the presentation of Onias' personal motives found in the two versions differs. In *BJ* 7.431, an extended denunciation of Onias III speaks of his lack of honest motives (μήν 'Ονίας ἐκ ὑγιής γνώμη οὖτος πράσσω) and notes twice that his purpose was to rival Jerusalem due to his resentment over his treatment by Jerusalem's leaders. By

805 See the extended quote above.

⁸⁰⁶ See Mason, Flavius Josephus, 172

comparison, in AJ 13.63 the personal motives of Onias IV are presented in a less categorical way. Here we are told simply that Onias "desired to secure for himself eternal praise and glory" (βουλόμενος αὐτῷ δόξαν καὶ μνήμην αἰώνιον κατασκευάσαι), though the overriding themes in this section of Antiquitates remain the respect of foreign rulers for the customs of the Jews and the actualization of these customs in a proper manner by the Jews throughout the world. Josephus explicitly points to the havoc wreaked in Judaea by the Macedonians (13.62) and the need for proper worship practices and ethnic unity in Egypt (13.63). Thus, despite lingering questions of motives, the overall emphasis is that the temple was set up for the sake of proper practice and dedication to God. The synthesized reading, which assumes similar concerns over Onias' ambition in Antiquitates as in Bellum, should thus be abandoned. This would preserve the sense of ambiguity, which is a component of Antiquitates' presentation of such leaders, as opposed to the black and white nature of Bellum.

Thirdly, the prophecy of Isa 19:19 regarding an altar to be erected in Egypt by a Jew is reported in an offhand manner in *BJ* 7.432. By comparison, the use of the prophecy in *AJ* 13.68 is highlighted as the climax of Onias' letter to Ptolemy and Cleopatra, quoting that an altar "to the Lord God" would be built there and that this was one of many positive promises made regarding this place by Isaiah. ⁸⁰⁷ Gruen has noted rightly that this version of the prophecy balances out the existing question of the legality of this Temple and that it would provide the pious Jews of Egypt a place to worship,

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⁸⁰⁷ For text critical and quotation issues in this text, see Hayward "Jewish Temple," 438–41. While it is beyond the scope and need of this paper to choose the original version of this verse, the findings of this paper and the current manuscript evidence from LXX Isa and 1QIsa^a would point to a favorable original reading of this prophecy.

which we have seen is the major problem presented in *AJ* 13.66. Even when the legality of this new temple is questioned in 13.69–70 by the pious Ptolemy and Cleopatra (cf. the motive of hatred for Antiochus in *BJ* 7.423, 425), their stated concern is not the legality of a non-Jerusalem temple. Rather, they are more concerned about the sanctity of the land upon which a non-Jewish temple currently stands, though they admit that the prophecy of Isaiah obviates this concern. While for the reader (and possibly Josephus) there may be a lingering concern for the centrality of Jerusalem, such concerns are left unstated in this passage.

Thus, compared to the politically motivated and overtly schismatic fortress-temple of B.J7.423-31, we find in Antiquitates a temple whose $raison\ d'\hat{e}tre$ is consistently presented as the promotion of orthopraxy and fulfillment of prophecy in a time of upheaval. The political and military importance of the site⁸⁰⁹ is not ignored, though the level of emphasis we find in Bellum is lacking in Antiquitates. This concern for the customs of the Jews that we have extrapolated from the text is in keeping with the larger section of AJ 12–16, based on rhetoric that is consistent with what we should expect to find in a well-written Greek history. Josephus is not concerned with absolving Onias, though he presents Onias in a largely positive light within the messiness of Judaean history in $Antiquitates\ judaicae$. This reading of $i\epsilon\rho\dot{\alpha}$ in AJ 13.62–73 is consistent with what we know of early Egyptian synagogues in the earliest evidence, as we shall see.

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⁸⁰⁸ Gruen, "Origins and Objectives," 68–69.

⁸⁰⁹ See Schwartz, *Imperialism*, 5–22; contra John J. Collins, *Between Athens and Jerusalem: Jewish Identity in the Hellenistic Diaspora* (2nd ed.; Grand Rapids: Eerdmans, 2000), 71.

5.2. Jewish Temples and Religious Assimilation in Ptolemaic Egypt and Beyond

What remains to be seen is how such a reading of Josephus fits with the *realia* of mid-Second Temple Egyptian Jewry, based on the scant material remains and literary witnesses, as the way we read the text inevitably affects the questions we pose to the evidence. As I argued in the previous chapter, the mentions of ἱερά in *Bellum* treated these structures as legitimate synagogues, which were termed 'holy places' in order to amplify the wrongdoing of the Jewish insurgents. In this case, however, we are confronted by assemblies that I would argue are being presented as unacceptable Jewish 'holy places' in a letter to beneficent rulers in *Antiquitates*. Can this carefully-crafted, tendentious version of the events nonetheless present a historically veracious picture of Jewish synagogue practice in Egypt during this period? The answer is, surprisingly, in the affirmative.

If we leave aside the implicit orthopraxy too often assumed in relation to Egyptian synagogues at this time, ⁸¹⁰ we find that the evidence points to a variety of patently non-Jewish architectural forms and religious practices. However, these synagogues and activities are more indicative of Egyptian temples than of Jewish synagogues as we know them from later evidence, or from evidence from other geographical and cultural settings. This is not surprising, given the political and social gulf between the Jews of the Diaspora and those in the Land prior to Herod's kingship, as Jewish customs of this period had little authority before he undertook a campaign of intervention for the Jews of the

⁸¹⁰ It should be noted that two extant examples of (possibly) non-Jewish προσευχαί exist. *IG* II 4 i 26 line 107 from the Temple of Asclepius at Epidaurus (4th century BCE) utilizes the Doric spelling *tas poteuchas* and is poorly understood. *CIG* ii 2079 from Amastris in the Bosporan Kingdom at the Black Sea (3rd century CE) though it is now generally accepted that the use of προσευχή here is meant in the secondary sense of 'prayer' rather than referring to the building itself. Jewish influence in the use of the term in both inscriptions is likely. See discussion in Levinskaya, "Jewish or Gentile," 154–59; Noy, "Jewish Place," 118–22; Horbury and Noy, *Jewish Inscriptions*, 14.

Diaspora. At this point, the Roman *acta* relating to the Jews are portrayed as informal and reactive.⁸¹¹

One of the key questions of this section is whether we may *a priori* present these temple-like synagogues as altarless. If so, what would make these structures holy, as the term lepά seems to suggest? And, if synagogues were indeed so different from neighbouring temples, how would we explain the fact that so much inter-Jewish polemic is concerned with the denunciation of polytheistic worship practices? We will begin with the evidence from inscriptional and papyrological sources, followed by a survey of salient features found in the fragments of Artapanus, Wisdom of Solomon 11–19, and select works of Philo of Alexandria.

5.2.1. Early Egyptian Synagogues in History and Archaeology

It has long been noted that the earliest evidence for Jewish synagogues comes from Egypt in the third century BCE, as we find papyrological and inscriptional proof of Jewish προσευχαί from Arsinoë-Crocodilopolis (*CPJ* 3.1532a=*JIGRE* 117, 246–221 BCE) and Alexandrou-Nesos (*CPJ* 1.129, 218 BCE). Both of these texts illustrate Ptolemaic involvement in the life of these semi-public προσευχαί, both as benefactors (*CPJ* 3.1532a) and in settling disputes (*CPJ* 1.129). Also, we should note that *CPJ* 1.129

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⁸¹¹ See Schwartz, *Imperialism*, 46; Rajak, "Was there a Roman Charter," 109.

⁸¹² See Griffiths, "Egypt," 3–16; Paul V. M. Flesher, "Prolegomenon to a Theory of Early Synagogue Development," in *Judaism in Late Antiquity III: Where We Stand: Issues and Debates in ancient Judaism*, vol. 4.: *The Special Problem of the Ancient Synagogue* (ed. Alan J. Avery-Peck and Jacob Neusner; HO 1.55; Leiden: Brill, 2001), 121–53; Richardson, *Building Jewish*, 111–33. *ASSB* nos. 147, 150.

assumes the inviolability of the προσευχή, a status that was only conferred upon sacred spaces; this indicates that these προσευχαί were viewed as temples.⁸¹³

During the earlier Persian Period, the Jews at Elephantine in Upper Egypt collected a series of missives relating, among other things, to the restoration of their temple and resumption of their ability to sacrifice, though they were barred from bloody sacrifice. However, we must ask how unique this particular temple was and whether we may assume that the governors of Yehud and Samaria were able to do away with all such temples, or whether there remained comparable religious institutions subsequent to the destruction of the Elephantine Temple. 815

Further, many other inscriptions from before the turn of the Common Era in this region utilize $\pi\rho$ οσευχή -terminology for places which are remarkably temple-like. ⁸¹⁶ For example, CIJ 2.1441 (140–116 BCE) and 2.1444 (2nd–1st c. BCE) both list architectural elements normally associated with temple or association structures donated on behalf of the Ptolemies: a pylon in CIJ 2.1441 and an exedra in CIJ 2.1444. ⁸¹⁷ Likewise, CPJ 1.134 (late second century BCE) speaks of a $\pi\rho$ οσευχή on sacred land abutted by a sacred garden. These $\pi\rho$ οσευχαί have rightly been counted among the various semi-public, association synagogues in the cities in which they are found, both in appearance and day

⁸¹³ Aryeh Kasher, "Synagogues as 'Houses of Prayer' and 'Holy Places' in the Jewish Communities of Hellenistic and Roman Egypt," in *Ancient Synagogues: Historical Analysis and Archaeological Discovery* (vol. 1; ed.Dan Urman and Paul V. M. Flesher; StPB 47; Leiden: Brill, 1995), 215–6; Binder, *Into the Temple Courts*, 239–40.

⁸¹⁴ See A. E. Cowley, ed., *Aramaic Papyri of the 5th Century BC* (Oxford: Oxford University Press, 1920), nos. 30–33.

⁸¹⁵ Runesson *Origins*, 437–41.

⁸¹⁶ See Fine, This Holy Place, 26–28.

⁸¹⁷ See *ASSB* nos. 152, 159.

to day operation.⁸¹⁸ Peter Richardson also notes the polytheistic picture painted by many of the funerary inscriptions found near Leontopolis, including abundant admixture of polytheistic and Jewish terminology. Richardson even draws attention to the mention of a Jewess named Marin who acted as a 'priestess' (ἱερίσα; *CPJ* 3.1514).⁸¹⁹

It may also be stated that Josephus presents some evidence, albeit controversial, of temple influences in early synagogues beyond these Jewish institutions which are being spoken of as holy places. Firstly, as mentioned in the previous chapter, Josephus does refer to the synagogue at Antioch where the Antiochenes stored the treasures of the Jerusalem Temple in BJ 7.44–45 as a $i\varepsilon\rho\delta\nu$ after the installation of the Temple paraphernalia. This installation of the Temple treasures at Antioch by the Antiochenes was likely done to ingratiate the Jews with this specific ruler through the use of their ancestral customs and symbols. The same reasons are given for the building of the Leontopolis Temple later in BJ 7.423–31. This narrative about the Antioch synagogue thus provides some proof of treating specific synagogues as temples, though in this case it is a synagogue that is retrofitted with Temple paraphernalia.

Secondly, as addressed in section 1.2.2.2.7, the *acta* provide some evidence for sacrificial practices in synagogues. Josephus refers to the rights of the Sardians to perform prayer and sacrifices (τὰς πατρίους εὐχὰς καί θυσίας τῷ θεῷ) in AJ 14.260. In this passage, we have implicit mention of sacrifice taking place in a Diaspora synagogue, and

⁸¹⁸ Richardson, *Building*, 111–33; Flesher "Prolegomenon," 125; Runesson, *Origins*, 467–70.

Richardson, Building, 165–79.

⁸²⁰ Krauss, *Synagogale*, 86–87; Hengel, "Proseuche und Synagoge," 38; Runesson, *Origins*, 421.

tendentious arguments to translate this passage simply as "prayer and ritual" are, in my view, special pleading. This phrase recurs in Philo, with similar denotation (see below). We cannot simply explain away such use of sacrificial terminology. Equally tendentious is the argument that this synagogue and the synagogues of Egypt were mistakenly deemed to be temple-like by the various rulers, ⁸²² given the lack of statements relating to such error in the sources and the fact that so many rulers acknowledge the uniqueness of the Jews in *Antiquitates*.

If some synagogues were indeed designated as holy, we should ask why this may have been the case. The two common answers are (1) their relation to the Jerusalem Temple or (2) their housing of Torah scrolls. The first solution tends to liken the material aspects and liturgy to the Temple. This argument may take various forms. As mentioned above, Joan Branham has argued that synagogues take on a "vicarious sacrality" relating to the Jerusalem Temple, but this is based on later rabbinic texts and synagogue art. B23 Donald Binder, on the other hand, makes the argument that as local, Jewish associations, these institutions would have been viewed as miniatures of the Jerusalem Temple, embodying it and representing it. B24 Such reasoning is, in my view, too homogeneous in its treatment of the diversity found among the various associations, including the forms and functions they embodied. B25 Further, such arguments tacitly assume the Deprivation Theory (i.e. that synagogues are only necessary in the absence of or removal from the

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⁸²¹ See Binder, Into the Temple Courts, 322.

⁸²² E.g., Flesher, "Prolegomenon," 129, 151. While Josephus does make creative use of Roman expectations in *Bellum* (see ch. 4 above), this is not the case in *Antiquitates*.

⁸²³ Branham, "Vicarious Sacrality," 319-45.

⁸²⁴ Binder, Into the Temple Courts, 479.

⁸²⁵ For a recent association taxonomy, see Harland, Associations, 25–87.

Jerusalem Temple), 826 which is untenable given the proof of synagogues in close proximity to the Temple, as well as the diversity evidenced amongst synagogues.

Others have argued that the holiness of the early synagogues comes from their housing of the Torah scrolls, as discussed in chapter 4 in relation to BJ 2.292. This is certainly evident in the thinking of the later Rabbis, as evidenced by m. Meg. 3.1, in which a hierarchy of holiness is explained in terms of what may be bought with proceeds from the sale of other synagogue components. The Law scroll stands as the zenith of holiness with other items descending based on proximity to this scroll. Hence the scroll makes the synagogue holy. 827 However, there is no indication that such a paradigm was operative in the first century CE. While certain writings already speak of 'holy scripture,' works speaking of readings of the Law emphasise the pedagogical nature of this reading and relate the practice to the acquisition of knowledge pertaining to the ancestral philosophy and customs, with no transfer of holiness (e.g., Mos. 2.216; C.Ap. 2.175–8). Steven Fine argues that *Prob.* 80–81 speaks of the προσευχαί as holy places due to their inclusion of Law scrolls. Even here, though, there is no explicit connection made between the holiness of the place and the scrolls found therein, just as I argued regarding the episode of the removal of the Law scroll in BJ 2.285–92 in the previous chapter.

The third option is that certain early προσευχαί were modelled on various elements of non-Jewish temples, including practices such as votive offerings, thus becoming a genus of temple, in Flesher's terms. 828 While Flesher ultimately balks at the idea of a

⁸²⁶ See Introduction and Runesson, Origins, 163.

See Fine, *This Holy Place*, 28–29.

⁸²⁸ Flesher, "Prolegomenon," 123, 126–30.

synagogue in which sacrifices were performed, we have noted sacrifices in Elephantine and Sardis, as well as possibly in Antioch. As Isa 19:18–19 and its reception in *Antiquitates* make clear, it seemed reasonable for some Jews to be accepting of such sacrifices in Egypt at this time. We have seen considerable proof that certain aspects of non-Jewish temple practice and architecture were operative in the early stages of synagogue development, especially in Egypt. Our current lack of archaeological remains for Egyptian $\pi \rho \sigma \sigma \epsilon \nu \chi \alpha i$ from this period together with these examples should lead the researcher to keep such options open for at least some Jews in this period and locale. 829

5.2.2. Inter-Jewish Polemic against Polytheistic Practices

The above texts and remains constitute parts of a larger cultural discourse on proper Jewish spaces and practices in Egypt. In order to understand this discourse better, I propose a brief survey of specific polemical texts from Alexandria which touch on the Jewish involvement in and their assimilation of polytheistic practices, including the work of Artapanus, Wisdom of Solomon 11–19, and Philo's *De decalogo* and *De specialibus legibus*. I contend that they point to the ongoing absorption of such practices within the community (synagogue) gatherings of Alexandria at the turn of the era.

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⁸²⁹ See Runesson, *Origins*, 57–59, 436–46. As Runesson argues, if the ancient texts and inscriptions give some indication of early Jews including sacrifice as an element of synagogue liturgy, the modern scholar cannot discount this simply because such practices are no longer included in synagogue liturgy. This clearly becomes a hermeneutical issue, though in this work we are interested in ancient views of the synagogue, so I must remain open to this possibility, which *AJ* 13.62–73 proves legitimate.

⁸³⁰ Such texts are best understood as inter-Jewish polemics, given the lack of data showing any clear missionary endeavors on the part of Jews in this era. See Collins, *Between*, 270–72; Erich S. Gruen, *Heritage and Hellenism: The Reinvention of Jewish Tradition* (Berkeley: University of California Press, 1998), 292–93. See also Matthew Thiessen, *Contesting Conversion: Genealogy, Circumcision, and Identity in Ancient Judaism and Christianity* (Oxford: Oxford University Press, 2011). Cf. Martin Goodman, *Mission and Conversion: Proselytizing in the Religious History of the Roman Period* (Oxford: Clarendon Press, 1994), 87. Goodman does allow that there was an isolated movement that sought Gentile converts,

5.2.2.1 Artapanus

The extant material of the Alexandrian writer Artapanus (ca. 265–50 BCE)⁸³¹ is comprised of three fragments found in Eusebius (*Praep. Evang.* 9.18, 23, 27) via Alexander Polyhistor. In these three quotes, Artapanus gives an apologetical retelling of portions of the lives of Abraham, Joseph, and Moses, with each biblical personage inventing various elements of Egyptian and Hellenistic culture. Most notably for our purposes, Moses becomes teacher to Orpheus, is equated with Hermes (who taught Thoth and Isis), establishes the city of Meroe (traditionally founded by Isis), and invents various elements of Egyptian cultic practice, including animal worship. 832

We should resist the impulse to treat this latter report of religious innovation as tacit advocacy of these practices or cults, as the fragment specifically states that Moses created these practices for political reasons, in order to "keep the monarchy stable" (*Praep. Evang.* 9.27.4–5). 833 While this Mosaic innovation certainly had a demythologizing aspect, as it places the popular gods and sacred animals beneath Moses, we are still left with these practices being taught by the giver of the Law, functionally treating these practices as useful within Mosaic Yahwism. To state this another way, there

though otherwise disagrees with those who argue for widespread Jewish missional activities. Contra Feldman, Jew and Gentile, 288-382; Shaye J. D. Cohen, The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties (Berkeley: University of California Press, 1999), 140-97; Scot McKnight, A Light among the Gentiles: Jewish Missionary Activity in the Second Temple Period (Minneapolis: Fortress Press, 1991); Michael Bird, Crossing Over Sea and Land: Jewish Proselytizing Activity in the Second-Temple Period (Peabody: Hendrickson, 2009); Anders Runesson. "Was there a Christian Mission Before the Fourth Century? Problematizing Common Ideas about Early Christianity and the Beginnings of Modern Mission," in The Making of Christianity: Conflicts, Contacts, and Constructions (ed. Magnus Zetterholm and Samuel Byrskog; Winona Lake: Eisenbrauns, 2012), 205-47. Too often this idea of Jewish proselytizing is based on the assumption of a wholly antagonistic relationship between Paul of Tarsus and Jews. 831 On dating, Collins, Between, 38–9.

⁸³² See Robert Doran, "Jewish Hellenistic Historians before Josephus," *ANRW* II.20.1 (1986), 259–61. 833 Carl R. Holladay, Fragments from Hellenistic Jewish authors: vol. 1: Historians (Chico: Scholars Press, 1983); see also Collins, Between, 42 n. 67. Contra Barclay, Jews, 131.

seems to be openness, at least in this and related texts, to more heterodox practices in Hellenistic Judaism than most scholars are willing to admit. While this passage indicates little about what occurred in synagogues, it does speak to the religious attitudes that some Egyptian Jews at this time might bring to their synagogues.

5.2.2.2. Wisdom of Solomon

Likewise, the final section of the Wisdom of Solomon (ca. 30 BCE–70 CE) presents a number of teachings purportedly coming from Moses, though with much more concrete implications than we found in Artapanus. Much of the larger book of Wisdom deals with the duality of the righteous versus the unrighteous, with the latter likely representing apostate Jews who have turned from the wisdom of Israel's God. The author specifically mentions their 'being lead astray' (2:21) and forgetting their 'former training' (2:12). In the final section, the so-called "Book of History" (ch. 11–19), we find another retelling of Exodus, though this retelling is uniquely structured around a series of denunciations of idolatry (13:1–14:31; 15:7–19).

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⁸³⁴ See Collins, *Between*, 199; *idem., Jewish Wisdom in the Hellenistic Age* (OTL; Louisville: Westminster John Knox, 1997), 193–95.

⁸³⁵ On the structure, see Bert Jan Lietaert Peerbolte, "The Hermeneutics of Exodus in the book of Wisdom," in *The Interpretation of Exodus* (ed. Riemer Roukema; CBET 44; Leuven: Peeters, 2006), 97–116. It should be noted that the structure of this section is highly contentious, especially the delimitation of the beginning of the Book of History. For early indications of concentric or chiastic structures, see James M. Reece, "Plan and Structure in the Book of Wisdom," *CBQ* 27 (1965): 391–99; Addison G. Wright, "The Structure of the Book of Wisdom," *Bib* 48 (1967): 165–84; Maurice Gilbert, "La structure de la prière de Salomon," *Bib* 51 (1970): 301–31; *idem*. "The Literary Structure of the Book of Wisdom: A Study of Various Views," in *The Book of Wisdom in Modern Research* (ed. Angela Passaro and Giuseppe Bellia; DCL 2005; Berlin: Walter de Gruyter, 2005), 19–32. The beginning of the Book of History can be argued to begin in 11:1 (Winston), 11:2 (Gilbert, Engel, and Hübner), or 11:5 (Schmitt). See David Winston, *Wisdom of Solomon* (AB 43; Garden City: Doubleday, 1979), 10–11; Gilbert, "Literary Structure," 21–22; Helmut Engel, "Was Weisheit ist und wie sie entstand, will ich verkünden," in *Lehrerin der Gerechtigkeit* (ed. G. Hentschel and E. Zenger; EThS 19; Leipzig: Benno Verlag, 1990), 92–94; Hans Hübner, *Die Weisheit Salomos: Liber Sapietiae Salomonis übersetzt und erklärt* (ATD Apocyphen 4; Göttingen: Vandenhoek & Ruprecht, 1999), 131–35; Armin Schmitt, *Das Buch der Weisheit: Ein Kommentar* (Würtzberg: Echter, 1986), 15.

Throughout these denunciations, idolatry is presented as disrespect for the God of Israel and tropes from the Hebrew Bible are used and elaborated. For example, 13:10–19 is a lengthy satire of the work and ignorance of the idol maker, who acts in bad faith but fools himself, clearly patterned after other examples of such satire from Isa 44:9–20 and Hab 2:18–19. 836 However, Wisdom also contains many updated denunciations against elements of Egyptian and Hellenistic cultic practices of the first centuries, including both chthonic (14:15–16) and animal (15:18) cults. Furthermore, in comparison with the praise of Solomon in 7:22, in which God is spoken of as "the one who created all things...," 13:2 speaks of confusing the creation with the Creator. According to Stoic philosophy, mistaking the Creator for the created is indicative of base ignorance, as one should be able to perceive the Creator through the creation. 837 All of these elements, directed at a Jewish readership, point towards a practical necessity to warn contemporary Jews about the dangers of such idolatry, even if the 'righteous' and 'unrighteous' are presented in idealized terms. 838 Given this warning, we should assume that some Jews were willing to include such rites in their religious practice.

5.2.2.3. Philo of Alexandria

Given the volume of work extant from Philo of Alexandria, we will only address a few salient points from two of his works. On the whole, despite his respect for Hellenistic philosophy and παιδεία, Philo shows a great deal of vitriol regarding Graeco-Roman religious practices, especially idolatry. However, as with other polemical

⁸³⁶ Collins, *Between*, 209–10;

⁸³⁷ See Peerbolte, "Hermeneutics," 112–13. 838 Cf. Collins, *Between*, 195.

literature written for a Jewish readership, there are indications that he viewed idolatry and heteropraxy as a clear and urgent danger for the community. To be sure, Philo consistently refers to Judaism using the terminology of the major cults and mystery associations of the Graeco-Roman world. He also speaks of Judaism as standing within the various Greek social systems (e.g. π ολίτευμα), though as the zenith of religion, virtue, and society.

The first work to be treated is *De decalogo*, specifically the sections devoted to the first and second commandments (52–81). The commonalities between this section and passages just discussed from Wisdom 11–19 have often been noted. As in the book of Wisdom, there is a hierarchy of polytheistic practice, ⁸⁴⁰ and the author condemns the polytheist for deifying created things (*Decal.* 52–54; cf. Wis 13: 1–9). Also like Wisdom, Philo argues that animal worship causes the practitioner to worship the least ethical of beasts, which will cause them to act in a similar way (*Decal.* 76–78; cf. Wis 15:18). Such

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^{84; &}quot;Philo cannot be seen exclusively in terms of Jewish or Greek influence, and it is more than likely that this can also be said about the Judaism he represents. If in the present study an attempt is made to trace Philo's views on worship to Greek or Jewish traditions, this does not make him either 'Greek' or 'Jewish.' He used all the means he had at his disposal to present Judaism as a serious cult and philosophy without equivalents among the Hellenistic cults." (292); See also Niehoff, *Philo*, 137–58; Erich Gruen, *Culture and National Identity in Republican Rome* (Cornell Studies in Classical Philology 52; New York: Cornell University Press, 1992), 52 – 83; Hans-Josef Klauck, *Herrenmahl und hellenistischer Kult: eine religionsgeschichtliche Untersuchung zum ersten Korintherbrief* (NTAbh 15; Münster, Aschendorff, 1982), 160–72. Cf Edwin R. Goodenough, *By Light, Light! The Mystic Gospel of Hellenistic Judaism* (New Haven: Yale University Press, 1935), 5–10, 95–118. Goodenough's desire to find and label Jewish mysteries and mysticism led to the unfortunate obscuring of the commonalities between Jewish and Graeco-Roman religious traditions.

⁸⁴⁰ See Winston, *Wisdom*, 247–91; Alan Mendelson, *Philo's Jewish Identity* (BJS 161; Atlanta: Scholars Press, 1988), 34–35.

common tropes, without any way of knowing who influenced whom, imply widespread concern regarding such polytheistic practices amongst the Jews of Alexandria. ⁸⁴¹

However, in *De specialibus legibus* Philo writes in concrete terms of Jews who bring such practices into the Jewish community itself. *Spec. Leg.* 1.315–16 calls for the execution of a false prophet who draws the community into polytheistic practice, with the severity of the punishment attesting to the ongoing threat of such practices. ⁸⁴² This is mirrored somewhat by the command to eject a community member who brings such practices into the synagogue in *Migr.* 69. Another example that speaks directly to our purposes is the woman in *Spec. Leg.* 3.171, whom Philo instructs to lay aside gossip for a life of solitude, going to a Jewish $i\epsilon\rho\delta\nu$ for sacrifice and prayer. While once again Binder has translated $\theta\nu\sigma(\alpha\varsigma$ as general worship practices and $i\epsilon\rho\delta\nu$ as 'synagogue,' this is, in my view, problematic. ⁸⁴³ Philo uses language that opens the door for the possibility of sacrifices in Jewish temples, beyond what Philo would view as improper. The evidence from this passage also mitigates claims that all such texts were expecting an external audience ⁸⁴⁴ or the suggestion that this language was applied to synagogues in order to camouflage the Jews. ⁸⁴⁵

That Jews continued to feel pressure to assimilate into the Alexandrian population and practices is undeniable, ⁸⁴⁶ and we should not assume *a priori* that they partook consistently in any form of so-called 'normative' Judaism. It is clear that many of the

⁸⁴¹ Mendelson, *Philo's Jewish Identity*, 209; C. Larcher, *Études sur le Livre de la Sagesse* (Paris: Gabalda, 1969), 162–66.

⁸⁴² Mendelson, *Philo's Jewish Identity*, 34.

⁸⁴³ Runesson, *Origins*, 447–48.

⁸⁴⁴ Contra Mendelson, Philo's Jewish Identity, 33.

⁸⁴⁵ Contra Flesher, "Prolegomenon," 151.

⁸⁴⁶ See Barclay, *Jews*, 30–32.

leaders sought to fulfill the demands of Torah at this time, though this fulfillment took various forms. ⁸⁴⁷ It is in this tension regarding acceptable practice that we find such texts relating to both Jewish and non-Jewish cultic practices, and this tension is ultimately where we should situate the rhetoric of the *AJ* 13.62–73 version of the building of the Leontopolis Temple.

5.3. Conclusion

Ultimately, the literary and epigraphic evidence from this period should cause us to question both how we view the ongoing development of the synagogue and how we read the various sources. In terms of our assumptions regarding synagogues themselves, we must take care to remember the concerns of the specific locale or writer at a given time, no longer diachronically treating any institution called a $\sigma \nu \nu \alpha \gamma \omega \gamma \dot{\eta}$, $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$, or $i\epsilon \rho \dot{\rho} \nu$ as a synagogue as we understand this institution now. Tessa Rajak has termed this danger "synagogue maximalism." We must reject a homogenous, monogenetic view of the synagogue, taking seriously its various origins and impetus, one of which was very likely temple practice. Given the early use of $\pi \rho \sigma \sigma \epsilon \nu \chi \dot{\eta}$ or $i\epsilon \rho \dot{\nu} \nu$ for various temple-like structures, we may be better served doing away with an 'either/or' mentality with regards to synagogues and temples. That polytheistic practices and temple elements seemed reasonable for some communities, to the extent that some of the extant works needed to argue against polytheistic practices, necessitates taking such concerns seriously.

⁸⁴⁷ Tuval, "Doing Without," 236–39.

⁸⁴⁸ Tessa Rajak, "The Ancient Synagogue: A Review Article," *SPhilo* 15 (2003) 100–8.

Moreover, our assumptions of what did and did not comprise early synagogues have clear hermeneutical implications for how we read texts such as AJ 13.62–73. As I have argued, this text presents a nuanced narrative describing the building of the Leontopolis Temple as a positive step towards orthopraxy in this region, which seems to have been dominated by heteropraxic Jewish 'holy places,' even if this temple was not entirely acceptable to the writer or all of his readers. Here, the $i\epsilon\rho\dot{\alpha}$ embody the lack of what Josephus would view as acceptable legal and cultic observance, which Onias would remedy through his single, priestly-led temple. Even if we may term these ἱερά synagogues or proto-synagogues, Josephus terminologically places them closer in form and consequence to the divisive, heteropraxic Egyptian temples in the area, which were evidently perceived as a common problem in Ptolemaic Egypt. We have ample evidence that Egyptian Jews were influenced by the wider religious context of Egypt. Thus we may affirm that this passage in Antiquitates gives some evidence of wider diversity in what we may term synagogues or at least 'proto-synagogues.' That this differed from much of the evidence found in the other later works of Josephus should help to confirm that Josephus is giving us something closer to the historical space (firstspace), as an expression of lived space. That these synagogue spaces are rejected by Onias and Josephus explains their attribution as ἱερά.

While some debate remains as to whether modern scholars may deem these 'synagogues,' we should note that this discussion fits quite well into the synagogue discussion noted in *Antiquitates* in chapter 1. Onias IV is characterized as being desirous of orthopraxy among the Jews of Heliopolis. This desire necessitated having a space

where the ancestral customs could be followed as well as possible. Josephus was able to use this traditional story within this larger discussion, despite having previously used this story in a very different manner in *Bellum*.

Overall, this chapter has sought to emphasize three points. Firstly, that Josephus crafted the rhetoric of the individual passages in his various works to the overriding purposes of the larger work. In order to understand what Josephus is trying to tell us in a passage, we must understand it in relation to the rhetoric of the work as a whole. Secondly, parallel versions of a specific event will differ based on this relationship to the rhetorical goals of the works in which they are found. Specifically, I argued that Josephus presents a drastically different version of the building of the Leontopolis Temple in Antiquitates as compared to the passage in Bellum, though the differences we find are justifiable given the larger discussion of legal and customary practice in *Antiquitates*. Also, he could use the term ἱερόν for synagogues in markedly different ways in the two histories. Thirdly, Josephus acknowledged some temple influences on synagogues, though in a nuanced manner. While Josephus used the term ἱερόν to condemn the actions of the insurgents in Bellum, he was able to refer to unacceptable synagogues or protosynagogues in *Antiquitates* using the same word. We might also note that the unsatisfactory Egyptian ἱερά in Antiquitates bear a striking resemblance to the improper conception of early synagogues advocated for by Apion and other historians, which Josephus felt the need to correct in *Contra Apionem*.

Conclusion: Synagogues in Josephus and His World

Throughout this study, I have argued that the information provided by Flavius Josephus for the reconstruction of the synagogue in the first century CE must be handled with great care. Josephus was a skilled rhetorician and was ideologically invested in the presentation of this institution. Due care must therefore be placed on understanding the context of his various mentions of synagogues within the overall rhetorical context of his works if we are interested in historical reconstruction of this Jewish institution; merely 'fact mining' his writings will inevitably lead us astray. Especially in his later works (Antiquitates judaicae, Vita, and Contra Apionem.), we find a deliberate presentation of the synagogue as a viable, supra-local rallying point for the Jews throughout the known world, as this institution represents an assembly in which the customs and Law of Judaism may be practiced and disseminated following the loss of the Temple and the Land. Even in the earliest work of Josephus we find a tendentious presentation of the synagogue as a 'holy place' whose precincts were breached due to the impiety of the Jewish insurgents and certain non-Jewish troublemakers.

In terms of historical reconstruction, I have argued that the tendentious nature of Josephus' writings does not preclude historical study, not least because the assumptions and ideologies inherent in this tendentiousness are themselves historical. However, we must question the sole use of historical-critical and philological methods when studying the texts. Given the rhetorical goals of the author, we cannot merely assume that descriptions of the synagogue and its roles in the Land and in the Diaspora provide an

accurate picture of a normative synagogue at this time. For example, I have argued that synagogue terms were used interchangeably by Josephus based more on rhetorical needs in relation to individual passages than on any inherent or static historical nature of the institution. Care must be taken therefore to understand Josephus' intentions before we make claims about the 'things themselves' that are being referred to in the various pericopae.

Due to the tendentious nature of Josephus' writings, I have employed, where heuristically profitable, the language of Edward Soja's spatial theory in hopes of distinguishing between the 'things themselves' (firstspace), the ideals held by the author regarding the institution (secondspace), and the combination of the two in the experience represented in the passages (thirdspace). All of this means that it is precisely the rhetoric with which Josephus presents the synagogue that will lead us to a better understanding of the ideological importance that synagogues had in the lives of the communities and individuals inhabiting these spaces during the period in question. Such an approach should lead us to pay attention to the communicative elements of this rhetoric, as they relate to both the historian and his intended audience. For example, I have argued that we find Josephus' ideal of the pan-Diasporic association synagogue in the Tiberias crisis reported in Vita 271–303, a passage that is set in a public synagogue. Josephus' personal experience of this synagogue is thus combined with his idealized conception of what he envisions the synagogue to be at the time of writing. Such insights provide us with a more precise understanding of the lens through which Josephus views this ideologically charged institution based both on his personal experiences and on the communal

experience of other Jews at this time. The approach taken in the present study thus allows us to situate Josephus' rhetoric regarding Jewish history in the context of history itself.

Since each of the chapters of the present study contains a summary of the conclusions reached, there is no reason to repeat here what has already been said. Instead, in this concluding chapter, I will outline the implications of the thesis for further studies on the ancient synagogue, as well as comment on the use of Josephus as a historical source more generally.

Historical Implications and Contextualization

As argued in chapter 5, the existence of 'synagogues' that functioned as Jewish temples outside of Jerusalem, institutions of which we have information from other sources, can be affirmed in one passage in Josephus' later history (*AJ* 13.62–73). We are thus able to compare Josephus' presentation of early, 'holy' synagogues with this other evidence, which speaks of the earliest Egyptian synagogues in similar ways. I concluded that Josephus made use of this early synagogue tradition in his nuanced presentation of Onias IV and the establishment of the Leontopolis Temple, although he also wrote of this tradition as something other than the ideal synagogue presented elsewhere in his later works. This is just one of many examples of issues in the study of ancient synagogues that a careful reading of Josephus can illuminate. In this section, I will discuss a number of instances in which an in-depth rhetorical understanding of Josephus' work will shed light on our understanding of this vital Jewish institution.

1. The Nature of the Early Synagogue

The overriding question in all synagogue studies relates to the nature of the institution. What is a synagogue? Why is it important to the community occupying its precincts and comprising its membership? These questions lead to other more detailed questions. How was the synagogue understood and organized? How did synagogues change and develop over time? What was this institution's purpose? Upon which models of organization was it based? All other synagogue questions feed into this general issue. Scholars have tended to focus on questions of holiness, relation to the Jerusalem Temple, and the socio-political construction of the synagogue assembly. Josephus presents us with a singular perspective on the nature of the synagogue, at a time in which this very nature seems to have been in flux. Due to this flux, his presentation is not entirely consistent, as the firstspace context of his stories collides with and is appropriated by his ideal secondspace conception of what the synagogue should be. However, we must be careful not to reduce inconsistency to a matter of perspective. We must question whether we can find a normative conception of the synagogue at all during this early period in its history. We must acknowledge the numerous outside influences on synagogue development based on the differing needs of the various Jewish communities throughout the ancient world. Due to the all-encompassing nature of this issue, the discussion in this first section will be restricted to the problem of sanctity and organization.

As was argued in the final two chapters of this work, Josephus made little use of synagogue traditions that emphasized sanctity. In *Bellum*, on the one hand, Josephus did consistently refer to synagogues as 'holy places,' though this was done in such a way as

to condemn those insurgents who pillaged them and to show the glory of the Roman victory in their triumph. In Antiquitates, on the other hand, we are given hints of Jewish synagogues as sacred in nature, though even here we should be careful not to overstate the evidence. In two instances, synagogues seem to be presented as inviolable. In AJ 16.164, we are told that Augustus will harshly punish any who steal synagogue money or books. However, the edict specifically states that it is the books and money that are holy and inviolable. Likewise, in the attack on the Dora synagogue in AJ 19.300–11, the issue is far more the sacredness of the ancestral customs and respect for the image of Caesar than any inherent holiness of the synagogue. In each of these cases from *Antiquitates*, Josephus places the Jewish customs at the forefront of the conversation. This is even the case in the passage about the Leontopolis Temple in AJ 13.62–73, as a non-Jerusalemite ναός is deemed preferable to numerous improper ἱερά due largely to the heteropraxy and strife that these early 'synagogues' created. Finally, even when Josephus specifically speaks of sacrifices in synagogues (AJ 14.225–27, 16.259–61), it is merely as an ancestral custom protected by Rome, with no comment on the sacrifices or their effects.

As I hope section 5.2 demonstrated, there is ample evidence that some synagogues, especially earlier synagogues from Ptolemaic Egypt, could be described at least as temple-like. Josephus seems to be aware of synagogue traditions relating to the sanctity of the institution, though he makes only indirect usage of these traditions. Such traditions are made subservient to Josephus' desire to indict the insurgents in *Bellum* and to illustrate the ability of the synagogue to promote the Jewish customs and Law in *Antiquitates*.

Regarding organization, Josephus' presentation of synagogues in his later works bears similarities to Graeco-Roman voluntary associations. In some cases, he places them alongside other $\theta i \alpha \sigma \sigma_0$ that Caesar was forced to assess (AJ 14.214–16). Even in those cases when the historical reality seems to be closer to that of public, political institutions such as the βουλή, Josephus applies specific language and practices common to Graeco-Roman associations in his synagogue descriptions and narratives (Vita 271–303). The majority of the synagogues mentioned by Josephus assemble as voluntary meetings of a set group, organized around a given collection of ancestral customs. These ancestral customs include, among other things, the right to self-regulation, eating special meals together, and possibly performing sacrifices. This understanding of synagogue organization is in line with the operation of other ethnic associations (I use the analogy of Phoenician immigrant associations in chapter 1) and agrees with many recent reconstructions of the synagogue by historians of Second Temple Judaism. Such a characterization may even include synagogues in the Land, which would have operated differently from the necessarily ethnic associations that comprised Diaspora synagogues (see the discussion in section 1.2 of the introduction). However, we must look beyond these simple similarities to analyse the actual relationship between Josephus' synagogues and associations. We must continue to ask whether this language of associations serves to describe a common Jewish notion of the synagogue, or whether Josephus is merely using language familiar to his Roman audience. Or does the answer lie somewhere between these etic and emic options?

The issue remains, however, that the temple-like and immigrant association synagogues found in the Diaspora are a stark contrast to the public synagogues found in the Land before the Revolt. The civic language and governance models discussed above from *Vita* 271–303 are consistent with the numerous pre-Revolt, public buildings that acted as synagogues in Galilee and Judaea, including Khirbet Cana, ⁸⁴⁹ Magdala, and Gamla. However, as a result of the Revolt, Jews would eventually lose the ability to govern their own affairs as a nation-state. In such a situation, the differentiation between the association synagogues of the Diaspora and public synagogues in the Land was sure to collapse. For Josephus, this would lead to the Jewish people being effectively landless (though they would not become a consular province until 120 CE) and forced into a pan-Diasporic existence. Josephus was likely anticipating the eventual complete loss of self-regulation by the Jewish administration.

Thus, we are on firm ground in arguing that Josephus' portrayal of the synagogue did indeed draw much of its organization and identity from a self-designation as a type of association. Returning to the language of spatial theory, Josephus' perception and experience of synagogue space are largely consistent with one another, leaving us little reason to doubt that this was the actual nature of at least some of the synagogues Josephus had known. Of course, this correlation does not mean that all had been accurately presented. It merely indicates that Josephus' vision at the time when he wrote his later works was one of a well-run and divinely mediated association, in which the Jews could

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⁸⁴⁹ It should be noted that some dispute has arisen regarding whether the synagogue on the site of Khirbet Cana (*ASSB* no. 3) should be dated to the first century CE or to later centuries. See Richardson, *Building Jewish*, 55–71; cf, Jason Rech, et al. "Direct Dating of Plastar and Mortor Using AMS Radiocarbon: A Pilot Project from Khirbet Qana, Israel," *Antiquity* 77 (2003): 155–64.

practice and disseminate their history and Law in a society drastically different from how it had been in the decades previous to the First Jewish Revolt.

2. Synagogue Terminology in Josephus

For too long, scholars have taken the terms used to denote synagogues in ancient times as the prime clues regarding the nature of the synagogue, as if the lexical definitions of these words could comprehensively encapsulate the meaning of such a dynamic institution. Not surprisingly, scholars are often frustrated by the incongruence between the lexical meanings of these words and the complexity, variegation, and adaptive nature we find in this constantly evolving institution and its various literary representations. This incongruence should lead us to take a more careful approach to how we construe the value of the terms as evidence for the historical reconstruction of synagogues. However, we must remember that the words chosen still have some descriptive value with regard to how the synagogue is being conceived of in a given passage. As I have argued above, Josephus was careful in his word choice regarding synagogues in his writings. I have claimed throughout this study that Josephus seems to have used the understanding of his intended audience as the deciding factor in how he labelled synagogues; i.e., he played on the trans-cultural ideals and expectations of his Roman readership, though such decisions should still be understood as reflecting his own experience to some degree.

I have already addressed the use of ἱερόν in *Bellum judaicum* above. A more difficult issue arises with regard to the use of the term ἐκκλησία as a synonym of συναγωγή in AJ 1–11. As was argued in section 1.3.2 above, ἐκκλησία should be taken as

one of several synagogue terms. Furthermore, the use of ἐμκλησία for the 'Wilderness Congregation' of the Pentateuch as a forerunner of the synagogue has been shown to be consistent with the portrayal of the synagogue elsewhere in Antiquitates-Vita. Moreover, texts such as 1 Macc 14:19; Jdt 6:16; Sir 46:7, 50:13, and (possibly) Acts 11:26, as well as the uses in the LXX, serve to buttress this position. But the question remains how this ideologically loaded term is to be understood. Much of the difficulty regarding the usage of this term stems from the binary opposition between Jewish and Greco-Roman uses assumed by many New Testament (especially Pauline) scholars. However, the very basis of such assumptions ignores the high level of assimilation and adaptation of Graeco-Roman terminology and social structures in Judaism. Many Jewish writers of this period even claim that Jewish progenitors such as Moses were the true originators of these non-Jewish social and political structures. Josephus is thus able to use the LXX translation in his biblical paraphrase (AJ 1–11) and a version of the Aristeas legend (AJ 12), in order to legitimize the idealization of a Jewish congregation, as the true originator of the Greek people's assembly (i.e., ἐκκλησία). Here we must note that Josephus is not merely playing on the expectations and ideals of his Roman readership (though this was likely an element of his rhetoric). He is instead making a socio-cultural claim regarding the primacy of the earliest incarnation of the synagogue as the first, true people's assembly. It is also notable that in another narrative from the Antiquitates-Vita complex the term $\pi \rho o \sigma \epsilon v \gamma \dot{\eta}$ is used for the building that houses what was ostensibly the ἐμκλησία (i.e., the people's assembly) of Tiberias (Vita 271–303). Thus, Josephus' terminological choices are rhetorically determined, rather than constrained to record the events slavishly 'as they were.'

Indeed, Josephus either used or quoted a number of terms, including σύνοδος (AJ 14.235), προσευχή (Vita 277, AJ 14.258), τόπος (AJ 14.259–61), and even σαββατεῖον (AJ 16.164), all for the same institution. In other documents, we find a number of these same terms when referring to this constellation of institutions in both the Diaspora and the Land: e.g., σύνοδος (CPJ 138), προσευχή (JIGRE 117), and τόπος (Prob. 81). To this we might add terms such as προσευχτήριον (Mos. 2.216), συμφοίτησις (Legat. 316), διδασκαλείον (Spec. Leg. 2.62), σεμνεῖον (Contempl. 32), κατοικία (CIJ 775), λαός (CIJ 776), εὔκειον (CPJ 432), universitas (Cod. Just. 1.9,1), templum (Tac. Hist. 5.5.4), proseucha (Juv. Sat. 3.296), τη αίντη (IQM III 4), and παίστη (m. Meg. 3:3). That Philo of Alexandria and the inscriptions from Hierapolis in the list above both use multiple terms should not surprise us given Josephus' use of multiple terms.

The issue of terminology, in many ways, indicates the necessity of understanding Josephus' rhetoric before making historical claims based on his choice of terms alone.

This issue in Josephus should lead us to move beyond a conception of this terminology as fixed and standardized to a more nuanced understanding of how such terms might be used rhetorically.

3. Synagogue Activities

Few synagogue scholars today would question that the first-century synagogues of both the Land and Diaspora were multi-use institutions. Uses of this space included a variety of liturgical and non-liturgical activities. Such uses likely differ based on the needs of the individual community. It should thus come as no surprise that the

communities Josephus describes in many of his passages—whether in his *acta*, narratives, or treatise—have noticeably different needs that the synagogue meets. We might even say that, as with all other aspects of the synagogue, Josephus himself would choose those activities he would include based on his own rhetorical needs.

The most prominent set of activities with which Josephus presents his readers are those tied to the Jewish ancestral rights and customs. This of course included the actual reading of the Law so that the people might be intimately acquainted with their own ancestral customs and Law (C.Ap. 2.171–78, AJ 16.43). According to Josephus, the first synagogue was itself convened as Moses descended Sinai so that the people could receive the Law (AJ 3.84). Philo agrees with this notion of the centrality of the reading and dissemination of the Law in the synagogue, as he claims that the reading of and education in the Law are the primary purposes of the synagogue, and those who cannot understand this Law have no place in the synagogue (Ebr. 213). Likewise, the Theodotus Inscription (CIJ 2.1404) places a premium on the reading of the Law by listing it first among the various purposes for the construction of the Theodotus synagogue. Even in the New Testament, the most detailed account of Jesus in a synagogue is of him reading from the prophets (Luke 4:17–21), and many passages in Acts speak of Torah reading in the synagogues. This usage in Acts includes an acknowledgement in Acts 15:21 that Moses has been read 'for generations' in the synagogue. Thus, this idea of the reading of the Law as the primary liturgical practice of the synagogue should be viewed as a common notion in Judaism during the first century CE.

A more controversial set of liturgical practices that Josephus speaks of are prayer and sacrifice. In both AJ 14.227 and 14.260, Josephus speaks of protection for Jewish rights to perform prayer and sacrifices ($\tau \dot{\alpha} \varsigma \pi \alpha \tau \rho i \omega \varsigma \varepsilon \dot{\omega} \dot{\alpha} \dot{\varsigma} \kappa \alpha i \theta \upsilon \sigma i \alpha \varsigma \tau \ddot{\varphi} \theta \varepsilon \ddot{\varphi}$). While many historians have dismissed this as merely a colloquial way of referring to prayer and ritual, Philo also uses this same turn of phrase for a woman in an Alexandrian, Jewish $i \varepsilon \rho \dot{\omega} v$ in $Spec.\ Leg.3.171$. Josephus also refers to midweek prayers as a protected right that his enemies used against him at Tiberias (Vita 295). This latter passage is difficult to understand in light of the lack of other sources claiming such obligation to pray from this early period. It should be remembered that this was an instance of Josephus using ancestral customs in the synagogue as a means of defaming his enemies in the eyes of the intended Roman readers, so we cannot simply assume that this practice refers back to any normative, common practice in the synagogues.

Another activity that we find in multiple texts is the common meal (σύνδειπνα). In the Roman *acta*, the sacred meals and foods are protected in multiple decrees (*AJ* 14.215, 226, 261). As discussed in section 1.2.2.2.4, common meals with sacred food were a hallmark of association practice, especially in Bacchic groups. These banquets were often even more symbolic in their hierarchical practices than other meals in Roman society. However, it should be noted that Josephus never presents any hierarchical aspects within his statements regarding the common meals. We should also point out that Josephus simply speaks of 'sacred food,' thus omitting language more explicitly related to the Jewish food restrictions, of which many Romans were suspicious, in favor of a more common association terminology. Such common meals would become a hallmark of the

early Christ-believers, who would also at least attempt a less hierarchical common meal (e.g., 1 Cor 11:23, 33–34).

Another Josephan passage which speaks of a common meal in relation to the synagogue is Vita 279. In this pericope, we are told that the Jews of Tiberias would have lynched the town council ($\beta o \nu \lambda \dot{\eta}$) in the synagogue, had the luncheon not interrupted their fervor. However, we are not told in this passage whether this was a communal meal or whether the populace was about to disperse in order to eat. What is remarkable, however, is that this meal was sufficiently revered to quell a near riot. It is also notable that multiple extant, first-century synagogues (e.g., Ostia and Jericho) have food preparation or dining facilities. However, in these latter two examples, both were most likely association synagogues, in which we might more naturally expect to find dining facilities.

Yet another common activity we find in the synagogue is the convening of criminal and religious courts. This right is permitted and even highlighted in the *acta* (*AJ* 14.235, 260). *Antiquitates* 14.260 tellingly places the right for Jews to try their own cases between the right to gather together and the right to a place of assembly. In *Vita* 284–85, we find that the town council of Tiberias attempted to try Josephus in the synagogue. This trial even included documentary evidence being formally presented against him. This right's existence in both the Land and the Diaspora is notable. Given oft-cited parallels between town and association structures, we should not be surprised to find some carry over between what we would expect from a town council and an immigrant association. This particular right also highlights some possible city gate influences in the development of synagogues in the Land. However, even in the Galilean city of Tiberias, Josephus

would use the language of association, as the ancestral customs and Law are said to be upheld in this institution. This terminological shift is in keeping with Josephus' presentation of the synagogue as a supra-local association even when discussing the period before and during the Revolt. Numerous association texts from this period refer to the right to conduct trials (e.g., IG II² 1368, Athens, 164/165 CE; *IKyme* 17, Aeolis, 28 CE; *CIL* XIV 2112, Lanuvium, 136 CE), which gives credence to Josephus' continued emphasis on self-regulation within Jewish semi-public synagogues. Such courts had limited powers to try based on their own injunctions and rules.

The final common practice of the synagogue that we find discussed in works of Josephus is money collected for Jerusalem. This collection is consistently referred to as sacred (ἱερὰ χρήματα) by various acta (AJ 16. 163, 166, 169, 171). Such practices are corroborated by Philo, who speaks of money being collected for Jerusalem in Alexandria (Legat. 156, 313). Cicero would also speak of Jewish collections for Jerusalem, though he would argue that this money should have been sent to Rome (Flac. 69). Paul of Tarsus advocates for the collection of money by local Christ-believers for the ἐκκλησία of Jerusalem (e.g., 1 Cor 16:1–4). As argued in section 1.2.2.2.3, this practice finds its closest non-Jewish parallel in the practice of Phoenician associations collecting money to send to their native cities, which is specifically deemed an ancestral custom (Polyb. Hist, 31.12.11–12; Arr. Epict. diss. 2.24.5; Diod. Sic. 20.14.2). Thus we again find in Josephus' documentary defense of Jewish rights a common association practice, which functions as a religious obligation.

We should note that Josephus has integrated those activities deemed legitimate by the various Roman acta within his other stories. These activities, which Josephus placed within the category of Jewish ancestral customs, were common among other associations and often corroborated by outside Jewish sources and material evidence. That Josephus would integrate such activities as ancestral customs into the Judaean and Diaspora narratives of Antiquitates-Vita is proof of both Josephus' skill as an editor and of his vision of Jewish life at the time of his writing. We also see that Josephus made use of the actual, common activities of this space (firstspace) as he presented his ideal version of the space and its relation to the Jewish Law and ancestral customs (secondspace), in order to present his experience of these binding and important functions of the synagogue space (thirdspace) as a combination of the historical synagogue with his ideal vision of the institution. For Josephus, these activities, which were so central to his experience of the synagogue, would need to be continued in the various locales in which Jews would find themselves. Such practices were the key aspects of the Jewish Law and ancestral customs that made up the enduring Jewish constitution.

4. Synagogue Officials

Another common question that synagogue scholars ask of their sources is that of synagogue leadership. What were the offices and how did individuals refer to them? What actions were carried out by these officers? How did they relate to other individuals in the institution? In recent decades, scholars have increasingly rejected the former consensus of an egalitarian, Pharisaic-led synagogue. However, this loss of consensus needs to be filled with other theories that are more attuned to the sources. So what does Josephus have to

say on this subject? Surprisingly, this former priest, general, and aristocrat has very little to offer to this discussion.

The only passage in which any leadership is discussed in detail is the Tiberian episode in Vita 271–303. As has been discussed above, we are told about a town council (βουλή) led by a president (ἄρχων), which spoke before a crowd (δημος). These terms were stock titles for the civic levels of government during the Roman Period. While Josephus had otherwise imported the language of the association in this passage, he keeps the civic terminology for those exercising authority in this synagogue. At one level, this stands as proof that public synagogues could plausibly house the civic functions and functionaries. Such historical claims are bolstered by the notable break from Josephus' otherwise systematically presented institutional ideals, which favor an understanding of synagogues as a form of association. We should also note that Josephus uses the more general term ἄρχων for the leader of the βουλή in the synagogue. One possible corroboration occurs in Luke 8:41, which speaks of the ἄρχων τῆς συναγωγῆς. 850 This latter terminology is conspicuous given the common use of the more explicit term άρχισυνάγωγος for the head or president of a synagogue in Lukan Narratives and other sources. 851 Another notable use of this more specific term is the Theodotus inscription, which names an individual holding this office. Theodotus claims to have been preceded in this office by his father and grandfather (CIJ 1404, Jerusalem, first century CE). 852 The

⁸⁵⁰ Note that Matt 9:18 has ἄρχων, like Josephus' usage. However, the NRSV mistranslates this following the Lukan usage; in Matt the words 'of the synagogue' do not exist in the Greek.

 ⁸⁵¹ Cf. the parallel in Mark 5:22 in which ἀρχισυνάγωγος is used.
 852 see also Mark 5:22; Acts 13:15; 18:4–8, 17; IJO 2.168, Acmonia 50–100 CE; JIGRE 18, Alexandria 3 CE).

Theodotus Inscription also places the ἀρχισυνάγωγος within a larger group of elders (πρεσβύτεροι). The only possible parallel in Josephus to this body of elders would be the δυνατοί that attempted to bribe Florus on behalf of the Caesarean community in *BJ* 2.285, though Josephus does not necessarily treat this as a term for synagogue officials. At most, we might say that this group would have been men of influence, though not of a specific synagogue office. ⁸⁵³ Thus, other than with the βουλή of *Vita* 279 and (unlikely) the δυνατοί of *BJ* 2.285, there is very little with which to compare this body of elders in Josephus. When Josephus uses more traditional terms for elders or councils (e.g., γερουσία in *AJ* 13.166), there is little to connect these statements to the synagogue.

Beyond the above-listed synagogue officials, we might add the following: προστάτης, ἀρχιπροστάτης, ἱερός, and ξα, all of which have been argued to be synagogue officials. Unfortunately, Josephus does not use any of these titles for anyone engaged in specific synagogue duties.

While at a surface level we may simply acknowledge that Josephus saw no need to speak of such minor details, at a deeper level this absence is surprising. As is well-known, Josephus was a firm believer in the God-given place of the aristocracy in the life of the Jews. He valued his priestly and oligarchic status, and this status would have been important to any Roman readers and benefactors. This omission of aristocratic authority on Josephus' part may have been done to affirm the rights of all Jews and to minimize any Roman suspicions that Jews were attempting to rebuild their former national

854 For a complete list and discussion, see Binder, *Into the Temple Courts*, 343–71.

⁸⁵³ Cf. Binder, Into the Temple Courts, 361–62.

hierarchy, which the Romans had purposefully destroyed. However, as is the case with all omissions, we are only left with educated guesses as to why he would leave out this important synagogue information.

5. Synagogue Origins

As noted in the introduction, most reconstructions of the first-century synagogue have at least assumed a plausible origin for the institution, even if few of those presenting such origins have made a solid case for them. Historically, we have good reason to argue that the synagogue had multiple origins and influences. However, Josephus presents the reader with only one origin and influence: Moses at Mt. Sinai. He does so in order to give the synagogue authority and to present it as coterminous with and forever linked to the Law.

The first people's assembly in the biblical paraphrase of AJ 1–11 is convened as Moses descends Mt. Sinai with the Law in AJ 3.84. This national ἐκκλησία/συναγωγή would exist until the oligarchic rule was replaced (illegitimately, according to Josephus) by the kingship of Saul. The Mosaic origin of the synagogue is echoed in C.Ap. 2.173–175, as Josephus argues that Moses instituted the Sabbath gathering as a context in which to read and teach the Law, again connecting the Law and the synagogue. Both Philo of Alexandria (Opif. 128; Mos. 2.126) and the New Testament (Acts 15:21) would make this same claim based on the relationship between the Law and the synagogue. However, here we should note, as in section 3.2, that Josephus is also arguing against a certain view of Mosaic invention which he connects to Agatharchides and Apion. In the view of Agatharchides, Moses created temples in Jerusalem for improper celestial worship on the

Sabbath (*C.Ap.* 1.208–9). Likewise, *C.Ap.* 2.10–11 records the purported words of Apion, who also linked Moses to the building (though not necessarily the invention) of improper Egyptian temples and celestial practices. Moreover, Herodotus would also speak of early Mosaic gathering places in terms of their likeness to Egyptian temples (*Hist.* 2.111).

It is interesting to note, given the claims of Agatharchides, Apion, and Herodotus, that much of the earliest synagogue data comes from Egypt during the Ptolemaic Period. In multiple inscriptions, which I discussed in section 5.2.1, we find evidence of early Jewish $\pi\rho\sigma\sigma\epsilon\nu\chi\alpha\ell$ with Egyptian temple influences. Even more telling is that Josephus himself dealt with such traditions in AJ 13.62–73. As I argued in section 5.1, Josephus rejects these early synagogues due to their likeness with Egyptian temples. The historian favors a single temple in Leontopolis over these early assemblies. Thus, in an indirect way, Josephus gives historical credence to these traditions of an Egyptian synagogue origin.

In the end, Josephus himself was attempting to reconstruct the history of the synagogue in such a way as to make sense of his own experience of the synagogue. Thus, such origins were in many ways a reflection his ideal synagogue (secondspace), rather than the earliest Jewish institutions as they existed (firstspace) for the earliest synagogue patrons. For Josephus, it seems, the Egyptian genesis of the synagogue could be traced back to Moses and his giving of the Law, of which the third century BCE προσευχαί were a pale reflection.

6. Synagogues in Jewish-Roman Relations

Unfortunately, Josephus is often caricatured as a Roman toady, who sycophantically worked as an official propagandist for the Flavian Dynasty under Vespasian, Titus, and possibly Domitian. However, as discussed in the introduction to the present work, Josephus' connections to and opinions of Rome and the Principate were often much more complicated than such a portrait will allow. The fact that many other scholars have argued that he was writing for the early Rabbis is itself a testament to the nuances in Josephus' writings and rhetoric. In all of his writings, Josephus was deeply concerned that Jews be viewed as responsible citizens within the larger Empire. So how is this tension manifest in Josephus' presentation of synagogues? Much of Josephus' presentation of this Jewish institution is stated in the context of the relationship between Jews and Romans. Josephus uses the synagogue as a gathering place for peaceful, lawabiding Jews at a time when Jewish-Roman relations have seemingly reached their nadir.

The Roman *acta*, which I have presented as our best window into the innerworkings of Josephus' ideal synagogue, were born out of tensions between the Jews and the Romans. The purpose of these rulings within the narrative is to show that the peculiar, communal activities of Jews and their unique standing under Roman law are indeed protected by both local rulers and the Principate. The major themes of these documents are the licit nature of the Jewish ancestral customs and Laws, a need for a place to practice these customs, and Rome's approval of Jewish culture and practices. In particular, Gaius Julius Caesar affirms the synagogues as long standing and licit Jewish associations, which were allowed to remain when many Roman and Greek associations

were forcefully disbanded (*AJ* 14.213–16). This is a markedly different view of Jewish associations in Rome than we find in Tacitus, who blames the popularity of Jewish ancestral customs for much of the strife and discord in Rome (*Hist*. 5.4–5). The Roman *acta* thus represented for Josephus documentary evidence regarding the beneficial nature of Jewish communities and their customs within the Empire, so long as Jews peacefully and properly fulfilled their own Law.

Another key passage within *Antiquitates* that relates to Jewish-Roman relations is the attack on the Dora synagogue in *AJ* 19.300–11. While the placing of the imperial image in a synagogue was considered an affront to the Jews, Publius Petronus, the local magistrate, declares that the local troublemakers had insulted both the Jews' ancestral customs and the image of the Emperor (*AJ* 19.305). Thus, it is not that the Emperor and Romans are necessarily barred from entrance, but that the use of Roman symbols for such purposes stands contrary to the nature of the relationship between these two nations. Petronus even goes so far as to cite the *acta* that the Doreans would have known and that clearly present the Jews as being within their rights to assemble together to perform their customs.

The final example to be cited is that of Josephus' description of the benefits of the synagogue for the Roman Empire in *C.Ap.* 2.175–78. In order to counter the aforementioned accusations from certain non-Jewish philosophers that the Jews and their assemblies were rife with antisocial and Egyptian practices (*C.Ap* 1.208–10, 2.111), Josephus presents the Sabbath assemblies of the Jews as a time of learning the Jewish ancestral customs and Law. These customs not only touch every aspect of Jewish life, but

also are perfectly known by all Jews. Unlike the 'Greeks' who only learn of their law when they are being tried in court, the Jews are said to lead exceedingly good lives due to their complete memorization of their laws. This would implicitly make all proper Jews law-abiding, something which the Romans valued above all else in their subjects.

For Josephus, then, the synagogue institution was the setting for much of what made Jews the perfect subjects under Rome. Conversely, it is the respect and affirmation of Rome regarding Jewish culture that makes Rome a decent empire, even if some Roman subjects misunderstand and disrespect the Jewish way of life. Josephus is thus going out of his way in order to present the assemblies and customs of the Jews as licit and protected by a benevolent and just Empire, even if the continual need to affirm these rights and Roman respect gives the distinct impression that both sides harbored some anxiety.

7. Synagogue Space

As a study on assembly space that heuristically employs spatial theory in order to clarify the rhetoric of a given author, the present work places a premium on synagogue space, both as it was and as it was imagined. However, the question remains: How does Josephus describe the spatial aspects of the synagogue? The answer to this question is somewhat surprisingly unclear. Josephus gives only a few small, descriptive comments on the actual space (firstspace) used for communal gatherings. However, when we look at Josephus' aims and tendencies in speaking of synagogues (secondspace), the reason for this becomes clear: Josephus valued the synagogue for what occurred in these spaces, not

for specific architectural aspects or traditions. For Josephus, the actual space of the synagogue merely needed to conform to the activities and community that they housed.

In the most detailed description of a synagogue space, *BJ* 2.289–92, the Caesarea Maritima synagogue is described based on its limitations and unsatisfactory nature before the civil strife broke out. We are told that this building was on a spatially marginal piece of land and that the building was entirely constrained by this state of affairs. Our ability to extrapolate any usable, normative data for the reconstruction of the synagogue institution as a whole from this narrative is therefore questionable at best. That the Jews viewed this building as an unsatisfactory space that was used out of necessity is clear and a key piece of the rising tension in the story.

The other two notable comments in the works of Josephus regarding the actual space of the synagogue are both made in indirect ways. In *Vita* 277, we are merely told that the people congregated in the $\pi\rho\sigma\sigma\epsilon\nu\chi\dot{\eta}$, which was the largest building and thus able to hold the entire crowd. We are even told that the people of Tiberias met at an earlier date without the council in the stadium (*Vita* 92). We are provided with no measurements or discussions of the architectural style of the $\pi\rho\sigma\sigma\epsilon\nu\chi\dot{\eta}$. This building was, again, merely defined by its ability to house the appropriate groups and their different activities. We may surmise that this was a public building and that it was purpose-built. This would seem to be in line with the extant synagogue remains from the Land in this period. The remains in question are extremely utilitarian and multi-faceted spaces. These buildings were often prominent public buildings that allowed seating for large numbers.

The other spatial datum that Josephus provides on synagogue spaces is even more laconic. In AJ 14.258, the προσευχή in question is allowed to be built by the sea. We are not told whether this is for the purpose of ritual bathing. However, as with all other mentions of synagogues in the *acta*, Josephus simply quotes a document that grants Jews permission to construct and inhabit their own, purpose-built places of assembly. Also as in the other mentions of synagogues in the *acta*, the buildings are spoken of in relation to the activities that the Jews were being permitted to practice, or the need for the building was implied by these communal activities.

The emphasis on community and practice are again borne out in the material evidence of synagogues that we find from this period. Synagogues contained simple, four sided assembly spaces, with stepped benches along three or four sides, which had the effect of focusing attention to the middle of the group. These building conventions promoted discussion and other group dynamics, though this basic design was easily adapted to the needs of the specific community. This type of construction thus highlights the communal nature of the institution. The emphasis on activity also allows for regional variation. Further, the common construction included columns in the centre space, which itself would have limited the activities that could be performed there, especially if they were visually-oriented activities. Reading and discussion, however, would have been unhindered. This latter element would bolster the claims that Josephus makes about the pedagogical orientation of synagogues in *C.Ap.* 2.175, the speech of Nicolas (*AJ* 16.43), and several of the *acta*.

The rhetorical context of Josephus' ideal synagogue is the larger discussion of Jewish ancestral customs and Law. Conversely, the historical context in which we find the first-century synagogue is characterized by variegation in synagogue practice and construction. Thus, we should not be surprised that Josephus presents the synagogue as a diverse institution whose supra-local character allowed the ongoing practice and dissemination of the Jewish customs and Law wherever the Jewish people settled. This picture of an adaptive, fluid spatiality in this institution is highlighted by the congruence of the first-century synagogues firstspace existence with Josephus' own secondspace ideals for the future of the institution, which would have come together as a unified thirdspace experience of the synagogue. To state this point another way, Josephus' ideal seems to be congruent with the various historical descriptions of the space, which would make his experience of this space consistent and without problem. Josephus' picture of the space was that of an institution able to house the necessary practices and customs of the Jews through a time of turmoil and dispersion. This unified experience on the part of Josephus should also lead the modern historian who might feel frustrated at the lack of spatial description to question their own motives and aims in synthesizing Josephus' experience of the synagogue. We must remember that Josephus' perspective, both his perception and conception of the space, are historical data to be taken seriously.

On Reading History and Culture in Josephus

To conclude, I will leave the reader with a few, modest thoughts on the use of Josephus as a source for our understanding of ancient synagogues and other aspects of the Judaism that Josephus held so dear. In the post-Enlightenment scholarly culture that we

inhabit, we must take seriously the grey areas, uncertainty, and messiness of history. I propose three ways forward that I have attempted to exemplify in the present study, 1) Josephus presents us with one, subjective point of view that is nonetheless grounded in historical reality, 2) Josephus' point of view is itself a historical reality, and 3) we must find new methods of studying such complex perspectives

Firstly, Josephus is crafting a view of history that he wishes his audience to understand and believe. He is quite clear that he has a stake in this history and its telling, but still seems to be attempting a believable, trustworthy account. This account is full of self-justifications, hindsight, and opinion. We must seek to understand the inner-logic of these various tendentious and self-serving aspects in order to understand Josephus' argument and point of view. Josephus was a person of authority and learning as a former priest, general, and oligarch, so his perspectives on Jewish history and culture must be taken seriously. We would do well to remember that Josephus was no mere 'stupid copyist, '855 or disingenuous Sophist. He has crafted a coherent and (somewhat) consistent picture of the Jewish experience at the close of the first century CE.

The second issue is in many ways a reflex of the first. As noted in the introduction, I do not believe that the highly-rhetorical and perspectival nature of Josephus' writings should necessarily lead us to historical agnosticism. As Daniel Schwartz has noted, even the rhetoric and opinions of Josephus are historical referents. 856 While this opens the door to further historical study, it is not a positivistic history that

⁸⁵⁵ As per Laqueur, jüdische Historiker, 129.856 Schwartz, Reading, 4.

allows for easy reconstruction. Such a view acknowledges that Josephus is both intimately familiar with the events and also highly invested in how this history is told.

Finally, Josephan scholars and all other historians of ancient religion must strive to find and develop useful theories and methods in the study of social history in order to analyse and communicate information about the cultures they study. To this end, I have applied the spatial theory of Edward Soja where it was heuristically profitable in order to understand how the ideal and real interact to form the experience of the individual and the community. Both the real and ideal are historically contingent and mediated, as they constantly interact. What is more, the implications of Soja's trialectics of space may help us to comprehend the witness of other literary representations of synagogues. Above all, spatial theory provides new and productive avenues for the analysis and understanding of the ways in which spaces are described and portrayed in the rhetoric of works such as those of Josephus. The theories of Soja in particular should challenge us to understand that the description and narrative use of ideologically-charged spaces cannot merely be assumed to reflect the events as they happened. These theories help us to think of space in terms of both subjective and intersubjective value placed on the spaces in which various activities—especially religious rites and activities—take place. Thus, when the enemies of the Jews attack a synagogue or misuse this space, the offence is much worse due to the expectations the ancients held for such space. This is even more so when the space in question is presented as a people's primary social and religious centre. The portrayal of a space in this manner creates new expectations of this institution, given its place within the rhetoric of Josephus' later works.

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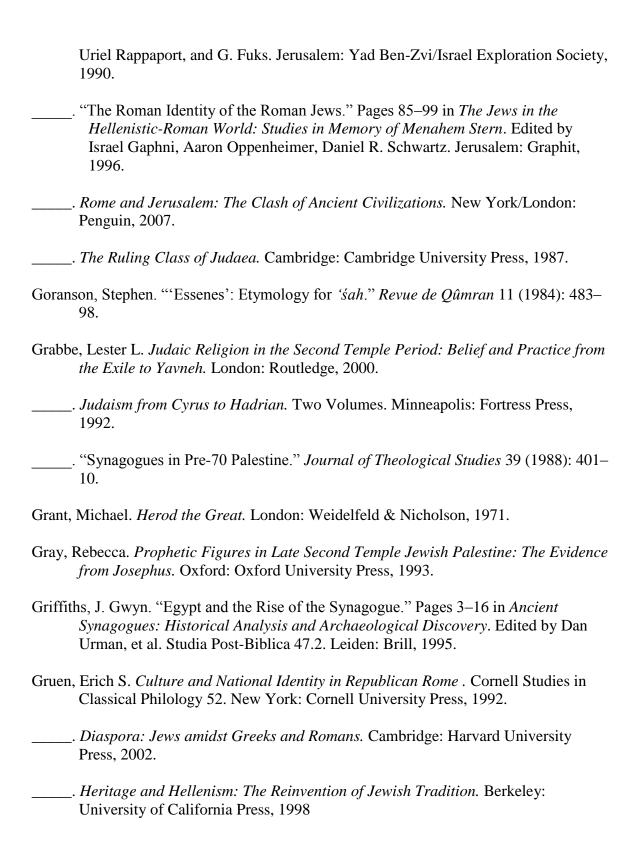
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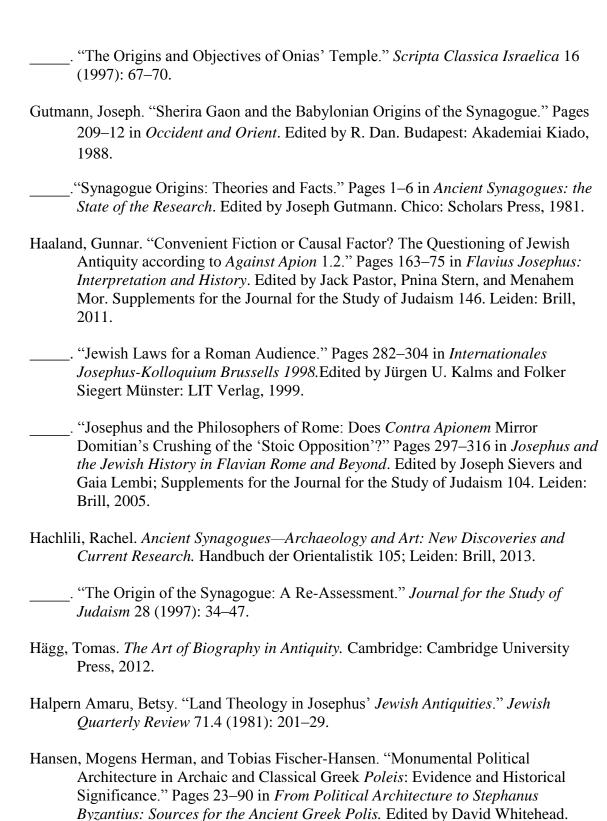
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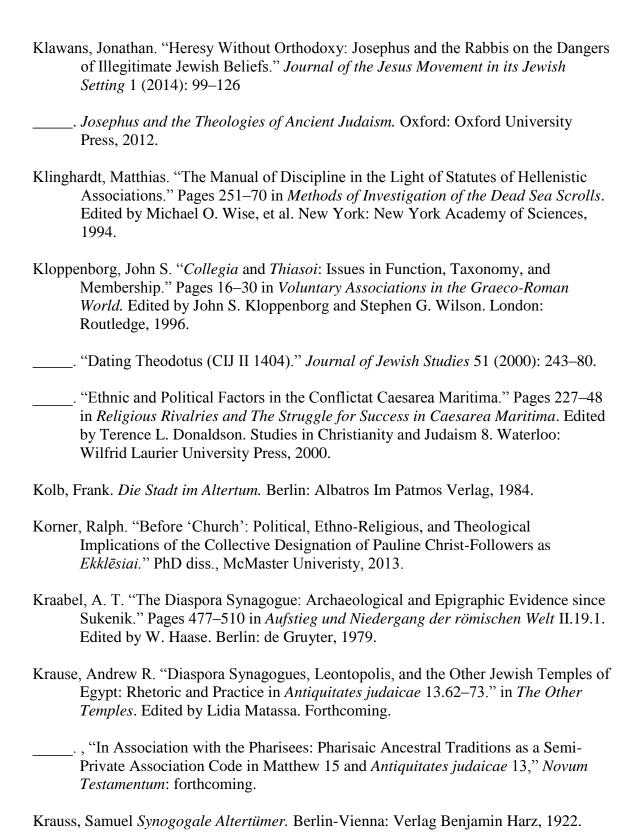
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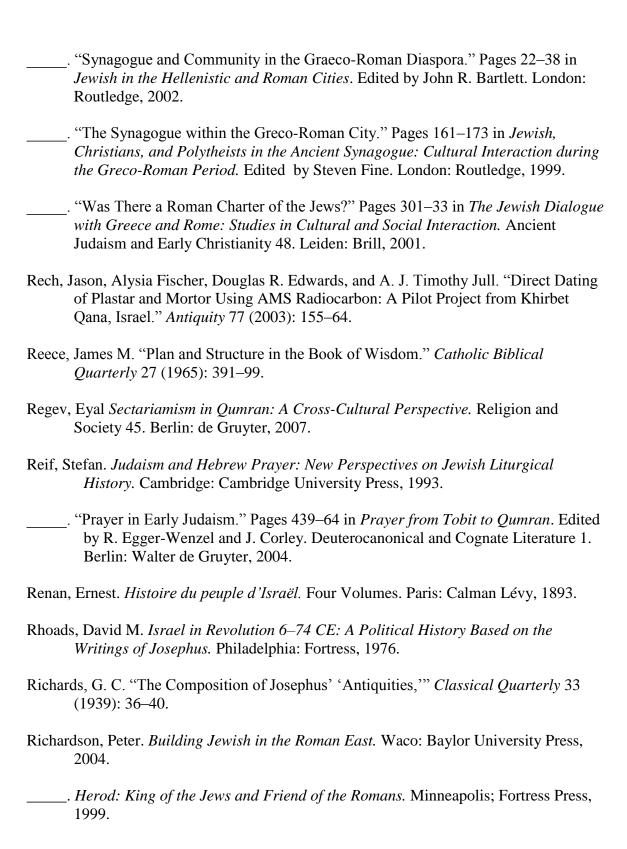
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