

the pieces in a multi-dimensional puzzle" (p. 107). Such optimism is a pleasure to find, but no substitute for sound methodology, that is, a "strict argument." Rajak does repeatedly insist that we must believe Josephus' information if it is "possible" (p. 16) or "realistic" (p. 107) or "makes sense" (p. 106). Yet even if we were unqualifiedly to accept this approach, the problems of gaps and suppressions would remain.

A book of this nature will be sought out by both general and scholarly readers. Despite some technical digressions and three appendices (Josephus' native language, the assistant theory, and the dates of *AJ* and *Vita*), the work remains accessible. Less felicitous was the decision not to include a bibliography, which will hurt both intended audiences. Not only a list but a brief survey of scholarship would have served the author's purpose of "clearing away old notions." A list of references to Josephus' works, as well as a more reliable index, would have been useful. Also, the author has been done a great disservice by her publishers, who are now marketing a book marred by numerous typographical errors and careless editing. One wonders whether factual errors, which it was not the purpose of this review to catalogue, are merely the result of sloppy editing. For example, Eleazar ben Simon is said to be the priest who stopped the sacrifices for the Roman emperor (p. 134), but Rajak knows this was really Eleazar ben Ananias (p. 129). And surely she also knows that Caligula did not actually get his statue put in the Temple (p. 123, n. 53).

Rajak looks into Josephus' text and finds true history where others find distortions and inventions. Another voice is welcome, and hers is to a certain degree original; but her treatment is more impressionistic than thorough, and she has not given us better reason to believe her rather than more negative critics. This book provides a very good description of Josephus' view of the Jewish War, but a much less clear picture of the war itself.

The Hebrew University of Jerusalem

Jonathan J. Price

Gaius, *Institutiones*. Traducere, studiu introductiv, note si adnotari de Aurel N. Popescu. Editura Acad. RSR., București, 362 pp.

This first translation and critical edition of Gaius' *Institutiones* into Romanian — accompanied by an introductory study, notes and summary, all produced in a remarkably attractive form — marks an outstanding cultural achievement in Romanian classical studies. The translation and commentary reveal a great amount of care and devotion.

The work falls into the following parts: exposition (pp. 5–9); introductory study (pp. 11–56); bibliography and *sigla* (pp. 57–60); text of the *Institutiones* (pp. 61–329); summary and index (pp. 332–362); and a list of errata.

The notes and commentaries, conveniently placed under the text and conforming to modern critical standards, illuminate Gaius' text, which would otherwise remain inaccessible and useless for the historical reconstruction of the institutions of Roman private law. In fact, this critical apparatus, containing a rich bibliography, could stand on its own as a self-contained study.

The introductory study, complete with facsimiles, is devoted to the following subjects: the significance of the work and its author; Gaius' life (general considerations, a short biography, Gaius' forced departure from Rome, his name and origins, the question of whether he was a jurist or a law professor); Gaius' works; the *Institutiones* (the *Institutiones* in later history, the work as a source of law, its influence on the laws of migratory peoples, its place in university curricula); the place of the *Institutiones* in Roman private law; the publication of the work in A.D. 161; evaluation of Gaius' works; the style; the manuscript tradition (Codex Veronensis, later discoveries, interpolations).

A few comments are in order regarding this introductory study:

1. The author writes (pp. 22–23): “Dacia cannot be ruled out as a possible provenance for Gaius until new biographical material is discovered. The new hypothesis may be surprising for students of Roman law, but it is plausible.” We certainly have our doubts.

2. In the course of evaluation of the *Institutiones*, the writer makes the following remark: (p. 42) “None of the Roman lawyers, not even Gaius, took cognizance of the fact that the laws of that time were in fact decisions made by masters of slaves and designed to promote the interests of their own class, and that these laws consequently failed to ensure economic liberty and justice”. It seems we cannot require of Gaius a larger, more modern view of his own social conditions. Perhaps one could expect to find a better understanding of the legal problem of slavery from Cicero, who was not only a lawyer but a philosopher and politician as well.

3. On p. 43 the author states: “Gaius' Latin is good, even classical, thus proving that even in the provinces correct Latin could be spoken”. Gaius' Latin, however, cannot be said to reflect the spoken language of his time.

Some of the notes and commentaries are as long and substantial as individual articles, e.g.: note 38, pp. 77–79, dealing with the theory of abuse; note 85, p. 96 on *mancipium*; note 95, p. 218 on *obligatio*; note 103, p. 217 on *nexum* in which Romanian scholars are widely quoted; note 126, p. 312 on *exceptiones*.

Small criticisms, especially in regard to the author's sociological observations, can be made of this work, whose general excellence is none the less maintained in its accurate translations, scientific commentaries and full bibliography.

Finally, we can say that the first complete Romanian translation of Gaius' *Institutiones* has a particular significance for the Romanian lawyers and general public,

considering the persistent influence of Roman private law in territories that once formed part of the Eastern Roman Empire.

Medias, Romania

Betinio Diamant

### The Jews Between Pagans and Christians After Bar-Kokhba.<sup>1</sup>

The War of Bar-Kokhba has been very much in the forefront of scholarly research for some time — and more is expected from different quarters, notably S. Applebaum's new synthesis in *The World History of the Jewish People*. Yet the emphasis has been mostly on particular aspects rather than the general significance of the rebellion. Even the most ambitious recent treatment<sup>2</sup> openly admits that its aims were mainly destructive — a result, it is stated, of the nature of our sources and the present state of our knowledge.

Nevertheless the revolt of Bar-Kokhba has been perceived for a long time as a major watershed in Jewish history. While traditional Judaism has always seen the destruction of Jerusalem and of the Second Temple as the most important turning point in its history, modern historians have insisted both on the continuity of Palestinian history in the two generations following the fall of Jerusalem and on the break after the rebellion: it was certainly most influential that Schürer continued his *History* to that point rather than to the former alternative — even though the latter may have better fitted his theological vantage point.

One subject of major importance where the Bar-Kokhba rebellion undoubtedly marks the end of an old and the beginning of a new era is the relations between Jews, Pagans and Christians. The rift between orthodox Judaism and the various Judeo-Christian sects had been clearly demarcated by ca. 100 C.E. with the addition of the Benediction concerning Heretics to the Eighteen Benedictions; the Hadrianic interdict on Jews residing in Jerusalem surely did not differentiate between orthodox Jews and circumcised Christians; accordingly the first Bishop of Jerusalem from the Church of the Gentiles appears with the repression of the rebellion (Eus. *HE* 4.6).

The counterpart to that rift was the growth of Christianity and the increasing danger it presented to the Pagan world. What was the exact nature of the shift in the ideological positions and relations between Jews, Pagans and Christians? David

- 1 Review of D. Rokeah, *Jews, Pagans and Christians in Conflict*, (Jerusalem–Leiden 1982).
- 2 P. Schaefer, *Der Bar Kokhba-Aufstand. Studien zum zweiten jüdischen Krieg gegen Rom* (Texte und Studien zum antiken Judentum I), (Tübingen 1981).