

IN THE BEGINNING: THE JEWS AS A MINORITY GROUP IN THE MIDDLE AND THE LATE REPUBLICAN PERIOD

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Key words: Rome, Middle Republic, Late Republic, Jews, Cicero *Pro Flacco*, Josephus

Abstract: In this article I shall present an in-depth study of the condition of the Jews living in the city of Rome during the Middle and Late Republic. I shall make use mainly of epigraphic and literary sources, such as Appianus, Cicero, Josephus, Philo, Suetonius, and Varro. It seems to me, according to a careful reading of epigraphic data as well as the literary evidence presented by Valerius Maximus, that the first record of a Jewish presence in Rome ought to be dated no earlier than the second half of the second century B.C.E. According to Philo, only by the middle of the first century B.C.E. is there evidence of a much larger Jewish presence in Rome. Most of the Jews arrived as slaves in the wake of Pompey's conquest of the Hasmonean kingdom in 63 B.C.E. and in the aftermath, during Aulus Gabinius' consulate in 58 B.C.E. Yet there were also some *liberti* and a few *peregrini*, or immigrants. Most of them probably settled in the Subura. A hint of how Judaism and Jews were perceived during the Late Republic is given by the writings of Varro and Cicero. It seems that Varro was very impressed by the lack of images in the Jewish religion, an attitude which suggested a certain similarity to earlier Roman cultic practices. On the other hand, Cicero's *Pro Flacco* reflects a negative attitude towards Judaism. Judaism is therefore characterized as a Barbarian superstition, opposed to Rome's traditional values. It seems that the Jews as a group played a very negligible part, yet they were active in the politics of the Late Republic. A careful reading of Cicero's *Pro Flacco* can show that during this period Jews still had no communitarian institutions, although they grouped together. Moreover, they were probably *clientes* of their conqueror *patronus*, Pompey, and as such they could create political pressure. Most of the Jews supported Pompey until the battle of Pharsalus. However, another group did form, which supported Aulus Gabinius, who had once been a *cliens* of Pompey. Later on, when Gabinius transferred his allegiance from Pompey to Julius Caesar during the Civil War, most of the Jews of Rome did the same, and switched their allegiance, following the steps of their leader in Judaea, the High Priest Hyrcanus II. According to a careful reading of a passage of Josephus' *Antiquities*, which reports the decree of Publius Servilius Isauricus to the city of Parium, Julius Caesar recognized the Jewish communities, till then informal institutions, as *collegia licita* through the *Lex Iulia*.

1. The Middle Republic: The Beginning of the Jewish Settlement in Rome

Most historians, such as Leon,¹ link the beginning of the Jewish presence in Rome to the embassy sent by Judah the Maccabee to Rome, headed by Eupolemus Ben Jochanan, and Jason Ben Eleazar, probably two Jewish aristocratic priests from Jerusalem who knew the ways of the world. Indeed, this embassy was probably the earliest record of any contact between Jews and the Roman Republic. The two ambassadors arrived in Rome, and there they concluded an alliance with the Roman Republic.² Yet it is a mistake to see the visit of a deputation as evidence for the existence of a Jewish population. These ambassadors, once their diplomatic mission was finished, probably came back to Judaea. The Jewish embassy can hardly be considered as proof that Jews resided in Rome or in Roman Italy in the period. Yet by then, the Roman Republic was already the main power in the Mediterranean.³ Rome was thus already a center of immigration from the western and eastern Mediterranean.

And yet epigraphic as well as literary evidence points to the presence of Jews in Rome only some years later, in the second half of the second century B.C.E. A sepulchral inscription dated to the end of the second century B.C.E. and the beginning of the first century B.C.E. records the names of the *liberti* Marcus Aronius Zabina, Publius Caesonius Aciba and Publius Caesonius Stephanus.⁴ Two of these *liberti* bear unmistakable Semitic names: Zabina and Aciba. The third, Stephanus, has a Greek name normally found in the Late Hellenistic East. Aciba, or Akiba, is definitely a Jewish name. The other two *liberti*, Zabina and Stephanus, bear names that indicate an Eastern Hellenistic origin. Were these two *liberti* also Jews? The fact that they are associated with someone with a Jewish name makes it possible. Moreover, the sepulchral inscription does not bear any pagan inscription or image. Their status as *liberti* indicates that these three people arrived at Rome as slaves. It is most probable that the various Seleucid campaigns in Judaea, the sack of Jerusalem, in 169-168 B.C.E., as well as the various campaigns against the Maccabees brought many Jewish prisoners from Judaea on the Mediterranean slave market. It is possible that some of them ended up in Italy and Rome. This is quite probable, as Delos, the most important slave center of the Eastern Mediterranean, was domi-

¹ Leon 1995: 2-3. See also, although already discussed in the introductory chapter, Momigliano's constructive critique of Leon's overview of the history of the Jews at Rome: Momigliano 1961: 21, 38 = Momigliano 1980: 579-582.

² *1 Macc.* 8: 23-29; Josephus, *BJ* 1, 38; *AJ* 12, 417-419. Successive Hasmoneans rulers renewed the treaty. Jonathan sent two envoys to Rome – Numenius son of Antiochus and Antipater son of Jason – to renew the treaty with Rome. See *1 Macc.* 12, 1-23 and Josephus, *AJ* 13, 164-170. Simon sent another embassy, maybe headed by the same Numenius, envoy of Jonathan: *1 Macc.* 14, 24 and Josephus, *AJ* 13, 227. John Hyrcanus also renewed the alliance with Rome in 132 B.C.E.: Josephus, *BJ* 1, 194; *AJ* 14, 137 and 143-144. In the treaty mentioned by Josephus, the Roman Republic recognized the conquests of Simon the Maccabee. Therefore, in the period from 161 till 132 B.C.E., Maccabean Judaea sent at least three embassies.

³ Thus, in this period, called by the historians the Middle Republic, Rome was the new dominant Mediterranean power. After the defeat of Hannibal in the Second Punic War, and the total domination of the Western Mediterranean, the Roman Republic waged victorious wars against the powerful Hellenistic monarchies of Macedonia and the huge Seleucid kingdom, which included Judaea. See Cary – Scullard 1986: 169-171.

⁴ See Friggeri 2003: 49, fig. 3. See also AE 1991: 138.

nated by the Romans. At Delos no fewer than 10,000 slaves could be sold in a single day. A similar situation is recorded at Delphi. Three inscriptions from Delphi, all of them referring to Jews freed from slavery, are dated from the first half of the second century B.C.E. to the end of the century.⁵ Therefore, these three *liberti* were possibly Jews from Judaea, captured by the Seleucids, then sold at the Delos slave market, or elsewhere in the East, from where they arrived at Rome. Anyway, if these were Jews they were completely assimilated to the Gentile surroundings, as their *trianomina* suggests. To be freed, and pass from the status of slave to that of *libertus*, as did their contemporaries at Delphi, they had to take part in a Pagan ceremony. But did they have a choice to get their freedom? It is therefore possible to speculate that the first Jews that arrived at Rome in this period were slaves. However, those who were emancipated, and became *liberti*, probably lost any contact with the Jewish world. There was no other possibility, as in this period the number of Jews at Rome would have been minimal.

However, the most important evidence for the presence of Jews at Rome in this period is literary and comes from Valerius Maximus. Valerius Maximus mentions that in 139 B.C.E. the *praetor peregrinus* Cneius Cornelius Hispalus expelled Chaldaeans, or astrologers, and Jews.⁶ In his book, *Factorum ac Dictorum Memorabiliorum, De Superstitionibus* I. 3.3, Valerius Maximus mentions that in 139 B.C.E. the *praetor peregrinus* Cneius Cornelius Hispalus expelled Chaldaeans, or astrologers, and Jews. It seems that Valerius Maximus derives his information from Livy, whose epitomized text does not report the episode.⁷ There are two versions of Valerius Maximus's text. The first text survived in the epitome of Ianuarius Nepotianus. Accordingly, the Chaldaeans were accused of selling their "foreign science," while the Jews were accused of "attempting to transmit their sacred rites to the Romans." Accordingly, the *praetor* had the private altars of the Jews cast down from the foreign places.⁸ The second version, conserved in the epitome of Iulius Paris, presents a much more detailed text. First the year in which Cornelius Hispalus was *praetor peregrinus* is recorded, in the year of the consulate of P. Popilius Laenas and L. Calpurnius (139 B.C.E.). Second, the accusations are more detailed. Thus, the Chaldaean astrologers were "ordered to leave Rome within ten days" as by "a fallacious interpretation of the stars they perturbed fickle and simple minds, thus making profit of their lies." The Jews, meanwhile, "attempted to infect Roman customs with the cult of Jupiter Sabatius."⁹ The Jews were only compelled to return to their homes. The relevant passages in the two *epitomae*, which deal with the expulsion of the Jews, are quite problematic. The first passage, in the epitome of Ianuarius Nepotianus, mentions

⁵ These slaves were freed following a religious ceremony, in which they were sold to Apollo. The first inscription, dated to 170-156 B.C.E., records the emancipation of Antigona and her daughters, Theodora and Dorothea. The second inscription, dated to 162 B.C.E., records the emancipation of a certain Ioudaios. The third act of emancipation, dated to 119 B.C.E., records the emancipation of one Amyntas by Ioudaios, son of Pindarus. See *CIJ* I, 512-514, nos. 709-711.

⁶ See Valerius Maximus, *Factorum ac Dictorum Memorabiliorum, De Superstitionibus* I. 3.3; Comes 1950: 20ff. It seems that Valerius Maximus derives his information from Livy, whose epitomized text does not report the episode, cf. Leon 1995: 2-4.

⁷ See Comes 1950: 20ff.

⁸ Stern 1974: 357-358, no. 147a. The first epitome of Ianuarius Nepotianus is dated to the fourth century C.E.

⁹ Stern 1974: 357-358, no. 147b. The second, more detailed epitome of Iulius Paris, dated to the fourth-fifth centuries C.E., is to be preferred.

that the Jews erected private altars in public places. Yet long before the second half of the second century, the only altar elevated by Jews stood in the Temple of Jerusalem. So who raised these altars that the *praetor peregrinus* had cast down? Jews? According to Bickerman these altars were real altars, erected by Gentiles to honor the Jewish God.¹⁰ The second passage mentions Jupiter Sabatius, a Phrygian deity identified with Dionysus. The question is obvious: is this a mention of the Jewish God, or is it indeed just a reference to the Phrygian god? The question is important. If the Phrygian god was intended, those expelled were just an oriental group of foreigners, who with the erection of altars in public places perturbed public order. If the Jewish God is mentioned, it seems strange that there were enough Jews to conduct a campaign of proselytism in this early period.¹¹ According to Levy, Livy, the ultimate source, confuses two *senate consulta*, one ending in the expulsion of a group connected with Jupiter Sabazius, probably Phrygians, and the second ending in the expulsion of Jews.¹² Yet it does not seem to me that a decree of a *praetor peregrinus* needed support from a *senatus consultum*. Secondly, the period is quite late for Livy to have made such a mistake. Last but not least, the possibility argued by some historians, that the expulsion was caused by the missionary zeal of the embassy sent by Simon, must be outwardly rejected.¹³ First, the embassy must be dated to 142 B.C.E. and not to 139 B.C.E. And second, no less important, it seems to me quite out of place to think that the ambassadors would have been so irresponsible to begin an activity of proselytizing in a city known at the time for its intolerance of foreign customs. The *Senatus Consultum de Bacchanalibus* was not so far away, nor the expulsion of the Greek philosopher Carneades. Lastly, does the text of Iulius Paris indicate a more informal expulsion? Bickerman rightly argues that the words used by the *praetor peregrinus* are very similar to similar edicts of expulsion for Latins and Italics. Latins and Italics were compelled to leave Rome in 187, 177, 168 and 95 B.C.E., to go back to their domiciles in Italy.¹⁴ Therefore, the Jews, or more probably the alien group connected to Jupiter Sabazius, were just sent away from Rome, not from Italy, which in this period was still a motley of independent city states and tribes which recognized the leadership and primacy of Rome. The *praetor peregrinus* had no authority to send anyone away from Italy, only Rome. To conclude, there is not enough evidence in Valerius Maximus' text to indicate that an expulsion of Jews took place in 139 B.C.E.¹⁵ What is important is that this passage of Valerius Maximus shows us that, together with few Jews that arrived in Rome as slaves, there were many others that arrived in Rome by their free will, as immigrants. Once more this is not surprising. In this period Rome, the most important Mediterranean power, was already the center of immigration from Italy, the newly conquered *provinciae* in the West, and the Greek East. Evidently there were enough Jews to pose a problem for the *praetor peregrinus* that decreed their expulsion. It is interesting that Valerius Maximus presents Jews as part of a religious group, as the Jews are associated with Chaldeans, and not as an ethnic group. This could suggest once more that the Jewish

¹⁰ Bickerman 1980: 334-335.

¹¹ Cumont 1929: 209; Nilsson 1961: 662; Stern 1974: 359-360. Stern stresses the similarity of the name Sabazius to that of the Jewish G-d Sabaoth. Cf. Schürer 1986: 58ff.

¹² J. Levy, *Zion VIII* 1942-1943: 55ff. (Hebrew); Stern 1974: 359.

¹³ Stern 1974: 359-360; Schürer 1986: 59.

¹⁴ Bickerman 1980: 330.

¹⁵ On the possible expulsion of Jews from Rome: Barclay 1998: 285-286; Noy 2000: 41-42.

immigrants were still such a small group that they were not treated as an ethnic group, like the Italics, Greeks, or Celts, but as a religious group, and that they were expelled on religious grounds, maybe proselytism. It is probable that for the Roman authorities these Jews were considered part of the Greek-speaking immigrants from the Hellenistic East, like the Chaldaeans, both groups incidentally coming from the geographic area dominated by the Seleucid kingdom, without any clear-cut ethnic background. As they spoke Greek, they were just considered *Graeculi*.¹⁶

Is it possible to determine where Jewish residents lived in the last years of the Middle Republic? In this period the city's population was circa 200,000 people, rising to 500,000 around 130 B.C.E.¹⁷ Enclosed in the Republican Walls, and divided into four *regiones* or administrative areas, with a circumference of 11 km, the *urbs* was not so impressive as most of the cities in the Greek East, such as Athens, Pergamum, Antiochia on the Orontes, and of course Alexandria.¹⁸ Neither the sepulchral inscriptions, whose provenance is unknown, nor the literary evidence of Valerius Maximus points to any specific part of the city. However, as most of the foreigners living in Rome at the time resided in the Subura – the most important popular neighborhood, located south-east of the Forum – it is probable that the few Jews living in Rome resided there as well.¹⁹ Thus, the data from the end of the second century B.C.E. indicates that by the end of the Middle Republic there were probably some Jewish individuals living in Rome, *liberti* and immigrants, but there is still no evidence of an organized community, even informal, nor is there evidence of Jews living in Italy outside Rome.

2.A. The Late Republic: the Jewish Settlement

The period from 133 B.C.E. until 27 B.C.E. was dominated in Rome by civil strife, which often degenerated into civil wars.²⁰ Yet it is important to remember that in this pe-

¹⁶ See Noy 2000. In the second century B.C.E. there were already Celts, coming mainly from Gallia Narbonensis, p. 205, and from Hispania, p. 206; as well as Greeks, coming from the Greek cities of Southern Italy, Achaia, and Asia Minor, pp. 223-224, 227, and of course Seleucid Syria, pp. 234-235.

¹⁷ Morley 1996: 38.

¹⁸ On republican Rome see Robinson 1992; Richardson 1992.

¹⁹ The Subura was located between the slopes of the Quirinal and Viminal Hills and the slopes of the Esquiline Hill. According to tradition, from the reign of Numa Pompilius onwards, the Subura was part of the so-called Septimontium, within the religious procession held each year on 11 January. Its main thoroughfare was the Argiletum, which crossed the neighborhood. The Argiletum divided the Cispium area in two: the Vicus Patricius, directed towards the Republican Walls's Porta Viminalis, and the Clivus Suburanus, in the direction of the Porta Esquilina. On the Subura: Richardson 1992: 373.

²⁰ At the beginning the civil strife was concentrated on Rome itself, between the Senatorial aristocracy and the other classes, as the *equites*. These civil wars were dominated first by the Gracchi, between the years 133 and 124-121 B.C.E., then at the beginning of the first century B.C.E. by Marius and Sulla, ending in Sulla's dictatorship between 82 and 79 B.C.E. Later on this conflict intermingled with a war between Rome and its Italic allies, the *Bellum Sociale*, between 91 and 89 B.C.E. After some years of respite, the civil strife erupted once more between Pompey and Julius Caesar in 49 B.C.E., ending in the victory of the former. Caesar's murder in 44 B.C.E. brought a third wave of civil wars, first between Caesar's murderers, Brutus and Cassius, and his heirs, Anthony and the young Octavian, Caesar's adopted son, then between Anthony and Octavian. The civil wars ended in the victory of Octavian in 30 B.C.E.: Cary – Scullard 1986: 203-211, 222-239, 270-282, 283-298. Cf. Gruen 1974: 405-497.

riod Rome continued the expansion in the West and in the East, although the various civil clashes slowed this down. Hasmonean Judaea did not escape the fate of its neighbors, as Pompey conquered Judaea in 63 B.C.E. Although Judaea was much reduced in size, it was not annexed to Rome. In this period much more than before, various foreigners, in most cases provincials, settled in Rome, including of course Jews.²¹

Thus, the main characteristic of the last years of the Roman Republic, the so-called Late Republic, was a slow development of the Jewish settlement at Rome, brought on by the arrival of two waves of Jewish prisoners of war from Judaea in 63 and 53-51 B.C.E. After the fall of Jerusalem, Pompey's triumph brought to Rome many prisoners as well as Aristobulus II. It seems that by then there were already some Jews living in Rome, as Cicero suggests in *Pro Flacco*.²² Philo is therefore probably right that the Jewish community in Rome was created by the influx of prisoners brought there by Pompey.²³ There is no data on the exact number of prisoners brought by Pompey to Rome. Was it hundreds or thousands? How many were already sold in the slave markets of the East? Of the Jewish prisoners who reached the shores of Italy, the vast majority would have been sold to villa owners, and only a small minority would have reached Rome as domestic slaves. Therefore, although most of the prisoners would have been sold to villa owners, and thus would have spent their life far away from Rome, in rustic *villae*, enclosed in *ergastula*, and therefore cut off from Jewish life, some would surely have arrived in Rome.²⁴ After some years some of those prisoners would have been freed, and as *liberti*, they would have become de facto Roman citizens. Yet it is important to emphasize two main points. The first is that most of these prisoners were men, as they were captured during the fighting. Second, since the prisoners came only from Jerusalem, as I mentioned before, we must presume that their numbers could be counted in the hundreds, not in the thousands. For a while the influx of slaves from Judaea stops. It seems that the commotion brought by Alexander, Aristobulus' son, who tried to seize power in Judaea in 57 B.C.E., and later in 56 B.C.E. by Aristobulus II, who escaped from Rome, and his son Antigonus, did not bring any more prisoners, with the exception of Aristobulus II himself, who was sent back to Rome.²⁵ There is no hint in Josephus that Gabinius brought any Jewish slaves to the Roman market after these rebellions, but as we shall see he had his interests. The next influx of prisoners was only in 53-51 B.C.E., when C. Cassius Longinus, the

²¹ In the West, Northern Gaul was annexed in 50 B.C.E. In the East, after the Mithridatic wars, Bythina, Crete, Cyrene, and Syria were annexed between 75 and 63 B.C.E. One of the consequences of Pompey's campaign in Syria was his meddling in the civil strife in Hasmonean Judaea, between Hyrcanus II and Aristobulus. Therefore, Pompey besieged and conquered Jerusalem in 63 B.C.E. The period ends with Octavianus' annexation of Ptolemaic Egypt in 30 B.C.E.: Cary – Scullard 1986: 250-256, 295-297.

²² An interesting example of a Syrian living in Rome was the prophetess Martha, who advised Marius: Plutarch, *Marius* 17.

²³ See Philo, *Leg. Ad Gaium* 23, 155.

²⁴ Brunt 1980: 81-100. Brunt's main source is Suetonius, *Vespasianus* 18. In Republican Rome public works were organized by censors and other magistrates. In Imperial Rome, at first imperial freedmen were given the direction of public works, later *equites* were chosen from the Flavii onwards. Still specific sectors, such as the water supply and the road system, were in the hands of senatorial magistrates, as the *curatoers viarum* and *curatores aquarum*. These contractors mainly utilized free skilled labor coming from *collegia*. But even Brunt admits that a small percentage of unskilled laborers were slaves. Brunt thus stresses that free labor was both available and cheap.

²⁵ Josephus, *BJ* 1, 160-168, 174; *AJ* 11, 82-89, 97; Dio Cass. 39, 56, 6.

quaestor of Crassus in Syria, had to face the rebellion of a certain Pitholaus, who was probably a supporter of Aristobulus II. Pitholaus was executed, and around 30,000 of his supporters were sold into slavery.²⁶ This time Josephus gives clear information. Of these 30,000 it is probable that only a few hundred, maybe a thousand reached Rome.

However, it is probable that other Jews reached Rome as immigrants. Together with Jews, probably still one of the smallest immigrant groups, there were many Italics – probably the greatest group, as they received Roman citizenship a few years early, and thus immigration to Rome gave them many opportunities – as well as Greeks coming from Achaia and Asia, and Syrians. With the exception of Italics, very few foreigners held Roman citizenship. Most were slaves or *peregrini*. From the West there were already Spaniards, some of them holding Roman citizenship, Gauls, and of course Cimbri and Teutoni slaves.²⁷ Thus, by the end of the Roman Republic, it is probable that the Jewish community in Rome would have numbered no more than a few thousand. Most of the Jews living in Rome would have been *peregrini*, some slaves, and a few of them, as *liberti*, would have been Roman citizens. Their total number, probably no more than a few thousand, showed that they were still a small minority within a total population that reached between half and three quarters of a million.²⁸ It seems to me that their area of residence was still the *Subura*, as physically Rome did not change much between the Middle and Late Republic.²⁹

2.B. The Perception of the Jew as the other during the Late Republic

How were Jews seen by the surrounding Romans? By the second half of the first century B.C.E., the writings of Varro and Cicero reflect a primary knowledge of Judaism in Varro, and clear awareness of a Jewish presence in Rome, albeit still relatively insignificant, even if Cicero wishes us to think differently.

Varro's passages on the Jewish God were conserved by Augustinus. Varrus (116-27 B.C.E.) was a known antiquarian, renowned for his vast erudition. In his book *Res Divinae in Antiquitates Rerum Humanarum et Divinarum*, compiled between 63 and 47 B.C.E., Varro tries to give a compendium of Roman religion.³⁰ Varro's attitude towards the Jewish God stands out against the passages of Manetho and even the relatively positive ones of Hecateus. In these passages, Varro compares the concept of divine in the Jewish and Roman religions. He focuses on the lack of Jewish images in the Jewish religion. According to Varro, the Jews, like the earlier Romans, did not set up any image of the gods. He continues with an interesting remark on the fact that, like the Roman cult, it developed from an aniconic cult to a cult of images. Therefore, he argues, once the gods

²⁶ Josephus, *BJ* 1, 180; *AJ* 14, 119-122.

²⁷ On foreign groups in Rome, mainly Gauls and Spaniards, see Noy 2000: 205-211. On immigrants from Germany and the Danube: Noy 2000: 212-222.

²⁸ Robinson 1992: 8.

²⁹ On the new monumental structures erected by Pompey – the Theatre of Pompey – and by Caesar – the Forum Iulium – see Zanker 1989: 25, 29, 117.

³⁰ Augustinus, *De Civitate Dei* 4, 31; *De Consensu Evangelistarum* 1, 22, 30; 1, 23, 31; Stern 1974: 207-210, nos. 72a, 72b, 72c.

were worshipped through images, the worshippers were less devout, there was less reverence for the gods, and the images themselves inspired contempt. Furthermore, Varro complains that the Romans did not worship their gods in the same way, and somehow rightly, as the Jews do with their own God, but they set up images of their gods, contrary to the customs of old. This resulted in the fact that by now Roman religion and Roman gods were held in contempt and even hated. It is therefore possible to argue that Judaism, according to Varro, was much in line with the *mos maiorum*. Varro's writing is indeed important. It shows that a very conservative Roman aristocrat, attached to the archaic ethos of Republican Rome, could be very impressed by Judaism. Even more, comparing Judaism to contemporary Roman religious customs, the latter are seen lacking in comparison to Judaism. Thus, it is possible to say that this passage by Varro is one of the most sympathetic statements from a Pagan writer on the Jewish religion. Varro depicts the Jews as much more attached to their tradition – and for such a traditionalist this was a very positive attitude – than the Romans of his own days. As I wrote before, a further approach in the understanding of the peculiarity of the Jewish God and its integration into the Graeco-Roman pantheon was to present the Jewish God as the highest of all gods and assimilate him with Zeus, or in this case with Jupiter. Thus, in another passage, Varro compares and assimilates the Latin-Roman Jupiter to the Jewish God. He writes that “the God of the Jews is the same as Jupiter, as it makes no difference by which name he is called, so long as the same thing is understood.” Here Varro does not just equate the Jewish God with the head of the Roman pantheon, but he also, as various Stoic philosophers did before, tries to show that the Divine force worshipped by the various peoples – each under his own name, and in a separate and different manner – is in fact the same God. Varro therefore proposes a very simple equation: as Jupiter is the highest god for the Romans, and the Jews worship the highest god, *Summum Deum*, therefore the God of the Jews must be identified with Jupiter. Thus Varro differentiates between the conception of *Summum Deum*, a more important god among other lesser gods, and that of *Unum Deum*, who exists alone and unique without other gods. Did Varro read or know from secondary sources, Hellenistic-Jewish literature, who illustrated the conception of the *Summum Deum* to the surrounding Greek intellectual elite? As he was known for his great erudition, this is quite possible. However, one concluding remark is necessary. Varro does not write of Jews, but only of Judaism.³¹ His remarks concern only the concept of God in Jewish religion. Which opinion did he hold of the Jews as a people, especially as he was writing in a period of conflict between the Roman Republic and Hasmonean Judaea?³²

To Varro's positive approach towards Judaism, we must compare Cicero's very negative approach to Judaism and to the Jews as a group. In Cicero's *Pro Flacco*, it is possible to see a certain prejudicial view of Judaism, possibly shared by part of the Roman ruling class, which can even be defined as opposite to Varro's view of Judaism.³³ Thus Cicero

³¹ On Varro, see Schäfer 1997: 36-38; Barclay 1998: 286. According to Barclay it is striking that Varro, champion of ancient Roman mores, honored Judaism. But why? It is possible that Varro saw in Judaism an ethos similar to that of the Roman Senatorial aristocracy once championed by Cato the Elder.

³² Pucci Ben Zeev (1987: 340), who argues that the positive attitude of Varro towards Judaism does not necessarily indicate a positive attitude towards Jews.

³³ Cicero, *Pro Flacco* 28: 66-69; Stern 1974: 196-201, no. 68.

defines Judaism as a “*barbaric superstition*.” Cicero in fact concludes his peroration by writing that “even while Jerusalem was standing and the Jews were at peace with us, the practice of their sacred rites (*religio sacrorum*) was at variance with the glory of our empire, the dignity of our name (*gravitas nomine nostri*), the custom of our ancestors (*maiorum institutis*).” It is interesting that Cicero adds that the Jewish nation showed “by its armed resistance” what they thought of Roman rule.³⁴ Indeed it is clear that Cicero’s definition of Judaism as *barbara superstitio* is a far cry from Varro’s writings. There is no doubt that Cicero therefore dismisses Judaism as a barbaric superstition. Likewise, he points out to his audience that Judaism was opposed not just to the Roman domination, to which they offered armed resistance, but also to Roman traditional values. Barclay can therefore argue that an important feature of *Pro Flacco* is that Judaism is presented as alien to the Roman ethos and to their power. According to Cicero’s rhetoric skill, Judaism can thus undermine Roman customs. Like most of the members of the Roman elite, Cicero tends to identify Roman religion with Roman military power. As Roman military victories resulted in the subjugation of peoples with different religious beliefs, Roman religion and piety was superior to that of the vanquished peoples. As the Jews lost to Pompey’s army, the obvious consequence was that Jewish religion was inferior.³⁵ Yet, contrary to Varro, it seems that Cicero does not know much about Judaism, and its peculiar characteristics, as these are not mentioned. No less strikingly, Cicero, who also had philosophical interests, and who wrote much about philosophy, never mentions the Jewish God. This may indeed indicate that Cicero’s attack on Judaism was motivated by the political circumstances, and not by personal feelings towards something he did not know.

Judaism is not the only victim of the rhetoric of Cicero, but the Jews as a people are also badly depicted. In *De provinciis consularibus*, Cicero defined the Jews as “born to be slaves.” Various scholars, such as Stern, tried to show that Cicero had no Judaeophobia. These scholars rightly point out that abuse of the other side is common in any oration. Thus Stern can demonstrate that the Jews, who were abused by Cicero’s oratory, are not presented differently than other foreigners, such as Asian Greeks, Gauls and Sardinians. In other words, Jews were not abused because they were Jews, but because they were the “other.” Clearly, Cicero’s prejudice is xenophobic, not Judaeophobic.³⁶ And yet it seems to me that indeed if Cicero’s words were to be effective, they had to fall on a receptive ear. Thus the characterization of Judaism as Barbarian superstition and as opposed to Rome’s traditional values and political power was a prejudice probably found between other members of the Roman ruling. However, this is hardly Judaeophobic prejudice, as Pucci Ben Zeev also argues, as most of the foreigners in contact with Rome were characterized in a similar way, including the Greeks, often dismissed as *Graeculi*.³⁷ Moreover, as Stern emphasizes, this oration had been written just a few years after the clash be-

³⁴ Cicero, *Pro Flacco* 28: 67-69; Stern 1974: 198-201, no. 68.

³⁵ Barclay 1998: 287-288.

³⁶ On the bad treatment of Gauls in Cicero’s *Pro Fonteio*, of Sardinians in *Pro Scauro*, and of Greek Asians in *Pro Flacco*, see Stern 1974: 194. See also Haskell 1942. Haskell presumes that there were Jewish businessmen in Rome with political power, who were rivals of the *equites* in Rome. However, there is no hint that the Jews living in Rome were in any important position or business. Of course, Haskell is just projecting contemporary prejudices on the past.

³⁷ Pucci Ben Zeev 1987: 338-340.

tween Pompey and Aristobulus II. The Jews were seen in the eyes of many members of the ruling class of Rome as an enemy just crushed by Roman might. As we shall see in a period of peace between Judaea and Rome, as in the Augustan Period, the remarks of contemporary Roman literary sources bear no hostility to the Jews living among them, but just reflect the novelty of Judaism, whose customs are indeed seen as exotic.

2.C. The Jews in the Politics of the Late Republic

How did the Jews living in Rome fared in the period that Gruen dramatically defines as the Last Generation of the Roman Republic? Were the Jews living in the Rome of the Late Republic active in politics? The most important sources on their participation in the political life of the city in the years before the civil war between Pompey and Caesar are Cicero, already quoted, and Suetonius. It seems to me that Cicero's *Pro Flacco* must be read carefully in the light of the *clientela* obligations, *patronus – cliens*, which permeated Roman society. Thus *Pro Flacco*, carefully analyzed by Stern, presents us with much data on the Jews living in Rome.³⁸ Some of it can help us in reconstructing the legal and social position of the Jews living in Rome in 59 B.C.E. Cicero writes, therefore, that the Jews “stick together,” that “every year it was customary to send gold to Jerusalem on the order of the Jews from Italy and from all our provinces.”³⁹ Reading Cicero, one thus gets the impression that the Jews living in Rome in 59 B.C.E. had a certain type of communal life, as the reader was accustomed to thinking that the Jews “stuck together,” and that every year they sent a half-shekel from Rome as well as from Italy to the Jerusalem Temple.⁴⁰ This could have been possible only if the Jews of Rome had been organized together in some way, as to collect money from various sources, deposit it and send it all together, thus organizing the effort through land or sea to Judaea and Jerusalem, could be done only through a communitarian effort. We must therefore point out that it seems that the Jewish community of Rome in the Late Republic was organized along informal lines, although the Jews had the right as individuals or as a group to send the half-shekel to the Jerusalem Temple.

However, Cicero's text is important because it shows the political activities of the Jews. Cicero thus accuses Laelius, who directed the defense that brought the Jews, knowing “what a big crowd (*turba*)” it was, and “how influential they are in informal assemblies (*contiones*).” Cicero hints that the Jews could be brought together to form a crowd, and that they could be active in informal assemblies. *Contiones*, a term that generally indicates informal assemblies, as opposed to *comitia*, or the legally recognized organization of the Roman people to elect magistrates and to vote a law, does not just indicate

³⁸ The speech *Pro Flacco* was delivered in 59 B.C.E. on the Aurelian Steps, as Cicero himself suggests. It seems that the Jews were instrumental for the accuser in prosecuting the *propraetor* Flaccus, who ruled Asia in 60 B.C.E. He was sued by Laelius, who acted on behalf of the cities of the province of Asia, on the charge “*de repentundis*”: Cicero, *Pro Flacco*, 28: 66-69; Stern 1974: 196-201, no. 68; Leon 1995: 5-9.

³⁹ Cicero, *Pro Flacco* 28: 66-69.

⁴⁰ On Cicero, see Barclay 1998: 287-288. Barclay points out that Jews stick together. Cicero, as source, indicates that the Jews were sufficiently well established in Rome to send money each year to Jerusalem. Moreover, Cicero points to the social cohesion.

that Jews were active in politics. First, it makes clear that most of the Jews involved were just foreigners or *liberti*, who did not have the right to take part in *comitia*. Excluded from this group, of course, are the Jews who were slaves, and the few Jews who were Roman citizens. As slaves, the former could not have taken part in these assemblies, and the latter were too few to influence a *contio*, and in any case they could participate in the various *comitia*.⁴¹ However, Cicero is impressed that the Jews stuck together and formed a crowd. Yet it seems to me that it is quite possible that the Jews' behavior was not because they supported the *populares*, as an organized community along formal or informal lines, but because as Jews they had a certain *clientar* obligation. I suspect that the only people towards whom the Jews had such obligations were Pompey and Gabinius. Pompey, after he defeated Aristobulus II, had Hyrcanus appointed as High Priest of Judaea. Clearly the Judaeian ruler, at least till Pharsalus, was his *cliens*, as also Appianus hints in his book dedicated to the Civil War.⁴² Moreover, Cicero is not the only one to point to Pompey's respect for the Temple, which was not robbed. Josephus too, in both *Antiquities* and *War*, points to Pompey's respect for Judaism. Probably the Roman warlord was wise enough to know that the Jews could in future serve him as *clientes*.⁴³ It seems that, as Josephus hints, Hyrcanus II collaborated with Gabinius as well, during the later tenure in 58 B.C.E. in his campaign against Ptolemaic Egypt.⁴⁴ The Jews living in Rome, therefore, would have been *clientes* of Pompey, as their far away ruler, the High Priest Hyrcanus II, to whom they sent their half-shekel every year, was his *cliens*. Moreover, Pompey was probably the only politician who could have pushed for the legalization of the Jews' right to send money from Rome to the Temple. It is possible that some of the Jews would later become *clientes* of Gabinius as well. Although Gabinius was in the East as consul in 58 B.C.E., prior to this he was with Pompey as one of his *legati*. It is worth remembering that in the period when Cicero wrote the *Pro Flacco*, neither Pompey nor Gabinius were exactly on good terms with Cicero. In 58 B.C.E., therefore, when Cicero was exiled, under the consulship of Gabinius and Piso, Pompey did not help Cicero in any way.⁴⁵ There are various hints on the bad relationship between Cicero and Pompey

⁴¹ Noy (2000: 256) emphasizes that the Jews who were politically active in 59 B.C.E. were probably citizens. Thus, this group cannot refer to the Jewish slaves manumitted by Pompey. But these are *contiones*, thus open to *liberti* as well as peregrine. Noy points out that the presence of Jewish *liberti* in Rome suggests their use as skilled laborers and not as forced labor. Pompey prisoners would have added to the existing community.

⁴² According to Appian, Hyrcanus II's soldiers could be found in Pompey's army fighting at Pharsalus. This implies only that Hyrcanus, as *cliens* of Pompey, had to take his side during the civil war against Caesar. Obviously Pompey's death absolved Hyrcanus II from any further obligation towards Pompey or his party: Appian, *Civil Wars* 2, 71. The Jews appear in a list of Pompey Eastern allies as "Hebrews."

⁴³ See Josephus, *BJ* 1, 153; *AJ* 14, 72.

⁴⁴ According to Josephus (*AJ* 14, 98-99), Gabinius was assisted by Antipater and Hyrcanus in his campaign against Egypt. He was supplied with grain, arms and money by Antipater. Moreover, the Jews of Pelusium were won over and acted as guards of entrances to Egypt.

⁴⁵ Pompey was supported in 67 B.C.E. in his bid for the East by Aulus Gabinius, who pushed the *Lex Gabinia* in the Senate to give him command of the East. Gabinius followed Pompey in the East. In 62 B.C.E., once returned from the East, although according to Cicero no longer a leader of the *populares* (Cicero, *Letters ad Atticum* 2. 1. 6), Pompey made two requests: land for his veterans and ratification for his eastern arrangements. Pompey was frustrated till 60 B.C.E. in his requests by the Metelli, aided by Lucullus and Cato. However, in 60 B.C.E. he was reconciled to Crassus by Caesar, and in 59 B.C.E., the three formed the informal First Triumvirate. His demands were satisfied by Caesar as consul. Pompey did not help Cicero in 58 B.C.E.,

and between Cicero and Gabinius. For example, Cicero calls Pompey the “Jerusalemite plebeian monger” in a letter to Atticus.⁴⁶ Cicero also complains about Gabinius in his oration *De Provinciis Consularibus*, as he discriminated against Roman revenue farmers in favor of native Syrians and Jews during his tenure of Syria.⁴⁷ It is interesting that both Cicero’s passages mention Jews. So were Pompey and Gabinius known to have Jewish *clientes*? It seems to me that the answer must be positive.

If, though, in 59 B.C.E. the Jews of Rome were found as clients of Pompey, in 44 B.C.E., according to Suetonius, they mourned the murder of Julius Caesar, Pompey’s enemy. Clearly by then the Jewish community of Rome had switched its clientele allegiance to Julius Caesar.⁴⁸ In fact, the Jews living in Rome just followed the steps of their leader in Judaea, the High Priest Hyrcanus II, who switched his allegiance from Pompey to Julius Caesar after the latter’s defeat at Pharsalus. It seems that Caesar tried to gather the support of the Jews living in Rome even at the beginning of the Civil War. Therefore, he showed his support for the Hasmonean pretender Aristobulus II, then living in exile in Rome. He sent Aristobulus with two legions to Syria, but he was poisoned by the Pompeians. His son Alexander met a similar fate, as he was soon afterwards beheaded by Scipio at Antioch.⁴⁹ Julius Caesar could not have done otherwise, as Hyrcanus II, the legitimate Hasmonean ruler, stood firm by Pompey. Appianus indeed testifies that a Jewish contingent fought at Pharsalus on Pompey’s side.⁵⁰ However, Pompey’s defeat at Pharsalus and his death in Egypt soon afterwards freed Hyrcanus II from his *clientar* obligations towards him. However, as I wrote before, the Jewish High Priest still had his obligations towards Gabinius, who sided with Julius Caesar. As long as Pompey was alive, it was clear to Hyrcanus II that the obligations of his *clientar* with him were much more important than those with Gabinius. However, once Pompey was dead, Hyrcanus II could switch side quite easily. It is therefore likely that Hyrcanus II became a *cliens* of Julius Caesar through the offices of Gabinius that took the side of Caesar during the civil war. The Jewish community in Rome probably did the same. However, it is difficult to establish whether the Jewish community took the side of Caesar at the beginning of the

when the tribune Clodius had him sent into exile, under the consulate of Gabinius and Piso. The same year, Aulus Gabinius was appointed consul and given the province of Syria in 58 B.C.E. Gabinius was an enemy of Cicero, although Pompey had Cicero defend him when he was prosecuted *de repetundis*, back from the East. However, in 57 B.C.E. Pompey secured Cicero’s return from exile, and in exchange he received control of the corn supply for five years with the proconsular *imperium*. On the *lex Gabinia*, see Gruen 1974: 131; on the relationship between Gabinius and Pompey: Gruen 1974: 63, 66, 106, 110, 111, 131, 143, 144, 213, 227, 322.

⁴⁶ Cicero, *Ad Att.* 2,9,1. Cicero calls Pompey “Hierosolymarius traductor ad plebem”: Stern 1974: 201-202, no. 69.

⁴⁷ Cicero, *De Provinciis Consularibus* 5,10: “He (Gabinius) handed over as slaves to Jews and Syrians, themselves peoples born to be slaves”; Stern 1974: 202-204, no. 70. Cicero wrote this oration against Gabinius in 56 B.C.E., when he was back from the East. In the oration Cicero complained that the mandate to Gabinius in Syria could not be prolonged as he had shown an improper attitude to the *publicani*, and had caused their financial ruin, surrendering them to Jews and Syrians. It indeed seems that Gabinius probably handed the taxation to the locals, and not to tax farmers from Rome, cf. Dio Cass., 39, 56, 5-6.

⁴⁸ Suetonius, *Divus Iulius* 84, 5.

⁴⁹ Julius Caesar tried to release Aristobulus II, who was poisoned: Josephus, *AJ* 14, 123-125. On Aristobulus II in Rome: Noy 2000: 107, 191, and 267. His status as hostage and not as ambassador is emphasized by Noy (2000: 107). Aristobulus II’s body was embalmed in honey and thus transported back to Judaea: Noy 2000: 191.

⁵⁰ Appian, *Civil Wars* 2, 71.

Civil War, when the latter showed his support of Aristobulus II, or only after Hyrcanus formally took the side of Julius Caesar. In any case, the result was positive for Hyrcanus II⁵¹ as well as the Jewish community of Rome. In fact, as we shall see, Caesar bestowed a series of legal privileges to the Jews living in the cities of the Roman province of Asia that legalized the position of the Jews as a group in Roman Italy *collegia licita*.⁵² No wonder that Suetonius reports the sincere mourning of the Jews at the funeral pyre of Caesar.⁵³

2.D. Caesar and the legal definition of Jewish communities in Italy as *collegia licita*

The legal framework and organization of the Jewish communities in Roman Italy, which became apparent only in the last years of the Late Republic, originated in the Hellenistic East, and were influenced by the legal status of the Jewish community. In the Hellenistic-Roman world the Jewish community, or *proseuche*, was first of all a voluntary association.⁵⁴ The Jews living in the Greek Diaspora in the Hellenistic Period were organized around the *politeuma*, an institution with a clear public character, recognized by the ruler.⁵⁵ The institutions of the Jewish *politeuma* therefore reproduced at a communitarian level the same institutions of the Greek *polis* where the Jews lived.⁵⁶ However, by the end of the first century B.C.E., with the Roman conquest of the Hellenistic East, the situation changed. Rome, which left less autonomy to the citizens of the various Greek city states than the earlier Hellenistic rulers, could not tolerate a full-fledged political institution like the *politeuma*, but the various communities had to content themselves with much less influential communitarian frameworks. The less important *thiasos*, a voluntary association with a much clearer private character, generally much smaller than the

⁵¹ On the help given by Hyrcanus II to Caesar during the war: Josephus, *BJ* 1, 187-194; *AJ* 14, 127-139. On the appointment of Hyrcanus as *ethnarch* and of Antipater as *epitropos*: Josephus, *BJ* 1, 194-195, *AJ* 14, 137, 143-144.

⁵² Josephus, *AJ* 14, 190-229, 235, 247-254, 259-261 on the privileges given by Julius Caesar to the Jews of Asia. On Julius Caesar's legislation on *collegia*: Suetonius, *Iulius Caesar* 42. See also Momigliano 1931: 283-292 = Momigliano 1966: 523-533.

⁵³ Suetonius, *Divus Iulius* 84, 5: "At the height of the public grief a throng of foreigners went about lamenting each other after the fashion of this country, above all the Jews, who even flocked to the funeral pyre for several successive nights"; Stern 1980: 109-110, no. 302. On the Jews at Rome and Julius Caesar: Leon 1995: 9-10.

⁵⁴ On voluntary associations in the Hellenistic Roman world, see Wilson 1996: 1-15.

⁵⁵ The word *politeuma*, from the Greek *polis*, or city-state, points to a small microcosm, which reproduces the surrounding urban society. Therefore, the *politeuma* was an institution not peculiar to the Jews, but to any group of Greeks, or Hellenized *ethne*, that wished to conserve their traditions and internal jurisdiction in a new foundation as Alexandria or Antioch. Thus *politeumata* of Macedonians as well as Thracians or Athenians are also recorded. On the *politeuma* in Ptolemaic Egypt, see Méléze Modrzejewski 1993.

⁵⁶ At the head of a *politeuma* stood one or more *archisynagogoí*, in the same way as at the head of a city-state stood the *archontes*. Often a coopted *gerousia*, or council of the elders, generally dominated the *politeuma*, in the same way as the *boulé*, or city senate, dominated the late Hellenistic *polis*. The Jewish officials who headed the *politeuma* were indeed styled as *archontes*, or *ethnarch* in Alexandria: Gruen 2002: 114-115. On the Jewish *politeumata*, see Tcherikover 1979.

politeuma, took the place of the *politeuma*.⁵⁷ By the beginning of the first century C.E. in the Greek East, therefore, the Jewish community had to function under the diminished jurisdiction of the *thiasoi*, and not the *politeumata*.

As I wrote previously, until the last half of the first century B.C.E. it is not possible to speak of an organized Jewish community in Rome, for the simple reason that the Jewish presence in Rome was minimal. In Late Republican Rome the natural framework for the Jewish community, as a legal recognized organization, would have been the *collegium*, the Roman counterpart of the Greco-Hellenistic *thiasos*. However, the *collegia*, or the corporate bodies, which were in the Roman Republic the framework for any type of communal organization, were in fact forbidden in the last years of the late Republic. In 64 B.C.E. the Senate prohibited all the *collegia* as sources of social turbulence. Although in 58 B.C.E. the *collegia* were permitted once again, when the Republic was dominated by the First Triumvirate composed of Pompey, Crassus and Caesar, in 56 B.C.E. the Senate once more dissolved the *collegia*, as these were seen as political clubs, and a hotbed of sedition. Moreover the following year Crassus passed a further law against the illegal activities of certain political *sodalitates* that were responsible for organized bribery.⁵⁸ Yet Cicero could write that the Jews “stick together” and that “every year it was customary to send gold to Jerusalem on the order of the Jews from Italy and from all our provinces.”⁵⁹ Therefore, the impression that Cicero wished to convey to his public was that the Jews, even if *collegia* were illegal, somehow possessed a communitarian organization. As I mentioned previously, though, most of the Jews that arrived in Roman Italy were by now *clientes* of Pompey, and later on of Aulus Gabinius. Therefore, the Jews possessed an informal communitarian organization, as they could associate and send their monies not as part of forbidden *collegia*, but as a *clientar* group, protected by a powerful *patronus*. Their *patroni* probably took on themselves that the Jews, as individuals, and not as a group, could send their monies, the half-shekel to Jerusalem, and that they could meet together, informally, to read the Torah on Shabbat. In exchange the Jews would have fulfilled all their clientele obligations towards their *patroni*.

We can therefore say then that the legal and successful framework for a communitarian organization would be created only during Caesar’s dictatorship, which passed various laws on the organization and legitimacy of the *collegia*.⁶⁰ Thus, although Caesar in fact restricted the number and the activities of the *collegia* in Rome, the Roman leader viewed the Jewish *proseuchai* as licit and legal private societies, or *collegia licita*. In fact, according to Richardson, there is a real justification in regarding Jewish communities as *collegia licita* possessing a special status.⁶¹ Hence, during the years 49-44 B.C.E., Caesar renewed with the *lex Iulia* the earlier prohibitions passed by the Senate against the various corporate organizations and guilds or *collegia*, dissolving most of the

⁵⁷ On the *thiasos*, see Kloppenborg 1996: 16-30.

⁵⁸ Colter 1996: 75-76.

⁵⁹ Cicero, *Pro Flacco* 28: 66-69; Stern 1974: 196-201, no. 68.

⁶⁰ On Julius Caesar and the Jews: Josephus, *BJ* 2, 80; *AJ* 14, 216; 17, 300.

⁶¹ Colter 1996: 74-89; Richardson 1996: 90-109. See also Pucci Ben Zeev 1995: 31-34. She argues that the right of assembly given to the Jews first by Caesar and then by Augustus must indeed be considered a privilege.

collegia, with the exception of the oldest.⁶² It seems, however, that the Roman *dictator* legalized the Jewish communities in Rome as *collegia licita*. The only document, quoted by Josephus, which refers to the privileges given by Caesar specifically to the Jewish communities of Roman Italy is a decree sent by Publius Servilius Isauricus to the city of Parium in 44 B.C.E. slightly after Caesar's murder. This document is part of a collection of various decrees collected by Josephus which concern the Jewish communities of the Province of Asia, dated to the years of the dictatorship of Julius Caesar. All these documents, which record an ad hoc intervention of Roman authorities in local politics in the Province of Asia on behalf of the Jewish communities, mention the privileges granted to the Jewish communities of Asia Minor. Some of these decrees deal with the right of the Jews living in various cities in the province of Asia to associate in a voluntary corporate framework. Generally speaking, these documents show that the Roman authorities permitted the local Jewish communities the right of association and to erect synagogues, the right to decide civil cases according to ancestral law, and the right to observe the Shabbat and to celebrate the "sacred services to God and the customary festivals and other religious gatherings in accordance with native laws," without being harassed. Other rights mentioned in this collection include the right to send offerings, presumably to Jerusalem, and to defer court appearances on the Shabbat. Last but not least, the city's *agoranomoi* are charged with bringing food suitable for the Jews to the market.⁶³ These various privileges have been analyzed by various scholars such as Juster, Rajak, Richardson, and Pucci Ben Zeev.⁶⁴ The decree, which concerns the Jews living in Parium, mentions only indirectly the legal privileges enjoyed by the Jewish communities of Roman Italy. However, a careful reading of the decree allows us to understand the privileges enjoyed by the Jewish communities of Roman Italy in the framework of *collegia licita* in the last years of the Republic.⁶⁵ The decree states clearly that although in the *Lex Iulia* Julius Caesar forbade all religious societies, or *collegia*, which Josephus calls *thiasoi*, an exception was made for the Jews living in Roman Italy, who were permitted to assemble, collect contributions of money, probably for the Temple of Jerusalem, and hold common meals. Thus, according to Josephus, the Jews in Rome "lived in accordance with their customs, contributed money to common meals and sacred rites." This is therefore indeed a change in the legal status of the Jews living in Rome. It is possible that this decree, which recognized the Jewish communities as legal entities, or *collegia licita*, were part of a *Senatus*

⁶² Suetonius, *Divus Iulius* 42: "cuncta collegia praeter antiquitus constituta distraxit." The text of the *Lex Iulia* is no longer extant.

⁶³ This group of decrees deals with the right of association of the Jews, living in various cities in the province of Asia. The Roman authorities intervened to defend the Jewish rights threatened by the municipal authorities. These documents include a decree from Lucius Antonius, son of Mark Anthony, *proquaestor* and *propraetor* to Sardis: Josephus, *AJ* 14, 235. This is followed by a letter of the local magistrates of Laodicea to the *proconsul* Caius Rabirius, and a letter of Publius Servilius Galba, *proconsul* in Asia, directed to Miletus: Josephus, *AJ* 14, 241-246. Josephus continues by quoting three decrees of the municipal authorities of Halicarnassus, Sardis and Ephesus that permit Jews to observe their rites: Josephus, *AJ* 14, 256-264.

⁶⁴ Juster 1914: 1-14 and 213-242; Rajak 1984: 107-123; Richardson 2004: 118-119. See also Pucci Ben Zeev 1995b: 28-37; 1996: 71-91. Pucci Ben Zeev argues that these decrees are indeed authentic, and not forgeries made by Josephus. However, these documents are not original, but are copies of copies, translated into Greek, of authentic Roman decrees.

⁶⁵ The decree of the *praetor* and consul Julius Caius, identified by Juster as Publius Servilius Isauricus, is directed to the magistrates, council and people of Parium: Josephus, *AJ* 14, 210-212.

Consultum, possibly that approved in the presence of the ambassadors of Hyrcanus II, which registered Caesar's decisions concerning Judaea proper. Therefore, Caesar, probably through the means of a *senatus consultum*, recognized the Jewish community or communities living in Rome as legal entities, *collegia licita*.⁶⁶

By the end of the Late Republic, moreover, Jews did not live only in Rome, but elsewhere in Italy. Indeed, the only literary source in this period to attest the presence of Jews anywhere else in Italy is Cicero.⁶⁷ However, he is not specific on the whereabouts of the Jews living in Italy. It is probable that Jews were settled at least in Puteoli and Pompeii. The Jewish presence at Puteoli is confirmed by Josephus for the Augustan Period. However, as in this period Puteoli was the harbor of Rome, it is probable that some of the immigrants stopped at Puteoli, and did not reach Rome. The possible presence of Jews at Pompeii in this period is suggested by the well-known inscription of the Synagogue of Theodotus, found in Jerusalem. Although the inscription is later, it records a certain Theodotus, son of Vettenius. Some scholars connected Vettenius to the Vettii family, one of the most important families of Pompeii.⁶⁸ It is possibly that this Vettenius was a *libertus* of the Vettii.

3. Conclusions

According to epigraphic data and the literary evidence presented by Valerius Maximus, who mentions the expulsion of Chaldeans and Jews in 139 B.C.E., by the second half of the second century B.C.E. the Jews were a very small and marginal group of foreigners living in Rome. However, by the middle of the first century B.C.E., there is evidence of a much larger Jewish presence in Rome. According to Philo, most of the Jews that reached the Italian shores were slaves who were brought in the wake of the Pompey campaign in Judaea in 63 B.C.E. However, there were also some *liberti* and a few *peregrini*, or immigrants. Most of them probably settled in the Subura. According to Cicero, some Jews who were Roman citizens were active in politics. As most were *liberti* of Pompey, and hence were bound by *clientela* with him, following the *cliens-patronus* pattern which characterized the Roman world, at the beginning they took his side. Only during the Civil War between Pompey and Julius Caesar did Jews as a group switch sides to the latter, following the steps of their leader in Judaea, the High Priest Hyrcanus II, probably through the intermediary of Gabinius.

The most important sources who can explain how Judaism and Jews were perceived in Rome in the years of the Late Republic are Varro and Cicero. Varro's attitude towards the Jewish God stands out. In these passages, Varro focuses on the lack of Jewish images in the Jewish religion. According to Varro, the Jews, as the earlier Romans, did not set up any image of the gods. Varro's writing shows that a very conservative Roman aristocrat,

⁶⁶ The decree is mentioned by Josephus (*AJ* 14, 217-222). Concerning the Jews living in the Roman Diaspora, the decree ordered that any decision in the internal life of the Jewish communities living in the Roman Diaspora should be adjudicated by Hyrcanus II: Josephus, *AJ* 14, 190-212.

⁶⁷ Cicero, *Pro Flacco* 28, 67: "... It was customary to send gold to Jerusalem on the order of the Jews from Italy and from all our provinces..."

⁶⁸ *CIJ* II, 332-335, no. 1404; Levine 2000: 52-58; Kloppenborg 2000: 243-280.

attached to the archaic ethos of Republican Rome, could be very impressed by Judaism. Yet to Varro, we must compare Cicero's very negative approach to Judaism and Jews. *Pro Flacco* reflects a negative view of Judaism, probably shared by part of the Roman ruling class in this period. Cicero therefore characterizes Judaism as Barbarian superstition and depicts it as opposed to Rome's traditional values. And yet, this can hardly be characterized as Judaeophobia, but only as an ugly facet of xenophobia, as most of the foreigners in contact with Rome were characterized in a similar way, including the Greeks, often dismissed as Graeculi by the same Cicero.

Until the dictatorship of Caesar, the Jewish communities in Roman Italy were just informal associations. Yet its natural framework, as a legal recognized organization, would have been the *collegium*. Indeed, between the years 49-44 B.C.E., through the *lex Iulia*, Caesar recognized the Jewish communities as *collegia licita*, although he renewed the earlier prohibitions passed by the Senate against the *collegia*, dissolving most of them. Hence, according to the decree sent by Publius Servilius Isauricus to the city of Parium in 44 B.C.E., the *Lex Iulia* accorded to the Jewish communities various privileges such as the permission to assemble, the right to collect contribution of money for the Temple of Jerusalem, and the permission to hold common meals. Augustus reconfirmed Caesar's legislation on the Jewish communities as corporate bodies. From then onwards till the beginning of Late Antiquity, the *collegia licita* remained the legal framework which defined the Jews as a group.

ABBREVIATIONS

CIJ – J.B. Frey, *Corpus Inscriptionum Iudaicarum*, vol. 1-2, Roma 1936-1952.

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