

The Integration of Judaea into the Roman Empire

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The Jewish, Hasmonaean state emerged as a result of the revolt of Mattathias and his sons and followers against the religious persecution of the Seleucid king Antiochus IV. Building on the achievements of his brothers Judas and Jonathan, the Hasmonaean Simeon succeeded in establishing the independence of the Jewish state in 142 BCE.¹ His successors expanded its territory over the greater part of Eretz Israel, a Jewish term, or Judaea as this country was often named by Jewish, Greek and Roman writers. Several factors may explain their success, notably the general decline and disintegration of the Seleucid empire, as well as visionary leadership, political shrewdness (exemplified for instance by their collaboration with Seleucid kings or pretenders), military talents and the construction of a strong army. Cultivation of friendly relations with Rome, beginning with the treaty of alliance that Judas Maccabaeus concluded in 161, contributed to the Hasmonaean success. Eventually, however, the Hasmonaean state lost its political independence and major parts of its territory in the 60's of the first century as a result of the advance of Roman rule to the East by Pompeius, who took advantage of the strife between Hyrcanus II and Aristobulus II to intervene in the affairs of Judaea in 63 BCE. Thereafter the Jewish rulers, first the Hasmonaean Hyrcanus II and then Herod the Great and his descendants, exercised autonomy in conducting internal affairs, but were subject to Roman control in all matters relating to foreign policy. Judaea was annexed to the Roman empire and became a province only in 6 CE. In that year Augustus deposed the ethnarch Archelaus, Herod the Great's son, whose territory, Judaea proper, Idumaea and Samaria, was organized as the Roman province of Judaea. Philip and Herod Antipas, Herod's two other sons, continued to rule their territories — the former Batanaea, Trachonitis and Auranitis and the latter the Galilee and the Peraea — to 34 and 39 respectively. Agrippa I, Herod the Great's grandson, succeeded to the territory of Philip and was granted the royal title by the Emperor Gaius in 37, who also granted him the territory of Herod Antipas in 39. The Jewish state was revived in

¹ For the conclusion that the Jews gained independence under Simeon see *IMacc.* 13.33-42, whose author presents a Hasmonaean point of view. Cf. Jos. *BJ* 1.53; *AJ* 13.213-4. For a similar view see Justin, 36.1.10; 3.8-9 and cf. Tac. *Hist.* 5.8.2-3. The Seleucid stance regarding this independence may have been different.

41 when the Emperor Claudius gave Agrippa I all the other districts that had once formed the kingdom of Herod, thereby abolishing the Roman province of Judaea. But this revival was short-lived for after the untimely death of Agrippa I in 44 his kingdom was constituted as a Roman province. Although Agrippa II, son of Agrippa I, was granted Batanaea, Trachonitis, Auranitis and most of the Galilee and the Peraea, he never received Judaea proper, Samaria and Idumaea. After his death in 93/4 the Jewish districts of his territory were annexed to the province of Judaea, the non-Jewish parts to the province of Syria.

This brief account summarizes the main stages of the history of the Jewish state and its relations with Rome according to the commonly held view: Jewish independence *vis à vis* foreign powers, including Rome; indirect or hegemonial Roman rule; direct Roman rule through provincialization.² In recent years, however, traditional views concerning the nature of Roman imperialism, Roman attitudes towards and relations with foreign states and peoples, the process of provincialization and the very nature of the Roman empire have been questioned. All these have some bearing on the subject of the integration of Judaea into the Roman empire. The first part of this paper recapitulates the traditional views of the Roman empire and then presents the recent revisionist interpretations. There follows a re-evaluation of the relations between Judaea and Rome from the time of Judas Maccabaeus to Alexandra Salome. In the concluding part I deal with the intervention and settlement of Pompeius and its effect on the integration of Judaea into the Roman empire.

1.

Rome's political domination of Italy had been established before it started its overseas expansion in the First Punic War. By that time all the Latin and Italian city-states and peoples of Italy south of the Po valley had been allied to Rome by various treaties. Although a distinction was made between two classes of treaties, *foedera aequa* and *foedera* that included some disadvantages for the non-Roman party, each and every one of the allies was entitled to administer its internal affairs independently using its own legal system and institutions and without the interference of Roman magistrates. A corollary of this system by

² For a detailed, convenient account see E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, A New English Edition Revised and Edited by G. Vermes and F. Millar (Edinburgh 1973-87), Vol. I. See also, e.g., A. Momigliano, *Ricerche sull' organizzazione della Giudea sotto il dominio romano 63 a.C. - 70 d.C.* (Bologna 1934). On the Hasmonaeen army, a mainstay of the Jewish state, see B. Bar-Kochva, *Judas Maccabaeus. The Jewish Struggle against the Seleucids* (Cambridge 1989); I. Shatzman, *The Armies of the Hasmonaeans and Herod: From Hellenistic to Roman Frameworks* (Tübingen 1991), 1-125.

which Rome maintained its domination was that Italy was divided into Roman territory (*ager Romanus*) and allied territory. By implication there existed a borderline, physically visible or imagined, that separated the Roman territory from that of its allies.³ That the Roman state intervened in the internal affairs of its Latin and Italian allies during the second century, thereby infringing their rights, is well-known and has always been admitted. At the same time some romanization and unification took place in various degrees in not a few of the allied communities.⁴ Still, the notion of territorial demarcation, with its legal implications, was maintained and applied to conditions outside Italy. The growth of the Roman empire overseas was envisaged through and considered as tantamount to the creation of provinces. A province outside Italy was defined as a territory with clear borders, subject to direct Roman rule, particularly in political, military, fiscal and judicial respects. A new, permanent province in this sense was annexed and established through the drawing up of a *lex provinciae* by a Roman general invested with *imperium*, usually with the help of several *legati* sent by the senate from Rome. The *lex provinciae* set up binding regulations for the administration of the new province. Thereafter holders of *imperium*, magistrates or pro-magistrates, were sent in an unbroken succession to govern such duly organized provinces.⁵ City-states and peoples that had treaties with Rome remained independent, whether they had *foedera aequa*, that is treaties that acknowledged equality between the partners, or *foedera* that imposed some disadvantages on the non-Roman partner. Legally such states were autonomous and free from control by Roman governors even if their territories were located within a Roman

³ Of the vast literature concerning the so-called Italian Confederation of Rome I cite only: J. Beloch, *Der italische Bund unter Roms Hegemonie* (Leipzig 1880); A.N. Sherwin-White, *The Roman Citizenship* (2nd ed. Oxford 1973), 96-9 (Latins), 119-27 (Italians); H. Galsterer, *Herrschaft und Verwaltung im republikanischen Italien* (Munich 1976); T. Hantos, *Das römische Bundegeossensystem in Italien* (Munich 1983); G. Clemente, in G. Clemente, F. Coarelli and E. Gabba (eds.), *Storia di Roma* (Torino 1990), 2.1, 19-40. On the military service of the Italians see V. Ilari, *Gli italici nelle strutture militari romane* (Milan 1974). Needless to say, scholars hold many varied and differing views on various points, but they need not be detailed here.

⁴ See, e.g., E. Badian, *Foreign Clientelae* (Oxford 1958), 141-53; Sherwin-White (above n. 3), 100-18 (Latins), 127-33 (Italians); E. Gabba, in *Cambridge Ancient History* (2nd ed. Cambridge 1989), 8, 225-32; id., in *Storia di Roma* (above n. 3), 267-83; id., *Italia romana* (Como 1994), 17-43; U. Laffi, in *Storia di Roma* (above n. 3), 285-304.

⁵ See, e.g., W.T. Arnold, *The Roman System of Provincial Administration* (London 1879), 26-9; J. Marquardt, *Römische Staatsverwaltung* (Berlin 1881), 1, 500-501; T. Mommsen, *Römische Staatsrecht* (Berlin 1886-7), 3.1, 726-7, 746-7; J. Bleicken, *Lex publica, Gesetz und Recht in der römischen Republik* (Berlin 1975), 167.

province.⁶ All in all such a reconstruction of the nature of the Roman provinces and of the legal basis of the relations of Rome with its allies means that the Roman empire had clearly defined territorial limits. There is no escape from this conclusion even if due consideration is accorded to the Roman intervention in the affairs of its allies.

This traditional account has been questioned in recent years on several grounds, which may be divided into two lines of approach. One line concentrates on the question of the establishment of provinces, the other contests the equation of the Roman empire with provinces and presents a different conception of empire, one that is based on Roman perceptions. Let us begin with the first.⁷ For most of the provinces no *lex provinciae* is attested; in fact the two better known cases collapse upon scrutiny. According to the available evidence, the *lex Rupilia* dealt with the administration of justice in cases involving citizens of different Sicilian cities;⁸ the *lex Pompeia* dealt with the constitutions of the cities established by Pompeius in Bithynia and Pontus.⁹ There is no evidence that these two laws re-organized or organized Sicily and Bithynia-Pontus, respectively, as Roman provinces, providing comprehensive regulations for their administration under Roman rule. In brief, the existence of the *lex provinciae* appears to be a modern scholarly mirage, with no real basis in the sources. In addition, in many cases it is impossible to establish the supposed uninterrupted succession of Roman holders of *imperium* sent to govern provinces, which undermines this kind

⁶ On Roman treaties with foreign states and rulers see E. Täubler, *Imperium Romanum* (Leipzig 1913), 71-7, on the regulation of borders; H. Horn, *Foederati* (Diss. Frankfurt 1930); W. Dahlheim, *Struktur und Entwicklung des römischen Volkerrechts im dritten und zweiten Jahrhundert v. Chr.* (Munich 1968); K.-H. Ziegler, 'Das Volkerrecht der römischen Republik', in *ANRW I 2* (1972), 68-114; D.W. Baronowski, 'Sub umbra foederis aequi', *Phoenix* 44 (1990), 345-69. A main text for the legal approach to the problem is *Dig.* 49.15.7.1, a passage from Proculus, a jurist of the first century CE: *liber autem populus est is, qui nullius alterius populi potestati subiectus: sive is foederatus est <sive non foederatus>, item sive aequo foedere in amicitiam venit, sive foedere comprehensum est, ut is populus alterius populi maiestatem comiter conservaret. hoc enim adicitur, ut intellegatur alterum populum superiorem esse, non ut intellegatur alterum non esse liberum* (for two emendations in the text see Baronowski, 346 n. 2).

⁷ See D. Hoyos, 'Lex Provinciae and Governor's Edict', *Antichthon* 7 (1973), 47-53; A.W. Lintott, 'What Was the Imperium Romanum?' *Greece and Rome* 28 (1981), 53-67; J.S. Richardson, 'The Administration of the Provinces', in *Cambridge Ancient History* (2nd ed. Cambridge 1994), 9, 564-98, esp. 564-71; R.M. Kallet-Marx, *Hegemony to Empire: The Development of the Roman Imperium in the East from 148 to 62 B.C.* (Berkeley-Los Angeles 1995), 18-22.

⁸ See Cic. *II Verr.* 2.32, 34, 37, 38, 40, 42. It also dealt with the constitution of Heraclea.

⁹ See Plin. *Ep.* 10.79, 112, 114, 115.

of indirect proof adduced to show the provincialization of defeated countries, that is their organization as Roman provinces at one particular time. The lack of evidence may engender doubts not only about the dating of the 'annexation' and 'first organization' of a given province but also about the rightful application of these terms to account for the emergence of provinces. The revisionist approach also puts much emphasis on the original meaning of the term *provincia*, sphere of command and/or a task entrusted to a Roman magistrate, and stresses the late development of the geographical—administrative sense of this term. Consequently, the mere fact that several magistrates were given as their *provincia* the conduct of a war in a certain country over a period of years does not necessarily show that that country was organized as a province. Thus, for instance, E. Gruen argued that Macedonia was not organized as a province in 146 because there is lack of evidence to show that magistrates were regularly appointed for Macedonia after the quelling of the revolt of Andriscus by Q. Caecilius Macedonicus, nor is a *lex provinciae* expressly attested for this country.¹⁰

Given all these difficulties in accepting the traditional views concerning the creation of provinces, a different reconstruction has been proposed to account for the emergence or development (the terms 'annexation', 'organization' or 'creation' are discarded) of provinces in the second and first centuries BCE. It has been argued, on the one hand, that the administration of provinces was regularized progressively as a result of the succession of magistrates' *edicta*, *senatus consulta* and legislation of the Roman assemblies over a long period. The cumulative effect of all these, being to some extent *tralatitician*, was to produce in time a body of ordinances by which a province was normally governed and administered.¹¹ On the other hand, greater emphasis has been laid on the military aspects of the work of the holders of *imperium* and the strategic considerations of the Senate and Roman statesmen for the security of Roman supremacy. It was out of the military operations of successive Roman magistrates, who were generally and basically supported by the government's concern for strategic security but often conducted wars on their own initiative, that permanent provinces gradually emerged. Such a reconstruction has been specifically attributed to the

¹⁰ E.S. Gruen, *The Hellenistic World and the Coming of Rome* (Berkeley-Los Angeles 1984), 433-5. For a rebuttal see D.W. Baronowski, 'The Provincial Status of Mainland Greece after 146 B.C.: A Criticism of E. Gruen's Views', *Klio* 70 (1988), 448-60. Kallet-Marx follows Gruen in exposing the lack of secure evidence for the organization of Macedonia as a province at that time, but argues that from then on Roman magistrates were indeed sent without interruption to Macedonia to safeguard the area against incursions of Thraco-Illyrian tribes, for the country was regarded as *sub imperio populi Romani*; in other words, Macedonia was assigned to Roman magistrates as a *provincia* in the traditional sense of the term (above n. 7, 11-18, 30-410).

¹¹ See in particular Hoyos (above n. 7), 49; Lintott, (above n. 7), 59-61. Cf. E. Hermon, *Rome et la Gaule Transalpine avant César* (Naples 1993), 322-3.

development of several Roman provinces, notably Sicily,¹² the Spains,¹³ Macedonia,¹⁴ Cilicia,¹⁵ and Transalpine Gaul.¹⁶ Even the annexation and provincialization of Arabia in the early second century CE has been recently construed as a gradual development rather than as a one-time action.¹⁷ In sum, there was no *lex provinciae*, no one-time organizational act, but a long and gradual process or development that brought about the emergence of a province as a clearly defined territorial—administrative unit of the Roman empire.¹⁸

Now to the other lines of argument raised against the traditional conception of the Roman empire. First, the interpretation of the causes of Roman wars and the growth of the Roman empire as due to defensive concerns and fears on the part of the Romans, the so-called defensive imperialism, has come under heavy attack and indeed cannot be upheld in many cases.¹⁹ Second, the aggressive character of Roman wars and the ambition of Roman politicians and generals to gain military achievements and fame have been given central weight in explaining the rise of the Roman empire. These factors are considered as innate to Roman politics and emanating from the very structure of Roman society.²⁰ Third, and more

¹² See W. Dahlheim, *Gewalt und Herrschaft: Das provinzielle Herrschaftssystem der römischen Republik* (Berlin 1977), 28-73.

¹³ J.S. Richardson, *Hispaniae: Spain and the Development of Roman Imperialism, 218-82 B.C.* (Cambridge 1986), 172-80.

¹⁴ Kallet-Marx (above n. 7), 30-41.

¹⁵ P. Freeman, 'The Province of Cilicia and its Origins', in P. Freeman and D. Kennedy (eds.), *The Defence of the Roman and Byzantine East* (Oxford 1986), 253-74.

¹⁶ Hermon criticizes previous suggestions for the dating of the establishment of Gallia Transalpina and provides a more comprehensive view of how the province developed gradually through three phases: Gracchan, Marian and Pompeian (above n. 11, *passim*, esp. 3-22, 322-30),

¹⁷ P. Freeman, 'The Annexation of Arabia and Imperial Grand Strategy', in D.L. Kennedy (ed.), *The Roman Army in the East* (Ann Arbor 1996), 91-117. Freeman speaks about a hesitant process (a term he dislikes) of integration.

¹⁸ Cf. M.H. Crawford, 'Origine e sviluppi del sistema provinciale romano', in *Storia di Roma* (above n. 3), 2.1, 91-121, who nevertheless dates the institution of *lex provinciae* to the post-Sullan period (114-6).

¹⁹ See in particular W.V. Harris, *War and Imperialism in Republican Rome, 327 to 70 B.C.* (Cambridge 1979), 163-254. But it is wrong to dismiss fear altogether as a factor for Roman imperialism. See J. Rich, 'Fear, Greed and Glory: The Causes of Roman Imperialism in the Middle Republic', in J. Rich and G. Shipley (eds.), *War and Society in the Roman World* (London 1993), 38-68.

²⁰ Harris (above n. 19), 9-53; P.A. Brunt, 'Laus Imperii', in his *Roman Imperial Themes* (Oxford 1990), 288-323 (originally published in 1978). That Roman imperialism and wars were structurally linked to the nature of Roman society was a view expounded long ago by J. Schumpeter, *Imperialism and Social Classes* (New York 1951, originally published in German in 1919). For my

important and relevant to my main theme, it has been shown and stressed that there existed in Rome an ideology of world-power, an ideology of a Roman empire without limits, either in space or in time, expressed by Virgil in his famous *imperium sine fine*.²¹ Such an ideology was publicly known in the first century BCE and became fully developed by the end of the principate of Augustus. It was expressed in public speeches, poetry, prose writings, inscriptions, coins, monuments and works of art. The perception of their empire by the Romans, *imperium populi Romani*, did not correspond to the administered provinces alone but went beyond them to comprise all the world, *toto in orbe* as Augustus put it. It was a claim that all peoples were *sub imperio populi Romani*.²²

For the understanding of the relations between Judaea and Rome it is important to know when this ideology of universal rule first appeared and took shape. That the ideology was well known at Rome at the beginning of the first century BCE may be deduced from a quotation from a public speech, delivered in connection with Rome's war against its Italian allies (91-89 BCE), which is included in the *Rhetorica ad Herennium*. There Roman rule is defined as *imperium orbis terrarum, cui imperio omnes gentes reges nationes partim vi partim voluntate consenserunt, cum aut armis aut liberalitate a populo Romano superati sunt*.²³

view on the partial contribution of holders of *imperium's* greed and glory-hunting to the expansion of the territory under direct Roman control see I. Shatzman, *Senatorial Wealth and Roman Politics* (Brussels 1975), 167-76.

²¹ Ver. Aen. 1.278; cf. 6.856-8. See in particular Brunt (above n. 20), 433-80. See also A. Mehl, 'Imperium sine fine dedi — die augusteische Vorstellung von der Grenzlosigkeit des römischen Reiches', in E. Olshausen and H. Sonnabend (eds.), *Stuttgarter Kolloquium zur historischen Geographie 4, 1990* (Amsterdam 1994), 431-61.

²² See Augustus' *Res Gestae* 1; 26.1; 30.1. Cf. Cic. *Mur.* 22: *orbem terrarum parere huic imperio coegit*: Roman military *virtus* compelled the world to obey the *imperium* of the Roman people. For a persuasive analysis of the Augustan and pre-Augustan evidence, as well as of the geographical concept *orbis terrarum*, see C. Nicolet, *Space, Geography and Politics in the Early Roman Empire* (Ann Arbor 1991), chapters 1-2 (originally published in French in 1988). Against recent attempts to construe new evidence as implying Augustus' formal recognition of limits to the Roman empire see C.R. Whittaker, 'Where Are the Frontiers Now', in D.L. Kennedy (above n. 17), 25-41, esp. 33-6: Augustus' basic view was and remained that the *finis imperii* included the unadministered peoples who lived beyond the administered provinces.

²³ *Rhet. ad Herennium* 4.13: 'the rule of the world, the rule to which all nations, kings and peoples have consented, partly compelled by force and partly of their own will, having been overcome by the arms of the Roman people or by its liberality'. For the view that this rhetorical work was written close to the mid-1st century BCE see A.E. Douglas, 'Clausulae in the *Rhetorica ad Herennium* as Evidence of its Date', *CQ* 10 (1960), 65-78; L. Herrmann, 'L. Annaeus Cornutus et sa rhetorique à Herennius Senecio', *Latomus* 39 (1980), 144-60.

For the second century, Polybius is the only surviving contemporary source of significance. He had no doubt that the Romans' *archē* over the *oikoumenē* went back to the outbreak of the Hannibalic war and that it had been established by 167.²⁴ The *oikoumenē* in this context means the world known to the Greeks and the Romans in Polybius' time, particularly the countries involved and participating in the universal history.²⁵ In his view, history became universal as a result of the achievements of the Romans, which therefore required writing universal history:

Previously the doings of the world (*tas tēs oikoumenēs praxeis*) had been, so to say, dispersed, as they were held together by no unity of initiative, results, or locality; but ever since this date (i.e. 220 BCE) history has been an organic whole, and the affairs of Italy and Libya have been linked with those of Greece and Asia, all leading up to one end. And this is the reason for beginning their systematic history from that date. For it is owing to their defeat of the Carthaginians in the Hannibalic War that the Romans, feeling that the chief and most essential step in their scheme of universal aggression had now been taken, were first emboldened to reach out their hands to grasp the rest and to cross with an army to Greece and the countries of Asia.²⁶

The Polybian *archē* means 'power', 'supremacy', 'domination', not territorial empire consisting of administered provinces. In real terms it meant that all states and rulers included in the *oikoumenē* had to comply with Rome's orders or, seen from Roman eyes, Rome was entitled to command obedience to its instructions. With the elimination of the Macedonian monarchy in 168/7 universal obedience

²⁴ Pol. 1.1.5; 3.1.4-5 and 9; 3.4.2; 6.2.3. See also the passages cited in the text and in n. 26. Cf. J.S. Richardson, 'Polybius' View of the Roman Empire', *PBSR* 47 (1979), 1-2. For the following discussion cf. Kallet-Marx (above n. 7), 22-30. See also D. Musti, *Polibio e l'imperialismo romano* (Naples 1978), 15-9.

²⁵ For a complete list of references to Polybius' use of the term see A. Mauersberger, *Polybius-Lexikon* (Berlin 1975), 4, cols. 1692-3. On several occasions Polybius uses *oikoumenē* in a more general sense, the world inclusive of the parts of earth not explored or known by the Greeks and Romans, or not involved in history. For the meaning of the term see also P. Burde, *Untersuchungen zur antiken Universalgeschichtsschreibung* (Diss. Munich 1974), 29-39. For some inconsistency in Polybius' use of the term see K.S. Sacks, *Polybius on the Writing of History* (Diss. Berkeley-Los Angeles 1981), 96-121.

²⁶ Pol. 1.3, 3-6. (Paton's translation in *Loeb Classical Library*). Cf. 2.37.4: 'For as I am not, like former historians, dealing with the history of one nation, such as Greece or Persia, but have undertaken to describe the events occurring in all known parts of the world (*en tois gnōrizomenois meresi tēs oikoumenēs*); 15.9.5: (as a result of the battle of Zama) 'the conquerors would not be masters of Africa and Europe alone, but of all parts of the world (*tōn allōn merōn tēs oikoumenēs*) which now hold place in history, as indeed they very shortly were'. See also 15.10.2, Scipio Africanus' speech before the battle of Zama.

to Rome could not be in doubt.²⁷ Polybius may have exaggerated and at times Greek states did evade compliance with Roman instructions.²⁸ However, the need to obey the superpower that Rome had become by 167 must have been felt by all states. Moreover, Polybius' view of Rome as a superpower, the only one in existence, developed and took shape during his enforced stay at Rome after 167. Given his association with Roman *nobiles*, notably Scipio Aemilianus, his perception of Roman supremacy is likely to reflect rather than distort Roman attitudes and views. Hence, attempts to discredit his exposition on this theme are not convincing, even though one may assume that but for the loss of contemporary Roman sources it would be possible to discern and follow divergence of opinions and varied attitudes among Roman senators, notably concerning the necessity, desirability or political wisdom of the implementation of Roman supremacy in specific cases, as well as the means Rome should take to enforce it.²⁹

A case in point is the senatorial debate concerning the measures to be taken against Rhodes after the defeat of Perseus in 167. Cato opposed those who advocated declaring war against the Rhodians. A fragment of his speech has survived in which he recognized the concern of the Rhodians and many other nations and peoples that with the elimination of Perseus they would all be 'under the sole rule (*imperium*) of Rome in condition of servitude'.³⁰ In this context *imperium nostrum* does not refer to the Roman empire in a territorial sense, but to the domination of Rome, which for all the other peoples meant conditions of servitude, that is the need to obey her orders. This is precisely Polybius' view of

²⁷ Pol. 3.4.3. For this interpretation see P.S. Derow, 'Polybius, Rome, and the East', *JRS* 69 (1979), 1-15, esp. 4-6.

²⁸ See Gruen (above n. 10), 192-8, 335-43, 517-20, 578-92, 660-71.

²⁹ For criticism of Polybius' schematism see M.G. Morgan, 'The Perils of Schematism: Polybius, Antiochus Epiphanes and the "Day of Eleusis"', *Historia* 39 (1990), 37-76. Morgan mainly assails the chronological dates chosen by Polybius to mark the ascent of Rome to the status of superpower. His criticism is questionable on various points (see, e.g., below n. 36), and it in no way impairs Polybius' main conclusion that Rome established its supremacy during the 53 years from 220 to 167, for there is always some schematism in periodisation. For the view that Polybius cannot be trusted to present Roman views of their empire accurately see Richardson (above n. 24), 3-11; Gruen (above n. 10), 278-9. See, however, Kallet-Marx (above n. 7), 22-3, 26-7.

³⁰ Cato *apud* Gellius 6.3.16: *ne sub solo imperio nostro in servitute nostra essent*. See G. Calboli, *Marci Porci Catonis Oratio Pro Rhodiensibus* (Bologna 1978), 292-3. Gruen's dismissal (above n. 10, 280 n. 36) of his interpretation disregards the awareness and apprehension of potential Roman universal dominion implied in this evidence. On the senatorial debate see H.H. Scullard, *Roman Politics 220-150 BC* (Oxford 1951), 216-7 and for the whole episode G. De Sanctis, *Storia dei romani* (Torino 1923), 4.1, 352-7.

Rome's *archē*. Indeed, that the war against Perseus was considered and interpreted in the same terms by contemporary Greeks is also the view of Polybius.³¹ It thus emerges that for Cato and his Roman audience *imperium nostrum* was not the provinces administered by Rome, but the rule of Rome over peoples and nations who came in contact with her, potentially an empire without limits.³² This may lend credit to other pieces of non-contemporary evidence that indicate the rise of the awareness among the Romans from the early second century onwards that they were entitled to mastery of countries and nations within their reach.³³

To conclude: the concept *imperium nostrum* of the Romans in the second century referred to Roman supremacy over or control of all countries known to them in Europe, Asia and Africa, that is, all the Mediterranean countries including the great Hellenistic kingdoms. It was not a precisely defined concept but it certainly did not correspond and was not limited solely to administered provinces either then or even after the territorial, administrative meaning of *provincia* had been established later on. Geographically it was a dynamic concept implying a claim to universal rule, which was also expressed in the Roman concept of *orbis terrarum*. This recent interpretation of the rise of the Roman empire and of Roman attitudes towards and relations with foreign peoples and states, which seems to me quite justified, differs from the traditional interpretation mainly in attributing importance to evidence revealing Roman aspirations, mentality and perception of the world rather than to legal notions and structures. The traditional approach was based upon and limited, to a large degree, to legal points of view, thus missing or underestimating some of the realities of the political position of Rome *vis à vis* all other countries which came in contact with her, directly or indirectly.

³¹ Pol. 30.6.6: the outcome of the war was that 'the *oikoumenē* fell under the rule of one power' (*tēn tēs oikoumenēs exousian hypo mian archēn piptousan*).

³² On the non-territorial meaning of the term *imperium* in the second century see M. Awerbuch, 'Imperium: Zum Bedeutungswandel des Wortes im staatsrechtlichen und politischen Bewusstsein der Römer', *Archiv für Begriffsgeschichte* 25 (1981), 162-84, esp. 171-84; J.S. Richardson, 'Imperium Romanum: Empire and the Language of Power', *JRS* 81 (1991), 1-9, esp. 5-7.

³³ Pol. 23.14.10 (P. Scipio Africanus) with Harris (above n. 19), 105-6; Liv. 38.48.3-4 (Cn. Manlius Vulso); Liv. 38.60, 5 (L. Cornelius Scipio); Plut. *Ti. Gracch.* 9.5; App. *BC* 1.11 (Ti. Sempronius Gracchus); Sall. *BJ* 31.20 (C. Memmius).

2.

What are the implications of the new interpretation of the Roman perception of empire for the understanding of the relations between Judaea and Rome? According to *I Maccabees*, envoys of Judas Maccabaeus requested the establishment of a treaty of friendship and alliance with Rome in 161, and the Senate agreed to the request.³⁴ Notwithstanding attempts to reject the treaty as an unreliable document, invented by the Jews, there is no sound reason to reject its historicity, although the received text almost certainly includes various deviations from the original.³⁵ Judas was interested in establishing an alliance with Rome in order to thwart an imminent military expedition by the Seleucid king Demetrius I. Rome

³⁴ *I Macc.* 8.17-32; *Jos. AJ* 12.415-9. Cf. *Jos. BJ* 1.38 (with a chronological error).

³⁵ For the long debate on the authenticity of the treaty see Schürer-Vermes-Millar (above n. 2), 1, 171-2 n. 33, and for a detailed commentary J.A. Goldstein, *I Maccabees: A New Translation and Commentary* (Garden City, N.Y. 1976), 346-69. Täubler's analysis of the document and his main conclusions, namely its authenticity and character as *foedus aequum* (above n. 6, 239-54), were followed by most scholars. See e.g. M. Sordi, 'Il valore politico del trattato fra i Romani e i Giudei nel 161 a.C.', *Acme* 5 (1952), 509-19; Th. Liebmann-Frankfort, 'Rome et le conflit judéo-syrien 164-161 avant notre ère', *L'Antiquité Classique* 38 (1969), 101-20; D. Timpe, 'Der römische Vertrag mit den Juden 161 v. Chr.', *Chiron* 4 (1974), 133-52. The authenticity of the document and the historicity of the alliance treaty were questioned again by J.D. Gauger, *Beiträge zur jüdischen Apologetik: Untersuchungen zur Authentizität von Urkunden bei Josephus und im I. Makkabäerbuch* (Bonn 1977), 155-328, 335-9; A.N. Sherwin-White, *Roman Foreign Policy in the East 168 B.C. to A.D. 1* (London 1984), 70-4. Two main arguments appear in these studies, neither of them new. First, the text of the document cannot be authentic because of internal incongruities and technical, formal errors (argued by Gauger, denied by Sherwin-White); second, given her relationship with the Seleucid king, it is improbable on political and diplomatic grounds that Rome will have supported the Jewish rebels (Gauger and Sherwin-White). The first argument fails to carry conviction because it does not take into account sufficiently the fact that the present text is a translation of a Hebrew text, itself a translation from a Greek text, while the original was most probably in Latin. The second argument ignores various other cases of Roman support promised or given under similar circumstances. In addition, the attempts to explain away other sources that refer to the Roman alliance with the Jews at this time (*II Macc.* 4.11; *Iustin.* 36.1.10; 3.9; *Jos. BC* 1.38; *AJ* 14.233) are equally not persuasive, but I cannot go into detail here. See M. Stern, 'The Alliance between Judaea and Rome in 161 BCE', *Zion* 51 (1986), 51-76, reprinted in his *Studies in Jewish History: The Second Temple Period* (Jerusalem 1991), 51-76 (Hebrew); D. Gera, *Judaea and Mediterranean Politics 219 to 161 BCE* (Leiden 1998), 303-11.

had already shown its interest in curbing the Seleucid power in its intervention against the invasion of Egypt by Antiochus IV.³⁶ Formally an 'ally and friend' of Rome, Antiochus was no more trusted. Roman legates who arrived in Syria in order to investigate his intentions and actions in 164 sent a letter to the Jewish people ('to the *demos* of the Jews') in which they endorsed the concessions made recently by the powerful Seleucid minister Lysias, terminating formally the religious persecution, and promised to support their case at Antioch. This is the earliest recorded contact between the Jews of Judaea and Roman officials.³⁷ Two different, contradictory interpretations have been offered: it was an innocent, polite gesture or a sinister move to weaken the Seleucid kingdom. While it would be too much to construe the letter as a Roman commitment to lend active support to the Jews against the Seleucid regime, one cannot avoid the conclusion that it indicated Roman willingness to pay regard to the Jewish case. In other words, it offered, at least, an implied signal to the Seleucid authorities that they should consider the Roman reaction in their dealings with the Jews.³⁸ More re-

³⁶ For the brutal behaviour of the Roman legate C. Popilius Laenas who forced Antiochus IV to withdraw from Egypt and Cyprus see esp. Pol. 29.27.1-13; Diod. Sic. 31.2; Liv. 45.11-12; Cic. *Phil.* 8.23; Val. Max. 6.4.3; App. *Syr.* 66; Justin. 34.3.1-4; cf. F.W. Walbank, *A Historical Commentary on Polybius* (Oxford 1957-79), 3, 401-4. For attempts to belittle the importance of the 'day of Eleusis' and the significance attributed to it by Polybius and other ancient sources, as well as by almost all modern scholars, concerning Roman policy towards Antiochus IV and the king's ensuing position, see E. Gruen, 'Rome and the Seleucids in the Aftermath of Pydna', *Chiron* 6 (1976), 73 ff.; Morgan (above n. 29), *passim*. I remain unconvinced on the major matters involved. Whatever Antiochus' plans were with regard to the Ptolemaic kingdom, they were shattered by the Roman intervention. The king suffered public humiliation, and if he subsequently succeeded in saving face this had to do with the art of dissimulation rather than gratitude to Rome for extricating him from an imaginary difficult position. More important, the lesson could scarcely be lost on contemporaries: a king of a great realm submissively obeyed an order of the Senate. It was a demonstration *par excellence* of Roman supremacy. On Morgan's failure to grasp and assess correctly the military situation in 168 (above n. 29, 65-7), see Gera (above n. 34), 169 n. 165.

³⁷ *II Macc.* 11.34-7. For the authenticity of the letter see C. Habicht, 2. *Makkabäerbuch* (Gutersloh 1976), 7-9.

³⁸ For the first interpretation see Gruen (above n. 36), 78; id. (above n. 10), 745-7, and for the second, Habicht (above n. 37), 260; id., in *Cambridge Ancient History* (2nd ed. Cambridge 1989), 8, 354. See also E. Paltiel, 'Antiochus Epiphanes and Roman Politics', *Latomus* 41 (1982), 229-54, who examines the complexity of Roman eastern policy in these years in relation to internal factional politics. Gruen attempts to underestimate the significance of the letter by interpreting it as a Roman endorsement of the recent pact between Lysias and the Jews (*II Macc.* 11.13-21). But it follows that the Romans could equally not

cently, in early 162, Cn. Octavius, the Roman legate who had carried out the Senate's decision to destroy the royal elephants and war-ships — maintained contrary to the treaty of Apamea — had been murdered, a grievance Rome could hardly let pass unpunished, although no immediate action was taken.³⁹ Given this background, the request of the Jewish delegation in 161 to sign an alliance gave the Senate an opportunity to weaken the Seleucid regime further. In fact, the treaty, a *senatus consultum* according to the available evidence, signified the Senate's indirect endorsement of a separatist movement within the Seleucid kingdom.

Rome's response to the delegation sent by Judas was in line with several other cases in which the Senate showed its mistrust of Demetrius I, as well as its interest in weakening the central Seleucid government, always using diplomatic means and avoiding employing armed forces. Kept for years as a hostage in Rome and having failed twice to obtain the Senate's permission to return to Syria, Demetrius had to fly from Rome in order to gain the Seleucid throne in 162.⁴⁰ When this became known, it was too late to order a pursuit; hence the Senate decided to send three legates, led by Ti. Sempronius Gracchus, to inspect conditions in Greece and then to proceed to Asia to observe the consequences of Demetrius' actions.⁴¹ Although the legates' report was favourable to Demetrius, there is no evidence that he was ever recognized formally by the Senate as king.⁴² The Senate expressed its approval of the claim of Timarchus, governor

endorse such a pact or demand changes; that would have been, *pace* Gruen, clear interference in the internal affairs of Syria. Whether the Jews approached the Roman legates, Gruen's view, or vice versa, Habicht's view, is a matter for speculation.

- ³⁹ Pol. 31.2.8-14; 11.1-3; 32.2.4-3, 13; Cic. *Phil.* 9.4; Plin. *NH* 34.24; App. *Syr.* 46; Zon. 9.25. Gruen argues (above n. 10), 664, that Octavius' destruction of the ships and mutilation of the elephants were 'an aberration' and not 'representative of Roman policy'. But Octavius implemented the specific instructions of the Senate, and it is sheer speculation to suggest that the senators had not intended him to carry out the Senate's decision. There were fluctuations in Roman policy, but there was nothing unusual in Octavius' carrying out an extreme decision of the Senate, in the light of what L. Aemilius Paullus did in Epirus in 167.
- ⁴⁰ Pol. 31.2.1-6; 11-15; App. *Syr.* 46-7; Iust. 34.3.5-8; Zon. 9.25. See R. Laqueur, 'Die Flucht des Demetrius aus Rom', *Hermes* 65 (1930), 129-66.
- ⁴¹ On these legates see Pol. 31.15.9-11; Diod. Sic. 31.28; T.R.S. Broughton, *The Magistrates of the Roman Republic* (New York 1951-2), 1, 443.
- ⁴² What Polybius says in 31.33.3 refers to recognition by the legates, not by the Senate; see Badian (above n. 4), 108, n. 1. That what he says in 31.33.4 and 32.3.3 refers to formal recognition by the Senate is the view of Gruen (above n. 36), 84 (confident); id. (above n. 10), 664-5 with n. 246 (hesitant), but there is nothing there to justify such an inference. See W. Otto, *Zur Geschichte der Zeit des 6. Ptolemäers* (Munich 1934), 82-3, n. 5; Walbank (above n. 36) 3, 517, 521.

of Media and, possibly, of Babylonia, to rule as king; this claim, if fulfilled, would have resulted in the dismemberment of the Seleucid kingdom.⁴³ It recognized Ariarathes V, who had turned down Demetrius' offer for alliance out of regard for Rome, as king of Cappadocia.⁴⁴ In early 159 the Senate agreed, with much hesitation and apparently after long debates, to accept the gift of a golden crown sent by Demetrius; it rejected, however, the surrender of Leptines, the murderer of Octavius, and Demetrius was told that he would be treated kindly if his conduct of affairs was satisfactory to the Senate.⁴⁵ Demetrius, of course, was not personally responsible for the assassination of Octavius, but acceptance of the murderer would have exculpated the Seleucid régime from the crime that had been committed against a representative of Rome. The refusal to accept the murderer and the Senate's demand that Demetrius satisfy its wishes by his actions were, therefore, a clear warning that Rome did not trust him.⁴⁶

Now, legally the treaty between Rome and the Jewish people was of the *foedus aequum* class, and the Jewish party could ostensibly be regarded as an equal partner. Yet it was also a Roman declaration that Judaea belonged in the sphere of Rome's interests. One can hardly compare this to the positive Roman response to the appeal of Messana a century earlier, which resulted in the

⁴³ Diod. Sic. 31.27a; App. Syr. 45, 47. For the coins of Timarchus, on which he is styled 'Timarchus the Great King' see G. Le Rider, *Suse sous les Séleucides et les Parthes* (Paris 1965), 332-4; A. Houghton, 'Timarchus as King in Babylonia', *Revue numismatique* 21 (1979), 213-7.

⁴⁴ Diod. Sic. 31.28; Justin. 35.1.2. For Ariarathes' consistent co-operation with Rome see Pol. 31.7.1-2; 8.1-8.

⁴⁵ Pol. 32.2-3; Diod. Sic. 31.29 and 30; App. Syr. 47; Zon. 9.25.8.

⁴⁶ That the Senate refused to punish Leptines in order to be able to put pressure on Demetrius in accordance with its own interests is specifically related by Pol. 32.3.12; Diod. Sic. 31.30. For the interpretation that the Senate acquiesced in the assassination of Octavius, was not hostile to Demetrius but approved his occupation of the throne, see Gruen (above n. 36), 84; id. (above n. 10), 665. In this case as well as in others, Gruen's exposition of Demetrius' relations with Rome is self-contradictory. He shows that Demetrius pursued an independent policy which ran counter to the decisions and political preferences of the Senate, which, however (and this is implied in Gruen's interpretation), remained indifferent or even favourable to Demetrius ignoring its wishes. The commonly held view, namely that the Senate aimed at securing control of Demetrius and enfeebling the Seleucid central government, suits better the evidence at hand. See, e.g., De Sanctis (above n. 30) 4.3, 115-6; J. Briscoe, 'Eastern Policy and Senatorial Politics 168-146 B.C.', *Historia* 18 (1969), 51-3; Walbank (above n. 36) 3, 521; id. *Polybius* (Berkeley-Los Angeles 1972), 166-73; Habicht (above n. 38), 354-8.

outbreak of the First Punic War,⁴⁷ although in both cases the signing of the treaty expressed a formal Roman claim to protect its ally against a third party. The circumstances, of course, were completely different: in the first case, Messana was adjacent to Italy, the Roman commitment required immediate despatch of an army, Carthage was a powerful empire and hence much more was at stake; in the second case, Judaea was far away from Italy, the Seleucids had already been defeated and had recognized Roman supremacy, and the immediate sending of troops was not discussed. However, in the meantime the Romans' own awareness of empire had risen; the treaty was signed a few years after Cato had delivered his speech concerning Rhodes and close to the time when Polybius began composing his universal history, convinced, by personal experience and observations, of the imperialist tendency of Rome. Bearing in mind these factors, we should understand the signing of the treaty as a formal Roman announcement that Judaea was *sub imperio nostro* or, to use Polybius' terminology, within the *oikoumenē* (= *orbis terrarum*) and under Rome's *archē*.

For the present the intended target of Rome's intervention was the Seleucid kingdom, but things might easily change after a while, as the reversal of the relations between Rhodes and Rome demonstrated clearly. Rhodes had been Rome's ally in the Second Macedonian War and the war against Antiochus III, and benefited considerably thanks to the territorial and other terms of the treaty of Apamea in 188.⁴⁸ In 167 Rhodes barely escaped a declaration of war, but being under the control of Rome it obeyed the Senate's decision to 'liberate' the territories it had gained in that treaty, and its economic prosperity and naval power declined from then on as a result of the rise of the free port of Delos. In other words, by the early second century Rhodes had come under the Roman *archē*, and it was to gain or lose political and other benefits according to the changing interests of Rome, notwithstanding the formal and legal relations it had established with Rome. The situation of Judaea with regard to Rome following the treaty of alliance of 161 was not different. As one scholar put it: 'Roman policy

⁴⁷ On the appeal of Messana, the discussions that took place at Rome and the outbreak of the war see Pol. 1.10-11. Interpretations abound, but need not be detailed here.

⁴⁸ On the territorial terms of the treaty of Apamea with regard to Rhodes, see esp. Pol. 21.46.8; 22.5.1-10; Liv. 38.39.13; cf. Walbank (above n. 36) 3, 170-1. On the relations of Rhodes with Rome see H.H. Schmitt, *Rom und Rhodes* (Munich 1957), 81-172; E.S. Gruen, 'Rome and Rhodes in the Second Century B.C.: A Historiographical Inquiry', *CQ* 25 (1975), 58-81; R.M. Bertholt, *Rhodes in the Hellenistic Age* (Ithaca, NY 1984), 125-66; 195-212. On the deterioration of Rome's favourable policy towards Rhodes see Pol. 25.5.1-5; Liv. 41.6.8-12. Another 'ally and friend' who suffered from the change in the attitude and policy of the senate was Eumenes II, king of Pergamon. See Pol. 31.6.1-5 and cf. J. Hopp, *Untersuchungen zur Geschichte der letzten Attaliden* (Munich 1977), 51-3, 68-70.

was also unpredictable, since wherever the Senate concluded that a situation could be exploited to Rome's advantage, it did so without much regard for legal claims'.⁴⁹

Rome did not send an army or any material support to help Judas; technically it was not bound to do so for the treaty included a saving clause.⁵⁰ But the true explanation lies elsewhere. First, the Senate could expect that the letter despatched to Demetrius I warning him not to attack the Jews would restrain him.⁵¹ More important, it had been its policy since Pydna to use intimidation, to exert pressure by diplomatic means and to employ the services of allies and friends in order to achieve its goals. It consistently avoided, however, enlisting Roman troops to assist eastern rulers and cities who applied for its support. Several factors and considerations played a part in this policy. Popillius Laenas' spectacular success in bringing about the withdrawal of Antiochus IV from Egypt and Cyprus and the complete submission of Rhodes, intimidated and frightened as it was, to the Senate's unilateral abrogation of its gains, served as persuasive proof of the efficiency of such means. Thus the Senate took steps, in vain as it turned out, to induce Ptolemy VI Philometor to let his younger brother Ptolemy Euergetes II rule Cyprus in 161. Later on, in 155-4, it again gave diplomatic support to help Ptolemy Euergetes II achieve that goal, and again the attempt was defeated by the elder brother. Throughout the prolonged negotiations the Senate made clear its intention to see the younger brother installed in Cyprus; it even called on Roman allies in Greece and Asia to give him military support, but it never resorted to sending Roman troops.⁵² The Senate showed its displeasure with the attack of Prusias king of Bithynia on Pergamon in 156 and employed diplomatic means to restrain both him, not with complete success, and, later on, Attalus II and his allies from entangling themselves in total war. Eventually, yielding to the Senate's authority and pressure, all parties involved accepted the terms dictated by a Roman embassy for the restoration of peace. At no stage of these negotiations was it suggested that a Roman army might be used in order to

⁴⁹ C. Habicht (above n. 38) 8, 383.

⁵⁰ The sending of military help was conditional, depending on circumstances. See *I Macc.* 8.25 and 27; *Jos. AJ* 12.4. Similar clauses are known from Rome's treaties with several other states, e.g., Maronea (*SEG* 35, no. 823, ll. 33 and 36), Cibyra (*OGIS* no. 762, l. 4) and Methymna (*Syll.*, 3rd ed., no. 693, ll. 12 and 14-15), all dating from the second century BCE. See also *Pol.* 23.9.12.

⁵¹ *I Macc.* 8.31-2. There is no need to doubt the despatch of the letter, although it may have arrived after the defeat of Judas by Bacchides. Cf. Goldstein (above n. 35), 368.

⁵² Sources: *Pol.* 31.2.14; 10.1-10; 17.1-19.4; 20.1-6; 33.11.1-7; 39.7.6; *Diod. Sic.* 31.33. See Otto (above n. 42), 94-119; E. Manni, 'L'Egitto tolemaico nei suoi rapporti politici con Roma', *RFIC* 28 (1950), 237-43; Walbank (above n. 36) 3, 553-5; E. Will, *Histoire politique du monde hellénistique* (2nd ed. Nancy 1982), 2, 361-4.

establish peace.⁵³ In 152 the Senate passed a resolution of support for Alexander Balas, said to be Antiochus IV's son, in his efforts to recover the Seleucid throne. Alexander succeeded in overthrowing Demetrius I in 150 thanks to the support given him by Attalus II, Ptolemy VI and Ariarathes V of Cappadocia.⁵⁴ No military assistance was sent by Rome; fortunately Alexander did not need it. In all these cases Roman supremacy was acknowledged by the political players, whether city authorities, kings, pretenders or rebels. They all applied to the Senate to obtain its recognition of their claims, in whatever legal form that could be formulated, as well as its approval and diplomatic support of their actions. The Senate utilized these conditions to secure and advance Roman interests as these were understood by its leading and influential members. Needless to say, divergence of opinions and attitudes prevailed in the Senate rather than harmonious agreement, except apparently with regard to one issue, namely the refusal to involve Roman military manpower.⁵⁵ Military undertakings were reserved for the Roman commitments in the Iberian peninsula and in areas close to Italy, like Liguria and Dalmatia, as well as for major developments, and hence sometimes the Senate's decrees and representatives did not meet with immediate or complete compliance. But these reservations should not obscure the prevailing fundamental political conditions: the Romans were aware of their 'empire'; the political players in the Hellenistic world were conscious of Rome's supremacy, and its potential for actual intervention, and they usually acted accordingly and tried to make the best of it.

The alliance treaty did not help Judas, who was defeated and killed in battle by the Seleucid general Bacchides. Nor did the Senate's approval of Timarchus' bid for a royal title save that claimant from Demetrius I. At that stage, it was more important for Demetrius to establish his rule in his kingdom firmly than to abide by the Senate's wishes. He had already taken risks in escaping from Rome and defying the Senate's decisions. Judas' Hasmonaean successors, however, did not consider the alliance with Rome a superfluous, useless tool in the Hellenistic power game in which they participated. As we have seen, to appeal to Rome and to obtain the Senate's approval and favour was a basic rule of the game. Accordingly Jonathan sent envoys to Rome to renew the treaty of friendship and alliance between Rome and the Jewish people (*ethnos tōn Ioudaiōn*)

⁵³ Sources: Pol. 32.15-16; 33.1.1-2; 7.1-4; 12-13; Diod. Sic. 31.35. See C. Habicht, 'Über die Kriege zwischen Pergamon und Bithynien', *Hermes* 84 (1956), 90-110; Hopp (above n. 48), 74-9. On the order of the Polybian fragments relating to the war and the diplomatic activities see Walbank (above n. 36) 3, 37-41.

⁵⁴ Pol. 33.15.1-2; 18.1-12; *IMacc.* 10.48-58; Diod. Sic. 31.32a; 32.9c; Strabo, 13.4.2; Iustin. 35.1.6-11; Jos. *AJ* 13.58-61; 80-83; App. *Syr.* 67.

⁵⁵ For an attempt to reconstruct internal struggles within the Senate that shaped its eastern policy in these years see Briscoe (above n. 46), esp. 60-70.

ca.143;⁵⁶ his position as a Seleucid official of high rank, since 152, did not hinder him from re-establishing direct and independent connections with Rome.⁵⁷ Simeon followed suit by sending envoys to confirm the alliance early in his reign, probably in 142, and obtaining a favourable decree of the Senate, which was allegedly followed by a Roman consul sending an appropriate letter to many kings and cities of the Hellenistic world.⁵⁸

Josephus cites two other *senatus consulta* that testify to Simeon's son and successor John Hyrcanus I adopting the same policy. From the first, which is inserted immediately after the report of the death of Antiochus VII, we learn that Jewish envoys arrived in Rome and requested the support of the Senate in regaining Joppa, Gazara, Pegae and other Jewish territories, which had been taken by Antiochus, as well as in recovering war reparations. In their request they referred to the friendship and alliance between the two peoples and to a relevant earlier decree of the Senate. Convened by the praetor Fannius son of Marcus, the Senate re-confirmed the friendship and the alliance, but postponed discussion of the specific requests until it was free from other concerns.⁵⁹ The second *s.c.*, included in a decree of Pergamum, relates the arrival of Jewish envoys who submitted complaints against Antiochus son of Antiochus and requested, among other things, the restoration of forts, ports and territories he had seized. In response the

⁵⁶ *I Macc.* 12.1-4 and 16; *Jos. AJ* 13.163-5 and 169. There is no cogent reason to consider this renewal of the treaty as a fabricated doublet of the one obtained by Simeon as do A. Momigliano, *Prime linee di storia della tradizione maccabaica* (Torino 1931), 148-9; A. Giovannini and H. Müller, 'Die Beziehungen zwischen Rom und den Juden im 2. Jhdt. v.Chr.', *MH* 28 (1971), 164-5, n. 30, 170, n. 53. See, however, T. Fischer, *Untersuchungen zum Partherkrieg Antiochus VII. in Rahme der Seleukidengeschichte* (Diss. Tübingen 1970), 96-7; Gauger (above n. 35), 278-83; Gruen (above n. 10), 748.

⁵⁷ Jonathan was first granted the title 'friend of the king', in addition to the High Priesthood, by Alexander Balas, and later on the king appointed him *strategos* and *meridarchês* of Judaea with promotion to the title 'first friend'. See *I Macc.* 10.17-20, 65 and 89; *Jos. AJ* 3.45.83-5 and 102. On Hellenistic officials and ranks see E. Bickermann, *Institutions des Séleucides* (Paris 1938), 40-50; K. Chrimes Atkinson, 'Some Observations on Ptolemaic Ranks and Titles', *Aegyptus* 32 (1952), 204-214; C. Habicht, 'Die herrschende Gesellschaft in den hellenistischen Monarchien', *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 45 (1958), 1-16.

⁵⁸ *I Macc.* 14.16-18, 24 and 40; cf. *Jos. AJ* 13.227. The letter of the consul Lucius (*I Macc.* 15.15-24) is considered by not a few scholars, e.g. Giovannini-Müller (above n. 56), 161-30, as a forgery. On the *senatus consultum* cited in *Jos. AJ* 14.145-8, which is dated by several scholars in the time of Simeon, see below n. 72.

⁵⁹ *Jos. AJ* 13.259-66.

Senate sent a threatening letter to the king demanding the restoration of those territories and the evacuation of the garrison from Joppa.⁶⁰

Dating these decrees of the Senate and ascertaining the connection between them, if any, involves various difficulties. Three main solutions, with some variations which need not be detailed here, have been proposed. On one view, Fannius was C. Fannius M.f., the consul of 122 and hence a praetor by 125, or his brother M. Fannius or another unknown member of the family; Josephus erred in naming the reigning Seleucid king as 'son of Antiochus'. Therefore, both decrees relate to the attack of Antiochus VII Sidetes on Judaea — or to its results — that took place in about 134-2.⁶¹ According to another view, both decrees indeed refer to the same events, namely the attacks against Judaea of Antiochus IX Cyzicenus, the only Seleucid 'son of Antiochus' (i.e. of Antiochus VII Sidetes) of this period, who is also known to have invaded Judaea, some time after 113, in order to save Samaria from John Hyrcanus.⁶² Another solution is to associate the first *s.c.* with the military campaign of Antiochus VII, or with its results, which represented a formidable threat to the Jewish state, and the second with the incursions of Antiochus IX Cyzicenus on Judaea.⁶³ The results and evaluation of old and particularly recent archaeological excavations have recently been construed to support the view of those scholars who rejected the identification of the Seleucid king mentioned in these documents with Antiochus Cyzicenus on the grounds that he did not pose a serious threat to Judaea. The numismatic, epigraphic and archaeological evidence from Tel Beer Sheba, Marisa, Mount Gerizim and Shechem shows conclusively that these towns, as well as Samaria, were attacked and conquered by John Hyrcanus from about 112 BCE onward.⁶⁴ It was approximately at that time that Antiochus Cyzicenus, who had begun fighting against his half-brother and cousin Antiochus VIII Grypus *ca.* 115, succeeded in taking control of Syria.⁶⁵ He was too weak to give effective

⁶⁰ Jos. *AJ* 14.247-55.

⁶¹ See Schürer-Vermes-Millar (above n. 2) 1, 204-6 with n. 7, including a survey of previous discussions and views.

⁶² Jos. *AJ* 13.374-80. See Th. Reinach, 'Antiochus Cyzicène et les Juifs', *REJ* 38 (1899), 161-71; Giovannini and Müller (above n. 56), 156-60.

⁶³ See M. Stern, 'The Relations between Judaea and Rome during the Rule of John Hyrcanus', *Zion* 26 (1961), 1-22, reprinted in his *Studies in Jewish History: The Second Temple Period* (Jerusalem 1991), 77-98 (Hebrew); Fischer (above n. 56), 64-82; Gauger (above n. 35), 321-4. T. Rajak, 'Roman Intervention in a Seleucid Siege of Jerusalem?' *GRBS* 22 (1981), 65-81, esp. 72-9; Sherwin-White (above n. 35), 76; Gruen (above n. 10), 750-1.

⁶⁴ D. Barag, 'New Evidence on the Foreign Policy of John Hyrcanus I', *Israel Numismatic Journal* 12 (1992/3), 1-12.

⁶⁵ On the struggle between Antiochus Grypus and Antiochus Cyzicenus see Schürer-Vermes-Millar (above n. 2), 1, 132-3, 208-9. The beginning of the struggle cannot be dated precisely. Antiochus Grypus seized the throne,

support to Samaria which was conquered by John Hyrcanus in 110.⁶⁶ Given these conditions, it is claimed, there was no need for John Hyrcanus, in the middle of a successful and expansionist campaign, to request the support of the Senate against a king who, in any case, is not known to have occupied the forts and ports mentioned in the *s.c.* On the other hand, the Hasmonaean ruler badly needed Roman help at the beginning of his reign, for Antiochus Sidetes carried out a vigorous attack on Judaea and imposed his authority in Jerusalem.⁶⁷

The new evidence, however, seems to me rather to support the view that the second document is related to the activities of Antiochus Cyzicenus and should be dated *ca.* 113. It was in that year that he won a decisive victory over Antiochus VIII Grypus and established his authority in Antioch.⁶⁸ Numismatic evidence attests that he took control of Damascus or that his authority was recognized at this time, and the same holds true for Sidon, Ptolemais and Ascalon;⁶⁹ hence he may well have taken possession of several other places along the coast of Palestine, notably Joppa; these gains are not recorded in the extant literary sources, which, as is well-known, are poor and scanty for this period. These successes of Antiochus Cyzicenus may thus have seemed quite impressive at the time, when it was not known that they would be short-lived, lasting barely two years.⁷⁰ John Hyrcanus I, who was about to launch his massive military

eliminating Alexander Zebinas, about 123, or perhaps some time later, and held it peacefully for eight years according to Iustin. 39.2.9.

- 66 On the conquest of Samaria and the failure of Antiochus Cyzicenus to rescue it, see Jos. *BJ* 1.64-6; *AJ* 13.275-83. For the date, not firmly attested, see Barag (above n. 64), 7-8, 11.
- 67 Jos. *AJ* 13.236-54; Diod. Sic. 34/35.1-5. On numismatic finds showing the operation of a Seleucid mint in Jerusalem in 131/130 and 130/129 see A. Houghton, *Coins of the Seleucid Empire from the Collection of Arthur Houghton* (New York 1983), nos. 831-834.
- 68 Schürer-Vermes-Millar (above n. 2), 1, 134. For the numismatic evidence concerning Antioch see E.T. Newell, 'The Seleucid Mint of Antioch', *American Journal of Numismatics* 51 (1918), 96 ff.
- 69 For Cyzicenus' control of Damascus in 113/112 see E.T. Newell, 'Late Seleucid Mints in Ake-Ptolemais and Damascus', *Numismatic Notes and Monographs* 84 (1939), 70; for Sidon (in 113/112) see Houghton (above n. 67), no. 725; for Ptolemais (from 113/112 to 107/106) see Newell, *ibid.* 31-4; for Ascalon (113/112) see A.B. Brett, 'The Mint of Ascalon under the Seleucids', *The American Numismatic Society Museum Notes* 4 (1950), 50-51. For another coin of Cyzicenus that was minted at Ascalon in 113/112 and was recently found in a hoard of 25 Seleucid tetradrachms in Marisa see R. Barkay, 'The Marisa Hoard of Seleucid Tetradrachms Minted in Ascalon', *Israel Numismatic Journal* 12 (1992/3), 21-6, Pls.3-5 (24-5, no. 25).
- 70 For the quick recovery of Antiochus VIII Grypus see A.B. Bellinger, 'The End of the Seleucids', *Transactions of the Connecticut Academy of Arts and Sciences* 38

campaigns, would then have had good reason to appeal to Rome. He probably did not need material support, but it was a good diplomatic step on his part to obtain a favourable decree of the Senate before he started conducting expansionist wars. The results of the recent archaeological excavations help to date the Senate's decree *ca.* 113 and dissociate it from the vain attempt of Antiochus Cyzicenus to rescue Samaria. Thus there is no need to assume an error in Josephus' (or the Senate's) naming the Seleucid king involved in this affair 'Antiochus son of Antiochus'.⁷¹

Josephus cites another *senatus consultum*, passed in response to a request of a Jewish embassy, which is probably to be dated in the first year of the reign of John Hyrcanus.⁷² The envoys asked for renewal of the friendship with Rome and for letters to autonomous cities and kings 'in order that their country and ports may be secured and suffer no harm'. The Senate decided to confirm all their requests and to accept the golden shield presented by the envoys. This decree differs from the two discussed above in that it does not refer to a Jewish request for the Senate's support on specific points. It suits the very beginning of the reign of Hyrcanus I, not only because it was customary to renew alliances on such occasions but also because the Hasmonaean ruler may well have feared that the circumstances of his succession to the throne might entice his neighbours, particularly Antiochus VII, to start encroaching upon Jewish territory or even launching a major attack.

In sum: we have three Senatorial decrees for the period of John Hyrcanus I: the first — about 134; the second (the Fannius decree) — either about 133-2, during the attack of Antiochus VII on Judaea, or more probably about 127-5, that is after the death of Antiochus VII; and the third concerning Antiochus Cyzicenus ('son of Antiochus') — about 113. The first was occasioned by a

(1949), 66-8. For Sidon's autonomy *ca.* 110 see B.V. Head, *Historia Nummorum* (Oxford 1911), 797-8.

⁷¹ The numismatic evidence was used by Stern 1991 (above n. 63), 92-3, among other arguments, to date this Senate's decree *ca.* 113. It seems to me that the new finds only strengthen Stern's interpretation and dating of the *s.c.*, misrepresented by Barag (above n. 64), 9. For a similar conclusion see B. Bar-Kochva, *Pseudo-Hecataeus, On the Jews: Legitimizing the Jewish Diaspora* (Berkeley-Los Angeles 1996), 291-2, who ignores Barag's inference.

⁷² Jos. *AJ* 14.145-8. Josephus ascribes the decree to Hyrcanus II, but this is surely a mistake. Because of similarity, in content and in names of the envoys, between this decree and the letter of the consul Lucius in *IMacc.* 15.16-24, not a few scholars wanted to date this *s.c.* in the time of Simeon. For a clear exposition of the problems and literature see Schürer-Vermes-Millar (above n. 2), 1, 195-7 with n. 17, who opt for Simeon; Sherwin-White (above n. 35), 75; Gruen (above n. 10), 749-50. In my view, the arguments for dating the document in the first year of John Hyrcanus are much more persuasive. See esp. Stern 1991 (above n. 63), 79-82.

Jewish request, formulated in general terms, for the Senate's support; the other two, particularly the second, were related to John Hyrcanus' endeavour to exploit the alliance with Rome on specific, material matters in his struggle against the Seleucid kings.

The repeated appeals to renew the friendship and alliance treaty, by Jonathan, Simeon and John Hyrcanus I, and John's appeal to mobilize Roman support by the latter, helped create a relationship of inequality between Judaea and Rome. True, from the very beginning the parties signing the treaty of alliance were a nascent small people, on the one hand, and a superpower, on the other. But it was not a unique case, for Rome concluded similar treaties with other, even smaller states.⁷³ These treaties may have had more symbolic than practical character, and it stands to reason that they originated from the initiative of the foreign and not the Roman party, but it would be wrong to infer that for the Romans they were devoid of any significance.⁷⁴ At any rate, in the Hasmonaean case, the asymmetrical relations became progressively emphasized because it was only one party to the treaty that appealed to the other party. It was typical of Roman social and political life that one who kept asking help from another party and was not able to reciprocate was bound to lose his freedom, a situation that characterized even friendship relations, *amicitia*.⁷⁵ From a Roman point of view, therefore, the Hasmonaeans of the first and second generations could be regarded as rulers dependent for their very existence on the alliance with Rome. The Senate showed its goodwill by renewing the alliance, by making arrangements for the safe return of the Jewish envoys and by despatching copies of its resolutions concerning the alliance with the Jews to various rulers and Hellenistic cities.⁷⁶ On one occasion, it has been argued, the Senate's decree was quite

⁷³ See, e.g., the treaty with Astypalaea, R.K. Sherk, *Roman Documents from the Greek East* (Baltimore 1969), no. 16; the treaty with Callatis, A. Degraasi, *Inscriptiones Latinae Liberae Rei Publicae* (Firenze 1963), 2, no. 516; the treaty with Maronea, *SEG* 35, no. 823. For the basic analysis of these treaties see Täubler (above n. 6), 44-66, and for a recent survey, which includes treaties published since then, see Kallet-Marx (above n. 7), 184-97.

⁷⁴ Dahlheim (above, n. 12), 178-86; Gruen (above n. 10), 50; Kallet-Marx (above n. 7), 195-7. The latter admits, after playing down the value of the treaties for Rome, that 'as symbols of loyalty to Rome and of Roman favor they served well to advertise and affirm' Rome's *imperium* (ibid., 199).

⁷⁵ See Publilius Syrus: *beneficium accipere libertatem est vendere* (48); *rogare officium servitus quodammodo est* (583). See J. Michel, *Gratuité en droit romain* (Brussels 1962), 507-27; P.A. Brunt, 'Amicitia in the Late Republic', *PCPhS* 191 (1965), 1-20.

⁷⁶ For the letter of C. Fannius, the consul of 161, to the magistrates of Cos see Jos. *AJ* 14.233. For traveling expenses and provisions for safe return see Jos. *AJ* 13.264-6. That Pergamum was sent copies of the Senate's decrees is self-evident from Jos. *AJ* 14.247-55. See also *IMacc.* 15.22-4, allegedly a decree in

effective: Antiochus VII Sidetes was induced by it to terminate the siege of Jerusalem with lenient conditions.⁷⁷ The suggestion is attractive, but cannot be proved, and if the decree is dated about 127-5, the suggestion is untenable.

Now, it has been noticed that the Senate refrained from sending legates in response to the Jewish appeals. This was, it is claimed, the method the Senate applied when it meant business. It has therefore been suggested that this should be seen a sign of its half-hearted interest, of its unwillingness to undertake active intervention on behalf of Judaea.⁷⁸ The observation is quite correct, and it seems that the Senate was not consistently and vigorously determined, through all these years, to adopt and carry out a policy aimed at undermining Seleucid power. But the object basically to bring about the creation of a smaller Seleucid kingdom was indeed part of senatorial policy,⁷⁹ however erratic the Senate was in implementing that policy or in choosing the methods used to implement it. Hence, it does not follow that the Senate did not intend its decrees and letters to be considered and obeyed by those who received them. The crucial question is what impact they made, and the answer cannot be in doubt. Thanks to the Hasmonaean appeals and the Senate's decrees that followed and accompanied them, the dependent relationship of Judaea to Rome was publicized in the Hellenistic world during the period in question. In other words, the relations that developed between Judaea and Rome in the 50 odd years that followed the signing of the alliance treaty of 161 could only strengthen the notion that Judaea belonged to the *orbis terrarum*, resulting in the growth of consciousness at Rome that the Jewish people and its rulers were *sub imperio nostro*.

Given the almost total absence of relevant contemporary sources, it is hardly possible to know whether the Hasmonaean appeals to Rome might be perceived there.⁸⁰ However, it is more probable than not that they were unaware of the full meaning and significance of such Roman concepts as *imperium nostrum* and *orbis terrarum*. Whether their successors grasped the inherent dependence involved in the policy that their ancestors had pursued towards Rome is a question that cannot be answered on the basis of specific information contained in the available sources. There is room, though, for some speculation on the basis of negative

favour of Simeon, copies of which were sent to no fewer than 17 rulers and cities.

⁷⁷ Rajak (above n. 63), 72-81; eadem, in *Cambridge Ancient History* (2nd ed. Cambridge 1994), 290.

⁷⁸ Sherwin-White (above n. 35), 77-8. Cf. Gruen (above n. 36), 86-7.

⁷⁹ This is the generally held view, which was challenged by Gruen (above n. 36), 73-4 with nn. 3-4, a long list of scholars who took this view.

⁸⁰ But see below, the last two pages of this article, on the image of Rome as portrayed by the author of *I Maccabees*.

evidence.⁸¹ There is no reference in Josephus' writings, or in any other source, to the notion that Aristobulus I (104-103), Alexander Jannaeus (103-76) or Alexandra Salome (76-67) renewed the alliance or sent envoys to Rome to appear before the Senate.⁸² Had Josephus found any evidence in his sources concerning such diplomatic connections between these Hasmonaean rulers and Rome, he would have certainly recorded it. None of the documents Josephus cites in Books 13 and 14 of the *Antiquitates Judaicae* is related to these Hasmonaean rulers. It has also been noticed that Caesar's decision in favour of Hyrcanus II in 47 BCE seems to refer to territorial conditions that had obtained under John Hyrcanus I, whose title to Joppa had been recognized by the Senate, as we have seen; in Caesar's decision the establishment of the friendship with Rome and the possession of that city are specifically linked.⁸³ According to Diodorus Siculus, the Jewish notables who met Pompeius in Damascus in 63 referred to the embassy that the ancestors of Aristobulus II and Hyrcanus II had sent to the Senate. These ancestors are identified as High Priests and not kings, and hence the reference is to Hasmonaean rulers of the first two generations, who did not assume the royal title.⁸⁴ Thus, considering the accumulated negative evidence, it is highly probable that the successors of John Hyrcanus I chose not to follow the traditional Hasmonaean policy towards Rome.

If this inference is correct, the explanation of the new policy may be sought along the following lines. Aristobulus I and particularly Alexander Jannaeus embarked upon an aggressive, expansionist policy. The first conquered a great part of the Ituraean territory, i.e., the Galilee, and judaized the local population in his one-year reign; some information suggests that his army also conducted operations on the coast of Palestine at Strato's Tower.⁸⁵ Alexander, a bellicose

81 For what follows see the detailed discussion of U. Rappaport, 'La Judée et Rome pendant la règne d'Alexandre Janée', *REJ* 127 (1968), 329-45, with much of which I agree. See, however, below nn. 85 and 94.

82 The vine (or 'garden') which Strabo saw in Rome was inscribed with the name of 'Alexander king of the Jews' (in the genitive). It was a gift which Aristobulus II sent to Pompeius in Damascus, and hence offers no proof for diplomatic relations with Rome prior to 63. See Jos. *AJ* 14.34-6.

83 Jos. *AJ* 14.202-210. On the implications of the references to Joppa, the Great Plain and Lydda in Caesar's decision see A. Büchler, *Studies in Jewish History* (London 1956), 13-4 and 18-9 (originally published in German in 1896); Rappaport (above n. 81), 330-31.

84 Diod.Sic. 40.2.

85 Jos. *BJ* 1.70-84; *AJ* 13.301-19. Judas the Essene predicted that Antigonus, the king's brother who was on campaign, would die at Strato's Tower. Rappaport concedes that Aristobulus I may have not had the time to renew the alliance because his reign lasted scarcely a year. Given Aristobulus' energetic activity in foreign affairs from the beginning of his reign, his avoidance of sending envoys to renew the alliance is more probably than not deliberate.

person according to Josephus, followed this aggressive policy vigorously and succeeded eventually in establishing his rule over the greater part of Eretz Israel; the only Greek cities which did not succumb to his conquests were Ascalon and Ptolemais/Acre on the Mediterranean coast and Philadelphia in Transjordan.⁸⁶ Although Alexandra Salome refrained from carrying out aggressive wars, she did double her army, make Judaea a powerful state and receive hostages from neighbouring rulers.⁸⁷ Aristobulus I was the first Hasmonaean ruler to assume the royal title, and so did Alexander Jannaeus and Alexandra Salome. To judge by this innovation as well as by their expansionist policy, these three Hasmonaean rulers were conscious and confident of their power. It stands to reason that they sensed that their political ambitions might meet opposition at Rome. It was not too difficult for them to understand that a substantial aggrandizement of the Hasmonaean state would not be gladly endorsed by the Senate. Hence, they will have reckoned, it was better for them not to apply for the renewal of the alliance and thus to avoid the risk of getting a rebuke.

Two more factors will have played a role in Hasmonaean considerations. On the one hand, by the end of the second century the decline and disintegration of the Seleucid kingdom had become manifest to all as a result of the continuous, incessant struggle among members of the royal family⁸⁸ and the rise of Parthia.⁸⁹ Various cities, notably Aradus, Sidon and Tyre, took advantage of this situation to establish their autonomy in the last quarter of the second century,⁹⁰ and the Ituraeans,⁹¹ the Nabataeans and Tigranes I of Armenia expanded the

⁸⁶ Jos. *BJ* 1.85-106; *AJ* 13.320-404. On Jannaeus' warlike character see *BJ* 1.105-6.

⁸⁷ Jos. *BJ* 1.112; *AJ* 13.409.

⁸⁸ For an instructive description of the internal wars see Jos. *AJ* 13.365-71. For a detailed analysis of the literary and numismatic evidence relating to the Seleucid decline see Bellinger (above n. 70), 51-102. See also Schürer-Vermes-Millar (above n. 2), 133-6.

⁸⁹ Mithridates I captured Demetrius II and extended his rule to Babylonia and Assyria. Despite some setbacks, his successors maintained the pressure and encroachment on the shrinking Seleucid kingdom. That they did not regard the Euphrates as the western limit of their expansion is shown by Parthian intervention in northern Syria and Cilicia (Strabo 14.5.2). See N.C. Debevoise, *A Political History of Parthia* (Chicago 1938), 27-53; A.D.H. Bivar, in *Cambridge History of Iran* (Cambridge 1983), 3.1, 36-45.

⁹⁰ See J.D. Grainger, *Hellenistic Phoenicia* (Oxford 1991), 129-57. Note also the rise of local tyrants like Zoilus in Dora and Strato's Tower (Jos. *AJ* 13.324, 335) and Zenon in Philadelphia (Jos. *BJ* 1.60; *AJ* 13.235)

⁹¹ On the Ituraeans see Schürer-Vermes-Millar (above n. 2) 1, 561-73; W. Schottruff, 'Die Ituräer', *Zeitschrift der Deutschen Palästina-Vereins* 98 (1982), 125-52.

territory under their control in the early first century.⁹² It was a time to take bold actions, if one did not wish to lag behind in the race to fill the vacuum created by Seleucid feebleness. On the other hand, the operations of M. Antonius against the pirates of Cilicia in 102-100, Sulla's intervention in Cappadocia in the 90's and his war against Mithridates VI of Pontus in the 80's and Lucullus' war against the latter in the 70's, all indicated that Rome was willing to engage far more actively in regions close to Judaea.⁹³ The Hasmonean rulers faced new political circumstances, which differed significantly from those obtaining under Judas Maccabaeus, Jonathan, Simeon and John Hyrcanus I. They had to decide whether to continue a policy that emphasized their dependence on Rome and might limit their freedom of action in foreign affairs or to start a new policy, one that was not backed by the alliance treaty with Rome. So far as we know, they did not renew the alliance and evidently pursued an expansionist policy on a grand scale. The danger of coming into conflict with Rome because of such a policy was a matter for the future, and if the thought of it crossed their mind, they may have hoped to be able to cope with it when the time came. In the meantime they asserted their independence both by their actions and by refraining from cultivating relations with Rome.⁹⁴

3.

The confrontation with Rome took place under the worst conditions for the Hasmonaean state, at a time of internal conflicts within Jewish society and particularly the war between Aristobulus II and his elder brother Hyrcanus II, who fought each other after the death of their mother Alexandra Salome in 67.⁹⁵

⁹² On the expansion of the Nabataeans and their encounter with Alexander Janneus see Shatzman (above n. 2), 98-125. On the Seleucid decline and the expansion of Tigranes I to Syria see App. *Syr.* 48 and 70; J.D. Grainger, *The Cities of Seleukid Syria* (Oxford 1990), 170-90.

⁹³ On Roman involvement in Cilicia and Cappadocia see A.N. Sherwin-White, 'Rome, Pamphylia and Cilicia', *JRS* 66 (1976), 1-14; Freeman, above n. 15; Kallet-Marx (above n. 7), 227-50. On the wars against Mithridates VI see T. Reinach, *Mithradates Eupator: König von Pontos* (Berlin 1895), 115-205; D. Magie, *Roman Rule in Asia Minor* (Princeton 1950), 1, 210-31 (with the notes in vol. 2); B.C. McGing, *The Foreign Policy of Mithridates VI Eupator, King of Pontus* (Leiden 1986), 89-131.

⁹⁴ In my view the available evidence does not justify Rappaport's inference (above n. 81, 335-42) that Janneus deliberately pursued an anti-Roman policy in cooperation with other players in the international politics of the period, namely Mithridates VI, Tigranes I and the pirates.

⁹⁵ Hyrcanus would have acquiesced in his brother's rule but for Antipater, Herod's father, who advised him to seek the support of the Nabataean king Aretas III, who then invaded Judaea and besieged Aristobulus on the Temple Mount in 64.

While this war was going on Pompeius' legates arrived in Syria. Neither Syria nor Judaea was Pompeius' *provincia* under the Gabinian law, which had empowered him to fight the pirates in 67, and the Manilian law, which had commissioned him to carry on the war against Mithridates VI of Pontus and Tigranes I of Armenia in 66. However, because of the need to destroy the land bases of the pirates in order to achieve the complete suppression of piracy, the *imperium* Pompeius was given by the Gabinian law was extended to 50 miles from the Mediterranean coast.⁹⁶ This could be used to justify intervention in much of the inland territory of Syria and Judaea. The same may hold true for the conduct of the war against Mithridates VI and particularly Tigranes I, who had taken possession of Syria, for the Manilian law put no territorial restrictions on the conduct of the war against these kings.⁹⁷ L. Licinius Lucullus had already shown by his invasion of Armenia and northern Mesopotamia that to carry out the task which had been assigned to him in 74, namely the pursuit of the war against the elusive, ubiquitous Mithridates, his operations could not be limited to the Pontic kingdom.⁹⁸ And indeed Pompeius extended his campaigns not only to Armenia and northern Mesopotamia, but also to Albania and Iberia in the Caucasian region. Still, there is another aspect to Pompeius' campaigns and activities that sheds light on his perception of the Roman empire, to which I shall return below.

A brief recapitulation of the events in Syria and Judaea is apposite at this stage. The first to intervene in Syrian affairs were Metellus Nepos and Lucius Lollius, two of the legates Pompeius had appointed for the war against the pirates. They arrived in Damascus probably in 65, but the sources do not reveal

See Jos. *BJ* 1.117-26; *AJ* 13.422-32; 14.4-28. For a modern account see Schürer-Vermes-Millar (above n. 2), 1, 233-6. On Jewish internal conflicts that had erupted into open rebellion against Alexander Jannaeus and led to the persecution of Hasmonaean loyalists under Alexandra Salome see Jos. *BJ* 1.88-9, 91-8, 110-1, 113-4; *AJ* 13.372-4, 376-83, 408, 411-7.

⁹⁶ For Gabinus' law see Vell. Pat. 2.31,2; Plut. *Pomp.* 25.2-6; 26,2-3; App. *Mith.* 94; Dio 36.23,4; 37,1. Whether Pompeius' *imperium* was *aequum* (Velleius) or *maius* (Tac. *Ann.* 15.25) is irrelevant for our purpose.

⁹⁷ See on Manilius' law Plut. *Lucull.* 35.7; *Pomp.* 30.1; App. *Mith.* 97; Dio 36.42,4. That the main aim of the law was the conduct of the war against Mithridates and Tigranes is made clear by Cic. *Imp.Pomp.* 4-6.

⁹⁸ In 74 Lucullus was given, instead of his original province Cisalpine Gaul, Bithynia and Asia as well as the conduct of the war against Mithridates VI, which was expected to break out soon. See Vell. Pat. 2.33,1; Plut. *Lucull.* 5.1-6.5; Memnon 37.1; Liv. *Ep.* 100; cf. Cic. *Mur.* 33; *Acad.* 2.1.1. It is not clear whether the war opened in late 74 or spring 73. For an exhaustive review of the evidence see A. Keaveney, *Lucullus: A Life* (London 1992), 188-205, who opts for 74.

what business they had there.⁹⁹ Some time later Pompeius sent his proquaestor M. Aemilius Scaurus from Armenia to Syria, thus showing his interest in the affairs of the region. Upon his arrival Scaurus found out that the two legates had recently taken Damascus.¹⁰⁰ He went on to Judaea, where he was approached by envoys sent by Aristobulus II and Hyrcanus II. He gave judgement in favour of the first and ordered Aretas III to lift the siege of the Temple Mount and to withdraw from the country. Aretas complied with this instruction. Scaurus then returned to Damascus.¹⁰¹ However, it was clear that the final decision rested with Pompeius, and the brothers' envoys had approached him, probably in Antioch in late 64; they were told to meet him the next spring.¹⁰² Pompeius then received three Jewish delegations at Damascus in 63 — one of them, sent by the 'people' or consisting of 'notables', asked for the abolition of the monarchical regime in Judaea — and decided to postpone his judgement again until after the implementation of his planned expedition against Aretas III.¹⁰³ Becoming apprehensive of his intentions, Aristobulus refused to co-operate and betrayed signs of

⁹⁹ Their stay in Damascus is reported only by Jos. *BJ* 1.127; *AJ* 14.29. For the date see n. 100. Originally Lollius was to operate in the Aegean Sea and the Hellespont and Nepos in Lycia, Pamphylia, Cyprus and Phoenicia (App. *Mith.* 95). Damascus was outside the 50 mile inland zone authorized by the Gabinian law for the operations against the pirates, but this would not have troubled Pompeius, his legates or people at Rome. Cf. Sherwin-White (above n. 35), 209-10. But Damascus, or its vicinity for that matter, suffered from the activities of land brigands, not from pirates, and hence the mission of the legates will have had to do with Pompeius' general intentions with regard to the future of Syria. For the speculation that Nepos and Lollius were invited by Damascus to oust the Ituraean dynast Ptolemaeus see Sherwin-White (above n. 35), 217, but the expedition of Aristobulus to Damascus, occasioned by the Ituraean threat, had preceded the occupation of Damascus by Tigranes in 71 (or 72). See Shatzman (above n. 2), 122-3. No evidence testifies to the occupation of the city by Ptolemaeus after 69, when Damascus minted its own coins (with Seleucid dating). See Bellinger (above n. 70), 81-2.

¹⁰⁰ Jos. *BJ* 1.127; *AJ* 14.29. If Josephus is right that Scaurus was sent from Armenia while Pompeius was still engaged in war against Tigranes, his arrival must be dated in 65, the date suggested in Schürer-Vermes-Millar (above n. 2), 1, 236 n. 7, 244. Josephus' report implies that only upon his arrival in Syria did Scaurus realize that the two legates had taken Damascus, i.e., it was a recent event. It is not clear what is meant by Josephus when he says that Scaurus *metastetas* Nepos and Lollius (in *BJ*).

¹⁰¹ See Jos. *BJ* 1.128-30; *AJ* 14.30-3.

¹⁰² See Jos. *AJ* 14.37. See A. Schalit, *König Herodes* (Berlin 1969), 7, nn. 6-7; Schürer-Vermes-Millar (above n. 2), 1, 237, n. 13. The golden vine (or 'garden') which Aristobulus sent to Pompeius (above n. 82), was most probably given on that occasion.

¹⁰³ Jos. *BJ* 1.131-2; *AJ* 14.41-6; Diod. Sic. 40.2

insubordination, although with much vacillation.¹⁰⁴ Upon this Pompeius invaded Judaea, seized Aristobulus, took Jerusalem with the help of Hyrcanus and his supporters and, after a three-month siege, captured the Temple Mount, which was defended by Aristobulus' partisans.¹⁰⁵ Pompeius was now in a position to determine the fate of Judaea. Hyrcanus was appointed High Priest and, probably, ethnarch, although what powers that title entailed is nowhere specified.¹⁰⁶ Various cities, usually termed Hellenistic or Greek, that had been conquered in the past by the Hasmonaeans rulers were now made part of the province of Syria and placed under its Roman governor. These included not only cities that had been captured by Aristobulus I and Alexander Jannaeus, who had not cultivated diplomatic relations with Rome, but also Samaria, Marisa, Scythopolis and Joppa, which John Hyrcanus I, ally and friend of Rome, had conquered. In addition, Judaea had to pay a tribute from then on.¹⁰⁷

Two basic questions arise: what were the motives of Pompeius in treating Judaea in this manner? How did his settlement change Judaea's status with regard to Rome? Pompeius' treatment of Tigranes I and of the appeal of the Seleucid Antiochus Asiaticus to receive his ancestral throne betray clearly his reasoning and stance on the question of Syria. It is reported that he claimed that by virtue of his defeat of Tigranes I, Rome was entitled to all the regions formerly under the control of that king, including Seleucid Syria. That Tigranes was allowed to retain his original territory and that his son was intended to be given Sophene and Godryene were merely practical, administrative arrangements.¹⁰⁸ No doubt was left that they were dependents of Rome and that their territory was part of Rome's empire. The same reasoning, namely right of rule on the basis of victory in war, appears bluntly in Pompeius' explanation of his decision to reject the claims of Antiochus Asiaticus to Syria: 'it was unnatural for the Seleucids, whom Tigranes had dethroned, to govern Syria, rather than the Romans who had conquered Tigranes'.¹⁰⁹ Pompeius is reported to have told Tigranes that he should blame Lucullus for the loss of Syria, Phoenicia, Cilicia, Galatia and

¹⁰⁴ Jos. *BJ* 1.133-40; *AJ* 14.48-55.

¹⁰⁵ Jos. *BJ* 1.141-51; *AJ* 14.56-72; Strabo 16.2,40; Dio 37.15.1-16.4.

¹⁰⁶ Jos. *BJ* 1.153; *AJ* 14.73;20.244. That Hyrcanus II had the title ethnarch is first attested in documents from the time of Caesar (*AJ* 14.191, 196 and 209). This title had been taken in the past by Simeon (*I Macc.* 14.47;15.1-2; Jos. *AJ* 13.214) and by John Hyrcanus I (Jos. *AJ* 14.148 and 151 — not Hyrcanus II). In their case, the title reflected the relations between the Hasmonaeans ruler and the Jews, a strictly internal matter. In the case of Hyrcanus II the title was bestowed by Rome and hence reflected a Roman point of view. Note that Augustus named Archelaus, Herod's son, ethnarch and not king (Jos. *BJ* 2.93,115).

¹⁰⁷ Jos. *BJ* 1.154-6; *AJ* 14.74-6.

¹⁰⁸ Vell. Pat. 2.37,3-4; Plut. *Pomp.* 33.2-5; App. *Mith.*105; Dio 36.52,3.

¹⁰⁹ App. *Syr.* 49 (H. White's translation in *Loeb Classical Library*). See also App. *Mith.* 106; Plut. *Pomp.*39.3.

Sophene.¹¹⁰ The implication, if this report is to be trusted, is that Lucullus had established Rome's right to those countries by defeating Tigranes I. Thus it may be inferred that the principle of might makes right was taken for granted by Pompeius in his treatment of Tigranes, but on that occasion he did not wish to be regarded as responsible for the implementation of that principle and thus ascribed the conquest to Lucullus. We may hesitate to accept that Pompeius will seriously have ascribed such an achievement to Lucullus, from whom he was profoundly estranged on account of this very matter.¹¹¹ The point cannot be pressed, though, for to put the blame for the collapse of the Armenian empire on Lucullus was a way to smooth away the difficulties in the relationship with Tigranes and to win his loyalty, and this may well have outweighed other considerations on the part of Pompeius. At any rate, it was very easy for Pompeius to go one step further and to claim right of rule over other former Seleucid possessions in southern Syria. Hence, Lollius and Nepos arrived in Damascus to represent the Roman interest in that region and to assert the Roman claim to it. Hence, too, Scaurus arrived and felt free to give orders concerning the affairs of Judaea.

Pompeius publicized his Asian exploits in Rome in 61 BCE on the occasion of his triumph, revealing thereby his perception of the Roman empire. Several sources provide details of the triumph and the nations and countries that were visually represented in the triumphal procession.¹¹² Trophies carried in the triumph represented each of Pompeius' achievements, and an inscription on one of them, a huge one, stated that it was of the *oikoumenē* (i.e. *orbis terrarum*).¹¹³ At the theatre he dedicated in 55, Pompeius had fourteen figures erected that personified the countries he had conquered in Asia; these surrounded his own statue.¹¹⁴ Diodorus Siculus gives a version of the exploits that Pompeius inscribed on a monument which he dedicated: a long list of countries, nations and kings which he had conquered or subdued, including Aristobulus king of the Jews and Aretas king of the Arabian Nabataeans, as well as Judaea and Arabia. To make the message clear Pompeius added: 'all the peoples who live between the Black Sea and the Red Sea'. Two more significant claims were made by Pompeius in this inscription: he had liberated the coasts of the *oikoumenē* from pirates; he had extended the frontiers of the *hegemonia* (i.e. *imperium*) to those

¹¹⁰ Plut. *Pomp.* 33.4. Galatia is questionable for no other source refers to its possession by Tigranes.

¹¹¹ Plut. *Lucull.* 36.1-4; *Pomp.* 30.6-31.7.

¹¹² Plin. *NH* 37.13; Plut. *Pomp.* 45; App. *Mith.* 116-7; *Inscriptiones Italiae*, XIII.1 (Rome 1947), p. 566.

¹¹³ Dio 37.21.2. See S. Weinstock, *Divus Julius* (Oxford 1971), 38: the *oikoumenē* represented by 'either a personification or a globe mounted on it'.

¹¹⁴ Plin. *NH* 36.41; Suet. *Nero* 46.1.

of the earth.¹¹⁵ Cicero later reiterated and accepted these claims of Pompeius in public speeches.¹¹⁶ Pompeius also boasted in a public speech (*contio*) that whereas he had received Asia as the remotest of all provinces, by his exploits it became located in the centre.¹¹⁷ This was repeated by Cicero, in a public speech, and by Florus, with slight variations.¹¹⁸ In view of these public representations and express declarations in Rome, it becomes clear that when Pompeius justified, in his public meetings with Tigranes I and Antiochus Asiaticus, his taking control of Syria, on the ground that it was a right gained by victory in war, he was revealing only part of his thought on Rome's *imperium*. That *imperium*, we now understand, extends over all the *oikoumenē*; it is coterminous with it. It is important to bear in mind that Pompeius as well as his Roman audience knew, some vaguely and others more precisely, that in his campaigns he did not traverse the entire world and that there existed nations and countries that had still not been subdued or been forced to recognize Rome's rule. To take one notable example, the Parthians were not mentioned in his triumph. The political-geographical reality did not matter, however. What mattered was that the achievements of Pompeius demonstrated the idea of Rome's universal rule. Hence, at Rome Pompeius did not try to justify his equation of personal achievement with Roman domination, only to represent it. Obviously he expected the public to identify with him on this matter because Rome's entitlement to world rule was widely accepted.

Several other pieces of evidence testify to Roman awareness of and claim to universal rule at this time and to Pompeius' role in its implementation. In 66 Cicero averred, in the speech he delivered before the people (*contio*) in support of Manilius' law, that as a result of Gabinus' law giving command to Pompeius against the pirates 'we finally appear as the true masters of all the peoples and all the nations on earth and sea'.¹¹⁹ Gabinus' law, as we have seen, conferred on Pompeius very extensive *imperium*, though, surely, not universal rule. In his speech in 66, therefore, Cicero expressed the Roman perception and image of

¹¹⁵ Diod. Sic. 40.4. Cf. Plin. *NH* 7.97.

¹¹⁶ Cic. *Sest.* 67: *imperii populi Romani orbis terrarum terminis definisse; Balb.* 16: *cuius res gestas omnis gentes cum clarissima victoria terra marique peragrassent, cuius tres triumphus testes essent totum orbem terrarum nostro imperio teneri.* See also *Sest.* 129; *Balb.* 9; *Dom.* 110; *Pis.* 16.

¹¹⁷ Plin. *NH* 7.98: *summa summarum in illa gloria fuit (ut ipse in contione dixit, cum de rebus suis dissereret) Asiam ultimam provinciarum accepisse, eandemque mediam patriae reddidisse.*

¹¹⁸ Cic. *Prov. Cons.* 31: *Asiae, quae imperium autem nostrum terminabat, tunc tribus novis provinciis ipsa cingatur; Flor.* 1.40.31: *sic Pompeio duce populus Romanus totam, qua latissima est, Asiam pervagatus est, quam extremam imperii habebat provinciam mediam fecit.*

¹¹⁹ Cic. *Leg. Man.* 56: *ut aliquando vere videremus omnibus gentibus ac nationibus terra marique imperare.*

world-power, realized in the authority given to Pompeius but not dependent on or emanating from it. In a way this may account for Plutarch's interpretation of the Manilian law, namely that it placed Roman empire (*hegemonia*) in the hands of Pompeius. This is a misrepresentation, for that law, as we saw, dealt only with the countries of Asia and the war against Mithridates and Tigranes. Plutarch may have found some evidence in his sources to connect the powers given to Pompeius by Manilius to Rome's universal rule, or he may simply have drawn the sensible conclusion that Pompeius' authority and deeds affected Roman rule everywhere.¹²⁰ Finally several coins minted at this period, which all have the figure of the globe, express visually the idea of Roman universal rule. The earliest were minted by Cn. Cornelius Lentulus (consul of 56) in 76-75 and by P. Cornelius Lentulus Spinther (consul of 57) in 74. The first has on the obverse a male bust representing the *Genius populi Romani* and on the reverse a sceptre with a wreath, a globe and a rudder; it thus makes a clear connection between the *Genius populi Romani* and domination over land and sea, symbolized by the sceptre and the rudder. The second has on the reverse a male figure seated on a curule chair, holding *cornucopiae* in one hand and a sceptre in the other, placing one foot on a globe and the other on some object, possibly a naval symbol and crowned by Victory. Thus this denarius, too, represents the domination of the *Genius populi Romani* over land and sea.¹²¹ In 56 Faustus Cornelius Sulla, Pompeius' son-in-law who took an active part in the conquest of Jerusalem in 63, minted an interesting and instructive denarius. One type has on the reverse three trophies and another has a globe in the centre surrounded by three small wreaths and one large wreath. The trophies represent the three triumphs of Pompeius, as did Pompeius' seal-ring. The small wreaths, too, allude to the triumphs and the large one to the golden crown which he was allowed to wear in 63.¹²² These and other symbols refer to Rome's rule of the *orbis terrarum* (the globe), which is connected with Pompeius' achievements, notably his triumphs for his victories in Africa (79), Europe (71) and Asia (61), the three continents of the earth.¹²³

¹²⁰ Plut. *Pomp.* 30.1-2. For Manilius' law see above n. 97.

¹²¹ For these denarii see M.H. Crawford, *Roman Republican Coins* (Cambridge 1974), 407 no. 393, 409 no. 397. On the formula *terra marique* see A. Momiigliano, 'Terra Marique', *JRS* 32 (1942), 53-64, esp. 62-4. See also Crawford, *ibid.*, 413 no. 403: Roma with a diadem, holding *fasces* and placing a foot on a globe, a denarius of 70.

¹²² For Faustus Sulla's participation in the conquest of Jerusalem see Jos. *BJ* 149; *AJ* 14.69. For his denarius see Crawford (above n. 120), 450 no. 426 (3 and 4). For Pompeius' seal-ring see Dio 42.18.3, and for the *corona aurea* Vell. Pat. 2.40.4.

¹²³ See Weinstock (above n. 113), 42-3; Nicolet (above n. 22), 34-8. On the globe as a symbol of universal rule at Rome see A. Schlachter, *Der Globe: Seine Entstehung und Verwendung in der Antike* (Berlin-Leipzig 1927), 64-102, esp. 64-

It is against this background that the Roman intervention in Judaea at this time has to be assessed. The Roman concept of world empire had developed long before the arrival of Pompeius. By that time consciousness of entitlement to universal rule had taken root at Rome. The feeling of supremacy, domination, limitless potential to rule was deeply established in Roman society. Pompeius was commissioned to implement that supremacy, to subdue kings who rose to contest or did not yet accept that rule, and he performed his mission with spectacular success. Former Hasmonaean rulers had recognized Roman supremacy and thereby contributed, like many other rulers of the Hellenistic world, to the rise of the confidence and awareness of the Romans in their mastery of the world. Aristobulus I, Alexander Jannaeus and Alexandra Salome departed from the policy of their predecessors, but their independent expansionist activity was not put to the test against Rome's supremacy. Hyrcanus II and Aristobulus II immediately recognized Roman authority over Judaea first by their appeals to Scourus to settle the dispute between themselves and later by bringing their case before Pompeius. The question whether Pompeius had legally been empowered to decide on such a matter probably never occurred to them, nor to the Jewish delegation (of the notables or the people) that asked for the abolition of the monarchical power of the Hasmonaean ruler. Pompeius represented Roman power and that sufficed.

Effectively what Pompeius did in Judaea was to establish Roman rule. Modern scholars have debated whether or not Judaea was incorporated into the province of Syria by Pompeius.¹²⁴ If one adheres strictly to what Josephus says in connection with Pompeius' actions concerning Judaea, it is only the various cities that Pompeius detached from Judaea that were made part of the province of Syria. On the other hand, the Roman governors of Syria intervened freely in the affairs of Judaea, to quell revolts (Gabinius and Cassius), to reorganize the administrative system (Gabinius) or simply to pillage the country (Crassus and Cassius), which may indicate that Judaea belonged to the province of Syria.¹²⁵ The levying of tribute was irrelevant to this question, as can be learnt from the case of Macedonia, which had to pay tribute from 167, although it was not assigned as a *provincia* to Roman magistrates.¹²⁶ After his appointment as king of Judaea in 40 BCE,¹²⁷ Herod probably was not required to pay tribute,¹²⁸ but

9, 76-7; also P. Arnaud, 'L'image du globe dans le monde romain', *MEFRA* (1984), 53-116.

¹²⁴ See, e.g., Schürer-Vermes-Millar (above n. 2), 1, 267 (with earlier literature); Dahlheim (above n. 12), 265-6.

¹²⁵ Gabinius: Jos. *BJ* 1.160-73, 176-7; *AJ* 14.82-5, 92-6, 100-102. Crassus: Jos. *BJ* 1.179; *AJ* 14.105-9. Cassius: Jos. *BJ* 1.180; *AJ* 14.120.

¹²⁶ On the settlement of Macedonia in 167 see Liv. 45.18; 29.4-14. See also Plut. *Aem.* 28.3; Pol. 30.31.9; Diod. Sic. 31.8.3-5. Livy's *tributum* surely means an annual payment, not an indemnity. See Kallet-Marx (above n. 7), 13-4.

¹²⁷ Jos. *AJ* 14.384-5; Strabo 16.2.46; Tac. *Hist.* 5.9.

this did not mean that he would not be expected to contribute financially to Rome should the need arise.¹²⁹ A Roman army was stationed in Judaea until some time before the battle of Actium, and Herod knew that his position depended on his ability to secure the country for the Roman empire. There was no doubt that his army was to serve Roman interests and would be put at the disposal of Rome if Augustus so decided.¹³⁰ He was not allowed to use his army outside Judaea without explicit permission, preferably from Augustus himself rather than from the Roman governor of Syria, as Herod found out much to his distress.¹³¹ Although Augustus allowed him to arrange his own succession, exceptionally, his will had to be authorized by Augustus who could, and did, change it significantly.¹³² Thus there is no doubt that Judaea was part of the Roman empire even under Herod, formally a friend and ally king of Rome, no less than when Hyrcanus, High Priest and ethnarch, served as its titular head. Hence, the question whether Judaea was incorporated into the province of Syria in 63 concerns an administrative matter, admittedly not without some practical results for the Jewish population of the country, but not in any way bearing on the new political reality.

From a contemporary Roman point of view, Judaea, like other Mediterranean countries, belonged in Rome's *imperium* certainly by the early first century BCE, probably already in the second century. To some extent, this resulted from and was associated with the repeated appeals of the Hasmonaean rulers to the Senate. Essentially, however, this state of political relationship did not depend on what the Hasmonaeans did but stemmed from Rome's overwhelming superiority, manifested in its victories over Carthage, Macedonia and the Seleucids, a superiority which the various Hellenistic states had to acknowledge either of

¹²⁸ See D. Braund, *Rome and the Friendly King* (London 1984), 68.

¹²⁹ For an example see Jos. *BJ* 1.394-5; *AJ* 15.196-200.

¹³⁰ For the Roman legion stationed near Jerusalem in 35 see Jos. *AJ* 15.72. On the force Herod prepared to support M. Antonius in his struggle against Octavianus see Jos. *BJ* 1.364; *AJ* 15.109. On the force he sent for the Arabian campaign of Aelius Gallus see Jos. *AJ* 15.317; Strabo 16.4.23. Herod had given military support earlier, before his appointment as king of Judaea: Jos. *BJ* 1.216-7; *AJ* 14.268-9. For a detailed study of the Herodian army see Shatzman (above n. 2), 170-216 and there (214-5) on the military contribution of allied kings to Rome.

¹³¹ This is demonstrated by Augustus' reaction to Herod's attack on the Nabataeans, approved by C. Sentius Saturninus, the Roman governor. See esp. Jos. *AJ* 16.289, and for the whole affair Shatzman (above n. 2), 296-7.

¹³² See Jos. *AJ* 15.343; 16.92, 129; 17.195, 202, 239; *BJ* 1.454, 669; 2.2. Augustus decided to make Archelaus ethnarch, not king, apparently in deference to the request of a Jewish delegation. See Braund (above n. 128), 139-43, and for a detailed discussion M.R. Cimma, *Reges socii et amici populi Romani* (Milan 1976), 297-314.

their own accord or through coercion and defeat. Thus at the very time that the Hasmonaeans were struggling to gain freedom from the foreign rule of the Seleucids, they were absorbed in a new, and in many respects different kind of empire. It cannot be argued that they were ignorant of the revolutionary reshaping of international power relations that had taken place. The author of *I Maccabees*, who wrote his book at the time of John Hyrcanus I,¹³³ provides a relatively accurate and informative summary of the Roman victories and conquests outside Italy as the background and explanation of Judas Maccabaeus' decision to apply to establish friendship and alliance with Rome. He says that the Romans crushed and took control of all those who ventured to rise or oppose them, even if they were far away, concluding:

they had conquered kings both near and far, and all who heard of their fame were afraid of them. Whomsoever they wished to help and make kings became kings, and whomsoever they wished they deposed; and they were greatly exalted.¹³⁴

Thus the Hasmonaeans had, from the very beginning, a fairly good idea of Roman universal sway, and hence by their very appeal to Rome, they recognized her hegemony, although at the time they reckoned that it served to benefit them. A century later, writing with hindsight and in a eulogizing manner, in order to point a contrast with the Romans' harsh and brutal treatment and exploitation of the allies in his time, Cicero claimed that the *imperium populi Romani* in the past was a protectorate of the world (*patrocinium orbis terrarum*) rather than sheer domination; in those days:

As long as the empire of the Roman people maintained itself by acts of service, not of oppression, wars were waged in the interest of our allies or to safeguard our supremacy; the end of our wars was by acts of clemency or by only a necessary degree of severity; the senate was a haven of refuge for kings, tribes and nations.¹³⁵

Such a portrayal of the *imperium populi Romani* in the second century ignores unpleasant, brutal aspects of Roman behaviour and policy towards allies and foreign peoples; but it is not incongruous with the image of Rome that is

¹³³ For this date see, e.g., Momigliano (above n. 56), 34-6; Bar-Kochva (above n. 2), 152-68; S. Schwartz, 'Israel and the Nations Roundabout: I Maccabees and the Hasmonaean Expansion', *Journal of Jewish Studies* 42 (1991), 33-8.

¹³⁴ *I Macc.* 8.12-3 (S. Tedesche's translation in S. Zeitlin and S. Tedesche, *The First Book of Maccabees*, New York 1950). The whole passage should be consulted: 8.1-16.

¹³⁵ Cic. *Off.* 2.26-7 (W. Miller's translation in the *Loeb Classical Library*): *Verum tamen quam diu imperium populi Romani beneficiis tenebatur, non iniuriis, bella aut pro sociis aut de imperio gerebantur, exitus erant bellorum aut mites aut necessarii, regum, populorum, nationum portus erat et refugium senatus.*

conveyed by the author of *I Maccabees* in his eulogy of its supremacy. In the end Judaea was not exempted from the general harsh reality, referred to by Cicero, which dawned on it, and on the Hasmonaean rulers as well, with the coming of Pompeius.¹³⁶ In other words, in the first phase of its integration into Rome's empire, Judaea faced a *patrocinium*, in the second it was subjected to the arbitrary and cruel rule of Rome.

The Hebrew University of Jerusalem

¹³⁶ Cf. Psalms of Solomon 2.1-33; 8.16-24; 17.5-14.