

DOMITIAN'S ASSASSINATION: THE JEWISH ASPECT *

I do not know if attention has ever been devoted by historians to the circumstances surrounding the death of the Emperor Domitian, in so far as they were such as to arouse suspicion of Jewish implication. Even if this cannot be proved, it is worthwhile surveying the episode and its setting, because the details may reveal events in a new light.

It is not the object of the present note to discover the origins of Domitian's persecution of the senatorial order, and it is clear that they were not the only section to suffer. Domitian certainly had strong autocratic tendencies, and psychologists might detect paranoid traits.

Doubtless L. Antonius Saturninus' conspiracy brought on an intensification of the persecution. Nor would it be irrelevant to observe that among Domitian's counsellors and henchmen active in the work of delation and conviction, sat Valerius Catullus Messalinus, who as proconsul of the Cyrenes in 73 had perpetrated the judicial murder of some 3,000 members of the city's Jewish aristocracy.¹ But the immediate event which sparked off the train of conspiracy to murder Domitian was the execution in 95 of Flavius Clemens, the Emperor's cousin. He was hardly active in public life, but had been consul in the same year, while his sons had been designated to succeed the Emperor.² Clemens was charged with judaizing, and his wife Domitilla, Domitian's niece, was banished to Pandateria on a similar charge. There seems no valid reason to doubt Dio's accuracy on this point, despite Eusebius' claim that she had become a Christian.³ The Christian tombs found on her property are of a much later period,⁴ and not only was Dio closer to the events, but he was also free of Eusebius' itch to add an imperial martyr to his church.

• The following, with some additions and modifications, is the text of a paper given in Hebrew to the conference of the Historical Society of Israel at Jerusalem at the end of 1970.

¹ Josephus *BJ* 7.437 f.; cf. Tac. *Agr.* 45; E. Ritterling, "Military Forces in the Senatorial Provinces", *JRS* 17 (1927) 29; Syme, *Tacitus* I (Oxford 1958) 56.

² D.C. *Epit.* 78.14.1; Suet. *Dom.* 15.

³ Eus. *Hist. Eccl.* 3.18; *Chron.* (Schöne) 2.160 ff. Eusebius calls Domitilla Clemens' niece.

⁴ *CIL*. 6.16246; *Man. d'arch. chrét.* 1.472, n. 5; H. Leclercq, *Dict. d'arch. chrét.* (Paris 1921) 4.401, who virtually suppresses Dio's evidence. Domitilla was probably called after Flavia Domitilla, wife of Vespasian. Before she was married to Vespasian, the latter had been the mistress of a Roman knight, a native of Punic Sabratha. We see here one of the possible avenues whereby Semetic influence could have found its way into the Flavian family.

The death of Clemens, who was so intimately related to the imperial family, aroused among its remaining members the apprehension that they too might fall victim to Domitian's terror; the conspiracy to end the tyrant's life was initiated by his own wife, Domitia.⁵ Her primary and necessary accomplice was T. Petronius Secundus, one of the two praetorian prefects. Professor Menahem Stern has indeed observed ⁶ that the Petronii were one of three eminent senatorial families, the Petronii, the Plautii and the Vitellii, which had revealed, at one time or another in this period, signs of contact with and even sympathy for Judaism, and were, moreover, interconnected by bonds of marriage. Naturally, mere kinship to one or other of these gentes need not inevitably imply sympathy with Judaism; if the author of the *Satyricon* is identical with Nero's intellectual companion, Petronius Arbiter, he was certainly no judaizer,⁷ and he presumably belonged to the same family. Petronius Secundus, on the other hand, before he had become praetorian prefect, had been prefect of Egypt in 92,⁸ and was therefore of knightly extraction; his family connections with the Petronii, if any, would therefore have been those of a client, but this need not have precluded an openness to the influences pervading the family as a whole, and in Egypt he would have had the opportunity of meeting cultured Jews in their own environment.

The actual assassin of Domitian was Stephanus, Domitilla's house-steward.⁹ Domitilla's sons by Clemens had been educated by the orator Fabius Quintilianus, who had been awarded *ornamenta triumphalia* thanks to Clemens' good offices.¹⁰ The orator had his own Jewish contacts; as advocate he had undertaken the legal defence of Berenice, sister of Agrippa II, mistress of Titus.¹¹ The nature of the charges faced by her are quite unknown, nor do we hear how she died; that she also fell victim to the bloodthirstiness of Domitian is not beyond all possibility.^{11a} Quintilian, of course, was not necessarily a Jewish sympathizer; he has some derogatory remarks concerning Moses and his nation;¹² it is nevertheless interesting that these seem to have

⁵ Dio *ibid.*

⁶ "Sympathy for Judaism in Roman Senatorial Circles in the Period of the Early Empire" (in Hebrew), *Zion* 29 (1964) 155 ff.

⁷ Cf. Petron. *Sat.* 68; and also *frag.* 24.

⁸ *Sammelb.* (1913) 5793.

⁹ Suet. *Dom.* 17.

¹⁰ Quint. *Inst.* pr.2.

¹¹ *Ibid.* 4.1.9.

^{11a} See J.A. Crook, "Titus and Berenice," *AJP* 72 (1951) 162 ff. Quintilian is discussing *quidam suarum rerum iudices . . . et ego pro regina Berenice apud ipsam eam dixi*. Crook conjectures that this was at an imperial consilium which was discussing a matter concerning her in her own presence. Jos. *Vit.* 359 would suggest that Berenice did not long survive Agrippa II, (d. 97-98 or shortly after) or even died before him.

¹² *Inst.* 7.7.1.

been written immediately before Domitian's death, and may not have reflected his real views.

Domitian's ultra-sensitivity to the part played by Berenice in his family history is at any rate made clear by Suetonius,¹³ who tells us that on one occasion, when Titus was urging Aelius Lamia to take a second wife, the latter replied: μή καὶ σὺ γαμήσαι θέλεις;—for which he was duly liquidated by Domitian. Domitian, it is true, had appropriated Lamia's first wife, yet it is worth noting that Lamia appears to have been connected with the Gens Plautia, his full name being L. Aelius Lamia Plautius Aelianus.¹⁴

Clemens was not the only man to pay with his life for his alleged judaization at this time. Dio writes of his death and of his wife's fate: ¹⁵ "Both were charged with denying the gods, the same charge on which many were convicted who had drifted into observing Jewish customs". Another senator among the victims was M'. Acilius Glabrio, consul in 91, whose death is reported by Dio immediately after his account of the conviction of Clemens and Domitilla. This courageous Roman was forced by Domitian to accept combat with a lion, and emerged victorious; in 95 he was accused of judaizing, and put to death shortly afterwards.¹⁶

The exile of Epaphroditus, Nero's *a rationibus* and *a libellis* under Domitian is ascribed by Dio to the same time — 96 — being reported before the Clemens episode.¹⁷ His second appointment shows that the charge that he had helped Nero to commit suicide was probably devised *ad hoc*. It would be very tempting at this point to identify him with the patron to whom Josephus dedicated his works, *The Antiquities*, *Against Apion* and *The Life*,¹⁸ the more so since Epictetus, who shows a certain knowledge of Judaism, was a member of his household; of him hereafter. The problem whether the Epaphroditus concerned was this man or the grammarian M. Mettius Epaphroditus who lived under Nero and survived till Nerva (*Suidas*, ad voc.), has been the subject of much learned skirmishing, and a closer scrutiny of the evidence adduced by

¹³ Suet. *Dom.* 10.

¹⁴ *PIR* 1, p. 36, no. 205.

¹⁵ D.C. 67.14.3.

¹⁶ D.C. 67.12.1; Fronto 82 N; Suet. *Dom.* 10; cf. D.C. 67.14.3. An Acilius Glabrio and other Acilii are found buried in the catacomb of Priscilla on the Via Salaria in the late 3rd century (*PIR*, 1(1933) p. 9, no. 66; *CIL* 6.31680) and appear to have been Christians. I do not think that this proves that Acilius Glabrio was put to death by Domitian for Christianity, or that his case thereby reflects on a possible interpretation of the case of Flavia Domitilla. On the contrary, in view of the well known tendency of judaizing gentiles to be attracted to Christianity, the above burials may be taken as fair evidence that the earlier Glabrio was indeed influenced by Judaism.

¹⁷ D.C. 67.14.4.

¹⁸ *AJ Praef.* 8; *Ap.* 1.1., 2.1; *Vit.* 430.

Laqueur¹⁹ in favour of M. Mettius Epaphroditus, fails to convince me that his arguments are sound.²⁰

Leaving the matter open,²¹ however, we may remark that if Epaphroditus the *a libellis* was not Josephus' patron, Epictetus may nevertheless have reflected certain trends among the contemporary upper circles of the equestrian order.

Epictetus was one of Epaphroditus' slaves;²² there is no question but that he had an excellent knowledge of the Jews and Judaism, and some of his statements concerning them will be discussed below. For the moment it is sufficient to recall that in 89 he was exiled from Rome together with other philosophers then resident in the capital; these included his personal friends the philosophers Demetrius, Daemonax and Apollonius of Tyana.

The importance of the "philosophic" opposition at Rome in this period may have been underestimated.²³ We would do well to remember that it exerted a certain influence on the senatorial opposition, as witness Thrasea Paetus, Helvidius Priscus and even Seneca.²⁴ When Petronius put into Trimalchio's mouth the instruction to inscribe on his tombstone *nec unquam philosophum audivit*²⁵, his shaft may have been aimed less at Trimalchio than at Nero. Q. Iunius Rusticus, one of Priscus' supporters, was termed by Domitian "a Stoic ape", and duly executed; ²⁶ the consular Salvidienus Orfitus, an admirer of Apollonius of Tyana, was sent into exile.²⁷

The most vocal and courageous opposition, nevertheless, came from the popular philosophers themselves, whether Stoics or Cynics. One such Cynic was bold enough to speak his mind against Berenice's appearance with Titus in the theatre, and was flogged accordingly. Another, repeating the demonstration, paid for it with his life.²⁸ The Cynic Demetrius reproved Nero to his face, and was equally outspoken to Vespasian.²⁹ His circle included Daemonax of Cyprus,³⁰ a retiring and kindly ascetic, but merciless in his exposure

¹⁹ R. Laqueur, *Der jüdische Historiker Flavius Josephus* (Giessen 1920) 23 ff.

²⁰ It is possible to criticize every argument he adduces for believing that Josephus' lesser works were concluded after 96 C.E.

²¹ For other views Stein, *RE* 5 (1905), s.v. Epaphroditus, no. 4, cols. 2710–2711; Hölscher, *ibid.* 9 (1916) col. 1940, n. 1.

²² Suidas, s.v. Ἐπίκτητος (Adler 2 (1931) p. 365, no. 2424); cf. Arr. *Epict.* 1.26.11.

²³ For a serious appreciation, M. Rostovtzeff, *Soc. Econ. Hist. Rom. Emp.* (Oxford 1957) 115–118; 586, nn. 14–16.

²⁴ For Seneca, *Epist.* 108.22.

²⁵ Petron. *Sat.* 71.

²⁶ Plin. *Epist.* 1.5.2.

²⁷ Suet. *Dom.* 10.

²⁸ D.C. 66.15. Crook (*loc. cit.* n. 11a supra, p. 166) thinks these two Cynics were tools of Mucianus' faction.

²⁹ Suet. *Vesp.* 13; D.C. *Epit.* 65.11.

³⁰ S. Dill, *Roman Soc. from Nero to M. Aurelius* (London 1904) 364 ff.

of hypocrisy and moral pretence. When he was arraigned before the Athenian Areopagus for his refusal to sacrifice to the gods or to be initiated at Eleusis, his fearless defence procured him his acquittal. He denounced the introduction of the gladiatorial games into Athens, and died at the age of a hundred, loved and revered by the common people.

Apollonius of Tyana, another member of this philosophic group, was an entirely different figure. Of the Neo-Pythagorean school, and a wanderer from country to country, he was credited with miraculous powers and clairvoyant faculties. His life was in danger under both Nero and Domitian, and he is said to have seen from far off, by paranormal vision, the actual assassination of the latter.³¹

Each of these men differed from the rest in character and thought, but all possessed the common qualities of moral courage, sense of mission and hatred of tyranny.

Epictetus is the connecting link between this group and the circle that stood close to Domitian himself; his Stoic teaching, as transmitted to us by Arrian, sought to prove to his hearers that fear of the tyranny was groundless, and the relevant passage concludes: "For how can such a tyrant inspire fear and what are his spearmen and their swords worth? If there are people who are capable of behaving towards them (without fear) out of madness or mere habit—such as the Galileans—is it not also possible to learn from reason and demonstration that God has created everything in the world, which is utterly free and independent, and whose parts are entirely at its own disposal?"³²

In the above-cited passage, two features are worthy of note: 1) They express the Stoic outlook of Epictetus, who sees appreciation of the Divine power not in direct emotional faith, but in a conception of the rational structure of the world; and 2) that Epictetus cites, as an example of a courageous stand against tyranny, based (in his view) on irrational habit, that of the Galileans. Many scholars have seen in the latter an allusion to the Christians, but Hengel³³ has shown convincingly that the term was not applied to them before Julian's time, and there can be no doubt that the reference is to the Galilean Zealots who died for their faith a few years before Epictetus alluded to their stand.

In another passage³⁴ Epictetus discusses the character of the struggle between the various religions which was proceeding throughout the Empire in his time, and emphasizes that loyalty to a religion demands the realization of faith in action. Having spoken of the phenomenon of prejudice, he proceeds: "Thus do conflicts arise among men. Such is the conflict between the Jews,

³¹ Philost. 8. 25–6; cf. D.C. 67.18; Dill, *op. cit.*, 347, 399 f., 518.

³² Arr. *Epict.* 4.7.6.

³³ M. Hengel, *Die Zeloten* (Leiden 1961) 58–61; cf. Jos. *BJ* 7.417.

³⁴ Arr. *Epict.* 1.22.3–4.

the Syrians, the Egyptians, and the Romans . . ." And elsewhere he asks: ³⁵ "Why do you claim to be a Stoic, why do you play the Jew when you are a Greek? Do you not see how each is called a Jew, a Syrian, an Egyptian? And when we behold a man hesitating between two opinions, we say: 'This is no Jew: he is merely playing.' But when he takes upon himself the experience of baptism and the elevation of the soul, then — he is a real Jew and to be called such. — Thus we are counterfeit baptized, Jews merely in name, and in reality something else, indifferent to reason, and far from realizing the things of which we speak, though we take pride in them as if we knew them."

In this passage Epictetus reveals not merely the struggle of religions that is going on in the Roman Empire, Judaism being among the chief of the faiths involved, but also his close understanding of Judaism and of the content of the act of baptism. Of equal importance is his testimony that many of his contemporaries are being swept into the various religious currents and are accepting this or that religion³⁶ in a superficial fashion. It is further of interest that when he wishes to adduce an example of a change of religion and of conversion to a new faith, he cites Judaism; and when he wishes to quote an example of resistance to a tyrannical ruler, he cites the Zealots' stand against Vespasian and Titus.

Epictetus' words assuredly reflect the situation prevailing in Rome in the years before the assassination of Domitian. In those years, as Juvenal and Martial testify, Judaism had penetrated deeply not only the ranks of the Roman aristocracy, but also among the Roman populace. It need not be assumed, of course, that everyone accused of judaization was really a proselyte, but evidently genuine conversions were sufficiently common to make the charge plausible. It seems, moreover, that a rapprochement with Judaism had begun to serve among the oppressed nobility as an expression of protest against the tyrant.³⁷ If the same tendency found an echo among the philosophical opposition, however, it does not mean that all the contemporary philosophers were sympathetic to Judaism; on the contrary, Apollonius of Tyana refused to tread the soil of the Land of Israel because it had been, in his view, contaminated; ³⁸ and we have already mentioned the Cynic attack

³⁵ *Ibid.* 2.19–22.

³⁶ Domitian himself was a devotee of Isis (Tac. *Hist.* 3.47; Suet. *Dom.* 1), an attachment which would not have improved his attitude to Judaism.

³⁷ Mettius Pompusianus was put to death by Domitian on several charges, one of them being that he had called two of his slaves Mago and Hannibal respectively. (Suet., *Dom.* 10). The note of protest here is evident.

³⁸ According to Philostr. *VA* 5.27. The authenticity of this biography is of course doubtful, and it was composed over a century after Apollonius' death. Philostratus himself calls it a story (λόγος). Yet Apollonius' attitude to the Jewish country, according to the same account, was sufficiently complex to argue an accurate record. Thus, the implication of this reaction is that he regarded Judaea as sacred earth: furthermore the account says: ὁ δὲ

on Titus and Berenice. Yet Epictetus makes clear the sense of community with Judaism shared by some Stoics and Cynics of that generation.³⁹

In a later generation too, during the Second Jewish Revolt against Hadrian, at least one Cynic philosopher was aware of this community. This was Oenomaos of Gadara, who appears in talmudic literature as Evnomos ha-Girdi, a contemporary of R. Meir, the teacher of R. 'Aqiva; ⁴⁰ of Oenomaos, R. Abba ben Kahana said: "There have never lived philosophers like Bile'am son of Bei'or and Evnomos ha-Girdi".⁴¹ Evnomos was a friend of R. Meir, and appears to have been well acquainted with the culture and laws of Judaism. Of great interest is a passage in Midrash Genesis (65,20) concerning him. "All the gentile nations of the world met at his home (and asked him, saying), Tell us, can we become one with this nation? He said to them: Go and tarry by their synagogues and schools, and as long as you hear the voices of the children piping there, you cannot join them, for their Father pledged them, saying: The voice is the voice of Jacob; so long as the voice of Jacob is heard in the synagogues, the hands are not the hands of Esau, but if the voice of Jacob is not heard there, the hands are those of Esau, and you may join them."

The above tradition certainly contains the echo of a serious discussion among the Greeks of the Land of Israel whether or not to join the Jewish rebellion against Rome. Dio Cassius, at least, wrote ⁴² that many gentiles made common cause with the Jews during the Second Revolt, and we have here, perhaps, the only evidence so far available which lends substance to his statement.⁴³ Oenomaos is known to have written a biting criticism of oracular

παραποῖτο "ηκειν ἐς γῆν, ἣν ἐμίαναν οἱ ἐν αὐτῇ οἰκοῦντες οἷς τε ἔδρασαν οἷς δὲ ἔπαθον. i.e. it had been contaminated not merely by what the Jews had done but also by what had been done to them. Something more than mere Pythagorean fear of contamination by bloodshed may be implied.

³⁹ Peregrinus, a Cynic of the Antonine period, became a member of the Christian community in Judaea, subsequently giving up his entire fortune. Compare the debate among the Jewish sages of the same generation, whether a man might give his entire property to the poor, or merely part of it. (*Talmud Jer. Ket.* 50, 170a). Cf. further the words of R. Yohanan ben Zakkai (died c. 80) to the effect that anyone who rejects idolatry may be termed a Jew. (*Meg.* 13a).

⁴⁰ Cf. *Hag.* 16b; *Mid. Ruth Rab.*, 2.14.

⁴¹ *Mid. Gen. Rab.*, 65.1.

⁴² D.C. 69, (*Epit.*) 13: πολλοὶ τε ἄλλοι καὶ τῶν ἀλλοφύλων ἐπιθυμία κέρδους σφίσι συνελαμβάνοντο, καὶ πασχῆς ὡς εἰπεῖν κινουμένης ἐπὶ τουτῷ τῆς οἰκουμένης κτλ.

⁴³ Spart., *Had.*, 14, 1, reports a clash between Hadrian and the population of Antioch immediately before his account of the Second Jewish Revolt (*Spart. Had.* 14.2). More suggestive evidence, however, comes from the Negev, where archaeological enquiry has shown that 'Avdat was abandoned after 128 (A. Negev, "Oboda, Mamphis and Provincia Arabia", *IEJ* 17 (1967) 47; cf. Applebaum, Gihon, *Israel and her Vicinity in the Roman and Byzantine Periods* (Tel-Aviv (1966) 47-48), probably under pressure of Thamudic and Safaitic tribes, and possibly due to the drawing off of Roman garrisons owing to the trouble in Judaea.

practices in the pagan temples, and further delivered so furious an attack upon idolatry, that it awoke the anger of Julian the Apostate two-hundred years later.⁴⁴ It may not have been merely to winter that the XIVth legion Gemina occupied Gadara in the course of the rebellion.⁴⁵

Among the first acts of Nerva as Caesar was to strike coins with the inscription *Fisci Iudaici calumnia sublata*.⁴⁶ This could hardly have been to conciliate the Jews, but the mere mention of the word "Iudaicus" on these issues might have been a notable concession to public opinion, more especially to those who inclined to the Jewish faith, nor can it be doubted that the *calumniae*⁴⁷ had struck mainly at gentiles accused of such a tendency.

Yet the struggle continued, as witness Tacitus' libellous chapter on the Jews in the fifth book of his *History*.⁴⁸ The influence of Judaism, apparently, had not waned, and Tacitus foresaw the approach of the coming storm, which broke in Trajan's time.

The memory of gentile martyrs of Domitian's reign did not fade, and is preserved in talmudic literature.⁴⁹ Moreover, it may have survived among the followers of Ben Kosba as a source of courage and hope. The seal impression found in the "Cave of Letters" in Nahal Hever of the Judaeen Desert, bearing the figure of a man struggling with a lion,⁵⁰ has been variously interpreted, and certainly wrongly. Only one interpretation appears to me to bridge the two worlds — the Roman and the Jewish — reflected in the seal. Surely we must see here the likeness of M' Acilius Glabrio, who slew the lion and paid the supreme price for his beliefs.

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⁴⁴ Julian, Εἰς τοὺς ἀπαιδ. κύνας, 187 (Loeb, II, p. 22); 199 (Loeb, II, p. 52).

⁴⁵ *CIL*. 3, 12091. Josephus (*BJ* 4.418) has very a curious incident to report of the Gadarenes, during the first Jewish War (68 C.E.). On Vespasian's approach, they acclaimed him, stating that they had demolished their walls without consulting the Romans in order to prove their peaceful intentions. Although it is often claimed that this was Gadara (Gedor) of Peraea, the next place mentioned (Sennabris) is near Gadara of the Yarmuq.

⁴⁶ H. Cohen, *Descr. hist. des Monnaies . . . Médailles Impériales* (Paris 18802) 6, nos 54–55, for the year 96.

⁴⁷ For what was implied by these — tax-demands accompanied by threats and "third degree" questioning — see Aur. Vict. *Epit. Caes.* 42.21 (Trajan). Mattingly's interpretation (*Coins of the Rom. Emp.* (London 1936) 3, xlvii), "casuistic abuse of legal technicalities", seems too lenient.

⁴⁸ 5.1–13.

⁴⁹ *Av. Zarah*, 10b.

⁵⁰ Y. Yadin, *The Finds from the Bar Kochba Period in the Cave of the Letters* (Jerusalem 1963) 118, fig. 44.