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Introduction

When pagan Rome brought the ancient Hellenic and Jewish cultural life to an end, there arose, from the ruins of the latter, a new view of the world.

MOSES HESS, *ROME AND JERUSALEM:*
*THE LAST NATIONALIST QUESTION*¹

AN ABUNDANCE OF ACADEMIC WORKS bear titles such as “Rome and Jerusalem,” “Jerusalem and Rome,” and “Jerusalem against Rome,” followed by various subtitles. This attests both to scholarly interest in the relationship between Jews and the Roman empire and to the powerful *imaginaire* associated with Rome in Jewish thought and Jewish studies.² The tandem notions “Rome” and “Jerusalem” have even been used metaphorically to reflect on the realities of modern Jewry. In Moses Hess’ political essay presaging modern political Zionism, *Rome and Jerusalem: The Last Nationalist Question*, Rome represents assimilation and emancipation in nineteenth-century Germany (or Europe more generally), in contrast to Jewish nationalism and aspirations for an independent state. Rome also symbolizes Christianity, which Hess criticizes

1. Hess’ work was originally published in German, as *Rom und Jerusalem, die Letzte Nationalitätsfrage: Briefe und Noten* (2nd edition; Leipzig: M.W. Kaufmann, 1899). It has been translated in English under the title *Rome and Jerusalem: A Study in Jewish Nationalism* by Meyer Waxman (New York: Bloch Pub. Co., 1918) and republished as *The Revival of Israel: Rome and Jerusalem, the Last Nationalist Question* (trans. Meyer Waxman; Lincoln: University of Nebraska Press, 1995). For the quotation, see Waxman 1918, 185–186.

2. Recent examples of such titles include Hadas-Lebel 1990, *Jérusalem contre Rome* [English translation 2006]; Sicker 2001 (*Between Rome and Jerusalem: 300 Years of Roman-Judaean Relations*); Goodman 2007 (*Rome and Jerusalem: The Clash of Ancient Civilizations*); Wilker 2007 (*Für Rom und Jerusalem. Die herodianische Dynastie im 1. Jahrhundert n.Chr.*); Mahieu 2012 (*Between Rome and Jerusalem: Herod the Great and His Sons in Their Struggle for Recognition: A Chronological Investigation of the Period 40 BC–39 AD with a Time Setting of New Testament Events*).

as a fusion of religious and national identities.³ Hess' book underscores how, in Jewish memory, the Roman empire—"pagan"⁴ and later Christian—remained indelibly associated with the loss of political sovereignty.

From its beginnings with Pompey's victory in Judea in 63 BCE, the demise of Jewish sovereignty had a major effect on Jewish perceptions of Rome. The problem became more acute after the establishment of direct Roman rule in Judea in 6 CE and further intensified following the First Jewish Revolt against Rome (66–73 CE). This book posits, however, that the significance of the encounter between Israel and Rome extended well beyond political sovereignty. By examining Jewish sources dated to the late Hellenistic and Roman periods from the perspective of the history of ideas, this volume aims to show that engagement with the Roman empire posed a unique ideological challenge for Jews—even prior to the destruction of the Temple in 70 CE, and all the more thereafter—and had a lasting impact on Jewish self-definitions and Jewish thought.

1. Recontextualizing Israel's Encounter with the Roman Empire in the Longue Durée

Jews (or Israelites) had of course confronted imperial powers prior to the rise of Rome. The history of ancient Israel might even be characterized as a series of such encounters⁵—with, namely, the ancient Egyptian, Neo-Assyrian, Neo-Babylonian, and Persian empires, and the Hellenistic kingdoms. The impact of these encounters in shaping Jewish (or initially Israelite/Judahite) culture and thought can hardly be overestimated. As Peter Fibiger Bang and Dariusz Kołodziejczyk state in their study of universal empires, "The process of civilisation involves constant borrowing, emulation and reinterpretation of other societies," and this observation applies equally to ancient Israel.⁶

Unlike most studies of the relationship between Jews and Romans, the present volume opens with a survey of how those earlier empires affected ancient Israel and its literary production, especially the writings that now constitute the Hebrew Bible. This initial chapter aims to provide a comparative perspective that will facilitate the assessment of the novel elements in Israel's confrontation with the Roman empire.⁷

3. In Letter 9, Hess uses the expression "Catholic Rome," and in Letter 8 he refers to Joseph Salvador, *Paris, Rome, Jérusalem ou la question religieuse au XIXe siècle* (Paris: Michel Lévy Frères, 1860), which advocates for the universal merging of all religions.

4. Throughout this volume, I have chosen to use the term "pagan" to refer to polytheist Rome, despite the Latin Christian origins of the term and its pejorative connotations; see Brown 1999, 625.

5. For an overview of empire studies over the past two decades, see the opening of Chapter One.

6. Fibiger Bang and Kołodziejczyk 2012, 11.

7. For a similar approach, but on a more modest scale, see Baltrusch 2002.

My choice of the term “Israel” to refer to the group that experienced empire in the Neo-Assyrian, Neo-Babylonian, Persian, Seleucid, and ultimately Roman contexts may foster an artificial impression of that group’s permanence and continuity. I am not denying that the Jews who lived under Roman rule in third-century CE Palestine were different from the Israelites who endured the Neo-Assyrian invasion more than a millenium earlier. Centuries of historical experiences and numerous political, social, and cultural transformations separated them. However, the transmission of collective lore and memories known from biblical writings, and the use of “Israel” as an emic term in biblical through talmudic sources enable historians to speak of Israel as a people who retained an enduring self-consciousness. Moreover, memories of Israel’s encounters with the massive empires of the ancient Near East, recast and rewritten time and again, were transmitted to Jews of the Roman period. Thus, Jewish engagement with Roman imperial power did not occur in a vacuum, but rather in the context of a long tradition of reflections about empire and both Israelite and foreign kingship.

A central thesis of this monograph is that, in spite of this historical background, the Roman empire represented a qualitatively different challenge than those Israel had previously encountered. This book argues that two main factors distinguished Rome from earlier powers: the first lies in the paradoxical similarities between Roman and Jewish self-definitions; the second in Rome’s policy toward the Jews from the reign of Vespasian to that of Hadrian, which could be interpreted as an attempt to eradicate the Jewish cult and replace Jerusalem with Rome. It is important to grasp that whereas Jews had previously been confronted with imperial aspirations that were enacted in the names of kings or royal dynasties, in the Romans they faced the imperialism of a people (*imperium populi Romani*), an aspect only partially moderated by the transition from the Republic to the Principate.⁸ Jews and Romans were two peoples who professed that a form of divine election had endowed them with a mission that would ultimately lead to universal rule and peace. This assertion was coupled with claims by each of its superior legal system and exceptional piety. For at least some Jews, these ostensible similarities fostered a sense of competition between Israel and Rome and even a fear that the latter aimed to displace the former, which the rabbis articulated by equating Rome with Esau, Israel’s twin brother and rival. As this identification can be traced to a time when Rome was still a pagan empire, it cannot be interpreted as primarily a response to Christianity.⁹ The Christianization of the Roman

8. On the evolution of the term *imperium* and how it came to refer to the corporate power and hegemony of the Roman people, see Richardson 1991; Richardson 2008, 145; Edwell 2013, 41–42, 49–51.

9. On the issues raised in this paragraph, see Chapter Two. For previous scholarship on the identification of Rome with Esau/Edom, see especially Cohen 1967; Assis 2016, 175–190; Berthelot 2016; Berthelot 2017a.

empire simply made the association all the more relevant. As Daniel Weiss has argued, it was probably the linking of Christianity with the empire—which he describes as the emergence of “Christendom”—rather than the reverse, that led Jews to label Christians as “Esau.”¹⁰

The transformation of the Roman empire from a pagan into a predominantly Christian world points us to the observation that “Rome” was in fact no more immutable than “Israel.” During the six centuries covered in this study (from the second century BCE to the fourth century CE), the Roman empire underwent dramatic transformations; an awareness of these processes is key to avoiding the inadvertent imposition of an essentialist perspective. The transition from Republic to Principate in the late first century BCE and the Diocletianic reform in the late third century CE were two major institutional and ideological turning points. Other changes had more gradual trajectories. Thus, the Roman empire that Jews experienced before the First Jewish Revolt differed from that which they faced during the mid-second and early third centuries CE and from the empire as it went through the process of Christianization during the fourth century. General references to Rome, Romans, and the Roman empire should not obscure the historical transformations that occurred during these centuries.

Nonetheless, the aspects of Roman imperial ideology that were most relevant for Jews living under Roman rule remained fairly stable from the first century BCE to the fourth century CE—namely, the identification of the Roman empire with the *oikoumenē* or *orbis terrarum* (the whole world), the hoped-for eternity of Roman rule, the unique calling and virtues of the Roman people, the superiority of Roman law, and the excellence of imperial justice. By contrast, from the late first century CE onward, Jews were a defeated people, lacking both state and Temple. The significance of Roman imperial ideology evolved for them, not on account of its intrinsic transformations but because of the deterioration of their status after three failed revolts against Rome. In the wake of these Jewish defeats, the Romans destroyed the Temple in Jerusalem, appropriated Jewish *sacra*, and replaced the Jews’ political and spiritual capital with a Roman colony. The ideological challenge intensified, for the God of the Jews had seemingly been defeated or, perhaps, had switched to the Roman side.¹¹

When discussing the nature of the Roman empire and Roman imperialism, we may also ask whether the Jews perceived themselves as confronted with Roman or Greco-Roman domination—in other terms, whether they associated Greeks with the Roman imperial project.¹² As Aleksandr Makhलाईuk observes:

10. Weiss 2018.

11. See Chapter Two.

12. See, in particular, Veyne 2005.

In light of recent research, the Mediterranean imperial state created by Romans increasingly appears as a Graeco-Roman empire in which the power was Roman, but the culture was Greek. The role played by Greek intellectuals and urban elites in inventing and ruling the Empire is now considered as one of the decisive factors for empire building and self-consciousness of the imperial governing class in general.¹³

This important insight lends balance to previous research that paid less attention to Greco-Roman hybridity. By comparison, ancient Jewish sources convey an awareness of this hybridity: when, for example, select rabbinic texts use the figure of Alexander the Great as a stand-in for Rome or prohibit teaching Greek within the Jewish community on political (not merely cultural) grounds related to Roman rule in the East, where the primary language was Greek.¹⁴ Other Jewish sources, however, including various passages from rabbinic literature, make a clear distinction between Greeks and Romans, especially when discussing the empires that had subjugated Israel.¹⁵ Moreover, the equation of Rome with Esau/Edom differentiates that empire from Greece, which is instead identified with Yavan. Thus, these sources offer ample evidence that Jewish writings both connected and contrasted Rome with the Greek world.¹⁶

It must be stressed that, as much as Romans represented a unique challenge for Jews, Jews posed a serious challenge for Rome, particularly from the mid-first to mid-second centuries CE. Three Jewish uprisings occurred within a century (in 66–73, 115–117, and 132–135 CE, according to the conventional datings), and at least the second of these spread through various regions of the empire. No other people within the Roman empire revolted on such a large scale during the reigns of Trajan or Hadrian, broadly considered a time of great prosperity.¹⁷ The relative scarcity of evidence for other revolts during that period does not imply that Jews were more prone to rebel than other provincial populations, nor am I suggesting a kind of Jewish exceptionalism

13. Aleksandr Makhlaiuk, BMCR Review of Juan Manuel Cortés Copete, Elena Muñiz Grivaljo, and Fernando Lozano Gómez (eds.), *Ruling the Greek World: Approaches to the Roman Empire in the East* (Stuttgart: Franz Steiner Verlag, 2015). See <http://bmc.brynmawr.edu/2016/2016-12-08.html>.

14. See Wilfand 2020a (on Alexander); Wilfand 2017 (on the prohibition of Greek).

15. See Chapter Two, §5.

16. Concerning the problems inherent in “Greco-Roman” as a notion, see the remarks in Dohrmann and Reed 2013, 4–7. On Greek perceptions of the process of “Romanization,” see Woolf 1994; Whitmarsh 2001. As Seth Schwartz notes, the fact that Greeks perceived themselves as distinct from Romans did not prevent non-Greek provincials from conflating Greeks with Rome (Schwartz 2020).

17. On revolts in the Roman empire, see Fuchs 1938; Dyson 1971; Pekáry 1987, esp. 142–143; Goodman 1991; Woolf 2011; Gambash 2015. Leaving the unreliable testimony of the *Historia Augusta* aside, during the reigns of Trajan and Hadrian the main case of uprising apart from the Jews seems to have been Mauretania, in 117 and 122 CE.

or essentialism here.¹⁸ Neither does this evidence prove that other provincial groups were more accepting of Roman rule: fear may have fostered passivity. Nevertheless, either they did not rebel or such unrest as occurred was localized in the form of urban rioting or rural violence. The scale of the Jewish revolts remains singular, and the Roman assessment of their importance is revealed by, among other indicators, the number of legions mobilized to crush them.¹⁹

Furthermore, if Augustine's testimony is reliable, the renowned senator and philosopher Seneca expressed anxiety and aversion toward the spread of Jewish observances: "Meanwhile," he wrote, "the customs of this accursed race have gained such influence that they are now received throughout all the world. The vanquished have given laws to their victors."²⁰ While this statement sounds like rhetorical exaggeration, it may nevertheless be related to Tacitus' claim that conversion to Judaism entailed forsaking the gods of Rome, an infringement of *pietas*, and severing civic and family ties with their incumbent duties—a violation of both *pietas* and *fides*. Such sentiments may have been common among the Roman aristocracy during the first and second centuries CE. The exclamation of Rutilius Namatianus in the early fifth century—"And would that Judaea had never been subdued by Pompey's wars and Titus' military power. The infection of this plague, though excised, still creeps abroad the more: and it is their own conquerors that a conquered people keeps down (*victoresque suos natio victa premit*)"—shows that such resentments did not entirely vanish after the second century CE.²¹ This is not tantamount to saying, as Erich Gruen writes with deliberate exaggeration and irony, that "the proliferation of Jews frightened pagans" or that "Jewish proselytizing panicked the officialdom and the populace."²² Nevertheless, among certain Roman elites, Judaism became an object of deep and long-lasting hostility.²³

18. The tendency to categorize Jews as exceptional subjects under Roman rule is exemplified by Paul Veyne's description of the Roman empire as a unified civilization, the *Romanitas*, which successfully integrated different ethnic groups, even though they retained distinct self-definitions, whereas Jews ("the Jewish theocracy") were outstanding because they maintained aspirations for "national independence" (Veyne 1980, 126).

19. See Gambash 2013, 174–177, esp. 176: "Vespasian's army was similar in scale to forces assembled for the purpose of foreign campaigns." Concerning the Bar Kokhba Revolt, see Eck 1999. On the Roman army in Judea, see also Isaac 1990, 104–107. These issues are further discussed in Chapter Two.

20. Quoted in Augustine, *The City of God* 6.11. Trans. William M. Green, LCL, 361. See also Stern 1976–1984, 1: 431–432. Cf. Horace, *Epistles* 2.1.156: "Greece, the captive, made her savage victor captive" (translation by H. Rushton Fairclough, LCL, 409).

21. Tacitus, *Hist.* 5.5.1–2; Rutilius Namatianus, *De Reditu Suo (A Voyage Home to Gaul)* 1.395–398, translation by J. Wight Duff and Arnold M. Duff, LCL, 799, very slightly modified.

22. Gruen 2016, 322.

23. Undeniably, some Romans praised distinct aspects of Judaism; moreover, conversions did occur. Yet ignorance and indifference prevailed. On Roman perceptions of Jews

These remarks notwithstanding, the Judeo-Roman encounter should not be reduced to sheer antagonism or viewed as a confrontation between distinct and immutable entities. Not only were the ways of being Roman and Jewish variable, but the boundaries between these peoples were fluid and individuals' identities could overlap. Beginning no later than the first century BCE, some Jews were granted Roman citizenship, thus establishing Roman Jews or Jewish Romans as a category well before 212 CE. In addition to Jews who were Roman citizens, all Jews living within the empire—namely, those who are the focus of this study²⁴—were not only exposed to Roman imperialism but also participants in the empire. Jews contributed to the formation of Roman imperial culture, together with other ethnic groups. However, to describe Jews as an “organ in a large cultural organism,” as Michael Satlow writes, seems to imply an overly harmonious and reciprocal relationship, insofar as every component of an organism plays an essential role in it.²⁵ For at least some Jews, their relationship with Rome was highly problematic and antagonistic. Jews' varying degrees of Romanness should not mask the asymmetrical balance of power between the vast majority of Jews and the empire.²⁶

2. *A Survey of Scholarship on “Rome and Jerusalem”*

As the work of Hess quoted above indicates, “Rome” can have a variety of meanings from a Jewish viewpoint, but its significance is for obvious historical reasons strongly colored by Christianity. Since the late 1990s, numerous scholarly works have focused on how Judaism responded to the development of Christianity and interacted with this emergent religion during the early centuries of the Christian Era. The influence of Christianity on rabbinic and medieval Judaism has been hotly debated, and as a result, traditional paradigms have shifted substantially.²⁷

and Judaism, see Feldman 1993; Schäfer 1997; Rochette 2001; Gruen 2002; Berthelot 2003; Isaac 2004; Gambash 2013; Gruen 2016.

24. The perspectives of Babylonian Jews living in the Sassanid empire are discussed in this volume solely for the sake of comparison. See §4 below.

25. Satlow 2008, 39.

26. Here, *mutatis mutandis*, I concur with Andrew Gardner's cautionary observation that “if we limit our application of postcolonial theory to attempts to describe provincial cultures as composites of fragmentary, fluid and hybrid identities, seemingly involving a fair degree of choice and subjectivity, we will fail to analyse the power relationships that create and sustain inequality” (Gardner 2013, 6). See also Rosen-Zvi 2017a, 220–221. On postcolonial theory, see §3 below.

27. See, e.g., Becker and Reed 2003; Boyarin 2004; Yuval 2006; Bar-Asher Siegal 2013; Bar-Asher Siegal 2019. Note also Sivertsev 2011, which shows how the eschatological views found in Jewish sources from late antiquity adapted motifs from Byzantine imperial ideology.

Surprisingly, the impact of pagan Rome upon Judaism did not receive similar scholarly attention until quite recently, even though it was the main power challenging Jews from the first century BCE onward.²⁸ Because the Christianization of Rome was a long and gradual process—the empire did not become Christian simply as an outcome of Constantine’s conversion in 312 CE—pagan Rome can be dated roughly from Rome’s inception until the imposition of Nicene Christianity as the sole legitimate religion of the empire by Theodosius I in 380 CE. However, the *Cambridge History of Judaism* omits the topic: volume three in this series (*The Early Roman Period*) features a chapter titled “The Legacy of Egypt in Judaism” and there are as well chapters on the sociopolitical conditions of Jews in Judea and the Diaspora, but there is not one dedicated to Jewish perceptions of Rome, Jewish responses to Rome, or the impact of the Roman empire on Jewish thought. These issues are also absent from *The Late Roman-Rabbinic Period* (volume four), although a full chapter addresses “the rabbinic response to Christianity.” Yet as Natalie Dohrmann notes, until the fourth century CE, rabbinic literature offers little evidence of anti-Christian polemics:

The preserved material gives us no reason to believe that early rabbinic identity was hardened on a “battlefield between the two competing religions” when there is scant reference to anything obviously Christian in Palestinian sources before the empire shifts in the 4th c., and even then creative exegesis is often required. Current analyses of the mid first millennium too easily elide the early centuries into a late antique narrative.²⁹

In the same vein, Ra’anan Boustán notes in his review of Daniel Boyarin’s *Border Lines*: “I found it especially troubling that pre-Christian Roman law, politics, and culture play so marginal a role in his account of developments in the second and third centuries.”³⁰ An exclusive focus on Jewish-Christian relations likely has a deleterious effect on our understanding of what was at stake for Jews, including rabbis, during the first three centuries CE (even if we acknowledge that echoes of Jewish-Christian interactions may already be identified in tannaitic literature).³¹

These remarks are not meant to minimize the significance of the numerous investigations of the relationship between Rome and the Jewish people, from their first contact with the Republic, under the Hasmoneans, through the Byzantine period.³² However, most studies of the era that preceded the Christian-

28. Dohrmann and Reed 2013, 4, 7.

29. Dohrmann 2015, 197, quoting Yuval 2011, 248.

30. Boustán 2006, 445.

31. Schremer 2009, esp. 350–351.

32. Among recent studies, see in particular Schwartz 2001; Baltrusch 2002; Eck 2007; Goodman 2007; Sivertsev 2011, on the Byzantine period; Seeman 2013, on the Hasmoneans and Rome.

ization of Rome have focused on the political, legal, and military aspects of their interactions, with little attention paid to the ideological challenge that pagan Rome posed to Judaism. It is as if Rome presented no such challenge for the Jews prior to the advent of Christianity.³³

More precisely, the issue of Rome and Jerusalem has long been studied from one of two angles. On the one hand, many works have explored the political relationship and military conflicts between the Jews and the Romans; the conditions under which Jews lived in the Roman empire, including the “Jewish privileges” that may or may not have been granted under Roman rule; and broader Roman policies and laws that concerned Jews.³⁴ On the other, considerable attention has been paid to perceptions of Rome or attitudes toward Rome in Jewish literary sources, from 1 Maccabees through rabbinic literature.³⁵ At times, these studies risk implying that Jerusalem and Rome were, by their very essence, monolithic entities that inevitably took an oppositional stance toward each other; to a great extent, this view emanates from the Jewish sources themselves.

During the past decade, research in this field has become less focused on conflict as it has developed along two intertwined lines of inquiry. One probes the Romanness of Jews who lived in the Roman empire, including Palestinian rabbis, the other the impact of Roman values, norms, and institutions on Judaism. The latter vein relies primarily on the evidence of Jewish literary texts, but takes account also of documentary sources (inscriptions, papyri) and archaeological artifacts.

The first locates Jews in their Roman context rather than viewing them as a singular people, incomparable to any other owing to their religious characteristics. Scholars of Josephus have long considered his Roman milieu, while specialists in Philo of Alexandria or the Palestinian rabbis have only more recently taken an interest in their Roman backgrounds.³⁶ Especially after 212 CE, most free Jews living within the empire, rabbis included, would

33. On the nature of this ideological challenge, see §1 above and Chapter Two.

34. Representative examples include Juster 1914; Smallwood 1976; Rabello 1980; Linder 1987; Pucci Ben Zeev 1998; Eck 2007; Avidov 2009; Heemstra 2010.

35. Among the earliest efforts to compile all rabbinic material concerning Rome is Samuel Krauss, *Persia and Rome in the Talmud and the Midrashim*, published in 1947. In *Persia and Rome in Classical Judaism*, Jacob Neusner made a similar attempt, albeit with a different methodology, which analyzes each rabbinic composition individually (Neusner 2008). See also Herr 1970; Stemberger 1983; Hadas-Lebel 1990; Feldman 1992a; Schremer 2010; Har-Peled 2013; Morgenstern 2016; Naiweld 2016.

36. On Josephus, see, e.g., Goodman 1994b; Barclay 2000, 2007; Edmondson et al. 2005; Price 2005; Rajak 2013; Tuval 2013 (esp. ch. 4). On Philo (beyond scholarly works that focus on Philo’s so-called historical treatises): Niehoff 2001, 2011, 2015, and 2018; Berthelot 2003, 2011b; Seland 2010; Hartog 2019. On the rabbis: Berkowitz 2006, ch. 6; Lapin 2012; Dohrmann and Reed 2013; Kattan Gribetz 2020, ch. 1; Furstenberg 2021. On rabbinic literature, see further the discussion below.

have been Roman citizens. On the basis of extant rabbinic writings, it has thus been argued that Palestinian Judaism represents the best-attested example of a Roman provincial culture and therefore offers historians key insights into the Roman empire.³⁷ In this framework, several studies explore such socio-cultural issues as the Jews' use of bathhouses, their attendance at theaters and banquets, or their attitudes toward the Roman calendar and festivals.³⁸ Scholarly interest in the Romanness of Jews, and of Palestinian rabbis in particular, has also developed within a broader current that saw the focus shifting away from "Romanization"—a highly contested topic among archaeologists and historians of the Roman world³⁹—and toward the dynamics of power relations between imperial authorities and provincials. The emphasis here is on cultural interactions and the role of local elites as partners in the management of empire,⁴⁰ and these studies rely in part on categories derived from postcolonial studies (discussed in greater detail below).⁴¹

The second line of inquiry examines the impact of Roman policies, laws, norms, and values on Judaism. For example, in his early writings (before he developed more nuanced views), Martin Goodman suggested that the institution of a tax collected by the *fiscus Iudaicus* (the Jewish treasury) led to an increased emphasis on religious practice in Jewish self-definition.⁴² Among recent studies, Alexandria Frisch analyzes how the Roman imperial context contributed to Jewish theological thought, and theodicy in particular, and Nadav Sharon has written a monograph on the effect of Roman domination on Jewish society and the emergence of Jewish messianism from the first century BCE to the first century CE.⁴³

37. See de Lange 1978; Lapin 2012; Dohrmann and Reed 2013, 2. For a different perspective, see Schwartz 2001, 162–163.

38. Rabbinic discussions of bathhouses have been studied extensively; see Jacobs 1998; Lapin 2012, 127–132, and further references there. On public spectacles, see Jacobs 2000; Weiss 2014. Jewish attendance at theaters, hippodromes, and other spaces dedicated to performances is attested by, inter alia, graffiti found in those venues; see Stern 2018. On banquets, see Baruch 2018. On calendars, festivals, and general approaches to time, see Stern 2001, 38–46; Kattan Gribetz 2016, 2020.

39. See Woolf 1997; Mattingly 1997 (esp. 7–15), and 2011; Inglebert 2005; on the subject of Romanization, the collection of articles in *Archaeological Dialogues* 21.1 (2014). This concept also appears in Jewish studies; see, for example, Regev 2010; Lapin 2012 (which uses the term "Romanization" in relation to the rabbis).

40. See Woolf 2020; already Woolf 1998, esp. 18, 30, 33–34.

41. See, for example, Mattingly 2011; Bryen 2012, which discusses "the story of how the provincials and Romans collaborated in developing a shared and vibrant legal culture" (776).

42. Goodman 1989. This idea is further developed in Heemstra 2010.

43. Frisch 2017; Sharon 2017.

The three-volume collection on the Jerusalem Talmud (Yerushalmi) and Greco-Roman culture edited by Peter Schäfer roughly twenty years ago includes several studies that address the impact of Roman values and legal norms on the rabbis, while also considering either Judeo-Roman relations or the Greco-Roman context of the Jerusalem Talmud more broadly.⁴⁴

Christine Hayes’ contributions to these volumes, for example, belong to the former category. In “The Abrogation of Torah Law: Rabbinic ‘*Taqqanah*’ and Praetorian Edict,” she identifies conceptual parallels between Roman law and rabbinic law; noting, for example, that the tannaitic tolerance for *taqqanot* (rabbinic ordinances that contradict legal precedents from the Torah) is best explained by the Roman use of praetorian edicts to modify civil law. In “Genealogy, Illegitimacy, and Personal Status: The Yerushalmi in Comparative Perspective,” she examines rabbinic and Roman laws on the personal status of nonaristocratic women who engaged in sexual intercourse with foreigners and slaves, and of their offspring; she concludes that the laws in both corpora were modified in the third century CE to stem the proliferation of illegitimate children, with such similarities that the likelihood of interactions between these systems cannot be dismissed.⁴⁵ More recently, Hayes has argued that the Roman use of a legal fiction to extend Roman citizenship to non-Romans for the purpose of adjudicating cases between Roman citizens and non-Romans under Roman law provided the model for the rabbis’ establishment of a formal process of conversion, which is also a legal fiction that confers membership by legal means to a person who did not originally belong to the group.⁴⁶

Scholarly reflections on the impact of Rome on ancient Judaism also owes a debt to two thought-provoking monographs by Seth Schwartz. The first volume studies the effects of Roman imperialism on Jewish society in Judea/Palestine, while the second addresses how Jews related to Roman or Greco-Roman notions of honor, euergetism, patronage, and institutionalized reciprocity.⁴⁷ In this second book, Schwartz shows that Greco-Roman social models could be simultaneously resisted and partially internalized, and he details how the rabbis devised a counter to these majority standards. My approach in the present study resembles Schwartz’s, though I examine different issues.

In her study of poverty and attitudes toward the poor in rabbinic literature, Yael Wilfand also investigates the relationship between rabbinic charity and Greco-Roman euergetism, shedding further light on the dynamics of rejection and absorption analyzed by Schwartz. She shows that the Mishnah in

44. See Schäfer 1998, 2002a; Schäfer and Hezser 2000.

45. Hayes 1998, 2002b.

46. Hayes 2017c. See also Hayes 2015, 212–218; Hayes 2017a, 166–167. On the influence of Roman legal fictions on rabbinic legal reasoning, see Moscovitz 2003, and Chapter Five.

47. Schwartz 2001 and 2014. The second volume focuses on Ben Sira, Josephus, and rabbinic literature.

particular rejects Roman norms but simultaneously integrates some aspects of the Roman model as well. More recently, Wilfand has examined the impact of the *Pax Romana* and the cult of Pax on Jewish notions of peace, and the impact of Roman laws concerning slavery and inheritance on rabbinic discussions of converts.⁴⁸

The volume by Beth Berkowitz on the death penalty in rabbinic texts is another significant contribution to our understanding of Rome's impact on rabbinic Judaism. In her investigation of whether Jewish exposure to Roman executions shaped rabbinic law on this subject, she affirms that "the discourse of rabbinic execution was engaged with Roman execution in both hidden and manifest ways."⁴⁹ According to Berkowitz, the rabbis responded to Roman power with ambivalence, conveying repulsion as well as attraction, competition with Roman norms alongside efforts to forge an alternative to that dominant culture.⁵⁰ A similar display of resistance and internalization is demonstrated by Sarit Kattan Gribetz in her monograph on rabbinic constructions of time and in an article by Sacha Stern which argues that the relationship between the Jewish lunar calendar and the Julian calendar involved both "a rhetoric of rejection and opposition" and "a subtle process of subversion, imitation, mimicry, and appropriation."⁵¹

Major studies have also addressed the relationship between Roman law and rabbinic legal thought. Natalie Dohrmann has demonstrated the impact of Roman slavery laws on the rabbinic view of manumission and of Roman literacy and legal culture on the rabbis' intellectual and religious project. In particular, she convincingly argues that rabbinic orality can be understood as a reaction against the value placed on books and writing in the Roman empire, and that the influence of Roman law on rabbinic thought is primarily evidenced not in discrete halakhic rulings but rather by the overall development of rabbinic legalism.⁵² Recently she also has observed that "the most significant evidence for the impact of the Roman tribunal on early rabbinic law is the latter's near silence on the topic of arbitration," a silence that reflects rabbinic unease with restrictions on the scope of the Torah's application in the Roman imperial context.⁵³

Scholars have long been interested in the potential influence of Roman law on rabbinic halakhah, albeit with a tendency to reach negative or circumspect

48. Wilfand 2014, 2019a, 2019b, and 2021.

49. Berkowitz 2006, 154.

50. Berkowitz 2006, 158.

51. Kattan Gribetz 2020, Chapter One; Stern 2017, 247.

52. See Dohrmann 2008, on slavery laws; Dohrmann 2015 and 2020, on orality; Dohrmann 2003 and 2013, on legalism.

53. Dohrmann 2021.

conclusions.⁵⁴ With the recent publication of various studies that affirm the influence of the Roman legal system on the rabbis, this standpoint is gradually losing ground. In addition to the contributions by Natalie Dohrmann, Christine Hayes, and Yael Wilfand outlined above, Yair Furstenberg’s work is reevaluating the role of Roman law with respect to the rabbinic codification of Jewish law. He is also studying how Roman notions of citizenship influenced rabbinic definitions of affiliation with the people of Israel: he contends that the rabbis’ understanding of membership, based on adherence to the law (in contrast to a strictly ethnic, genealogical definition), accords with the Roman model.⁵⁵ In a similar vein, Orit Malka and Yakir Paz have shown that certain aspects of rabbinic laws regarding captives borrow from Roman laws—and more generally, these authors argue for a profound impact of the Roman legal principles concerning citizenship on tannaitic halakhah.⁵⁶ The commonality among these studies is their emphasis on the integration of Roman legal concepts, principles, and categories into rabbinic reasoning rather than on the rabbis’ adoption of specific Roman laws.⁵⁷ In these discussions, “influence” does not necessarily imply direct literary dependence;⁵⁸ rather, rabbinic familiarity with Roman legal concepts may be attributed to exposure to Roman courts and legal proceedings. Moreover, oral exchanges with Greek and Roman legal experts should not be excluded a priori as complementary sources of knowledge.⁵⁹

Admittedly, a new scholarly consensus has not yet been reached. For example, Ishay Rosen-Zvi resists the assertion that the rabbis deliberately borrowed notions from Roman law (as distinct from being unintentionally influenced by it). He further claims that the Mishnah cannot be compared to any other literature composed in the Roman empire and that its rabbinic authors articulated a wholly original, nonnegotiable alternative to the empire.⁶⁰ Two caveats are appropriate here, however. First, as Rosen-Zvi himself would

54. Cohen 1966; Jackson 1975 and 1981; Katzoff 2003; Hezser 2007 and 2021; Rosen-Zvi 2017a and 2017b.

55. See Furstenberg 2019a, 2019b, and 2021; and his research project “Making Law under Rome: The Making of Rabbinic Halakhah within Its Legal Provincial Context,” funded by the Israel Science Foundation.

56. Malka and Paz 2019 and 2021. See the discussion in Chapter Five.

57. See also Berthelot 2018b, which discusses the impact of Roman norms concerning the publication of imperial edicts and letters on rabbinic interpretations of select biblical passages that pertain to the publication of the Torah on stones upon Israel’s arrival in the Promised Land (Deut 27:1–8). In this article, I emphasize that these rabbinic texts are influenced less by specific Roman practices than by general principles. The sources analyzed in this study are aggadic rather than halakhic material, but the implications are similar.

58. Contrary to Jackson 1980, 6, n. 16.

59. See Hezser 2021.

60. Rosen-Zvi 2017a and 2017b.

concede, the rabbis may have been unconscious of, and above all unwilling to admit, their integration of Roman norms. Although Seth Schwartz likewise deems the Mishnah a unique artifact within the Roman imperial context, he cautions that an analysis based solely on rabbinic resistance to Rome may be insufficient:

We must also pay careful attention to the rabbis' embrace and even internalization of some Roman values: while they claimed, not totally incorrectly, to live outside the Roman system, and recommended such alienation to their constituents, their actual position was far more complex and interesting.⁶¹

Second, if the Mishnah is to be seen as a radical, quasi-utopian alternative to the Roman order, then it necessarily represents a result of Rome's impact, even if in a negative form. I consider "impact" to encompass the articulation of countermodels (more on this issue below).

This monograph thus builds on the work of other scholars who have displayed a renewed interest in the impact of Rome on Jews and Judaism. Like some of their publications, it aims to show that the encounter with Rome led at least some Jewish groups (or individuals) to redefine certain aspects of Judaism in ways that differed from the definitions operative in Jewish writings of the Hellenistic period.⁶² In other words, this book is not an attempt to rethink the place of the Jews in the historiography of the Roman empire; rather, it strives to reconceptualize the role of the Roman empire in the history of Judaism. (These two intellectual endeavors are in fact complementary.) Instead of positing a clash of civilizations or a process of Romanization, this monograph approaches the Jews' encounter with Rome as an ideological challenge that ultimately contributed to shaping ancient, and even modern, Judaism in significant ways. Moreover, it argues that this Roman challenge to Israel was primarily political-religious rather than sociocultural, as I shall now briefly explain.

Whereas the encounter with the Hellenistic world posed not only a political, but also a cultural challenge that prompted Jews to develop a rich literature in Greek, which expanded into genres that included philosophy, theater—exemplified by Ezekiel's *Exagogē*—and exegetical commentaries, the encounter with Rome was of a different nature. Interestingly, hardly any known Jewish texts were composed in Latin. Some works may have been lost through a disruption in transmission, or because Christians were less interested in

61. Schwartz 2014, 116. On the Mishnah and rabbinic literature in general as unique literary artifacts in the Roman context, see Schwartz 2014, 113–114; Schwartz 2020.

62. As Natalie Dohrmann has persuasively argued (Dohrmann 2003 and 2013), this process is exemplified by the development of rabbinic legalism. I address this central issue in Chapter Four.

their preservation than in, for example, the oeuvres of Philo, Josephus, and earlier Jewish authors writing in Greek. However, the dearth of ancient Jewish sources in Latin is noteworthy and probably reveals that Roman culture—at least in the arts, literature, and philosophy—was not considered a major challenge to Jewish thought and culture. The Romans themselves acknowledged that, to a great extent, they had learned art and philosophy from the Greeks (though some members of the Roman elite viewed such cultural borrowings with contempt). Jews had no need to counter Roman claims of cultural superiority, because that stance was rarely expressed *sensu stricto* (which does not mean that Roman intellectual productions had no impact at all on certain Jews, at least at the individual level⁶³). Moreover, when Jews like Philo and Josephus, following Jewish authors from the Hellenistic period, asserted that Greek wisdom stemmed at least partially from Moses, they were crediting Israel’s wisdom with having indirectly inspired the Romans, via the Greeks.

The Roman challenge to Israel was first and foremost political: it was rooted in Rome’s extraordinary military strength and unprecedented imperial dominion, which the Greek historian Polybius already found astonishing in the second century BCE. And insofar as military success and power were commonly thought to be gifts from the gods, or at least the result of divine support, the problem posed by Roman hegemony was not merely political but in fact political-religious. From a Jewish perspective, it cast doubt on the authority of Israel’s God.⁶⁴

Beyond the military, the Romans excelled in the realm of law, or at least so they claimed. Despite being considered one element of culture, understood as civilization, law is primarily related to the political regulation of social life. Laws, courts, and judicial proceedings are a manifestation of power⁶⁵ that corresponds to what Max Weber described as *Herrschaft*, institutionalized, legitimacy-conferring power, in contrast to *Macht*, the raw power that is closely associated with physical violence.⁶⁶ In a Roman context, law and jurisdiction, together with taxes and the army, were building blocks of the *imperiū*. Moreover, as Cicero specialists in particular have argued, Roman elites cared about the legal aspects of imperial domination. Even though appeals to Roman civil law were, in principle, restricted to Roman citizens, non-Romans were not absolutely barred from accessing Roman courts and imperial justice.⁶⁷ Ultimately, the *Constitutio Antoniniana* (Caracalla’s edict granting citizenship to nearly all free persons within the empire, in 212 CE) eased recourse

63. For an attempt to analyze the way Philo’s ideas evolved following his stay in Rome and his exposure to Roman intellectual life, see Niehoff 2018.

64. On rabbinic discussions of God’s power and powerlessness, see, e.g., Kraemer 1995, 179–182; Schremer 2010.

65. See Dohrmann 2015, 198: “Law is a discourse about power.”

66. Weber 1972, 28–29, 122–124. See also Gotter 2008, 181.

67. On these issues, see Chapter Four.

to Roman law. This book argues that Roman imperial jurisdiction and Rome's claims regarding the quality of its laws and the efficiency of its legal system were for the Jews another facet of the Roman political-religious challenge, for such assertions defied the centrality of the Torah in their self-definition as a people and their perception of the Mosaic law as an unsurpassable legal system.

At certain times, Roman citizenship was used as an instrument of expansion and domination and was perceived as such by some provincials.⁶⁸ In particular, numerous sources testify to the Greeks' awareness that Rome granted citizenship to foreigners on an unprecedented scale, especially compared to the relative rarity of this practice in the Greek *poleis*, and that the Greeks considered this a factor in Rome's exceptional military strength. Citizenship and power are thus related notions in ancient sources, just like citizenship and law. Another argument of this monograph is that from a Jewish viewpoint, Roman policies and notions concerning citizenship were expressions of an alternative model of peoplehood, which became a component of Rome's political-religious challenge to Israel.

This study thus focuses on the interrelated notions of power, law, and citizenship and on the impact of Roman ideology and policies in these realms on Jews and Jewish thought. The book is structured as follows: Chapter One surveys the impact of previous empires on Israel, particularly from a political-religious angle. Chapter Two identifies the factors that made Rome an unprecedented challenge for Jews. Chapters Three, Four, and Five examine the impact on Jewish thought of Roman approaches to power, law, and citizenship, respectively. A brief conclusion summarizes the major findings.

Throughout this book, I analyze previously unexplored examples of the dynamics underpinning the rejection and appropriation of Roman models and present new conclusions concerning, in particular, the nature of Rome's impact on Jewish notions of law and peoplehood. This work offers the reader a synthetic analysis of vast corpuses of texts and broad issues with many ramifications. For this reason, it only occasionally provides a detailed literary analysis of a given source. Rather, it draws connections between various Jewish literary sources that are most often studied on their own—mainly Philo, Josephus, and rabbinic literature—with an interest in highlighting unexpected commonalities as well as discrepancies, either in ideological motifs or in discursive strategies. I do not posit that these materials can or should be merged into a single “Jewish response” to the challenge of the Roman empire. Even as common trends emerge, each author is distinctive; moreover, every corpus displays some level of diversity, sometimes within a single text.

Clearly, this monograph does not claim to be comprehensive. First, it neither revisits the major historical events that punctuated the relationship

68. See Ando 2016c. For a detailed treatment of this issue, see Lavan 2019a and Chapter Five.

between Jews and Romans, nor does it delve into the tangible effects of Roman policies on the political, social, and legal conditions of the empire's Jewish citizens and subjects (as distinct from Jewish perceptions of these conditions), since these topics have been the focus of numerous studies by other scholars. Second, as stated above, this volume does not address every aspect of the Roman empire's impact on Judaism; rather, it focuses on the political-religious challenge that Rome posed for certain Jews. Ultimately, this study suggests that, despite negative Jewish memories of the "wicked kingdom," Judaism would have taken a decidedly different path were it not for its encounter with Rome.

3. Responses to Empire: Theory, Terminology, and Method

Key terms and concepts that appear throughout this study are sometimes a matter of dispute among scholars and therefore require discussion.

Empire, Imperialism, and Imperial Ideology

The Roman empire may be classified as one of the tributary empires of antiquity, which, as Greg Woolf explains, "represented a system of political domination created by one people through the conquest and intimidation of a number of other peoples and often by the absorption of a number of earlier states."⁶⁹ Whereas the relevance of the word "empire" for the study of antiquity is rarely debated, the use of "imperialism" or "imperial ideology" in historical works on the ancient world is not universally accepted.⁷⁰ "Imperialism" generally implies a process of conquest, but not necessarily the exercise of a concerted strategy. Most fundamentally, imperialism includes "the practices, the theories and the attitudes of a dominating metropolitan centre ruling a distant territory," per the definition proposed by Edward Said and adopted by Myles Lavan.⁷¹ In the case of Rome, however, the "territories" ruled by the metropolitan center had different statuses, so their realities were far more complex

69. Woolf 2015, 1.

70. The introduction to Chapter One explores the question of whether scholars can agree on a single definition for "empire." Paul Veyne has argued that the term "imperialism" should not be applied to ancient Rome, but as Greg Woolf notes, "In practice it is not feasible to dispense with the labels 'empire' and 'imperialism', as similar problems face any alternative terminology" (Woolf 2015, 1, referring to Veyne 1975; see also the reservations of Nicolet 1983). As a matter of fact, most Roman historians speak of Roman imperialism. Among numerous examples, see the two thematic issues of *Ktéma* from the early 1980s "L'impérialisme romain: Histoire, idéologie, historiographie" (nos. 7 [1982] and 8 [1983]) and the recent *Companion to Roman Imperialism* (2013). On the comparison of Roman imperialism to modern imperialism and colonialism, see Ando 2016c.

71. Lavan 2013, 1, quoting Said 1993, 7.

than this definition would suggest. The important point is that Roman imperialism rested not merely on conquest and expansion, but more broadly on domination—*imperium*, the exercise of a corporate power over other nations⁷²—and on the means by which domination could be secured.

Generally speaking, imperialism is not limited to military force and taxes; rather, it encompasses as well ideas, images, and imaginings. That is to say, empire and imperialism are sustained by “imperial ideology,” a phrase that is frequently used by historians of the Roman empire, despite some reservations.⁷³ Admittedly, the term “ideology” can be misleading.⁷⁴ Especially in the Roman context, neither “imperialism” nor “imperial ideology” should be mistaken for a political program that was systematically designed from the outset. However, despite the pragmatic nature of Roman power—despite, for example, the fact that imperial decisions were often dictated by circumstances, as Fergus Millar argued in his 1977 monograph—its implementation was accompanied by ideological discourse about Roman virtues and the benefits that the empire provided for conquered peoples, claims advanced by both Roman authorities and provincial elites (for praising the Roman order served the interests of the latter).⁷⁵ Occasionally, the emperor directly participated in this discourse, as when Augustus’ *Res Gestae* were engraved in stone in various cities across the empire.⁷⁶ Nonverbal modes of communication were also harnessed to spread Roman imperial ideology. Personifications of Roman virtues (such as *pietas*, *virtus*, *aequitas*) commonly appeared on the reverse side of imperial coinage, together with words that served as mottos for the empire’s political and social benefits (*pax*, *concordia*, *fortuna*, and *salus*, among others).⁷⁷ Ideological messages also featured on monuments, statues, and military insignia. In addition, Roman agents and provincial leaders sponsored public performances (including games, festivals, and ceremonies associated with the imperial cult) that promoted imperial ideology, especially in urban centers.⁷⁸

72. Some have suggested the use of the word “hegemony” instead of “imperialism,” based on the choice of the Greek term *hēgemonia* to translate *imperium* in ancient Greek sources; see Edwell 2013, 40, 49–51.

73. Ando 2000; Rosso 2005; Lobur 2008. Historians working on other periods also use the phrase “imperial ideology”; in particular, see Sivertsev 2011.

74. For a critique of the Marxist concept of ideology, see Ando 2000, 19–23.

75. See Noreña 2011, 16: “the specific virtues and benefits communicated by the central state on various media were frequently replicated by local aristocrats, especially in the language of honorific dedications made to the emperor.” It is significant that despite the absence of systematic discourse on empire, discourse about the emperor existed. On the central role of the emperor as a figure for shaping the unity and the ideology of the empire, see Ando 2000; Tuori 2016.

76. Erskine 2010, 10.

77. Noreña 2011, Chapters Two and Three.

78. See the study of Romaia festivals in Van Nijf and van Dijk 2020. One striking example is Caius Vibius Salutaris’ foundation in Ephesus in the early second century CE, which

My understanding of imperial (or royal) ideology follows Richard Fowler and Olivier Hekster, who define it as “the entire scheme or structure of public images, utterances and manifestations by which a monarchical regime depicts itself and asserts and justifies its right to rule.”⁷⁹ Informed by Clifford Ando’s analysis of the appropriation of imperial discourse and performances by provincial populations, which shows that “imperial ideology emerges here as the product of a complex conversation between center and periphery,” Fowler and Hekster likewise emphasize that “royal ideology should be understood as a dialogue between king and subjects”—as well as, they add, their rivals and past models.⁸⁰ This approach brings into view the active participation of the subjects of imperial domination in the production of imperial ideology. Despite the intrinsic power asymmetry, subject peoples were not simply the recipients of a top-down message that was imposed on the periphery from the center. Moreover, any resistance that seeks to shift the power dynamic has an ideology of its own, as Jewish writings from the Roman period amply illustrate. Ultimately, for all parties in an imperial system, irrespective of their level of conventional power, ideology is closely intertwined with agency and self-legitimation: it serves as a tool for the acquisition, establishment, and retention of power.⁸¹

Analyzing Responses to Empire: Coping with Diversity

Postcolonialism, which emerged as a theory in the 1990s and has become an established field of study, has markedly influenced historians of the ancient world, including the Roman empire, in recent decades. A primary goal of this discipline, which initially focused on literary works produced in a modern, postcolonial context, is to study how the colonized, confronted with the power strategies of the colonizers, “made use of and went beyond many of those strategies in order to articulate their identity, self-worth, and empowerment.”⁸² In the study of ancient empires it has prompted a greater emphasis on cultural hybridity, countering, for example, assumptions of Romanization as a

provided the funding for ritual processions featuring statues of members of the imperial family and Roman collective entities such as the Senate and the Roman people (*I. Ephes.* 27A; Rogers 1991, 152–185 [Greek text and translation]; Rosso Caponio 2020, 144–150).

79. Fowler and Hekster 2005, 16.

80. Ando 2000, xiii; Fowler and Hekster 2005, 19.

81. See Carter 2003, 305. Eric Wolf argues that ideologies must be distinguished from ideas and ideation (which encompass “the entire range of mental constructs”) because ideologies “suggest unified schemes or configurations developed to underwrite or manifest power” (Wolf 1999, 4). On the connections between ideologies and power relationships within Judean society, see Keddie 2018.

82. Sugirtharajah 2002, 11. See also Ashcroft et al. 1989, which represents a founding moment for postcolonial studies.

unidirectional process that went from “Romans” to “natives.”⁸³ Although it is problematic to speak of “colonization” in the ancient world, phrases such as “subaltern,” “hybridity,” “hidden transcript,” “mimicry,” and, of course, “postcolonial” itself have become common in studies of ancient responses to imperial power, Roman or otherwise.⁸⁴

The term “hidden transcript” first appeared in James C. Scott’s *Domination and the Arts of Resistance: Hidden Transcripts* (1990), defined as follows:

Every subordinate group creates, out of its ordeal, a “hidden transcript” that represents a critique of power spoken behind the back of the dominant. The powerful, for their part, also develop a hidden transcript representing the practices and claims of their rule that cannot be openly avowed. A comparison of the hidden transcript of the weak with that of the powerful and of both hidden transcripts to the public transcript of power relations offers a substantially new way of understanding resistance to domination.⁸⁵

This resistance may seem to be characterized by informal oral communication—rumors, gossip, folktales, songs, jokes—but it is also expressed through social rituals, festivals, and artistic performances (especially theater), as well as in political acts (such as hiding crops and escaping bondage).⁸⁶ In scholarship on antiquity, the notion of “hidden transcripts” tends to overlap with that of “discursive resistance” expressed in written works. Notably, Tim Whitmarsh uses the latter concept extensively in his study of the Greek authors who are commonly identified as part of what is labeled the “Second Sophistic.” They expressed their resistance to Roman domination primarily through literary means, attempting to “define an imaginary space that resists imperial control.”⁸⁷

Another key concept that originated in postcolonial studies—and the related field of subaltern studies—is “mimicry,” which, according to Homi K.

83. See, e.g., Woolf 1997. For a critical assessment of the application of these concepts in studies of the Roman empire, especially from the perspective of archaeology, see Gardner 2013.

84. On the ways the concept of “colonization” may or may not shed light on the Hellenistic kingdoms, see, e.g., Will 1985 and Roger Bagnall’s response in Bagnall 1997. For examples of the increasingly common use of postcolonial theory in analyses of the Hebrew Bible, see, inter alia, Sugirtharajah 2002; Horsley 2004 and 2008; Davidson 2011; Boer 2013; Perdue and Carter 2015; Jones 2018. On postcolonial theory in the study of ancient Judaism, see, e.g., Boyarin 1997; Barclay 2005; Berkowitz 2006; Stratton 2009; Victor 2010; Appelbaum 2010; Seland 2010; Kaden 2011; Smith-Christopher 2014; Frisch 2017 (esp. Chapter 8); Stern 2017.

85. Scott 1990, xii.

86. Moreover, resistance can include “hopes of a returning prophet, ritual aggression via witchcraft, celebration of bandit heroes and resistance martyrs,” but its content is specific to each society; Scott 1990, xi.

87. Whitmarsh 2013, esp. 62, 76 (quotation on 76).

Bhabha (1994), arises from both the colonizers' search for a recognizable Other who resembles themselves (in morals and education, among other standards) and the subjects' tendency to imitate their rulers, an inclination that paradoxically emerges from a desire to be recognized as authentic. While appropriating elements of the dominant culture, the subaltern creates a discourse that is marked by hybridity or hybridization—that is, the juxtaposition of colonial and indigenous ideas. In Bhabha's view, mimicry and hybridity go hand in hand and destabilize colonial discourse by blurring the line between the languages of the colonizer and the colonized. Colonized subjects are seen to engage in a double-edged process of affiliation and resistance that goes beyond binary oppositions such as dominant/subaltern. Some scholars also use "mimicry" to refer to the subalterns' ironic imitation of dominant cultural and political models—namely, through parody of the "master," which constitutes a form of resistance.

Mimicry is not equivalent to "mimetic rivalry" or "mimetic desire," two central ideas in René Girard's work, which are predicated on the assumption that one's desire for a particular object is mediated by others' attraction to it.⁸⁸ In an article on the value and limitations of Girard's theory, Steven Weitzman argues that mimetic rivalry is useful for analyzing the relationship between Jews and Samaritans as depicted by Josephus. While describing the Samaritans as involved in a mimetic rivalry with the Jews, Josephus himself mimics the Romans' strategy of differentiating themselves from other peoples that claimed Trojan origins. Weitzman seems to use the terms "mimicry," "mimicking," "mimetic rivalry," and "mimetic struggle" interchangeably, emphasizing that they convey "an adaptive behavior, a tactic, whose motives and workings are best understood within the particular cultural habitat to which the mimic is responding."⁸⁹ This book speaks of a Jewish sense of rivalry toward the Romans, which is most clearly expressed in the identification of Rome as Esau. It uses the terms "imitation" or "mimesis," but restricts "mimicry" to instances where the adoption or imitation of Roman motifs may entail deliberate irony or parody.⁹⁰

Because responses to empire were extremely diverse—some might prefer to characterize them as discrepant experiences of empire—no single concept or theory can adequately encapsulate them. As a result, my choice of terminology endeavors to reflect this highly nuanced range, which includes sincere ideological and political adhesion, opportunistic collaboration, adaptation, accommodation, acculturation, assimilation, imitation, mimesis, mimicry, (mimetic) rivalry, competition, the elaboration of countermodels, subversion, resistance, opposition, revolt, rebellion, and violent insurrection. An analysis of specific historical cases and sources reveals the shortcomings of clear-cut

88. See in particular *Violence and the Sacred*, originally published in French in 1972.

89. Weitzman 2009, 922.

90. See Kaden 2011, which uses the term "mimicry" in this sense in its analysis of Agrippa's speech reported in Josephus' *B.J.*

theoretical concepts, for the tangible realities are far more complex than our discursive categories. Group and individual responses to empire can be multifaceted, comprising complementary and contradictory aspects, and they often evolve over time. Josephus perfectly illustrates this intricacy, which brings us to the specific case of Jewish experiences of Roman rule.

Jewish Responses to the Roman Empire

Jewish responses to Roman domination were manifold, ranging from revolt and harsh criticism to accommodation, imitation, collaboration, and adhesion.⁹¹ By way of illustration, let us first consider Tiberius Julius Alexander, Philo's nephew, who embodied adhesion to and even identification with the Roman empire. As a Roman citizen, governor, and general, he had an outstanding career in service to the empire. Notably, he was the procurator of Judea from 46 to 48 CE—according to Josephus, during this term he ordered the crucifixion of a number of rebels (*A.J.* 20.102)—and the prefect of Egypt from 66 to 69 CE; he supported Vespasian against his rivals and contributed greatly to Titus' victory during the siege of Jerusalem in 70 CE; subsequently, he may have become the prefect of the Praetorian Guard.⁹² Josephus states that Alexander did not remain faithful to the ancestral customs of the Jews (*A.J.* 20.100), and other sources that mention him hardly acknowledge that he was Jewish.⁹³ As far as we can tell, Tiberius Julius Alexander completely identified with Rome, as might reasonably be expected of a prominent member of the Roman elite.⁹⁴ Adhesion is further evidenced by Jews who fought in the Roman army; however, we have scant knowledge of their motivations or views on Rome.⁹⁵

Herod the Great's integration within the empire was of quite a different type, which may be characterized as a combination of collaboration and imitation. Antipater, his father, was granted Roman citizenship by Julius Caesar in 47 BCE, as a reward for his military support during the latter's war in Egypt.⁹⁶ However, it is unclear whether citizenship was automatically conferred upon

91. Scholars have paid more attention to revolts than to Jewish pro-Roman positions. On the latter, see Wilker 2012.

92. See Turner 1954; Schürer 1973, 456–458; Méléze Modrzejewski 1995, 185–190; Appelbaum 2018, 106–108.

93. Tacitus, *Hist.* 1.11.1, states that Tiberius Julius Alexander was Egyptian. On the status of Jews in Roman Egypt, see Méléze Modrzejewski 1995.

94. We have evidence that other Jews served in the imperial administration up to at least the fourth century CE; see Gary 2004 on Jews who held the office of *palatinus*, *procurator*, or *comes*.

95. See Oppenheimer 2005; Schoenfeld 2006; Roth 2007; Rocca 2010; and Chapter Three. According to Schürer, the Julius Alexander who was a legate under Trajan in the Parthian War, mentioned in Cassius Dio, *Roman History* 68.30.12, was probably a son or grandson of Philo's nephew (Schürer 1973, 458, n. 9).

96. Josephus, *A.J.* 14.137, 16.53.

Antipater's progeny. What is clear is that Herod was a client king of Rome who was characterized as *philorhōmaios* ("friend of the Romans"; *OGIS* 414) and *philokaisar* ("friend of Caesar" or "friend of the emperor"; *JG* II² 3441).⁹⁷ In this case, collaboration and loyalty were accompanied by imitation, as in the Augustan themes and motifs manifested in Herodian coinage and architecture and in Herod's identification with Augustus' political program.⁹⁸ However, Herod's royal ideology was twofold, referencing both Augustus and David and Solomon.⁹⁹ His renovation of the Jerusalem Temple exemplifies this dual association, linking Herod with Solomon, who constructed the First Temple, and with Augustus, whom Livy described as the "founder and restorer of all sanctuaries" (Livy, *History of Rome* 4.20.7).¹⁰⁰ The differences between Tiberius Julius Alexander and Herod illustrate the diverse responses and self-definitions of the Jewish elite who supported Rome and may have enjoyed Roman citizenship.¹⁰¹

At the other end of the spectrum are the Jewish revolts against Rome (to which I will return in Chapter Two). Criticism and depictions of Rome as violent, cruel, greedy, and generally malevolent appear in varying degrees and guises from 1 Maccabees and apocalyptic literature through late rabbinic works. Jewish apocalyptic texts in fact have been interpreted as resistance literature, replete with hidden transcripts (since the imperial powers they target are not explicitly mentioned).¹⁰² Anthea Portier-Young describes them as a form of "discursive resistance against imperial hegemony and structures of domination" while acknowledging that, in select cases, these works moved beyond discursive resistance to advocate active political resistance of the sort that could spark insurrection.¹⁰³ Elsewhere, I have argued that Philo's writings also allusively criticize Rome, even though he valued some attributes of

97. Geiger 1997; Wilker 2005; Curran 2014. On the title *philokaisar*, which Herod may have been the first to adopt, see Suspène 2009. The title is also attested on two stone weights from Judea.

98. See Netzer 2006; Bloch 2006, which argues that some of Herod's actions should be interpreted as *imitationes Augusti* (132); Regev 2010, esp. 199–200; Jacobson 2015, which takes particular note of the presence of an *aplustre*—a motif typically associated with Augustus' victory at Actium—on a Herodian coin, *RPC* I.1 no. 4904. On the connections between Augustus and various aspects of Herod's rule, see also Jacobson and Kokkinos 2009.

99. Ilan 1998; Rocca 2008; Marshak 2015, 282.

100. Bloch 2006; Jacobson 2007.

101. Josephus is yet another interesting case; see Goodman 1994b.

102. For an early study of apocalyptic literature as a form of resistance, see Eddy 1961. In contrast, Jones 2011 considers that Jewish apocalyptic works produced after 70 CE do not convey a message of resistance (278).

103. Portier-Young 2011 and 2014, 145. However, she also cautions against considering resistance as a definitional function of apocalyptic literature. See also Smith-Christopher 2014; Keddie 2018; Chapter One, §4.

the empire, such as the relative peace that prevailed during the Augustan period.¹⁰⁴ Despite Josephus' privileged position as a Roman citizen and Vespasian's protégé after the First Jewish Revolt, his work too contains underlying criticism of Rome.¹⁰⁵ And obviously, many rabbinic texts fiercely condemn Rome.¹⁰⁶

Nevertheless, the rabbis had an ambiguous relationship with the empire: Rabban Yohanan ben Zakkai—the renowned leader who, according to rabbinic tradition, famously escaped from Jerusalem with his followers in 70 CE to establish an academy in Yavneh—is said in rabbinic sources to have prophesied to Vespasian that he would become emperor, a prediction for which Josephus also takes credit. As Seth Schwartz notes, even though “the rabbis proclaimed their alienation from normative Roman culture in every line they wrote,” the fact remains that they “were not apocalyptists: for all their show of resistance to Rome, there is an important accommodationist strain in their writings.”¹⁰⁷ Catherine Hezser takes this position one step further:

Rabbis lived in Romanised cities and adapted themselves to this environment. One may even argue that they profited from Romanisation and its consequences. This development allowed them to present themselves as a local intellectual elite whose functions resembled those of Roman jurists in the adjudication of (minor) civil law cases.¹⁰⁸

Varied and even opposing notions such as resistance, alienation, adaptation, and accommodation are appropriate to describe the rabbis' varied strategies and attitudes vis-à-vis the Roman empire as expressed in rabbinic literature. Schwartz draws our attention to an additional point: according to him, the Mishnah compels us “to re-think the theory-driven hypothesis that resistance must take the form of mimesis, since the Mishnah is not mimetic of any Roman or Greco-Roman text or complex of ideas.” More precisely, he contends that the inhabitants of the Roman empire “proved capable of significant acts of agency, that is, episodes of cultural production that were indubitably reactive or mimetic but were not simply that. They were creative too—innovative expressions of local ‘great traditions.’”¹⁰⁹

Building on Schwartz's observations, two points are worth reiterating. First, it would be misleading to assess Jewish responses to the Roman empire as dichotomous, characterized as collaboration versus resistance, for example,

104. Berthelot 2011b.

105. Mason 2005b. On Josephus' expectation that Rome would ultimately be subject to divine retribution, see Rajak 1991; Spilsbury 2003; Price 2005.

106. Hadas-Lebel 1990.

107. Schwartz 2014, 116.

108. Hezser 2021, 307. On the relationship between rabbis and cities, see Hezser 1997, 157–165. See also Lapin 2012.

109. Schwartz 2020, 410.

or accommodation versus opposition. Even a superficial reading of the sources confirms that there was no such either-or paradigm. Second, the adoption of Roman notions or practices should not be viewed as a passive process, a core assumption of outmoded, top-down models of Romanization. Adoption goes hand in hand with adaptation—that is, with transformation and inventiveness—since no cultural element can be transferred *à l'identique* from one context to another. Thus, when this book speaks of the adoption of Roman ideas by Jews in antiquity, it envisions an active and creative dynamic. Indeed, one of my purposes is to analyze the inventiveness that characterized certain Jewish responses to Roman imperial culture and policies, including the use and adaptation of Roman notions to rethink Jewish ancestral traditions.

Throughout this volume, I use the term “impact” in reference to Rome’s role in the history of Judaism. A clarification is in order: in my understanding, “impact” has a wider scope than “influence.” An impact serves as a trigger or catalyst, whereas an influence results from the conscious or unconscious adoption and integration, within a given system, of elements that did not originally belong to it. (Note that influence as such does not presuppose knowledge of literary traditions, as is sometimes assumed.) An impact may have an effect even absent such absorption, as in a case of sheer rejection. I therefore consider the spurning of Roman norms and the devising of countermodels to be evidence of impact. In turn, influence appears as a subcategory of impact.¹¹⁰

As Bernard Jackson rightly observes, noting that a particular institution or idea has been influenced by another cultural framework falls well short of a complete analysis of the transaction.¹¹¹ It is crucial to investigate the use and transformation of the adopted cultural notion, as well as its emergent role in the new context. The adoption and appropriation of external elements are dynamic and creative processes that can also be subversive, as when these elements are used to delegitimize the Other.

Admittedly, it is not easy to ascertain whether or how a borrowing, an influence, or, more broadly, an impact has occurred. The identification of an influence generally starts with the observation of parallels between texts, material artifacts, architectural remains, or other cultural artifacts. In a famous essay titled “Parallelomania” (1962), Samuel Sandmel rightly questioned the scholarly tendency to compile lists of (often superficial) parallels without giving sufficient attention to their context and significance. His analysis remains instructive. Scholars should recognize that similar phenomena may be the outcomes of independent developments in their respective contexts rather

110. Scholars all craft their own definitions to some extent. For example, for Jason M. Silverman, “‘influence’ designates the reshaping, selection, and/or interpretation of ideas, stories, characters, or doctrines from the native traditions due to interaction with another culture. This can be conscious or unconscious, positive or negative” (Silverman 2012, 34). One’s adherence to clear and consistent usage is what matters most.

111. Jackson 1975, 15.

than the results of direct contact. Yet, denying the potential effects of societal and interpersonal engagement, even in asymmetric power relationships, would be equally problematic.

Michael Satlow has argued that notions such as influence, resistance, and accommodation “turn culture into static binary encounters.”¹¹² However, it seems reasonable to contend that there is nothing inevitable about this process. Essentialist views of peoples and cultures *may* underlie the scholarly use of terms like “influence,” “resistance,” and “accommodation,” but not necessarily. As a matter of fact, the suggestion that Jewish customs, traditions, literature, and other forms of cultural production were influenced by—and possibly contributed to—the surrounding cultures affirms a nonessentialist vision of Judaism as dynamic and evolving.

I now turn to the term “Judaism” itself, which has been the subject of repeated controversy in recent years, over both the translation of *Ioudaios* as “Jew” or “Judean” and the definition of “religion.”¹¹³ In the present study, “Judaism” is first and foremost synonymous with Jewish thought (conveyed in literary works), social norms, and customs (including rituals). “Judaism” may thus be broadly defined as the culture and way of life of the Jewish people, rooted in the Torah but potentially at variance with it. In view of this definition, the etic quality of the term “Judaism” is not intrinsically problematic, so long as it is not used in an essentialist or normative way—and this proviso applies also to the words “Jew” and “Judean,” along with many others.

The greatest difficulty for the inquiry undertaken in this volume is the limited range of available sources, due to the fact that much ancient Jewish evidence is now lost. As Seth Schwartz has especially emphasized, scholars tend to extrapolate overarching narratives from discontinuous and heterogeneous data.¹¹⁴ Jewish sources from antiquity are dominated by highly idiosyncratic literary artifacts—such as the books of the Maccabees, the Dead Sea Scrolls, the writings of Philo and Josephus, various apocrypha and pseudepigrapha, and the rabbinic corpus—complemented by some numismatic items, inscriptions and papyri, archaeological remains, and select Greek and Roman materials. Even when aggregated, this evidence provides only glimpses of the varied Jewish responses to the Roman empire and of how Jews redefined themselves and their traditions in that imperial context. Much need be read between the lines. Moreover, these sources allow us to speak of certain groups

112. Satlow 2008, 38.

113. Satlow 2006 and 2008; Mason 2007; Boyarin 2007 and 2009; Nongbri 2013; Barton and Boyarin 2016; Boyarin 2019 (Boyarin’s argument, on “Judaism,” is based on the assumption that this term refers to “religion,” itself a modern notion). The bibliography on these issues is abundant. See the response to Mason and Boyarin in Schwartz (Seth) 2011; Miller 2010, 2012, and 2014; Schwartz (Daniel) 2014.

114. Schwartz 2001, 1–3.

or individuals, but not of Jews as a whole. Nevertheless, scholarly writing often makes sweeping assertions, inferring the general from the particular.

Admittedly, my own inquiry disproportionately relies on rabbinic sources. This does not depend on a conviction that these teachings were necessarily representative of Jewish thought or that they were considered authoritative by most Jews already during the first three centuries CE,¹¹⁵ but rather because other than the writings of Josephus, rabbinic literature provides the best textual evidence for how a particular group of Jews responded to Roman domination. Moreover, this corpus has played a major role in shaping Judaism from late antiquity (or the early Middle Ages) through the present.¹¹⁶ On the one hand, as Schwartz asserts, “the political marginality of ‘rabbinic Judaism’ matters profoundly both for our understanding of it and for our interpretation of rabbinic texts, not to mention for its impact on our understanding of the history of the Jews in the period of its consolidation.”¹¹⁷ On the other, the extent to which rabbinic teachings epitomized or shaped Jewish attitudes and religious practices during the early centuries of the Common Era is not central to this book’s argument, first because all Jewish responses to Rome are of interest to me irrespective of their representativeness, and second because ultimately, the impact of rabbinic literature on Jewish thought and praxis in the *longue durée* is highly significant.

An inherent methodological problem is posed by the use of rabbinic writings to reconstruct Jewish, or at least rabbinic, responses to the Roman empire prior to its Christianization; namely, the challenge of dating this literature. On the whole, the traditions gathered in the Mishnah, Tosefta, and halakhic midrashim can be dated confidently to the period before Christianization (even if we take into account the possibility of later editorial glosses), whereas the final elaboration of other works—the Jerusalem Talmud, later midrashim such as Genesis and Leviticus Rabbah, and homiletic compositions like *Pesiqta deRav Kahana*—took place during the fourth and fifth centuries, in a Christian context. However, we must keep in mind that the empire’s process of Christianization was a slow one, which entailed major changes alongside a great deal of continuity, and so modified rabbinic perceptions of Rome only gradually and partially. Moreover, insofar as the later collections incorporate traditions that predate the empire’s Christianization, their relevance should

115. On the limits of rabbinic authority during the first centuries CE, see Goodman 1983, 101–111, 119–134; Hezser 1997; Schwartz 2001; Lapin 2012, 113–125. For a critical view of the scholarly trend that sees the rabbis as marginal during the first three centuries, see Brody 2017, and the references quoted in n. 2 in Brody’s article; Miller 2017 (which responds to Schwartz 2001 and Lapin 2012 in particular). This book does not limit this question to Jews living in Roman Palestine, but looks at Jewish communities in the Roman empire as a whole.

116. See Kraemer 2013, 219–220.

117. Schwartz 2001, 2.

not be dismissed automatically because of the late timing of their completion. Each passage merits individual assessment. As Jacob Neusner has forcefully argued, attributions to particular rabbis are not a reliable way to date rabbinic traditions.¹¹⁸ Yet, while these attributions should not be accepted uncritically, they are not to be discarded systematically either. In some instances they may be accurate, or at least convey memories of the historical context in which certain events and discussions took place.¹¹⁹

With respect to the Babylonian Talmud (also known as the Bavli), its Sasanian context and its redactors' interventions when engaging with Palestinian rabbinic traditions prevent us from treating it as direct testimony of the experiences of Jews who lived under the Roman empire.¹²⁰ Therefore, the Bavli is primarily referred to here in a comparative perspective, especially when it features a Babylonian version of material from a Palestinian rabbinic work, thus shedding light on that Palestinian version. As far as the Roman empire's long-term impact on Judaism is concerned, the Bavli represents a key element in the chain of transmission—given its popularity in later Judaism—but at best it offers indirect and secondary testimony of the actual experience of Jews in the empire. When discussing rabbinic sources, I will thus clearly differentiate between earlier and later works and between those of Palestinian and Babylonian provenance.

118. Neusner made this point in numerous publications; on the meaning of such attributions, see Neusner 1995. See also Green 1978.

119. See in particular Hayes 2000; Schwartz 2001, 8. See also Sysling 1996, 111–114.

120. See also Hodkin 2014.

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