

§ 13 HYRCANUS II 63-40 B.C.; THE RISE OF ANTIPATER
AND HIS SONS PHASAEI AND HEROD

Sources

Jos. *Ant.* xiv 5-13 (80-369); *B.J.* i 8-13 (159-273).

Literature

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Because of the scantiness of the sources it is difficult to give an accurate account of the position of Palestine at this time in relation to Rome. This much is certain, however: it was tributary, Jos. *Ant.* xiv 4, 4 (74); *B.J.* i 7, 6 (154), and under the control of the Roman governor of Syria. The question is whether or not it was directly incorporated in the province of Syria. A later observation made by Josephus constitutes an argument for the latter alternative, namely that by the enactment of Gabinius, who divided Palestine into five districts, the land was free from 'monarchical government', *B.J.* i 8, 5 (170). Hyrcanus will consequently have stood at the head of the government of the country, and been subject only to the control of the Roman governor.¹

After Pompey's departure, Palestine at first enjoyed a few years of peace. Scaurus, like his two successors Marcius Philippus and Lentulus Marcellinus, admittedly still had trouble with the Nabataeans,² but this had no influence on the fortunes of Palestine. In 57 B.C., however, Aristobulus's son, Alexander, who had escaped from captivity when on

1. So also E. Kuhn, *Die städtische und bürgerl. Verfassung des röm. Reichs* (1865) II, p. 163; cf. Schalit, *op. cit.*, pp. 14-15. For some hypotheses on the constitutional position, cf. E. Bammel, 'Die Neuordnung des Pompeius und das römisch-jüdische Bündnis', *ZDPV* 75 (1959), pp. 76-82.

2. Jos. *Ant.* xiv 5, 1 (80 f.); *B.J.* i 8, 1 (159); Appian, *Syr.* 51/255-6.

the way to Rome (see p. 240 above), tried to seize power in Palestine. He succeeded in collecting an army of 10,000 heavy infantry and 1,500 horsemen, and held in his power the fortresses of Alexandrium, Hyrcania and Machaerus.³ Gabinius, who had just arrived in Syria as proconsul, first sent against him his second in command, M. Antonius, the future triumvir, and followed soon after with the main army. Alexander was defeated in an encounter near Jerusalem and withdrew to the fortress of Alexandrium. There he was besieged by Gabinius and was obliged to surrender, but seems to have obtained his freedom in exchange for the fortresses in his possession.⁴ At the same time, Gabinius effected an important change in Palestine's political circumstances: he left to Hyrcanus only the care and custody of the Temple, but took his political status from him by dividing the country into five districts (*σύνοδοι, συνέδρια*) with Jerusalem, Amathus, Jericho, Sepphoris, and probably Adora in Idumaea (or possibly Gazara) as their capitals.⁵ The language in which Josephus describes these five *σύνοδοι* or *συνέδρια*

3. On Alexandrium see p. 238. Hyrcania is probably Kh. Mird in the Judaeen desert, see Avi-Yonah, *Holy Land*, p. 101; Abel, *Géog. Pal.* II, p. 350; Schalit, *op. cit.*, p. 341; cf. G. R. H. Wright, 'The Archaeological Remains at El Mird in the Wilderness of Judaea', *Biblica* 42 (1961), pp. 1-21. Machaerus, still called el Mukawer in Arabic, lay east of the Dead Sea; for details see p. 511, n. 135.

4. *Jos. Ant.* xiv 5, 2-4 (82-9); *B.J.* i 8, 2-5 (160-8).

5. *Jos. Ant.* xiv 5, 4 (90-1); *B.J.* i 8, 5 (169-70). On Amathus in the country east of the Jordan see p. 221 above; on Sepphoris in Galilee see vol. II, §23 i. The remaining three fortresses were in Judaea proper. On Gazara see p. 191 above. In *Ant.* xiv 5, 4 (91) Josephus has *Γαδάροις* or *Γαδώροις*, in *B.J.* i 8, 5 (170) *Γαδάροις*. But by this he cannot mean the Greek city of Gadara (or Gadara) in Perea, the population of which was mainly Gentile and which had been separated from Jewish territory by Pompey, nor a Jewish Gadara in the south of Perea as once argued by A. Schlatter, *Zur Topographie und Geschichte Palästinas* (1893), pp. 44-51, the existence of which is not proved by *Jos. B.J.* iv 7, 3 (413). He may however mean the Gazara Judaized by Simon Maccabaeus, for which the form Gadara also occurs elsewhere; thus *Jos. Ant.* xii 7, 4 (308) in some manuscripts (=1 Mac. 4:15). Also Strabo xvi 2, 29 (759) *Γαδαρίς, ἣν καὶ αὐτὴν ἐξιδιάσαντο οἱ Ἰουδαῖοι*, probably indicates the territory of Gazara, which he admittedly mistakes for Gadara in Perea; (it was from here that the famous men came whom he mentions). In a *Notitia episcopatum* a *Ἡρακλῆων Γαδάρων* appears in the neighbourhood of Azotus distinct from *Γαδεῖρα* between Pella and Capitolias (*Hieroclis Synecdemus et notitiae graecae episcopat.* ed. Parthey (1866), p. 144). At a synod in Jerusalem in A.D. 536, a bishop *Ἀράγιος Γαδάρων* and a bishop *Θεόδωρος Γαδάρων* were both present. There were therefore two places called Gadara in Palestine. A better solution has been proposed, however, by B. Kanael, 'The Partition of Judaea by Gabinius', *IEJ* 7 (1957), pp. 98-106, and accepted by Avi-Yonah, *Holy Land*, p. 84, and Schalit, *op. cit.*, p. 32. He proposes to read *Ἀδώροις*, which will then refer to Adora in Idumaea, which will itself have been the fifth district. Cf. some speculations by E. Bammel, 'The Organisation of Palestine by Gabinius', *JJS* 12 (1961), pp. 159-62; and see also E. M. Smallwood, 'Gabinius' Organisation of Palestine', *JJS* 18 (1967), pp. 89-92.

is not entirely consistent,⁶ but the general sense, namely that these districts were placed under separate aristocratic councils, is quite clear.⁷ At all events, Gabinius's enactment signified the removal of that remnant of political power which Hyrcanus had still possessed. Pompey had already deprived him of the title of king; now he was stripped of all political authority and restricted to his priestly functions. The country was divided into five districts and 'liberated' from his rule. This arrangement did not in fact last for long. It was cancelled by the decrees of Caesar.

Soon after this, in 56 B.C., the country was again set in commotion by Aristobulus and his son Antigonus, both of whom had likewise escaped from Roman imprisonment. Aristobulus had learnt so little from the abortive undertaking of his son Alexander that he now attempted the very same venture in which his son had failed. Moreover, he was just as unfortunate. A Roman division easily drove him and his small army back over the Jordan. He tried to defend himself in Machaerus, but after a siege of only two days was obliged to surrender and was sent again as a prisoner to Rome; his children, however, were set free by the senate.⁸ It was at that time that Gabinius, contrary to the will of the senate, undertook an expedition to Egypt with the intention of reinstating Ptolemy Auletes as king (see pp. 245-6 above). On his return in 55 B.C. he again had to deal with an insurrection in Judaea. Alexander had made a fresh attempt to seize power and had won over to his side at least a part of the nation. But on this occasion also his activities were soon brought to an end.⁹

In 54 B.C. M. Licinius Crassus came to Syria as proconsul in place of Gabinius. Whereas Gabinius had harshly oppressed the country with his extortions, Crassus now indulged in open robbery. Pompey, on capturing the Temple, had left its rich treasures untouched. Crassus now took possession of them all—2000 talents in gold alone, besides 8000 talents worth of precious objects.¹⁰ But Palestine was soon delivered from his greed, for in 53 B.C. he met his death in the expedition against the Parthians.

6. In *Ant.* xiv 5, 4 (91) Josephus writes *πέντε δὲ συνέδρια καταστήσας εἰς ἴσας μοίρας διένεμε τὸ ἔθνος, καὶ ἐπολιτεύοντο οἱ μὲν ἐν Ἱεροσολύμοις οἱ δὲ ἐν Γαδάρουσι οἱ δὲ ἐν Ἀμαθοῦντι, τέταρτοι δ' ἦσαν ἐν Ἱεριχοῦντι, καὶ τὸ πέμπτον ἐν Σαπφώροις τῆς Γαλιλαίας. καὶ οἱ μὲν ἀπηλλαγμένοι δυναστείας ἐν ἀριστοκρατίᾳ διήγον.* In *B.J.* i 8, 5 (169-70) he writes: *καθίστατο τὴν ἄλλην πολιτείαν [i.e. apart from the provision for the Temple] ἐπὶ προστασίᾳ τῶν ἀρίστων. διείλεν δὲ πᾶν τὸ ἔθνος εἰς πέντε συνόδους, τὸ μὲν Ἱεροσολύμοις προσταίας, τὸ δὲ Γαδάρουσι, οἱ δὲ ἵνα συντελώσω ἐν Ἀμαθοῦντι, τὸ δὲ τέταρτον εἰς Ἱεριχοῦντα κεκληρωτο, καὶ τῷ πέμπτῳ Σαπφώροις ἀπεδείχθη πόλις τῆς Γαλιλαίας. ἀσμένους δὲ τῆς ἐξ ἑνὸς ἐπικρατείας ἐλευθερωθέντες τὸ λοιπὸν ἀριστοκρατίᾳ διωκοῦντο.*

7. So Rice Holmes, *The Roman Republic* II (1923), pp. 311-12.

8. *Jos. Ant.* xiv 6, 1 (97); *B.J.* i 8, 6 (174); Dio xxxix 56, 6. *Plut. Ant.* 3.

9. *Jos. Ant.* xiv 6, 2-3 (98-102); *B.J.* i 8, 7 (175-8).

10. *Jos. Ant.* xiv 7, 1 (105-9); *B.J.* i 8, 8 (179).

During the years 53-51 B.C., C. Cassius Longinus, the quaestor of Crassus, held supreme power in Syria. He had not only to repulse the Parthians, but also to suppress the insurrectionary elements still present in Palestine. Aristobulus, it is true, was a prisoner in Rome, and his sons had for the time being no inclination to try their luck again. But a certain Pitholaus now assumed their role and rallied the disgruntled elements. He had as little success in attaining his end, for the final result of his enterprise was that he himself was executed and 30,000 of his supporters were sold into slavery.¹¹

In 49 B.C. the fateful period of the civil wars began, disastrous for Italy and the provinces alike, but particularly disastrous for the provinces in that they had to provide the enormous sums required by the belligerent parties. During these twenty years, from Caesar's crossing of the Rubicon to the death of Antonius (49-30 B.C.), the whole course of Roman history was reflected in the history of Syria, and thus in that of Palestine also. Every change in the one represented a change in the other, and during this short period Syria and Palestine acquired new masters no less than four times.

When at the beginning of 49 B.C. Pompey and the party of the senate fled from Italy, and Caesar seized Rome, the latter wished among other things to make use of the imprisoned Aristobulus. He released him, and gave him two legions with which to fight against the party of Pompey in Syria. But the supporters of Pompey who remained in Rome frustrated the scheme by poisoning Aristobulus. At the same time, one of Aristobulus's sons, Alexander, also fell victim to the Roman civil war. He, too, wished to appear as a supporter of Caesar, and was beheaded at Antioch, on the express command of Pompey, by Q. Metellus Scipio, Pompey's father-in-law, who was then proconsul of Syria (see p. 247 above).¹²

After the battle of Pharsalus (9 Aug. 48 B.C.) and the death of Pompey (28 Sept. 48 B.C.), Hyrcanus and Antipater at once joined Caesar's party.¹³ They understood that their salvation now depended on his

11. Jos. *Ant.* xiv 7, 3 (119-22); *B.J.* i 8, 9 (180).

12. Jos. *Ant.* xiv 7, 4 (123-5); *B.J.* i 9, 1-2 (183-6). Cf. Dio xli 18, 1.

13. Antipater is described as *ἐπιμελητής* of Judaea even before Caesar's intervention in the affairs of Palestine, not only by Josephus, *Ant.* xiv 8, 1 (127) *ὁ τῶν Ἰουδαίων ἐπιμελητής*, but also by Strabo, who in his turn is using Hypsicrates, *Jos. Ant.* xiv 8, 3 (139) *τὸν τῆς Ἰουδαίας ἐπιμελητήν*; cf. FG+H 190 F 1. It is possible that he obtained this position through Gabinus, who on account of Antipater's numerous services to the Roman cause 'settled affairs at Jerusalem in accordance with the wishes of Antipater' (*Ant.* xiv 6, 4 (103) *κατασπασόμενος δὲ Γαβίνιος τὰ κατὰ τὴν Ἱεροσολυμιτῶν πόλιν ὡς ἦν Ἀντιπάτρω θέλοντι*, and *B.J.* i 8, 7 (178) *Γαβίνιος ἔλθων εἰς Ἱεροσόλυμα πρὸς τὸ Ἀντιπάτρου βούλημα κατεστήσατο τὴν πολιτείαν*). Since this arrangement must have been in accordance with the rest of Gabinus's dispositions, it is possible that the word, which is used in a variety of senses by Josephus, refers to Antipater's role in the collection of taxes. In any case, Anti-

favour and hastened to prove their eagerness to serve him. After his landing in Egypt (Oct. 48 B.C.), Caesar became involved in a war with King Ptolemy. To reinforce him, Mithridates of Pergamum took an auxiliary force to Egypt in the spring of 47 B.C.¹⁴ When he met with difficulties near Pelusium, Antipater came to his aid with 3000 Jewish troops (probably assembled for the purpose) on the order of Hyrcanus, and also induced the neighbouring dynasts to furnish auxiliaries. With these troops, Antipater rendered Mithridates great services, not only in the capture of Pelusium but also during the whole Egyptian campaign. Hyrcanus acquired no little credit by inducing the Egyptian Jews to fight on Caesar's side.¹⁵

Thus, when Caesar came to Syria in the summer of 47 B.C. after the conclusion of the Alexandrian war, and rewarded with proofs of his favour those dynasts who paid him homage,¹⁶ Hyrcanus and Antipater were also most generously remembered. Antigonus, the only remaining son of Aristobulus, also appeared before Caesar to complain of the violent self-assertiveness of Antipater and Hyrcanus and urge his own previous and superior claims.¹⁷ But Caesar prized the reliability and usefulness of Hyrcanus and Antipater more highly than he valued Antigonus, took no notice of the latter's claims, and bestowed his favour exclusively on the other two. Hyrcanus seems to have been confirmed as High Priest even prior to the intervention of Antigonus, and Roman citizenship and exemption from taxation were conferred on Antipater.¹⁸ Hyrcanus, it appears, was now nominated *ἐθνάρχης* of the Jews, i.e. restored to the political status from which Gabinus had removed him. But Antipater was nominated procurator (*ἐπίτροπος*) of

pater cannot have been a political officer in the service of Hyrcanus because the latter no longer had any political standing after the time of Gabinus's enactment. So if he acts *ἐξ ἐντολῆς Ὑρκανοῦ*, *Ant.* xiv 8, 1 (127), this is perhaps to be explained by the spiritual authority which Hyrcanus had as High Priest (*Ant.* xiv 5, 1 (80) *κατ' ἐντολήν Ὑρκανοῦ*, belongs to the time when Hyrcanus still had political status); cf. however Schalit, *op. cit.*, Anhang V. On Antipater's services to the Roman cause in the period 63-48 B.C. see *Ant.* xiv 5, 1-2 (80-5); 6, 2-3 (98-102); 7, 3 (119-22); *B.J.* i 8, 1 (159); 3 (162 f.); 7 (175-8), 9 (180-2). On Antipater see Wilcken in RE I, cols. 2509 ff.; Schalit, *op. cit.*, p. 33 f.

14. *Bell. Alex.* 26.

15. *Ant.* xiv 8, 1-3 (127-39); *B.J.* i 9, 3-5 (187-94). In the decree of Caesar *Ant.* xiv 10, 2 (193) the number of the Jewish auxiliary troops is given as only 1500.

16. *Bell. Alex.* 65 *reges, tyrannos, dynastas provinciae finitimos[que], qui omnes ad eum concurrerant, receptos in fidem condicionibus inpositis provinciae tuendae ac defendendae, dimittit et sibi et populo Romano amicissimos*. Cf. M. Gelzer, *Caesar, Politician and Statesman* (1968), pp. 258-9.

17. *Ant.* xiv 8, 4 (140-2); *B.J.* i 10, 1-2 (195-8).

18. *Ant.* xiv 8, 3 (137) *Ὑρκανῶ μὲν τὴν ἀρχιερωσύνην βεβαίωσας, Ἀντιπάτρω δὲ πολιτείαν ἐν Ῥώμῃ δοῦς καὶ ἀτέλειαν πανταχοῦ*. So also *B.J.* i 9, 5 (194).

Judaea and thus confirmed in the position he had held hitherto. At the same time permission was granted to rebuild the walls of Jerusalem.¹⁹

More detailed information concerning Caesar's decrees appears in the documents given by Josephus in *Ant.* xiv 10, 2-10 (190-222), but they have unfortunately been transmitted in so poor and fragmentary a condition that on many questions no sure conclusions can be reached.²⁰ It is certain that Caesar's letter to the Sidonians, *Ant.* xiv 10, 2 (190-5), dates from 47 B.C. and contains the actual decree of Caesar nominating Hyrcanus.²¹ In this Hyrcanus is established as hereditary *ἐθνάρχης* and *ἀρχιερεύς* of the Jews and confirmed in all the rights pertaining to him as High Priest according to Jewish law; and jurisdiction in Jewish affairs is conceded to the Jews. In addition, Hyrcanus was appointed, for himself and his children, *συμμάχος* of the Romans, and it was decreed that Roman troops should not winter in his country or raise

19. *Ant.* xiv 8, 5 (143-4) Ὑρκανὸν μὲν ἀποδείκνυσιν ἀρχιερέα . . . [Ἀντίπατρον] ἐπίτροπον ἀποδείκνυσιν τῆς Ἰουδαίας. ἐπιτρέπει δὲ καὶ Ὑρκανῶ τὰ τῆς πατρὸς ἀναστήσαι τελεῆν. Similarly *B.J.* i 10, 3 (199). These decrees seem to be distinct from those mentioned in the foregoing note, the first having been issued before the intervention of Antigonus, and the present decrees after it (thus Mendelssohn, *Acta soc. philol.* Lips. 5 (1875), pp. 190 ff.; Judeich, *Cäsar im Orient* (1885), p. 123 f.; see especially *B.J.* i 10, 1 (195) Ἀντίγονος . . . γίνεται παραδόξως Ἀντίπατρον μεζονος προκοπῆς αἰτίος). As is evident from the decrees of Caesar, which are discussed below, Hyrcanus was in any case nominated by Caesar as High Priest with political powers; that is *ἀρχιερεύς* and *ἐθνάρχης*. The *senatus consultum* given by Josephus in *Ant.* xiv 8, 5 (145-8) belongs to a much earlier period. See pp. 195-7 above.

20. Cf. on these especially: Mendelssohn *op. cit.*, pp. 191-246 (reviewed in *ThLZ* 1876 no. 15, cols. 394 f.) and Niese, *Hermes* 11 (1876), pp. 483-8 (against this Mendelssohn in *Rhein. Museum*, n.s. 32 (1877), pp. 249-58); Mommsen, *Römische Geschichte* V, pp. 501 f.; Judeich, *Cäsar im Orient* (1885), pp. 119-41, only on the events and documents of 47 B.C., in which year Judeich places *Ant.* xiv 8, 5 (145-8); Graetz, *Gesch. der Juden* III (1905-6), pp. 662-73, Viereck, *Sermo graecus quo senatus populusque Romanus . . . usi sunt* (1888), pp. 96-103; Büchler, 'Die priesterlichen Zehnten und die römischen Steuern in den Erlassen Caesars', *Festschr. zum 80. Geburtstag M. Steinschneiders* (1896), pp. 91-109; E. Täubler, *Imperium Romanum* (1913), pp. 157 ff., 239 ff.; J. Juster, *Les Juifs dans l'Empire romain* I (1914), pp. 129-58; T. Rice Holmes, *The Roman Republic* III (1923), pp. 507-9; E. Meyer, *Ursprung und Anfänge des Christentums* II (1925), pp. 246-78; Momigliano, *Ricerche*, pp. 193-201. See also R. Marcus, *Josephus* (Loeb) VIII, App. J (for bibliography).

21. In this same letter Caesar designates himself *αὐτοκράτωρ καὶ ἀρχιερεύς*, *δικράτωρ τὸ δεύτερον* (*imperator et pontifex maximus, dictator* II). Caesar's second dictatorship ran, according to Mommsen (in *CIL* i 2, pp. 40-2), from Oct. 48 B.C. to the end of 46 B.C., according to Ganter (in *Zeitschr. für Numismatik* 19 (1895), pp. 190-5), from Oct. 48 B.C. to April 46 B.C.; but more probably from Oct. 48 B.C. for one year (Broughton, *MRR* II, pp. 272, 285). Since consul is not among his titles, whereas Caesar was consul in 48, 46, 45 and 44 B.C., the letter must belong to 47 B.C.

levies.²² Whether any other documents belong to the same year is unsure. It is by contrast certain that not long before Caesar's death, perhaps towards the end of 45 B.C., Hyrcanus sent an embassy to Rome which procured a *senatus consultum* with new privileges for the Jews. The beginning of this *senatus consultum*, under Caesar's fourth dictatorship and fifth consulship, and so of 44 B.C., is given in *Ant.* xiv 10, 7 (211-12). Its date is probably preserved in *Ant.* xiv 10, 10 (222): *πρὸ πέντε εἰδῶν Φεβρουαρίων* = 9 February. As it was not registered forthwith in the aerarium, a new *senatus consultum* was passed after Caesar's death, under the consulship of Antonius and Dolabella, *πρὸ τριῶν εἰδῶν Ἀπριλλίων*, therefore on 11 April 44 B.C., directing the deposition of the earlier order in the aerarium, *Ant.* xiv 10, 9-10 (217-22). As the new decree is purely formal in character, nothing is to be learnt from it regarding the gist of the rights granted to the Jews. Also, the portion of the earlier decree given in *Ant.* xiv 10, 7 (211-12) comprises only the formal introduction. It is, however, extremely probable that other portions of it are preserved among the fragments in *Jos. Ant.* xiv 10, 3-6 (196-210). Yet it is precisely here that the difficulties of the investigation begin. The question is, which of these fragments belong to the *senatus consultum* of 44 B.C., and which derive from earlier years (47 B.C. or so)? Due to the corruption of the text, no sure result can ever be secured.²³ It is possible that the bulk of

22. *Ant.* xiv 10, 2 (194-5) διὰ ταύτας τὰς αἰτίας Ὑρκανὸν Ἀλεξάνδρου καὶ τὰ τέκνα αὐτοῦ ἐθνάρχας Ἰουδαίων εἶναι, ἀρχιερωσύνην τε Ἰουδαίων διὰ παντός ἔχειν κατὰ τὰ πάτρια ἔθνη, εἶναι τε αὐτὸν καὶ τοὺς παῖδας αὐτοῦ συμμάχους ἡμῶν, ἐπι τε καὶ ἐν τοῖς κατ' ἄνδρα φίλοις ἀριθμείσθαι ὅσα τε κατὰ τοὺς ἰδίους αὐτῶν νόμους ἐστὶν ἀρχιερατικά ἢ φιλόνηρωπα, ταῦτα κελεύει κατέχειν αὐτὸν καὶ τὰ τέκνα αὐτοῦ ἂν δὲ μεταξὺ γένηται τις ζήτησις περὶ τῆς Ἰουδαίων ἀγωγῆς, ἀρέσκει μοι κρίσιν γίνεσθαι [παρ' αὐτοῖς]. παραχεμασίαν δὲ ἢ χρήματα πρᾶσσεσθαι οὐ δοκιμάζω. On the interpretation cf. Mendelssohn, *op. cit.*, pp. 195-7; Mommsen, *Römische Geschichte* V pp. 501 f. Cf. Schalit, *op. cit.*, pp. 148 f.

23. The document in *Ant.* xiv 10, 3-4 (196-8) contains scarcely anything different in content from Caesar's decree of 47 B.C., *Ant.* xiv 10, 2 (190-5). Since, on the face of it, it dates from a year in which Caesar was consul (the number of the consulship is lacking), and so from either 46, 45 or 44 B.C., Mendelssohn (*op. cit.*, pp. 205-11) considers it—and the decree in (199) for which see below—as a fragment of a *senatus consultum* of 46 B.C. which simply confirmed the ordinances of Caesar of 47 B.C. (on the confirmation by the senate of agreements made by generals see especially Mommsen, *Röm. Staatsrecht* III 2 (1888), pp. 1166-8); Momigliano, *op. cit.*, p. 197 regards the heading in (196) as confused and not documentary, and (197-8) as part of an S.C. of 47 B.C. The fragments given in xiv 10, 5-6 (200-10) contain detailed decisions regarding taxation, and seem to belong together. According to the opening words of xiv 10, 5 (200) they date from 44 B.C. (Caesar's fifth consulship). But against this is the fact that in them permission is granted to build the walls of Jerusalem, xiv 10, 5 (200), a permission already given in 47 B.C., *Ant.* xiv 8, 5 (144); *B.J.* i 10, 3 (199); and in fact the building of the walls had already been completed by that time, *Ant.* xiv 9, 1 (156); *B.J.* i 10, 4 (201); but (200-1) may contain a document of 44 B.C. which merely confirms or refers back to the earlier permission. Further, it is to 47 B.C. that we are perhaps led by the heading of the second document, *Ant.* xiv

the substantial fragment preserved in *Ant.* xiv 10, 6 (202-10) belongs to 44 B.C. Among the concessions granted in it to the Jews, the most important are that Joppa, 'which the Jews had possessed from ancient times since they made a treaty of friendship with the Romans', was ceded to them; that the villages in the Great Plain which they had previously possessed, were transferred to them; and finally, that still other places which 'had belonged to the kings of Syria and Phoenicia', were made over to them.²⁴ Presumably, these were simply territories

10, 6 (202-10): *Γαίος Καΐσαρ, αυτοκράτωρ τὸ δεύτερον* (it should perhaps be *αὐτοκράτωρ, δικτάτωρ τὸ δεύτερον*). Finally, *Ant.* xiv 10, 6 (202-10) contains various decisions with regard to Joppa which seem to belong to different periods. On this basis, Mendelssohn, *op. cit.*, pp. 197 f., assumed that the fragments in xiv 10, 5-6 (200-10) belonged indeed to the *senatus consultum* of 44 B.C., but that a decree of Caesar from 47 B.C. is cited at the beginning, xiv 10, 5 and 6a (200-4). Mendelssohn distinguished this decree from the one given in *Ant.* xiv 10, 2 (190-5), arguing that the latter was issued before the intervention of Antigonus, and the former, after it. (This combination is scarcely admissible, since after the decree of nomination, *Ant.* xiv 10, 2 (190-5), Antigonus no longer dared remonstrate. In other respects, however, Mendelssohn's hypothesis that the fragments in *Ant.* xiv 10, 5 and 6a (200-4) belong to 47 B.C., is very attractive.) Mendelssohn found the new order of the *senatus consultum* of 44 B.C. only in the second half of *Ant.* xiv 10, 6 (204-10) (perhaps from the words *ὅσα τε μετὰ ταῦτα ἔσχον* onwards). Niese, *Hermes* 11 (1876), pp. 484 ff., ascribed all the fragments in *Ant.* xiv 10, 3-6 (196-210) to the *senatus consultum* of 44 B.C., assuming that the permission to build the walls given by Caesar earlier, and possibly by word of mouth, was not granted formally by the senate until then, and reading in *Ant.* xiv 10, 6 (202) τὸ δ' (for the fourth time) instead of τὸ δεύτερον. Viereck (*Sermo graecus*, p. 101) agreed with Mendelssohn. He placed xiv 10, 3-4 (196-9) and 6a (202-4) in 47 B.C. (xiv 10, 3 (196-8) = the *senatus consultum*; xiv 10, 4 (199) and 6a (202-4) = Caesar's edict) and xiv 10, 5 (200-1) in 44 B.C. (Caesar's edict). Like Mendelssohn, he regarded xiv 10, 6b-7 (205-12) as fragments of the *senatus consultum* of February 44 B.C., to which reference is made in the *senatus consultum* of April 44 B.C., (xiv 10, 10 (219-22)). Momigliano, *op. cit.*, p. 194, argues, correctly, that the earliest in the series is the pronouncement xiv 10, 4 (199) in which Hyrcanus is mentioned as High Priest but not ethnarch; this document, in which Caesar has the titles *αὐτοκράτωρ δικτάτωρ ὑπατος* will date to October-December 48 B.C.

24. *Ant.* xiv 10, 6 (209). If it is correct that the commencement of xiv 10, 6 (202-4) belongs to a decree of 47 B.C., part of the taxes of Joppa must already have been ceded to the Jews (i.e. we have to restore from the old Latin text, *ἔτους*). Niese and R. Marcus, *Josephus* (Loeb) VII, keep *ὅπως... Ἰσθμῆς ὑπεξαιρουμένης, χωρὶς τοῦ ἑβδόμου ἔτους*. For a full discussion of the taxation regulations in (202-6) see Schalit, *op. cit.*, Anhang XIII. In any case, they were awarded Joppa in 44 B.C. entirely as their own property: *Ἰσθμῆν τε πόλιν, ἣν ἀπ' ἀρχῆς ἔσχον Ἰουδαῖοι ποιούμενοι τὴν πρὸς Ῥωμαίους φύλιν, αὐτῶν εἶναι, καθὼς καὶ τὸ πρῶτον, ἡμῖν ἀρέσκει* (205). We are completely in the dark concerning who is meant in (209) by 'the kings of Syria and Phoenicia, allies of the Romans', who had earlier possessed some of the territories now ceded to the Jews. It is possible that they were dynasts to whom Pompey had granted Jewish territory. But it may also be that the text is corrupt: Schalit, *op. cit.*, Anhang VI, suggests rearranging the text to read *τούς τε τόπους καὶ χώραν καὶ ἐποίκια, ὅσα βασιλεῖσι Συρίας καὶ Φωινίκης ἀπῆρχε καρποδοθῆαι, ταῦτα δοκιμάζει ἢ σύγκλητος Ἰγρκανὸν τὸν ἐθνάρχη καὶ Ἰουδαίους συμμάχους ὄντας Ῥωμαίων κατὰ δωρεάν ἔχειν*.

which Pompey had once taken from the Jews. Among the places restored, Joppa as a seaport was especially valuable.

Through Caesar's favour, Jews living outside Palestine were also granted important privileges. The Jews in Alexandria were secured in the possession of their rights;²⁵ the Jews of Asia Minor were guaranteed the exercise without let or hindrance of their religion.²⁶ It was above all Caesar's aspiration to satisfy the provincials in order to safeguard the empire. But none of them mourned his death so sorely as the Jews.²⁷

The weak Hyrcanus, who had been installed in Palestine as 'ethnarch' of the Jews, governed only in name. In reality, it was the shrewd and active Antipater who did so. Moreover, he now nominated his two sons Phasael and Herod as governors (*στρατηγῶν*), one in Jerusalem, the other in Galilee.²⁸ Herod, now encountered for the first time, was then a young man twenty-five years old.²⁹ But he was already giving signs of the drive which subsequently brought him to the throne. In Galilee, a robber named Ezekias and his band were making the country unsafe. Herod seized him and put him to death with many of his companions.³⁰ In Jerusalem, the people were not prepared to acquiesce in such summary procedures. The aristocracy there saw them as an infringement of the rights of the court empowered to pass the death sentence, and Hyrcanus was asked to call the young Herod to account. Hyrcanus agreed to do so, and summoned Herod before the Sanhedrin in Jerusalem. Herod appeared but instead of wearing mourning as befitted an accused person, he came clothed in purple and surrounded by a bodyguard. When he stood thus before the Sanhedrin, the prosecution was struck dumb, and he would doubtless have been acquitted had not the celebrated Pharisee, Sameas (Shemaiah?), risen and pricked the conscience of his colleagues. They were then inclined to allow the law to

25. See vol. III, § 31.

26. *Ant.* xiv 10, 8 (213-16) and 20-4 (241-61). The decrees assembled here were not actually issued directly by Caesar, but very probably on his suggestion. See also vol. III, § 31.

27. Suet. *Div. Iul.* 84: 'In summo publico luctu exterarum gentium multitudo circulatim suo quaeque more lamentata est, praecipueque Iudaei, qui etiam noctibus continuis bustum frequentarunt'.

28. *Ant.* xiv 9, 2 (158); *B.J.* i 10, 4 (203).

29. The traditional text of Jos. *Ant.* xiv 9, 2 (158) has 15. The number 25 which Dindorf and Bekker restored is merely a conjecture. But it is necessary, (1) because a boy of 15 years of age could not possibly have played the role that Herod was already playing; (2) because Herod is described as about seventy years old at the time of his death, *Ant.* xvii 6, 1 (148); *B.J.* i 33, 1 (647). Some (e.g. Lewin, *Fasti Sacri*, p. xii) have suggested that in the original text Herod's age was given as 25 (κε') years and that a scribe altered κε' to ιε' (15). But others (e.g. Otto, *Herodes*, p. 18) call attention to the emphasis which Josephus lays upon Herod's youth at the time Galilee was put under his command, and maintain that he has represented him as being then younger than in fact he was.

30. *Ant.* xiv 9, 2 (159); *B.J.* i 10, 5 (204).

run its course and to pass sentence on Herod. But Hyrcanus had been ordered by Sextus Iulius Caesar, the governor of Syria, to acquit him. Accordingly, when he saw that matters were taking a dangerous turn, he suspended the sitting and advised Herod to leave the city. Herod did so; but soon afterwards marched with an army against Jerusalem to take revenge for the insult. Only the most urgent expostulations of his father Antipater succeeded in soothing his resentment and restraining him from open violence. He returned to Galilee, consoling himself that he had at least displayed his power and engendered wholesome terror in his opponents.³¹ During this conflict with the Sanhedrin, he was nominated by Sextus Caesar as *strategos* of Coele-Syria and probably Samaria also.³²

All this took place in 47 B.C., or the beginning of 46 B.C. In 46 B.C., while Caesar was fighting the party of Pompey in Africa, Caecilius Bassus, one of their number, managed to make himself master of Syria by assassinating Sextus Caesar. He was in turn besieged in Apamea in the autumn of 45 B.C. by Caesar's party under the leadership of C. Antistius Vetus (see pp. 248-9 above), whose army also included some of Antipater's troops, sent by him as a new proof of his loyalty to Caesar.³³ The conflict nevertheless had no decisive result; and the new governor, L. Staius Murcus, who arrived in Syria in the beginning of 44 B.C. and was reinforced by Marcius Crispus, the governor of Bithynia, failed to secure any decisive advantage over Caecilius Bassus either.

In the meantime, on 15 March 44 B.C., Caesar was murdered. M. Antonius was resolved to avenge his death and continue his work. But his initially cautious attitude also prevented the conspirators from taking decisive steps. It was not until he came forward in open hostility to them that their leaders proceeded to the East to assemble forces there, M. Brutus going to Macedonia and C. Cassius to Syria. When the latter arrived in Syria towards the end of 44 B.C., Caecilius Bassus was still being besieged in Apamea by Staius Murcus and Marcius Crispus. Although these two had until then belonged to Caesar's party, they nevertheless placed their army at the disposal of Cassius, Staius Murcus even offering his own person. The legion of Caecilius Bassus also went over to Cassius.³⁴ Thus Cassius was now

31. Jos. *Ant.* xiv 9, 3-5 (163-84); *B.J.* i 10, 6-9 (208-15). Rabbinic tradition is also acquainted with the scene before the Sanhedrin, but the names given there are quite different: Jannaëus instead of Hyrcanus; a slave of Jannaëus instead of Herod; Simeon ben Shetaḥ instead of Shemaiah. See Derenbourg, *Hist. de la Palestine*, pp. 146-8, and Schalit, *op. cit.*, pp. 45-6 and Anhang X.

32. *B.J.* i 10, 8 (213) στρατηγὸς ἀνεδείχθη κοίλης Συρίας καὶ Σαμαρείας. *Ant.* xiv 9, 5 (180) στρατηγὸν τῆς κοίλης Συρίας (χρημάτων γὰρ αὐτῷ τοῦτο ἀπέδοτο). Cf. Schalit, *op. cit.*, p. 46, n. 154.

33. *Ant.* xiv 11, 1 (268-70); *B.J.* i 10, 10 (216-17).

34. Cf. pp. 249-50 above.

master of Syria and the possessor of a considerable force. But for the maintenance of this large and still growing army immense funds were needed, to which the small land of Judaea was also obliged to contribute its portion. A tax of 700 talents was imposed. Antipater and his son Herod showed themselves particularly zealous in this respect. For they now set out to earn Cassius's favour with the same eagerness as they once applied to winning Caesar's. The usefulness of this display of zeal was demonstrated by some shocking events in Judaea itself. Because the inhabitants of the towns of Gophna, Emmaus, Lydda and Thamna did not raise their share, they were sold by Cassius as slaves.³⁵ But as a reward for his services, the young Herod was appointed by Cassius, as earlier by Sextus Caesar, *strategos* of Coele-Syria.³⁶

At about this time (43 B.C.), Antipater fell victim to personal enmity. A certain Malichus³⁷ aspired, like Antipater, to obtain a position of influence in Judaea. Antipater was the chief obstacle in his way. To attain his end he therefore had to get rid of him. He bribed Hyrcanus's cupbearer, who put Antipater to death by poison when he was dining with Hyrcanus.³⁸

Herod undertook to avenge his father's death. As Malichus was thinking of implementing his plans and setting himself up as the master of Judaea, he was murdered one day in the neighbourhood of Tyre by assassins sent by Herod in connivance with Cassius.³⁹

After Cassius had left Syria (42 B.C.), the province suffered still harder times. Cassius had extorted exorbitant sums, but now that the province was left to itself a state of complete anarchy arose, in which only the right of the stronger prevailed. In this period, Antigonus, with the aid of Ptolemy son of Mennaeus, the dynast of Chalcis, also tried to seize the sovereignty in Palestine. Herod repulsed this attempt with luck and skill, but was unable to prevent Marion, the tyrant of Tyre, from seizing portions of Galilean territory.⁴⁰

35. *Ant.* xiv 11, 2 (271-6); *B.J.* i 11, 1-2 (218-22).

36. *Ant.* xiv 11, 4 (280) στρατηγὸν . . . κοίλης Συρίας. *B.J.* i 11, 4 (225) Συρίας ἀπάσης ἐπιμελητήν.

37. His name is consistently spelt by Josephus *Μάλυχος* (almost without variants in the manuscripts), whilst in other cases, e.g. for the Nabataean kings of the same name, the spelling *Μάλλχος* is the prevailing one. Both forms are found in contemporary inscriptions, see indexes to IGLS; cf. Schalit, *op. cit.*, Anhang IV.

38. *Ant.* xiv 11, 4 (281); *B.J.* i 11, 4 (226).

39. *Ant.* xiv 11, 6 (288-92); *B.J.* i 11, 8 (233-5). The murder of Antipater took place before the capture of Laodicea (summer 43 B.C., see p. 250 above), that of Malichus immediately after it; consequently both occurred in 43 B.C., *Ant.* xiv 11, 6 (289); *B.J.* i 11, 7 (231).

40. *Ant.* xiv 12, 1 (297-9); *B.J.* i 12, 2-3 (238-40). The account given by Josephus, which goes back to Nicolaus of Damascus, omits the fact that Herod was unable to prevent the conquests by the Tyrians. This is evident from the subsequent letter of Antonius ordering the Tyrians to return the conquered places (see n. 42 below).

A new crisis developed for Palestine, and in particular for the two Idumaeans, Phasaël and Herod, when in the late autumn of 42 B.C. Brutus and Cassius were defeated at Philippi by Antonius and Octavian. With this victory the whole of Asia fell into the hands of Antonius. For Phasaël and Herod the situation was made more critical by the fact that an embassy of the Jewish nobility presented itself before Antonius in Bithynia (about the beginning of 41 B.C.) to complain about the two of them. But Herod, by appearing in person, was able to nullify these complaints for the time being.⁴¹ Soon afterwards, an embassy from Hyrcanus approached Antonius when he was staying in Ephesus, asking him to order the emancipation of the Jews sold by Cassius as slaves, and the restoration of the places conquered by the Tyrians. Antonius willingly undertook the role of defender of their rights, and with violent invectives against Cassius's unjust conduct, issued the appropriate orders.⁴² Later (in the autumn of 41 B.C.), when Antonius had come to Antioch, the Jewish aristocracy renewed their complaints against Phasaël and Herod, but once again without success. Some years earlier, when he was serving under Gabinius in Syria (57-55 B.C.), Antonius had been Antipater's guest. He now recalled that friendship. And since Hyrcanus, who had also come to Antioch, gave the two brothers a favourable character, Antonius nominated Phasaël and Herod as tetrarchs of the Jewish territory.⁴³ It does not follow that Hyrcanus was thereby deprived of his formal status as ethnarch. Besides, he had already for a long time possessed political power only in name.⁴⁴

The period of Antonius's residence in Syria was one of great oppression for the province. His extravagance led to the consumption of astounding sums, and these had to be provided by the provinces. Thus wherever Antonius went, heavy tribute was exacted; and Palestine had to bear its share.⁴⁵

In 40 B.C., when Antonius was partly detained in Egypt by Cleopatra and partly engaged in the concerns of Italy, occurred the great invasion of the Parthians, who overran the whole of the Near East. And on this

41. *Ant.* xiv 12, 2 (301-3); *B.J.* i 12, 4 (242).

42. *Ant.* xiv 12, 2 (304-5). The official documents (a letter of Antonius to Hyrcanus and two letters to the Tyrians) are in *Ant.* xiv 12, 3-5 (306-22). One of the letters to the Tyrians, *Ant.* xiv 12, 4 (314-18), relates especially to the restoration of the conquered places, the other, *Ant.* xiv 12, 5 (319-22), to the emancipation of the Jewish slaves. Similar letters were also issued to the cities of Sidon, Antioch and Aradus, *Ant.* xiv 12, 6 (323). Cf. on these documents Mendelssohn, *op. cit.*, pp. 254-63.

43. *Ant.* xiv 13, 1 (324-326); *B.J.* i 12, 5 (243-4).

44. See Schalit, *op. cit.*, pp. 69, 70.

45. App., *B.C.* v 7/31 *ἐπιπαριῶν δὲ Φρυγίαν τε καὶ Μυσίαν καὶ Γαλάτας τοὺς ἐν Ἀσίᾳ, Καππαδοκίαν τε καὶ Κιλικίαν καὶ Συρίαν τὴν κοίλην καὶ Παλαιστίνην καὶ τὴν Ἰουδαίαν καὶ ὅσα ἄλλα γένη Σύρων, ἅπασιν ἐσφορὰς ἐπέβαλλε βαρείας.*

occasion Antigonus, too, succeeded at least for a time in attaining his objective.

When the Parthians under Pacorus and Barzaphranes (the former a son of King Orodes, the latter a Parthian satrap)⁴⁶ had already occupied northern Syria, Antigonus, by making huge promises, managed to persuade them to help him to acquire the Jewish throne. Pacorus marched along the Phoenician coast, while Barzaphranes travelled inland towards the south. Pacorus sent a detachment to Jerusalem under the command of a royal cupbearer, also called Pacorus. Before this detachment arrived there, Antigonus had already succeeded in collecting adherents from among the Jews, and in entering with them into Jerusalem, where there were now daily encounters between him and Phasaël and Herod.⁴⁷ Meanwhile, the Parthian army under Pacorus arrived. He pretended that he desired to make peace, and called on Phasaël to go to Barzaphranes to settle the strife. Although Herod earnestly warned his brother, Phasaël nevertheless walked into the trap, and together with Hyrcanus and Pacorus (the cupbearer), went to the camp of Barzaphranes. A small detachment of Parthian horsemen remained behind in Jerusalem.⁴⁸ In the Parthian camp the mask was soon thrown off and both Phasaël and Hyrcanus were put in irons.⁴⁹ When Herod heard of this, he decided, since he was too weak to offer open resistance, to escape from Jerusalem. Unnoticed by the Parthians, he led the women and children of his family out of the city and brought them to the fortress of Masada, the defence of which he committed to his brother Joseph.⁵⁰ On the way there, in the place where he later built the fortress of Herodium, he fought a battle with hostile Jews. But he successfully resisted their attack. After he had thus brought his relations into safety, he continued his flight further to the south, first of all to Petra in Arabia.⁵¹

The Parthians did not allow their friendship with Antigonus to restrain them from plundering the land and the capital. But Phasaël and Hyrcanus were put at Antigonus's disposal. The ears of Hyrcanus

46. The spelling *Βαρζαφράνης* (*Ant.* xiv 13, 3 (330)) seems to be required by the admittedly variable evidence of the manuscripts. This is apparently a transliteration of the Iranian 'Barzafarna'. See *Josephus* (Loeb) VII, *ad. loc.* The spelling *Βαζαφράνης* preferred by Niese is not justified by the manuscript tradition.

47. *Ant.* xiv 13, 3 (330-6); *B.J.* i 13, 1-2 (248-52).

48. *Ant.* xiv 13, 4-5 (337-42); *B.J.* i 13, 3 (253-5).

49. *Ant.* xiv 13, 5-6 (343-51); *B.J.* i 13, 4-5 (256-60).

50. Masada was situated on a precipitous rock on the west shore of the Dead Sea. In the war of Vespasian it was the rebels' last place of refuge and was reduced to submission only after difficult siege-operations by the Romans (c. A.D. 74). On its situation and history see § 20 below (where the extensive recent literature is also listed).

51. *Ant.* xiv 13, 6-9 (348-62); *B.J.* i 13, 6-8 (261-7).

were cut off to disqualify him permanently from being High Priest. Phasaël escaped his enemies by dashing his head against a rock, after receiving the good news of his brother's successful escape.

The Parthians then took Hyrcanus with them as a prisoner, and installed Antigonus as king.⁵²

⁵² *Ant.* xiv 13, 9-10 (363-9); *B.J.* i 13, 9-11 (268-73). Dio xlviii 26, 2 erroneously gives the name Aristobulus instead of Antigonus. Of the years 43-40 B.C., Julius Africanus in Georgius Syncellus (ed. Dindorf I, pp. 581 f.) and Syncellus himself (ed. Dindorf I, pp. 576 f. and 579), each give a brief account containing details at variance from those given by Josephus, and probably deriving from another source (Justus of Tiberias?). Note especially that according to this account Phasaël does not take his own life when a prisoner, but falls in battle (Julius Africanus in Syncellus I, p. 581: *Φασάηλος δὲ ἐν τῇ μάχῃ ἀναίρεται*). Also, the sum which Cassius exacted in Palestine is given, not as 700, but as 800 talents (Syncellus I, p. 576). Cf. H. Gelzer, *Sextus Julius Africanus I* (1880), pp. 261-5. There is no reason however, to prefer these brief references to the very exhaustive account of Josephus.

On the theory identifying the 'Wicked Priest' of the Qumran documents with Hyrcanus II, see § 12, n. 30.