

THE AUTHENTICITY OF THE ROMAN DOCUMENTS CONTAINED IN
JOSEPHUS'S *ANTIQUITIES*

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Hugo Willrich. *Urkundenfälschung in der hellenistisch-jüdischen Literatur*. Göttingen: Vandenhoeck & Ruprecht, 1924; 8° pp. 100.

Although prompted by the publication of the second volume of E. Meyer's *Ursprung und [280 | 752] Anfänge des Christentums*,¹ this book is related—both in its method and in its conclusions—to two other of Willrich's works, *Juden und Griechen vor der makkabäischen Erhebung*, which appeared in 1895, and *Judaica* (1900);² it has the same strengths and weaknesses of the previous works: a number of subtle observations and ingenious hypotheses and comparisons that puzzle the reader unfamiliar with this field of studies,

* Tommaso Leoni, English translation (with new additional notes) of Raimondo Bacchisio Motzo, review of *Urkundenfälschung in der hellenistisch-jüdischen Literatur* (Göttingen: Vandenhoeck & Ruprecht, 1924), by Hugo Willrich, in *Bollettino di filologia classica* 33 (1926–1927), pp. 279-82 (originally entitled 'L'autenticità dei documenti romani contenuti nelle Antichità di Giuseppe'; reprinted in Raimondo Bacchisio Motzo, *Ricerche sulla letteratura e la storia giudaico-ellenistica* [ed. Fausto Parente; Rome: Centro Editoriale Internazionale, 1977], pp. 751-54).

1. E. Meyer, *Ursprung und Anfänge des Christentums*. 2. *Die Entwicklung des Judentums und Jesus von Nazaret* (Stuttgart: Magnus, 1921) (trans.).

2. H. Willrich, *Juden und Griechen vor der makkabäischen Erhebung* (Göttingen: Vandenhoeck & Ruprecht, 1895); *Ibidem, Judaica: Forschungen zur hellenistisch-jüdischen Geschichte und Literatur* (Göttingen: Vandenhoeck & Ruprecht, 1900) (trans.).

but which often prove to be unsound or unlikely after a careful analysis. Meyer recognized the value of many documents contained in the Jewish sources, despite the rather cursory remarks made by Schubart (in *Archiv für Papyrusforschung* 6 [1920], p. 343).³ Willrich re-examines the matter and tries to demonstrate that almost all of them are false, both those in 1 Maccabees and those in 2 Maccabees, as well as the others preserved by Josephus in various parts of the *Antiquities*. The person responsible for almost all of these forgeries would be that Jason of Cyrene who—according to the testimony of 2 Macc. 2.23—had narrated in five books the exploits of Judas Maccabeus; since nothing is known of Jason but his name, he is well suited for such scholarly hypotheses. Following the arguments of the author would require a long and detailed examination that would surpass the limits of this review. Therefore I will content myself with analyzing the subject discussed in the first chapter: the origin of the collection of authentic Roman documents—for the most part dating back to the time of Caesar and of Augustus—which Josephus cites in the *Antiquities*. Already in *Judaica* (pp. 40 ff.) Willrich had argued that the collection was made on the occasion of the riots that had arisen in Alexandria under Gaius Caligula and the case between the Jews and the Alexandrian Greeks heard in the emperor's court. Despite Schürer's remark (see *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* I³⁻⁴ p. 86)⁴ that Josephus's collection lacks exactly those documents which would have been the most important ones, namely the decrees by Caesar and Augustus concerning the Alexandrian Jews, Willrich insists on claiming that it was used by King Agrippa and by Philo when they pleaded the cause of the Jews before Caligula; Agrippa I would have then passed it on to Agrippa II, and the latter—who was a friend of Josephus—would have communicated it to him. Now, it can be demonstrated that this way of transmission is not the right one just by examining the very texts on which Willrich bases his judgement. Philo in the *Legat.* 276–329 (ed. Reiter) reproduces the petition letter that Agrippa allegedly wrote to Caligula to dissuade him from desecrating the temple of Jerusalem; as a matter of fact, the style is Philonic and I believe that Philo himself drew it up. Still, whoever the author is, in reading §§ 311–316 one gets the impression that (1) he did not have the collection of documents cited

3. W. Schubart, 'Bemerkungen zum Stil hellenistischer Königsbriefe', *Archiv für Papyrusforschung* 6 (1920), pp. 324–47 (trans.).

4. E. Schürer, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* (3 vols.; Leipzig: J.C. Hinrichs, 4th edn, 1901–1909) (trans.).

by Josephus, and that (2) he had a document which [281 | 753] we also find in the collection, but in a copy destined to other addressees, therefore being different in form. Agrippa's reasoning to Caligula can be summarized as follows: I could demonstrate to you with an abundance of evidence the benevolence that Augustus had towards us, but I will content myself with only two examples.⁵ He wrote to the governors of the provinces in Asia ordering that the Jews should not be prevented from assembling in synagogues, and that they should be permitted to collect the offerings for the temple in Jerusalem, ταῦτα γὰρ εἰ καὶ μὴ τοῖς ῥήμασι, τοῖς γοῦν πράγμασιν ἐπέσταλται. μίαν δὲ ἐπιστολὴν ὑποτέταχα πρὸς τὴν σὴν τοῦ δεσπότου πειθῶ, ἣν Γάιος Νορβανὸς Φλάκκος ἐπιστέλλει δηλῶν τὰ ὑπὸ Καίσαρος αὐτῷ γραφέντα [‘For these were certainly the substance if nor the actual words of his instructions. But there is one letter which I subjoin here to convince you, my lord and master, sent by Gaius Norbanus Flaccus declaring what Caesar had written to him’].⁶ After having transcribed the short letter by Norbanus addressed to the Ephesians, Agrippa—or Philo for him—concludes in a triumphal manner: ‘Is not this a clear proof, my emperor, of the principles which Caesar followed as to the honor due to our temple?’ All this long reasoning by an indirect route would not be understandable if the writer had had close at hand the text of Augustus's short letter to Norbanus which is alluded to; he just needed to reproduce that as the decisive piece of documentary proof. Evidently the author knew about the document but he did not have the text of it, while he did have Norbanus's letter to the chiefs of the Ephesians. On the contrary, in Josephus's collection we have Augustus's brief letter to Norbanus (*Ant.* 16.166), another longer decree by Augustus in favor of the Jews (§§ 162–165), and Norbanus's letter—not, however, the copy addressed to the Ephesians as in Philo, but the copy sent to the magistrates and council of Sardis (§ 171)—; the Ephesians instead are the addressees of a letter by M. Agrippa (§§ 167–168) and one by Julius Antonius (§§ 172–173); while there is also a letter by M. Agrippa to the Cyrenaeans,⁷ there is no document whatsoever by Augustus and his representatives concerning Alexandria and the Jews living there. Hence, two conclusions must necessarily be drawn: (1) Philo and Agrippa I

5. Philo, *Leg. ad Gaium* 311 (trans.).

6. This quotation is taken from Philo, *Leg. ad Gaium* 313-314 (Philo, *Volume X* [trans. F.H. Colson; LCL; Cambridge, MA: Harvard University Press, 1962]) (trans.).

7. Josephus, *Ant.* 16.169-170 (trans.).

do not seem to know and use the collection of documents cited in Josephus; (2) this collection was not made on the occasion of a suit involving the Alexandrian Jews and in their interest. Where does the collection come from then? That Josephus did not make it—despite his referring to the Capitol where the documents were kept⁸—is something all scholars agree on; the archives in the Capitol had been destroyed, even though Vespasian ordered their restoration. Furthermore, several documents cited by Josephus come not from the central Roman authorities, but rather from the provincial authorities, or from autonomous cities. One has to go back to Niese's hypothesis (in *Hermes* 11 [1876], pp. 477 ff.),⁹ which however needs to be slightly modified. Niese had suggested that the [282 | 754] documents come from a collection made on the occasion of the case pleaded on behalf of the Jews of Asia before M. Agrippa (*Ant.* 16.[2]7 ff.).¹⁰ The advocate was Nicolaus of Damascus, who had accompanied Agrippa and Herod on the journey; in his speech in defense of the Jews, summarily reported by Josephus, Nicolaus says among other things ἔτι καὶ δυναίμεθ' ἂν πολλὰ δόγματα τῆς συγκλήτου καὶ τὰς ἐν τῷ Καπετωλίῳ κειμένας δέλτους ὑπὲρ τούτων ἀναγινώσκειν [‘Moreover, we could read to you many decrees of the Senate and tablets deposited in the Capitol to the same effect’]¹¹ (§ 48). Nicolaus had therefore in his hands a collection of Roman documents, which of course included also those regarding the Jews of Asia whose cause he was pleading. It is not only likely, but quite certain that Nicolaus incorporated his defense and the documents concerning the Jewish people into his great historical work—which he wrote and dedicated to his patron and King of the Jews, Herod the Great—in books 123 and 124. In fact in another passage mentioning the case heard before M. Agrippa (*Ant.* 12.125-127), Josephus adds: τὸ δ' ἀκριβὲς εἴ τις βούλεται καταμαθεῖν, ἀναγνώτω τοῦ Νικολάου τὴν ἑκατοστὴν καὶ εἰκοστὴν καὶ τρίτην καὶ τετάρτην [‘But if anyone wishes to learn the details, let him read the hundred and

8. Cf. *Ant.* 12.416; 14.144; 14.188; 14.197; 14.266; 14.388; 16.48 (trans.).

9. B. Niese, ‘Bemerkungen Über die Urkunden bei Josephus Archaeol. B. XIII. XIV. XVI’, *Hermes* 11 (1876), pp. 466-88 (trans.).

10. The original Italian text reads ‘*ant.* XVI, 17 segg.’, but the correct reference is to *Ant.* 16.27 ff. (trans.).

11. Josephus, *Jewish Antiquities Books 16–17* (trans. Ralph Marcus and Allen Wikgren; LCL; Cambridge, MA: Harvard University Press, 1963) (trans.).

twenty-third and hundred and twenty-fourth books of Nicolas' *History*'].¹² In the two books there was room both for the speeches and for the documents that were important not only for the case then under review, but also for the history of the relations of the Jewish nation with the Romans and the other peoples among whom the Jews were scattered. This is the only thing I would change in Niese's hypothesis, namely that if the collection of documents was then enlarged with the decrees concerning the Jews of Asia, it must have already existed before; both the high priest Hyrcanus II—who worked so hard to obtain privileges and exemptions for his people—and Herod the Great—who on this matter continued the latter's policy, as it was in his own interest—did indeed have a collection of documents, which ended up with a historian like Nicolaus on the occasion of the court case involving the Jews of Asia and was incorporated into his work by him; Josephus took it from there and broke it up citing documents in various parts of his *Antiquities*—not always in the right place—and letting his readers believe that he had gathered them in the Capitol and elsewhere.¹³

12. *Ant.* 12.127 (Josephus, *Jewish Antiquities Books XII–XIV* [trans. Ralph Marcus; LCL; Cambridge, MA: Harvard University Press, 1957]) (trans.).

13. Cf. above n. 8 (trans.).