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Josephus As Political Philosopher: His Concept Of Kingship

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Josephus As Political Philosopher: His Concept Of Kingship

Abstract
Scholars who have discussed Josephus’ political philosophy have largely focused on his concepts of aristokratia or theokratia. In general, they have ignored his concept of kingship. Those that have commented on it tend to dismiss Josephus as anti-monarchical and ascribe this to the biblical anti-monarchical tradition. To date, Josephus’ concept of kingship has not been treated as a significant component of his political philosophy. Through a close reading of Josephus’ longest text, the Jewish Antiquities, a historical work that provides extensive accounts of kings and kingship, I show that Josephus had a fully developed theory of monarchical government that drew on biblical and Greco-Roman models of kingship. Josephus held that ideal kingship was the responsible use of the personal power of one individual to advance the interests of the governed and maintain his and his subjects’ loyalty to Yahweh. The king relied primarily on a standard array of classical virtues to preserve social order in the kingdom, protect it from external threats, maintain his subjects’ quality of life, and provide them with a model for proper moral conduct. While monarchical government depended largely on the personal power of the king, the king was obligated to uphold Mosaic Law, which would affirm his allegiance to Yahweh and prevent him from governing tyrannically. The one area in which the king shared power with another authority figure was in administering cult. Josephus held that the ideal king largely delegated responsibility over cultic rituals to the priesthood. Josephus was therefore not anti-monarchical; he had a hybrid theory of monarchical rule that constituted a substantial component of his broader political thought. In addition to casting light on an overlooked aspect of Josephus’ theory of government, my thesis also demonstrates that Josephus’ historical writings provide essential information about his political philosophy.

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JOSEPHUS AS POLITICAL PHILOSOPHER: HIS CONCEPT OF KINGSHIP

Jacob Douglas Feeley

A DISSERTATION

in

Ancient History

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in

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To Elana, Zev, and Ariav
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ABSTRACT

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Jacob Feeley

Julia Wilker

Scholars who have discussed Josephus’ political philosophy have largely focused on his concepts of aristokratia or theokratia. In general, they have ignored his concept of kingship. Those that have commented on it tend to dismiss Josephus as anti-monarchical and ascribe this to the biblical anti-monarchical tradition. To date, Josephus’ concept of kingship has not been treated as a significant component of his political philosophy. Through a close reading of Josephus’ longest text, the Jewish Antiquities, a historical work that provides extensive accounts of kings and kingship, I show that Josephus had a fully developed theory of monarchical government that drew on biblical and Greco-Roman models of kingship. Josephus held that ideal kingship was the responsible use of the personal power of one individual to advance the interests of the governed and maintain his and his subjects’ loyalty to Yahweh. The king relied primarily on a standard array of classical virtues to preserve social order in the kingdom, protect it from external threats, maintain his subjects’ quality of life, and provide them with a model for proper moral conduct. While monarchical government depended largely on the personal power of the king, the king was obligated to uphold Mosaic Law, which would affirm his allegiance to Yahweh and prevent him from governing tyrannically. The one area in which the king shared power with another authority figure was in administering cult. Josephus held that the ideal king largely delegated responsibility over cultic rituals to the
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INTRODUCTION

This dissertation has two goals: the first is to show that Josephus had a systematic theory of monarchy; the second is to demonstrate that Josephus’ historical works can and should be appreciated as works of political philosophy.1

Scholarship on Josephus uses him as a sort of encyclopedia, dipping into his writings for the purpose of gaining information used to prove or disprove a claim about Jews in the Greek and Roman world, Roman provincial rule, or the early Christian movement.2 In contrast, this thesis explores the political thought of Josephus. It treats him as a political thinker who had a sustained and systematic conception of kingship, and in elaborating on it drew from Greek, Roman, and Jewish traditions. The subject of kingship is particularly well suited for illustrating Josephus’ political philosophy because so much of his historical writings, especially his longest work, the Jewish Antiquities, cover the reigns of kings, both Jewish and non-Jewish.

1. Methodology

In approaching Josephus as a political philosopher, my work builds on but also departs substantially from several common approaches and methods that in the past few

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1 Translations of Josephus’ works, with occasional modifications, follow the Brill Josephus Project edited by Steve Mason. For those books from Antiquities that have not been translated by the Brill Josephus Project, I have used the Loeb Classical Library edition; these include Antiquities, Books 11-14 and 16-20. For Antiquities 19.1-273, however, which recounts the conspiracy to assassinate Caligula, I have used T.P. Wiseman’s translation in The Death of an Emperor. Significant departures from these translations are noted within the dissertation. Translations of the Pentateuch, Joshua, Judges, 1 and 2 Samuel, and 1 and 2 Kings come from Robert Alter’s The Five Books of Moses and Ancient Israel. Passages from all other biblical books come from the Jewish Publication Society English-Hebrew Tanakh. For the Dead Sea Scrolls, I have used the translations in the Dead Sea Scroll Study Edition, edited by Florentino García Martínez and Eibert Tigchelaar. In general, translations of Classical authors come from the Loeb Classical Library edition; exceptions are noted within.

2 For a relatively recent treatment and critique of this approach, see S. Mason (2003c). For a sustained defense of it, see D. Schwartz (2013).
decades scholars have used to present Josephus as a thinker and writer as opposed to merely a source for historical research. The late Louis Feldman, Steve Mason, and Daniel Schwartz have perhaps done the most to call attention to Josephus the writer and thinker, and through distinctly different approaches and methods. Steve Mason and Daniel Schwartz began publishing in the 1980s and are still producing scholarship on Josephus. Louis Feldman produced most of his work on Josephus in the 1970s, 1980s, and 1990s.

In numerous articles, most of which date to the 1980s and early 1990s, Feldman analyzed *Antiquities*’ rewritten accounts of biblical sources and demonstrated how Josephus presented key biblical figures in the mold of the legendary Greek and Roman heroes, complete with classical virtues and attributes. Feldman argued that Josephus’ intent was to counter Greek and Roman anti-Jewish perceptions and stereotypes, such as the charge that the Jews were misanthropic or possessed no great historical figures. Feldman saw a similar apologetic agenda behind Josephus’ political ideas, including his decision to frame the Jews’ ideal constitution as aristocratic.

Steve Mason used a different interpretive methodology, and presented an alternative perspective of Josephus as writer and thinker to the one offered by Feldman. Mason emphasized the importance of reading Josephus’ writings as complete works of literature, with due attention to the author’s rhetoric and immediate readership and social and historical context in late first century CE Rome. Moreover, he presented Josephus as a confident Judean priest who paraded Judaism’s virtues and stressed the common values

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3 These contributions are conveniently collected in Feldman (1998a); (1998b).
5 Feldman (1998a) 140-149 (esp. 144-145).
6 See Mason (2009a) 7-44, 103-137.
and ideals between Judean and Roman cultures in part to attract Romans who were curious about Jews and Judaism. His Josephus, in contrast to Feldman’s, was not an apologist anxious to fend off anti-Jewish slanders.

Mason’s approach has greatly influenced other scholars. Sören Swoboda, for example, employs it in his recent contribution, “Josephus’s Political Vision: Policy and Career Ambitions.” Swoboda argues that Josephus strategically presented his political thought in the *Jewish War* in order to advance his political career in Flavian Rome and persuade the Flavian authorities to treat him as a reliable mediator between Rome and the Jews. For example, he notes that Josephus championed Jewish accommodation to Roman rule, and omitted mention of the Jews’ various constitutions in order to avoid subjects that touched on Judean sovereignty and threatened Flavian interests. In short, Swoboda, focusing primarily on the *Jewish War*, presents Josephus as a shrewd political opportunist.

Like Mason and Feldman, Daniel Schwartz takes Josephus seriously as an author and thinker, but he prefers to illustrate this through the German-based source-critical method (*Quellenforschung* and *Quellenkritik*). In his 2013 monograph, *Reading the First Century*, Schwartz has defended this method and demonstrated its interpretive value. Through numerous examples, he shows how finding contradictions,

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7 For an exemplary case of Mason’s approach, see Mason (1998). For other examples, see Mason (2009b); (2003a); (2003b).
8 S. Swoboda (2017).
9 Ibid., 55-61.
10 Schwartz is by no means the only scholar in recent decades to use the source-critical method, but he has undeniably been its most energetic and prolific advocate. Many others, including Feldman, have used this method. See, for example, M. Toher (2003); S. Cohen (1979); Feldman (1962).
11 Schwartz (2013). His main opponent is Mason, who argues that Josephus’ historical works cannot be used to reconstruct the past, such as first century CE Judea; Mason (2003c).
inconsistencies, and variations of vocabulary in Josephus’ writings enables scholars to distinguish Josephus from his non-extant sources, and therefore identify Josephus’ authorial voice. In other words, Schwartz uses the source-critical method to do for Antiquities 11-20 what Feldman and others have done for Antiquities 1-11.

In exploring Josephus’ theory of kingship, I draw on some of the approaches and methods of these scholars, but depart from them in significant ways. Like Mason, I approach Josephus’ writings as complete works of literature and situate them in their immediate Roman context; but not in order to present Josephus as a proud Judean who sought to emphasize the shared values of Judean and Roman societies to his Roman readers, and foster their interest in Judean culture. Rather, I read them (i.e. Antiquities) holistically because this is the only way to see Josephus’ model of how the ideal king should and should not govern. It is only through reading Antiquities in its entirety that we can see a pattern emerge in the sorts of qualities that Josephus ascribed to the ideal king. In this way, we can determine Josephus’ conception of what constituted an ideal king: how he obtained power, in what manner he governed, what his responsibilities were, and what factors determined his legitimacy. Thus, for the purpose of illustrating Josephus’ philosophy of kingship, I prefer Mason’s hermeneutic to Schwartz’s Quellenforschung-based approach. Unlike Schwartz’s approach, Mason’s does not limit the researcher only to those sections of Josephus’ writings that betray contradictions, inconsistencies, and variations of vocabulary.

Like Mason and Swoboda, I set Josephus’ writings in their Roman context; however, I do not share their view that it is possible to determine the specific aims of Josephus’ works by focusing on his late first century CE Roman audience. We lack the
kind of evidence—what circles he moved in, who his friends were, what his connection to the Jewish community was—that would allow us to substantiate the historical claim that he was writing to persuade a specific segment of the Roman populace: in Mason’s case, Roman elites interested in Judaism; in Swoboda’s, influential Roman politicians who had the power to advance Josephus’ political career. Rather, I situate his works in their Roman context in order to underscore the crucial role that classical virtues played in his concept of the ideal king, and ultimately to present him as a serious political thinker. Like his Roman and Roman-Greek contemporaries Seneca, Pliny, and Dio Chrysostom, Josephus associated certain attributes (temperance, clemency, piety, munificence, magnanimity, and munificence) with the ideal king; these he merged with the traditional biblical concept of the ideal king. I consider this approach to reading Josephus’ works in their Roman context more hermeneutically reliable than the approach employed by Mason and Swoboda.

Like Feldman, I compare Antiquities 1-11 with the Hebrew Bible and show how Josephus Hellenized and Romanized biblical figures by endowing them with typical classical virtues. Unlike Feldman, I do not employ this method to illustrate Josephus’ apologetic aims to counter Greek and Roman anti-Jewish slander. Rather, I use it to

12 For a limited but salutary critique of Mason’s view that Josephus was addressing Flavian elites, see H. Cotton and W. Eck, (2005), who point to the lack of evidence that Josephus had any connection with senatorial or equestrian elites in Flavian Rome.
13 Of course there were numerous versions of the biblical text when Josephus lived and wrote, and we cannot know precisely which one(s) he used when composing Ant. 1-11. Exercising caution and checking all the extant biblical sources (MT, versions of the LXX, and biblical fragments from Qumran), however, can help prevent ascribing a Josephan adjustment or addition to the MT to what was in fact Josephus’ use of a different version of that biblical account. When it is difficult to establish whether a passage reflects Josephus’ view or that of his sources, I use the particular passage only to reinforce a point supported by other textual evidence.
illuminate the specific qualities that Josephus considered essential for the ideal king. I
focus only on his rewritten accounts of biblical kings and how they accord with the
typical Hellenic construct of the ideal king. Once these qualities are assembled, I consider
what they tell us about Josephus’ concept of the ideal king. Josephus’ emphasis on the
qualities of anger restraint, temperance, and leniency, for example, indicate that he
conceived of monarchical government as heavily dependent on the personal power of the
king, and also that the king had few formal restraints on his power. Thus he considered
the ideal king to be someone who could restrain and reign in his impulses and emotions.
This indicates that he harbored ambivalent but not negative views on kingship, as some
scholars assume. Through this method, I also illustrate how Josephus fused biblical and
Greco-Roman conceptions of ideal kingship. For example, I show how Josephus
modified the Greek virtue of φιλοτιμία (“love of honor”) and ascribed it to biblical kings,
a quality that as traditionally understood conflicted with the core requirement of the
biblical king to be humble and obedient towards Yahweh.

Another key difference between my approach to reading Josephus and those
employed by Feldman, Mason, and Swoboda is that unlike these scholars, I take Josephus
seriously as a political thinker. All three present Josephus’ political thought in terms of a
specific agenda, which he developed in response to his immediate circumstances in late
first century CE Roman society. For Feldman, this was to combat anti-Jewish slander; for
Mason, to facilitate Roman interest in Judean culture; for Swoboda, to advance his
political career. Although they give different explanations for Josephus’ political thought,
none of them approach it as serious political philosophy; they do not, as I do, treat it as
abstract reflections on the nature, function, and various forms of authority.
I share Daniel Schwartz’s view that Josephus was a serious thinker and writer, and that he had a political theory. However, I do not think it necessary to use the source-critical approach in order to identify Josephus’ authorial voice and hence his political theory in the sections of his historical works for which extant sources are lacking (i.e. *Antiquities* 11-20). In order to distinguish Josephus’ own compositions from the sections of *Antiquities* that are not copied from biblical sources, I use the interpretive method favored by Mason. That is, I read Josephus’ works holistically and look for recurring themes, motifs, and rhetoric (dealing in particular with kingship) that appear throughout the entirety of *Antiquities* in order to differentiate between Josephus’ voice in *Antiquities* 11-20 and that of his sources.

Throughout *Antiquities* 1-11 Josephus alludes to a set of virtues and qualities, mostly classical, that kings and leaders should possess. For example, in additions to four different biblical accounts, Josephus indicates that kings should possess, among other qualities, the virtue of ἐπιεικεία (“reasonableness;” “leniency;” “mercy”). In two of these cases, Josephus considers episodes where subjects may have committed offenses against the king’s person or the kingdom. In one of these cases, he indicates that ἐπιεικεία is an essential quality for kings. In another case, he emphasizes that ἐπιεικεία is an essential quality for kings.  

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14 Schwartz (1983/84).
15 Apart from Jos. *Ant.* 12.11-118, which is based on the *Letter of Aristeas*, and *Ant.* 12.240-13.214, which is based on 1 Maccabees.
16 Mason, (2003) 151-154, has criticized Schwartz’s approach using this interpretative methodology. His critique represents a typical critique of source-criticism, which Robert Alter (1981) used to great effect when illuminating the literary quality of biblical prose.
18 Jos. *Ant.* 6.144, 6.263.
particular should overlook personal insults and restrain their anger. It is clear that Josephus valued ἐπιεικεία and anger-restraint in kings, since these values are not explicitly mentioned, much less emphasized, in the parallel biblical accounts that approximate the biblical sources Josephus used to write Antiquities 1-11. Yet Josephus does not only allude to the importance of these qualities for kings in Antiquities 1-11. In Antiquities 19.333-334, a passage I return to in Chapter One, Josephus praises king Agrippa I for exhibiting these same qualities and acquiting a subject who had injured his person. One of the king’s generals apprehended a certain Simon for trying to drum up support to bar the king from the temple. Here is Josephus’ description of what followed:

The king thereupon sent for him, and, since he was sitting in the theater at the time, bade Simon sit down beside him. “Tell me,” he then said quietly and gently, “what is contrary to the law in what is going on here?” Simon, having nothing to say, begged pardon. Thereupon the king was reconciled to him more quickly than one would have expected, for he considered mildness a more royal trait than anger (τὴν προφτητα κρίνων βασιλικωτέραν ὀργῆς), and was convinced that reasonableness is more becoming in the great than wrath (τοῖς μεγέθεσι θυμοῦ πλέον ἐπιείκειαν). He therefore even presented a gift to Simon before dismissing him.

Why Simon thought Agrippa should not be allowed to enter the temple and what role the theater plays in this account are interesting questions. For our purposes, however, the important point is that Josephus alludes to the same royal values and ideals—leniency

20 Jos. Ant. 6.304: καὶ τὸν θυμὸν καὶ τὴν ὀργὴν τὴν ἐπὶ τὸν ἄνδρα μου καὶ τὸν οἶκον αὐτοῦ εἰς τὴν ἐμὴν τιμὴν ὥφης; πρέπει γὰρ ἡμέρῳ σοι καὶ φιλανθρώπῳ τυγχάνειν, καὶ ταῦτα μέλλοντι βασιλεύειν.
21 Josephus did not only rely on biblical sources in composing Ant. 1-11. For example, he cites the work of such ancient authors as Berossus, Nicolas of Damascus, Hestiaeus, Alexander Polyhistor, and Herodotus; and arguably drew on the Letter of Aristeas. On Josephus’ use of non-biblical sources in Antiquities, see G. Sterling (1992) 258-290.
22 Jos. Ant. 19.332.
24 Schwartz, (1990) 124-130, addresses them in his analysis of the encounter between Simon and Agrippa I.
and anger-restraint—in Antiquities 12-20 that he does in Antiquities 1-11. The passage may come from a source; but if so—and this is unverifiable—Josephus clearly selected it to show that Agrippa possessed the kinds of virtues and attributes required of an ideal king. As noted above, Josephus associates these same virtues and qualities with ideal kingship on numerous occasions in Antiquities 1-11, and in sections that he composed and did not copy from sources. Many more examples of this sort can be supplied, and are presented in Chapters One-Three. The purpose of this example is to show that the lack of extant sources for most of Antiquities 12-20 does not present an insurmountable obstacle for using it to illustrate Josephus’ views and hence his political theory of kingship.

To understand Josephus’ theory of kingship and use his historical works to present him as a political philosopher, I have also adopted the interpretative methodology of Quentin Skinner. Skinner insisted upon reading political philosophical texts in their historical contexts and paying close attention to their rhetoric, but also significantly expanded the parameters of what constituted political philosophical texts. He claimed that readers, in dealing with such texts, must ask, what “assumptions and conventions” the authors were “accepting and endorsing, or questioning and repudiating, or perhaps even polemically ignoring.” For example, to elucidate Renaissance political thought, including the revolutionary force of Machiavelli’s arguments in The Prince, Skinner recreated its context. To do so, he established a broad canvas. He drew on a wide variety of sources that scholars of political thought typically overlooked because they did not consider them works of political thought. Many of these sources were obscure and

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25 For Skinner’s interpretative methodology, see the collected essays in Q. Skinner (2002).
27 Ibid.
their study was confined to the Medievalist or Renaissance specialist. Yet Skinner scoured the works of Medieval Scholastic philosophy and the Medieval Glossators, Medieval treatises on rhetoric and city government, Renaissance “mirror of princes” essays, local Italian city-state histories, Renaissance poetry, and even Medieval and Renaissance art. He showed that they all reflected the politics of their immediate surroundings, and also successfully demonstrated that texts not commonly thought to be works of genuine political theory were in fact deeply and intensely engaged with the political ideas and behavior of their age.

When applied to Josephus’ historical writings, Skinner’s methodology shows that Josephus drew on, modified, and even rejected aspects of Jewish, Greek, and Roman theories of kingship that circulated in his day. It illuminates Josephus’ stress in Antiquities on specific classical virtues and personal attributes, like anger restraint; his emphasis on the Deuteronomistic archetype of the good king as loyal to Yahweh; his treatment of the classical virtue φιλοτιµία, which conflicted with Jewish values and ideals; his interest in presenting the Jews’ ideal “aristocratic” constitution; and the conspicuous absence of Davidic descent in his concept of ideal kingship. Most importantly, however, it demonstrates how Josephus’ historical writings (i.e. Antiquities), while not commonly considered works of political philosophy, can in fact be read as such. Though he may not have intended these works to be treatises on political theory, like Plato’s Republic, Cicero’s De Re Publica, or Seneca’s De Clementia they contain ideas and judgments that reflected and engaged with current Jewish, Greek, and Roman theories of kingship. As such, they can be used to illustrate his political philosophy.
Reading Josephus in the context of his Greek predecessors and models further warrants using his historical works, in particular his narrative accounts of kings, to access his political thought and read him as a political philosopher. Josephus self-consciously wrote in the tradition of the Greek historians, notably Thucydides and Polybius, who believed that the study of history revealed important “truths” that if understood and acted upon benefitted political life. These two historians combined narrative history and political judgment; they shaped their narratives so as to impart lessons for political life, and evaluated the successes and failures of different constitutions (i.e. monarchy, aristocracy, democracy). They offered competing forms of these constitutions and their corresponding corrupted forms (tyranny, oligarchy, and mob rule), and reflected on the conditions that maintained the true forms. They considered the various virtues possessed by political leaders—statesmen and generals—who excelled in nobility and good governance, and avoided vice. And they sought to isolate the characteristics that made them successful leaders. Josephus used their writings as models when he evaluated the various forms of governance in his milieu and assessed the virtues necessary for good and

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responsible forms of leadership. Like their political views, however, his views on
kingship have to be assembled and reconstructed largely from his narratives.

In order to advance my argument, I generally use selections from Josephus’
writing that consider kingship. That is, the passages I examine treat rulers called
βασιλεύς, the common Greek word for king. In some of these cases, Josephus explicitly
states his view of kingship. In most cases, however, his view is indicated in his
description of the actions and behavior of monarchs. A few caveats: Josephus does not
typically use the term βασιλεύς for the Roman emperor. However, I include his accounts
of emperors in my examples because he treats emperors no differently than kings. There
is no indication that he viewed kingship and the principate as different forms of rule.30
Moreover, a few of my examples depict rulers who are not kings. I use these sparingly
and only when they reinforce a broadly supported aspect of Josephus’ view of kingship.

II. The Argument of the Thesis

The aim of my thesis is to illustrate Josephus’ theory of kingship and show that it
constitutes a significant and integral yet overlooked component of his political thought.
Josephus had a nuanced philosophy of monarchy that blends Jewish, Greek, and Roman
concepts of kingship, yet few scholars have taken Josephus’ political thought seriously.
Those that have done so usually confine themselves to Josephus’ theory of aristokratia
(ariStocratic government) or theokratia (theocratic rule).31 Moreover, they typically focus

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30 In the Jewish War, Josephus uses the term βασιλεύς to refer to Vespasian and Titus; War 3.351, 4.596,
5.63, 5.58. In Antiquities, he frequently uses βασιλεύς to refer to the palaces of Roman emperors; e.g. Jos.
Ant. 18.249. Moreover, he describes Augustus as “τοῦ πρώτου μεταστησάμενου τὴν ἀρχὴν τοῦ δήμου
Καίσαρος εἰς αὐτὸν;” Jos. Ant. 19.75. This statement implies that Josephus viewed Roman emperors as
monarchs.
31 Studies on Josephus’ political thought typically say little if anything about Josephus’ views on monarchy,
and tend to restrict themselves to Josephus’ concepts of aristocracy and theocracy, and stasis. For general
on the section of *Contra Apionem* where Josephus lays out his concept of theocratic rule, or the few passages from *Antiquities* that contain Josephus’ statements on aristocratic rule. They generally ignore Josephus’ extensive historical narratives as sources for his political thought. As indicated above, demonstrating the value of these narrative sections for approaching Josephus as a serious political thinker is one of the key aims of my thesis. A small number of scholars have discussed Josephus’ view of monarchy, but not in a systematic or engaged way. Some dismiss him as anti-monarchical, and tend to cite the influence of the biblical anti-monarchical tradition. Steve Mason has provided the most extensive argument for Josephus’ anti-monarchical views in a relatively recent contribution. Some of the passages he cites clearly indicate Josephus’ ambivalence towards kingship, but not all of them necessarily represent opposition to monarchy. For example, Mason stretches the evidence when he claims that Josephus’ comment on the problem of hereditary succession in *Antiquities* 6.33-34 illustrates that Josephus opposed “hereditary succession, and so kingship.” The passage appears in the context of Josephus’ account of the ascension of Eli’s sons to the priesthood, recorded in the beginning of 1 Samuel. There is nothing in it that indicates Josephus was addressing the


Ibid., 323. A point recently confirmed by Swoboda (2017) 57.
problem of monarchical succession per se. More problematic, however, is that Mason neglects to consider what the many positive portrayals of kings and kingship in Josephus’ writings say about Josephus’ attitude towards this particular form of rule.

Extensive portions of Josephus’ great work, the *Jewish Antiquities*, describe the reigns of monarchs: biblical, Hasmonean, Hellenistic, Herodian, and Roman (emperors). In these histories, Josephus’ depictions of the actions of kings, his analyses of these actions, and his consistent emphasis on what virtues kings should possess and what vices they should avoid in order to be good rulers rather than tyrants all indicate that he had a consistent concept of ideal kingship. He theorized about good and bad forms of kingship, and drew on and at times synthesized Greco-Roman and Jewish models of ideal kingship.

Indeed, Josephus’ concept of kingship has much in common with Greek and Roman models of ideal kingship. Typical Greek political thinking on kingship emphasized that kings who adhered to a standard array of virtues and were lawful governed their subjects responsibly and beneficially. By contrast, kings who indulged in a corresponding set of vices and were lawless ruled tyrannically and according to their own self-interest. Greek political thinkers represented these two models with specific terms: the good king was a “king” (βασιλεύς), while the bad king was not a “king” but a “tyrant” (τύραννος).

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The same debates and discussions of ideal monarchy took place in Josephus’ immediate context in Rome, and no doubt influenced him.\textsuperscript{36} During or close to the time Josephus lived and wrote in Rome (70-c.100 CE), Greek and Roman intellectuals responded to absolute rule in a variety of ways. They imitated their Greek forebears and stressed many of the same virtues and vices. In the 50s CE, the Roman statesman and philosopher Seneca (4 BCE-65 CE) produced three works that all consider ideal styles of monarchical rule, \textit{De Ira}, \textit{De Clementia}, and \textit{De Beneficiis}.\textsuperscript{37} He specifically addressed the \textit{De Clementia} to Nero and modern scholars generally consider it an early “mirror of princes” treatise.\textsuperscript{38} Dio Chrysostom (40-115 CE) wrote four “On Kingship” (\textit{Peri Basileias}) orations for the emperor Trajan, who ruled from 98-117 CE.\textsuperscript{39} Pliny (61-113 CE) was selected to write the \textit{Panegyricus} on the occasion of Trajan’s election to consul in 100 CE; it offered a model of the ideal sovereign.\textsuperscript{40} The power of the principate is a central theme in Tacitus’ \textit{Annals}.\textsuperscript{41} Thus, monarchy and its various forms and styles were subjects of lively discussion and debate during Josephus’ day.

My thesis demonstrates that Josephus incorporated Greek and Roman models of ideal kingship into his own theory of monarchical government, and sometimes adjusted them in accordance with Jewish conceptions of ideal kingship. He ascribed the same overall importance to the role of virtues, stressed many of the same specific virtues, and

\textsuperscript{36} A useful summary of representations of the ideal Roman emperor and their continuity with Greek concepts of ideal kingship is C. Noreña (2009). See also Noreña (2011); C.J. Classen (1991); A. Wallace-Hadrill (1982); (1981); M.P. Charlesworth (1943); (1937).
\textsuperscript{37} On Seneca’s \textit{De Clementia} and his theory of the ideal princeps, see P. Stacey (2105); S. Braund (2009) 64-70; M. Dowling (2006) 169-218; M. Griffin (2003); (1976) 129-171.
\textsuperscript{38} Stacey (2105); Braund (2009); Griffin (2003); (1976).
\textsuperscript{39} J. Moles (1990).
\textsuperscript{40} P. Roche (2011); Braund (1998).
\textsuperscript{41} D. Kapust (2012); B. Fontana (1993); R. Boesche (1987); R. Syme (1970).
used the Greek concept of tyranny to illustrate that the ideal king avoided vice, lawless rule, and the corruption of power. Yet Greek and Roman concepts of ideal kingship comprise only part of Josephus’ general theory of monarchy.

Judean culture also possessed a model of ideal kingship, and it plays an equally important role in Josephus’ philosophy of monarchy. Deuteronomy, and the historical accounts of the Israelite kings preserved in Samuel, Kings, and Chronicles, provided Josephus with a model of how the ideal Jewish king should govern. Apart from the emphasis on justice, it is entirely different from Greek and Roman models of ideal monarchy. The virtues, so prominent in Greek and Roman concepts of ideal kingship, are absent from the Jewish model of kingship. The ideal Jewish king was to display loyalty to Yahweh and Mosaic Law and demonstrate respect for the authority of the high priesthood. The Bible also preserves an anti-monarchical tradition, expressed in two well-known passages: Deuteronomy’s Law of the King and 1 Samuel 8. The latter account describes the Israelites’ request for a king to rule them and Samuel’s displeasure and subsequent warning about the dangers of monarchical rule. Both the biblical archetype of the good king and its anti-monarchical tradition shaped Josephus’ theory of and attitude (i.e. ambivalence) towards monarchy. By contrast, the notion of an ideal king of Davidic descent, a staple of Israelite royal ideology, and also early Jewish messianism, is absent from Josephus’ conception of kingship. The idea of an ideal Davidic ruler has its origins in the Davidic covenant, Yahweh’s unconditional pledge to maintain the royal

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42 For a succinct and nuanced statement on the differences between Israelite and typical Near Eastern concepts of kingship, see B. Levinson (2001).
house of David.\textsuperscript{44} It was alive and well close to and during Josephus’ day, as indicated by certain texts preserved at Qumran and \textit{2 Baruch}.\textsuperscript{45}

As such, I argue in my thesis that Josephus largely conceived of kingship as the responsible use of the personal power of one individual to advance the interests of the governed and maintain his and his subjects’ loyalty to Yahweh. In Josephus’ conception of monarchy, the king preserved social order in the kingdom, protected it from external threats, and improved the quality of life of his subjects. He had the power to punish or acquit offences against the kingdom and to institute, apply, and enforce the rule of law. Fortifying the kingdom, securing alliances, and providing relief from natural disasters fell under his purview. And it was through public works initiated by him that he brought prosperity and wellbeing to the kingdom and its subjects.

Josephus did not consider monarchical rule to be exclusively dependant on the personal power of the king, however. Virtues and personal attributes were not the only restraints on royal authority. In his personal conduct, the (Jewish) king was obligated to follow the dictates of Mosaic Law, a set of authoritative norms external to his person, which prevented him from abusing his extensive power. Following these laws also ensured his allegiance to Yahweh, and was an expression of his overall piety, a virtue Josephus considered essential for the ideal king. The law also provided the king with an additional source of authority (i.e. external to his person) that he could draw on to maintain order in the kingdom. Josephus, however, gives far more specific examples of how kings curbed or failed to curb their power and ensured or failed to ensure order

\textsuperscript{44} See 2 Sam. 7; 1 Chron. 17:11-14; 2 Chron. 6:16.
\textsuperscript{45} See n. 48, below.
through their virtues and personal qualities than through the law. This indicates that he viewed the king’s personal power as the primary, albeit not the only, engine that drove monarchical government.

The king’s power was also limited in the realm of cult, though in a less formal manner than in the case of the law. Josephus held that the ideal king delegated responsibility over cultic rituals to the priesthood, although he tolerated the royal practice of appointing high priests. Still, his conception of kingship excluded an authoritative role for the high priest in government (precluding cult), in contrast to his conceptions of aristocratic and theocratic rule, where the high priests exercised authority over all aspects of government. This affirms that Josephus considered the king as the primary and almost exclusive steward of the government in his conception of kingship.

The king’s responsibilities were not limited to the areas of social order and external security, however. Josephus indicates that the ideal king played an essential role in preserving what in modern terms would be called the “religious” lives of his subjects. Josephus did not consider the king to be god’s earthly representative whose role in administering divine justice and law helped preserve cosmic order, which was a key aspect of some ancient Near Eastern conceptions of kingship.46 However, he did hold that the good king, by following and enforcing Mosaic Law, maintained his subjects’ allegiance to Yahweh and so helped ward off divine disfavor. In addition, Josephus considered the king a model for his subjects. Through his demonstration of virtuous behavior, commitment to Mosaic Law, and devotion to Yahweh, the king provided his

46 For this aspect of ancient Near Eastern conceptions of kingship, see the summary of W.G. Lambert (1998). See also the fundamental study of H. Frankfort (1948).
subjects with an example for how they should live their lives, and influenced them to follow his lead.

Josephus does not explicitly address how kings were chosen; he had no succession theory. Lineage, a common determinant in monarchical succession, was irrelevant for the king’s legitimacy in Josephus’ conception of kingship. As alluded to above, in contrast to many of his Jewish forebears and contemporaries he did not advance the idea that monarchical power could only belong to someone of Davidic descent, an idea sanctioned by divine decree. Pre-exilic, exilic, and post-exilic canonical biblical texts express this principle, often in terms of hope for the restoration of a Davidic king.

It also appears in some Qumran fragments, and Pseudepigraphical texts like the Psalms of Solomon and 2 Baruch—all of which date from between the first century BCE to the end of the first century CE and contain overt eschatological messianic overtones. The absence of a theory of succession in Josephus’ theory of kingship distinguished his concept of monarchy from his concept of aristocratic rule, whose priestly leaders could not govern legitimately without the proper pedigree: patrilineal Aaronide descent. All of this highlights the fact that in Josephus’ theory of kingship factors unrelated to lineage—possessing appropriate leadership qualities, upholding Mosaic Law, and respecting the cultic authority of the priesthood—sanctioned royal authority and legitimacy.

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48 Ps. 89:4-5, 132:10-18; 2 Sam. 7:11-16; Isa. 11; Amos 9:11; Micah 5:1-5; Jer. 23:3-6, 33:17-21; Ezek. 17:3-4, 37:24-25; Zech. 3:8, 4:7, 6:11-12, 9:9-10; Haggai 2:21-24.
49 Ps. Sol. 17:5-9, 17.21-25; 4Qpsi (Pesher Isaiah), fragments 8-10, col. III, lines 1-22; 4Q285 (The Dying Messiah Text) fr. 7, ll. 1-6; CD (Damascus Document, Geniza version, manuscript A) 7:19; 1QSb (Scroll of Blessings) 5:21, 5:27; 1QM (War Scroll) 5:1; 4 Ezra 12:32-33. The attestations in the Qumran scrolls and in 4 Ezra have clear messianic and eschatological overtones. For an analysis of Davidic royal messianism in the Qumran Scrolls, see Collins (2010) 56-73.
As mentioned previously, most scholars who have discussed Josephus’ view of kingship treat it summarily or in a limited manner, and without a sustained consideration of his writings in the context of Greek and Roman political thought. Moreover, they treat it as an extension of the “anti-monarchic” tradition in the Bible, citing Josephus’ interpretation of two key “anti-monarchical” biblical passages, Deuteronomy 17:14-20 and 1 Samuel 8:4-22. They also claim that his anti-monarchical views derive from his avowed preference for a priest-led aristocracy or theocracy. My thesis challenges and nuances this conventional view. I do not contest that Josephus preferred a priestly-led aristocratic or theocratic regime over a monarchy. I also do not claim that Josephus had no serious reservations about kingship. But I do take issue with the tendency of scholars, when discussing Josephus’ attitude towards monarchy, to view it as a continuation of the Bible’s “anti-monarchical” tradition, or Josephus’ enthusiasm for priestly aristocracy and theocracy. These approaches flatten out Josephus’ view of kingship, and present it as a vague and general hostility to monarchy. By contrast, my approach produces a strikingly different and more complex portrait of Josephus’ view of kingship.

The above discussion describes the main goal of my thesis, its place in current Josephus scholarship, and its approach. The remainder of the introduction provides a summary of its chapters, and briefly describes how they advance its goal.

**III. Order and Summary of Chapters**

Chapter One, “Josephus on Royal Virtues,” shows what is truly distinctive about Josephus’ theory of kingship. Josephus drew on and at times fused two different traditions, whose values and ideals sometimes clashed in striking ways, to produce a hybrid concept of the ideal king. His ideal king possessed typical Greco-Roman virtues
and attributes (piety, justice, temperance, kindness, reasonableness, anger-restraint, clemency, magnanimity, and munificence) and also adhered to the biblical model of the good king by obeying Mosaic Law and expressing allegiance to Yahweh. This chapter shows that Josephus not only combined these two models of ideal kingship but also fused them by reconciling some of their conflicting and fundamental values. Section VI, which treats Josephus’ concept of φιλοτιμία (“love of honor”), illustrates this in detail. Greek writers celebrated this attribute (though not without qualification), which conflicted with the biblical idea that the good king should be obedient and humble before Yahweh.

Josephus’ treatment of kingship and virtues accentuates several other key aspects of his concept of kingship. First, Josephus held that monarchical government depended largely on the personal power of the king (the king had power to punish and exonerate offenders; personally oversaw the kingdom’s external security; and was responsible for his subjects’ quality of life, which he fostered by initiating various types of civic projects). Second, he held that in theory kings could be effective and benevolent rulers, and therefore was not anti-monarchical, as some scholars have claimed. Third, he held that the ideal king established a moral standard for his subjects by acting virtuously.

In Chapter Two, “Josephus on Lawful Monarchy,” I discuss how Josephus treats the relationship between the king and the law. The law served three functions in Josephus’ conception of kingship. First, Mosaic Law ensured the king’s allegiance to Yahweh. Second, the law provided an additional check on the king’s power and deterred tyranny: the king had to govern within a set of authoritative norms external to his person. Josephus often expresses this idea in the context of kings disregarding the law and acting tyrannically. Third, the law provided the king with a mechanism for maintaining social
order. The first function of the law strictly reflected a biblical conception of kingship: the
good king adhered to Mosaic Law out of loyalty to Yahweh. The latter two functions,
however, were compatible with both biblical and Greco-Roman kingship ideals.

Josephus’ treatment of kingship and the law further illuminates his conception of
kingship. It shows that Josephus did not consider monarchy to be purely the allocation of
the personal power of the king to advance the interests of the governed. The king
submitted to and relied on a source of authority external to his person in order to govern
responsibly and benevolently. He also could not decree laws: unlike the late antique or
Medieval king he did not have the power to enact positive law.50 As the case studies in
the chapter show, however, the primary purpose of the law in Josephus’ concept of
kingship was to ensure the king’s allegiance to Yahweh and prevent him from abusing his
power.

Chapter Three, “The King and the Priesthood,” shows that in Josephus’ view the
ideal king delegated authority over cult to the priesthood. This idea in some ways
resembles the Jewish concept of diarchy, the principle of shared rulership between king
and high priest attested in some second temple Jewish texts. The king respected the right
of the high priest and priests to fulfill their cultic duties, such as performing sacrifices,
providing oracles, and chanting the priestly hymns, but also maintaining and protecting
the temple precincts and cultic implements, including the priestly vestments. The king
exercised some influence over cult. He could initiate renovations and repairs to the temple.
And the Herodians assumed the responsibility of appointing high priests. When choosing
the high priest, however, Josephus indicates that the good king was to cooperate with the

50 Digest 1.41: quod principi placuit legis habet vigorem.
high priest and priests and respect their primary right to administer cult. This chapter further shows how the king influenced the “religious” life of the kingdom. He did not directly perform cultic duties, but indirectly supervised the proper administration of cult. In doing so, he ensured allegiance to Yahweh and spared the kingdom from divine disfavor.

Chapter Four analyzes Josephus’ comments on aristocratic government, with the aim of bringing Josephus’ concept of kingship into clearer light. It shows that Josephus’ concept of aristocratic rule, unlike his concept of kingship, entrusted supreme authority to a divine and not a human ruler. Moreover, Josephus indicates that the key human authoritative offices in aristocratic rule (i.e. the high priestly and prophetic offices) were by nature well suited to following divine will and therefore ensuring divine sovereignty. By contrast, there was nothing inherent in the royal office that made it conducive to governing in accordance with divine will. Indeed, on a few occasions, which are discussed in the chapter, Josephus implies that kingship posed a direct threat to Yahweh’s sovereignty. This partially explains his preference for aristocracy and theocracy to kingship. The chapter ends with a brief appendix addressing Josephus’ concept of theocracy, which I present to support my interpretation of Josephus’ concept of aristocratic government.
CHAPTER 1: JOSEPHUS ON ROYAL VIRTUES

For certainly the virtue of ruler and citizen are not the same.\textsuperscript{51}

- Aristotle *Politics*

Once upon a time, the trees went to anoint a king over them. And they said to the olive tree, “Reign over us.” And the olive tree said, “Have I left off my rich oil, for which God and men honor me, that I should go sway over the trees?” And the trees said to the fig tree, “Go, you, reign over us.” And the fig tree said to them, “Have I left off my sweetness and my goodly yield that I should go sway over the trees?” And the trees said to the vine, “Go, you, reign over us.” And the vine said to them, “Have I left off my new wine, that gladdens God and men, that I should go sway over the trees?” And all the trees said to the thornbush, “Go, you, reign over us.” And the thornbush said to the trees, “If you are really about to anoint me king over you, come shelter in my shade. And if not, a fire shall come out from the thornbush and consume the cedars of Lebanon.”\textsuperscript{52}

- The Book of Judges

**Introduction**

Josephus held that the ideal king had to possess an array of Greco-Roman virtues that included courage, wisdom, temperance, piety, justice, mercy, clemency, magnanimity, and munificence. These virtues served two primary roles in Josephus’ theory of ideal monarchical rule. First, they served as checks on the monarch’s nearly unlimited power and prevented him from abusing it. Second, they encouraged and enabled him to maintain and advance the stability and prosperity of the kingdom. Josephus’ representation of kingship and virtues reflects his view that monarchical rule was an inherently unstable form of government: monarchy easily turned into tyranny because kings possessed almost unlimited authority, and the key checks against his abuse of power resided in the individual character of the king. On the other hand, Josephus’

\textsuperscript{51} Aristotle *Pol.* 1277a20-25. Transl. by T.A. Sinclair.
\textsuperscript{52} Judges 9:8-15.
treatment of sovereignty and virtues implies that he held that kingship could be an
effective and benevolent form of government: with a virtuous king, monarchy could
protect and advance the wellbeing of the governed. In short, Josephus’ treatment of
kingship and virtues shows that he conceived of monarchical government largely as the
proper use of the king’s personal power to advance the interests of the kingdom and its
subjects.

It also reveals two further aspects of his conception of kingship. First, Josephus
aligned and fused Greco-Roman virtues with biblical kingship ideals and values; in
particular the idea that the king had to express his allegiance to Yahweh and his laws and
commandments, and respect Yahweh as ultimate sovereign. This lent a distinctive and
hybrid quality to his conception of ideal kingship. Josephus envisioned an ideal king who
could respect Jewish tradition, and govern responsibly and benevolently in the eyes of
Greeks and Romans. Second, Josephus held that the king set a moral standard for his
subjects through his own virtuous actions.

Section I summarizes the biblical concept of kingship. Section II provides a brief
overview of the role of the virtues in Greco-Roman kingship theory. Section III discusses
four passages from Josephus’ writings that illustrate the role of Greco-Roman virtues in
Josephus’ theory of kingship. Sections IV, V, and VI elaborate on these two principles
through a series of case studies. Section IV discusses Josephus’ view that the king should
use virtues like humanity (φιλανθρωπία); reasonableness, mercy, and leniency
(ἐπιείκεια); kindness (χρηστότης); gentleness (ἡµερότης); and mildness (πραότης) in
order to dispense justice effectively and responsibly. Section V briefly discusses the role
of piety (εὐσέβεια) in ensuring responsible kingship. These two sections (IV and V) focus primarily on how virtues prevent kings from governing like tyrants.

Section VI shows that virtues not only constrained the king’s power, but also enabled him to benefit and improve the quality of life for the governed. Josephus’ treatment of φιλοτιµία (“munificence;” “ambition;” “love of honor”), μεγαλοψυχία (“magnanimity”), εὐεργεσία (“bountifulness”), and μεγαλοφροσύνη (“great-heartedness”) illustrate this point. These qualities clashed with the particularistic and ethnocentric features of the biblical model of good kingship; nevertheless, Josephus reconciled them with the biblical model. How Josephus did this constitutes a key part of Section VI.

This chapter by no means offers an exhaustive study of all the virtues Josephus considered important for the ideal king. A number of virtues that Josephus valued are not discussed, such as courage, intelligence, and wisdom. Yet, compared to these virtues, those discussed in this chapter illustrate more clearly and deeply Josephus’ view of the ideal king’s responsibilities in governing his kingdom. They demonstrate his role as chief disciplinarian, and his responsibility for ensuring external security, improving his subjects’ quality of life, caring for them in times of distress, and providing them with an example of moral rectitude. Josephus largely ignores the martial virtues of the king, and does not stress his role as a warrior. Moreover, while he values intelligence and

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53 For ἀνδρεία, see, for example, Jos. Ant. 6.343-349, 7.390. Josephus attributes φρόνησις to Solomon on several occasions; e.g. Ant. 8.23, 8.34, 8.42, 8.165, 8.171. He uses the combination of σοφία and φρόνησις three times in reference to Solomon; e.g. Jos. Ant. 8.34, 8.42, 8.171.

54 He praises Saul and David’s courage in battle in Jos. Ant. 6.343-350, 7.390, respectively, but these are exceptions. Moreover, in Jos. Ant. 6.343-350 Josephus is concerned more with what constitutes true courage as opposed to the actual role of the king as a warrior. In general, he does not elaborate on kings’ martial virtues elsewhere in Antiquities.
wisdom, his treatment of these virtues generally do not significantly illuminate his concept of the king’s particular responsibilities.

I. The Biblical Model of Kingship

The Deuteronomistic Historian, who served as Josephus’ primary source for his narrative account of the Israelite kings, advanced a distinctive model of kingship. The Deuteronomist essentially extends the model of kingship outlined in the Law of the King in Deuteronomy. It furthers the conception of responsible kingship that appears in the following passage from the Law of the King:

When he [the king] is seated on his royal throne, he shall write for himself a copy of this teaching in a book before the levitical priests. And it shall be with him, and he shall read in it all the days of his life, so that he may learn to fear the Lord his God, to keep all the words of this teaching and these statutes, to do them, so that his heart be not haughty over his brothers and so that he swerve not from what is commanded right or left. Thus, the king must demonstrate humility and allegiance towards Yahweh—he should “fear” (נָבָא) Yahweh, and respect him as sovereign.

The author(s) of the Book of Kings expanded upon this principle. He stressed that the good king was loyal and humble towards Yahweh and expressed this by adhering to Mosaic Law, and patronizing Yahweh’s cult in Jerusalem. Alison Joseph has shown that the author(s) of Kings illustrates these criteria by using David as the archetype of the ideal king and by employing recurring phrases that denote loyalty to Yahweh and obedience to his laws and commandments. Thus the good king was to govern “like

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55 The summary of this model of kingship is based on Alison Joseph’s 2015 study of kingship in the writings of the Deuteronomist.
56 Deut. 17.18-20.
David” (כתר אנבי). This meant that he rejected idolatry and worshipped only Yahweh at his cult in Jerusalem. In addition, it meant that he did “what [was] right in the eyes of God” (דרכי ברניקי יהוה). As Joseph shows, this command is “intrinsically linked with observing the commandments” of Yahweh. Finally, it referred to the king serving Yahweh with “all his heart” (כל הלב). According to Joseph, the Deuteronomistic Historian also connects this phrase with upholding Yahweh’s laws and commandments. Biblical sources that Josephus clearly read valued the king’s commitment to justice (צדק; מישום). These included but were not limited to the Deuteronomist. As we will see below, Josephus fused this biblical conception of kingship with a Greco-Roman one.

II. Greco-Roman Theories of Kingship

Josephus’ concept of the ideal king drew extensively on Greek theories of kingship, which developed relatively late in Greek history. Although traditionally hostile to monarchy, Greek intellectuals began to conceptualize a model of the ideal king in the fourth century BCE. Two factors accounted for this. One was dissatisfaction (e.g. Plato, Xenophon, Isocrates) with democracy in the aftermath of the Peloponnesian War (431-
404 BCE). The other was the rise of Macedonian rule and the proliferation of monarchies in the Hellenistic period. This forced Greeks to reconcile themselves to life under monarchical rule.

Greeks had traditionally viewed monarchs as tyrants. They were rulers who abused their power and indulged in vices such as deceit, cruelty, injustice, lust, lawlessness, envy, and greed. In forming a model of the ideal king, Greek writers in the fourth century essentially reversed this image of the tyrant. They represented the ideal king with a set of virtues meant to restrain the king’s power and prevent him from indulging in vice. The good king was just (δίκαιος), pious (εὐσεβής), courageous (ἀνδρεῖος), and wise (σοφός). He possessed intelligence (φρονήσις), and displayed self-control (ἐγκρατεία) and temperance (σωφροσύνη). He was humane and generous (φιλάνθρωπος), magnanimous (μεγαλόψυχος, μεγαλόφρων), bountiful (εὐεργέτης), and ambitious (φιλότιμος). He was also reasonable (ἐπιεικής), mild (πραός), and gentle

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68 For the Greek stereotype of the tyrant, see Luraghi (2015) 1-18; (2013a) 11-24; (2013b) 131-145.

69 Luraghi (2015) 11: “The rules of the discourse of tyranny actually underpinned the whole concept of monarchy in classical Greek culture... In the fourth century, when various writers began to try and formulate a positive image of the ideal monarch, all they could do was to reverse the negative traits of the tyrant, with the result that Greek monarchic ideology, apart from being rather marginal, is logically dependent on the discourse of tyranny.” See also Haake (2013).


71 The following catalogue of virtues largely comes from Walbank (1984) 75-84, but I have added φιλοτιμία, πραότης, ἠμερότης, and χρηστότης. On φιλοτιμία as a royal virtue, see LetArist. 227; Dio Chrys. 1.27. On πραότης as a royal quality, see Isocrates, Nic. 32, 55, Ad Nic. 23; Xen., Cyr. 6.1.37; Polyb. 5.10.3; Philodemos, On the Good King according to Homer, for which see the commentary of Murray (1965) 168, 176-177; Dio Chrys. 1.20. On ἠμερότης as a royal quality, see Dio Chrys. 1.34.
(ἡμερός)—qualities that, along with humanity (φιλανθρωπία), connoted leniency and mercy. This conception of the ideal king continued to hold sway in the Hellenistic period, as is indicated in the rise of On Kingship, or Peri Basileias, treatises. Today these survive only in fragmentary form.  

The Letter of Aristeas (c. 2nd century BCE), a text Josephus knew and used as a source, assembles many of these virtues in its representation of the ideal king. In the banquet scene, the Jewish sages advise Ptolemy II Philadelphus how to rule his subjects benevolently, maintain their loyalty, and ensure security and stability in his kingdom.  

They urge the king to cultivate a host of virtues: justice (δικαιοσύνη), piety (εὐσέβεια), humanity (φιλανθρωπία), temperance (σωφροσύνη), self-control (ἐγκράτεια), reasonableness, leniency, and mercy (ἐπιεικεία), generosity and munificence (φιλοτιμία, εὐεργέσια), and wisdom (σοφία). One sage claims that treating offenders with reasonableness (ἐπιεικεία) will ensure the security of the king’s reign, because it will reform offenders against the kingdom. Two others note that the king can ensure the goodwill and loyalty (εὐνοια) of his subjects through generosity and munificence (φιλοτιμία; εὐεργέσια).  

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72 On these treatises, see Haake (2013); Murray (2007); (1967).
74 For δικαιοσύνη, see LetArist. 189, 209, 212, 215-216, 278; for εὐσέβεια, see 215, 229; for φιλανθρωπία, see 265; for σωφροσύνη, see 237; for ἐγκράτεια, see 277; for ἐπιεικεία, see 187-188; for φιλοτιμία, see 227; for εὐεργέσια, see 205; for σοφία, see 207, 260.
75 LetArist. 187-188: Πῶς ἂν τὴν βασιλείαν μέχρι τέλους ἀπαίτησιν ἔχων διατελεῖ; Βραχὺ δὲ ἐπισχὼν εἶπεν· Οὕτως ἂν ἀλλιστά διευθύνοις, µιούσιον τὸ τοῦ θεοῦ διὰ παντὸς ἐπιεικές. Μακροθυµίᾳ γὰρ χρόµενος, καὶ κολάζων τοὺς σίτιος ἐπικεκλείστερον <ἡ> καθός εἰσιν ἄξοι, µετατίθεις ἐκ τῆς κακίας καὶ εἰς µετάνοιαν ἄξις.
76 LetArist. 205: τοὺς <δὲ> ύποπτευκµένους εὐεργεσίᾳ πρὸς εὐνοιαν ἄγοι τὴν ἑαυτοῦ; 227: ἐτερον ἱρωτα πρὸς τίνα δὲ φιλότιμον εἶναι; Ἐκεῖνος δὲ ἤφη· Πρὸς τοὺς φιλικῶς ἔχοντας ἡµῖν οἴονται πάντες ὅτι πρὸς
The writings of Polybius (200-118 BCE), another writer Josephus knew, also reflect conventional Greek views of ideal kingship.\textsuperscript{77} He too frames the ideal king in terms of his virtues. When praising Philip II and his associates, he indicates that the "kingly man" (βασιλικὸς ἀνήρ) possessed magnanimity (μεγαλοψυχία), temperance (σωφροσύνη), and courage (τόλμη—i.e. ἀνδρεία).\textsuperscript{78} He praises the king of Pergamon, Attalus I, for displaying generosity and munificence (εὔεργεσία).\textsuperscript{79} He specifically presents Philip II as an example (παράδειγμα) of an ideal king, and contrasts him with Philip V to illustrate this point. Polybius depicted Philip V as a tyrant when describing the excessive destruction he wrought in his invasion of Aetolia during the Social War (220-217 BCE).\textsuperscript{80} He commended Philip II for showing qualities such as reasonableness (ἐπιεικεία), humanity (φιλανθρωπία), moderation (μετριότης), and mildness (πραότης) after he conquered the Athenians in the battle of Chaeronea (338 BCE).\textsuperscript{81} For Polybius, a key reason for kings to display virtue was to ensure the goodwill and cooperation of their subjects. The following passage, which comes in the context of his praise for Philip II as an ideal king and his critique of Philip V as a tyrant, illustrates this:

It is indeed the part of a tyrant to do evil that he may make himself the master of men by fear against their will, hated himself and hating his subjects, but it is that of a king to do good to all and thus rule and preside.

\textsuperscript{77} On Polybius’ view of the ideal king, see K. Welwei (1963) 140-156.
\textsuperscript{78} Polyb. 8.10.10. Here, he states that Philip’s friends and associates all conducted themselves like “kingly (βασιλικοὶ) men” during Philip’s reign. For the context, see Polyb. 8.10.5-10.
\textsuperscript{79} Polyb. 18.41.5-6.
\textsuperscript{80} Polyb. 5.9.7.
\textsuperscript{81} Polyb. 5.10.1-3.
over a willing people, earning their love by his beneficence and humanity.\textsuperscript{82}

Here, Polybius emphasizes that virtues secure goodwill between ruler and subject.

Roman political thinkers, such as the Roman statesman and theorist Cicero, co-opted the Greek model of ideal kingship. In the \textit{De Re Publica}, Cicero indicates that the ideal king will possess virtues and eschew vice. In Book One, for example, he has Scipio state:

\begin{quote}
But what can be more splendid than a state governed by worth (\textit{virtute}), where the man who gives orders to others is not the servant of greed, where the leader himself has embraced all the values which he preaches and recommends to his citizens, where he imposes no laws on the people which he does not obey himself, but rather presents his own life to his fellows as a code of conduct?\textsuperscript{83}
\end{quote}

In this statement, Cicero is referring to aristocratic leaders of the \textit{res publica}. Yet he extended this concept of ideal rulership to kings. Right after this passage, he states, “If one man alone would meet all these requirements, there would be no need for more than one.”\textsuperscript{84}

Late first and second century CE Greek and Roman writers like Philo, Dio Chrysostom, Seneca, Pliny—all contemporaries of Josephus—advanced the traditional Greek model of ideal kingship in their representations of the ideal emperor or king.\textsuperscript{85}

Philo (25 BCE-50 CE) drew on Greek kingship theory to present Joseph as an ideal

\begin{flushright}
\textsuperscript{82} Polyb. 5.11.6: τυράννου μὲν γὰρ ἔργον ἔστι τὸ κακῶς ποιοῦντα τῷ φόβῳ δεσπόζειν ἀκουσίων, μισοῦμενον καὶ μισοῦντα τοὺς ὑποταττομένους· βασιλέως δὲ τὸ πάντας εὖ ποιοῦντα, διὰ τὴν εὐεργεσίαν καὶ φυλακθροσίαν ἀγαπώμενον, ἐκόνων ἡγεῖσθαι καὶ προστατεῖν.
\textsuperscript{83} Cic. \textit{De Rep.} 1.52.1-2: virtute vero gubernant ream publicam, quid potest esse praecius? cum is qui imperat alis servit ipse nulli cupiditati, cum quas ad res cives instituit et vocat, eas omnes complexus est ipse, nec leges imponit populo quibus ipse non pareat, sed suam vitam ut legem praefert suis civibus. Transl. by N. Rudd.
\textsuperscript{84} Cic. \textit{De Rep.} 1.52.3: qui si unus satis omnia consequi posset, nihil opus esset pluribus. Transl. by Rudd.
\textsuperscript{85} See Philo’s \textit{Life of Moses} and \textit{Life of Joseph}; Dio Chrysostom’s four \textit{On Kingship} orations; Pliny’s \textit{Panegyricus}; Seneca’s \textit{De Clementia}, \textit{De Ira}, and \textit{De Beneficiis}.\
\end{flushright}
statesman, and emphasized his many virtues: temperance (σωφροσύνη), self-control (ἐγκράτεια), justice (δικαιοσύνη), intelligence (φρόνησις), courage (ἀνδρεία), and piety (εὐσέβεια). In his four On Kingship orations, Dio Chrysostom (40-115 CE) presents the ideal king in terms of virtues. In the first On Kingship oration, for example, he stresses that the ideal king should possess piety (εὐσέβεια), humanity (φιλανθρωπία), munificence (εὐεργεσία), ambition (φιλοτιµία), justice (δικαιοσύνη), and gentleness (ἡµερότης).

In the De Clementia, written in the mid-50’s CE for Nero, Seneca argued that clementia was the highest virtue for a monarch. It deterred revolts and criminals, spared the lives of citizens, and prevented tyranny. In his Panegyricus, Pliny (61-113 CE) praised Trajan by listing his many virtues, and contrasted them with the vices of the stereotypical tyrant (in a probable reference to Domitian). In one passage, Pliny praises Trajan for showing temperance (temperantia) instead of licentiousness, clemency (clementia) instead of savagery, and generosity (liberalitas) instead of greed. On Kingship treatises of three pseudo-Pythagorean authors—Ecphantus, Diotogenes, and Sthenidas—survive. Most scholars date these works to the second century CE, but note that they draw on earlier sources. They stress many of the same virtues discussed above, and others, in their prescriptive accounts of good monarchical rule. Among the many

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86 Philo ascribes a host of virtues to Josephus drawn from Greek portraits of the ideal king. For Joseph’s σωφροσύνη and ἐγκράτεια, see Philo Jos. 54-57, 87. For his δικαιοσύνη, φρόνησις, ἀνδρεία, and εὐσέβεια, see Philo Jos. 143.
87 For εὐσέβεια, see Dio. Chrys. 1.15-16 (Dio does not use the term εὐσέβεια here but it is implied); for φιλανθρωπία, see 1.18-20; for εὐεργεσία, see 1.23-24; for φιλοτιµία, see 1.27; for ἡµερότης, see 1.34; for δικαιοσύνη, see 1.35.
89 Seneca De Clem. 1.3.3, 5.2-4, 1.7.3.
91 Pliny Panegyricus 3.4.
virtues he mentions, Diotogenes notes the importance for kings to show benignity and
kindness (χρηστότης), a quality that Josephus associates with the ideal king on numerous
occasions. In short, Greek and Roman intellectuals held that the ideal king relied chiefly
on virtues to restrain his unlimited power and to provide benefits for his subjects.

III. Josephus’ Fusion of Biblical and Greco-Roman Kingship Models

The following passages demonstrate how Josephus drew extensively on Greco-
Roman kingship theory and fused it with the biblical model. Moreover, they show why
Josephus considered virtues important for kings. Through virtues, the king restrained his
power, steered clear of tyranny, and brought considerable benefits to his kingdom.

Deuteronomy’s Law of the King, discussed in Section I, indicates that obedience
to Mosaic Law and Yahweh were the chief mechanisms for ensuring responsible kingship
and preventing kings from abusing their power and becoming tyrants. It is worth
quoting the passage, part of which was cited above, in order to show how Josephus
supplemented this principle with Greco-Roman kingship ideals. Moses tells the Israelites,
before they enter the land of Canaan, that if they desire a king,

You shall surely put over you a king whom the Lord your God chooses from the midst of your brothers you shall put a king over you, you shall be able to set over you a foreign man who is not your brother. Only let him not get himself many horses… and let him not get himself many wives, that his heart not swerve… and let him not get himself too much silver and gold. When he is seated on his royal throne, he shall write for himself a copy of this teaching in a book before the levitical priests. And it shall be with him, and he shall read in it all the days of his life, so that he may

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93 Diotogenes On Kingship p. 74, ll.19-21 (Thesleff). Here, χρηστότης is a quality that the ideal king should use when administering justice. This is similar to its usage in Josephus, as discussed in Section III. Dio Chrysostom uses the phrase χρηστὸς βασιλέως as a general description of the ideal king; Dio. Chyrst. 1.33. For Dionysus of Halicarnassus’ use of this quality in connection with kings, see Dion. Hal. 4.11.3 and 47.4-5.

94 On the depiction of kingship in this passage and its relationship to the Deuteronomistic Historian’s conception of kingship, see Levinson (2001) 511-534.
learn to fear the Lord his God, to keep all the words of this teaching and these statutes, to do them, so that his heart be not haughty over his brothers and so that he swerve not from what is commanded right or left, in order that he may long endure in his kingship, he and his sons, in the midst of Israel.\textsuperscript{95}

The passage indicates that excessive wealth and property corrupts kings and makes them bad rulers.\textsuperscript{96} In response to this threat and the potential for royal abuse of power, the passage from Deuteronomy presents restraints on the king’s power in the form of obedience to the laws of Yahweh and allegiance to Yahweh himself.

Josephus’ rewritten version of the Law of the King indicates that he accepted Deuteronomy’s monarchical constraints. He states that the king should “concede to the laws and to God.”\textsuperscript{97} But he adds that the king should also attend to “justice and the other virtues” (τῆς ἄλλης ἀρετῆς).\textsuperscript{98} This idea that the ideal king should restrain his power with virtues and govern his subjects in accordance with them derives from Greco-Roman theories and not the biblical model of ideal kingship. It represents a departure from biblical prescriptions for constraining royal power.

An even clearer example of Josephus’ fusion of biblical and Greco-Roman kingship models appears in his version of David’s election to the kingship. Like the biblical account, Josephus reports that Samuel selected the son of Jesse who appeared

\begin{itemize}
\item \textsuperscript{95} Deut. 17:18-20.
\item \textsuperscript{96} 1 Sam. 8:4-18 similarly considers the excesses of royal power.
\item \textsuperscript{97} Jos. \textit{Ant}. 4.223-224: βασιλέως δ’ εἰ γένοιτο ἔρως ὃμι, ἔστω μὲν οὗτος ὁμόφυλος, πρόνοια δ’ αὐτῷ δικαιοσύνης καὶ τῆς ἄλλης ἀρετῆς διὰ παντὸς ἔστω. παραχωροίη δὲ οὗτος τοῖς ἐν νόμοις καὶ τῷ θεῷ τὰ πλείονα τοῦ φρονεῖν, πρασσέτω δὲ ἐν τῷ ἀρχιερέως καὶ τῇ τῶν γερουσιαστῶν γνώμης γάμοις τε μὴ πολλοῖς χρόνοις μὴ δὲ πλῆθος διώκειν χρημάτων μηδ’ ἔσπον, ἀν αὐτῷ παραγενομένων ὑπερήφανος ἀν τῶν νόμων ἐσοίτος. κυβισθήσω δ’, εἰ τούτων τι διὰ σκοποῦ ἔχοι, γίγνεσθαι τοῦ συμφέροντος ὃμιν δυνατότερος.
\item \textsuperscript{98} Jos. \textit{Ant}. 4.224: πρόνοια δ’ αὐτῷ δικαιοσύνης καὶ τῆς ἄλλης ἀρετῆς διὰ παντὸς ἔστω.
\end{itemize}
most qualified to rule as king.\footnote{1 Sam. 16:6.} But his version of how Yahweh chose the most suitable candidate differs significantly from the biblical account. In 1 Samuel, Yahweh tells Samuel: “Look not to his appearance or to his lofty stature, for I have cast him aside. For not as man sees does Yahweh see. For man sees with the eyes and the Lord sees with the heart.”\footnote{1 Sam. 16:7.} Josephus’ version contains an addition that illuminates two aspects of his theory of kingship. He has Yahweh tell the prophet Samuel:

You, for your part, are looking to the youth’s beauty and thinking him worthy to rule as king. I, however, do not make kingship the prize of bodily good looks, but rather of virtue of soul. I seek one who is altogether outstanding in this respect, endowed with piety, justice, courage, and obedience, in which beauty of soul consists.\footnote{Jos. Ant. 6.160: ἀλλὰ σὺ εἰς τὸ κάλλος ἀπιδὼν τοῦ νεανίσκου καὶ δὴ τούτον ἐπιδίωκες εἶναι, ἐγὼ δὲ ὦ σωμάτων εὐμορφίας ἐπιθυμεῖ αὐτὸν βασιλέαν ἀλλὰ ψυχῶν ἄρετής καὶ ξητῶς ὀστὶς ταύτης ἐστὶ τελέως εὐπρεπῆς, εὐσεβεία καὶ δικαιοσύνη καὶ ἄνδρείᾳ καὶ πειθοῦ εἰς ὄν τὸ τῆς ψυχῆς συνίσταται κάλλος κατακεκοσμημένος.}

The first three attributes are conventional Greco-Roman royal virtues. The fourth, obedience (πειθῶ), is decisively not a Greco-Roman royal quality. It is biblical in origin, and refers to obedience and loyalty to Yahweh. The context of the passage makes this clear. Yahweh was searching for a new king to replace Saul. He had stripped the kingship from Saul because Saul disobeyed Yahweh’s command to exterminate the nation of Amalek and had spared the life of the Amalekite king Agag. Thus, the passage provides a good example of how Josephus married biblical and Greco-Roman kingship ideals.

In his version of the Law of the King, Josephus represents virtue as a restraint against the potential excesses of monarchical power, a typical idea in Greco-Roman kingship theories. In two other passages, Josephus elaborates on this idea, and articulates...
it more fully. One comes in *Antiquities* 19, in his account of the assassination of Caligula.

The other comes in his version of the revolt against Rehoboam.

Josephus casts Caligula in the mold of the typical Greek tyrant. He notes his lust and hedonism, love of slander, cruelty and delight in murder, greed, lawlessness, impiety, and susceptibility to flattery.  He then concedes that Caligula showed promise as a prospective statesman: he was a good orator and excelled in his education. He concludes, however, that,

...the accumulated advantages of his education could not withstand the disastrous effect of power. So hard is it for those who can act casually and without responsibility (ἀνυπεύθυνον) to achieve the virtue of self-control.

In this passage, Josephus reveals a dark side of kingship. He claims that kingship by nature was ἀνυπεύθυνον (“unaccountable”). This enabled monarchs to abuse their power. As such, they were susceptible to vice and prone to discard virtue, like Caligula.

Yet the passage does not imply that Josephus opposed monarchy per se. Rather, it

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102 Jos. *Ant.* 19.201-207: Γάιος μὲν δὲ τέταρτον ἐνιαυτὸν ἠγεμονεύσας Ῥωμαίων λείποντα τεσσάρων μηνῶν οὗτος τελευτᾷ, ἀνήρ καὶ πρῶτον ἤ τῃ ᾠρῇ συνήλθεν σκαῖρός τε καὶ κακοτροπίασι εἰς τὸ ἄκρον ἄριστον, ἡδονή τε ἡσσόμενος καὶ φίλος διαβολῆς, καί τὰ μὲν φοβερὰ καταπεπληγμένος καί διὰ τοῦτο ἐν τῇ πολλῇ καὶ ἀρχῇ τε διὰ τῆς ἁγιασμοῦ τῆς ἐνόπλευρης, ἀράν οὗ ἤκοιτα ἐγένον ἅλλην μεγαλονυγχία χρώμενος καὶ πορισμένος ἐκ τοῦ κτεῖναι καὶ παραινοεῖν. καί τοῦ μὲν θείου καὶ νομίμου μεῖζον ἐσπουδακός εἶναι τε καὶ δοκεῖν, ἡσσόμενος δὲ ἐπαινῶν τῆς πληθύος καὶ πάντα, ὅποσα ἀσχορία κρίνας ὁ νόμος ἐπίτιμας τιμώριας, ἐνόμισεν ἀρετής. καὶ φιλίας ἀμηνήμων, εἰ καὶ πλείστη τε καὶ διὰ μεγάλων γένοιτο, ὡς τότε ὀργίσαντε ἐκπλήξει κολάσεως καὶ ἐλαχίστας, πολέμιον δὲ ἡγούμενος πάν τὸ ἀριθτή συνερχόμενον, ἀναντίλεκτον ἐπὶ πάσαν ὡς κελεύσει τῆς ἐπίθυμαι· λαμβάνων ὅθεν καὶ ἀδελφή γνησίᾳ συνῆν, ἐς ὡς καὶ ἁμέλεια αὐτῷ παρά τοῖς πολῖτις ἤρξατο σφοδρότερον τὸ μίσος διά τὸ πολλὸν χρόνον μή ἀστηρημένον εἰς τοῦ ἀστήσαταν καὶ ἔχριν τὴν πρὸς τὸν πράξαντα παρακάλειν.

103 Jos. *Ant.* 19.208-209:


105 Many Greek writers used this term to connote monarchical rule. Herod. 3.81 is the first attestation; D. Asher (2007) 474. See also, Diotogenes On Kingship p. 72, l.22 (Thesleff): ὃ δὲ βασιλεὺς ἄριστον ἔχων ἀνυπεύθυνον. The term connotes tyranny in a pejorative sense in the following instances: e.g. Plato *Laws* 875b3; Aristotle, *Pol.* 1295a; Polyb. 27.10.2; Philo *Spec. Leg.* 3.137. It also connotes monarchical rule in a neutral sense: Plut. *Caes.* 57.2; Dio Chrys. 3.43, 56.5; Philo *Somm.* 2.244 and *Leg.* 28, 190; Dion. Hal. 3.50, 11.41.
indicates that Josephus recognized a fundamental weakness of monarchy. Moreover, it shows that he viewed virtues as the central mechanisms for preventing kings from abusing their power and becoming tyrants.

Josephus stresses the same point in his substantially rewritten account of the revolt against Rehoboam.\(^{106}\) The biblical account describes how the people appealed to Rehoboam to reverse the harsh policies of his father Solomon. They said, “Your father made our yoke heavy, and you, now lighten the hard labor of your father and his heavy yoke that he put on us, that we may serve you.”\(^{107}\) Josephus, however, has representatives of the people urge the new king to govern in the mold of a good Greco-Roman monarch. They tell him to be “kinder (\(χρηστότερον\)) than his father,” and claim they “would be more well-disposed to him and would better love their slavery in response to leniency (\(διὰ τὴν ἐπιείκειαν\)) rather than to fear.”\(^{108}\) The biblical text does not make the people’s loyalty contingent on the king’s virtues. As we will see shortly, Josephus considered ἐπιείκεια and χρηστότης essential qualities for the ideal king.

Rehoboam does not immediately yield to the representatives’ request because he wants to consult with his advisors. In an addition to the biblical text, Josephus reports that Rehoboam’s unwillingness to respond promptly and affirmatively to their request made the people anxious since they considered “kindness and humanity (τὸ χρηστὸν καὶ

\(^{106}\) In line with his general approach to Antiquities, Feldman, (1989a) 121, claims that Josephus emphasizes the importance of the virtues ἐπιείκεια, χρηστότης, and φιλανρωπία in his account of Rehoboam in order to counter pagan accusations of Jewish misanthropy.

\(^{107}\) 1 Kings 12:3-4.

\(^{108}\) Jos. Ant. 8.213: προσελθόντες οὖν οἱ τε ἀρχοντες αὐτῷ τοῦ λαοῦ καὶ Ἰεροβόαμος παρεκάλουν λέγοντες ἀνεῖναί τι τῆς δουλείας αὐτοῦ καὶ γενέσθαι χρηστότερον τοῦ πατρὸς· βαρὺν γὰρ ύπ᾿ ἐκείνω ξυγόν αὐτοῦς ὑπενεγκείλεν· εὐνούστεροι δὲ ἔσεσθαι πρὸς αὐτὸν καὶ ἀγαπήσειν τὴν δουλείαν διὰ τὴν ἐπιείκειαν ἢ διὰ τὸν φόβον.
φιλάνθρωπον) an easy thing, especially for a young man."  

In his significantly rewritten account of the advice of Rehoboam’s advisors, Josephus emphasizes this point again. The advisors urge him to yield to the wishes of the representatives of the people. Being both “benevolent” (εὖνοι) and knowledgeable about the “nature of mobs,” they indicate that he should grant the wishes expressed by the representatives. They encourage him to “to converse with the people in a friendly and more popular vein rather than in keeping with the royal dignity.” They claim that “thus he would secure their loyalty,” and they explain that subjects “love affability and a virtual equality in their kings.” Josephus endorses this advice. He calls it “good and advantageous.” Ultimately, Rehoboam rejects their counsel, and follows that of his younger advisors, who urge him to govern more harshly than his father. The people promptly revolt and pledge allegiance to a new king, Jeroboam, who establishes the Northern Kingdom. The implication of Josephus’ rewritten account of the revolt against Rehoboam is that cultivating virtues was important for preventing kings from abusing their power.


110 1 Kings 12:7: “If today you will be a servant to this people and serve them and answer them and speak good words to them, they will be servants to you always.” Jos. Ant. 8.215: οἱ δ᾽ ἀπερ εἰκός τούς εὖνοις καὶ φύσιν ὀχλον εἰδότας παρῄνουν αὐτῷ ἐν φιλοφρόνος ὠμηλήσαι τῷ λαῷ καὶ δημοτικώτερον ἢ κατὰ βασιλείας ὅγκον· χειρώσεσθαι γὰρ οὕτως εἰς εὖνοις αὐτῶν φύσει τῶν ὑπηκόων ἀγαπόντων τὸ προσηνέκει καὶ παρὰ μικρὸν ἰσότιμον τῶν βασιλέων.


113 Jos. Ant. 8.215: χειρώσεσθαι γὰρ οὕτως εἰς εὖνοις αὐτῶν φύσει τῶν ὑπηκόων ἀγαπόντων τὸ προσηνέκει καὶ παρὰ μικρὸν ἰσότιμον τῶν βασιλέων.

114 Jos. Ant. 8.216: ὥδε ἀγαθὴν οὕτως καὶ συμφέρουσαν ἰσχως πρὸς τὸ πᾶν, εἰ δὲ μὴ, πρὸς τὸν τότε καρόν ὃν ὅδε γενέσθαι βασιλεία γνώμην ἀπεστράφη;”

115 Jos. Ant. 8.217. For the biblical parallel, see 1 Kings 12:10-11.

116 Jos. Ant. 8.219-221.
Josephus did not only consider the virtues as mechanisms for preventing abuse of royal power. Like other Greek and Roman thinkers, he understood that the concentration of power in one person made monarchs vulnerable to corruption. However, also like them, he recognized that this put kings in a good position to advance the interests of their subjects. Just as kings could wreak considerable havoc through their vices, they could provide significant benefits by drawing on a variety of virtues. Josephus illustrates this clearly in his eulogy for David, where he presents David in the mold of an ideal Greco-Roman monarch.117

At the very end of his account of David, and in an addition to the biblical text, Josephus writes that,

In addition to his being an excellent man, possessing every virtue and being entrusted with the safety of so many nations, he ought also to be praised on account of his vigorous strength and prudential understanding. For he was more courageous than anyone else; in his struggles on behalf of his subjects, he was the first to rush into danger, appealing to his soldiers to [move] against the [enemy] battle lines by exerting himself and fighting, rather than issuing orders like a master. He was very competent in thinking and in perceiving both the future and present matters. He was prudent, reasonable, kind towards those in misfortune, just, and humane—qualities that are suitable only for [outstanding] kings. Moreover, with

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117 K. Bertholet, (2003) 324-25, rightly notes that this passage reflects a typology of ideal kingship: “Pour Josephe, le roi biblique “philanthrope” par excellence n’est autre que David. Mais Contrairement a ce qu’avance L.H. Feldman, il n’est pas sur qu’il faille voir dans l’attribution d’un tel qualificatif a David un motif apologetique. D’une part, cette qualite est loin d’etre attribuee aux souverains juifs de maniere systematique. D’autre part, il faut rappeler que pour un public Greco-romain, la φιλανθρωπία est une qualite convenue chez un roi, que cette qualite lui est proper, et qu’elle n’implique rien quant au caractere de la population qu’il gouverne. On ne peut meme pas en deduire que les lois du pays sont humaines, sauf si elles sont directement l’oeuvre du roi en question (ce qui n’est pas le cas des lois juives, attribuees a Moise). Aussi me semble-t-il peu probable que Josephe ait souligne la φιλανθρωπία de David pour prouver celle des lois juives ou du people juif dans son ensemble. La φιλανθρωπία de David n’est d’ailleurs jamais liee au contexte des relations entre Juifs et non-Juifs, et elle releve en tous points de la φιλανθρωπία royale tell qu’elle est definie dans le contexte des royautes hellenistiques.” Feldman sees the emphasis on David’s virtues as part of the broader of aim of Antiquités to combat charges of Jewish misanthropy and the claim that the Jews had no great men in their past. See Feldman (1989a) 74-131 (esp. 129-131).
such great authority, he never once offended, the case of the wife of Uriah excepted.\footnote{Jos. Ant. 7.390-391: Οὕτως ἄριστῳ ἀνδρὶ γεγενημένῳ καὶ πάσαν ἁρετὴν ἔχοντι καὶ τοσοῦτων ἐθνῶν σωτηρίᾳ ἕγκεχειρισμένον βασιλεῖ ἐδεῖ προσεπαινέσαι καὶ τὸ τε τῆς δύναμεως αὐτοῦ εὐθυνές καὶ τὸ τῆς σωφροσύνης συνετῶν ἄνδρεως γὰρ ἦν, ὡς οὐκ ἄλλος τε, ἐν δὲ τοῖς ὑπὲρ τῶν ὑπηκόων ἀνγάθι πρῶτος ἐπὶ τοὺς κινδύνους ὁρία, τὸ πονεῖν καὶ μάχεσθαι παρακελευόμενος τοὺς στρατιώτας ἐπὶ τὰς παρατάξεις ἀλλ᾽ οὐχὶ τῷ προστάτειν ὡς δεσπότης, νοῆσαί τε καὶ συνιδεῖν καὶ περὶ τῶν μελλόντων καὶ τῆς τῶν ἐνεστηκότων ὀικονομίας ἰκανότατος, σώφρων ἐπεικῆς κρηστὸς πρὸς τοὺς ἐν συμφοραῖς ὑπάρχοντας δίκαιος φιλάνθρωπος, ὁ μόνος δικαιώτατα βασιλεύσας εἶναι προσήκε, μηδὲν ὅλους παρὰ τοσοῦτο μέγεθος ἐξουσίας ἁμαρτων ἢ τὸ περὶ τὴν Οὐρία γυναίκα.}\

The virtues that Josephus lists largely parallel typical catalogues of Greek and Roman royal virtues. Using David as a model, he presents the ideal king as courageous (ἀνδρεῖος), temperate (σώφρων), reasonable, lenient, and merciful (ἐπιεικῆς), kind to those in misfortune (χρηστὸς πρὸς τοὺς ἐν συμφοραῖς ὑπάρχοντας), just (δίκαιος), and humane (φιλάνθρωπος).

In addition, Josephus emphasizes that these virtues were essential for making David a competent and benevolent king. He implicitly connects David’s virtues with his capacity to provide security and protection (σωτηρία) for his numerous subjects. Moreover, he implies that these virtues enabled David to administer his kingdom responsibly. He states that David “was very competent in thinking and in perceiving both the future and present matters.”\footnote{Jos. Ant. 7.391: νοῆσαί τε καὶ συνιδεῖν καὶ περὶ τῶν μελλόντων καὶ τῆς τῶν ἐνεστηκότων ὀικονομίας ἰκανότατος.} He then immediately catalogues David’s virtues (courage, temperance, reason, leniency, mercy, kindness, justice, humanity). Thus, Josephus links David’s competence as a ruler with his virtues.

In the eulogy, Josephus goes beyond the idea of virtue as a restraint against abuse of royal power. He implies that virtues played a central role in making kings good rulers. Through them, kings provided their subjects with internal and external security both in

\footnote{Jos. Ant. 7.390-391: Οὕτως ἄριστῳ ἀνδρὶ γεγενημένῳ καὶ πάσαν ἁρετὴν ἔχοντι καὶ τοσοῦτων ἐθνῶν σωτηρίᾳ ἕγκεχειρισμένον βασιλεῖ ἐδεῖ προσεπαινέσαι καὶ τὸ τε τῆς δύναμεως αὐτοῦ εὐθυνές καὶ τὸ τῆς σωφροσύνης συνετῶν ἄνδρεως γὰρ ἦν, ὡς οὐκ ἄλλος τε, ἐν δὲ τοῖς ὑπὲρ τῶν ὑπηκόων ἀνγάθι πρῶτος ἐπὶ τοὺς κινδύνους ὁρία, τὸ πονεῖν καὶ μάχεσθαι παρακελευόμενος τοὺς στρατιώτας ἐπὶ τὰς παρατάξεις ἀλλ᾽ οὐχὶ τῷ προστάτειν ὡς δεσπότης, νοῆσαί τε καὶ συνιδεῖν καὶ περὶ τῶν μελλόντων καὶ τῆς τῶν ἐνεστηκότων ὀικονομίας ἰκανότατος, σώφρων ἐπεικῆς κρηστὸς πρὸς τοὺς ἐν συμφοραῖς ὑπάρχοντας δίκαιος φιλάνθρωπος, ὁ μόνος δικαιώτατα βασιλεύσας εἶναι προσήκε, μηδὲν ὅλους παρὰ τοσοῦτο μέγεθος ἐξουσίας ἁμαρτων ἢ τὸ περὶ τὴν Οὐρία γυναίκα.}
the present and in the future. Likewise, virtues cause them to go out of their way to help their subjects. Josephus notes that David was “kind to those in misfortune.”

Finally, Josephus’ emphasis on the need for kings to be virtuous probably reflects his view that the ideal king was also obligated to uplift the moral standards of his subjects by displaying virtuous behavior. Oswyn Murray claims this view underpinned Hellenistic kingship theory. Speaking about the general content and underlying principles of the typical *On Kingship* treatise, he writes that, “In general the king stands on a pedestal visible to all and has the duty of leading his subjects to virtue; he therefore has especial need of virtues himself.” Seneca expresses precisely this idea in his *De Clementia*.

Josephus alludes to this view in his account of Rehoboam’s corruption of power, in which he claims that the king eschewed virtue and indulged in vice, “so that also his subjects became imitators of his unlawful deeds.” He explains that “the morals of subjects are corrupted together with the characters of their leaders; giving up their own prudence as a reproach to the licentiousness of the latter, they follow them in their wrongdoing, as though it were a virtue.”

As the above passages reveal, Josephus envisioned an ideal Jewish king who possessed the qualities necessary to govern over an ethnic group with a distinctive set of traditions and customs, while engaging in the Greco-Roman environment. They also show that Josephus saw disadvantages and advantages in kingship. Josephus recognized

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122 Seneca *De Clem.* 2.2.1.
that the concentration of power in one person without restraints made kingship susceptible to tyranny. Yet, this and the weight Josephus ascribed to the virtues implies that kings who possessed the right personal attributes, like David, could achieve considerable good for their kingdoms. Therefore, Josephus held that kingship could be an effective and even advantageous form of government in theory. The next three sections elaborate on these points with specific examples from Josephus’ accounts of the actions and virtues of a variety of kings. They also make evident the distinctive advantages and disadvantages that Josephus ascribed to kingship.

IV: Virtues and the Ideal King’s Role as Arbiter of Justice

The Bible’s emphasis on justice and the Greco-Roman model of the good king both influenced Josephus’ emphasis on justice as a royal virtue. Biblical sources allude to the importance for kings to dispense justice (צדק; ממשיס) fairly. 125 2 Samuel states with approval that “it was David’s practice to mete out true justice to all his people.” 126 Solomon illustrates his devotion to justice when he asks Yahweh to grant him the ability to administer justice, and when he resolves the dispute between the two harlots who each lay claim to the same baby. 127 Jehoshaphat’s judicial reforms ensured the fair application of justice in his dominion. 128 Through his seizure of Naboth’s vineyard, Ahab exemplified the unjust king. 129

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126 2 Sam. 8:15: השמה משמשת וдумה לכל-נられています.
127 1 Kings 3:5-11, 3:29, 10:9.
128 2 Chron. 19:5-11.
129 1 Kings 21:1-25.
Yet Josephus largely followed Greek and Roman writers in identifying and representing justice as a specific virtue for kings. In his version of the Law of the King, he singles out justice as a key virtue that a king should possess. In the eulogy for David, Josephus ascribes justice, with a host of other Greco-Roman virtues, to the ideal king. Moreover, throughout his many narrative accounts of kings, Josephus frequently distinguishes a good or bad king by noting whether or not he was “just” or governed with “justice.” In a number of instances, he uses the phrase (or a variation of it), “just and pious” (εὐσέβης καὶ δίκαιος), a typical phrase that Greek writers used to identify a good king or ruler. The vast majority of these cases are additions to the biblical text. Moreover, while both biblical and Greco-Roman conceptions of kingship likely influenced Josephus’ emphasis on justice as a royal virtue, Josephus turned exclusively to the Greco-Roman conception of ideal kingship to express how the king should dispense justice. Josephus held that the good king relied on ἐπιείκεια (“reasonableness;” “leniency;” “mercy”), φιλανθρωπία (“humanity”), χρηστότης (“kindness”), ἡµερότης (“mildness”), and πραότης (“gentleness”). Through these virtues, the king dispensed justice equitably and humanely, and in a way that advanced the interests of his subjects.

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130 Jos. Ant. 4.223.
131 Jos. Ant. 7.391. See also Jos. Ant. 6.160, where Josephus singled out justice as a royal virtue.
133 Jos. Ant. 6.265, 7.338, 7.341, 7.356, 7.374, 7.384, 8.208, 8.251, 8.280, 8.300, 8.314, 8.394, 9.16, 9.236, 9.260, 10.50. For this usage in Greek and Greek-Jewish writers, see, for example, Arist.Let. 215; Philo Jos. 143; Diod. 5.7.7; Dion. Hal. 76.4.
134 Exceptions are Jos. Ant. 7.110 (in the case of David) and 8.23-24 (in the case of Solomon’s judgment of the two harlots).
Josephus emphasizes the role of the virtues in preventing unjust rule in his version of the David-Nabal story. Here, Josephus indicates that kings should overlook offenses against his person, and refrain from responding with harsh and cruel punishments. Rather, they should respond to such offenses with humanity (φιλανθρωπία) and gentleness (ἡµερότες) and restrain their anger.  

1 Samuel tells how David, when he was in the midst of a guerilla campaign against Saul, sent his soldiers to deliver a message to a prominent shepherd, Nabal. David instructed them to tell Nabal that he was protecting Nabal’s shepherds in the Carmel region. He also told them to ask Nabal to supply his men with provisions. Nabal refused the request and insulted David to his troops. He said,

Who is David and who is the son of Jesse? These days many are the slaves breaking away from their masters. And shall I take my bread and my water and my meat that I slaughtered for my shearers and give it to men who come from I know not where?  

The biblical text reports that in response,

David’s lads whirled round on their way and went back and told him all these words. And David said to his men, ‘Every man, gird his sword!’ And every man girded his sword, and David, too, girded his sword. And about four hundred men went up after David, while two hundred stayed with the gear.

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135 For the similarities and differences between the biblical account and Josephus’ version, see M. Avioz (2008) 73-86.
136 W. Harris, (2001) 229-263, assembles considerable evidence that indicates that anger restraint was a specific component of Greek and Roman conceptions of the ideal ruler. For examples of Greco-Roman views on the deleterious effects of anger on monarchs, see LetArist. 253-254; Polyb. 5.12.1; Seneca De Ira 3.22.1-5, 3.23.2 and De Clem. 1.5.6-7, 1.10.3; Dio Chrys. 1.13.
137 1 Sam. 25:2-44.
138 1 Sam. 25:5-8.
139 1 Sam. 25:10-11.
140 1 Sam. 25:12-13.
While David is on his way, the biblical text explains how David sought revenge because Nabal did not give David’s soldiers provisions in exchange for his protection of Nabal’s flocks.\(^{141}\)

Josephus, however, adjusts and expands the biblical text to illustrate his conception of how an ideal king should dispense justice. He does not just translate the biblical story, but uses it to advance a component of his theory of ideal kingship. Josephus writes,

> When they related this, David was wrathful and, directing 400 armed men to follow him, while leaving behind 200 to guard the baggage—for by this point he had 600 men. He marched against Nabal, having sworn to wipe out his household and all his possessions that very night. For he was irate, not only because he had been ungracious to them, offering nothing in return for the great humanity shown him, but also because he had reviled and spoken abusively to them, even though he had in no way been grieved by them.\(^{142}\)

In contrast to the biblical text, Josephus explicitly notes David’s anger (ὀργίζεται). He also connects David’s anger with Nabal’s personal insult—a connection, which the biblical text does not make.\(^{143}\) Josephus makes these changes in order to accentuate the message that he has Abigail deliver to David, to which we now turn.

In the biblical text, Abigail persuades David not to seek vengeance against Nabal, and claims that Yahweh will punish David’s enemies. She states,

\(^{141}\) 1 Sam. 25:21.  
\(^{142}\) Jos. *Ant.* 6.299: ὀργίζεται δ’ αὐτῶν φρασάντων ὁ Δαυίδης καὶ τετρακοσίως μὲν ὑπλισμένους αὐτῷ κελεύσας ἔπεσθαι, διακοσίους δὲ φύλακας τῶν σκευῶν καταλιπών, ἣδη γὰρ εἶχεν ἐξακοσίους, ἐπὶ τὸν Νάβαλον ἐβάδιζεν ὡσας ἐκεῖνη τῇ νυκτὶ τὸν οἶκον αὐτοῦ καὶ τὴν κτήσιν ὅλην ἀφανίσειν· οὐ γὰρ ἠχθεσθαι μόνον ὅτι γέγονεν ἀχάριστος ἐπ’ αὐτοὺς μηδὲν ἐπιδοὺς πολλῇ φιλανθρωπίᾳ πρὸς αὐτὸν χρησαμένος, ἀλλ’ ὅτι καὶ προσεβλασφήμησε καὶ κακῶς εἶπε μηδὲν ὑπ’ αὐτῶν λελυπημένος.  
\(^{143}\) Jos. *Ant.* 6.299: ἠχθεσθαι... ὅτι καὶ προσεβλασφήμησε καὶ κακῶς εἶπε μηδὲν ὑπ’ αὐτῶν λελυπημένος.
As the lord lives and as you live… like Nabal may your enemies be who seek evil against my lord… the lives of your enemies He will sling from the hollow of the sling.\textsuperscript{144}

She also urges David not to kill Nabal so that he will avoid incurring bloodguilt. She tells David that,

And so, when the Lord does for my lord all the good that he has spoken about you and He appoints you prince over Israel, this will not be a stumbling and a trepidation of the heart to my lord, to have shed blood for no cause.\textsuperscript{145}

By contrast, Josephus has Abigail tell David that anger is not a suitable royal attribute. Following Greek and Roman writers who wrote on ideal forms of kingship, she urges David to curb his anger, overlook Nabal’s personal insult, and display φιλανθρωπία and ήμερότες, qualities that connote leniency and mercy in this context.\textsuperscript{146} She states,

Forego your fury and wrath against my husband and his household in my honor. For it is fitting that you, especially since you are to reign as king, be gentle and humane (πρέπει γάρ ἡμέρῳ σοι καὶ φιλανθρώπῳ τυγχάνειν, καὶ ταῦτα μέλλοντι βασιλεύειν).\textsuperscript{147}

Josephus does not have Abigail claim that Yahweh will avenge the insult if David abstains from vengeance. And he does not have her admonish David that he will incur bloodguilt he if kills Nabal. Instead, he has her issue advice drawn from Greek and Roman ideals of virtuous kingship: the king should be lenient and merciful, and refrain from anger. David heeds this advice.\textsuperscript{148}

\textsuperscript{144} 1 Sam. 25:26-29.  
\textsuperscript{145} 1 Sam. 25:31.  
\textsuperscript{146} Φιλανθρωπία has the same connotation in Josephus’ version of Judah’s speech in the Joseph story, in which Judah asks Joseph to show leniency and mercy and acquit Benjamin of the contrived charges of the theft of Joseph’s goblet; Jos. \textit{Ant.} 2.146. It also connotes leniency and mercy in Jos. \textit{Ant.} 8.385, 10.41.  
\textsuperscript{147} Jos. \textit{Ant.} 6.304: καὶ τὸν θυμὸν καὶ τὴν ὀργήν τὴν ἐπὶ τὸν ἄνδρα μου καὶ τὸν οίκον αὐτοῦ εἰς τὴν ἐμὴν τιμὴν ἔφες· πρέπει γάρ ἡμέρῳ σοι καὶ φιλανθρώπῳ τυγχάνειν, καὶ ταῦτα μέλλοντι βασιλεύειν.  
\textsuperscript{148} Jos. \textit{Ant.} 6.305.
Josephus’ version of the David-Nabal story suggests that in Josephus’ conception of kingship, the good king had unlimited judicial power, but tempered it with the right virtues and personal attributes. Abigail’s plea to David not to massacre Nabal’s entire household presumes that the king determined what constituted an offense against the kingdom and what the punishment should be. It also presumes that there were few if any restraints on his capacity to punish, apart from the king’s virtues and personal attributes. Through Abigail, Josephus indicates that the ideal king does not use the full force of his authority in response to offenses of a personal nature.

In his version of David’s reconciliation with Jonathan’s son, Mephiboshet, Josephus also indicates that the responsible king was lenient and merciful towards his enemies. According to the biblical account, Mephiboshet’s servant Ziba falsely told David that Mephiboshet did not accompany the king on his flight from Absalom because he hoped to regain his grandfather’s throne. Consequently, David rewarded Ziba with all of Mephiboshet’s property. After the war, Mephiboshet came to greet the king, and to reconcile with him. When David asked Mephiboshet why he did not accompany him, Mephiboshet explains that he could not come because he was lame and adds that Ziba had slandered him. He then praises David, saying,

My lord the king is like a messenger of God, and do what is good in your eyes. For all my father’s house are but men marked for death to my lord the king, yet you set your servant among those who eat at your table. And what right do I have to cry out still in appeal to the king?  

149 2 Sam. 16:3-4.  
150 2 Sam. 16:4.  
151 2 Sam. 19:24.  
152 1 Sam. 19:26.  
153 2 Sam. 19:27-29.
Josephus significantly adjusts and expands this part of Mephiboshet’s response. Here, David exemplifies how the ideal king should dispense justice. He has Mephiboshet tell David,

I know, however, that your just mind (ἡ σή διάνοια… δικαία) that loves the truth—which the Deity also wishes to be strong—will not approve of these things. For although you were exposed to much suffering by my grandfather and our whole family was liable to destruction because of him, you, on the contrary, were moderate and kind (τε μέτριος καὶ χρηστὸς), particularly in making yourself forget all these things, when you could very well have remembered them and had the authority to punish them.154

In Josephus’ version, Mephiboshet underscores his belief that David will ignore the slander of Ziba because David is just. He proves this by citing David’s lenient and merciful (μέτριος καὶ χρηστὸς) treatment of his enemies (Mephiboshet was Saul’s grandson). As we will see below, elsewhere Josephus also uses the term χρηστὸς to refer to royal leniency and mercy in the context of dispensing justice.155 Mephiboshet’s statement thus reflects Josephus’ view that the good king used virtues to dispense justice in a humane and reasonable manner, and did not dispense justice, like a tyrant, based on slander or hearsay.

In his version of Solomon’s exoneration of Adonijah, Josephus similarly expresses the view that sometimes kings had to respond to rebels with the virtues of

154 Jos. Ant. 7.269-270: ἀλλ’ οἶδα γὰρ, ὅτι τούτων οὐδὲν ή σή διάνοια προσίεται δικαία τε υδατα καὶ τήν ἄλλησαν ἐναχθέναι βουλομένη καὶ τό θεῖον ἀγαπῶσα· μείζων γάρ κινδυνεύσας παθεῖν ὑπὸ τοῦ πάππου τοῦμοι καὶ τῆς ὅλης ἡμῶν γενεᾶς ὃφειλός όφειλός οὐκ ἐκείνη ἀπολελέναι, το τε μέτριος καὶ χρηστὸς ἐγένος τότε μάλιστα πάντων ἐκείνων ὑπῆρχην ποισάμενος, ὅτ’ ἐξουσίαν τῆς ὑπὲρ αὐτῶν τιμωρίας ἔχει ή μνήμη.

155 Jos. Ant. 6.144. Josephus does not use the quality μέτριος often, but he does associate it with the king’s fair, lenient, and merciful treatment of offenders in his brief assessment of the reign of Philip the Tetrarch. Jos. Ant. 18.106-107: Φίλιππος… μέτριον δὲ ἐν οἷς ἤργον παρασχόν τὸν τρόπον καὶ ἀπράγμονα διαίροντα μὲν γάρ το πᾶν ἐν γῇ τῇ ὑποτελεί ἐποιεῖτο, πρόοδοι δ’ ἦσαν αὐτῷ σὺν ὀλίγοις τῶν ἐπιλέκτων, καὶ τοῦ θρόνου εἰς ὃν ἔκρινεν καθεξήμονος ἐν ταῖς ὀδοίς ἐποιεῖτο, ὅποτε τις ὑπαντάς ἐν χρείᾳ γένοιτο αὐτῷ ἐπιφοβηθήναι, ὁμοῖοι εἰς ἀναβολὰς ἀλλ’ ἐκ τοῦ ὀξέος ἱδρύσεως τοῦ θρόνου ἲ καὶ τύχοι γενομένης καθεξήμονος ἱκροτό καὶ τιμωρίας τῇ ἐπέτιμᾳ τοῖς ἀλοῦσι καὶ ἴπτει τούς ἀδίκος ἐν ἐγκλήμαισι γενομένους.
mercy and leniency. Adonijah was the eldest remaining son of David. His two older brothers, Amnon and Absalom had died. When David grew old, he proclaimed himself king. He had no right to the kingdom, however. Like Absalom, his proclamation was a rebellion against David’s authority. In response to Adonijah’s actions, Solomon’s mother Bathsheba and the prophet Nathan persuaded David to designate Solomon heir. After the public anointment of Solomon, Adonijah feared punishment. He came to the altar in Jerusalem as a suppliant. The biblical account records Solomon’s response when he learned that Adonijah was seeking mercy:

‘If he prove a valiant fellow, not a hair of his will fall to the ground, but if evil be found in him, he shall die.’ And King Solomon sent, and they took him down from the altar, and he came and bowed to King Solomon, and Solomon said to him, ‘Go to your house.’

Josephus’ version of Solomon’s statement, however, goes further than the biblical text in emphasizing Solomon’s mercy and clemency. He claims that Solomon,

in a quite humane and temperate way (ὅ δὲ ἡμέρως πάνυ καὶ σωφρόνως), let him off unpunished for his offence this time, saying, however, that if he were caught again attempting to rebel, he would be the cause of his own punishment. Then he sent and removed him from the place of suppliants. When Adonijah came and paid him homage, Solomon directed him to depart to his own house and not be apprehensive about anything. For the future, he requested him to behave well, since this would be to his advantage.

Josephus’ emphasis on Solomon’s virtue as a reflection of Josephus’ attempt to counter pagan anti-Jewish slander that the Jews were misanthropic and had no great men of the past. By contrast, and in line with my approach, I claim Josephus’ adjustment to this episode reflects Josephus’ concept of how an ideal king should treat offenders under certain circumstances.

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156 In Feldman’s reading, (1989a) 589-590, Josephus adjusts the passage in order to emphasize the importance of temperance (σωφρωσύνη). As is typical of his approach to Antiquities, Feldman sees Josephus’ emphasis on Solomon’s virtue as a reflection of Josephus’ attempt to counter pagan anti-Jewish slander that the Jews were misanthropic and had no great men of the past. By contrast, and in line with my approach, I claim Josephus’ adjustment to this episode reflects Josephus’ concept of how an ideal king should treat offenders under certain circumstances.

157 1 Kings 1:5-7.

158 1 Kings 1:11-37.

159 1 Kings 1:38-40, 1:50.

160 1 Kings 1:52-53.

161 Jos. Ant. 7.362: ὁ δὲ ἡμέρως πάνυ καὶ σωφρόνως τῆς μὲν τότε ἁμαρτίας αὐτὸν ἀφῆκεν ἀθῷον, εἰπὼν δὲ, εἰ ληφθείη τι πάλιν καινοποιία, εὐαγγεῖον τῆς τιμωρίας ἐσεσθαι, πέμψας ἀνίστησιν αὐτὸν ἀπὸ τῆς
Josephus ascribes to Solomon a quality, ἡμερότες, which elsewhere he associates with ideal kingship, and with mercy towards offenders. In his version of the David-Nabal story, Josephus has Abigail urge David to restrain his anger towards Nabal and to be gentle (i.e. merciful) since he is destined to be king (πρέπει γὰρ ἡμέροφ σοι… μέλλοντι βασιλεύειν).¹⁶² He also indicates that Solomon acted with temperance (σωφροσύνη), another quality that Josephus associates with ideal kingship in the eulogy for David.¹⁶³

Josephus’ adjustment and expansion of Solomon’s speech to Adonijah further emphasizes Solomon’s mercy and temperance. In the biblical account, Solomon exonerates Adonijah, but leaves the threat of death hanging over him (“If he prove a valiant fellow, not a hair of his will fall to the ground, but if evil be found in him, he shall die”). Josephus does not remove the threat but softens it. He does not have Solomon explicitly threaten Adonijah with death. Rather, he has Solomon declare that, “if he were caught again attempting to rebel, he would be the cause of his own punishment.”¹⁶⁴ And in a passage that has no parallel in the biblical account, Josephus’ Solomon tells Adonijah not to be fearful of retribution, and that all will be well for him if he is good.¹⁶⁵ Josephus’ account of Solomon’s treatment of Adonijah builds on the idea expressed in the David-Nabal story that the ideal king should display leniency and mercy towards offenders against the king. Although he had the authority to punish, the king should wait to see if this would deter further offenses before deciding on a more severe form of punishment.

¹⁶² Jos. Ant. 6.304.
¹⁶³ Jos. Ant. 7.391.
¹⁶⁴ Jos. Ant. 7.362.
¹⁶⁵ Jos. Ant. 7.362: μηδὲν υφορώμενον καὶ τοῦ λοιποῦ παρέχειν αὐτὸν ἁγαθὸν ώς αὐτῷ τοῦτο συμφέρον ἡξίου.
An anecdote about Agrippa I further illustrates that Josephus considered it essential for the king to temper his power and dispense justice with mercy. The specific virtues he cites here are ἐπιείκεια, ἡµερότες, and πραότης—all of which connote leniency and mercy in this context. A certain Simon, whom Josephus calls a scholar of the law, called an assembly, and told its members that Agrippa was not living piously. He claimed that Agrippa should not enter the temple on these grounds. One of Agrippa’s generals informed the king of Simon’s speech. Agrippa summoned Simon and asked him, “in a gentle and mild” (ἡρέμα τε καὶ πρόως) voice, how he was contravening the law. Simon had no answer. Josephus then notes that Agrippa forgave Simon and released him. He explains the king’s motive:

He considered mildness a more royal trait than anger (τὴν πραότητα κρίνων βασιλικωτέραν ὀργῆς), and was convinced that reasonableness is more becoming in the great than wrath (τοῖς μεγέθεσι θυμοῦ πλέον ἐπιείκειαν).

As we saw in the eulogy, ἐπιείκεια is one of the virtues he ascribes to the ideal king. Here, as elsewhere, it connotes leniency and mercy. Josephus also depicts Agrippa with the quality of ἡµερότες. In his version of the David-Nabal story and in his account of Solomon’s acquittal of Adonijah, Josephus uses the term ἡµερότες to connote royal lenience and mercy towards offenders. Likewise, Josephus ascribes to Agrippa the Greek royal quality of πραότης. As we saw in Section II, this was a typical Greek royal

166 Jos. Ant. 19.332.
170 Jos. Ant. 7.391, 8.213.
quality that connoted the ideal king’s lenient and merciful treatment of offenders. In ascribing these virtues and qualities to Agrippa, Josephus signals that Agrippa acted in accordance with his conception of how a king should treat offenders, and avoided responding to the offense as a tyrant would.

In his account of David’s clemency towards Shimei, to which we now turn, Josephus expresses an additional reason why kings should respond leniently to offenders against the kingdom: to prevent civil strife and minimize bloodshed. The episode shows that in Josephus’ view the good king draws on virtues to dispense justice in a way that advances the interests of his subjects, and not, like a tyrant, in a way that is arbitrary, cruel, or self-serving. Thus, it affirms Josephus’ general view, expressed in his comments on Caligula and in his version of the revolt against Rehoboam, that the good king should check his power with virtues. It also affirms the view expressed in the eulogy for David that the ideal king used virtues to ensure the security of his subjects. In his account of David’s exoneration of Shimei, Josephus does not explicitly depict David with any of the virtues he associates with leniency and mercy, but he presents David’s actions as consistent with these qualities.

Following the victory over his son Absalom in the civil war, David’s former enemies came to seek reconciliation with him. One former enemy, Shimei, was a member

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173 Feldman, (1989a) 562-563 and n. 24, acknowledges that Josephus’ adjustment to the biblical account reflects his view that “one of the qualities of the ideal ruler is that he seeks to prevent dissension.” Yet, he does not develop this idea. He does not, as I do, connect Josephus’ adjustment to the biblical text to Josephus’ conception of how the ideal king should treat offenders. Moreover, as is typical of his approach to Antiquities, he frames Josephus’ adjustment to the biblical text in terms of Josephus’ apologetic agenda. Revolutionaries played a key role in the Jews’ war with Rome. In Feldman’s reading, Josephus has David act to prevent civil strife in order to show that the majority of Jews were not fomenters of rebellion.
of Saul’s clan and therefore hostile to David.\textsuperscript{174} During David’s flight from Jerusalem in fear of Absolom, Shimei openly insulted the king and affirmed his disloyalty to the king.\textsuperscript{175} Now that David had regained monarchical power, however, Shimei approached David and sought mercy from him.\textsuperscript{176} David’s lieutenant, Abishai, who was present, urged David to execute Shimei for insulting the king.\textsuperscript{177} David informed Abishai that he would show mercy to Shimei. The biblical text describes David’s response:

\begin{quote}
What do I have to do with you, sons of Zeruiah, that you should become my adversary today? Should today a man of Israel be put to death? For I surely know that today I am king over Israel.\textsuperscript{178}
\end{quote}

Josephus’ version of David’s statement, however, connects David’s act of mercy to the king’s desire to prevent further domestic unrest and civil strife.

\begin{quote}
Will you not desist, O sons of Zeruiah? Do not stir up new troubles and revolts for us, in addition to the earlier ones (ἐπὶ τὰς πρῶτας ταραχὰς και στάσεις). For you ought not to be ignorant that today I am inaugurating my kingship. Therefore, I swear that I shall forego the punishment of all those who have acted impiously and shall not requite any offender.\textsuperscript{179}
\end{quote}

In the biblical passage, David acts mercifully. Josephus’ version of the biblical passage, however, explicitly associates David’s act of clemency with his desire to avoid further bloodshed and encourage peace and stability in the kingdom. The motive that Josephus ascribes to David for exonerating Shimei, and offenders in general, implies that Josephus

\textsuperscript{174} 2 Sam. 16:5.
\textsuperscript{175} 2 Sam. 16:7-8.
\textsuperscript{176} 2 Sam. 19:20-21.
\textsuperscript{177} 2 Sam. 19:22.
\textsuperscript{178} 2 Sam. 19:23-24.
\textsuperscript{179} Jos. Ant. 7.265-266: οὐ παύσεσθ’, εἶπεν, ὦ Σαρουίας παῖδες; μὴ κινήσητε πάλιν ἡμῖν καὶ κανιὰς ἐπὶ ταῖς πρῶταις ταραχὰς και στάσεις; οὐ γὰρ ἀγνοεῖν ἡμᾶς προσήκεν, ὅτι σήμερον ἄρχομαι τῆς βασιλείας. διὸ πάσιν ἵνα τὰς κολάσεις τοῖς ἀσεβῶσιν ὁμήμη καὶ μηδὲν τῶν ἀμαρτόντων ἐπεξελθεῖν. It is not clear what earlier “troubles and revolts” David is referring to, but the sons of Zeruiah (especially Joab and Abishai) were famously aggressive and murderous. Out of envy, Joab murdered Saul’s former general, Abner, after Abner transferred his allegiance from Saul’s son, Ish-Boshet, to David; Jos. Ant. 7.31-38. When Shimei first insulted David, Abishai wanted to kill him, but David restrained him then as well; Jos. Ant. 6.208-209. David may also be alluding to Joab’s killing of David’s son, Absolom; Jos. Ant. 7.241.
considered it sometimes necessary for kings to treat their enemies and other criminals with clemency in order to avoid further domestic strife.

The cases discussed above indicate that in Josephus’ conception of kingship kings should overlook personal offenses. They should also acquit and pardon other offenses that often but not always pertained to sedition. Josephus’ account of the David-Nabal story implies that this prevented kings from becoming tyrants. In his account of David’s acquittal of Shimei, Josephus suggests that this also enabled kings to preserve internal stability in the kingdom and prevent bloodshed. Both principles likely underscore his approval of David’s merciful treatment of Mephiboshet, Solomon’s exoneration of Adonijah, and Agrippa’s clemency towards Simon.

This does not mean that Josephus believed kings should take a casual attitude towards discipline, however. In his version of Saul’s failure to exterminate the nation of Amalek, Josephus indicates that under certain circumstances it was essential for kings to punish subjects in order to maintain social order. In his account of this biblical episode, he claims that excessive mercy and leniency can encourage offenders and thereby increase instability and disorder in the kingdom. The account implies that the good king should base his decision to punish or employ mercy on which course of action advanced the interests of the kingdom.

Following the account in 1 Samuel, Josephus describes how Saul violated Yahweh’s command to exterminate the entire nation of Amalek, which extended to women and infants. After he defeated the Amalekites and took their king Agag

180 Jos. Ant. 6.132-33. The biblical account is 1 Sam. 15:1-34.
prisoner, Saul let Agag live. In response, Yahweh decided to take the throne from Saul and informed Samuel. Samuel appealed to Yahweh to change his mind, but without success. In a section that has no parallel in the biblical account, Josephus states that Yahweh thought

it not just to indulge offences [in response] to intercession. For there is nothing by which these are more increased than by the showing of leniency on the part of those wronged, for they, in their striving after a reputation for leniency and kindness (θηρωμένους γάρ δόξαν ἐπιεικείας καὶ χρηστότητος), engender them, concealed though this is from themselves.

Josephus is not specifically addressing monarchy in this passage, but his comments extend to monarchical rule. He uses terms, ἐπιείκεια and χρηστότης, which elsewhere he associates with ideal kingship. He includes both virtues in his depiction of David as an ideal king in his eulogy for David, and in his depiction of responsible kingship in his account of the revolt against Rehoboam. And he cites Agrippa’s display of ἐπιείκεια towards Simon in order to designate him a good king. Moreover, in the passage Josephus depicts one person (i.e. Yahweh) as the ultimate arbiter of justice. In other words, he depicts Yahweh as a monarch.

In some of the cases discussed above, Josephus implies that these qualities are important virtues for kings because they prevent kings from abusing their power and enable them to ensure internal stability in their kingdoms. Here, Josephus makes the

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182 Jos. Ant. 6.143.
183 Jos. Ant. 6.144: λογισάμενος οὐκ εἶναι δίκαιον ἀμαρτήματα χαρίζεσθαι παρατίθει τού δὲ κακού τόν φῶς τινός φῶς τινός μᾶλλον ἢ τοῦ μαλακέζοντος τούς ἀδικομένους· θηρωμένους γάρ δόξαν ἐπιεικείας καὶ χρηστότητος λανθάνειν αὐτοὺς ταύτα γεννώντας.
184 Jos. Ant. 7.391, 8.213.
opposite point, claiming that leniency and mercy (ἐπιείκεια) and kindness (χρηστότης) can threaten security by encouraging people to commit further offenses (ἀμαρτήματα).

Josephus’ account of Yahweh’s response to Samuel does not contradict his depiction of leniency, mercy, and kindness as qualities that kings should use when functioning as judges and disciplinarians, however. Rather, Josephus is criticizing the misuse of these virtues. Josephus has Yahweh direct his comments towards rulers “striving after a reputation for leniency and kindness” (θηρωμένους γὰρ δόξαν ἐπιεικείας καὶ χρηστότητος). These rulers do not apply mercy and kindness towards offenders because they think it will enhance the overall stability of their kingdoms. Instead, they seek self-glorification—to gain a reputation for mercy and leniency.

As several of the previous cases illustrate, Josephus holds that kings should be merciful towards offenders if this prevents unjust punishments or promotes political stability. But this does not absolve the king from his duty act as a disciplinarian. On the contrary, Josephus’ addition to the Saul-Amalek story indicates that in Josephus’ view, it was often incumbent upon the king to be strict in order to ensure internal order in his kingdom. Yet in specifying when the king should employ mercy, Josephus affirms the importance of these virtues in the king’s role as arbiter of justice. Like the five cases discussed above, this case confirms that in Josephus’ conception of kingship, the responsible king had unlimited power to discipline, but moderated his power with virtues.

To summarize, biblical references to kings who uphold justice (צדק; ישען), like David and Solomon, likely influenced Josephus’ emphasis on justice as a royal virtue. The Greco-Roman emphasis on justice (δικαιοσύνη; iustitia) influenced Josephus as well.
In presenting how the king was to dispense justice, however, Josephus drew largely on the Greco-Roman model. Accordingly, Josephus produced a model of kingship that both societies would recognize as acceptable, benevolent, and responsible; Josephus’ model king could move seamlessly between both societies. In addition, the examples reflect Josephus’ view that kings were vulnerable to the corruption of power due to the lack of external restraints on their power. Nevertheless, they also show that kings who possessed virtues could administer their kingdoms responsibly, and provide stability and security for their subjects. This implies that Josephus viewed kingship as a potentially effective form of Jewish government in spite of its inherent weaknesses. Josephus’ treatment of the virtue of piety largely confirms these points.

V: Kings and Piety

Josephus did not list piety in the catalogue of virtues in his eulogy for David, but he clearly considered it a key royal quality. He emphasizes this in the addition he inserts into the biblical account of David’s election as king, discussed above. In the biblical account, after Samuel selects David’s older brother based on his impressive appearance. In Josephus’ version, Yahweh adds that mostly Greek virtues, and including piety, make effective and responsible kings. Josephus has Yahweh tell Samuel,

You, for your part, are looking to the youth’s beauty and thinking him worthy to rule as king. I, however, do not make kingship the prize of bodily good looks, but rather of virtue of soul. I seek one who is altogether outstanding in this respect, endowed with piety (εὐσεβεία), justice, courage, and obedience, in which beauty of soul consists.\(^{186}\)

\(^{186}\) Jos. Ant. 6.160: ἀλλὰ σὺ μὲν εἰς τὸ κάλλος ἀπιδὼν τοῦ νεανίσκου καὶ δὴ τούτον ἡγῇ ἀξίον τοῦ βασιλεύσαι εἶναι, ἐγώ δ’ οὐ σωμάτων εὐμορφίας ἐπιθυμῶ τὴν βασιλείαν ἀλλὰ ψυχὴν ἀρετῆς καὶ ζητῶ ὅστις ταύτης ἐστὶ τελέως εὐπρεπῆς, εὐσεβείᾳ καὶ δικαιοσύνῃ καὶ ἀνδρείᾳ καὶ πειθοῖ ἐξ ὧν τὸ τῆς ψυχῆς συνίσταται κάλλος κατακεκοσμημένος.
This is by no means the only place where Josephus presents piety as a royal virtue.

Josephus refers to almost half (49%) of all biblical kings as either pious (εὐσεβής) or impious (ὑσεβής). In general, he uses piety like other Greek writers. He often represents good kings with the combination of piety and justice and indicates that piety refers to the king’s general reverence for the divine and his cult while royal justice refers to the king’s fair treatment of his subjects. Likewise, in his writings piety and impiety encompass a broad range of good or bad royal actions (e.g. murder, keeping oaths, respecting the dead). Josephus also uses it as a general quality to illustrate the good character of a variety of non-Jewish rulers. In some but not all of these cases, piety refers to honoring the Jews’ cult in Jerusalem.

Josephus references Herod’s impiety on a few occasions to demonstrate his general failure to be a responsible king. For example, Josephus relates how Herod had heard that the Hasmonean ruler Hyrcanus had opened David’s tomb and extracted three thousand talents of silver, but that a significant sum remained in the tomb. He decided to

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188 Jos. Ant. 6.265, 7.338, 7.341, 7.356, 7.374, 7.384, 8.208, 8.251, 8.280, 8.300, 8.314, 8.394, 9.16, 9.236, 9.260, 10.50. For this usage in Greek and Greek-Jewish writers, see, for example, LetArist. 215; Philo Jos. 143; Diod. 5.7.7; Dion. Hal. 76.4.


190 E.g. Jos. Ant. 6.265, 8.300 (general good governance); 6.127, 7.294, 10.138 (keeping oaths); 6.288, 7.151, 153, 8.361, 9.109, 15.182, 16.90, 400, 402, 17.1 (murder of citizens, other kings, or family members); 16.188 (respecting the dead).


192 Jos. Ant. 11.120-132, 13.69, 13.242, 12.52, 14.72.
break into the tomb and seize the money in order “to pay for all his lavish gifts.”

Josephus clearly disapproved, and called it an act of impiety (ἀσέβεια). He also cites Herod’s introduction of Roman-style contests and gladiatorial games to illustrate how Herod’s disregard for the Jews’ laws and customs led the masses to neglect their former piety.

Josephus also alludes to the importance of piety for kings in his account of Saul’s murder of the high priest Ahimelech. Saul murdered the high priest because he (wrongly) suspected him of helping David. After describing the event, Josephus claims that Saul’s actions illustrated the principal that “piety (τῆς εὐσεβείας) and justice are especially needed by those who are most exposed to envy.” Here, he is referring to men who obtain sole power. He implies that piety in a general way prevented kings from devolving into tyrants.

Josephus’ treatment of piety further demonstrates how he bridged biblical and Greco-Roman models of kingship. Both societies valued a monarch who displayed reference for the divine and cult. In addition, it confirms Josephus’ belief that effective and responsible kingship depended in part on the king’s ability to restrain his power through virtues.

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194 Jos. Ant. 16.188: Ἡρώδης δὲ διὰ τὴν ἐπιχείρησιν, ἣν ἐποίησατο τῷ τάφῳ, χεῖρον ἐδόκει πράττειν ἐν τοῖς κατὰ τὴν οἰκίαν, εἴτε δὴ τοῦ μηνίματος ἐπιδόντος εἰς ἄ μᾶλλαν καὶ πρότερον ἐν ἐκείνῳ γενέσθαι πρὸς ἀνηκέστου ἐξελείθηνεν συμφοράς, εἴτε καὶ τῆς τύχης ἐν ἐκείνῳ τὴν ἐπίθεσιν ποιουμένης ἐν οἷς τὸ κατὰ τὴν αἰτίαν εὔκαιρον ὁ μικρὰν πίστιν παρεῖχεν τῷ διὰ τὴν ἀσέβειαν αὐτῷ τὰς συμφοράς ἀπηνηχεῖσθαι.

195 Jos. Ant. 15.267: Διὰ τοῦτο καὶ μᾶλλον ἐξεβαινεν τὸν πατρίων ἐθῶν καὶ ἐξουσίαν ἐπιτιθεμένην ὑποδείχθηνεν τὴν πάλαι κατέστασιν ἀπαρτηξείρησιν ὁ ὁδόν, ἐς ὃν ὁ μικρὰ καὶ πρὸς τὸν αὖθις ὑποκίνησιν ἀμεληθέντων ὅσον πρότερον ἐπὶ τὴν εὐσέβειαν ἤχεν τοὺς ὄχλους.

196 Jos. Ant. 6.265: μᾶλλα δὲ τῆς εὐσεβείας αὐτοῖς καὶ τῆς δικαιοσύνης ἐγγίστα τοῦ φθονεῖσθαι.

197 Jos. Ant. 6.264: ἐξουσίαν... καὶ δυναστείαν.
VI: Kings and Magnanimity and Munificence

The cases discussed in the previous two sections largely depict virtues as restraints on royal power. As such, they reflect Josephus’ recognition that kingship was prone to degenerate into tyranny. The cases in the following section illuminate the particular advantages that Josephus ascribed to monarchical government. They show how kings could advance the wellbeing and prosperity of their kingdoms through the virtues of magnanimity and munificence. With these virtues, kings could provide public works (e.g. roads, harbors, housing), fortifications, famine relief, and gifts to allies. In his treatment of these virtues, Josephus elaborates on how a Jewish king could govern a nation that identified with a distinctive set of customs and traditions and also fully participate in the Greco-Roman world that he and his kingdom were a part of.

As we saw in Section II, Greco-Roman kingship theory held munificence and magnanimity to be important virtues. The particular Greek forms of these virtues were largely foreign to the biblical model of good kingship and even conflicted with it. Nevertheless, Josephus considered them essential. He incorporated and even adapted them so that they fit with the biblical model of kingship, summarized in Section I. Accordingly, like Sections IV and V, this section further demonstrates that Josephus envisioned a hybrid model of kingship that fit both Jewish and Greco-Roman expectations of the ideal monarch. In addition, Josephus’ treatment of these virtues reveals a distinct advantage of kingship. Because kingship concentrated power in one person, kings could effect significant good for their kingdoms and subjects through the proper application of the virtues.
Josephus uses a variety of conventional terms to denote munificence and magnanimity: μεγαλοψυχία (“great-heartedness”), εὐεργεσία (“bountifulness”), φιλανθρωπία (“humanity;” “generosity”), and μεγαλοφροσύνη (“high-mindedness”).

But the one that most clearly illustrates his concept of how kings should employ munificence and magnanimity, and his hybrid model of kingship, is φιλοτιμία. Thus φιλοτιμία is the central subject of this section, although μεγαλοψυχία, εὐεργεσία, and μεγαλοφροσύνη are discussed when they overlap with φιλοτιμία in meaning; Josephus occasionally uses them synonymously.

Φιλοτιμία is a unique virtue, in that it can also be a vice, as its various meanings attest. It refers to love of honor, ambition, zeal, munificence, and magnanimity. In the Classical period, Greeks treated φιλοτιμία as a dangerous quality. It represented the man who sought to obtain power and influence at the expense of the wider interests of the polis. In the fourth century BCE, however, φιλοτιμία became a positive quality, and even a civic virtue. It represented the actions of wealthy men who provided benefits to the polis. Honorary inscriptions commemorate some of these acts. Here, it took on the meaning of munificence and magnanimity. In the Hellenistic period, as kingship became an increasingly common form of government, it was co-opted into a royal quality, like

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200 As Aristotle noted: Eth. Nic. 1125b1-25.

201 D. Whitehead (1983) 34.
many other Greek civic virtues. During Josephus’ day, Greek writers continued to treat φιλοτιμία as an important civic and royal virtue, yet also continued to stress its dangerous aspects.

Some figures illustrate the importance Josephus ascribed to the quality of φιλοτιμία. He presents it as a royal virtue thirty-two times. On twenty-three occasions—over two-thirds of the time—it refers in a positive sense to benefits that the king provides to others, either his subjects or citizens of other cities. In these cases, it connotes munificence and magnanimity. But Josephus also refers to kings who display φιλοτιμία for selfish ends, and to excess. This does not undermine the value he placed on φιλοτιμία, but shows that he had opinions about how kings should best direct it.

The influence on his views of φιλοτιμία came from two directions. These competing sources of influence are crucial to recognize since they shaped his distinct view of φιλοτιμία, and illustrate the hybrid Jewish and Greco-Roman nature of his model of the ideal Jewish king. Josephus adopted the conventional Greco-Roman view that kings should use φιλοτιμία to advance the interests of their subjects by providing them

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202 E.g. LetArist. 227.
203 See the various scholarly discussions of φιλοτιμία in writers from the Second Sophistic, like Plutarch, Dio Chrysostom, and Aelius Aristides, in G. Roskam, M. De Pourcq, and L. van der Stockt (2012).
with benefits. For example, they should use it for providing public buildings, grain, and aids in times of crises. They should also use it to bestow gifts on foreign cities or leaders and so maintain good foreign relations. It should not lead them, however, to seek power and influence at the expense of their subjects or to indulge in pleasures to excess. Accumulating material forms of gratitude was not a good reason for a king or citizen to be φιλότιμος.

The biblical view of the good king, discussed in Section I, also informed Josephus’ view of φιλοτιμία. The human qualities of love of honor and ambition posed a threat to the biblical model of the good king as obedient, loyal, and humble towards Yahweh, and to the idea of Yahweh’s sovereignty. Φιλοτιμία could easily lead a king to exalt himself over Yahweh. As we saw above, the Law of the King states that the king must “fear the Lord his God.” Moreover, we saw in Section II that the Deuteronomistic Historian repeatedly stresses that the good king above all demonstrated his allegiance to Yahweh. The good king does “what is right in the eyes of God” (בַּעֲשׂות ה' וְאָדָמָה), and serves Yahweh with “all his heart” (כֶּלֶל לֵבָנוּ). The ideal biblical king should not seek to eclipse Yahweh’s sovereignty. Accordingly, Josephus adapted the concept of φιλοτιμία so that it did not lead kings to dishonor Yahweh.

In the biblical narrative, the construction of the temple is the crowning achievement of Solomon’s reign. 1 Kings provides a detailed account of the structure and its dedication ceremony.207 Josephus is faithful to this aspect of the biblical account; however, he adjusts it in order to emphasize that Solomon possessed the right form of

207 1 Kings 6:1-51, 8.1-66.
phiлотимia and used it properly in constructing and furnishing the temple. In describing all the furnishings Solomon provided for the temple (e.g. the altar, vessels, musical instruments, priestly robes), Josephus writes,

Solomon fashioned all these things richly and magnificently for the honor of God (εις την τοι θεου τιμην). Holding nothing back, he expended all his ambition (παση phiλοτιμια) on the beautification of the sanctuary.

Here, phiлотимia refers to Solomon’s ambition and zeal to decorate the temple, but it also connotes his munificence and magnanimity, referring to the extraordinary amount of money he spent on the temple’s furnishings. Josephus approves of this type of phiлотимia because Solomon channels it towards something that will honor Yahweh (εις την τοι θεου τιμην).

Later in the narrative, when Josephus describes Solomon’s construction of the royal palace, he affirms and elaborates on this point. He writes,

The palace was much inferior to the sanctuary in value; its material was not readied at the same time as was the latter’s, nor was the same munificence (μητε της αυτης φιλοτιμιας) applied. Since it was to be a residence for the king, rather than for God, the work was carried out more slowly.

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208 Feldman, (1998a) 596, notes that Josephus emphasizes Solomon’s phiлотимia, but he does not connect this with Josephus’ view that munificence was an important component of Josephus’ conception of the ideal king.  
209 Jos. Ant. 8.95: Ταῦτα πάντα ὁ Σολόμων εἰς τὴν τοῦ θεοῦ τιμὴν πολυτελῶς καὶ μεγαλοπρεπῶς κατασκεύασε μηδένος φεισάνος ἄλλα πάς φιλοτιμίαν περὶ τὸν τοῦ ναοῦ κόσμον χρησάμενος.  
210 Feldman, (1998) 602, interprets this as a reflection of Solomon’s piety. I agree. Josephus praises two non-Jewish kings for demonstrating piety by giving gifts to the temple, and ascribes this to their phiλοτιμια. Josephus associates Xerxes’ gifts to the temple (i.e. his munificence) with his piety for Yahweh; Jos. Ant. 11.120: Δαρείου δὲ τελευτήσαντος παραλαβὼν τὴν βασιλείαν ὁ παῖς αὐτοῦ Ἀχαιοί καὶ τὴν ἰνάντες τού τοῦ θεοῦ εὐσέβειαν καὶ τιμὴν καὶ τοὺς Ἰουδαίους ἐσέχθη φιλοτιμιαί. In addition, he implies that Ptolemy’s munificence for Yahweh in the form of the gifts he sent to the temple reflected his piety for Yahweh; Jos. Ant. 12.58: ὁ βασιλεύς δὲ τοῦ βασιλείας πολυτελείας καὶ κατασκευής, ὃς ἀνεπερθείειν ὁ βασιλεύς τοῦ θεοῦ, οὐκ ἀνεπετήθην ἡννασάμην διάλειπεν, ὅπως ἀπαντήσαντοι τὴν τοῦ βασιλείας κατασκευής περὶ τὸν ναόν φιλοτιμίαν φαινέται.  
211 Jos. Ant. 8.131: τὰ δὲ βασιλεία πολύ τῆς ἀξίας τοῦ ναοῦ κατακλυσμένα τυχάνοντα τῷ βασιλεύσαντί τινά τὴν ἐντολὴν ἔκ τοσοῦτων χρόνου καὶ τῆς αὐτῆς ἤτοι οὔτε χρόνοις χρησάμενος, καὶ βασιλεύσαντες ὁικητήριον κοιμάσθαι θεῷ γίνεσθαι βράδιον ἤνωθεν.
This comparison is an addition to the biblical text. It implies that it was permissible for the king to display φιλοτιμία in order to serve his own interests, provided this did not lead him to exalt himself over Yahweh. Here we see a fusion of Greco-Roman and biblical concepts of kingship. The king should not display excessive φιλοτιμία. And he should not use it to create a greater palace than Yahweh’s and therefore eclipse Yahweh’s sovereignty. This would not be consistent with the passage from the Law of the King, which states that the king must “fear the Lord his God.” And it taps into the fear that kings will challenge Yahweh’s sovereignty, expressed in Yahweh’s statement to Samuel after the Israelites request a king: “It is not you that they have rejected; it is me they have rejected as their king.”

In his account of king Jotham, Josephus expands on the importance for kings to possess φιλοτιμία. Here, he shows how φιλοτιμία enables kings to provide crucial benefits for the city. The tradition of Jotham as an energetic builder in Jerusalem and Judah appears in 2 Chronicles. But Josephus emphasizes it by attributing this activity to Jotham’s φιλοτιμία in his eulogy for the king. This eulogy has no parallel in the biblical text. In it, Josephus writes,

This king lacked not a single virtue; he was pious towards God and just to humans. He was also concerned for the city. For, whatever was in need of repair and beautification, he completed ambitiously (φιλοτιμώς). He set up porticos and vestibules in the sanctuary and re-erected those portions of the walls that had fallen down, building high and impregnable towers.

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212 2 Chron. 27:34-9.
213 Jos. Ant. 9.236-237: οὗτος ὁ βασιλεὺς οὐδεμιᾶς ἁρετῆς ἀπελείπετο, άλλ’ εὔσεβής μὲν τὰ πρὸς τὸν θεόν, δίκαιος δὲ τὰ πρὸς ἀνθρώπους ὑπῆρχεν, ἐπιμελής δὲ τῶν κατὰ πόλιν· δόσα γὰρ ἐπισκευῆς ἐδέσσατο καὶ κόσμῳ ταῦτα φιλοτιμώς ἐξειργάσατο, στοὰς μὲν τὰς ἐν τῷ ναῷ ἱδρύσας καὶ προπύλαια, τὰ δὲ καταπεπτωκότα τῶν τειχῶν ἀνέστησε πύργους παμμεγέθεις καὶ δυσαλώτους οἰκοδομήσας.
Here φιλοτιμία describes the drive of the king to perform services that advance the interest of his subjects, and also honor Yahweh. Josephus implicitly emphasizes the importance of φιλοτιμία by associating it with two other virtues—justice and piety—that Josephus considered essential for kings.\(^{214}\)

Josephus does not use the term φιλοτιμία to refer to the benefits that King Uzziah provided for his subjects. Instead, he uses the term µεγαλοφροσύνη (“high-mindedness”), which can connote munificence. It carries a similar meaning to φιλοτιμία in Josephus’ accounts of Jotham and Solomon, however, in the sense that it describes public works that the king sponsored for the benefit of his subjects. Josephus writes that Uzziah “was good and just by nature, magnanimous (µεγαλόφρων), and most industrious regarding affairs of the kingdom.”\(^{215}\) Here, µεγαλοφροσύνη refers to 2 Chronicles’ claim that Uzziah fortified Jerusalem, provided the army with weapons (e.g. shields, spears, helmets, mail, bows, slingshots), and increased the ease of farming and the productivity of the land by digging many cisterns in desolate regions, and investing in the cultivation of new crops—actions that reflect the king’s magnanimity.\(^{216}\) Moreover, Josephus uses µεγαλοφροσύνη and φιλοτιμία nearly interchangeably on two other occasions: in his
account of Solomon’s welcoming of Sheba at his court and in his encomium for Agrippa I.217 Thus Josephus’ emphasis on μεγαλοφροσύνη in his description of Uzziah confirms that Josephus considered φιλοτιμία, when it connoted acts of magnanimity meant to benefit the kingdom and its subjects, an essential quality for the ideal king.

Josephus also praises the φιλοτιμία of Nehemiah. Of course, Nehemiah was not a king. Nevertheless, in his account of Nehemiah, Josephus affirms and expands on the reason why φιλοτιμία was important for the ideal ruler and by implication the ideal king. Here, he follows the conventional Greco-Roman conception of good φιλοτιμία: it referred to actions that benefitted the interests of the governed, and not to the narrow interests of the citizen, ruler, or king.

In a passage that has no parallel in the biblical account, Josephus writes that Nehemiah died, “after performing (φιλοτιμησάμενος) many other splendid and praiseworthy public services.” The following statement in the text clarifies that Nehemiah used his φιλοτιμία to benefit the governed. Josephus emphasizes that in addition to being kind (χρηστός) and just (δίκαιος), Nehemiah was also, “extremely

217 Μεγαλοφροσύνη and φιλοτιμία also appear almost indistinguishable in Josephus’ account of Solomon. Both refer to Solomon’s munificent treatment of Sheba. In Jos. Ant. 8.175, Josephus uses μεγαλοφροσύνη to refer to Solomon’s munificent bestowal of gifts upon Sheba: ἀντεδωρήσατο δ’ αὐτὴν καὶ Σολόμον πολλοῖς ἀγαθοῖς καὶ μᾶλλον’ ὃν κατ’ ἐπιθυμίαν ἐξελέξατο· οὕδεν γὰρ ἦν, ὁ τι δεηθεὶς λαβεῖν οὐ παρέσχεν, ἀλλ’ ἔτοιμότερον ὃν αὐτός κατὰ τὴν οἰκείαν ἐχαρίζετο προαιρεῖται ἀπερ ἐκείνη τυχεῖν ἥξιον προιένος τὴν μεγαλοφροσύνην ἐπεδείκνυτο. In Jos. Ant. 8.167, Josephus uses φιλοτιμία to describe Solomon’s hospitable reception of Sheba at his court: ὃς δ’ ἀφικομενὴν αὐτὴν ήδεος ὁ βασιλεὺς προσεδέκατο. τὰ τε ἄλλα περὶ αὐτὴν φιλότιμος ἦν καὶ τὰ πραβαλλόμενα σοφίσματα ῥαδίος τῇ συνέσει καταλαμβανόμενος θάττον ἢ προσεδόκα τις ἐπελέετο. Josephus also uses the two terms synonymously in his account of Agrippa I, discussed later in this chapter; Jos. Ant. 19.328: Ἐπεφύκει δ’ ὁ βασιλεὺς οὗτος εὐεργετικὸς εἶναι ἐν δωρεάς καὶ μεγαλοφρονήσας ἐδόθη φιλότιμος καὶ πολλοῖς ἀθρόως δαπανήσας ἀνύπακτος αὐτῶν εἰς ἑπάνων ἡδύμονος τῇ χαρίζεσθαι καὶ τῷ βιόν ἐν εὐθυμίᾳ χαίρον. 218 Jos. Ant. 11.183: πολλὰ δὲ καὶ ἄλλα καλὰ καὶ ἐπαίνον ἀξία φιλοτιμησάμενος ὁ Νεεμίας ἐτελεύτησεν εἰς γῆρας ἀφικόμενος.
munificent towards his countrymen” (περὶ τοὺς ὁµοεθνεῖς φιλοτιµότατος).

Translating φιλοτιµία as munificence is appropriate in this context. Following the biblical account, Josephus celebrates Nehemiah’s rebuilding of the walls of Jerusalem. But Josephus goes further, adding that Nehemiah invited priests and Levites to move from the country to the city in order to increase the population of Jerusalem and even provided houses for them “at his own expense”—actions that are absent from the biblical record. Thus Josephus demonstrates that he uses his φιλοτιµία like an ideal king: he channels it towards acts that benefit the governed. It enables him to help those who need housing, but his repopulation of the city also strengthens Jerusalem as a whole. Josephus also again connects it to other essential royal qualities possessed by Nehemiah—δικαιοσύνη and χρηστότης. In the eulogy for David, Josephus suggests all good kings needed to possess justice and kindness.

In his account of Caligula, Josephus confirms and elaborates on the importance for monarchs to display the right kind of φιλοτιµία. After his extended account of the plot to assassinate Caligula in Antiquities, Book 19, Josephus presents a portrait of Caligula as a tyrant. In it, he faults Caligula for failing to display the correct kind of φιλοτιµία. He sets the stage for his critique by noting that Caligula “was irrationally generous (µεγαλοφυσία) to those who least deserved it.” As we will see below, and in his

219 Jos. Ant. 11.183: ἀνὴρ δὲ ἐγένετο χρηστός τὴν φύσιν καὶ δίκαιος καὶ περὶ τοὺς ὁµοεθνεῖς φιλοτιµότατος, µνηµείον αἰώνιον αὐτῷ καταλιπὼν τὰ τῶν Ἱεροσολύµων τείχη.
220 Neh. 1.
221 Jos. Ant. 11.181: κατασκευάσας τὰς οἰκίας αὐτοῖς ἐκ τῶν ἰδίων ἀναλωµάτων.
222 Jos. Ant. 7.391.
account of Herod, Josephus occasionally uses φιλοτιμία and μεγαλοψυχία (“magnanimity”) synonymously.²²⁴

A few lines later, Josephus claims that Caligula planned to construct a harbor near Rhegium and Sicily for receiving grain from Egypt. Josephus calls the project “great” and “of the greatest benefit” to seafarers.²²⁵ But he claims that Caligula never completed the project. He explains that Caligula was inclined towards “useless expenditure on pleasures that benefitted no one.”²²⁶ Josephus adds that this caused him to lose “his ambition (φιλοτιμίας) for undeniably greater things.”²²⁷ In this statement, Josephus draws on the ideal Greco-Roman form of φιλοτιμία: it refers to actions that benefit the wider community (i.e. the subjects of the empire). Josephus implies that a king who did not possess the right form φιλοτιμία was a tyrant, and not fulfilling his duty as king.

Josephus’ account of Herod further illuminates how Greco-Roman concepts of φιλοτιμία and biblical ideas of kingship shaped Josephus’ view of how the ideal king should display his φιλοτιμία.²²⁸ Moreover, unlike in the other cases, Josephus stresses the extraordinary harm that kings can cause if they do not use their φιλοτιμία correctly. Following Greco-Roman opinion, he faults Herod for channeling his φιλοτιμία into acts that advance his honor and power at the expense of his subjects, and praises him when he uses it to benefit his subjects. Yet the biblical conception of the good king as deferential

to Yahweh and his laws and respectful of his sovereignty also drives his critique of Herod’s φιλοτιμία.

Josephus provides an extensive and detailed account of Herod’s prized project, the construction of the coastal city Caesarea Maritima in honor of Augustus, as well as some of his other building projects in Judea. For example, he notes that Herod built a city—Phasaelis—which he named after his brother (Phasael). He adds that the city made the “surrounding region, formerly a wilderness, more productive through the industry of its inhabitants.” A list of Herod’s benefactions to Greek cities follows. These include temples, theaters, porticoes, streets, and funding for games. After the description, Josephus states that Herod’s munificence led to impressive and beneficial displays of munificence, and stresses that Herod showered his φιλοτιμία and εὐεργεσία “upon all men.”

But he also notes that φιλοτιμία had a negative side, which was rooted in Herod’s selfish and excessive pursuit of honor. He notes that Herod loved honors (φιλότιμος γὰρ ὄν) and, being powerfully dominated by this passion, he was led to display munificence (μεγαλοψυχίαν) whenever there was reason to hope for future remembrance or present reputation, but since he was involved in expenses greater than his means, he was compelled to be harsh towards his subjects, for the great number of things on which he spent money as gifts to some caused him to be the source of harm to those from whom he took this money.

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229 Jos. Ant. 16.136-49.
231 Jos. Ant. 16.146-149.
232 Jos. Ant. 16.150: πρὸς ἀπαντάς ἀνθρώπους. Josephus uses εὐεργεσία synonymously with φιλοτιμία also in Ant. 19.328 in the case of Agrippa I. His use of this term differs from φιλοτιμία in that it almost never has a negative connotation.
233 Jos. Ant. 16.153-154: φιλότιμος γὰρ ὄν καὶ τούτου τοῦ πάθους ἢττημένος ἰσχυρός, προήγητο μὲν εἰς μεγαλοψυχίαν, εἰ που μνήμης εἰς αὐθής ἢ κατὰ τὸ παρὸν εὐφημίας ἐλπίς ἐμπέσοι. ταῖς δὲ δαπάναις ὑπέρ
Here, Josephus indicates that excessive φιλοτιµία (and µεγαλοψυχία) causes the king to inflict harsh policies to extract revenues from his subjects.234

As with his comments on the φιλοτιµία of Solomon and Jotham, Josephus’ critique of Herod’s φιλοτιµία also shows how he developed a concept of royal φιλοτιµία that was distinctly different from its Greco-Roman counterpart. Josephus claims that Herod honored his benefactors and superiors, and expected his subjects to honor him in kind.235 Josephus explains, however, that the Jews were opposed to this practice. He writes that,

The Jewish nation is by law opposed to all such things and is accustomed to love righteousness rather than glory (τὸ δίκαιον ἀντὶ τοῦ πρός δόξαν). It was therefore not in his good graces, because it found it impossible to flatter the king’s ambition (τὸ φιλότιµον) with statues or temples or such tokens.236

He adds that this was “the reason for Herod’s bad treatment of his own people.”237

Greeks and Romans of course expected their kings to uphold justice. But they do not appear to have viewed the virtues of justice and glory as mutually exclusive, or as existing in tension with one another. The conflict that Josephus describes is due to biblical conceptions of kingship; in particular, the importance of justice and the idea that the king should demonstrate obedience, loyalty, and humility towards Yahweh, and

δύναμιν χρόμενος ἡναγκάζετο χαλεπὸς εἶναι τοῖς ὑποτεταγμένοις· τὰ γὰρ εἰς οὓς ἐδαπάνα πολλὰ γενόµενα κακῶν ποριστῆν ἐξ ὧν ἐλάµβανεν ἐποίει.

234 Josephus elaborates on these methods of extracting cash elsewhere in his narrative; Jos. Ant. 17.204-205. In short, Josephus indicates that Herod’s inability to restrain his munificence caused him to inflict cruelty on his subjects. In effect, Josephus implies that it turned him into a tyrant.


236 Jos. Ant. 16.158: ὅ γε µὴν Ἰουδαίων ἔθνος ἡλιτρίσται νόµοι πρὸς πάντα τὰ τουαλτά καὶ συνείθισται τὸ δίκαιον ἀντὶ τοῦ πρὸς δόξαν ἠγαπηκέναι. διότι ὡς ἦν συν τὴν ἡγαγαγισμὸν, ὅτι καὶ δυνατόν ἔκοψεν ἢ γας ἢ τοιοῦτος ἐπιτηδεύσασθαι κολακεύειν τοῦ βασιλείου τὸ φιλότιµον.

237 Jos. Ant. 16.159: αἰτία µὲν αὐτῆς µοι δοκεῖ τῆς Ἑρώδου περὶ µὲν τοὺς ὁικείους καὶ συμβούλους ἀμαρτίας.
respect him as the ultimate sovereign. Regarding the latter, Josephus states that the Jews refused to honor Herod’s “ambition with statues and temples,” things which would elevate the king over Yahweh. Here it is worthwhile to recall Josephus’ comment that Solomon was careful not to make his palace greater than Yahweh’s temple.

The Deuteronomistic author(s) of Samuel and Kings considered it important for the king to uphold justice.\textsuperscript{238} As noted earlier in the chapter, the author(s) of Samuel states with approval that “it was David’s practice to meet out true justice to all his people.”\textsuperscript{239} The same author(s) celebrates Solomon’s devotion to justice by reporting how Solomon asked Yahweh to grant him the ability to administer justice, and by showing how Solomon resolved the dispute between the two harlots who each lay claim to the same baby.\textsuperscript{240}

The Deuteronomist also emphasized that the king should display loyalty and obedience to Yahweh and respect for his sovereignty. Deuteronomy’s Law of the King disapproves of kings who seek glory and honor. It prohibits the king from amassing too many horses (i.e. for chariots), women, and silver and gold—signs of glory and honor.\textsuperscript{241} And when Samuel complains to Yahweh over the Israelites’ request for a king, Yahweh says: “It is not you that they have rejected; it is me they have rejected as their king.”\textsuperscript{242} Implicit in this statement is the idea that kings pursue glory and honor by nature, and eclipse the glory and honor accorded to Yahweh as sovereign. It implies that seeking glory and honor is not a worthy pursuit for kings. Thus, Josephus’ critique of Herod’s

\textsuperscript{239} 2 Sam. 8:15.
\textsuperscript{240} 1 Kings 3:5-11, 3:29, 10.9.
\textsuperscript{241} Deut. 17:16-17.
\textsuperscript{242} 1 Sam. 8:7.
φιλοτιμία is rooted in a conception of ideal kingship which derives from the biblical model of the ideal king. This does not mean that Josephus rejected φιλοτιμία as a virtue. The examples provided above illustrate that he clearly valued this quality in kings, and those similar to it (e.g. μεγαλοψυχία, εὔεργεσία, and μεγαλοφροσύνη). What it does suggest, however, is that Josephus’ concept of φιλοτιμία was distinct from its Greco-Roman counterpart. It was a form of φιλοτιμία that however contradictory to its essential meaning precluded or at least downplayed the desire for honors in exchange for acts of munificence.

If we turn to Josephus’ account of Herod’s response to a famine that struck Judea in 25/24 BCE, however, we see that Josephus both criticizes and praises Herod’s φιλοτιμία in way that is also consistent with conventional Greco-Roman conceptions of φιλοτιμία as a royal virtue. The famine and drought were devastating. The drought ruined harvests, which the population depended upon. This in turn altered diets, which caused a plague. Stored food was rapidly consumed. All of this led to many deaths. Josephus states that Herod was not able to respond to the crisis promptly because he had given too many gifts to cities. Josephus acknowledges that Herod did not receive the expected revenue from his own crops. But he also notes that Herod had spent much of his money on lavish building projects in other cities due to his

243 For the entire account, see Jos. Ant. 15. 299-316.
244 Jos. Ant. 15.300.
245 Jos. Ant. 15.301.
246 Jos. Ant. 15.301-302.
247 Jos. Ant. 15.301.
248 Jos. Ant. 15.303.
Herod’s failure to alleviate the famine promptly increased the suffering of his subjects.

Nevertheless, Josephus relates how Herod eventually rescued his subjects from the famine. Herod turned his palace ornaments of gold and silver into coins, not even sparing ornaments crafted with great care and of inestimable value, and then exchanged this currency for much-needed grain with the prefect of Egypt, Caius Petronius. Once the grain reached Judea, Herod apportioned it according to need. To those who could prepare food themselves, he distributed grain in exact and fair proportions; for the elderly and sick he provided bakers. In addition, since shepherds’ flocks had died or been eaten, leaving no wool for winter clothing, he provided people with winter garments. He not only helped his own subjects, he gave seed to neighboring cities.

In summarizing his account of Herod’s alleviation of the famine, Josephus stresses that Herod used his φιλοτιµία in a beneficial and productive manner. He writes,

In sum, when the time drew near for harvesting the land, he sent into the country no fewer that fifty thousand men, whom he himself fed and cared for, and in this way, when he had helped his damaged realm recover by his unfailing munificence (ὑπὸ πάσης φιλοτιµίας) and zeal, he also did not a little to relieve the neighboring peoples, who were in the same difficulties.

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249 Jos. Ant. 15.303: ἢ τε ἀνάγκη πολλὰ διὰ τὰς χρείας ἐκαινοῦργει. καὶ τὰς ἁπορίας οὐκ ἑλάττους εἶναι συνεβαίνειν αὐτῷ τὸ βασιλεία, τὸν τε φόρον, οἷς ἐλάμβανεν ἀπὸ τῆς γῆς, ἀφημημένῳ καὶ τὰ χρήματα δεδαπανηκότι πρὸς φιλοτιµίαν ὅν τὰς πόλεις ἔπεσκεύαξεν.


251 Jos. Ant. 15.309.

252 Jos. Ant. 15.310.

253 Jos. Ant. 15.311.

254 Jos. Ant. 15.312: τὸ δὲ σύμπαν ἀμήτου περὶ τὴν γῆν ὑποφανέντος οὐκ ἐλαττον ἢ πέντε μυριάδας ἄνθρωπον, οἷς αὐτὸς θρήνεσεν καὶ περιποιήθησεν, εἰς τὴν χώραν διέπεμψεν, καὶ τόστοι τὸν τρόπον κακωθεῖσαι αὐτῷ τὴν βασιλείαν ὑπὸ πάσης φιλοτιµίας καὶ σπουδῆς ἀναλαβὼν οὐχ ἢκιστα καὶ τοὺς πέρις ἐν ταῖς αὐταῖς κακοπαθείαις ὅντας ἐπεκουφίσεν.
Josephus alludes again to Herod’s munificence at the very end of the account. He notes that,

The unexpected greatheartedness (μεγαλοψυχία) which he showed in this time of difficulty brought about a reversal of attitude among the masses, so that he was thought to have been at bottom not the kind of person that their earlier experiences indicated but the kind that his care for them in their need made him out to be.\(^{255}\)

In these passages, Josephus stresses that Herod harnessed his φιλοτιμία to save the kingdom, making this (and μεγαλοψυχία) an essential quality for a king. He writes that, “there was no one who was turned away without getting such help as he deserved.”\(^{256}\) But this does more than simply imply that Josephus considered it important for kings to possess φιλοτιμία. It underscores the distinct advantages of monarchical rule when kings govern in accordance with the right kind of virtues. The account demonstrates that monarchical government is capable of being an extraordinarily effective and beneficial form of rule if kings use virtues such as φιλοτιμία in an appropriate manner. Through the right display of virtues, the king can single-handedly harness his unlimited power and many resources to alleviate the suffering of his realm.

Another positive consequence of Herod’s exemplary display of φιλοτιμία was the goodwill he gained from the people. His “solicitude” removed the Jews’ “former hatred” towards him for changing their customs and royal practices.\(^{257}\) Josephus states that “his

\(^{255}\) Jos. Ant. 15.316: τὸ γὰρ ἐν ταῖς ἀπορίαις μεγαλόψυχον παρὰ δόξαιν ἑπιδειξάμενος ἀντιμετέστησε τοὺς πολλοὺς, ὡς ἐξ ὑπαρχῆς δοκεῖν οὐχ οἶδον ἡ πεῖρα τῶν πάλαι γεγενημένων, ἀλλ᾽ οἶδον ἡ μετὰ τῆς χρείας ἐπιμέλεια παρεστήσατο.

\(^{256}\) Jos. Ant. 15.313: οὐ γὰρ ἔσθ᾽ ὅστις ὑπὸ χρείας ἐντυχὼν ἀπελείφθη μὴ βοήθειαν εὕρασθαι κατὰ τὴν αξίαν.

\(^{257}\) Jos. Ant. 15.315: ταύτην δ’ αὐτοῦ τὴν ἐπιμέλειαν καὶ τὴν τῆς χάριτος εὐκαριάν οὕτως ἐν αὐτοῖς τε τοῖς Ἰουδαίοις ἱσχύσαι συνεβή καὶ διαβοηθήναι παρὰ τοῖς ἄλλοις, ὅστε τὰ μὲν πάλαι μίση κινηθέντα διὰ τὸ παραχαράττειν ἔνια τῶν ἐθνῶν καὶ τῆς βασιλείας ἐξαιρεθήναι καὶ τοῦ παντὸς ἐθνοῦς.
munificence (φιλοτιμία) was regarded as full compensation” for this.258 And, as noted above, he adds that Herod’s magnanimity (μεγαλοψυχία) reversed the masses longstanding hatred for him.259

Josephus’ assessment of Agrippa’s φιλοτιμία further illustrates his concept of how the ideal king should channel this quality. By comparing Agrippa’s munificence favorably to Herod’s, Josephus indicates that the king had to strike a balance between performing acts of munificence for his subjects and for citizens of foreign cities. Josephus even suggests that it is fine for a king to gain fame for his munificence, so long as he also used it to benefit his subjects. He writes:

Now King Agrippa was by nature generous in his gifts and made it a point of honor to be high-minded towards gentiles (εὐεργετικὸς εἶναι ἐν δορεάς καὶ μεγαλοφρονήσαι ἐθνή φιλότιμος); and by expending massive sums he raised himself to high fame. He took pleasure in conferring favors and rejoiced in popularity.260

Here, Josephus emphasizes that Agrippa, like Herod, performed extravagant acts of φιλοτιμία and thus enhanced his reputation.261 Yet Josephus does not criticize Agrippa for this extravagance (for now). The likely reason for this is that Josephus held that Agrippa was comparatively more mindful of the needs of his own subjects. Josephus indicates that Agrippa used his φιλοτιμία more equitably than Herod, and more out of concern for the wellbeing of his subjects. He claims that there was “not a single city of

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258 Jos. Ant. 15.315: ἀντικατάλλαγμα δὲ φαίνεσθαι τὴν ἐν τῇ βοηθείᾳ τῶν δεινοτάτων φιλοτιμίαν.
259 Jos. Ant. 15.316: τὸ γὰρ ἐν ταῖς ἀπορίαις μεγαλόψυχον παρὰ δόξαν ἐπιδειξάμενος ἀντιμετέστησε τοὺς πολλοὺς, ὡς ἐξ ὑπαρχῆς δοκεῖν σὺνο ὄνον ἡ πεῖρα τῶν πάλαι γεγενημένων, ἀλλ’ οἶδον ἡ μετὰ τῆς χρείας ἐπιμέλεια παρεστῆσατο.
261 See Jos. Ant. 19.335-337 for the list of some of these gifts.
the Jews on which he [Herod] deigned to bestow even minor restoration or any gift worth
mentioning." 262 By contrast, he notes that Agrippa,

On the contrary…was a benefactor to all alike (δ᾽…πρὸς πάντας τὸ εὐεργετικὸν ὁμοίων). He was benevolent to those of other nations (τοῖς ἄλλοςεθνέσιν ἣν φιλάνθρωπος) and exhibited his generosity (τὸ φιλόδωρον) to them also, but to his compatriots he was proportionately more generous (τοῖς ὀμοφύλοις ἀναλόγως χρηστὸς καὶ συμπαθῆς μᾶλλον). 263

In this passage, Josephus does not use the term φιλοτιμία—he uses εὐεργετικός, φιλάνθρωπος, and φιλόδωρος—but the actions he is describing clearly fall under his conception of φιλοτιμία as connoting acts of munificence. Moreover, he uses the term εὐεργετικός synonymously with φιλοτιμία when describing Agrippa’s acts of munificence to foreign cities in the passage from Antiquities 19.328. 264 In short, comparing Josephus’ different attitudes to Herod and Agrippa’s munificence reflects his view that the ideal king displayed munificence to inhabitants of foreign cities, but that he had to be proportionally more munificent towards his own subjects.

Although he emphasizes that Agrippa’s φιλοτιμία was more virtuous than Herod’s, Josephus does not withhold criticism of Agrippa’s display of φιλοτιμία. At the end of his account of Agrippa’s death, Josephus lists the territories that Agrippa ruled. He then states that Agrippa received significant revenues from these territories, but that he still had to borrow large sums of money. Josephus explains that Agrippa was φιλόδωρος

262 Jos. Ant. 19.329: ἀλλοφύλων γέ τοι πάλις ἑσέμυνεν δόσει χρημάτων βαλανεῖων θεάτρων τε ἅλλοτε κατασκευαῖς, ἔστιν αἰς ναοῦς ἀνάστησε, στοὰς ἄλλας, ἄλλα ἱουδαίων οὐδεμίαν πάλιν οὐδ᾽ ὀλίγης ἐπισκευὴς ἠξίωσεν οὐδὲ δόσεως ἀξίας μηνυμονεύθηναι.
264 He also uses these two terms synonymously in his account of Herod’s φιλοτιμία, Ant. 16.150. On the sense of χρηστὸς as munificence, see, for example, Jos. Ant. 1.200, 1.247, 2.56, 2.140, 2.157, 2.195, 11.273, 11.277, 12.21.
(“a lover of gift-giving”) and that his “his munificence (τὸ φιλότιμον) knew no bounds.” Here, Josephus cites a weakness in Agrippa’s φιλοτιμία, indicating that it was excessive. This was no small matter. In his account of Herod’s response to the famine, Josephus makes clear the dangers posed by kings whose φιλοτιμία caused them to spend beyond their means: they cannot respond to crises.

It is significant that Josephus censures the φιλοτιμία of a king he generally approved of, and commends the φιλοτιμία of a king he largely criticizes. As we saw earlier, Josephus praises the φιλοτιμία of Herod in his account of Herod’s response to the famine of 25/24 BCE. Josephus is generally critical of Herod in Antiquities, and he is specifically critical of Herod’s φιλοτιμία, as we have seen. Yet he does not suppress critical remarks on Agrippa’s φιλοτιμία, a king he largely presents as an ideal monarch.

This shows that Josephus did not simply praise or blame a ruler’s φιλοτιμία because he liked or disliked the individual ruler. It shows that he had an abstract concept of how an ideal king should use his φιλοτιμία to govern responsibly and beneficially, and judged kings according to that ideal standard. And it affirms that he considered φιλοτιμία and the proper display of it essential for good monarchical rule.

To summarize, Josephus adopted the Greco-Roman view that φιλοτιμία was an essential quality for the king. Through φιλοτιμία, kings performed actions that enhanced the kingdom’s security, secured its alliances, made its urban spaces more livable, improved its economy, and provided relief in times of crises. Accordingly, Josephus’

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265 Jos. Ant. 19.352: προσωδεύσατο δ’ ὅτι πλείστας αὐτῶν προσφορὰς διακοσίας ἐπὶ χιλίαις μυριάδας, πολλὰ μὲντο προσέδανεστο· τῷ γὰρ φιλόδωρος εἶναι δαψιλέστερα τῶν προσιόντων ἀνήλισκεν, ἢν δὲ αφειδὲς αὐτοῦ τὸ φιλότιμον.
treatment of munificence and magnanimity reveals that Josephus saw distinctive advantages in monarchical government.

Unlike Greek and Roman writers, however, Josephus was faced with the challenge of adjusting his concept of ideal φιλοτιμία in accordance with the biblical model of kingship. The challenge was considerable since the biblical model was at odds with the fundamental nature of a king who was a “lover of honor” (φιλότιμος). This good king in the Bible had to respect the sovereignty of Yahweh and heed his laws and commandments. He had to be obedient and loyal to Yahweh. A king who pursued honors was liable to exalt himself above Yahweh and eclipse his sovereignty. Instead of rejecting φιλοτιμία as a royal quality, however, Josephus presented an idealized form of it that preserved the biblical idea of the good king. Solomon, Jotham, and Nehemiah exemplify this kind of φιλοτιμία. Josephus’ celebration of his φιλοτιμία, along with his depiction of Nehemiah as an ideal ruler, implies that he considered it an essential quality for kings, if used correctly. All three rulers use it to benefit the governed, but also to honor Yahweh through their care for his temple and cult. In short, through his concept of royal magnanimity and munificence Josephus elaborated on how his ideal Jewish king was prepared to govern in both a Jewish and Greco-Roman environment. This king displayed the kinds of virtues that earned him the legitimacy and loyalty of his Greek and Roman subjects, allies, and patrons. At the same time, he used them to advance the security and prosperity of his Jewish subjects without violating their distinctive customs and traditions.

**Conclusion**
Both biblical and Greco-Roman models of kingship contributed to Josephus’ conception of the ideal monarch. He drew on and combined both models, and even reconciled them where they conflicted. The virtues Josephus emphasizes the ideal king should possess, like mercy and leniency (Section III), and justice and piety (Section IV), draw on and address shared conceptions of ideal kingship in both Jewish and Greco-Roman conceptions of responsible monarchical government. As Section III showed, in administering justice, the ideal king judiciously employed mercy and leniency in accordance with Greco-Roman conceptions of just, benevolent, and responsible kingship. Yet, in emphasizing these royal qualities, Josephus extended the Bible’s emphasis on the importance for the king to be just. As such, Josephus presented a model for how the ideal Jewish king should dispense justice that fit both Jewish and Greco-Roman conceptions of ideal kingship.

As Section IV demonstrated, Josephus’ repeated emphasis on piety as a royal quality channels both biblical and Greco-Roman conceptions of ideal kingship, too. In Greco-Roman conceptions of ideal kingship, piety was a catchall quality. It reflected the king’s devotion to the gods, the state, his family, and oaths—it indicated in general that he was a responsible and benevolent ruler. Yet, the biblical (i.e. Deuteronomistic) model of the good king also encompassed piety. It indicated that the king expressed loyalty to Yahweh through obedience to his laws and cult. Here, Josephus again advances a model of ideal kingship that met both Jewish and Greco-Roman standards of responsible kingship.

In some areas, Greco-Roman and Jewish models of kingship conflicted. Josephus’ reconciliation of this conflict accentuates the hybrid aspect of his model of the ideal
Jewish king. Section V demonstrated that love of honor, ambition, and munificence were typical Greco-Roman royal qualities, yet in some ways fundamentally clashed with the biblical conception of the good king as humble and God-fearing, loyal and obedient to Yahweh, and respectful of his sovereignty. In Greco-Roman society, love of honor, ambition, and munificence were qualities essential to the political survival of the king and his kingdom. Through them, kings provided their kingdoms with innumerable benefits and services, and also strengthened the support of their subjects and allies. Yet these qualities clashed with a central aspect of the biblical conception of ideal kingship: humility, loyalty, and obedience to Yahweh, and recognition of Yahweh’s ultimate sovereignty. They also conflicted with the Jewish view that righteousness, and not honor and glory, was the ideal royal quality. Josephus, however, smoothed out the conflict these qualities posed to the Jewish model of kingship, modifying and adapting them so that they did not offend the distinctive customs and traditions of the Jews.

Setting Josephus’ view of kingship in the context of Greco-Roman kingship theory also illuminates Josephus’ view of kingship as a form of rule. It indicates that Josephus considered the personal power of the king to be the primary engine of monarchical government. And it highlights both the advantages and benefits that Josephus ascribed to kingship. Josephus conceived of monarchy as a flawed but potentially effective and even beneficial form of government. As Sections I and II showed, Josephus followed Greco-Roman thinkers and recognized that kingship was an inherently unstable form of government. It concentrated immense power in one person with few restraints. As such, kings could easily turn into tyrants. The inherent weakness of kingship as a form of rule underlies many of the case studies in Sections III, IV, and V.
Nevertheless, because the Greco-Roman model ascribed almost unlimited power to the king, and placed such a strong emphasis the king’s individual virtues, an individual who excelled in virtues could make kingship an effective and even advantageous form of rule. As demonstrated throughout the chapter, but especially in Section V, which treated magnanimity and munificence, Josephus held that kings who possessed virtues could govern their kingdoms responsibly and effectively. They could ensure internal security for the kingdom by dispensing justice fairly and mercifully; provide public services to their subjects like roads, housing, and harbors; respond to unexpected crises; build fortifications; and forge alliances with neighboring states and rulers that benefited their kingdom. Finally, Josephus’ treatment of kings and virtues shows that Josephus held that the ideal king should set the moral standard for his subjects: by modeling virtuous behavior to his subjects, the king could ensure that his subjects, too, acted virtuously.
CHAPTER 2: SOVEREIGNTY AND THE LAW

Introduction

No less important than virtues and personal attributes to Josephus’ conception of ideal kingship was the law. The law had three basic functions in Josephus’ theory of kingship. First, it ensured the king’s allegiance to Yahweh. Second, it deterred royal abuse of power. Third, it provided the king with a key mechanism for maintaining justice and social order in the kingdom. Josephus’ treatment of kingship and the law further clarifies his concept of kingship. Josephus did not view monarchical rule as exclusively dependent on the personal power of the king. He held that the king relied on a set of authoritative norms external to his person to govern responsibly and benevolently, and in particular to express his allegiance to Yahweh. In contrast to the cases in the previous chapter, however, those presented here provide significantly less detail about how the king governed. Josephus is more specific on how the king used his virtues and personal attributes, as opposed to the law. This indicates that Josephus saw personal power as the primary though not exclusive agent through which the king advanced the interests of his subjects.

In addition, Josephus’ treatment of kingship and the law further demonstrates that his conception of ideal monarchy reflected both biblical and Greco-Roman kingship ideals. The idea that the king followed Mosaic Law out of allegiance to Yahweh (and to ensure his subjects’ loyalty to Yahweh) derived from the biblical (i.e. Deuteronomistic) model of ideal kingship. Yet Josephus also presents the law as a set of authoritative norms that circumscribed the power of the king, and which the king could use to ensure
justice and social order in the kingdom—ideals that appear in both biblical and Greco-Roman treatments of responsible kingship. While Josephus’ concept of lawful kingship was largely compatible with the Greco-Roman one, there were some obvious differences. The role of the law in maintaining the king’s allegiance to a single deity was not a centerpiece of Greco-Roman kingship theory. Moreover, in general Greco-Roman writers did not emphasize with the same degree of specificity as Josephus that the king could not under any circumstances alter or adjust a pre-existing and written law code.

Sections I and II provide a summary of biblical and Greco-Roman conceptions of lawful monarchy, since both illuminate Josephus’ presentation and conception of lawful monarchy. Sections III, IV, V, and VI consist of case studies. These case studies demonstrate the three functions of the law in Josephus’ concept of ideal kingship. They show how his concept of the ideal lawful king matched biblical and Greco-Roman kingship ideals of lawful kingship, but also diverged from the Greco-Roman model.

Section III considers Josephus’ rewritten accounts of several biblical kings. Section IV analyzes Josephus’ account of the Trial of Herod, which took place during the reign of Hyrcanus II. Section V discusses Josephus’ accounts of Herod and Archelaus. Section VI examines Josephus’ portraits of two Roman emperors, Caligula and Claudius.

Many of the case studies presented in these sections are negative examples. The reader may wonder whether it is possible to derive from them a positive conclusion about Josephus’ concept of lawful kingship. Yet, it is frequently the kings who violated the law that prompted Josephus to accentuate or comment on their lawlessness. Accordingly, these cases in particular illuminate Josephus’ thoughts on how kings should act in relation to the law.
In general, the case studies consist of narrative accounts of kings in which Josephus uses one of the following terms for law(s): νόμος ("law"), τὰ νόμιμα ("laws" or "customs"), παράνομος ("lawless"), and πατρινοί νόμοι ("ancestral laws"), and οἱ νόμοι τοῦ Μωυσέου ("the laws of Moses"). There are two exceptions—Josephus’ accounts of the Saul-Ahimelech episode and Claudius. These accounts, however, clearly presume lawfulness to be an essential and fundamental component of responsible and legitimate kingship.

I. The Law in Biblical Conceptions of Kingship

Josephus’ emphasis on law as an expression of the king’s loyalty to Yahweh is rooted in the biblical, and more specifically the Deuteronomistic, conception of good kingship. Accordingly, the king was to obey a specific and fixed divine law code—the laws Yahweh commanded Moses to deliver to the Israelites. Biblical sources frame the king’s duty to obey the law as a fundamental expression of loyalty to Yahweh, as a guard against the king’s potential abuses of power, and as a prerequisite for responsible and benevolent government. The Law of the King in Deuteronomy instructs the king,

To fear the Lord his God, to keep all the words of this teaching and these statutes, to do them, so that his heart be not haughty over his brothers and so that he swerve not from what is commanded right or left.

Here, the implication is that the law ensures the king’s respect for Yahweh and also prevents him from becoming arrogant and abusing his power.

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266 The term τὰ νόμιμα can refer to customs or laws. In the passages quoted in this chapter, the term is indistinguishable in meaning from οἱ νόμοι.
267 Deut. 17:19-20.
Alison Joseph’s recent study has shown that the author(s) of Kings advances a similar model of the good king. A key component of this model is the king’s obedience to the commandments and laws of Yahweh. As Joseph shows, this model is a function of the Deuteronomist’s theological program, which emphasizes loyalty to Yahweh through obedience to his laws and to his cult in Jerusalem. In 1 and 2 Kings, the Deuteronomistic Historian repeatedly emphasizes the importance for the king to heed the הלקים (“statutes”), מלחמות (“laws”), and מנדת (“commandments”) of Yahweh. It presents David as a prototype of the good king, and Jeroboam as a prototype of the bad king. The good king, like David, expressed obedience to Yahweh by following his commandments and laws and patronizing his cult in Jerusalem. The bad king, like Jeroboam, acted in the opposite manner: he did not follow the commandments and laws of Yahweh, and patronized non-Yahwistic cults. In short, the biblical conception of kingship, as reflected in the Law of the King and the Book of Kings, emphasizes that the king was bound to a divine and fixed law code. Through obeying and upholding this code, the king ensured his and his subjects’ loyalty to Yahweh.

Yet biblical sources also celebrate kings, exemplified by Jehoshaphat and Josiah, who used their power to implement and promote Mosaic Law in order to ensure obedience and honor for Yahweh and security and stability for their subjects. Thus the

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270 For Joseph’s treatment of other linguistic formula that the Deuteronomistic Historian uses as criteria to distinguish good and bad kings, see Joseph (2015) 77-105.
271 Ibid.
272 Ibid., 107-146.
ideal king was not simply bound by the law; he instituted it. The implementation of the law plays a key role in 2 Chronicles’ account of the reign of Jehoshaphat. In the account, Jehoshaphat ordered officials and priests to travel throughout Judea and instruct the populace in the content of “the book of the law of the Lord.” Two chapters later, it amplifies on Jehoshaphat’s legal reforms. It tells how Jehoshaphat appointed judges in the towns of Judea and in Jerusalem. He told the judges in Judea: “Consider what you are doing, for you judge not on behalf of man, but on behalf of the Lord, and He is with you when you pass judgment.” In Jerusalem, he appointed Levites, priests, and heads of families to administer the “law of the Lord.” He told them: “this is how you shall act: in fear of the Lord, with fidelity, and with a whole heart.” This favorable account of Jehoshaphat’s legal reforms implies that the good king was expected not only to obey the law and hence express allegiance to Yahweh, but also to institute and promote it in order to demonstrate loyalty to Yahweh and provide security and justice to his subjects.

A similar implication follows from the famous account of the discovery of the scroll of the covenant during the reign of Josiah. The temple renovations under the reign of Josiah unearthed the scroll of the covenant. After reading its content, Josiah promptly implemented and enforced the law. He assembled the people and publicly “solemnized the covenant before the Lord: that they would follow the Lord and observe His commands, His statutes, and His laws with all their heart and soul; that they would

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sources intentionally do not represent the king with the authority to promulgate law, in actuality Israelite kings did possess this authority.

274 2 Chron. 17:9.
275 2 Chron. 19:5-10.
277 2 Chron. 19:8.
278 2 Chron. 19:9.
279 2 Kings 22:8.
fulfill all the terms of this covenant as inscribed upon the scroll." Josiah is clearly a model king because he implemented Mosaic Law out fealty to Yahweh.

In short, these examples indicate that the ideal biblical king upheld and instituted Mosaic Law in order to show loyalty to Yahweh, restrain his absolute power, and provide his subjects with a stable and benevolent government. The case studies in Sections IV and V show that Josephus accepted and advanced these aspects of the biblical concept of kingship and law.

II: Greek and Roman Concepts of Sovereignty and the Law

Greek and Roman writers considered lawfulness a defining feature of responsible and benevolent monarchy. Unlike the biblical authors, however, they did not allude to a specific code of rules and restrictions that the king was supposed to uphold and promote; nor did they ascribe these laws to a specific lawgiver or indicate that they were divine in origin. They depict the laws as a set of unspecified norms whose authority was external to the king’s person and held that the king was supposed to uphold these norms. Moreover, they held that the difference between monarchy and tyranny depended on the ruler’s commitment to lawful rule. This view is implicit in Herodotus’ *Histories*, which presents one of the earliest accounts of Greek theorizing on monarchical rule. In the constitutional debate, which appears in Book Three, Otanes lists the various vices (e.g. envy, slander, lust) that characterize tyrants. He adds that such tyrants also “overturn ancestral customs” (νόμωμα τε κινέει πάτρω). The implication is that respect for established laws and customs defined the king and distinguished him from the tyrant.

280 2 Kings 23:3.
281 The discussion here is informed by Walbank (1984) 80-81.
282 Herod. 3.80.5. Transl. by A. de Sélincourt.
Later Greek writers made this distinction explicit. In the *Statesman*, Plato defined the tyrant as a king who did not rule in accordance with the laws. He states:

> But when a single ruler acts in accordance with neither laws nor customs (μὴ ταῖς νόμους μὴ ταῖς ἔθη), but claims, in imitation of the scientific ruler, whatever is best must be done, even though it be contrary to the written laws, and this imitation is inspired by desire and ignorance, is not such a ruler to be called in every instance a tyrant? ²⁸³

It is true that Plato’s “scientific ruler” stands above the law, like Aristotle’s *pambasileus*.²⁸⁴ These exceptions aside, Plato indicates that the typical king is to be respectful and mindful of laws and customs; otherwise he loses his legitimacy as king and becomes a tyrant. Plato’s contemporary Xenophon reiterates this view. In the *Memorabilia*, he cites the view of Socrates:

> Kingship and despotism (βασιλείαν δὲ καὶ τυραννίδα), in his [Socrates’] judgment, were both forms of government, but he held that they differed. For government of people with their consent and in accordance with the laws of the state was kingship (κατὰ νόμους… ἀρχὴν βασιλείαν), while government of unwilling subjects and not controlled by laws but imposed by the will of the ruler was despotism (τὴν… μὴ κατὰ νόμους… τυραννίδα).²⁸⁵

Nino Luraghi, an expert on Greek tyranny and kingship, has noted that this definition of tyranny became standard in Greek treatments of tyranny.²⁸⁶ Numerous examples could be cited to illustrate this. Below are two from writers who theorized on kingship, and lived during or close to the time Josephus lived and wrote.

²⁸³ Plato *Pol. 301b11-c4*: Τί δ’ ὅταν μὴ ταῖς νόμους μὴ ταῖς ἔθη πράττῃ τις εἰς ἄρχον, προσποιήται δὲ ὄσπερ ὁ ἐπιστήμων ὡς ἄρα παρὰ τὰ γεγραμμένα τὸ γε βέλτιστον ποιητέον, ἢ δὲ τις ἐπιθυμία καὶ ἁγνοία τοῦτο τοῦ μυθιστοῦ ἐγοῦμένη, μὲν οὐ τότε τὸν τοιοῦτον ἐκαστὸν τύραννον κλητέον.

²⁸⁴ Aristotle *Pol. 1285b30-33*: The entire discussion of this kind of king runs from Aristotle *Pol. 1285b30-1286b41*. The conflict between *pambasileia* and the sovereignty of the law is also treated in Aristotle *Pol. 1286a1-1287b35*.

²⁸⁵ Xen. *Mem. 4.6.12*: Βασιλείαν δὲ καὶ τυραννίδα ἀρχὴς μὲν ἀμφότερα ηγεῖτο εἶναι, διαφέρει δὲ ἄλληλων ἐνόμισε. τὴν μὲν γὰρ ἑκέντον τοῖς ἀνθρώποις καὶ κατὰ νόμους τῶν πόλεων ἀρχὴν βασιλείαν ηγεῖτο, τὴν δὲ ἑκέντον τοῖς καὶ μὴ κατὰ νόμους, ἀλλ’ ὅπως ὁ ἄρχων βούλοιτο, τυραννίδα.

²⁸⁶ Luraghi (2013b) 141.
The pseudo-Pythagorean writer Archytas (2nd CE), who theorized on kingship, also held that lawful rule distinguished kingship from tyranny. Archytas claimed that the king was “animate law” (νόµος ἐµψυχος), but also held that he had to comply with “inanimate, written law” (ὁ δὲ ἄψυχος γράµµα). He explains that the lawful king (ὁ µὲν βασιλεύς νόµιµος) adhered to written law in order to be a legitimate monarch and not a tyrant (τύραννος). Dio Chrysostom, Josephus’ contemporary, claimed that lawful rule distinguished the king from the tyrant. In a short speech titled, On Kingship and Tyranny, Dio states that, “most men who hold unbridled power… do not fear the laws (τοὺς νόµους)” and “do not even believe in their existence.” He states that, “the good ruler … cherishes the laws (ὁ δὲ ἄγαθος ἄρχων… ἀγαπᾷ δὲ τοὺς νόµους) because he does not fear them.”

Roman writers adopted and advanced the Greek concept of the legitimate monarch as a lawful ruler, and the concept of the tyrant as a lawless ruler. In the De Re Publica, Cicero has Scipio claim that the ideal ruler or monarch “imposes no laws (leges) on the people which he does not obey himself.” This statement refers to both aristocratic rulers and monarchs. Elsewhere, he has Scipio state that tyranny begins

288 Pseudo-Archytas p. 33, 8-12 (Thesleff): τούτῳ γὰρ ὁ µὲν βασιλεύς νόµιµος, ὁ δ’ ἄρχων ἀκόλουθος, ὁ δ’ ἄρχων ἀνακόλουθος, ὁ δ’ ἄρχων ἐλεύθερος, ὁ δ’ ἄρχων ἀνακόλουθος, ὁ δ’ ἄρχων δούλος, ὁ δ’ ὀλα κοινωνία κακόδαιµον.
289 Dio Chrys. 62.2: οἱ µὲν γὰρ πολλοὶ τῶν ἐν ταῖς δυναστείαις… οὐ φοβοῦνται τοὺς νόµους, οὐδὲ εἶναι νοµίζοντες.
290 Dio Chrys. 62.3: ὁ δὲ ἄγαθος ἄρχων… ἀγαπᾷ δὲ τοὺς νόµους, ὦτι οὐ δέδουκε.
292 Cic. De Rep. 1.52.3: qui si unus satis omnia consequi posset, nihil opus esset pluribus. The omnia refers to adherence to the laws and other virtuous qualities listed in Cic. De Rep. 1.52.1-3.
when “a king takes the first step towards a more unjust regime.”\textsuperscript{293} This ruler “renounces every legal tie (\textit{iuris communionem})… with his own citizens and indeed with the entire human species.”\textsuperscript{294} At the end of the account of Rome’s kings, Scipio states that monarchy is preferable if it maintains its ideal form.\textsuperscript{295} He elaborates: “the proper form requires that the security, the equal rights (\textit{aequabilitas}), and the peace of the community should be controlled by the permanent power, and the comprehensive justice (\textit{iustitia}) and wisdom of a single man.”\textsuperscript{296} This statement clearly presumes the monarch’s devotion to lawful rule.

Under the principate, the emperor stood above the law in practical terms.\textsuperscript{297} Nevertheless, Roman intellectuals still expressed the ideal that the emperor should constrain his power in accordance with the law. In the \textit{De Clementia}, Seneca—another contemporary of Josephus—has the ideal emperor state: “I keep sternness concealed but clemency ready on standby. I guard myself just as if I were going to have to justify myself to those laws (\textit{legibus}) which I summoned from their neglect and darkness into the light.”\textsuperscript{298} The statement implies that the ideal king uses his authority to implement and enforce the law in order to provide just government for his subjects. In the

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\textsuperscript{293} Cic. \textit{De Rep.} 2.48.1-2: simul atque enim se inflexit hic rex in dominatum iniustiorem, fit continuo tyrannus. Transl. by N. Rudd.
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\textsuperscript{294} Cic. \textit{De Rep.} 2.48.2: qui sibi cum suis civibus, qui denique cum omni hominum genere nullam iuris communionem… velit. Transl. by N. Rudd.
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\textsuperscript{295} Cic. \textit{De Rep.} 2.43.3-4: nam ipsum regale genus civitatis non modo non est reprehendendum, sed haud scio an reliquis simplicibus longe anteponendum (si ullam probarem simplex rei publicae genus), sed ita quoad statum retineat.
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\textsuperscript{296} Cic. \textit{De Rep.} 2.43.4-5: is est autem status, ut unius perpetua potestate et iustitia uniusque sapientia regatur salus et aequabilitas et otium civium. Transl. by N. Rudd.
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\textsuperscript{298} Seneca \textit{De Clem.} 1.1.4: Severitatem abditam, at clementiam in procinctu habeo; sic me custudio tamquam legibus quas ex situ ac tenebris in lucem evocavi rationem rediturus sim. Transl. by S. Braund.
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Panegyricus, Pliny, who overlapped with Josephus, praises Trajan for “submitting yourself to the laws” (te legibus subiecisti).\textsuperscript{299} Pliny states that Trajan’s example even inspired a new phrase: “not the prince is above the law, but the law is above the prince” (non est princeps super leges sed leges super principem).\textsuperscript{300}

These examples show that like the lawful biblical king, the good Greek or Roman monarch governed within the limits of the law, but also used his sovereign power to implement and enforce lawful rule and provide his subjects with security and stability. Unlike the biblical model of lawful kingship, however, the Greco-Roman model emphasized the more general principle of lawful monarchical rule. It does not indicate that the king should abide by a specific and fixed written law code—Mosaic Law; nor does it predicate the king’s loyalty to a divinity on his obedience to this code. Rather, it expresses the idea that the king had to abide by a general set of norms, the laws, whose authority lay outside his person. As the following examples illustrate, Josephus’ concept of lawful kingship was compatible with both models of lawful monarchical rule.

**III: Josephus’ Conception of Lawful Monarchy as seen through his Rewritten Portraits of Biblical Kings**

The following section analyzes Josephus’ rewritten accounts of six biblical kings (Joash, Josiah, Rehoboam, David, Ahab, and Saul). These constitute a significant portion of the cases where Josephus treats the relationship between kingship and law in his accounts of the biblical kings.\textsuperscript{301} In them, Josephus expresses the three functions of the

\textsuperscript{299} Pliny \textit{Pan.} 65.1: ipse te legibus subiecisti.

\textsuperscript{300} Pliny \textit{Pan.} 65.1.

\textsuperscript{301} To avoid repetition, I have omitted the cases of Solomon: Jos. \textit{Ant.} 8.190-192, 8.195; Jeroboam: 8.208, 8.229, 8.245; Jehoshaphat: 8.395, 9.2. In these cases, Josephus merely accentuates the biblical ideal that the good king observed Mosaic Law out of loyalty to Yahweh.
law in his conception of ideal kingship. First, he indicates that Mosaic Law ensured the king’s allegiance to Yahweh. Josephus frequently connects Mosaic Law (οἱ νόμοι τοῦ Μωυσέος) with the king’s worship (θρησκεία), piety (εὐσέβεια), and honor (τιμή) towards Yahweh. This was characteristic of the biblical conception of lawful kingship, and had no corollary in Greco-Roman kingship theory. Second, he implies that the law checked the king’s power and prevent him from governing unjustly and tyrannically. In some of his accounts he drew on the Greek concept of tyranny to distinguish rulers who governed through arbitrary and often cruel judgment from responsible kings who ruled within the limits of the law.³⁰² Third, he implies that the ideal king used the law as a mechanism to advance and preserve social order in the kingdom. These latter two functions of the law were perfectly compatible with the role of the law in typical Greco-Roman treatments of ideal monarchical government.

**Joash**

In his account of Joash, Josephus emphasizes the importance for the king to adhere to Mosaic Law in order to show his allegiance to Yahweh. Here, Josephus explicitly represents the biblical model of lawful kingship. Both 2 Kings and 2 Chronicles report how the high priest, Jehoiada, engineered the election of the young Joash to the monarchy to replace Queen Attaliah, who was by all accounts a wicked ruler. 2 Kings states that Jehoiada “made a pact between the Lord and the king and the people that they

would be a people of the Lord.”

Similarly, 2 Chronicles states that Jehoiada “made a covenant that he, the people and the king, would be the Lord’s people.”

In an addition to the biblical text, however, Josephus has Jehoiada instruct the young king to swear, “that he would honor Yahweh and not transgress the laws of Moses” (τιμήσειν τὸν θεὸν καὶ μὴ παραβῆναι τοὺς Μωσήους νόμους). By closely associating the king’s loyalty to Yahweh with his obedience to Mosaic Law, Josephus implies that the law played a key role in maintaining the king’s allegiance to Yahweh.

Josiah

In his account of Josiah, however, Josephus implies that the ideal king not only followed Mosaic Law in order to express his obedience to Yahweh. He also championed the law in order to ensure his subjects’ allegiance to Yahweh. In addition, Josephus implies that the responsible king both subjected his power to the law and relied on it to maintain order and justice in the kingdom. As such, the law is implicitly presented as a bulwark against tyranny.

As is well known, renovations in the temple uncovered a scroll containing an account of Mosaic Legislation. After the king read it and consulted with the prophetess, Huldah, he assembled the elders and people of Judah and read them the contents of the scroll. He then swore to Yahweh “that they would follow the Lord and observe His commandments, His precepts, and His laws with all their heart and soul; that they would

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303 2 Kings 11:17.
304 2 Chron. 23:16.
fulfill all the terms of this covenant as inscribed upon the scroll.”

Josephus similarly reports that Josiah promoted Mosaic Law out of loyalty and devotion to Yahweh. He claims that Josiah assembled the people and “compelled them to take oaths and pledges that they would worship God (θρησκεύειν τὸν θεὸν) and keep the laws of Moses (καὶ φυλάξειν τοὺς Μωυσέος νόμους).” As in his version of the coronation of Joash, Josephus associates the king’s allegiance to Yahweh with his commitment to Mosaic Law. This further implies that in Josephus’ concept of ideal kingship, the law served to maintain the king’s loyalty to Yahweh. In addition, it implies that the ideal king was to implement the law to ensure his subjects’ allegiance to Yahweh. Josephus’ ideal king therefore played an instrumental role in maintaining the special relationship between Yahweh and Israel, which depended on Israel’s obedience to Mosaic Law.

Through Josiah’s actions, Josephus also indicates that the ideal king, by following and implementing Mosaic Law, provided his subjects with responsible, just, and benevolent monarchical government, and also restrained his power. He notes that,

By following the laws he [Josiah] was successful with regard to governing the city and piety towards God (τοῖς γὰρ νόμοις κατακολουθόν ὡς περὶ τὴν τάξιν τῆς πόλεως καὶ περὶ τὸ θεῖον εὐσεβείας εὐοδεῖν), because the lawlessness (παρανομίαν) of the earlier [kings] was no more but had been rooted out.

In this passage, Josephus not only indicates that the ideal king instituted Mosaic Law to promote loyalty to Yahweh. He also indicates that the ideal king relied on and submitted to Mosaic Law in order to govern the kingdom responsibly and justly. In the passage,
Josephus implies that “following the laws” helped Josiah “succeed” in preserving “order” in the city. In other words, Josiah used the law as a mechanism to ensure social order in the kingdom. Moreover, by juxtaposing Josiah’s virtuous adherence to the law with his predecessors’ harmful lawlessness, Josephus indicates that in theory the law served to deter kings from abusing their power and governing tyrannically. In short, in his account of Josiah, Josephus implies that Mosaic Law cemented the king’s loyalty to Yahweh, prevented tyranny, and provided the king with a tool for preserving social order in the kingdom. These represent the three functions of the law in Josephus’ concept of lawful kingship. The first appears only in the biblical model of lawful kingship, while the latter two appear in both biblical and Greco-Roman conceptions of ideal kingship.

**Rehoboam**

In his account of Rehoboam, Josephus affirms that the ideal king followed Mosaic Law out of loyalty to Yahweh. He also affirms that the ideal king confined his authority within the limits of the law to govern responsibly and not tyrannically, an idea compatible with biblical and Greco-Roman conceptions of ideal kingship. Accordingly, as in his account of Josiah, he implies that the law served as a check against kings abusing their power. 1 Kings states that under the reign of Rehoboam the people of Judah “did what was evil in the eyes of the Lord... and... built high places and steles and sacred poles on every high hill and under every lush tree.” Rehoboam appears to have tolerated idolatry, but the text does not mention he rejected the commandments and laws of Yahweh. 2 Chronicles does. It states that, “after Rehoboam’s position as king was established and he had become strong, he and all Israel with him abandoned the law of

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310 1 Kings 14:22-23.
the Lord."³¹¹ This represents the traditional biblical model of lawful kingship: the king was to adhere to Mosaic Law (here, “the law of the Lord”) out of allegiance to Yahweh.

In his version of the biblical passage, Josephus alludes to the biblical ideal that the good king upheld Mosaic Law out of loyalty to Yahweh. Yet, he also implies that the good king acted within the limits of the law, and that this made him a responsible and just ruler and not a tyrant. He writes that due to his great power, “Rehoboam was misled into unjust and impious practices (ἀδίκους καὶ ἀσεβεῖς… πράξεις) and despised the worship of God (τῆς τοῦ θεοῦ θρησκείας) so that also the people under him became imitators of his lawless deeds (τῶν ἀνομημάτων).”³¹² Josephus explains that Rehoboam’s subjects adopted his lawlessness because “the morals of subjects are corrupted together with the characters of their leaders.”³¹³ Here, Josephus indicates that the good king, unlike Rehoboam, should act within the limits of the law out of loyalty to Yahweh, and in order to govern justly and benevolently, and not tyrannically. Along with his comments on Josiah, this further implies that according to Josephus the law at least in theory acted as a check on the king’s power.

This idea was compatible with both biblical and Greco-Roman conceptions of lawful kingship, a point that Josephus’ language highlights. In his version of the biblical passage, Josephus clearly refers to Mosaic Law, since he expresses the idea that Rehoboam’s lawlessness led to his contempt for Yahweh. On the other hand, he does not state, like the author of 2 Chronicles, that Rehoboam violated “the law of the Lord.” And

³¹¹ 2 Chron. 12:1.
³¹³ Jos. Ant. 8.252: συνδιαφθείρεται γὰρ τὰ τῶν ἀρχιμένων ἡθη τοὺς τῶν ἡγουμένων τρόπος, καὶ ὡς ἔλεγχον τῆς ἐκείνων ἀσελγείας.
he does not use the phrase οἱ νόμοι τοῦ Μωσέου (“Laws of Moses”), as in his accounts of Joash and Josiah, but τὰ ἀνομήματα (“transgressions of the law”). The Jewish and Greek or Roman reader would each recognize in this passage a core aspect of their respective conceptions of lawful kingship.

**David**

Josephus also expresses his view that the law prevented the tyrannical urges of kings in a small prefatory comment in his version of biblical account of the David-Bathsheba story. Here, he again presents biblical and Greco-Roman kingship ideals as compatible. The biblical account tells how David lusted after Bathsheba and murdered her husband Uriah in order to obtain the object of his desire. Josephus follows the biblical account, but adds a qualification. He notes that David committed a grievous error, but in general “was a just and pious man by nature,” and “one who strictly kept the ancestral laws (τοὺς πατρίους νόμους).” Here, Josephus did not use the phrase οἱ νόμοι τοῦ Μωσέου (“the laws of Moses”), which explicitly connotes the biblical model of lawful kingship. Rather, he used the term πατρίοι νόμοι (“ancestral laws”). Greek historians such as Herodotus, Thucydides, Xenophon, Polybius, Diodorus Siculus, and Dionysus of Halicarnassus often used this phrase to refer to the laws of different nations and ethnic groups, both Greek and non-Greek. To Greeks and Romans it was a catchall term that simply connoted a set of authoritative laws. We have already seen that Herodotus has the

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314 Jos. **Ant.** 7.130: Δαυίδῃ... ἰδικαίω καὶ θεοσεβεῖ καὶ τοὺς πατρίους νόμους ἰσχυρῶς φυλάσσοντι.  
315 E.g. Herod. 2.79.1 (Egyptian), 3.82.5 (Persian); Thuc. 8.76.6 (Athenian); Xen. **Hell.** 2.3.2 (Greek-Athenian), 5.2.14 (Greek-Spartan), 6.5.7 (Greek-Tegean); Polyb. 4.25.8 (the Greek members of the Symmachy that united against the Aetolian League), 18.46.5 (Greek-Corinthian, Phocians, Locrians, Euboceans, Pthiotics, Achaean, Magnesian, Thessalian, Perrhaebian); Diod.14.65.2 (Greek), 16.24.5 (Greek), 40.2.1 (Jews); Dion. Hal. 2.27.3 (Roman), 2.65.3 (Roman), 2.66.1 (Roman), 4.78.3 (Roman), 4.80.2 (Roman), 4.84.5 (Roman), 15.9.6 (Roman).
Persian statesman Otanes characterize tyrants as rulers who “overturn ancestral customs or laws” (νόμαι τε κινέι πάτρια).\footnote{316} Here, Herodotus does not use the phrase πατρίοι νόμοι, but the phrase νόμαι… πάτρια. Nevertheless, the phrases overlap in meaning. Elsewhere, Herodotus uses νόμαι and νόμοι to refer to laws and customs.\footnote{317} Dionysus of Halicarnassus, who lived in the century prior to Josephus, uses it in the context of describing the tyranny of the last Roman monarch Tarquinius Superbus. Junius Brutus, the mythical founder of the republic, urged the plebs to oppose the monarchy of Tarquinius. He claimed that Tarquinius did not obtain “the sovereignty in accordance with our ancestral customs and laws (πατρίους… νόμους),” but “by arms, by violence, and by the conspiracies of wicked men, according to the custom of tyrants (e.g. Tarquinius murdered the previous king, Servius Tullius).”\footnote{318}

The underlying assumption of the passages from Herodotus and Dionysus is that in the Greek and Roman worlds the king who kept the “ancestral laws” was a responsible and legitimate king, and the king who did not was a tyrant. As such, by using the phrase πατρίοι νόμοι to describe David’s general manner of rule, Josephus depicted the biblical and Greco-Roman conceptions of lawful kingship as essentially indistinct from one another.

It is not an accident that Josephus presented David as a lawful king in Greco-Roman terms at this particular juncture in the David story. To Greek and Roman readers, David’s treatment of Uriah and Bathsheba evoked the classical image of the tyrant:

\footnote{316}{Herod. 3.80.5. Transl. by A. de Sélicourt.}
\footnote{317}{E.g. Herod. 1.135.1-140.3. Here, Herodotus uses νόμαι and νόμος interchangeably; Herod. 1.135.1, 1.137.1. See also Herod. 3.38.1-4.}
\footnote{318}{Dion. Hal. 4.78.1: Ταρκύνιον οὔτε κατὰ τοὺς πατρίους ἡμῶν ἐθισμοὺς καὶ νόμους τὴν δυναστείαν κατασχόντα… ὡς τυράννοις ἔθος. According to Dionysus, interreges appointed by the senate chose the king. The senate, the people, and the augurs then had to approve their selection; Dion. Hal. 4.40.2.}
lawless, cruel, and lustful. In order to dissuade his Greek and Roman readers from viewing David as a typical tyrant, he expressed in a way they would understand that David was the mirror opposite of a tyrant. Accordingly, he used the phrase πατρίοι νόμοι, and not οἱ νόμοι τοῦ Μωυσέως; the former more readily highlighted the compatibility between biblical and Greco-Roman standards of responsible and benevolent monarchical rule.

**Ahab**

In his version of the biblical account of the Ahab and Naboth story, Josephus further implies that the law prevented kings from acting tyrannically. He frames Ahab as a lawless tyrant in the Greco-Roman mold, and the opposite of a lawful and hence responsible Greek or Roman monarch. Moreover, as in his account of David, he uses terminology that expressed the compatibility of biblical and Greco-Roman standards for responsible kingship.

Ahab coveted the vineyard of Naboth. When Naboth did not agree to sell it, Ahab had him murdered and seized it. In the biblical account, Yahweh instructed Elijah to forewarn Ahab and tell him, “in the very place where the dogs lapped up Naboth’s blood, the dogs will lap up your blood too.”

Elijah then told Ahab of Yahweh’s plan “to make a clean sweep of” Ahab and “to cut off from Israel every male belonging to Ahab.”

Josephus, however, has Elijah tell the king that Ahab and his entire family would die “because he rashly committed such impieties and unjustly executed a citizen.

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319 1 Kings 21:19.
320 1 Kings 21:21.
against the ancestral laws (παρὰ τοὺς πατρίους νόμους).”

Josephus probably used the term πατρίοι νόμοι, and not οἱ νόμοι τοῦ Μωυσέως, because he wanted to portray Ahab as a typical tyrant to his Greek and Roman readers. He also used other terms that reinforced the image of Ahab as a tyrant: he notes that Ahab acted impiously (ἀσεβῆσαν) and unjustly (ἀδίκως). Josephus’ emphasis on Ahab’s lawless and tyrannical behavior further reflects his view the ideal king was to subject his authority to the law in order to govern justly and benevolently. This lends further support to the view that Josephus viewed the law, at least in part, as check on the king’s power. In using the term “ancestral laws,” however, Josephus also implied that Ahab did not follow Mosaic Law and was therefore also a lawless king in accordance with the biblical model. Greeks, Romans, and Jews would have viewed Ahab as a lawless king in accordance with their respective conceptions of lawful kingship. In sum, in his account of Ahab, Josephus affirms his view that the law acted as a check on the king’s power and prevented him from abusing it in the manner of a tyrant. The account also indicates how Josephus’ conception of lawful kingship fit both biblical and Greco-Roman kingship ideals.

**Saul**

In his account of Josiah, Josephus indicates that the ideal king was also to use the law for advancing and preserving social order in the kingdom, and that the law was not simply meant to check the king’s unlimited power. Josephus alludes to this function of the law in his extensive addition to the biblical account of Saul’s massacre of Ahimelech and the priests of Nob. In addition, he reiterates his view that the law also prevented

kings from exercising their darker tendencies and instincts and acting like tyrants. Here, too, he further expresses the common ground between biblical and Greco-Roman conceptions of lawful monarchical rule.

The biblical account describes how Saul falsely accused Ahimelech of treason for helping David flee Saul.\(^{322}\) Saul attempted to extract an admission of guilt from Ahimelech, but the priest proclaimed his innocence. He claimed that he helped David, but that he did not know that David had become Saul’s enemy. He thought in helping David, he was aiding the king’s son-in-law and military commander. Not persuaded, Saul promptly ordered the execution of Ahimelech, and the entire population of his home city of Nob, including women and children.

The biblical account implies that Saul acted lawlessly and hence unjustly and tyrannically. In his significant addition to this account, however, Josephus explicitly frames Saul as a lawless and unjust tyrant in the Greco-Roman mold. Moreover, he not only considers the lawlessness of Saul per se, but also indicates that Saul fit the profile of a typical tyrant and lawless king. In contrast to the biblical account, Josephus’ version expresses an ideal standard of lawful monarchy; namely, that the ideal king restrained himself from giving way to destructive impulses and governing tyrannically, and used the law as a mechanism with which to provide his subjects with security and justice. Josephus provides some specific examples of this. He claims that lawless kings or tyrants executed men on malicious charges that were so trumped up they were unbelievable.\(^{323}\) He notes that they dispensed punishments “not for acts deserving of chastisement, but on

\(^{322}\) I Sam. 22:6-23.  
\(^{323}\) Jos. Ant. 6.267: ἐπὶ πονηραῖς αἰτίαις καὶ δι’ ὑπερβολὴν αὐτῶν ἀπιθάνοις.
the faith of calumnies and unsifted accusations.” He adds that they did not punish those who deserved death, but those they could kill.

In this addition to the biblical account, Josephus again implies that the law served to restrain the king’s power. This idea overlapped with the Greco-Roman view that lawful rule distinguished tyranny from legitimate kingship. The passage implies, however, that Josephus not only saw the law as mechanism to prevent tyranny, but as a tool that the king used to preserve justice and social order in the kingdom. In the passage, Josephus claimed that Saul was the kind of king who executed men because he could, and not because they deserved punishment after being found guilty through a proper inquiry into their actions. This implies that Josephus considered it the responsibility of the king to punish violators of the law in order to preserve social order in their kingdoms. Like Josephus’ comments on Josiah’s rule, this indicates that in Josephus’ theory of ideal kingship, the law was a tool that the king used to dispense justice and preserve social order in the kingdom, and not just a check on the power of the king.

To summarize, Josephus’ additions to the biblical accounts of Joash, Josiah, Rehoboam, David, Ahab, and Saul demonstrate the three main functions of the law in his concept of ideal monarchy. First, the ideal king expressed and maintained his and his subjects’ allegiance to Yahweh by following and implementing Mosaic Law. Here, Josephus expressed the fundamental feature of the biblical model of ideal kingship, and explicitly alludes to it in his accounts of Joash, Josiah, and Rehoboam. He states that Joash swore to honor Yahweh and uphold “the laws of Moses;” he calls Josiah’s

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324 Jos. Ant. 6.267: κολάζουσι δ’ οὐκ ἐπ’ ἐργοῖς δίκης ἄξιοις, ἀλλ’ ἐπὶ διαβολαῖς καὶ κατηγορίαις ἀβασανίστοις.
325 Jos. Ant. 6.267: οὐδ’ ὅσους ἔδει τοῦτο παθεῖν, ἀλλ’ ὅσους ἀποκτεῖναι δύνανται.
implementation of the law an act of “piety for God” and equates it to the “worship” of Yahweh; and he frames Rehoboam’s contempt for lawful rule as a rejection of “worship” for Yahweh. Second, Josephus indicates that the law served to prevent the king from abusing his unlimited power. In his accounts of David, Ahab, and Saul, he implies that the law prevented kings from acting on their worst instincts, such as cruelty, lust, greed, and envy. Third, the law provided the ideal king with a mechanism for maintaining justice and social order in the kingdom. In his versions of the biblical accounts of Josiah and Saul, Josephus implied that the good king used the law as a mechanism to preserve and improve social order in the kingdom.

The idea that the king should follow the law in order to ensure his and his subjects’ loyalty to Yahweh was a purely biblical ideal, and had no counterpart in Greco-Roman kingship theory. Both biblical and Greco-Roman conceptions of ideal kingship, however, held that the law prevented monarchical abuse of power and provided the king with a mechanism for maintaining justice and social order. Josephus implicitly affirms this in some of his accounts of the biblical kings by equating Mosaic Law and the laws of Greek and Roman societies, and using the Greek concept of tyranny to characterize and criticize kings whose lawlessness led them to govern cruelly and unjustly.

V: Law and Sovereignty in the Trial of Herod

Josephus elaborates on his conception of lawful monarchy in his account of the Trial of Herod. Unlike in some of his accounts of biblical kings, he does not allude to the biblical ideal that the good king adhered to Mosaic Law in order to maintain his and his subjects’ loyalty to Yahweh. He does, however, imply that the law served to curb the

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326 My reading of this account is influenced by D. Flatto (2015).
king’s power and prevent his reign from turning into tyranny, understood as lawless kingship. In addition, he implies that the ideal king used the law to advance justice and social order in the kingdom. Both functions of the law had corollaries in biblical and Greco-Roman conceptions of lawful kingship. As such, Josephus’ account of the Trial of Herod further illustrates that Josephus’ conception of kingship was compatible with biblical and Greco-Roman conceptions of lawful monarchical government.

The trial took place during the reign of Hyrcanus II, whom the Romans (i.e. Julius Caesar) had appointed as high priest and ethnarch of Judea. Josephus, however, mistakenly calls him a “king” (βασιλεύς). As such, it is possible to use Josephus’ account of Hyrcanus as a window into Josephus’ view of kingship. The cause of the trial was Herod’s extra-judicial execution of the bandit leader Ezekias and his followers. Julius Caesar had given Antipater and his two sons, Herod and Phasael, broad powers to manage affairs in Judea. Antipater appointed Phasael to govern Jerusalem and ordered Herod to subdue banditry in Galilee. Herod captured and then executed the known bandit leader Ezekias and many of his associates.

Herod’s actions alarmed Jewish aristocrats in Jerusalem. Josephus states that, “the chief Jews were in great fear when they saw how powerful and reckless Herod was and how much he desired to be a tyrant.” Josephus claims that in turn they approached Hyrcanus and warned him of the impending threat to his royal power. They told him: “do you not see that Antipater and his sons have girded themselves with royal power, while

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you have only the name of king given to you." They claimed that Herod’s actions indicated that Antipater and his sons were not Hyrcanus’ “stewards in the government,” but “openly acknowledged to be masters.” To illustrate their point, the chief Jews cited Herod’s unlawful execution of Ezekias and his followers. They accused Herod of “violating of our Law (παραβὰς τὸν ἠμέτερον νόμον), which forbids us to slay a man, even an evildoer, unless he has first been condemned by the Sanhedrion to suffer this fate.” They added that Herod “dared to do this without authority from you.” In response to the urgings of the aristocrats, Hyrcanus summoned Herod to stand trial for his unlawful executions. Josephus notes that an additional factor impelled King Hyrcanus to arraign Herod: mothers of the victims in Galilee had come to the temple and urged Hyrcanus to try Herod for the murder of their sons.

Josephus reports that although Herod appeared at his trial, he had no intention of letting the legal process play out. Moreover, Josephus stresses that Hyrcanus and the Sanhedrion failed in their duties to uphold the law and ensure justice. Josephus reports that Herod arrived in court with an armed guard meant to deter the king and Sanhedrion from prosecuting him. The tactic worked. All of its members were frightened into

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silence—except for a certain Samias, whom Josephus calls a “just man.”

Samias criticized Hyrcanus and his colleagues in the Sanhedrion for failing to uphold the duty of the court to try Herod in accordance with the law. He reprimanded them for buckling to Herod’s threat of violence. He claimed they were abandoning their duty to “condemn him as the law prescribes (κατὰ τὸν νόμον)” and allowing him to “outrage justice (τὸ δίκαιον).” He castigated them for permitting Herod to put “his own interests above the law (τὸ νόμιμον).”

In the account Josephus presents two of the three functions of the law in his conception of ideal kingship. He alludes to the role of the law as a check against tyranny. He implies that Hyrcanus’ monarchy would have resembled a tyranny (i.e. lawless monarchical rule) if the king permitted Herod to perform extra-judicial killings, and if the king failed to follow the law and indict Herod for these extra-judicial murders. Although Hyrcanus did not commit the executions, as sovereign he was responsible for them.

Allowing the lawless executions to take place and not resorting to the law to condemn Herod’s actions would have meant that Hyrcanus’ government ruled through arbitrary and cruel decisions, as in a tyranny, and not in accordance with the rule of law, as in a legitimate monarchical government. Josephus accentuates this point by having Samias, whom he calls “a just man,” berate the king and the Sanhedrion for permitting Herod to “outrage justice.” Samias essentially accuses the king of ruling over a lawless regime.

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Josephus further accentuates this point through his sympathetic portrait of the victims’ mothers whom he notes had travelled to Jerusalem from Galilee in order to appeal to Hyrkanus to bring Herod to justice.

Josephus also presents the law as a mechanism that the king could use to advance justice and social order in the kingdom. The account indicates that Hyrkanus has the authority to restore justice and social order by upholding and implementing the law. For example, he can provide justice to the mothers whose sons Herod lawlessly killed. According to Samias, he can eliminate the threat of injustice to the kingdom and its subjects by holding Herod accountable to the law. As such, the account also shows how the law was a mechanism that the king could use to maintain justice and social order in the kingdom.

As in his accounts of biblical kings, here, too, Josephus presents biblical and Greco-Roman conceptions of lawful kingship as perfectly compatible. He does not, like in some of his accounts of biblical kings, mention the importance for the king to uphold Mosaic Law to express his and his subjects’ allegiance to Yahweh. Nevertheless, he alludes to the two functions of the law in Josephus’ concept of lawful kingship that were perfectly in sync with Greco-Roman kingship values: the law prevented the king’s reign from becoming a tyranny, and it provided the king with a mechanism to maintain social order and justice in the kingdom.

VI: Law and Sovereignty in Josephus’ Accounts of Herod and Archelaus

Josephus also alludes to the three functions of the law in his conception of ideal kingship in his accounts of Herod and Archelaus. In Antiquities, Josephus repeatedly
criticizes Herod for disregarding Mosaic Law.\textsuperscript{341} He notes that in doing so Herod displayed disloyalty to Yahweh and weakened his subjects’ allegiance to Yahweh. This affirms Josephus’ view that the ideal king upheld Mosaic Law out of loyalty to Yahweh, in accordance with the biblical conception of lawful kingship. Josephus, however, also cites Herod and Archelaus’ disregard for lawful rule to illustrate both kings’ unjust and cruel styles of governing. This further indicates that he regarded the law as both a check on the king’s power, and as a tool that the ideal king used to maintain justice and social order in the kingdom—ideals that were compatible with both biblical and Greco-Roman conceptions of lawful kingship.

Josephus’ account of Herod’s edict against thievery illustrates his view that adherence to Mosaic Law ensured the king and his subjects’ allegiance to Yahweh, checked the king’s power, and provided the king with a tool with which to maintain social order in the kingdom.\textsuperscript{342} More than all the other case studies in this chapter, it illustrates most clearly the dissonance between Josephus’ concept of kingship and the conventional Greco-Roman one. Not only does it underscore that Josephus’ ideal king had to preserve Mosaic Law out of allegiance to Yahweh; it also shows that the king was not able to adjust or alter Mosaic Law, and issue a decree that conflicted with one of its prescripts. Some Greek and Roman writers note that the good king was to respect written law, but they do not allude to the idea that he could not make legislative changes to a


\textsuperscript{342} Jos. Ant. 16.1-4. For the biblical law, see Ex. 22:1-2.
divinely sanctioned law code. In this regard, Josephus’ concept of lawful kingship stood apart from the Greco-Roman model.

At the beginning of Antiquities, Book 16, Josephus states that Herod “made a law in no way resembling earlier ones (νόμον οὐδὲν ἑοικότα τοῖς πρῶτοις), and he enforced it himself.”\(^{343}\) Herod’s new law dictated that captured thieves were to be deported from the kingdom and sold into slavery overseas.\(^{344}\) Josephus criticizes the law for two reasons. First, it led to an excessively harsh (χαλεπὴν) punishment.\(^{345}\) Second, it “involved a violation of ancestral laws (τῶν πατρίων ἔθων).”\(^{346}\) Elaborating on the second point, Josephus criticizes Herod’s new law for threatening the proper worship required for Yahweh. He claims that Hebrew slaves would have to obey masters who “did not have the same manner of life” as the Jews.\(^{347}\) Josephus claims that this was “an offense against religion (πρὸς τὴν θρησκείαν).”\(^{348}\) Presumably—he does not explain why—it would cause Jews to violate their customs and laws. He also criticizes Herod for altering a “penalty that was ancienly (ἐν τοῖς πρῶτοις) observed.”\(^{349}\) Josephus explains that the original laws (οἱ νόμοι) stipulated that a captured thief paid a fourfold fine; if he could not pay, he was sold as a slave to Judean masters, and went free on the sabbatical year.\(^{350}\) Here, he implies that the king was not permitted to override the legal authority of the

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\(^{343}\) Jos. Ant. 16.1: τίθησι νόμον οὐδὲν ἑοικότα τοῖς πρῶτοις, ὃν αὐτὸς ἐβεβαίου.

\(^{344}\) Jos. Ant. 16.1.

\(^{345}\) Jos. Ant. 16.4: χαλεπὴν καὶ παράνομον γενέσθαι τὴν κόλασιν.

\(^{346}\) Jos. Ant. 16.2: κατάλυσιν περιείχεν τῶν πατρίων ἔθων. Here, ἡ ἰθή is equivalent to οἱ νόμοι.

\(^{347}\) Jos. Ant. 16.2: τὸ γὰρ ἄλλοφύλοις καὶ μὴ τὴν αὐτὴν δίαιταν ἔχουσιν τοῦ ζῆν δουλεύειν καὶ βιάζεσθαι πάνθ᾽ ὅσα προσέττουσιν ἐς ἀνάγκης ἐκείνοι ποιεῖν.

\(^{348}\) Jos. Ant. 16.2: ἁμαρτίᾳ πρὸς τὴν θρησκείαν ἦν.

\(^{349}\) Jos. Ant. 16.2: πεφυλαγμένης ἐν τοῖς πρῶτοις τῆς τοιαῦτης τιμορίας.

\(^{350}\) Jos. Ant. 16.3: ἐκέλευσον γὰρ οἱ νόμοι τετραπλὰ καταβάλλειν τῶν κλέπτην, ὥσπερ ἔχοντα δὲ πιπράσκεσθαι μὲν, ἀλλ᾽ ὅτι γε τοῖς ἄλλοφύλοις οὔδ᾽ ὡστε διηνεκὴ τὴν δουλείαν ὑπομένειν· ἐδει γὰρ ἀφεῖσθαι μετὰ ἑξαετίαν.
Mosaic Law code though new edicts. Josephus calls Herod’s new law an “unlawful punishment” (παράνοµον . . τὴν κόλασιν), and an act of arrogance. And he adds that it showed that Herod did not govern like a king but a tyrant (οὐ βασιλικὸς ἀλλὰ τυραννικῶς): that is, like “one who held the public interests of his subjects in contempt.”

In his critique of Herod’s law against thievery, Josephus confirms his view that the good king upheld Mosaic Law to ensure his and his subjects’ loyalty to Yahweh. As we saw above, Josephus stressed the connection between the king’s devotion to Mosaic Law and his duty to ensure the proper worship (θρησκεία) of Yahweh in his account Josiah, Jeroboam, and Rehoboam. In his account of Herod’s anti-thievery law, he reiterates this point. He indicates that Herod, by violating Mosaic Law and enacting a new law that permitted selling Jewish thieves as slaves to non-Jews, prevented Jews from worshipping (θρησκεύω) Yahweh.

He also implies that the good king, unlike Herod, could not issue legally binding edicts that conflicted with the prescripts of the Mosaic Law code. The king was obligated to respect the authority of a pre-existing written and divinely sanctioned law code, both out of loyalty to Yahweh and in order to ensure the proper dispensation of justice. This further distinguished Josephus’ concept of lawful kingship from the conventional Greco-Roman model, which in general did not hold that the king could not under any circumstances alter a specific pre-existing and divinely sanctioned law code.

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351 Jos. Ant. 16.4: παράνοµον γενέσθαι τὴν κόλασιν ὑπερηφανίας ἐδόκει µέρος.
352 Jos. Ant. 16.4: οὐ βασιλικὸς ἀλλὰ τυραννικῶς αὐτοῦ καὶ πρὸς τὰ κοινὰ τῶν ἄρχοµένων ὀλιγώρως θείναι τὴν τιµωρίαν νενοηκότος.
353 Jos. Ant. 8.229, 8.251, 10.63.
354 Jos. Ant. 16.2. For the biblical law on thievery, see Ex. 22:1-2.
At the same time, Josephus characterizes Herod’s new law, which violated Mosaic Law, as excessively “harsh” (χαλεπῆν) and calls it an act of “arrogance” (ὑπερηφανίας). In addition, he cites it to show that Herod ruled not in a kingly but tyrannical manner (οὐ βασιλικῶς ἀλλὰ τυραννικῶς), and thus did not govern in accordance with the public or common interests of his subjects (πρὸς τὰ κοινὰ τῶν ἄρχομένων). As such, he further implies that under ideal kingship, Mosaic Law acted as a constraint against monarchical abuses of power. In addition, he implies that the law provided the ideal king with a mechanism for advancing the interests of his subjects.

In another episode from his Herod narrative, Josephus again implies that the ideal king adhered to Mosaic Law to ensure his and his subjects’ allegiance to Yahweh. Josephus describes the plot by some Jews to pull down the golden eagle that Herod had mounted above the temple. He tells how the influential Jewish scholar Matthias incited his students to destroy the works of Herod that were “in violation of the laws of their fathers” (παρὰ τὸν νόμον τὸν πάτριον). This included a golden eagle that stood above the temple’s main gate. Josephus explains that Herod had mounted the eagle “over the great gate of the temple as a votive offering.” He adds, however, that, “the law forbids (κωλύει δὲ ὁ νόμος) those who propose to live in accordance with it to think of setting up images or to make dedications of any living creatures.” This is a clear reference to the

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355 Jos. Ant. 16.4.
356 Jos. Ant. 17.149-163.
357 Jos. Ant. 17.149-151.
358 Jos. Ant. 17.151: κατεσκευάσει δὲ ὁ βασιλεὺς ὑπὲρ τοῦ μεγάλου πυλῶν τοῦ ναοῦ ἁνάθημα καὶ λίαν πολυτελές, ἀετὸν χρύσεον ἔγαν.
359 Jos. Ant. 17.151: κωλύει δὲ ὁ νόμος εἰκόνων τε ἀναστάσεις ἐπινοεῖν καὶ τινων ζῴων ἀναθέσεις ἐπιτηδεύεσθαι τοῖς βιοῦν κατ’ αὐτὸν προημένοις. 113
biblical prohibition against graven images. As Josephus states, Herod’s eagle violated the law that prohibited making images of or dedications to living animals. As such, Josephus criticizes Herod for disregarding Mosaic Law and not demonstrating due allegiance to Yahweh.

He elaborates on his critique of Herod as the narrative continues. According to Josephus, Herod apprehended the perpetrators and interrogated them. During the interrogation, the conspirators told Herod, “it is less important to observe your decrees than the laws Moses (τοὺς νόμους οὓς Μωυσῆς) wrote as God prompted and taught him.” Herod decided to punish the perpetrators, and burned Matthias and his companions alive. Josephus sympathized with the conspirators’ devotion to Mosaic Law, and disapproved of Herod’s violation of it. At the end of the narrative, Josephus claims that Herod, who had been ill, took a turn for the worst because “God was inflicting just punishment upon him for his lawless deeds (ὤν παρανομήσειεν).” There is no doubt that these “lawless deeds” included his act of mounting the golden eagle above the temple gate. Thus Josephus further linked Herod’s disregard for Mosaic Law with his failure to demonstrate allegiance to Yahweh and promote this allegiance among his subjects. This further implies that Josephus considered it the duty of the ideal king to follow Mosaic Law out of allegiance to Yahweh, and in order to ensure and promote his

360 Ex. 20:4.
361 Jos. Ant. 17.151.
362 Jos. Ant. 17.159.
363 Jos. Ant. 17.159: θυσιμαστόν τε οὐδέν, εἰ τῶν σῶν δογμάτων ἀξιωτέρως τετηρήθαι ἤγησίμεθα νόμους, οὓς Μωσῆς ὑπαγορεύσει καὶ διδάξῃ τοῦ θεοῦ γράψαμεν κατέλιπεν.
subjects’ loyalty to Yahweh. In addition, it further shows how Josephus advanced the biblical ideal of lawful kingship.

**Archelaus**

Archelaus was Herod’s son and successor, and was not a king but an ethnarch; however, Josephus treats him as a king. Therefore, his account of Archelaus, like his account of Hyrcanus II, can be used to reflect his conception of lawful kingship. In his account of Archelaus, Josephus does not allude to the duty of the king to uphold Mosaic Law in order to maintain his and his subjects’ allegiance to Yahweh. He does, however, present Archelaus as a typical Greek or Roman tyrant who did not confine his power within the limits of the law, and committed cruel and unjust actions against his subjects. Here, Josephus does not refer to Mosaic Law per se; however, he implies that the law acted as a restraint against monarchical abuse of power and that the good king used the law to ensure social order and justice in the kingdom. As such, in the account Josephus further depicts the common ground between biblical and Greco-Roman conceptions of lawful kingship.

Josephus refers to Archelaus’ lawlessness in his account of the speech that a Jewish delegation delivered to Caesar not longer after Archelaus’ reign began. The delegation was seeking an end to monarchical rule in Judea. The views of the speech likely match those of Josephus, since Josephus gives the general impression in *Antiquities* that Archelaus was an ineffective and tyrannical ruler. The delegates asked Caesar to

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end Herodian rule, annex Judea to Syria, and grant autonomy to the Jews of Judea.\textsuperscript{368} The impetus for the delegation was Archelaus’ massacre of several thousand Jews in the temple on the Pentecost.\textsuperscript{369} This was just the tip of the iceberg. The delegation had many grievances against Herodian rule. First, they catalogued Herod’s many crimes.\textsuperscript{370} Then, they turned their accusations towards Archelaus, and cast him as a tyrant. In particular, they stressed his disregard for the rule of law. They told Caesar that initially they had high hopes that Archelaus would govern more moderately than his father.\textsuperscript{371} But his massacre of Jews in the temple had dashed their hopes, and demonstrated to them his contempt for lawful government.

With bitter sarcasm, they claimed that he had given “his future subjects an example of the kind of virtue they could expect of him in the way of moderation and respect for the law (εὐνομίας).”\textsuperscript{372} Then they cited how he slaughtered several thousand of his kinsmen in the temple on the Pentecost.\textsuperscript{373} The term that the delegates use in the speech for “respect for the law”—εὐνομία—connotes good and ordered government.\textsuperscript{374} Here, Josephus presents the law as a restraint against potential monarchical abuses of power. In addition, he expresses the idea that the responsible monarch uses the law to

\textsuperscript{368} Jos. Ant. 17.300: ἀφίκετο εἰς τὴν Ῥώμην πρεσβεία Ιουδαίων Οὐάρου τὸν ἀπόστολον αὐτῶν τῷ ἔθνει ἐπὶ κεχωρηκότος ὑπὲρ αἰτήσεως αὐτονομίας.

\textsuperscript{369} Jos. Ant. 17.213-218.

\textsuperscript{370} Jos. Ant. 17.304-310.

\textsuperscript{371} Jos. Ant. 17.311: καὶ ταῦτ᾽ εἰκότως ἄν γενέσθαι τὸ ἀσμένος Ἀρχέλαον βασιλεία προσειπεῖν οἰήσει τοῦ πάντ᾽ ὄντι τὴν βασιλείαν ἐσον Ἑρώδου ἡμιτίτη σεανεσθαι.

\textsuperscript{372} Jos. Ant. 17.313: τοῦ δὲ δείσαντος μὴ ὑπὲρ Ἡρώδου γνήσιος πιστεύοιτο οὐδὲν εἰς ἀναβολὰς ἀλλ᾽ ἐκ τοῦ δέξαντος ἀντὶ τῶν ἔθνων καὶ τῶν ἱερών τῆς νομοκρατίας καὶ τῶν ἁγίων καὶ τῶν ἑρῴδεων ἁγίων διὰ τὸ ἐπὶ Καίσαρι δοῦναι καὶ τὸν διὸν ἐξουσίαν εἶναι, καὶ παρὰ δειγμα τῆς τῆς εἰς αὐτὸ ἄρητης τιθέναι τοῖς ἀρχηγομονίων μετριώτητος καὶ εὐνομίας.

\textsuperscript{373} Jos. Ant. 17.313: ἀπὸ τῆς ἐν πρῶτος ἀποδειχθεῖσις πράξεως ἐπὶ τοῦς πολίτας καὶ τῷ θεῷ τρισχιλίων ὁμοφύλον ἀνδρῶν σφαγὴν ἐν τῷ τεμένει ποιημένων.

\textsuperscript{374} Josephus uses the same term in his account of the reign of Samuel to praise the prophet for ruling justly and instituting a “sound legal system;” Ant. 6.31: αὐτὸς δὲ δὴ ἔτους ἐπερχόμενος τὰς πόλεις ἐδίκαζεν αὐτοῖς καὶ πολλὴν ἐβράβευεν εὐνομίαν.
preserve social order in the kingdom and govern his subjects justly. As we have seen, these two functions of the law inerded in both biblical and Greco-Roman ideal conceptions of sovereignty and law. Moreover, Josephus accentuates the common ground between these two conceptions of lawful kingship by using a term—εὐνομία (“respect for the law”—that collapsed the distinction between Mosaic Law and the laws of Greek and Roman societies.

The examples discussed thus far all concern Jewish kings. Josephus also alludes to the functions of the law in his accounts of non-Jewish monarchs. The two best examples of this are his portraits of Caligula and Claudius.375 As in his accounts of biblical and Jewish kings, he depicts the law as a restraint against monarchical abuses of power, and also as a tool that the good king used to promote social order and justice in the kingdom. Thus the accounts confirm that Josephus’ conception of lawful kingship matched biblical and Greco-Roman conceptions of lawful monarchy.

VII: Law and Sovereignty in Josephus’ Accounts Caligula and Claudius

Josephus emphasizes the attitude of Caligula and Claudius to the rule of law in order to present the former as a bad ruler and the latter as a potentially effective and responsible monarch. Josephus depicts Caligula as a ruler who endangered the lives of his subjects by eschewing the rule of law and governing through arbitrary, unjust, and cruel decisions. By contrast, he indicates that Claudius, at least at the beginning of his reign,

held out promise of being a responsible and effective ruler because he was amenable to the principle of lawful government.

**Caligula**

Josephus repeatedly alludes to Caligula’s disregard for the rule of law in order to depict him as a tyrant who inflicted countless cruelties and injustices on his subjects. In doing so, he implies that the law was a constraint against monarchical abuses of power. In addition, he implies that the ideal king used the law to maintain social order and provide justice for his subjects.

In his preface to his account of Caligula, Josephus explains that Caligula’s “death was a great turning-point in human happiness, for the laws (τοῖς… νόμοις) and the security of all men.” Here, Josephus links the happiness and security of the monarch’s subjects with the king’s commitment to lawful rule. This implies that the ideal king used the law to maintain social order and justice in the kingdom. Josephus then elaborates on Caligula’s lawlessness, and presents the law as a mechanism that prevented monarchical abuses of power. In describing Caligula’s lawless treatment of the citizens of Rome, Josephus states that, “Rome above all felt the horror of his actions.” Josephus specifies Caligula’s lawless treatment of the patricians, and his expulsion, execution, and confiscation of the property of the *equites*. Josephus also refers to Caligula’s lawless approach to governing the subjects of the empire: “It was not only the Jews in Jerusalem and Judea who were exposed to Gaius’ outrageous madness. He projected it through

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376 Jos. Ant. 19.15: τοῖς τε ἀπάντων νόμωις καὶ τῷ ἀσφαλεί μεγάλην συνήνεγκεν εὐδαιμονίας ῥοπὴν ὁ θάνατος.

377 Jos. Ant. 19.2: μάλιστα δὲ ἦσθαντε τοῦ δεινοῦ τῶν πρασσομένων ἡ Ῥώμη κατ᾽ οὐδὲν αὐτὴν τιμωτέραν τῶν λοιπῶν πόλεων ἔγονεν, ἀλλὰ τοὺς τε άλλους ἀγοντος καὶ φέροντος καὶ μάλιστα τὴν σύγκλητον καὶ ὁπόσοι τούτων εὐπατρίδαι καὶ προγόνων ἐπιφανείας τιμώμενοι.

every land and sea, and filled Rome’s dominions with more evil than history had ever
known.” 379 Josephus specifies his pillaging of Greek temples: their paintings, sculptures,
dedications—Josephus alleges he tried to steal the statue of Zeus worshipped at Olympia
and a work of the famous sculptor Phidias. 380 Shortly before these statements Josephus
described in detail Caligula’s attempt to erect a statue of himself in the temple in
Jerusalem. 381 In these cases, Josephus presents the law as a mechanism that prevented
monarchical abuses of power and kept monarchs from turning into tyrants. Accordingly,
in his prefatory comments to Caligula’s reign, Josephus reiterates the two functions of the
law in his conception of ideal kingship: first, to prevent the king from abusing his power;
second, to enable the king to maintain social order and justice in the kingdom.

Three other examples from Josephus’ account of Caligula further demonstrate his
view that the law functioned to curb monarchical abuses of power and provided the ruler
with a mechanism for preserving social order and ensuring justice. The first example
occurs in Josephus’ account of one of the meetings of the conspirators. One of the
conspirators, Chaerea, a praetorian guard, announced to Vincianus, a nobleman who had
recently joined the plot, his commitment to assassinating Caligula. Chaerea stated, “What
causes me anguish is the enslavement of our country, once the freest in the world; the
authority of the laws (τὸν νόμον) has been taken away, and thanks to Gaius all men face

381 Jos. Ant. 18.261-309.
After Vincianus praises Chaerea’s devotion to the plot, Josephus describes the resolve of the conspirators: “with the utmost resolution and effort, both in word and in action, they were keyed up to kill a tyrant (ἐπὶ τῇ τυραννοκτονίᾳ).” Here, Josephus links Caligula’s disregard for lawful rule with his cruel and hence tyrannical style of rule and his contempt for the freedom of his subjects. As such, he implies that a good monarch would have subjected his authority to the law.

A second example: immediately after the murder, the conspirators become separated. Chaerea searched for Vincianus, fearing that he may have fallen into the hands of Caligula’s German bodyguards. The praetorian prefect Clemens, however, had detained, and then released him. At that point, Clemens gives a speech justifying the assassination and calling Caligula a lawless tyrant. He says that Caligula brought about the tyrannicide by his acts of tyranny (τυραννίδα), like “abolishing all care for the law” (ἀφανίζων τοῦ νόμου τὴν πρόνοιαν). Here, Josephus confirms that the ideal king confined his power within the limits of the law.

The third example occurs at the end of Josephus’ account of Caligula. Here, he affirms that the law acted to prevent monarchical abuses of power, but also provided the king with a mechanism for governing justly and advancing the general interests of his subjects.

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subjects. Josephus lists the qualities and actions that made Caligula’s reign tyrannical and unjust. He claims that Caligula obtained his revenue through “slaughter and lawlessness (παρανομείν).” He adds that he was “determined to appear—and to be—superior to the laws (νομίμου) of gods and men,” and that “whatever the law (ὁ νόμος) calls wicked, and condemns, he regarded as the punishment of virtue.” These two statements imply that in an ideal monarchical system of government the law prevented the ruler from abusing his power: he could not do things like commit arbitrary executions, and seize the property of his subjects at will. The second statement indicates that in Josephus’ conception of ideal monarchy, the law also provided the king with a tool for governing justly and preserving social order. Josephus implies that Caligula did not use the law to govern justly and fairly. He did the opposite. This indicates that in his view the ideal king harnessed the authority of the law to ensure just government and to maintain social order in the kingdom.

Claudius

Josephus contrasts the lawless and tyrannical reign of Caligula with the prospect of a more lawful and responsible monarchical regime under Claudius. Josephus’ portrait of Claudius follows on the heels of his account of the assassination of Caligula. During the political instability that followed the assassination, the senate saw an opportunity to assert its former authority, and urged the restoration of lawful rule in the place of tyranny. They told Claudius to “yield to the senate, as one man outweighed by many,

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and let the rule of law (τῷ νόμῳ παραχωροῦντα) look after the government of the state.”

They appeared willing, however, to tolerate Claudius as sole-ruler provided that he agreed to adhere to the principle of lawful rule. They stated that, “by giving the law its due (ἐπιχωρήσει τοῦ νόμου τὸ μέρος), both ruler and ruled earn praise for excellence.”

And they conditioned their acceptance of his authority (ἡ ἀρχὴ) on his acknowledgement that it would be a gift from the senate.

Here, Josephus alludes to a positive, albeit unrealized, model of lawful kingship. Given that he juxtaposes it with Caligula’s tyranny, it is likely that he understood it to represent a form of monarchy in which the king subjected his authority to the law and relied on it to maintain order and justice. Claudius, backed by the praetorian guards and army, ultimately rejected the senate’s demands. However, he explicitly distanced himself from Caligula.

In addition, he promised to govern with ἐπιεικεία (“reasonableness;” “leniency;” “mercy”) and μετριότης (“moderation”) despite possessing sole power (ἀρχή). In adding this statement, Josephus may have been implying that Claudius, despite rejecting the senate’s demands, intended to submit his authority to the law and use it to govern justly. Josephus uses both terms—ἐπιεικεία and μετριότης—to connote lawful rule. The Saul-Amalek episode illustrates this well.

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the king who eschewed ἐπικείμενα and µετριώτης executed men on trumped up charges and out of envy and spite and not because they committed punishable offenses.\textsuperscript{395}

Viewed in isolation from the rest of Antiquities, Josephus’ portraits of Caligula and Claudius appear to reflect Josephus’ concept of a good Roman emperor, and they likely do. When examined in the context of Josephus’ broader treatment of sovereignty and law, however, they tell a different story. Along with his accounts of biblical kings, Hyrcanus II, Herod, and Archelaus, his accounts of Caligula and Claudius demonstrate two of the three functions of the law in Josephus’ conception of ideal kingship. That is, they indicate that Josephus considered the law as a restraint against the potential abuse of monarchical power, and that he considered the law a mechanism that the good king used to ensure social order and justice in the kingdom.

\textbf{Conclusion}

To conclude, the law had three functions in Josephus’ theory of kingship. It secured the king’s and his subjects’ allegiance to Yahweh, prevented him from abusing his power, and provided him with a mechanism to maintain social order and dispense justice. In his accounts of numerous biblical kings and in his extended narrative of Herod, Josephus emphasizes the importance for the king to uphold and enforce Mosaic Law in order to express his loyalty to Yahweh and also to ensure that his subjects maintained their allegiance to Yahweh. Deuteronomy’s Law of the King clearly underpinned this function of the law. In addition, Josephus consistently implies that the law was a constraint against the ever-present danger of monarchical abuse of power and hence tyranny. David was a model king precisely because he governed within the limits of the

\textsuperscript{395} Jos. Ant. 6.263-267.
law and only once ventured outside the confines of the law. Conversely, Ahab was a bad
king and tyrant because he chose not to subject his authority to the law and govern justly.

Josephus alludes to these two functions of the law in his comments on Herod’s
anti-thievery edict. As we saw above, Josephus states that Herod violated Mosaic Law
and decreed that thieves should be sold as slaves abroad. Josephus calls Herod’s action
tyrranical (τυραννικῶς) and not kingly (βασιλικῶς) because it did not serve the interests
of the governed. Josephus claims that the unlawful edict would prevent Herod’s Jewish
subjects from expressing their allegiance to Yahweh, and impose on them an excessively
harsh (χαλεπῶς) punishment. Josephus’ comments imply that the law ensured the king
and his subjects’ allegiance to Yahweh, and more generally prevented cases of
monarchical abuse of power.

Josephus also held that the law provided the king with a mechanism for
maintaining social order and enforcing justice. Josiah initiated lawful rule on his own
accord in order to ensure social order in the kingdom. Herod was summoned to stand trial
in Jerusalem for his extra-judicial execution of Ezekias and his followers because
Hyrcanus II chose to enforce the law and uphold justice. Conversely, social order and
justice collapsed when Rehoboam abandoned lawful rule.

Josephus’ treatment of kingship and the law shows that according to his concept
of kingship, the king relied on a set of authoritative norms external to his person, in
addition to personal power, to govern responsibly and advance the interests of his
subjects. In other words, he did not only rely on his own virtues and personal attributes in
administering the government. Yet, in contrast to the case studies treated in the previous
chapter, those presented here are more vague on how the king actually ruled the kingdom.
Josephus gives more specific examples of how the king governed the kingdom through his virtues and personal qualities than through his application of the law. This implies that he considered monarchial government to depend largely, but not exclusively, on the personal power of the king.

Josephus’ treatment of kingship and the law also further demonstrates that his conception of ideal kingship reflected both biblical and Greco-Roman kingship ideals. In emphasizing that the ideal king had to follow Mosaic Law out of allegiance to Yahweh and to keep his subjects loyal to Yahweh, Josephus represented a key biblical kingship ideal. On the other hand, he also presented the law as a restraint against tyranny and a tool that the king could use to ensure social order and justice—these ideals were compatible with both biblical and Greco-Roman kingship ideals. As we saw in some of the cases, Josephus’ accentuates this compatibility by sometimes using terminology (e.g. πάτριοι νόμοι; εὐνομίας) and concepts (e.g. the Greek concept of tyranny) that collapse the distinction between Mosaic Law and the laws of Greek and Roman societies. Still, there were two key differences between Josephus’ concept of lawful kingship and the conventional Greco-Roman model. The idea that the king adhered to a fixed written law code to express his allegiance to a single deity had no counterpart in Greco-Roman kingship theory. Moreover, in contrast to Josephus, Greco-Roman writers did not emphasize with the same degree of specificity that the king could not under any conditions alter or adjust this written law code.
CHAPTER 3: KINGS AND THE PRIESTHOOD

The Hebrew king normally functioned in the profane sphere, not in the sacred sphere…
He was emphatically not the leader in the cult. The king created the conditions which
made a given form of worship possible…

Henri Frankfort, *Kingship and the Gods*

**Introduction**

In an addition to Deuteronomy’s Law of the King, Josephus states: “let him [the
king] do nothing apart from the high priest.” In his accounts of the actions of kings,
Josephus granted the king considerably more autonomy than this statement allowed for.
Nevertheless, he considered it necessary for the good king to respect the authority of the
high priest, and defer to him in matters that touched on cult. Josephus held that the ideal
king had to honor the right of the high priest and priests to perform sacrifices, provide
oracles, and guard cultic implements; cooperate with the high priest and priests in
overseeing the maintenance of the temple; and, preserve the general integrity of the
priesthood.

Josephus’ conception of the relationship between the king and the high priest
shares some similarities with, and was likely an extension of, what David Goodblatt
terms, “the diarchic constitution.” According to Goodblatt, “[t]his form of government
has two individuals (or institutions) sharing leadership of the polity, in contrast to the
single leadership of the monarchic form.” Modern scholars have used this concept to

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396 Frankfort (1948) 342.
397 Jos. *Ant.* 4.224: πρασσέτω δὲ μηδὲν δίχα τοῦ ἀρχιερέως. The same principal is expressed in the Temple
Scroll’s version of the Law of the King; 11Q19 59:18-19.
399 Ibid.
describe the co-rulership of the king and high priest, evidence for which appears in some biblical and extra-biblical second temple texts. The Pentateuch presents a precursor of diarchy in its depiction Moses and Aaron, even though Moses was in no way a king. In the Pentateuch, Moses oversees social order and military affairs, while Aaron and his sons supervise the cult. In the united and divided monarchical periods, the king’s tasks were to maintain social order and see to military affairs, and cultic affairs were off limits to him: when Jeroboam and Uzzia tried to assume the duties of the high priest they triggered divine wrath and upset the cosmic order. In the post-exilic, Persian period, the prophet Zachariah alluded to the high priest Joshua and the Persian appointed governor Zerubbabel, who was of Davidic pedigree, as the “two sons of oil who attend the Lord of all the earth.” John Collins cites evidence for diarchy among the Dead Sea sect. He states that, “all the major rule and law books, the Community Rule, Messianic Rule, Damascus Document, and War Scroll, support the bifurcation of [royal and high priestly] authority in the messianic era,” and often place the king subordinate to the high priest. Among the numerous examples he provides, Collins cites the phrase “messiahs of Aaron and Israel,” which appears in the Community Rule (1QS); Collins argues that the phrase refers to a royal ruler and a high priestly authority figure. The Temple

400 For a full discussion of the sources attesting to this concept of diarchy, see Goodblatt (1996) 57-76. Texts he deals with that illuminate the context in which Josephus wrote are Ben Sirah, Jubilees, and the Testaments of the Twelve Patriarchs. J. Collins, (2010), addresses royal and high priestly co-rulership primarily in Qumran texts, but also in biblical sources and the pseudepigrapha.
402 Zach. 4.14.
403 Collins (2010) 82-83. For a full discussion of the texts which Collins analyses to demonstrate that the Dead Sea sect envisioned a messianic royal ruler and a high priestly authority figure, see Collins (2010) 79-91.
404 Ibid., 86; 1QS 9:11: לֶשֶׁת אָבְרָהָם וְיִשְׂרָאֵל. For Collins’ argument that this phrase refers to two messiahs and not one, as some scholars argue, see Collins (2010) 80-91. Collins also cites three instances of the
Scroll’s version of Deuteronomy’s Law of the King states that the king cannot go to war “until he [the king] he has entered before the high priest and he has consulted for him the decision of the Urim and Thummim. On his orders he shall go out and on his orders he shall (re)enter.” Of course, the views expressed in these examples and the modern scholarly concept of “diarchy” by no means perfectly match Josephus’ conception of how the ideal king was to relate to the high priest. By definition, the doctrine of diarchy was based on the equal division of power between king and high priest, and Josephus did not ascribe an equal balance of power to king and high priest. He also did not consider the high priest more powerful than the king, an idea which David Goodblatt calls “the doctrine of priestly superiority.” Nevertheless, the views in these examples of diarchy and priestly superiority similarly envision a society under the guidance of a monarch and high priest, and imply that the king should respect the authority of the high priest. As such, Josephus’ conception of king-high priest relations reflected, and perhaps was shaped by, a general concern among Jewish elites prior to and contemporaneous with Josephus for how kings and high priests should share power.

Josephus’ treatment of the relationship between the king and the high priest and priesthood further illustrates his concept of kingship. Along with the previous chapter, it shows that Josephus did not consider monarchy to be entirely dependent on the personal power of the king. Josephus held that the king largely delegated authority over cultic affairs to the high priest and priests. Nonetheless, as this chapter shows, Josephus’
concept of kingship did not include a role in the government for the high priest and priests beyond administering cult. This stands in contrast to his concepts of aristocratic and theocratic rule, in which the high priests (and priests in the case of theocracy) exercised authority over all aspects of government. This chapter therefore affirms that in Josephus’ concept of kingship, monarchical government centered largely on the king. It also confirms the central role of the king’s person in government. Josephus underscores this point by repeatedly noting that the good king restrained himself from appropriating or infringing upon the cultic responsibilities of the high priest, and that the bad king usurped or meddled with the cultic duties of the high priest or priesthood.

There are two obvious objections to the thesis of this chapter. First, Josephus appears to have tolerated the Herodian innovation that gave the king power to promote and demote high priests at his discretion. This weakened the autonomy of the high priest and increased the extent to which he was subordinate to the king, and thus clashed with Josephus’ own view that the king should honor the high priest’s authority. All this could indicate that Josephus did not consistently advance the view that the good king should respect the cultic authority of the high priest and honor priestly tradition. How much cultic authority could the high priest have if the king could remove him any time he wished?

The evidence indicates that Josephus did not consider this arrangement ideal. On one occasion he criticizes Herod sharply for unlawfully deposing a high priest. In addition, in several descriptions of Herod’s appointments and removals of high priests, he implicitly demonstrates the flaw of the Herodian innovation: Herod routinely takes

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407 Jos. Ant. 15.40.
advantage of his authority and appoints high priests purely to advance his interests, and not those of the cult; he demoted high priests based on his narrow interests, too. The Herodian innovation was a fact, however, and, Josephus evidently chose to tolerate it and accommodate his conception of ideal kingship to this fact, despite his preference for a more balanced power sharing arrangement.

Thus in his account of Agrippa I, Josephus implies that in selecting a high priest the good king had to consider first and foremost whether the high priestly candidate had the right qualities—such as piety—to perform cultic rituals and thus administer cult effectively and responsibly. Ideally he would consult and cooperate with the priesthood in selecting a high priest. Therefore even though the king had the right to appoint and demote the high priest, Josephus insisted the ideal king still respect the high priest as an authority over cult and honor priestly tradition.

The second objection is that Josephus describes but does not condemn the decision of the Hasmonean high priestly ruler, Aristobulus I, to turn the high priestly-led government into a monarchy, which effectively made the king and high priest the same person. Josephus also does not criticize the successors of Aristobulus for continuing this tradition. Josephus, however, does appear to express ambivalence towards this innovation. In his account he states:

For when their father died, the eldest son Aristobulus, deciding to transform the government from high priestly to kingly rule, for he thought this was best, was the first to put on a crown, after four hundred and eighty

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408 Jos. Ant. 13.301.
409 He describes how Alexander Jannaeus sacrificed at the altar without commenting on the impropriety of this act; Jos. Ant. 13.372.
Josephus does not condemn the act of Aristobulus, but he does not endorse it and even intimates disapproval in his statement: “for he thought this was best.” Through this statement, Josephus implies that the king’s decision was in fact not “the best.” In short, while it is strange that Josephus does not criticize the Hasmoneans more sharply for fusing the royal and high priestly offices, he does intimate disapproval of their innovation.

410 Jos. Ant. 13:301: τελευτήσαντος γὰρ αὐτοῖς τοῦ πατρὸς ὁ προσβύτατος Ἀριστόβουλος τὴν ἀρχὴν εἰς βασιλείαν μεταβείναι δόξας, ἔκρινεν γὰρ οὕτω, διάδημα πρώτου ἐπείθεται μετὰ τεταρακοσίων ἁρπήμων ἐτῶν καὶ ὑγόδηκντα καὶ ἐνὸς καὶ μηνῶν τριῶν ἄψ ὁ ἐν τῷ ἄνδρον Βαβυλωνίως δουλείας ἀπαλαγεῖς ὁ λαὸς εἰς τὴν οἰκείαν κατῆλθεν.

411 An additional clue that Josephus opposed the Hasmonean innovation comes in his account of the end of Hasmonean rule, during the conflict between Hyrcanus II and Antigonus II over the Hasmonean throne; Jos. Ant. 14.41-46. Josephus notes that the two men had gone to Pompey, who was then campaigning in Syria, and asked him to support their respective claims. He then relates how an embassy of Jewish leaders came to Pompey and asked the Roman general to let them be ruled by priests instead of a king; Jos. Ant. 14.41: τὸ μὲν οὖς ἄξιον βασιλεύειν, πάτριοι γὰρ εἶναι τοῖς ιερεὺς τοῦ τιμωμένου παρ᾽ αὐτοῖς θεοῦ πειθαρχεῖν. The Jewish leaders accused the men of seeking to enslave them; Jos. Ant. 15.41: ὃντας δὲ τούτους ἀποχύνους τῶν ιερέων εἰς ἄλλην μετάγειν ἀρχὴν τὸ ἔθνος ζητήσαν, ὡς καὶ δουλον γένοντο. The delegation expresses a preference for priestly over royal rule, but it also expresses an implicit critique of fusing the royal and high priestly offices. In their statement to Pompey, the embassy implies that Hyrcanus and Aristobulus could have ruled as priests, in accordance with their nation’s custom, but were pursuing royal power, too, which the embassy deemed problematic. On the face of it the passage reflects the views of the embassy, and not those of Josephus. However, Josephus was a priestly aristocrat and, in Antiquities and Contra Apionem, explicitly states his preference for priestly led rule over monarchy (on this, see Chapter Four). Viewed from this perspective, Josephus’ reference to the embassy’s statement may constitute an argument against the Hasmonean fusion of the royal and high priestly offices.

412 It is possible to interpret a Josephan editorial comment on the consequences of Pompey’s conquest of Judea in 63 BCE, which effectively ended Hasmonean sovereignty in Judea, as a reflection of Josephus’ support for the Hasmonean innovation. In the comment, Josephus blames the conquest and its outcome on Hyrcanus II and Aristobulus II, whose feud led Pompey to intervene in Judean affairs, dissolve Hasmonean rule, and divide Judea into five districts to be ruled by five corresponding councils; Jos. Ant. 14.77-78: Τοῦτον τοῦ πάθους τοῖς Ἰερουσαλημίως αἰτίων κατέστησαν Ὑρκανὸς καὶ Ἀριστόβουλος πρὸς ἄλληλους στασιάσαντες: τὴν τε γὰρ ἔλευθερον ἀπεβάλλον καὶ ὑπόκου Ὀρωμαίος κατέστησιν καὶ τὴν χώραν, ἢν τοῖς ὅπλοις ἐκτιθέμεθα τοῖς Σύροις, ἀπουθανηκαίρης ἀπώδοντο τοῖς Σύροις, καὶ προσέτει πλεῖο ὡς μύρια τάλαντα Ὀρωμαίοι ἐν βραχείς χρόνον παρ᾽ ἡμῶν εἰσεπράξαντο, καὶ ἡ βασιλεία πρότερον τοῖς κατὰ γένος ἀρχηγεύσαν διδομένη, την δημοτικῶν ἀνδρῶν ἐγένετο. Goodblatt, (1996) 25-32, includes this passage in his discussion of the evidence for a doctrine of priestly monarchy, which he claims circulated in Judea between the Persian period (beginning in the late 6th century CE) and the late first century CE, and which Josephus, among others, supported. He claims it reflects the view that, “the royal
I: How the Ideal King Should Interact with the High Priest and Priesthood: Two Positive Examples

David and the Priesthood

In his rewritten account of David, Josephus expresses how the ideal king was to treat the high priest and the priesthood. He exercised restraint on his sovereignty and delegated authority over cultic matters to the high priest and priesthood, cooperated with them, and did not infringe upon their cultic authority. In brief, he respected the integrity of the priesthood as an institution devoted to overseeing cult.

In 1 Samuel’s account of David’s battle with the Amalekites, David ordered the high priest to bring him the ephod, which he put on before asking Yahweh about the battle’s outcome. Josephus, however, has David ask the high priest to consult Yahweh before commencing battle. He also has David order the high priest to wear the priestly vestments. He writes that David “appealed to the high priest Abiathar to put on his priestly garment (τὴν ἱερατικὴν στολὴν) and to inquire of God and prophecy whether, if he pursued the Amalekites, he would grant him to overtake them.”

The vestments office was properly the possession of the high priests;” ibid., 25. I do not dispute Goodblatt’s claim that Josephus was a proponent of priestly rule (which Goodblatt terms “priestly monarchy”), but I disagree that this passage reflects Josephus’ endorsement of the fusion of the high priestly and royal offices. We have seen above that Josephus voices no support for Aristobulus I’s momentous decision to fuse the high priestly and royal offices and even hints at disapproval. If Josephus truly supported Aristobulus’ decision, we would expect him to express at least some support for it. In my view, the sentiments in the passage reflect the perspective of a priestly author with Hasmonean lineage looking back on Jewish history at the end of the first century CE, after the Roman conquest of Judea in 70 CE, and with a bit of nostalgia comparing the days of Hasmonean sovereignty to the reign of the Herodian dynasts, whose persistent misrule of Judea further precipitated the loss of Jewish sovereignty, and whose lack of commitment to Jewish law and customs Josephus repeatedly criticized.

413 For scholarly accounts that have addressed the differences between the biblical account and Antiquities in regard to David and the high priest and priesthood, see Feldman (1989); (1998a) 537-569; C. Begg (1997a).
414 1 Sam. 30.7.
415 Jos. Ant. 6.359: ἀνασχὼν δ’ ἐκ τῆς λύπης καὶ τὴν διάνοιαν πρὸς τὸν θεὸν ἀναστήσας παρεκάλεσε τὸν ἄρχερα Αβιάθαρον ἐνδύσασθαι τὴν ἱερατικὴν στολὴν καὶ ἐπερωτῆσαι τὸν θεὸν καὶ προφητεύσαι, εἰ
contained the oracular devices, the Urim and Thummim. Elsewhere in *Antiquities*, Josephus claims that these devices “foreshowed victory to those on eve of battle.” And in still another section of *Antiquities*, Josephus claims that wearing the priestly vestments was one of the key responsibilities of the high priest, in addition to performing sacrifices on the altar and offering prayers to Yahweh. In short, by changing the biblical text and emphasizing that David chose to rely on the high priest to consult the oracle and that David had the high priest put on the ephod, Josephus indicates that David honored the cultic authority of the high priest. As we will see below, Josephus emphasizes that two kings, Uzzia and Herod, did not honor the high priest’s authority over the high priestly vestments: Uzzia took them from the high priest and wore them when sacrificing to Yahweh, and Herod went against tradition and prohibited the high priests from maintaining control over them.

Josephus makes other changes to the biblical account of David that underscore David’s respect for the cultic authority of the high priest. In 2 Samuel, before attacking the Philistines, David asked Yahweh, “Shall I go up against the Philistines? Will you give them into my hand?” In a second battle with the Philistines, again David asked Yahweh directly whether he should engage in battle. In his rewritten versions of both

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418 2 Sam. 5:19.

419 2 Sam. 5:23.
accounts, however, Josephus has David rely on the high priest when inquiring into divine will. Josephus states that David consulted the high priest before going to war with the Philistines. Moreover, in an editorial comment, Josephus adds that David did nothing “except by prophecy”—the context presumes that this means without seeking an oracle through the high priest. In his version of the second confrontation with the Philistines, Josephus again adjusts the biblical account and makes David consult the high priest whether to commence battle. Once again Josephus changes the biblical text in a way that emphasizes that David was conscientious of the fact that the high priest was the primary steward of cultic affairs.

Josephus also emphasizes that David cooperated with the priesthood—not just the high priest—and respected its traditional role in supervising cult. Josephus’ rewritten version of the biblical account of David’s transfer of the ark to Jerusalem demonstrates this. Unlike the biblical account of the transfer of the ark, Josephus specifies that David delegated authority to the priests in transferring the ark, and ordered the priests to oversee the various offerings connected with the worship of the ark once it was deposited in Jerusalem. Both 2 Samuel and 1 Chronicles describe David’s decision to transfer the ark to Jerusalem. In 2 Samuel, David did not order the priests or Levites to transfer the ark. In 1 Chronicles, David gathered everyone, “including priests and Levites” to carry the ark.

420 Jos. Ant. 7.72: ὃ δὲ τῶν Ἰουδαίων βασιλεὺς, οὐδὲν γὰρ ἄνευ προφητείας καὶ τοῦ κελεύσαι τὸν θεόν καὶ περὶ τῶν ἐσομένων λαβεῖν ἐγγυητὴν, ἐκεῖνον ἐκεῖνυ ποιεῖν ἐπέτρεπεν, ἐκέλευσε τὸν ἀρχιερέα τί δοκεῖ τῷ θεῷ καὶ σφάζῳ ἔσται τὸ τέλος τῆς μάχης προλέγειν αὐτῷ.
421 Jos. Ant. 7.72: ἄνευ προφητείας.
422 Jos. Ant. 7.76: πάλιν δὲ τοῦ βασιλέως τῶν Ἰσραηλίτων ἐρωμένου τὸν θεόν περὶ τῆς περὶ τὴν μάχην ἐξόδου, προφητεύει ὁ ἀρχιερεὺς ἐν τοῖς ἄλσοι τοῖς καλυμένοις Κλαυθμοῦ κατέχειν τὴν στρατιάν οὕτω ἢ πάντως τῶν πολεμίων στρατοπέδου, κινεῖν δ᾽ αὐτὸν μὴ πρότερον μηδ᾽ ἀρχεσθαι τῆς μάχης.
423 For an account of the differences, see Begg (1997a).
424 2 Sam. 6:1-19.
to Jerusalem. But that is all the attention that David gives to the priesthood in the biblical account.

In Josephus’ version, however, David gave the priesthood a far greater role in supervising the ark’s transfer. Josephus notes that David ordered the priests and Levites to “go to Kariathjarim, in order to bring the ark of God with them from there to Jerusalem.” In another departure from the two biblical accounts, Josephus adds that David gave the priests complete authority to supervise and worship the ark in Jerusalem. David told the priests that, “[t]here they were to hold it, showing devotion to it with sacrifices and other honors that would please God.” In the biblical accounts, the king does not instruct the priests to administer cultic rites over the ark. Through these adjustments, Josephus demonstrates David’s respect for the cultic authority of the priesthood.

Joash and the Priesthood

In his rewritten account of Joash, Josephus also implies that the ideal king should restrain his sovereign authority and cooperate with the high priest and priesthood. He illustrates this by presenting a positive portrait of Joash’s relationship with the high priest Jehoiada and priesthood and showing how the king cooperated with the high priest in renovating the temple. Comparing Josephus’ account of Joash’s plan to repair the temple

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426 Jos. Ant. 7.78: Τοιαύτης δ’ ἀποβάσης καὶ ταύτης τῆς μάχης ἔδοξε Δαυίδη συμβουλευσάμενο μετά τῶν γερόντων καὶ ἱερεὺς καὶ χιλιάρχων μεταπέμψασθαι τῶν ὀμοφόλων εὗ ἀπάσης τῆς χώρας πρὸς αὐτὸν τοὺς ἐν ἀκμῇ τῆς ἡλικίας.
427 Jos. Ant. 7.78: ἔπειτα τοὺς ἱερεῖς καὶ Ληουίτας καὶ πορευθέντας εἰς Καριαθιάρι ἔχοντας ἀστικοὺς καὶ ἱεροσόλυμα καὶ θρησκεύειν ἐν αὐτῇ λουτρόν ἔχοντας αὐτὴν θυσίας καὶ ταῖς ἄλλαις τιμαῖς, αἷς χαίρει τὸ θεόν.
with the biblical versions of this episode illustrates this.\textsuperscript{428} In their respective accounts of the renovations to the temple, 2 Kings and 2 Chronicles depict considerable friction between the king and high priest and priesthood. Both sources indicate that the relationship between them was dysfunctional, and that they had considerable trouble cooperating to renovate the temple. Josephus, however, significantly downplays this dysfunction, and indicates that all parties were largely successful in working to ensure the temple repairs.

Both 2 Kings and 2 Chronicles report that King Joash wanted to renovate the temple and enlisted the help of the high priest, Jehoiada. In 2 Kings, the king orders the priests to take the silver offerings from their acquaintances and to divert them towards renovating the temple.\textsuperscript{429} When the priests do not repair the temple, the king summoned Jehoiada the high priest and the priests and asked them, “Why are you not repairing the breaches of the house?”\textsuperscript{430} They do not answer, and the king then instructs them: “Do not take silver from your acquaintances but give it for repairing the breaches of the house.”\textsuperscript{431} The narrative in 2 Kings reports that the “priests agreed not to take silver from the people and not to repair the breeches in the house (i.e. the temple).”\textsuperscript{432} Thus the high priest and priests willfully disobeyed the king and kept the silver meant to pay for the temple repairs.

\textsuperscript{428} Begg has catalogued the differences between Josephus’ and the biblical accounts of Joash. He notes the differences, including the depictions of Joash and the priesthood. He does not infer what these divergences imply for Josephus’ view of Joash, the priesthood, or kingship. See Begg (2000) 189-206; (1997b).
\textsuperscript{429} 2 Kings 12:5-6.
\textsuperscript{430} 2 Kings 12:8.
\textsuperscript{431} 2 Kings 12:8.
\textsuperscript{432} 2 Kings 12:8.
The king eventually obtains the cooperation of the high priest and priests, but the lack of trust persists. To ensure that the silver would be collected, the high priest Jehoiada put a chest in the temple near the altar.\(^\text{433}\) When men entered the temple, the high priest deposited their silver into the chest.\(^\text{434}\) When the chest was full, the king’s scribe and the high priest collected the money and delivered it to the men overseeing the temple repairs, who in turn paid the laborers.\(^\text{435}\) The presence of the king’s scribe suggests that the king did not fully trust that the high priest would deliver the silver to the foremen and laborers.

The relationship between the king and high priesthood does not fare better in 2 Chronicles. The Chronicler faults the high priest Jehoiada for failing to obey the king’s command that the Levites should travel through the land and collect the tax designed to pay for the temple renovations.\(^\text{436}\) Moreover, in contrast to 2 Kings, 2 Chronicles indicates that the king, and not the high priest, designed the money-collecting chest. This provides another indication of the king’s distrust of the high priesthood; the king did not trust the high priest to collect monetary contributions for the temple repairs.\(^\text{437}\) 2 Chronicles also indicates that the king restricted the authority of Jehoiada and the Levites after they failed to execute his orders. It states that, “a royal scribe and agent of the chief priest, but not the high priest himself, emptied the chest and returned it to the temple.”\(^\text{438}\)

Finally, it notes that both the king and high priest delivered the money from the chest to

\(^{433}\) 2 Kings 12:10.  
^{434}\) 2 Kings 12:10.  
^{435}\) 2 Kings 12:12.  
^{436}\) 2 Chron. 24:4-6. The Levites did not act at once. The king summoned Jehodaia and asked, “why haven’t you required the Levites to bring in from Judah and Jerusalem the tax imposed by Moses the servant of the Lord and by the assembly of Israel for the tent of the covenant law?”  
^{437}\) 2 Chron. 24:8  
^{438}\) 2 Chron. 24:11.
the men overseeing the temple’s renovations—a further indication of the king’s distrust of the high priest.439

Josephus, however, downplays the dysfunction and lack of cooperation between the king and high priest and priesthood that appears in the parallel accounts in 2 Kings and 2 Chronicles. In 2 Kings, the high priest inexplicably refuses to follow the king’s orders to collect the silver offerings of the people and allocate them for the temple repairs. This implies a power struggle between the king and high priest. In 2 Chronicles, the king orders Jehoiada the high priest to send out the priests and Levites to collect money from the king’s subjects to pay for the temple repairs; here, too, the high priest inexplicably refuses the king’s order.440 This, too, suggests a significant power struggle between the king and high priest and priesthood. Josephus, however, downplays the tension between the king and high priest and priesthood that is implicit in both of the biblical accounts. In an addition to the biblical text, Josephus explains that the high priest reasoned that no one would willingly hand over the money.441 Josephus therefore implies that the high priest did not comply with the king’s wishes because it would not advance the king’s interests, and not because the high priest was locked in a power struggle with the king or was deliberately acting against the king’s interests, as indicated in the biblical accounts. He also removes the indication in 2 Kings that the high priest and priests kept the silver and thereby impeded the king’s efforts to renovate the temple.442

439 2 Chron. 24:12
441 Jos. Ant. 9:162: ὁ δ’ ἀρχιερεὺς τοῦτο μὲν οὐκ ἐποίησε συνεὶς ὡς οὐδὲς προσεῖται τάργύριον.
442 Jos. Ant. 9:162: μεταπεμψαμένου τοῦ βασιλέως αὐτοῦ τε καὶ Ληουίτας καὶ ὡς παρακούσαντας ὑπὶ προσέταξεν.
Moreover, Josephus implies that the king and high priest largely cooperated to raise funds for the renovations of the temple. Indeed, Josephus affirms this by adjusting the biblical accounts and implying that the high priest avidly and effectively helped the king and cooperated with him to raise funds to pay for the temple renovations. Josephus follows 2 Kings and reports how Jehoiada placed a box outside the temple beside the altar and told everyone to contribute as much as they could. Josephus goes beyond the biblical text and emphasizes the plan’s success: in an addition to the biblical text, he notes that the “the entire people was favorable to this [plan] and, by their emulation and joint contributions, they assembled much silver and gold.” Josephus’ version therefore indicates that although the high priest did not comply with the king’s initial orders to raise funds for the temple, he proved indispensable in helping the king achieve his goal of raising ample funds to finance the temple repairs. In short, the biblical accounts (especially the account in 2 Kings) imply that the high priest refused the king’s order to collect money because he was locked in a power struggle with the king. By contrast, Josephus implies that the high priest refused the king’s command because the high priest had a better plan to help the king achieve his goal of renovating the temple.

In addition, Josephus changes the biblical accounts and indicates that the king and high priest cooperated in using the money to procure temple furnishings. He notes that the king and high priest spent the surplus, “which was not negligible,” on other temple furnishings—cups, pitchers, and bowls. The biblical accounts do not allude to such
cooperation between the king and high priest. Indeed, they emphasize the lack of cooperation and trust between the king and high priest in regard to financing the renovations of the temple.

In sum, through his adjustments and additions to the biblical accounts of David and Joash, Josephus implies that both kings curbed their power in the realm of cult, delegated authority to the high priest and priesthood to fulfill their cultic duties, and in general cooperated with the high priest and priesthood in managing cultic affairs. As we saw above, Josephus changed the biblical account of David and stressed that David honored the right of the high priest to wear the priestly vestments, relied on the oracular power of the high priest, and assigned the priests the task of supervising the transfer of the ark and performing the offerings connected with its worship. In addition, in his rewritten account of Joash’s plan to renovate the temple, Josephus removed the biblical account’s evidence of a power struggle between the king and high priest and priests and emphasized that all three parties cooperated to ensure the renovations to the temple were carried out. It is possible to attribute these changes to the biblical accounts to Josephus’ so called priestly bias, or, in the case of his account of David, to Josephus’ attempt to whitewash the Book of Samuel’s dark portrait of David. It is argued here, however, that they reflect Josephus’ broader view that the ideal king should respect the supervisory role of the high priest and priests over cultic affairs.

II: How the King Should not Treat the High Priest and Priesthood: Two Negative Examples

ὅσημέραι τὸν βασιλέα παίνοντες διετέλευσαν. καὶ ταῦτα μὲν ἔφη ὁ Ιωάδας χρόνον ἐξή τῆς προσηκούσης ἐτύγχανε σπουδῆς.

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Jeroboam

In his accounts of David and Joash, Josephus presents positive examples of how in his conception of ideal monarchy the king was to honor the cultic authority of the high priest and priests, cooperate with them in managing cultic affairs, and respect the integrity the institution of the priesthood. He reinforces this point with negative examples in his rewritten accounts of Jeroboam and Uzzia. He portrays these kings as tyrants and bad rulers in large part because they failed to respect the cultic authority of the high priest and priesthood, and did not cooperate with them in tending to cultic affairs.

In his rewritten account of Jeroboam, Josephus criticizes the king for violating priestly tradition and appointing non-Aaronide priests to the priesthood. In 1 Kings, Jeroboam, the first king of the newly formed breakaway kingdom in the north, worried that the Jerusalem temple in the southern kingdom threatened his legitimacy. His subjects regularly travelled to Jerusalem, the capitol of the south, to worship at the temple. The king severed all connections with the temple in Jerusalem by building two golden calves, and placed one in Bethel, and the other in Dan. He told his followers to worship them as their new gods. In addition, he filled the priesthood with men unqualified to perform the priestly duties: “the pick of the people who were not from the sons of Levi.”

In general, Josephus follows the biblical account. He has Jeroboam order his followers to worship the golden calves, which he claims represent Yahweh. He then announces his plan to “appoint some from among yourselves as priests and Levites for

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446 1 Kings 12:28-29.
447 1 Kings 12:31.
448 Jos. Ant. 8.227-228.
you, so that you will have no need of the Levitical tribe and of the sons of Aaron.”

He adds that “whoever of you wishes to be a priest, let him offer a calf and a ram to God, as Aaron, the first priest, is said to have done.” Here, Josephus is affirming the tradition that the descendants of Levi were the stewards of the temple, and those of Aaron its priests. After Jeroboam’s speech, however, Josephus departs from the biblical narrative and adds a personal reflection on Jeroboam’s cultic reforms. Referring to the speech in which Jeroboam announced his reforms, Josephus states,

[in saying these things he misled the people and caused them, by their turning away from their ancestral worship, to transgress against the laws. This was the beginning of the calamities for the Hebrews, who, having been defeated in war by other peoples, fell into captivity.] 451

This refers both to Jeroboam’s establishment of the cults in Bethel and Dan, and to his infringement on priestly authority and tradition. As such, Josephus links Jeroboam’s mistreatment of the priesthood to the Assyrian conquest of 722 BCE, a cataclysmic event in Jewish history. The author of Kings does not make this connection. In forging this link, Josephus surpassed the biblical author in emphasizing the severity of Jeroboam’s decision not to exhibit due respect for the priesthood and not to cooperate with it. This throws into sharp relief Josephus’ view that it was incumbent on the ideal king to respect the cultic authority of the priesthood and work with it in managing cultic affairs.

In another adjustment to the biblical account, Josephus accentuates how Jeroboam appropriated the cultic duties of the high priest. 1 Kings reports that Jeroboam, imitating

Jos. Ant. 8.228: ἀποδείξω δὲ τινας ὑμῶν καὶ ιερεῖς ἐξ ὑμῶν αὐτῶν καὶ Ληουίτας, ἵνα μὴ χρείαν ἔχητε τῆς Ληουίτιδος φυλῆς καὶ τῶν υἱῶν Ἀαρῶν.


Jos. Ant. 8.229: ταῦτ’ εἰπὼν ἐξηπάτησε τὸν λαὸν καὶ τῆς πατρίου θρησκείας ἀποστάντας ἐποίησε παραβῆναι τοὺς νόμους. ἀρχὴ κακῶν ἐγένετο τούτῳ τοῖς Ἑβραίοις καὶ τοῦ πολέμῳ κρατηθέντας ὑπὸ τῶν ἄλλων εἰς αἰχμαλωσία περιπεσεῖν.
his southern rivals, instituted the festival of the tabernacles at Bethel.\(^{452}\) It also notes that Jeroboam “went up on the altar to burn incense.”\(^{453}\) Josephus, however, explicitly notes that Jeroboam assumed the office of the high priesthood. He writes that Jeroboam “built an altar before the calf, and having made himself high priest, ascended the altar with his own priests.”\(^{454}\) As we saw above, Josephus makes clear in his account of David that the high priest and the priests supervised cultic activity, and that the king entrusted this to the high priest and his priestly colleagues. As such, Josephus presents Jeroboam as the polar opposite of David. Whereas the latter shared power with the high priest, Jeroboam did not, and even usurped the office of the high priest. Unlike David, he did not respect the integrity of the priesthood and treat it as an institution devoted to supervising cult.

**Uzzia**

In his rewritten account of Uzzia, Josephus similarly emphasized the problem of royal appropriation of the duties of the high priest. 2 Chronicles reports that the reign of Uzzia began well and flourished for some time. At the peak of his reign, however, power corrupted Uzzia and he ignored the law.\(^{455}\) The author(s) of 2 Chronicles adds that Uzzia also “entered the temple of the Lord to burn incense on the altar of incense.”\(^{456}\) In his account of Uzzia, Josephus accentuates and elaborates on Uzzia’s appropriation of the

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\(^{452}\) 1 Kings 12:32.

\(^{453}\) 1 Kings 12:33.

\(^{454}\) Jos. *Ant.* 8.230: οἴκοδομεῖ μὲν θυσιαστήριον πρὸ τῆς δαμάλεως, γενόμενος δὲ αὐτὸς ἀρχιερεὺς ἐπὶ τὸν βωμὸν ἀναβαίνει σὺν τοῖς ἰδίοις ἱερεῖσι. 1 Kings 12:33 states that Jeroboam “instituted a festival on the fifteenth day of the eighth month, like the festival held in Judah, and offered sacrifices on the altar.”

\(^{455}\) V. Babota, (2014) 29-30, reads this in the context of Josephus’ criticism of the Hasmonean high priestly rulers adopting kingship.

\(^{456}\) 2 Chron. 26:16-18.
high priestly office.\textsuperscript{457} Josephus claimed that Uzzia “donned priestly attire and entered the sacred enclosure to offer incense to God on the golden altar.”\textsuperscript{458} The detail of Uzzia putting on the high priestly vestments is absent from the biblical account. By adding it, Josephus threw into sharper relief Uzzia’s appropriation of the high priest’s duties. As we saw above, Josephus represented the high priestly vestments as symbols of the high priest’s cultic authority; he indicates that the king’s treatment of them signaled royal respect for high priestly authority. David ordered the high priest to put on the high priestly vestments before inquiring into divine will. And as we will see below, Josephus cites Herod’s mistreatment of the high priestly vestments and casts him as the type of king who did not cooperate and share power with the high priest.

To summarize, this section examined Josephus’ adjustments and additions to biblical accounts of four different kings: David, Joash, Jeroboam, and Uzzia. In his rewritten accounts of David and Joash, Josephus presents positive examples of how the ideal king should treat the high priest and priesthood: the good king delegated authority over cultic rituals to the high priest and priesthood, and cooperated with them in tending to cultic matters. Josephus affirms this in his rewritten accounts of Jeroboam and Uzzia by emphasizing how these kings, unlike David and Joash, did not cooperate with the high priest and priesthood and did not respect their role as the primary stewards of cult. Jeroboam disregarded priestly tradition and appointed non-Aaronide priests and non-Levites to administer his new cult sites. Later, he appropriated the office of high priest.

\textsuperscript{457} Jos. Ant. 9.222-224.
\textsuperscript{458} Jos. Ant. 9.223: ἕνστάσης δ’ ἡµέρας ἐπισήµου καὶ πάνδηµου ἐχούσης ἑνδύς ἱερατικὴν στολὴν εἰσήλθην εἰς τὸ τέµενος θυσίας ἐπὶ τοῦ χρυσοῦ βωμοῦ τοῦ θεοῦ.
Uzzia brazenly donned the high priestly vestments and assumed the offices of the high priest by sacrificing on the altar in the temple. In short, in his rewritten accounts of these four kings, Josephus indicates that under ideal monarchy, the king respected the cultic authority of the high priest and priests and in general protected and supported the integrity of the institution of the priesthood.

III: Josephus on the Ideal King-Priesthood Relationship and the Herodian Practice of Appointing High Priests

As noted at the outset of this chapter, Herod introduced the practice of selecting high priests. This gave the monarch significant power over the high priest and priesthood and constrained their autonomy in the cultic realm. Josephus does not condemn the Herodian innovation per se; however, it clashed with his view, which was also prominent in Jewish tradition, that it was incumbent upon the king to respect the authority of the priesthood. Moreover, on one occasion Josephus criticizes Herod directly for contravening the law and removing one high priest; in the same context he compares Herod to the Jews’ archenemy, Antiochus IV, who also demoted a Jewish high priest.459 Elsewhere Josephus repeatedly criticizes Herod’s motivation for appointing and demoting high priests. He indicates that personal ambition, political calculations, and sometimes even capricious factors like lust, envy, or rage influenced his appointments and demotions. In doing so, Josephus exposes how the Herodian innovation undermined the authority and integrity of the high priest and the priesthood. These factors point to Josephus’ dislike of the Herodian innovation of appointing and demoting high priests, even though he never explicitly condemns it. More generally, they confirm his view that

459 Jos. Ant. 15.40-41.
in an ideal monarchy, the king should honor the cultic authority of the high priest, cooperate with him in cultic matters, and in general preserve the integrity of the priesthood as an institution devoted to safeguarding the cult.

**Herod**

Josephus emphasizes that ambition, political calculations, and self-interest alone drove Herod’s appointment of the Babylonian high priest Ananel, and his subsequent demotion of Ananel in favor of Aristobulus III. He frames Herod’s appointment of Ananel to the high priesthood in the context of his nefarious and duplicitous invitation of Hyrcanus II to return to Jerusalem. Hyrcanus had been living in Parthia. Years earlier, Hyrcanus’ nephew Antigonus II obtained the kingship over Judea with Parthian help, and transported Hyrcanus to Parthia as a hostage. He remained there until Herod seized power from Antigonus, and eventually invited Hyrcanus to return to Jerusalem. Herod disguised the invitation with a pretext. Hyrcanus had saved Herod from a conviction by the Sanhedrion, which had prosecuted Herod for executing extra-judicially the Galilean bandit leader Ezekias. Herod was returning the favor. But the invitation was in Josephus’ words a “plot.” Josephus claims that Herod’s motive was either to maintain control over Hyrcanus by keeping him close by or to have him eventually killed.

Josephus then reports that, in addition to his deceptive treatment of Hyrcanus, Herod “tried to make other arrangements to the benefit of his rule.” Deception underpinned these “arrangements,” too. As an example, he notes that Herod selected a

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461 Jos. *Ant.* 15.18.
high priest with obscure origins (ιερέα τῶν ἀσηµιτέρων), fearing to appoint a high priest
who was “distinguished” (τινα τῶν ἐπισήµων).\(^{465}\) This Ananel was a trusted friend, on
whose support Herod could rely.\(^{466}\) Scholars have puzzled over Josephus’ contradictory
depiction of Ananel. In one passage, Josephus calls him obscure (ιερέα τῶν
ἀσηµιτέρων).\(^{467}\) In another, he says he was from high priestly lineage.\(^{468}\) Some diffuse
the contradiction by claiming that the latter characterization is correct, and that the former
reflects Josephus’ criticism of Herod’s choice of high priest.\(^{469}\) James Vanderkam argues
there is no contradiction.\(^{470}\) He claims ἀσηµος means Ananel was “unknown” in Judea,
not that he was “undistinguished.” He is half right. While ἀσηµος can mean “unknown,”
Josephus contrasts ἀσηµος with ἐπισήµος.\(^{471}\) Ἐπίσηµος can connote distinguishing or
notable qualities in Josephus’ works.\(^{472}\) Ἀσηµος therefore must in some degree connote
lack of distinction. Jan will Van Henten offers the most plausible interpretation:
“Josephus’ information about Ananel’s origin here is connected with a distinction
between local, distinguished high priests (i.e. Hasmoneans) and foreign, less
distinguished high priests.”\(^{473}\)

\(^{465}\) Jos. Ant. 15.22: φυλαττόµενος γάρ τινα τῶν ἐπισήµων ἀποδεικνύειν ἀρχιερέα τοῦ θεοῦ,
μεταπεµφάµενος ἐκ τῆς Βαβυλῶνος ιερέα τῶν ἀσηµιτέρων Ανάνηλον ὁνόµατι τούτῳ τὴν ἀρχιερωσύνην
dίδωσιν.

\(^{466}\) Jos. Ant. 15.40.

\(^{467}\) Jos. Ant. 15.22.

\(^{468}\) Jos. Ant. 15.40: ἀρχιερατικὸς γένους.

Ananel’s descent in 15.40-41 seem more plausible than the note here [15.22] because the credits of a non-
Hasmonean High Priest should have been convincing for Herod’s subjects.”

not use the term ἀσηµος for Ananel to cast “aspersions on the quality of Herod’s appointment.” I would
tweak his claim. What Josephus is doing is criticizing Herod for choosing a high priest based on self-interest,
and not based on who was the most deserving candidate.

\(^{471}\) Jos. Ant. 15.22.

\(^{472}\) E.g. Jos. Ant. 4.174 and 10.264.

\(^{473}\) Van Henten (2014) 23.
If we can trust Josephus that Herod did choose a high priest from a high priestly family, it stands to reason that Herod selected a high priest with Zadokite lineage. If so, Herod was in fact demonstrating regard for priestly tradition and authority. Josephus evidently did not credit Herod for this. This shows that he intentionally sought to present Herod as a king who did not demonstrate proper respect for priestly tradition and authority. In short, Josephus wanted to stress that Herod shrewdly selected a high priest whose status would not eclipse the authority of the king. This further indicates that in Josephus’ view power defined in terms of self-interest and political calculations influenced Herod’s appointments to the high priesthood.

In describing how Herod removed Ananal from the high priesthood and then appointed Aristobulus III, Josephus again illustrates that ambition, political calculations, and self-interest drove Herod’s approach to selecting (and removing) high priests. In appointing Ananel high priest, Herod had passed over Aristobulus. This offended Alexandra, Aristobulus’ mother, and Herod’s mother-in-law. She appealed to her friend Cleopatra, thinking the queen could use her influence with Marc Antony, on whose friendship Herod depended, to get Aristobulus appointed high priest. Her plan succeeded. Ever mindful of his precarious grip on power, Herod yielded to the pressure. He explained to his advisors that he would tell Alexandra that the reason he had appointed Ananel instead of Aristobulus was because the latter was “after all still a young boy.” True to his word, he demoted Ananel and appointed Aristobulus. At this point, Josephus digresses from his narrative and stresses the egregious nature of Herod’s

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475 Jos. Ant. 15.34: παιδίου παντάπασιν ὄντος Ἀριστοβούλου.
476 Jos. Ant. 15.40: Ὁ δὲ βασιλεὺς Ἡρώδης εὐθὺς μὲν ἀφαιρεῖται τὴν ἀρχιερωσύνην Ἀνάνηλον ὄντα μὲν.
removal of the high priest from his office. The passage is worth quoting in full because it illustrates how serious Josephus viewed Herod’s violation of the high priest’s authority. Josephus states that,

[Herod] honored this man when he took hold of the kingdom, but he deposed him again—in order to stop the dissent in his family—by committing an unlawful act (παράνομα ποιῶν), for never was anyone deprived of his honor once he had received it. 477

To stress the gravity of Herod’s act, Josephus adds that Herod’s removal of an appointed high priest was unprecedented. And he adds two exceptions that throw into sharper relief the egregious nature of Herod’s violation of high priestly authority. Josephus notes that Antiochus Epiphanes violated the same law by replacing the high priest Jason with Menelaus. 478 He also claims that Antigonus, a villain in both War and Antiquities, took the high priesthood from Hyrcanus II. 479 He did this by mutilating Hyrcanus’ ear, which invalidated Hyrcanus’ eligibility for the high priesthood. 480 In short, self-interest, ambition, and political calculations governed Herod’s selections (and demotions) of high priests. He used the high priests as pawns to protect and advance his political power.

In addition to political calculations, capricious motives influenced Herod’s high priestly selections. According to Josephus, Herod’s appointment of Simon son of Boethus (a prominent Alexandrian) was due to Herod’s lust for Simon’s daughter, Mariamme

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477 Jos. Ant. 15.40: τοῦτον αὐτῶς μὲν ἐτίμησεν, ὅτε τὴν βασιλείαν παρέλαβεν, αὐτὸς δὲ κατέλυσεν ἐπὶ τῷ παῦσαι τὰς οἰκείας ταραχὰς παράνομα ποιῶν· οὐ γὰρ ἄλλος γε τὶς ἀφηρέθη τὴν τιμήν ἀπαξ παραλαβὼν.

Underscoring Josephus’ disapproval of Herod’s action against the priesthood with the appointment of Ananel is the fact that Josephus mentions it again in the famous account of the history the high priests in Jos. Ant. 20.247.

478 Jos. Ant. 15.41: ἀλλὰ πρῶτος μὲν Ἀντίοχος ὁ Ἐπιφανής ἔλυσε τὸν νόμον ἀφελόμενος μὲν Ἰησοῦν, καταστήσας δὲ τὸν ἄδελφον Ὄνιαν.

479 Jos. Ant. 15.41: δεύτερος δὲ Ἀριστόβουλος Ὁ Ῥωκανῶν ἀφείλετο τὸν ἄδελφον, Ἡρώδης δὲ τρίτος ἀντιπαρέδωκεν τὴν ἄρχην Ἀριστοβούλῳ τῷ παιδί.

II.\textsuperscript{481} To satisfy his desire, Herod married Mariamme. He secured the approval of her father by offering him the high priesthood. Josephus acknowledges that Herod’s act illustrated impressive restraint. He claims that Herod “rejected the thought of accomplishing everything by using his authority, suspecting, which was true, that he would be accused of using force as well as tyrannical behavior.”\textsuperscript{482} He writes that,

[b]ecause Simon was not illustrious enough for his family but too important to be treated with contempt, he pursued his desire in a quite reasonable way, by increasing their status and making them more glorious. Indeed he immediately removed the High Priest from Jesus, the son of Phabes. He appointed Simon to the office, and contracted the marriage with him.\textsuperscript{483}

Herod’s actions do not receive the harsh condemnation Josephus is capable of providing. Regardless, by simply including the episode, Josephus indicates that in as much as he could be politically calculating in selecting high priests, Herod could also be capricious. Moreover, the episode further indicates that Herod, unlike Agrippa, did not consider key qualities like piety when choosing a high priest. Again, this shows that he did not choose the candidate most qualified to officiate over the cult, but the candidate that would serve his narrow interests.

Consider a final example of Herod’s contempt for the high priesthood, which appears in Josephus’ account of the end of Herod’s life. After a premature rumor of Herod’s death spread, two scholars and popular educators Matthias and Judas, urged their

\textsuperscript{481} Jos. Ant. 15.320-322.
\textsuperscript{482} Jos. Ant. 15.321: ὃντος σοῦ λόγου παρὰ τοῖς Ἰεροσολυμίταις αὐτῆς τὸ μὲν πρῶτον ὑπὸ τῆς ἀκοῆς τὸν Ἡρῴδη κεκινῆσαι συνέβαινεν, ὡς δὲ καὶ θεασάμενον ἢ τῆς παιδὸς ἔξεπληξεν ὡρα, τὸ μὲν ἀρχονδίας χρωμένον διατελέων ἢπαν ἀπεδοκίμαζεν ὑποπτεύον διὰ τὴν, εἰς βίαν καὶ τυραννίδα διαβληθῆσεσθαι, βέλτιον δ᾽ ἢ εἰς γάμῳ τὴν κόρην λαβεῖν.
\textsuperscript{483} Jos. Ant. 15.322: καὶ τοῦ Ἐίησον ὃντος ἀδόξοτερον μὲν ἢ πρὸς ὀικείοτητα, μείζονος δὲ ἢ καταφερονθῆναι, τὸν ἐπισκέπτερον τρόπον μετήπερ τὴν ἐπιθυμίαν αὐτῶν αὐτῶς καὶ τιμοτέρους ἀποφραίων: αὐτίκα γοῦν Ἰησοῦν μὲν τὸν τοῦ Φαβίτος ἀφαιρέται τὴν ἀρχιερεσίαν, Σίμωνα δὲ καθίστησιν ἐπὶ τῆς τιμῆς καὶ τὸ χήδος πρὸς αὐτὸν συνάπτεται.
students to tear down the golden eagle that Herod placed over the temple gate.\textsuperscript{484} After he had captured Judas and Matthias and forty of their followers and sent them as prisoners to Jericho, the king summoned certain Jewish officials and chastised their ungrateful attitude towards his euergetistic acts for the city.\textsuperscript{485} Josephus notes that, “because of his savage state and out of fear that in his fury he might avenge himself upon them,” the Jewish officials assured Herod that they had not approved of the removal of the golden eagle and urged him to punish the perpetrators.\textsuperscript{486} Josephus reports that in turn Herod exonerated the officials, “but removed the high priest Matthias from his priestly office as being partly to blame for what had happened, and in his stead appointed his wife’s brother Joazar as high priest.”\textsuperscript{487} In this episode, Josephus depicts Herod removing the high priest while being “in a savage state.” Josephus provides a further indication of the rashness of Herod’s decision: Josephus gives no indication that the high priest played any

\textsuperscript{484} Jos. Ant. 17.149-155.
\textsuperscript{485} Jos. Ant. 17.161-163: βασιλεύς δὲ αὐτοῦ καταδήσας μετέπεμψεν εἰς Ἑρωθύνων τοὺς ἐν τέλει, καὶ παραγενομένων ἐξεκλήσισεν εἰς τὸ αὐτῷ θεατρόν ἐπὶ κλινιδίου κείμενος ἀδύναμη τοῦ στήναι, γιονείστων τε ἐφόσον αἵτινες ἦσαν ἐπ’ αὐτῶς γεγονοῦσα ἀνηρίθμησι, καὶ τῷ ναῷ τὴν κατασκευὴν ὡς μεγάλοις τέλεσε τοῖς αὐτῶν γένοιτο μὴ δυνηθέντων ἔτεσιν ἕκοιν πέντε τοῖς ἀσαμοσανίαν ἐν ὁς ἐβασίλευον τοιῶντες τι ἐπί τῇ θεοῦ, κοσμήσας δὲ καὶ ἀναθηματίσας ἀξιολόγους, ἀνθ’ ὄν ἐλπίδα μὲν αὐτὸς γεγένεσα κἂν μεθὸ δάνοι καταλείψθησαν μνήμην τε αὐτῶ καὶ εἰδέλευσαν. κατεβόα τε ἡ, ὅτι μὴ δὲ ζῶντα ἤβρειζεν ἑπόσχοιτο εἰς αὐτόν, ἀλλ’ ἡμέρας τε καὶ ἐν ὡς τῆς πληθυνθὲς ὡρίας χρωμένους ἀνακαύθη τοῦ ὑπ’ αὐτοῦ ἀνακείμενος καὶ καθαίρεσαν ἤβρειζοντάς τε πουλείσθαι, λόγῳ μὲν εἰς αὐτῶν, ἀλλήλων δὲ εἰ τε ἐξετάζη τοῦ γεγονότος ἱεροσυλοῦντας.

\textsuperscript{486} Jos. Ant. 17.164: Οἱ δὲ διὰ τὴν ὁμότητα αὐτοῦ, μὴ δὴ καὶ κατ’ αὐτῶν ἐξαγιρώσας εἰςπράττοιτο τιμορῶν, οὔτε γνώμη ἔφασαν αὐτὰ πεπάρχα τῇ αὐτῶν, φαινεσθαί τε αὐτῶς ὅτι ἀπηλλαγμένα κολάσεως αὐτά εἴναι.

\textsuperscript{487} Jos. Ant. 17.164: ὥς δὲ τοῖς μὲν ἐξολλοι πρατέρως ἔσχεν, Ματθῖαν δὲ τὸν ἄρχηρα παύσας ἐρήσαται ὡς αἵτινα τὸν μέρος τοῖς γεγονόται καθήσας Ἑωίζαρον ἄρχηρα, ἀδελφον γυναῖκος τῆς αὐτοῦ. \textsuperscript{67} The anecdote reports that Matthias once had a dream in which he had sex with a woman resulting in a nocturnal emission right before Yom Kippur. Due to purity regulations, he was rendered impure and a substitute high priest fulfilled the high priestly Yom Kippur rites. The purpose of the story may be to report a memorable incident or an intriguing ethnographic detail, but it also serves as a reminder of the extreme seriousness with which the cultic duties of the high priesthood were performed. This in turn underscores the capricious nature of Herod’s removal of Matthias, which, we may recall, took place while the king was “in a savage state;” Jos. Ant. 17.164.
role abetting Judas and Matthias’ plot to tear down the eagle. In short, Josephus shows that in addition to political and capricious motives, irrational impulses influenced Herod’s demotions and selections of the high priest—another indication of Herod’s contempt for the authority and integrity of the priesthood.

Later, Josephus criticizes Herod’s selection of this same Joazar as high priest a second time. He implicitly criticizes Herod for using bad criteria for appointing high priests. Josephus notes that at the beginning of the reign of Archelaus, a contingency of Jews demanded “most publicly he [Archelaus] remove the high priest [Joazar] appointed by Herod and choose another man who would serve as high priest more in accordance with the law and ritual purity.”

To summarize, Josephus’ accounts of Herod’s approach to appointing and demoting high priests imply that he did not approve of the Herodian innovation of having the king select high priests. In his treatment of Herod’s high priestly appointments and removals, he shows how Herod undercut the authority and integrity of the high priest and priesthood. He accuses Herod of acting lawlessly by removing an appointed high priest, and compares Herod’s act to that of Antiochus IV, an arch villain of the Jews, who also demoted a Jewish high priest. In addition, he cites numerous cases where Herod appointed or removed a high priest for purely selfish reasons. These included cases where

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488 Jos. Ant. 17.206-208: Ἐν τούτῳ δὲ τινες τῶν Ἰουδαίων συνελθόντες νεωτέρων ἐπιθυμία πραγμάτων Ματθίαν καὶ τοὺς σὺν αὐτῷ ὦ Ἰωάννεν, οἱ παραχρῆμα τῆς εἰς τὸ πενθέσθαι τιμῆς φόβῳ τὸ ἐκεῖνον ἀπεστάρχησεν, ἦσαν δὲ οἱ τῶν ἐπὶ καθαιρέσει τοῦ χρυσοῦ ἀετοῦ δεδικαιωμένοι, ἐπὶ μέγα τῇ βοῇ καὶ οἴμωχῇ χρώμενοι καὶ τινὰ ὡς κούρασιν φέροντα τοῖς τεθνεσθαίς ἀπερρίπτουν εἰς τὸν βασιλέα. συνόδου τε αὐτῶν γενομένης ἥξιον τιμωρίαν αὐτῶς ὑπ’ Ἀρχέλαος γενέσθαι κολάσεσθαι τῶν ὑπὸ Ἰωάννου τιμωμένων, καὶ πάντως γε καὶ πρῶτον και ἐκδήλωτα τὸν ὑπ’ αὐτὸν ἄρχερα καθεστώτα παύσαντα νομιμότερον τῇ ἀμα καὶ καθαρόν ἄρχερασθαι ἄνδρα αἰρεῖσθαι. τούτως Ἀρχέλαος καίτερ δεινὸς φέρον ἐπένευεν τὴν ὀρμὴν αὐτῶν διὰ τὴν ἐπὶ Ρώμης ὕδων ἀνέσθαι προκείμενον αὐτὸ τάχος ἐπὶ περισκοπήσει τῶν δοξάτων Καίσαρι.
he appointed or demoted a high priest to advance his political power (i.e. Ananel, Aristobulus III, Matthias, Joazar). In one case (i.e. Simon), Josephus shows that Herod chose a high priest for capricious reasons: to satisfy his lust. Josephus also intimates that Herod chose candidates who lacked piety. As mentioned in the previous paragraph, Josephus notes that after Herod’s death certain Jews asked Archelaus to replace the high priest Joazar because he was less than scrupulous in observing the law and the purity rites.

**Agrippa I**

Josephus was not happy with the Herodian practice of appointing and demoting high priests. Nevertheless, he appears to have reconciled himself to it. As his description of Agrippa’s approach to appointing high priests implies, Josephus held that even in the case where the king had power to appoint and remove the high priest, the good king could still demonstrate respect for the cultic authority of the high priest and priesthood and maintain their integrity. According to Josephus, after Agrippa removed the high priest Simon, the king nominated Jonathan son of Ananus. Josephus states that the king based his selection on his belief that Jonathan was “more worthy of the honor.”

Jonathan, however, graciously declined. His speech, filled with piety and humility, implicitly justifies Agrippa’s judgment of him as a “more worthy” successor to Simon. He tells Agrippa:

> O king! I rejoice in my soul to have been honored, receiving this honor, which you have given me. Not in vain has God judged me worthy of the high priesthood. But once wearing the high priestly robe I decline. For I

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wore it then in a more holy manner than I will now accept it. But you, if you wish someone more worthy than me to receive the honor now, take note: I have a brother that is pure of all sin towards both God and you, King; I recommend him to you, since he is a suitable candidate for the honor. 490

Judging from his reply to the king, Jonathan was clearly a pious priest who was devoted to the cult. He recognized Yahweh’s sovereignty, was conscious of the holiness associated with the high priesthood, and was clearly aware of the great responsibility of the high priest. Agrippa’s decision to appoint him high priest implies that the king selected candidates to the high priesthood based on whether they were pious and thus suitable to supervise the cult responsibly and properly.

In his account of the king’s response to Jonathan, Josephus affirms Agrippa’s high regard for the cultic authority of the priesthood. Josephus notes that Agrippa “rejoiced at these words, respected Jonathan for his decision, and gave the high priesthood to his brother Matthias.” 491 Moreover, Josephus further indicates that Agrippa appointed high priests based on their piety. He implicitly connects Agrippa’s decision to follow Jonathan’s advice and appoint Matthias high priest with Jonathan’s statement that his brother was “pure of all sin towards Yahweh and you.” 492 By having Agrippa select a high priest who was pious, Josephus stressed that Agrippa was concerned first and foremost to appoint a high priest who would responsibly and properly administer the cult and its attendant rituals. Agrippa’s care for the piety of the high priest contrasts sharply

with Herod’s apparent lack of concern for it. As noted above, Josephus implies this when he alludes to the report that Joazar, whom Herod appointed, was not careful in keeping the laws and purity rites.

To summarize, in his contrasting descriptions of how Agrippa and Herod appointed high priests, Josephus implies that the good king, like Agrippa, considered first and foremost whether the priestly candidate possessed the right qualities, like piety, to ensure the proper functioning of the cult. In making his decision, the king factored in the best interests of the cult; he did not, like Herod, treat appointees as pawns to serve his own interests. This demonstrates that although Josephus disapproved of the Herodian innovation of having the king appoint and demote high priests, he still held that the good king could demonstrate regard for the authority of the high priest and priesthood. This confirms that in Josephus’ conception of ideal kingship, the ideal king showed his respect for the high priest as a supervisor over cult, cooperated with the high priest, and in general upheld the integrity of the institution of the priesthood.

**IV: Additional Negative Examples of the Ideal King-Priesthood Relationship in Josephus’ Accounts of Herod and Agrippa II**

**Herod**

In episodes from his accounts of Herod and Agrippa II, Josephus also extends his view of how the ideal king was to treat the high priest and priesthood. As in the cases of Jeroboam and Uzzia, he expresses his view through negative examples. Josephus criticizes Herod’s decision not to permit the high priest to maintain control over the high priestly vestments. This fits with Josephus’ view, expressed in his rewritten accounts of biblical kings, that the good king honored the right of the high priest to exert control over
cultic rituals, and in general cooperated with the high priest in the realm of cult. In his account of the Roman governor Vitellius’ celebrated visit to Jerusalem in 36/37 CE, Josephus criticizes Herod for maintaining control over the high priestly garments instead of allowing the high priest to control them. According to Josephus, when Vitellius arrived in Jerusalem, the Jews showered honors upon him. In return, he granted their request that Rome restore control over the high priestly vestments to them. \(^{493}\) Josephus then explains that originally the high priest Hyrcanus I had built a citadel for the high priestly vestments, and stored them there, “since he was the custodian of the vestments, and he alone had the authority to wear them.” \(^{494}\) When Herod became king, however, he refurbished the building, renamed it the Antonia in honor of Marc Antony, and kept the high priestly vestments in the fortress. Josephus explains that this was not out of piety or respect for the high priest’s authority, as it was in the case of Hyrcanus. Rather, Josephus indicates that self-interest in terms of power drove Herod’s decision to maintain control over the high priestly vestments. Josephus states that Herod kept control over the

\(^{493}\) He mentions this also in Jos. Ant. 15, but passes over the incident without much judgment. In his survey of Herod’s temple, when Josephus comes to the citadel called the βαρῖν, he notes that its builders were the Hasmonan kings and high priests and that they deposited the priestly robes there, which were worn for sacrifices; Jos. Ant. 15.403. He then notes that Herod guarded (ἐφύλαξεν) them there, and that after his death the Romans took control of them; Jos. Ant. 15.404. Vitellius, however, in return for the warm welcome the Jews gave him when he visited Jerusalem in 36-37 CE, returned the vestments to the Jews upon their request; Jos. Ant. 15:404-405: τάσιν Ἡρῴδης ὁ βασιλεὺς ἐφύλαξεν ἐν τῷ τόπῳ καὶ μετά τὴν ἐκείνῳ τελευτήν υπὸ Ἱεροσολύμων τοῦ Ἰουδαίων εὐποιίας ἐπείσασθαι, ἐπεὶ παρεκάλεσαν τὴν ἱερὰν στολὴν υπὸ τὴν ἐξουσίαν ἔχειν, ἔγραψεν περὶ τούτων Ἰουδαίων κάκεινος ἐπέτρεψεν, καὶ παρέμεινεν ἡ ἐξουσία τῆς στολῆς τοῖς Ἰουδαίοις μέχρις ἐπελεύσθησεν ὁ βασιλεὺς Ἀγρίππας.

\(^{494}\) Jos. Ant. 18.91: τότε δὲ ἐν τῇ Ἀντωνίᾳ, φρούριον δ’ ἐστὶν οὕτως λεγόμενον, ἡ ἀπόθεσις αὐτῆς ἦν διὰ τοιαύτην αἰτίαν· τῶν ἱερέων τῆς Ἑροδείας, πολλοίν ὁ δὲ ὄνομα ἐκεῖνο ἐκεῖνον ἦν διά τοῦτο εἰς τὸν ἱερὸν βάριν κατασκευασμένος ταύτης τῆς πάνω γίγαντος δίων καὶ τῆς στολῆς, φύλαχτας ἀναπαύειν, ὅπως εἰς τὴν πόλιν κατιὼν ἀναλαμβάνει τὴν ἰδιωτικήν.
vestments to prevent the people from revolting. Both symbolically and practically, this act constituted a significant encroachment and limitation on the high priest’s authority to perform his cultic responsibilities. The high priest had to seek the king’s permission every time he performed a ritual that required him to wear the high priestly vestments. Moreover, Herod’s act sent a message to the high priest: he could not exercise power over his traditional sphere of authority.

**Agrippa II**

In his account of Agrippa II, Josephus expresses in powerful terms his view that the ideal king had to respect the cultic authority of the priesthood. Here, he indicates that the security of Jewish society depended on the king’s regard for the priesthood. It is true that Agrippa II was not the king of Judea per se; he was king of Chalcis. Agrippa, however, inherited the right to appoint high priests. His father Herod, the former king of Chalcis, had asked and received approval from Claudius for the authority to select high priests.

Josephus explicitly and sharply criticizes Agrippa II for interfering with priestly tradition and permitting the Levites to wear the linen garments traditionally reserved for the priests. According to Josephus, the Levites requested the king to permit them to wear the linen robes (λινῆν στολήν) worn by the priests.

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495 Jos. Ant. 18.92: Ἡρώδης δὲ βασιλεύσας τὴν τε βάριν ταύτην ἐν ἐπιτηδείῳ κειµένην κατασκευάσας πολυτελῶς Ἀντωνίαν καλεῖ ὡσπερ ὅπως ὁ Ἀντωνίου φίλος ὄν, καὶ τὴν στολὴν ὥσπερ καὶ λαβάνει τῇ ἱερείᾳ κατεῖχεν, πιστεύων οὐδὲν νεωτεριεῖν ἐπ’ αὐτῷ τὸν λαὸν διὰ τάδε.

496 Jos. Ant. 20.104.

497 Jos. Ant. 20.15.

498 Jos. Ant. 20.216: Τῶν δὲ Λευιτῶν, φυλή δ’ ἐστὶν αὐτή, δοσιμένη ἥδην ὑμνοδοι πείθουσι τὸν βασιλέα καθάσαντα συνεδρίαν φορείν αὐτοῖς ἐπίσης τοῖς ἱερεῦσιν ἐπιτρέψαι λινῆν στολήν. πρέπειν γὰρ αὐτοῦ τοῖς τῆς ἀρχῆς χρόνοις ἡφασκον ὁ ὁ ἰον μνημονευθήσεται καινοποιεῖν.
innovation in order to distinguish his reign. After deliberating with the Sanhedrion, the king granted their request. He also allowed certain members of the Levites to learn the hymns chanted by the priests by heart. This was previously forbidden to them. Josephus notes that all of this ran counter to the ancestral laws (πάτριοι νόμοι), and adds that, “such violation was bound to make us liable to punishment.” The punishment Josephus mentions refers to the impending destruction of the temple at the hands of the Romans. This is a striking piece of evidence for Josephus’ view that it was necessary for the king to honor the cultic authority of the priesthood.

Josephus confirms this elsewhere in his account of Agrippa II. Josephus describes how Agrippa II built an additional chamber to his palace, and that it gave him a direct view into the temple. This irked leading Jews of Jerusalem: they considered it “contrary to tradition for things in the temple, especially sacrifices, to be observed.” In response, they erected a wall to block his and the Roman guards’ view. Agrippa II and the procurator Festus ordered the removal of the wall. The leading Jews appealed, however. They asked the permission of Festus to send an embassy to Nero to appeal the decision and the procurator complied. The embassy clearly represented the interests of the priesthood, since a certain Ishmael, the high priest, and the temple treasurer, Helcia,
accompanied the embassy.\textsuperscript{506} According to Josephus, Nero’s wife Poppaea was sympathetic to the Jews; she spoke on their behalf and convinced Nero to allow the wall to stand.\textsuperscript{507}

It is unclear what motivated Agrippa II to make the temple precincts visible to his palace. Perhaps it gave him some control over the cult, or perhaps he just wanted access to the spectacle. Whatever the case, his actions upset the priesthood, and reflected his insensitivity and disregard for the priests’ authority over cultic affairs. His refusal to cooperate with the priesthood and yield to their authority over cultic affairs illustrates this: it took imperial authority to compel him to honor the request of the priesthood.

To summarize, as in his rewritten accounts of biblical kings, in his accounts of Herod and Agrippa II, Josephus similarly draws attention to the relationship between the king and the high priest or priesthood, and criticizes both kings for not respecting the cultic authority of the high priest and priests and not cooperating with them over cultic affairs. Herod refused to grant the high priests control over the high priestly vestments. Agrippa permitted the Levites to wear the priestly linens and learn their hymns, and refused to yield to the priests’ request that he not be able to watch the temple services from his palace. Through these critiques, Josephus further implies that the ideal king respected the authority of the high priest and priesthood over cultic affairs, and also cooperated with them in the realm of cult.

\textbf{Conclusion}

\textsuperscript{506} Jos. \textit{Ant.} 20.194.
\textsuperscript{507} Jos. \textit{Ant.} 20.195.
To conclude, Josephus clearly held that that ideal king honored the cultic authority of the high priest and the priesthood. In this regard, he built on the concept of diarchy, which appears in numerous biblical and extra-biblical second temple texts. According to Josephus, the ideal king largely delegated cultic tasks to the high priest. He honored their right to sacrifice, provide oracles, oversee and wear the high priestly vestments, and supervise the maintenance of the temple. The good king was also to delegate cultic responsibilities to the priesthood, and respect their supervisory role over cult, too. Examples of this appear throughout the writings of Josephus. It is implicit in his addition to Deuteronomy’s Law of the King. Moreover, he emphasizes it specifically in his additions and adjustments to the biblical accounts of David and Joash. In his portraits of these two kings, especially the former, he advances an ideal relationship between the king, the high priest, and the priesthood. For example, Josephus claims that David, before going to war, seeks an oracle through the high priest, and orders the high priest to wear the high priestly vestments. In the biblical account, David dons the ephod and consults Yahweh. Josephus also goes beyond the biblical account and stresses that David was careful to entrust to the priests the responsibility for moving the ark to Jerusalem from Kariathjearim and worshipping it there.

Josephus affirms this ideal relationship in his rewritten accounts of Jeroboam and Uzzia, but also in parts of his narratives of Herod and Agrippa II. The biblical authors note how Jeroboam and Uzzia interfered with priestly authority. Josephus, however, elaborated on this and accentuated it. Thus, he has Uzzia put on the high priestly vestments and enter the temple to sacrifice on the altar. The biblical account only notes that Uzzia entered the temple to sacrifice on the altar, and does not mention that Uzzia
violated tradition and donned the attire of the high priest. Josephus raps Herod for not yielding control over the vestments to their rightful guardians, the high priests. He cites Agrippa II’s decision to permit the Levites to wear the linen robes of the priests as a direct cause of the destruction of the temple. This powerfully illustrates Josephus’ view that the ideal king was not to interfere with priestly tradition and cultic authority.

The fusion of the king and high priest into one person under the Hasmoneans clashed with Josephus’ view that the king should delegate cultic authority to the high priest. It is strange that Josephus does not criticize this act more sharply. However, he does intimate ambivalence towards it (in his account of Arisobulus’ decision to turn the government from high priestly rule to monarchy, and, perhaps, in his description of the delegation of Jewish leaders to Pompey). Moreover, he never presents his vision of how this arrangement might work in practice, as he does in the case of diarchy. We can infer therefore that he did not think the Hasmonean innovation was ideal.

The Herodian practice of having the king choose the high priest also conflicted with Josephus’ conception of how the ideal king was to treat the high priest. Josephus’ treatments of Herod’s appointments and demotions of high priests confirm this. He consistently shows how Herod undercut the authority and integrity of the priesthood by choosing high priests who advanced his interests over and against those of the cult. Nevertheless, Josephus evidently came to terms with the Herodian practice. It was a fact that he chose to tolerate; however, he still held that the king should demonstrate regard for the authority of the high priest and priesthood by cooperating with the priesthood to choose a high priest well qualified to supervise the cult.
Josephus’ accounts of how kings should treat the high priest and priests further illuminates his concept of kingship. Josephus did not consider monarchy wholly dependent on the personal power of the king. The ideal king delegated authority over cult to the high priest and priests. Nevertheless, unlike in his conceptions of aristocracy and theocracy, Josephus’ conception of kingship did not give the high priest or priests a role in the government outside the realm of cult. Moreover, as this chapter shows, the ability of the high priests and priests to perform their cultic duties depended largely on the will of the particular king. Accordingly, this affirms that Josephus viewed monarchy as largely dependant on the personal power of the king.
CHAPTER 4: ARISTOCRACY AND KINGSHIP

Introduction

In this chapter, I provide an analysis of Josephus’ hybrid and idiosyncratic concept of aristocratic rule as a mode of governance that contrasts with and so sets his concept of monarchy in a sharper light. In doing so, I aim to affirm and round out the picture that I have drawn of Josephus as a political thinker.

I argue that Josephus’ concept of aristocratic government was based on the idea of Yahweh’s sovereignty, which distinguished his concept of aristocratic rule from the conventional Greek one, defined as rule by a plurality of capable leaders. The temple cult and Mosaic Law, which lay the heart of the aristocratic constitution, directed the people’s loyalty to Yahweh. A number of qualified human authority figures administered aristocratic government, including a formal advisory and judicial body that Josephus refers to as the *gerousia*. Through these features, Josephus consciously linked his concept of aristocracy to the traditional Greek understanding. Some of these authority figures, however, namely those with prophetic authority and high priests, were particularly well suited to governing a form of rule that ascribed ultimate sovereignty to Yahweh: the leaders with prophetic powers and high priests could discern divine will, and the high priests possessed detailed knowledge of cult.

Josephus is not entirely consistent in his treatment of the human leadership in aristocracy. In the biblical period (i.e. the period extending from Moses to the Judges), its

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508 In an appendix to the chapter, I briefly consider Josephus’ concept of theocratic rule, as presented in *Contra Apionem*, in order to affirm my interpretation of Josephus’ concept of aristocratic government.
chief leaders were primarily virtuous individuals who had the ability to prophecy. Additional fixtures of the government in this period were the gerousia, and the high priest, who possessed similar authority to the gerousia. In the Persian and Hellenistic periods, however, Josephus indicates that the high priests played a more prominent role in the government. And he indicates that they were its chief leaders for a period under Roman rule. During these periods (i.e. from the Persian period onwards), however, it is unclear whether the gerousia played an active role in aristocratic rule.

The reason for this inconsistency is because Josephus used one constitutional term—aristocracy—to describe a political history that extended over a broad chronological period (from Moses to the first century BCE, and part of the first century CE), and saw a number of variations in the configuration of its leadership. A constant, however, is the principle that aristocratic government was founded on the idea of preserving divine sovereignty. Evidence for this is that its primary leaders shared in common the capacity to govern in a way that accorded with divine will and sovereignty.

Understanding Josephus’ concept of aristocratic government implies that he conceived of monarchy as a form of rule that depended largely on the will of a human and not a divine ruler. Josephus states explicitly that aristocratic rule entrusted ultimate sovereignty to Yahweh, a point he does not make in his treatment of kingship. Moreover, on several occasions he implicitly affirms this point. In addition, he indicates that the human priestly and prophetic offices, in contrast to the royal office, were by nature suited to maintaining divine sovereignty and ensuring that government accorded with divine will. Josephus’ depiction of aristocracy, and not monarchy, as a form of rule founded on
divine sovereignty helps explain why he ultimately preferred aristocracy, and later theocracy, to kingship.

I: Aristocracy and Divine Sovereignty

In his paraphrase of Deuteronomy’s Law of the King, Josephus has Moses tell the Israelites to choose aristocracy over kingship because Yahweh was sufficient to serve as their “ruler” (ἡγεμὼν). The implication is that aristocracy was based on divine sovereignty. Evidence for the view that Josephus’ concept of aristocracy was founded on the idea of divine sovereignty also appears in his version of Saul’s election to the monarchy. In Ant. 6.36 Josephus states that Samuel was opposed to kingship and disapproved of the Israelites’ request for a king because he “delighted intensely in aristocracy (ἄριστοκρατίας) as something divine that renders blessed those who use it as their constitution.” Yahweh, however, decides to grant them their request, and Samuel must go along with the plan. In Ant. 6.60-61, in his version of the assembly at Mizpeh, Josephus relates how Samuel made public the election of Israel’s first king, Saul. In a significant reworking of the biblical text, he has Samuel state, “that it is most advantageous to be ruled over by the best one of all, namely God who is best of all (ὑπὸ τοῦ πάντων ἀρίστου προστατεῖσθαι, θεὸς δὲ πάντων ἄριστος).” In this passage, Samuel is speaking about aristocracy, the same form of rule that Josephus notes that Samuel favored in the passage from Ant. 6.36. Read together, these two passages (Ant. 6.36 and

Jos. Ant. 4.223: Ἀριστοκρατία μὲν ὁδὸν κράτιστον καὶ ὁ κατ’ αὐτὴν βίος, καὶ μὴ λάβῃ πόθος υμᾶς ἄλλης πολιτείας, ἀλλὰ ταῦτα μένετε… ἄρκει γὰρ ὁ θεὸς ἡγεμὼν εἶναι. The specific restrictions on royal power come after this passage and continue into Jos. Ant. 4.224.

Jos. Ant. 6.36: ήττητο γὰρ δεινῶς τῆς ἀριστοκρατίας ὡς θείας καὶ μακαρίους ποιώσης τοὺς χριστένους αὐτῆς τῇ πολιτείᾳ.

Jos. Ant. 6.60-61: καὶ τὸν μὲν θεὸν ἀποχειροτονοῦσι τῆς βασιλείας οὐκ εἰδότες ὡς συμφορώτατον ὑπὸ τοῦ πάντων ἀρίστου προστατεῖσθαι, θεὸς δὲ πάντων ἄριστος.
6.60-61) indicate that Josephus conceived of aristocracy as a form of rule that ascribed sovereignty to Yahweh, the “best” (ἀριστοτο) ruler.\(^{512}\)

Josephus’ statement in *Ant.* 6.36 that the aristocratic constitution was “divine” (θείας) further indicates that the constitution was founded on the principle of divine sovereignty. Josephus affirms this idea at the beginning of *Antiquities*. There, he states that Moses began his account of the constitution’s laws with Yahweh’s creation of the cosmos in order to direct the people’s “thoughts up to God and the structure of the universe.”\(^{513}\) Moreover, in calling the constitution divine (θείας) Josephus alludes to the fact that it was divinely inspired. Evidence for this appears at the beginning of *Antiquities*. He claims that Moses was only able to shape the Jews’ constitution after obtaining an understanding of the nature of Yahweh and his deeds.\(^{514}\) That the constitution was divinely inspired further implies that it was founded on the principle of divine sovereignty. Still a further reason Josephus calls it divine is because Moses designed it with the aim of having humans “participate in” Yahweh’s virtue, a point Josephus makes at the outset of *Antiquities*.\(^{515}\) This latter point in particular affirms the

\[^{512}\text{Josephus’ paraphrase of the Law of the King provides further support that he associated aristocracy with Yahweh’s rulership. Moses implies that ἀριστοκρατία was “the best” (κράτιστον) “constitution” (πολιτεία), because Yahweh was its “ruler” (ἡγεµών); Jos. *Ant.* 4.223: Ἀριστοκρατία µὲν οὖν κράτιστον καὶ ὁ κατὰ αὐτὴν βίος, καὶ µὴ λάβῃ πόθος υµᾶς ἀλλής πολιτείας, ἀλλὰ ταύτην στέργοιτε καὶ τοὺς νόµους ἔχοντες δεσπότας κατὰ αὐτούς ἔκαστα πράττετε: ἀρκεῖ γὰρ ὁ θεὸς ἡγεµόν εἶναι.}\]

\[^{513}\text{Jos. *Ant.* 1.21: ἀλλ’ ἐπὶ τὸν θεόν καὶ τὴν τοῦ κόσμου κατασκευὴν τὰς γνώµας αὐτὸν ἀναγαγόν καὶ πείσας. That Josephus is speaking about the Jews’ aristocratic constitution is indicated by the broader context of this passage. See Jos. *Ant.* 1.10, where he compares his task of translating the sacred writings of the Jews to the translation of “our law” (τὸν ἡµέτερον νόµον) and the “the constitution” (τὴν... διάταξιν τῆς πολιτείας), commissioned by Ptolemy II.}\]

\[^{514}\text{Jos. *Ant.* 1.19: ἰστεῖν οὖν, ὅτι πάντων ἐκέινος ἀναγκαῖοτατον ἡγήσατο τῷ καὶ τὸν ἐαυτοῦ µέλλοντι βιον οἰκονοµήσαι καλῶς καὶ τοῖς ἄλλοις νοµοθετεῖν θεοῦ πρῶτον φύσιν κατανοήσαι καὶ τὸν ἐργον τοῦ ἐκέινου δειτίν τῷ νῷ γενόµενον οὕτως παράδειγµα τὸ πάντων ἀριστοτον µιµεῖσθαι καθ᾽ ὅσον οἷον τε καὶ πειράσθηκα κατακολουθεῖν.}\]

\[^{515}\text{Jos. *Ant.* 1.23: ὥ ἡµέτερον νοµοθέτης ἀκραφηνὴ τὴν ἀρετὴν ἐχοντα τὸν θεὸν ἀποφήνας βίον δεῖν τοὺς ἀνθρώπους ἐκείνης πειράσθηκα µεταλαμβάνειν.}\]
idea that divine sovereignty underpinned Josephus’ concept of aristocratic government: aspiring to Yahweh’s virtue strengthened the bond between the governed and Yahweh.

It is worth noting here that Josephus’ Jewish reformulation of the traditional Greek understanding of aristocratic government (i.e. rule by merit) in Ant. 6.60-61 reflected his intent to stress the superiority of the Mosaic constitution to the Greek. We will see shortly that Josephus clearly understood the traditional definition of aristocracy—“rule by the best.” But here, he indicates that the Jews’ form of aristocratic government was superior to the Greek form because it entrusted leadership to Yahweh, who was infallible. By contrast, the Greek form granted authority to men who were fallible and imperfect. Josephus connects Yahweh’s infallibility with the superiority of the Mosaic constitution to Greek constitutions elsewhere in his writings. At the outset of Antiquities, he emphasizes that the Mosaic constitution was superior to the constitutions designed by Greek legislators. He claims that Moses was superior to other legislators because unlike them he, Moses, did not include in his account of the origin of the Jews’ legislation myths that ascribed to the gods the “shame of human errors.”

In the passages alluded to above, Josephus does not give divine sovereignty the same consideration that he does in his account of the theocratic constitution in Contra Apionem. It is noteworthy, however, that Josephus cites divine sovereignty in three separate passages (Ant. 4.223, 6.36, and 6.60-61) that juxtapose and distinguish aristocracy and monarchy. This indicates that he considered divine sovereignty a central

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516 Jos. Ant. 6.85.
517 Jos. Ant. 1.22: οἱ μὲν γὰρ ἄλλοι νομοθέται τοὺς μύθους ἐξαμολογήσαντες τῶν ἄνθρωπινων ἀμαρτημάτων εἰς τοὺς θεοὺς τῷ λόγῳ τὴν αἰσχύνην μετέθεσαν καὶ πολλὴν ὑπὸ τίμησιν τοῖς πονηροῖς ἐδώκαν.
and defining feature of his concept of aristocracy. It also reflects his view that monarchy depended largely on the will of a human and not a divine sovereign. His view that aristocratic rule was divinely inspired and caused humans who lived by it to “participate in” Yahweh’s virtue affirms this point.

The section of Antiquities that Josephus devoted to explaining the Jews’ aristocratic constitution provides further evidence that divine sovereignty underpinned his concept of aristocratic government. The first thing he emphasizes is the central role of Jerusalem, and in particular the temple and altar for Yahweh. In Ant. 4.196, Josephus states, “I wish first to describe the constitution.” The first aspect of the constitution, addressed in Ant. 4.200, concerns the temple and altar. Josephus relates how Moses instructed the Israelites not to build a temple in any other city, and connects this idea with the oneness of Yahweh. Noting the importance of exclusive devotion to Yahweh’s temple, and so Yahweh, right at the outset of his description of the constitution, further indicates that Yahweh was the ultimate sovereign over the government.

The bulk of Josephus’ account of the aristocratic constitution consists of a summary of Mosaic Law. In treating the law, however, Josephus affirms that Yahweh’s sovereignty underpinned his concept of aristocracy. In his paraphrase of the Law of the King, alluded to above, Josephus has Moses urge the Israelites to be content with aristocracy and to treat the laws as their “masters” (τοὺς νόμους ἔχοντες δεσπότας) and

518 Jos. Ant. 4.196-200.
519 Jos. Ant. 4.196: βούλομαι δὲ τὴν πολιτείαν πρῶτον.
520 Jos. Ant. 4.201: θεὸς γὰρ ἐλή.
“to do each thing according to them, for it is sufficient that God is your ruler.” Here, obedience to Mosaic Law ensures Yahweh’s sovereignty.

II: Aristocracy and Merit

Yet, Josephus also aligned his concept of the Jews’ aristocratic constitution with the conventional Greek model. Greek writers like Herodotus, Plato, Aristotle, and Josephus’ model Polybius all defined aristocracy as a form of government that ascribed authority to advance the interests of the governed to the “best” and most virtuous men. In the Politics, Aristotle states: “it is right to apply the name ‘aristocracy’—government of the best—only to the constitution of which the citizens are best in virtue absolutely.” In his account of anacyclusis, Polybius states that those who dismantle tyranny and then establish aristocracy come from “the noblest, most high-spirited, and most courageous…” who tended to “the common interest, administering the private and public affairs of the people with paternal solicitude.”

Josephus, too, associated his conception of aristocracy with rule by merit. When describing the transition in Jewish political history from aristocratic to monarchical government, he writes:

521 Jos. Ant. 4.223: τοὺς νόμους ἔχοντες δεσπότας κατ’ αὐτούς ἔκαστα πράττετε: ἀρκεῖ γὰρ ὁ θεός ἣγεμόν εἶναι.

522 Herodotus gives a similar definition of aristokratia, but uses the term oligarchia. In the constitutional debate, Herodotus has the Persian Megabyzus praise oligarchy; Herod. 3.81: ἀρίστων δὲ ἄνδρων οἰκός ἀριστεύοματα γίνεσθαι. Plato also associates aristokratia with the rule of the best and most virtuous; Plato Rep. 445d6: ἀρίστων δὲ ἄνδρῶν ἄνδρας ἐν τοῖς ἀρχομένοις διαφέροντες βασιλεία ἐὰν κληθείη, ἀριστοκρατία. See also Rep. 544e7: τὸν μὲν δὴ τῇ ἀριστοκρατίᾳ δόμων διεληλύθαμεν ἡδή, ὃν ἀγαθὸν τε καὶ δίκαιον ὅρθως φασμεν εἶναι.

523 Aristotle, Pol. 1293b2-5: τὴν γὰρ ἐκ τῶν ἀρίστων ἀπλῶς κατ’ ἀρετὴν πολιτείαν… μόνῃ δικαίων προσεγγιζόμενων ἀριστοκρατίᾳ. See also Aristotle Pol. 1279a35, 1286b3, 1293b41-42.

524 Polyb. 6.7.9-8.3: ἔκ τῶν γενναιοτάτων καὶ μεγαλοφυιοτάτων, ἐτι δὲ ταρραλεωτάτων ἄνδρῶν… οἱ δὲ… ἐποιοῦντο τῷ κοινῆς συμφέροντος, καὶ κηδεμονικῶς καὶ φιλακτικῶς ἔκαστα χειρίζοντες καὶ τά κατ’ ιδίαι καὶ τά κοινά τοῦ πλήθους.
And thus the Hebrews’ form of government was changed into a kingship. For in the time of Moses and his disciple, the general [Joshua], they continued living under an aristocratic form of government. After the latter’s death, anarchy prevailed over their people for a whole eighteen years. After this, they reverted to their earlier form of government, entrusting the administration of the whole to the one who seemed the best in warfare and courage.  

Josephus calls the government during the leadership of Moses, Joshua, and the Judges “aristocratic,” and specifies that the aristocratic form of government (i.e. during the reign of the Judges) that followed the period of anarchy entrusted power to men who were the “best” in martial virtues.

This is the only statement where Josephus explicitly associates his concept of aristocracy with the martial virtues of aristocratic leaders. However, he does imply elsewhere that, as in his concept of kingship, leadership in aristocracy was predicated on other virtues. Josephus celebrates several key aristocratic leaders and notes their virtues.


In Jos. Ant. 11.112, Josephus calls the rulers in this period “judges and monarchs” (κριταὶ καὶ µόναρχοι), which appears to contradict his statement that the government in this period was “aristocratic” (ἀριστοκρατία). In addition, he calls the period of the Judges a “monarchy” (µοναρχία) in Jos. Ant. 20.251. Gussman (2008) 318; Gerber (1996) 343 n. 24; Schwartz (1983/84) 34-38 see this as a contradiction with Jos. Ant. 6.85, where Josephus characterizes the regime of the Judges as aristocratic. However, these two passages do not contradict Jos. Ant. 6.85. As Seeman, (2008) 3, points out, Josephus uses the term µόναρχοι in “quantitative terms.” He notes, for example, that in Jos. Ant. 11.111, Josephus refers to the government under the Persian period as “aristocratic and at the same time oligarchic” (ἀριστοκρατικὴ μετ’ ὀλιγαρχίας) because “high priests were in charge of the government” (οἱ γὰρ ἄρχετες προειστήκεσαν τῶν πραγμάτων). That Josephus almost always uses the term βασιλεὺς instead of µονάρχης when describing “kings” supports Seeman’s claim that in Jos. Ant. 11.111 and in 20.251 Josephus uses the terms µόναρχοι/µοναρχία to qualify the aristocratic regime under the Judges in “quantitative terms.” In other words, had Josephus wanted to equate the reign of the Judges to a monarchy, he would have called them βασιλεῖς and referred to their government as a βασιλεία. An additional reason Josephus may have referred to the Judges as µόναρχοι is because he wanted a descriptive term to distinguish them from the leaders of other aristocratic regimes. Unlike Moses, Joshua, and Samuel, they did not possess prophetic authority, and they were also not high priests, like the primary leaders in subsequent aristocratic governments. Yet, they were the chief leaders in the government, and ruled in concert with a key institution in Josephus’ concept of aristocratic rule, the gerousia; Jos. Ant. 5.135.
Moses, Joshua, and Gideon were all leaders during the period of aristocratic rule mentioned in the passage above. Josephus praises all three for their character and connects this to their success as leaders. In his eulogy for Moses, Josephus praises Moses’ “understanding,” control over “his emotions,” and notes the “the high degree of his virtue.” He also praises Joshua’s intelligence, and refers to his courage in battle and his ability to manage affairs in peacetime in accordance with “virtue.” He refers to Gideon as “a man of moderation and pre-eminent in every virtue.” And Josephus refers to virtuous leaders, notably Ezra and Nehemiah, in the period of aristocratic rule that followed the Babylonian exile and lasted until the Hasmonean monarchy. Both are “just” and “kind;” Nehemiah is “munificent.” Thus, while divine sovereignty underpinned Josephus’ concept of aristocracy, he also ascribed a key role to individual human leadership.

III: Aristocracy and the Gerousia

In addition to individual leaders, a council that exercised advisory and judicial authority played a role in Josephus’ concept of aristocracy. Josephus calls it a gerousia, and it represents another Hellenic component of Josephus’ concept of aristocracy. Both ancient (Aristotle and Polybius) and modern observers of Sparta consider the gerousia, a deliberative and judicial assembly, to have represented the aristocratic element in

528 Jos. Ant. 5.118: ἄνηρ μήτε συνέσεως ὑπερβαλὼν καὶ ἀριστα τοὺς κινδύνους εὔψυχος καὶ μεγαλότησμος, προτανεῖσαι τε τὰ κατὰ τὴν εἰρήνην δεξιώτατος καὶ πρὸς ἅπαντα καιρὸν τὴν ἀρετὴν ἠμοσιμένος.
529 Jos. Ant. 5.231: Ζεδών δὲ μέτριος ὑπερβαλὼν ἀριστὴν ἀκρος.
530 For the passage which indicates this period fell under aristocratic rule, see Jos. Ant. 11.111.
531 In Jos. Ant. 11.139, Josephus refers to Ezra’s χρηστότητα and δικαιοσύνην. In Jos. Ant. 11.183, he notes that Nehemiah was ἄνηρ δὲ ἐγένετο χρηστός τὴν φύσιν καὶ δίκαιος καὶ περὶ τοὺς ὅμοιθεν ἔλθων ἐλικοτιμήτατος.
Sparta’s mixed constitution, devised by Lycurgus. Aristotle in the *Politics* states that the *gerousia* consisted of the “nobility.” Polybius notes that the “elders” were “selected from the best citizens.” Members were elected through a formal process but enjoyed life tenure. In terms of function, the *gerousia* was a probouleutic body; that is, it submitted proposals to the Spartan assembly, which that body debated. It also had judicial power and acted as a court of law (it could even try kings). Although he does not mention the Spartan *gerousia* per se, Josephus refers to Lycurgus’ constitution in *Contra Apionem*. The *gerousia* was still in existence in Sparta in Josephus’ day, which lends further credence to the idea that Josephus was familiar with it.

Many scholars have noted that in the biblical portions of *Antiquities*, Josephus associates a *gerousia*, an advisory and legislative assembly, with aristocratic rule, and that he based it on the biblical “elders” (בְּנֵי מֶנְחָה). Josephus, however, depicts the *gerousia* as a far more formal and influential governing institution than the biblical elders. In

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534 Polyb. 6.10.9: γερόντων...οἱ κατ᾽ ἐκλογὴν ἀριστίνδην κεκριµένοι.
538 *CAp.* 2.154, 2.172, 2.225-231.
541 Here I follow the opinion of Seeman, (2008) 4-7, who sees the *gerousia* as a formal governing institution and integral component of Josephus’ concept of aristocracy. He writes that Josephus considered the *gerousia*, “a formal political institution, thereby taking the [‘elders’] far beyond the meager description they receive in the Bible” (5). This conception of the *gerousia* sharply diverges from the one advanced by
terms of its function, the gerousia as presented by Josephus resembles the gerousia in the Spartan mixed constitution, discussed above. Both the Spartan gerousia and the gerousia depicted by Josephus were formal deliberative assemblies, which possessed judicial authority, and to which members were appointed through a formal selection process.

In his paraphrase of Deuteronomy’s account of Moses’ farewell speech, Josephus presents the gerousia as an advisory body with significant authority. He has Moses state,

But I myself am departing, rejoicing in your good things and committing you to the moderation of the laws, to the order of your constitution and to the virtues of the generals who will take forethought for your well-being… Since you know that all who know well how to be ruled will also come to rule well when they inherit their master’s authority, obey without hesitation the high priest Eleazar, Joshua, the gerousia and the leaders of

Goodblatt (1994) 92-99. He claims the gerousia as it appears in Josephus (and other sources for Jewish political history in the Macedonian era) was essentially a “continuation from earlier times of the institution of the biblical elders, i.e. an incohate, indeterminate group of notables and powerful individuals allied in various ways with the ruling officials of the Judeans;” ibid., 98. For support, he cites an entry for gerousia in E.A. Sophocles’, (1957), Greek Lexicon of the Roman and Byzantine Period, which describes the gerousia as: “the elders of Israel collectively considered;” ibid., 94. Goodblatt’s argument rests primarily on a comparison of the term gerousia in passages in the pre-exilic portions of Antiquities with parallel passages from the biblical text that refer to the elders or figures akin to them. He concludes that since only five out of the eighteen references to the gerousia in Antiquities do not have an “obvious basis in the biblical text,” the gerousia is essentially no different than the biblical elders and fits the definition offered by Sophocles; ibid., 97-98. There are four problems with this approach. First, Goodblatt does not, like Seeman, analyze the actual function of the gerousia in Josephus’ writings, and this leads him to overlook the more formal (i.e. judicial; deliberative; membership) aspects of the gerousia as presented by Josephus (these are all discussed in the succeeding paragraphs), and which distinguish the gerousia from the biblical elders. Second, Goodblatt, unlike Seeman, does not connect the gerousia with Josephus’ concept of aristocratic government. Yet, as shown in the succeeding paragraphs, the aristocratic constitution could not govern without its input and consent. Moreover, that Josephus went beyond the biblical text and presented the gerousia as a central institution in an aristocratic constitution suggests that he considered it more than an “incohate” and “indeterminate group.” Third, Goodblatt does not account for the five cases where the gerousia appears in Antiquities without an “obvious basis in the biblical text.” Fourth, he only adduces five cases where gerousia refers specifically to “elders.” The remaining nine cases are purely conjectural, however. For example, he claims that on two occasions gerousia refers to בנהיא, who are called ἄρχοντες in the LXX; Jos. Ant. 5.55, 5.57 and Josh. 9:18-19, and Jos. Ant. 5.103 and Josh. 22:14. And he claims that on one occasion gerousia refers to נבוןיא, who are also called ἄρχοντες in the LXX; Jos. Ant. 5.80 and Josh. 19:51. He then suggests that Josephus “may have relied on a Greek translation which rendered these Hebrew terms by gerousia, probably in the sense posited by Sophocles: “the elders of Israel collectively considered;” ibid., 97.
the tribes, who will propose to you the best (τὰς ἀρίστας) counsels, in pursuit of which you shall achieve happiness.⁵⁴²

In Deuteronomy’s account of Moses’ farewell speech, Moses does not instruct the Israelites to obey the elders and does not present them as key components of the government.⁵⁴³ In the passage cited above, however, Josephus notes that the people were to obey the gerousia, which demonstrates the formal authority of the gerousia in Josephus’ conception of aristocratic rule. He also presents the gerousia as a key deliberative institution whose counsels helped the government advance the interests of the governed. The tribal leaders mentioned in the passage do not play a significant role in Josephus’ concept of aristocratic rule. Josephus only mentions them because they are represented as authority figures in Moses’ speech in Deuteronomy.⁵⁴⁴ In general, he does not refer to them elsewhere in his comments on aristocratic government. The role of the high priest, also mentioned in the passage, in Josephus’ conception of aristocratic rule is crucial, and will be discussed below.

Josephus confirms and elaborates on the formal role of the gerousia in aristocratic rule in a passage that comes from his account of the political degeneration in Judea, which preceded the outbreak of the Benjamite War. The passage comes from Josephus’ version of Judges, and is an addition to the biblical text. Josephus writes,

⁵⁴² Jos. Ant. 4.184-186: ἀπειμὸς αὐτῶς γείρων ἐπὶ τοῖς ὑμετέροις ἀγαθοῖς παρατιθέμενος ὡμίς νόμων τε σωφροσύνη καὶ κόσμῳ τῆς πολιτείας καὶ ταῖς τῶν στρατηγῶν ἀρεταῖς, οἱ πρόνοιαι ἐξουσίαν ὑμῶν τοῦ συμφέροντος... γνώμας τε ὡμίς εἰσερχόμεναι τὰς ἀρίστας, αἷς ἑπόθιναι τὴν εὐδαιμονίαν ἔχετε, ὁ ἄρχειρεος Ἐλεάζαρος καὶ Ἡσαῦ ἢ τῇ γερουσίᾳ καὶ τὰ τέλη τῶν φυλῶν, ὃν ἀκροδίδα cholες, γινώσκοντες ὅτι πάντες ἡ ἄρχειρεος καὶ ἄρχειρεος εἰς ἐρθόντος ἐς ἐξουσίαν αὐτοῦ. Transl. by Seeman.
⁵⁴⁴ Deut. 31:27.
Already it happened that the aristocracy was becoming corrupt, and they did not appoint gerousiai nor any other magistracy (ἀρχήν) of those formerly legislated (τῶν πρῶτον νεομισμένων).\textsuperscript{545} Josephus calls the gerousia a “magistracy” (ἀρχή), and connects its dissolution to the demise of aristocratic rule.\textsuperscript{546} Josephus’ use of the term ἀρχή to describe the gerousia suggests he considered it a formal institution in his concept of aristocracy. In his account of the aristocratic Mosaic constitution as presented in the Pentateuch, Josephus uses the term ἀρχή several times to refer to the formal offices of the seven men assigned to administer individual cities.\textsuperscript{547} Moreover, the passage indicates that, as in the Spartan gerousia, members of the Jewish gerousia were appointed according to an established and formal procedure.

In his version of Joshua’s response to the deceit of the Gabaonites, Josephus illustrates how the gerousia acted as an advisory body in aristocratic rule. He shows that Joshua, one of the leaders in the aristocratic government, could not determine the government’s course of action without the formal recommendations and approval of the

\textsuperscript{545} Jos. Ant. 5.135: καὶ συνέβαινεν ἤδη τὴν ἀριστοκρατίαν διεφθάρθαι, καὶ τὰς γερουσίας οὐκ ἀπεδείκνυσαν οὐδ᾽ἀρχὴν οὐδὲ µίαν τῶν πρῶτον νεοµισµένων. Transl. by Seeman (2008).

\textsuperscript{546} This passage provides good evidence that the gerousia was a formal institution, and unlike the biblical elders, since the Bible does not refer to a formal procedure for appointing elders. Goodblatt, (1994) 96, cites this passage in his analysis of the gerousia, but offers no analysis of how the gerousia is represented, which leads him to overlook its formal character as presented by Josephus and therefore how it differs from the biblical elders.

\textsuperscript{547} Jos. Ant. 4.214: Αρχέτωσαν δὲ καθ᾽ ἑκάστην πόλιν ἄνδρες ἑπτὰ οἱ καὶ τὴν ἀρετὴν καὶ τὴν περὶ τὸ δίκαιον σπουδὴν προηστηκότες. Ἐκάστη δὲ ἀρχή διὸ ἄνδρες ὑπηρέται διδόσθωσαν ἐκ τῆς τῶν Λευιτῶν φυλῆς. See also Jos Ant. 4.220, 5.115.
gerousia. In the biblical account, the Gabaonites feared the Israelites who were advancing into Canaan. Accordingly, they made an alliance with two other Canaanite tribes. Afterwards, however, they went to Joshua, claimed that they had no ties with the Canaanites, and requested an alliance with the Israelites. The biblical text states that, “Joshua established friendship with them,” and that the “chieftains of the community gave them their oath.”

Josephus, however, states that Joshua “made a friendship [treaty] with them” and that “Eleazar the high priest together with the gerousia swore that they would regard them as friends and allies.” Both the author of Judges and Josephus note the role of the elders/gerousia. Josephus, however, emphasizes Joshua’s dependency on the authority of the gerousia.

Consider the difference between the Bible and Josephus’ versions of Joshua’s reaction to the deceit of the Gabaonites. The biblical text reports that when the Israelites discovered that the Gabaonites had tricked them, Joshua and the “chieftains of the community” upheld the oath of friendship not to attack the Gabaonites, but punished them by turning them into slaves. Josephus, however, states that Joshua, “convoked Eleazar the high priest and the gerousia,” and, “when they (i.e. Eleazar and the gerousia) decided to make them servants of the people so as not to transgress the oath, he (Joshua) appointed them to these [tasks].” In contrast to the biblical account, Josephus indicates that the gerousia and high priest devised the policy that Joshua should follow. This

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548 Josh. 9:15.
549 Jos. Ant. 5.55: ποιεῖται πρὸς αὐτούς φιλίαν... καὶ Ἐλεάζαρος ὁ ἀρχιερεύς μετὰ τῆς γερουσίας ὁμιλεύειν ἔξεσιν τε φίλους καὶ συμμάχους καὶ μηδὲν μοχλεύσεσθαι καὶ αὐτῶν ἰδίκον, τοῖς ὁρκοῖς ἐπισυναινέσαντος τοῦ πλήθους.
550 Jos. 9.18-27.
551 Jos. Ant. 5.57: συγκαλεῖ τὸν ἀρχιερέα Ἐλεάζαρον καὶ τὴν γερουσίαν, καὶ δημοσίους αὐτοὺς δικαιοῦντοι ποιεῖν ἐπί τῷ μή παραβῆναι τὸν ὁρκον ἀποδείκνυσιν εἶναι τοιοῦτος.
further illustrates the deliberative role of the gerousia in Josephus’ conception of aristocracy. It also indicates that Joshua was not part of the gerousia, which in turn implies that Josephus’ concept of aristocracy consisted of several components: leaders who were qualified to rule because of their virtues, high priests, as well as the gerousia.

Josephus’ version of Joshua and the Gabaonites partially illuminates the respective responsibilities that Josephus ascribed to the different leaders in his concept of aristocratic government. Joshua possesses more authority than the high priest and gerousia and plays a broader role in carrying out the actions of the government. He leads the initiative in formulating a response to the deceit of the Gabaonites, and he puts the plan into action. He is the one who “convoked” (συγκαλεῖ) the high priest and gerousia to seek their advice. He is also the one who puts their advice into practice: he “appointed” (ἀποδείκνυσιν) the Gabaonites public slaves. In contrast, the high priest and gerousia remain behind the scenes, and play a purely advisory role. In this episode, Joshua is the primary pilot of the government; he steers the ship, so to speak. But he does not determine its course and embark on it without first receiving input from two other integral members of the government: the high priest and gerousia.

Josephus indicates that the gerousia served as a judicial in addition to an advisory assembly. Consider his rewritten version of Deuteronomy’s treatment of judicial procedure. In Deuteronomy, the biblical text considers how to adjudicate especially difficult legal cases. The text reads,

Should the matter be beyond you to judge, between blood and blood, between case and case, and between injury and injury, affairs of grievances within your gates, you shall arise and go up to the place that the Lord your God chooses, and you shall come to the levitical priests and to the judge who will be in those days, and you shall inquire and they will
tell you the matter of the judgment. And you shall do according to the thing that they tell you from that place which the Lord chooses, and you shall keep to all that they instruct you.\footnote{Deut. 17:8-10.}

Josephus, however, writes:

But if the judges do not see how to adjudicate the matters referred to them—and many such cases befall men—let them send the undecided case up to the holy city, and when the high priest, the prophet and the gerousia have assembled, let them pronounce what seems best.\footnote{Jos. Ant. 4.218: ἀν δ᾽ οἱ δικασταὶ μὴ νοῶσι περὶ τῶν ἐπ᾽ αὐτῶν παρατεταγμένων ἀποφήγνασθαι, συμβαίνει δὲ πολλὰ τουαῦτα τοῖς ἀνθρώποις, ἀκέρανον ἀναπεμπτοςαν τὴν δίκην εἰς τὴν ἱερὰν πόλιν, καὶ συνελθόντες ὁ τὲ ἄρχωρευς καὶ ὁ προφήτης καὶ ἡ γερουσία τὸ δοκοῦν ἀποφαινέσθωσαν. Transl. by Seeman.}

In contrast to the biblical text, Josephus indicates that the gerousia played a central role in settling disputes by interpreting the law. Josephus also emphasizes the high priest’s judicial authority, which is not specifically mentioned in the biblical passage. This probably reflects the fact that Josephus associated aristocracy with high priestly leadership, a subject discussed below.

Josephus’ reference to the role of the prophet in this passage probably reflects the part of Moses’ speech in Deuteronomy in which Moses tells the Israelites that Yahweh will appoint a prophet, like himself, whom the Israelites should obey.\footnote{Deut. 18:15-19.} Elsewhere, however, Josephus implicitly associates prophetic leadership with his concept of aristocracy. He notes that Yahweh commanded Moses to appoint Joshua to succeed him “in his prophetical functions and as general.”\footnote{Jos. Ant. 4.165: Μωυσῆς δὲ γηραιὸς ἤδη τυγχάνων διάδοχον ἐκείνου Ἰησοῦν καθίστησιν ἐπὶ τὰς προφετείας καὶ στραγητὰς.} This is based on Numbers 27:18, where Yahweh instructs Moses to appoint Joshua, “an inspired man” to be Moses’ successor.\footnote{Num. 27:18.}

In his eulogy for Moses, he claims that no one equaled Moses’ prophetic powers, and

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equates his speech to Yahweh’s.\textsuperscript{557} He presents the prophet Samuel as the primary leader and also a passionate supporter of the aristocratic constitution after the period of the Judges and before the establishment of the monarchy. When Yahweh agrees to the Israelites’ request for a king, Josephus notes that Samuel was distressed because he “delighted intensely in aristocracy” and considered it “divine” and beneficial for those governed by it.\textsuperscript{558} Josephus also notes that John Hyrcanus I had the “gift of prophecy.”\textsuperscript{559} Josephus certainly does not indicate that all capable aristocratic leaders possessed prophetic powers. He presents Gideon and Nehemiah as ideal leaders during the period when the Jews lived under an aristocratic form of government and does not allude to their prophetic abilities.\textsuperscript{560} Nonetheless, the fact that he identifies the prophet as an important authority figure in the aristocratic constitution, emphasizes the prophetic powers of three significant aristocratic leaders (Moses, Joshua, and Hyrcanus), and stresses the prophet Samuel’s devotion to aristocracy indicates that he considered the prophet an important, even if not an essential, type of leader in his concept of aristocracy.

It makes a great deal of sense that Josephus would have associated prophetic leadership with his concept of aristocracy. As noted at the outset of the chapter, divine sovereignty was an underlying principle in his concept of aristocracy. Leaders with prophetic capabilities, and hence access to divine will, were well suited to governing in a way that accorded with divine sovereignty.

\textsuperscript{557} Jos. Ant. 4.329: προφήτης δὲ οἷος οὐκ ἄλλος, ὡσθ᾽ ὅ τι οὖν φθέγξατο δοκεῖν αὐτοῦ λέγοντος ἀκροᾶσθαι τοῦ θεοῦ.

\textsuperscript{558} Jos. Ant. 6.36: ἐλύπησαν δὲ σφόδρα τὸν Σαµουήλον οἱ λόγοι διὰ τὴν σύµφωναν δικαιοσύνην καὶ τὸ πρὸς τοὺς βασιλέας μίσος: ἠτέτα τὰς δεινὰς τῆς ἀριστοκρατίας ὡς θείας καὶ μακαρίους ποιουσίς τούς χρωμένους αὐτῆς τῇ πολιτείᾳ.

\textsuperscript{559} Jos. Ant. 13.300: προφητείας.

\textsuperscript{560} See, respectively, Jos. Ant. 5.231, 11.121, 11.183.
A possible objection to the point that the *gerousia* was a distinctive component of Josephus’ conception of aristocracy appears in Josephus’ paraphrase of the Law of the King. There, he notes that the king must “do nothing apart from… the advice of the elders (*γερουσιαστῶν*).” However, nowhere else in his treatment of kings and kingship does Josephus note that the king was required to deliberate with the *gerousia* before devising a policy. By contrast, as we have seen, Josephus refers to the *gerousia* on numerous occasions in his depictions of aristocratic government. It clearly played an integral role in his theory of aristocratic rule and not in his concept of kingship. Moreover, the statement cited above from *Ant.* 4.223 may simply be a tradition cited by Josephus that he chose not to develop and incorporate into his concept of kingship. The statement has a close parallel in a passage from a version of the Law of the King in the Temple Scroll (11Q19), which refers to a council of priests, levites, and tribal princes who were to advise the king. 11Q19 57:14 states that the king “shall not rise his heart above them nor shall he do anything in all his councils outside of them.”

**IV: Aristocracy and the High Priests**

The high priests played a critical role in Josephus’ concept of aristocratic rule; however, Josephus indicates that they possessed different degrees of power in different historical periods in which the Jews lived under aristocratic rule. We have seen that in Josephus’ account of the aristocratic government under Moses and Joshua’s leadership, the high priest played an advisory and judicial role in the government, but that he was not the leading authority figure. Along with the *gerousia* and prophet, he helped individual

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562 11Q19 57:11-15.
leaders who excelled in virtues and possessed prophetic authority to administer the
government.\textsuperscript{563} In subsequent periods, he indicates that the high priests played a more
authoritative role in aristocratic government, and that in at least one period acted as its
chief leaders. In his comments on the aristocratic regime that spanned the Persian and
Hellenistic periods, Josephus singles out the high priests as key leaders in the
government. In \textit{Ant.} 11.111, he notes that the Jews, after their return from Babylonian
captivity, lived
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κατῴκησαν ἐν τοῖς Ἱεροσολύμοις, πολιτείᾳ χρώμενοι ἀριστοκρατικῇ μετ´ ὀλιγαρχίᾳ. οἱ γὰρ ἀρχιερεῖς προεστήκεσαν τῶν πραγμάτων ἄρχοντες ὦ τοῦ Ἀσαμωναίου συνέβη βασιλεύειν ἐκγόνους.
\end{quote}
under a form of government that was aristocratic and at the same time
oligarchic. For the high priests were at the head of affairs until the
descendants of the Hasmonean family came to rule as kings.\textsuperscript{564}

Daniel Schwartz sees a clear distinction between the “aristocratic constitution” and “a
high priestly-oligarchy.”\textsuperscript{565} He writes that the passage “shows, via the insertion of a
preposition (\textit{met’}), that the constitution was aristocratic alone, with a high priestly
oligarchy alongside it holding the \textit{prostasia}.\textsuperscript{566} Schwartz shows that on several
occasions Josephus associated the term \textit{προστασία}, which connotes significant authority
in Josephus’ works, with high priestly rule.\textsuperscript{567} In other words, Schwartz sees aristocracy
and priestly rule, or \textit{prostasia}, as two distinctive forms of rule.\textsuperscript{568} This distinction is not

\begin{footnotesize}
\textsuperscript{563} Jos. \textit{Ant}. 4.218 (here, Josephus refers to judicial administration in aristocratic rule). See also \textit{Ant}. 4.184-186; here, however, the role of the prophet is not mentioned.
\textsuperscript{564} Jos. \textit{Ant}. 11.111: κατῴκησαν ἐν τοῖς Ἱεροσολύμοις, πολιτείᾳ χρώμενοι ἀριστοκρατικῇ μετ´ ὀλιγαρχίᾳ. οἱ γὰρ ἀρχιερεῖς προεστήκεσαν τῶν πραγμάτων ἄρχοντες ὦ τοῦ Ἀσαμωναίου συνέβη βασιλεύειν ἐκγόνους.
\textsuperscript{566} Schwartz (1983/84) 33.
\textsuperscript{567} Ibid., 40-49 and n. 29. In Jos. \textit{Ant}. 4.165, Josephus states that at the behest of Yahweh, Moses entrusted τὴν προστασίαν… τῶν πραγμάτων to Joshua.
\textsuperscript{568} This is the basic thesis of Schwartz’s article.
\end{footnotesize}
warranted, however. That Josephus singles them out could easily indicate that the high priests played an essential role in the aristocratic government.

On this point, the broader context of the passage is determinative. Josephus was describing Jewish political history from the end of the Babylonian exile until the Hasmonean monarchy. In this period, the high priests were the key authority figures. In the Persian period, Josephus presents Joshua and Ezra, for example, as prominent high priestly leaders with extensive authority, who co-ruled with a civic ruler (i.e. Zerubabbel). Alexander, on his visit to Jerusalem, was met by the high priest Jaddua, acting in his capacity as the official representative of Judea. Josephus presents the high priests as the leading authority figures in Judea under Ptolemaic rule, and then Seleucid rule. And the Hasmoneans of course ruled only as high priests until Aristobulus I, who in 104/103 BCE assumed the title of king. What Josephus means exactly by high priestly oligarchy is unclear. This is the only occurrence of the word oligarchy in his writings. I would argue, however, that he used this term because it best described the type of aristocratic government in which high priestly leaders were chosen from a particular priestly family that exercised control over political affairs. This accords with his narrative accounts of high priestly rulers in this period, such as the Oniads and Maccabees. The term oligarchy, therefore, refers to a limited priestly group’s (an extended family) influence over the government.

569 For the actual historical account of the high priests’ role in Jewish society in this period, see Vanderkam (2004).
570 See, respectively, Jos. Ant. 11.75-95, 11.121-158.
571 Jos. Ant. 11.329.
In presenting the high priests as the primary leaders of aristocracy in *Ant.* 11.111, Josephus modified the picture of aristocratic government that appears in his accounts of the constitution under the primary leadership of Moses, Joshua, the Judges, and Samuel. Clearly, he did this because he was describing a historical period in which the high priests exercised greater authority, and ended up (during the Hellenistic period) becoming the highest appointed officials in Judea. Yet, this does not mean that the entire constitution changed. While Schwartz goes too far in positing a complete distinction between aristocracy and high priestly *prostasia*, he is right to note that they are not synonymous. It is safe to assume therefore that Josephus still saw a role in the government for the *gerousia* and capable non-priestly leaders, even though he does not allude to them per se in *Ant.* 11.111. In addition, the government still recognized Yahweh as the ultimate sovereign. It is no accident that Josephus continued to associate his idiosyncratic concept of aristocracy with high priestly leaders. Similar to prophetic leaders, they were uniquely positioned through their cultic knowledge and ability to discern divine will to govern in a way that ensured Yahweh’s sovereignty, a core tenet of Josephus’ concept of aristocratic rule. This further indicates that, contra Schwartz, Josephus considered high priestly *prostasia* an inseparable component of aristocratic rule; but the high priests were not its sole human authority figures.

By contrast, Josephus indicates that the high priests were the sole leaders of the aristocratic government that followed the short monarchical reign of Archelaus. In a passage from the so-called “high priestly chronicle,” which appears at the very end of *Antiquities*, Josephus states that after the death of Archelaus (6 CE) and so the end of Herodian rule, “the constitution became an aristocracy, and the high priests were
entrusted with the leadership of the nation (ἀριστοκρατία μὲν ἦν ἡ πολιτεία, τὴν δὲ προστασίαν τοῦ ἔθνους ὁ ἄρχιερεῖς ἐπείστευντο).” 572 Commenting on this passage, Schwartz again claims a distinction between aristocracy and high priestly leadership or *prostasia*. He notes that the µὲν… δὲ construction in this passage “clearly dissociates the high priests from the aristocratic constitution.” 573 Paul Spilsbury claims Schwartz “presses this point too far.” 574 In his view, “the µὲν… δὲ construction indicates a certain distance between the aristocratic constitution and leadership of the high priest.” 575 He does not consider them “synonymous,” but rather “inseparable.” 576

Spilsbury’s interpretation, however, does not account for the rather sharp distinction created by the µὲν… δὲ construction, which Schwartz draws our attention to, and which he claims accentuates the exclusive leadership (*prostasia*) of the high priests in the regime referred to in *Ant.* 20.251. Moreover, Spilsbury’s interpretation does not consider Josephus’ previous statements about aristocratic rule, including *Ant.* 11.111, which refer to the high priests as integral but not the only leaders in his concept of aristocratic government. By contrast, *Ant.* 20.251 implies that the high priests were the sole authority figures in this aristocratic government, unlike in most of the previous aristocratic governments that the Jews lived under. In addition, Spilsbury does not consider it significant that Josephus uses the term *prostasia* in *Ant.* 20.251 when referring to the leadership of the high priests. Yet, this term implies they were the chief leaders of the aristocratic regime that followed Archelaus’ death. As we saw above, Josephus uses

573 Schwartz (1983/84) 33.
575 Ibid., 165.
576 Ibid.
this term to refer to the authority of Moses and Joshua, who were clearly the chief leaders of the aristocratic regimes they presided over.577

Of further interest is the historical context to which the passage refers, especially since it has implications for Josephus’ concept of aristocratic government. In 6 CE Augustus had Archelaus sent to Vienne in Gaul, and placed Judea under Roman rule and assigned a Roman procurator to administer it.578 This had led Schwartz to suggest that the passage reflects Josephus’ broader emphasis on high priestly leadership or prostasia in Antiquities.579 He argues that in Antiquities Josephus invented and advanced the idea of an official form of high priestly leadership, which he termed prostasia.580 Schwartz suggests that Josephus may have used Diasporic Jewish communities as models, for which there is evidence that high priests served as προστατής.581 He also suggests Josephus was thinking of his Greek and Roman readers “who were used to hearing of priests in leadership positions in religious associations.”582 In other words, Schwartz interprets Ant. 20.251 as one of several instances in Antiquities that reflect Josephus’ intent to “legitimize Jewish existence even after Jewish political life had ended… [and] to portray the people via the nonpolitical category [i.e. προστασία] which guaranteed its right to continued existence in the Roman world.”583 By “non-political” Schwartz means that it was not one of the traditional constitutional forms that the Jews lived under, like monarchy or aristocracy, but was a “religious” association. Schwartz’s use of “non-
political” is curious, however, since a communal structure administered by a leader like a high priest can still be political, even if it was subject to a higher authority and was not a formal constitution like monarchy or aristocracy.

Schwartz’s hypothesis is plausible. He cites evidence for Diasporic Jewish communities under high priestly prostasia. Evidence that Josephus had such a community in mind could also be drawn from Contra Apionem, which Josephus wrote shortly after Antiquities. There he envisioned a Jewish theocratic politeuma under the rule of a high priestly leader. It is worth quoting in full one of the passages where he refers to the high priest as the chief human authority figure:

What could be finer or more just than [a structure] that has made God the governor of the universe, that commits to the priests in concert the management of the most important matters (τὰ μέγιστα), and, in turn, has entrusted to the high priest of all the governance of the other priests?584

The passage clearly expresses Josephus’ admiration and enthusiasm for the figure of the high priest as the ruler of the Jewish community. That he wrote this not long after completing Antiquities may explain why, when composing the high priestly chronicle, he presented the period after Herodian rule as a high priestly aristocracy.

There is no reason, however, why a Roman procurator would not have permitted the high priests some autonomy over their affairs. The τὰ μέγιστα referred to in the passage from Contra Apionem may even refer to matters that fell outside the traditional jurisdiction of the Roman procurator.585 Moreover, the Romans are famous for having delegated authority to local elites in regions that were subject to their rule. Whichever

584 Jos. C. Ap. 2.185: καὶ τις ἄν καλλίον ἢ δικαιότερα γένοιτο τῆς θεὸν μὲν ἡγεμόνα τὸν ὅλων πεποιημένης, τοὺς ἱερεῖς δὲ κοινῆ μὲν τὰ μέγιστα διοικεῖν ἐπιτρεπόσθης, τῷ δὲ πάντων ἠρχησθεῖ πάλιν αὐτοὶ πεπιστευκίας τῆς τῶν ἄλλων ἱερέων ἡγεμονίας.

585 I thank Erich Gruen for bring this point to my attention.
interpretation one adopts, however, Ant. 20.251 nonetheless indicates that Josephus allowed for a leading role for the high priests in his conception of aristocratic government.

In a third passage, Josephus refers to the leadership of priests, and not high priests, in connection with aristocratic rule. The passage occurs in his account of the embassy of Jews that met with Pompey in Damascus in 63 BCE during the civil war between Hyrcanus II and Aristobulus II. The two rival claimants to the Hasmonean monarchy each sought to obtain Pompey’s support. Josephus reports that a third party of Jews asked Pompey to reject the claims of both men. He claims that they were,

against them both and asked not to be ruled by a king, saying that it was the custom of their country to obey the priests of the God who was venerated by them, but that these two, who were descended from priests, were seeking to change their form of government in order that they might become a nation of slaves.  

In the passage Josephus does not refer to aristocratic rule per se, but as we saw in Ant. 11.111 he labels the Jews’ form of government, which lasted from the return from exile until the Hasmonean establishment of a monarchy, aristocratic.

The passage from Ant. 14.41 is confusing, since elsewhere Josephus dates the transition from aristocracy to monarchy to the reign of Aristobulus I, who ruled from 104-103 BCE. The passage cited above suggests that this transition had not yet occurred, forty years later, since it states that Aristobulus II and Hyrcanus II were trying “to change their (i.e. the Jews’) form of government.” However, the accusation leveled at

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587 Jos. Ant. 13.301 dates this transition to the reign of Aristobulus I, who ruled from 104-103 BCE.
the rival Hasmonean claimants may simply have been a rhetorical strategy used by the Jewish delegation. In other words, the Jewish delegates may simply have sought to portray both Aristobulus and Hyrcanus as tyrants, seeking to uproot and disturb traditional Jewish forms of rule, in order to persuade Pompey not to back either one. It is possible that Pompey did not know that Judea was currently ruled by kings. Others didn’t. A contemporary Greek writer, Diodorus Siculus, citing Hecataeus of Abdera, associated priestly rule with the Jews and expressly stated they were not ruled by kings.\(^{588}\)

More to the point, however, *Ant.* 14.41, which refers to the leaders of aristocracy as priests, does not contradict the statements in the previous two passages that the high priest was the leading authority during various periods when the Jews lived under aristocratic rule. Those passages (*Ant.* 11.111 and 20.251) represent the authorial voice of Josephus. This passage (*Ant.* 14.41) reflects the view of a third party. Thus the first two passages are more reliable for Josephus’ concept of aristocratic rule and its leadership.

**V: Aristocracy Versus Monarchy**

Understanding Josephus’ concept of aristocracy not only clarifies Josephus’ concept of kingship, but also illuminates his preference aristocracy over monarchy. Two passages from *Antiquities*, which have been discussed above and juxtapose aristocracy and kingship, allude to his particular preference for his concept of aristocratic rule over kingship.

\(^{588}\) Diod. 40.3.5: διὸ καὶ βασιλέα μὲν μηδέποτε τῶν Ἰουδαίων τὴν δὲ τοῦ πλήθους προστασίαν δίδοσθαι διὰ παντὸς τῷ δοκοῦντι τῶν ἱερέων φρονήσει καὶ αρετὴ προέχειν.
In the preface that he inserts into his version of Deuteronomy’s Law of the King, Josephus has Moses tell the Israelites that, “aristocracy and the life therein is best. Let not a longing for another government take hold of you, but be content with this.”\(^{589}\) The political judgment expressed here is Josephus’. The biblical version simply provides a set of preconditions should the Israelites choose to be ruled by a king.\(^{590}\) It does not juxtapose two different constitutions and express a preference for one form of rule over the other, as in Josephus’ version. Josephus’ description of Moses in \textit{Ant}. 1.18-23 lends support to the view that the preference for aristocracy over monarchy expressed in \textit{Ant}. 4.223 reflects Josephus’ view. As noted above, before commencing his narrative of the Jews’ history, Josephus praises Moses, the architect of the Jews’ aristocratic constitution, which forms a key part of \textit{Antiquities} 1-4, for being a wise and exemplary legislator.\(^{591}\) This indicates that Josephus especially liked the aristocratic form of government devised by Moses, and implies that he would prefer it to kingship if confronted with the two. Finally, it is significant that Josephus focalizes the preference for aristocracy over monarchy through Moses. Moses was the Jews’ founding legislator, and a prophet. By having Moses express the preference for the aristocratic constitution, Josephus accentuated its superiority over monarchy.\(^{592}\)

In his significant addition to the biblical account of the origin of the monarchical period, Josephus again alludes to his preference for aristocratic government over kingship. When the Israelites ask the prophet Samuel to appoint them a king, the biblical

\(^{589}\) Jos. \textit{Ant}. 4.223: Ἀριστοκρατία μὲν οὖν κράτιστον καὶ ὁ κατ᾽ αὐτὴν βίος, καὶ μὴ λάβῃ πόθος ἕμᾶς ἄλλης πολιτείας, ἀλλὰ ταύτην στέργοιτε. The specific restrictions on royal power come after this passage and continue into Jos. \textit{Ant}. 4.224.
\(^{590}\) Deut. 17:14-20.
\(^{591}\) E.g. Jos. \textit{Ant}. 1.18-23.
\(^{592}\) I owe this insight to Professor Julia Wilker.
text reports: “And the thing was evil in Samuel’s eyes when they said, ‘Give us a king to rule us.’”

Josephus emphasizes and elaborates on Samuel’s disappointment with their request and ascribes this to his opposition to kingship as a form of rule. His version of this passage reads,

Their words greatly grieved Samuel on account of his innate justice and hatred of kings. For he delighted intensely in aristocracy as something divine (θείας) that renders blessed those who use it as their constitution.

Like *Ant.* 4.223, the preference for aristocracy over monarchy expressed in this passage can reliably be said to reflect Josephus’ political views. As in *Ant.* 4.223, Josephus, not the biblical author, expresses the superiority of the aristocratic constitution over the monarchical one. Moreover, similar to *Ant.* 4.223, Josephus focalizes this view through Samuel, who, like Moses, was also a prophetic leader. By having a leader with the authority and legitimacy of Samuel express this political judgment, Josephus further emphasizes that aristocratic government was preferable to monarchy. Finally, in his expansion of Samuel’s response to the prospect of monarchical rule, Josephus has the prophet express the idea that the aristocratic constitution was divine (θείας). As we saw above, this refers to the idea that the aristocratic constitution recognized Yahweh as the ultimate sovereign. It also refers to the idea that it was divinely inspired and that those who followed it would “participate in” Yahweh’s virtue, both of which affirm the idea that divine sovereignty underpinned the constitution.

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593 1 Sam. 8:6.
595 See, respectively, *Jos. Ant.* 1.19, 1.23.
aristocratic constitution in this way when contrasting it favorably to monarchy
accentuates his preference for it over kingship.

A final indication that Josephus favored aristocracy over monarchy is that in
odie Apionem he presents monarchy as inferior to theocracy. As we will see below in
the Appendix, Josephus presents theocracy as largely similar to aristocracy. Moreover, he
praises Moses for establishing a constitution which entrusted sovereignty to Yahweh, and
not a king.596

Why Josephus preferred aristocracy (and later theocracy) over kingship largely
boils down to the matter of divine sovereignty. We have seen that Josephus implies that
aristocracy was superior to monarchy because it, and not monarchy, was divine and
acknowledged Yahweh as ultimate sovereign. In two other passages from Antiquities,
however, Josephus lends support to this point. Both passages allude to a fundamental
tension between monarchy and divine sovereignty. In particular, they indicate that under
monarchical rule there was the risk that the subjects of the king would replace their
allegiance to Yahweh with fealty to the king. Of course, in expressing this idea Josephus
broke no ground. It underpins the account of the Israelites’ request for a king in 1 Samuel
8. Yahweh tells Samuel not to be disappointed with their decision and tells them: “it is
not you they have rejected, it is me they have rejected as their king.”597 Josephus,
however, accentuates this point, which indicates that he saw it as a particular problem
with kingship.

596 Jos. C.Ap. 2.164-165: οἱ μὲν γὰρ μοναρχίαις… ἐπέτρεψαν τὴν ἐξουσίαν τῶν πολιτευμάτων. ὁ δ᾽
ημέτερος νομοθέτης εἰς μὲν τούτον οὐδοτιοῦν ἀπέδειξεν, ὡς δ᾽ ἄν τις εἴποι βιασάμενος τὸν λόγον
θεοκρατίαν ἀπεδέιξε τὸ πολιτεύμα θεῷ τὴν ἀρχὴν καὶ τὸ κράτος.
597 1 Sam. 8:7.
Consider the following addition he inserts into the biblical account of the Saul-Amalek story.\textsuperscript{598} In this story, Yahweh ordered Saul to exterminate the Amalekites and not to seize their property. Saul spared their king, Agag, and the Israelites looted. In an addition to the biblical text, Josephus notes that Yahweh, “thought it terrible that, when it was he who gave them the strength to be victorious and prevail over the enemy, he should be despised and disobeyed, as no human king (\textit{ἄνθρωπον βασιλέα}) would be.”\textsuperscript{599}

Here, Josephus reiterates the idea, expressed in 1 Samuel 8:7, that monarchy threatened to replaced divine with human sovereignty because it caused the people to transfer their allegiance from Yahweh to the king.

Josephus alludes to this same problem in his account of the death of Agrippa I.\textsuperscript{600} Agrippa had appeared before the spectators on the festival in honor of Caesar dressed in a “garment woven completely of silver.”\textsuperscript{601} Josephus reports that the spectators, entranced by the reflection of the sun on the silver, addressed him “as a god.”\textsuperscript{602} He notes that they then added, “may you be propitious to us… and if we have hitherto feared you as a man, yet henceforth we agree that you are more than mortal (\textit{κρείττονά σε θηνητῆς}) in your being.”\textsuperscript{603} With a note of disapproval, Josephus states that “the king did not rebuke them nor did he reject their flattery as impious.”\textsuperscript{604} What Agrippa should have done, Josephus

\textsuperscript{598} 1 Sam. 15.
\textsuperscript{599} Jos. Ant. 6.142: δεινὸν γὰρ ἠγεῖτο νικᾶν μὲν καὶ περὶ γίνεσθαι τῶν ἐχθρῶν ἐκείνου τὴν ἴσχυν διὰντος αὐτοῖς, καταφρονεῖσθαι δὲ καὶ παρακούεσθαι μηδὲ ὡς ἄνθρωπον βασιλέα. For the biblical parallel, see 1 Sam. 15.
\textsuperscript{600} Jos. Ant. 19.343-349.
\textsuperscript{601} Jos. Ant. 19.344: στολὴν ἐνδὺς ἐξ ἀργύρου πεποιητικὴν πᾶσαν.
\textsuperscript{602} Jos. Ant. 19.345: θεόν προσαγορεύοντες.
\textsuperscript{603} Jos. Ant. 19.345: “εὔμενης τε εἰς,” ἐπιλέγοντες, “εἰ καὶ μέχρι νῦν ὡς ἀνθρωπὸν ἐφοβήθητε, ἀλλὰ τούτων δὲ ἐπεξεργάσατο κρείττονα σε θηνητῆς φύσεως ὡς ὁμολογοῦμεν.”
implies, is to have ensured that his subjects not show the kind of loyalty to him that was only appropriate for Yahweh. Josephus’ handling of Agrippa’s death provides further evidence for this. He notes that Agrippa, right after he is acclaimed immortal, is afflicted with a sharp pain in his stomach, which led to his death five days later.\textsuperscript{605} When he first experiences the pain, Josephus has Agrippa tell his admirers that the pain will lead to his death and that it represents divine punishment for being acclaimed immortal.\textsuperscript{606} Josephus therefore accentuated what the author of Samuel saw was a key problem with kingship; namely, the tendency for allegiance to Yahweh to be transferred to a mortal king.

This was less of a danger in Josephus’ concept of the aristocratic (and theocratic) constitution, however. By its very nature it encouraged loyalty to Yahweh. As we have seen, it was explicitly based on the principle of divine sovereignty: it ascribed supreme authority to a divine and not a human ruler. Moreover, Moses prefaced the constitution’s laws with an account of Yahweh’s creation of the cosmos, with the intent of lifting the people’s “thoughts up to Yahweh and the structure of the universe.”\textsuperscript{607} In addition, Moses designed the constitution so that those who followed it were led to “participate in” Yahweh’s virtue.\textsuperscript{608} All this strengthened the bond between those governed under the aristocratic constitution and Yahweh. In addition, Josephus indicates that aristocracy, unlike monarchy, entrusted authority to leaders (high priests and prophets) whose offices were by nature well suited to governing in line with Yahweh’s will. In short, Josephus

\begin{footnotes}
\item[607] Jos. Ant. 1.21: ἀλλ᾽ ἐπὶ τὸν θεὸν και τὴν τοῦ κόσμου κατασκευὴν τὰς γνώμας αὐτῶν ἀναγαγὼν καὶ πείσας.  
\item[608] Jos. Ant. 1.23.  
\end{footnotes}
favored aristocracy (and theocracy) over monarchy because it more effectively ensured that the governed and their leaders would live in accordance with Yahweh’s will.

**Conclusion**

Josephus’ concept of aristocratic rule was distinguished by Jewish and Hellenic elements. The most striking Jewish aspect was the idea that aristocracy ascribed ultimate sovereignty to Yahweh, and not human leaders who excelled in virtues, in accordance with the traditional Greek concept. This also contrasted with Josephus’ concept of monarchy, which essentially entrusted sovereignty to a human and not a divine ruler. Of course, human leaders played an essential role in Josephus’ concept of aristocracy.

Josephus refers to an assortment of actors in his treatment of aristocratic leadership: individuals superior in virtues, high priests, prophets, and the *gerousia*. Josephus’ emphasis on leaders who excelled in virtues and the *gerousia* accorded with the Hellenic model of aristocracy. Josephus is not consistent about who the leading figures were during a given period of aristocratic rule, however. In one period, during the regimes of Moses and Joshua, Josephus indicates that the primary leaders were a virtuous prophet (i.e. Moses; Joshua), along with the *gerousia* and high priest. In another period, from the end of the Babylonian exile until the Hasmonean monarchy, he presents the high priests as the chief authority figures, and does not even mention non-priestly leaders who excelled in virtues and possessed prophetic powers, nor, for that matter, the *gerousia*.

This does not imply that these actors no longer played a role in his concept of aristocracy, but that he viewed the high priests as its primary leaders. The obvious reason for such inconsistencies is that Josephus was classifying a broad period of Jewish political history, which saw fluctuations in its political organization, under one constitutional framework.
Yet, a general constant can be seen in the particular types of leaders that he associated with Jewish aristocratic leadership. Josephus consistently presents rulers with prophetic powers or high priests as the central authority figures in his concept of aristocracy. Both types of leaders had access to divine will, and the high priests possessed cultic knowledge.\(^{609}\) This made both types of leaders uniquely qualified to lead a government that ascribed ultimate sovereignty to Yahweh.

This last point reveals a fundamental difference between Josephus’ theories of monarchy and aristocracy. The types of leadership in Josephus’ concept of aristocracy, by their nature, steered those who held them towards governing in accordance with the will of Yahweh. By contrast, there was nothing about the royal office itself that made the person who held it predisposed to advancing divine will. In fact, as we saw, Josephus implies on a few occasions that kingship existed in tension with divine sovereignty, which is likely one of the main reasons he considered it inferior to aristocracy, and later theocracy.

**Appendix: Josephus on Theocracy**

The picture I have sketched of Josephus’ concept of aristocracy finds support in Josephus’ account of theocracy.\(^{610}\) Josephus presented his account of the Jews’ theocratic constitution in the final section of *Contra Apionem*, Josephus’ last work and written not long after he completed *Antiquities*.\(^{611}\) In his account of the theocratic constitution,

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\(^{609}\) On the ability of the high priest to divine the future, see Jos. *Ant.* 3.216-218. For examples of high priests prophesying, see Jos. *Ant.* 5.120, 5.159, 6.115, 6.254, 6.257, 7.72


Josephus also emphasizes that it was founded on the principle of divine sovereignty. In a famous passage, he states that Moses did not follow other lawgivers, some of whom entrusted authority to kings, the masses, or the wealthy, but instead established a “government, as one might call—to force an expression—‘a theocracy,’ ascribing to God the rule and power.” In later passage from his account of the theocratic constitution, he affirms this point and refers to Yahweh as “ruler” (ἡγεμών). As noted above, he uses the same term to describe Yahweh as the sovereign ruler of the aristocratic constitution.

In addition, as in his account of the aristocratic constitution in Antiquities, he indicates that both the temple and the law functioned to ensure Yahweh’s sovereignty. Regarding Yahweh, he states that “all must follow him, and worship him by exercising virtue.” He then immediately references the temple cult: “the one temple of the one God,” and the priests who administered the sacrificial offerings to Yahweh there.

Josephus also implies that the law played a key role in maintaining Yahweh’s

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(1999) 45-58, reads it as a response to Flavian anti-Jewish propaganda. Gruen, (2005) 31-51, dismisses its apologetic aims and claims that Josephus, in promoting Jewish over Greek culture, sought to affirm his credibility as a writer to his Roman and Jewish readers, which had suffered from alleged negative reactions to his earlier works, and which he refers to in Contra Apionem.

612 Jos. CAp. 2.164-165: οἱ μὲν γὰρ μοναρχίαις, οἱ δὲ ταῖς ἀλλίων δυναστείαις, ἄλλοι δὲ τοῖς πλῆθεσιν ἐπέτρεφαν τὴν ἐξουσίαν τῶν πολιτειῶν. ὁ δὲ ἥμετρος νομοθέτης εἰς μὲν τούτον οὐδοτιοῦν ἕπειδεν, ὡς δὲ ἂν τις εἰποὶ βιασάμενος τὸν λόγον θεοκρατίαν ἀπέδειξε τὸ πολίτευμα θεῷ τὴν ἀρχὴν καὶ τὸ κράτος. Here, Josephus uses the term πολίτευμα to refer to “constitution” instead of πολιτεία. Although the two terms have different connotations, Josephus uses both to refer to a form of government or constitution (i.e. monarchy, aristocracy, and theocracy). See Jos. Ant. 1.5 and CAp. 2.165. For scholarly analyses of these two terms in Josephus’ writings, see Barclay (2007) 249 n. 534; Gerber (1997) 345-353.

613 Jos. CAp. 2.185: καὶ τῖς ἀν καλλίων ἢ δικαιότερα γένοιτο τῆς θεοῦ μὲν ἡγεμόνα τῶν ἰδίων πεποιημένης; 614 Jos. Ant. 4.223.

615 Jos. CAp. 2.192: τούτων θεραπευτέον ἀσκοῦσιν ἄρετήν.

616 Jos. CAp. 2.193: εἶς ναὸς ἐνός θεοῦ... τούτων θεραπεύουσιν μὲν διὰ παντὸς οἱ ἱερεῖς.
sovereignty. He claims that the law was “originally laid down in accordance with God’s will” and that it would not be “pious” to disobey it.\footnote{Jos. Cap. 2.184: ἐξ ἀρχῆς τεθῆναι τὸν νόµον κατὰ θεοῦ βουλήσιν οὐδ᾽ εὐσεβὲς ἦν τοῦτον µὴ φυλάττειν.}

Finally, as in his concept of aristocracy, Josephus indicates that the human authorities in the theocratic constitution were the high priest and priests. As he writes,

The priests will continuously offer worship to him, and the one who is first by descent will always be at their head. He, together with the other priests, will sacrifice to God, will safeguard the laws, will adjudicate in disputes, and will punish those who are convicted. Whoever disobeys him will pay a penalty as if he were sacrilegious towards God himself.\footnote{Jos. Cap. 2.193-194: τούτων θεραπεύουσιν μὲν διὰ παντὸς οἱ ἱερεῖς, ἤγείται δὲ τούτων ὁ πρῶτος ἂει κατὰ γένος, οὕτος µετὰ τῶν συνιερέων θύσει τῷ θεῷ, φυλάξει τοὺς νόµους, δικάσει περὶ τῶν ἁµισιβητουµένων, κολάσει τοὺς ἔλεγχθέντας. ὁ τούτω µὴ πειθόµενος υφέξει δίκην ὡς εἰς θεὸν αὐτὸν ἀσεβῶν.}

Here, the high priest and priests are presented practically as the earthly stewards of Yahweh. They enforce the divinely sanctioned laws, and their authority is akin to Yahweh’s. It is true, as noted in the chapter, that Josephus does not consistently indicate that the high priests and priests were the leading authority figures in aristocracy. The statement above, however, indicates that he considered the high priests, together with the priests, the optimal human authority figures in the ideal Jewish constitution, both in his references to it as an aristocracy and a theocracy.

\footnote{Jos. Cap. 2.184: ἐξ ἀρχῆς τεθῆναι τὸν νόµον κατὰ θεοῦ βουλήσιν οὐδ᾽ εὐσεβὲς ἦν τοῦτον µὴ φυλάττειν. \footnote{Jos. Cap. 2.193-194: τούτων θεραπεύουσιν μὲν διὰ παντὸς οἱ ἱερεῖς, ἤγείται δὲ τούτων ὁ πρῶτος ἂει κατὰ γένος, οὕτος µετὰ τῶν συνιερέων θύσει τῷ θεῷ, φυλάξει τοὺς νόµους, δικάσει περὶ τῶν ἁµισιβητουµένων, κολάσει τοὺς ἔλεγχθέντας. ὁ τούτω µὴ πειθόµενος υφέξει δίκην ὡς εἰς θεὸν αὐτὸν ἀσεβῶν.}
CONCLUSION

The last couple of decades have seen a greater appreciation for Josephus as a thinker and writer. Josephus’ works are no longer just used to support or refute historical claims about such topics as Jewish sectarianism, Herod’s building program, Roman provincial rule, or the early Christian movement, to name just a few examples. Now, more than ever, scholars focus on Josephus’ rhetoric with the goal of discerning his various aims as a Jewish writer and figure in late first century CE Roman society.

By and large, however, Josephus’ political thought has not been the beneficiary of this scholarly trend. Significant aspects of his political thought have been neglected. His concepts of aristocracy and theocracy dominate the discussion. To date, there has been no study devoted to his concept of monarchy. Josephus’ view of monarchy, and its relationship to aristocracy and theocracy, is typically treated in passing. Moreover, large amounts of his writings, especially his historical narratives, have not been utilized as sources to illustrate his political philosophy. Treatments of Josephus’ political thought generally focus on a limited selection of passages, or on the extended treatment of the theocratic constitution in *Contra Apionem*. In addition, for all the attention paid to Josephus’ context, in particular Flavian Rome, little has been done to situate Josephus’ political thought in the context of Greek and Roman political theory.

My thesis make a case for reading Josephus as a political theorist on his own terms and addresses the various gaps in previous treatments of Josephus’ political thought. It draws attention to an overlooked but significant component of his political
philosophy, his theory of monarchy, and connects it to his concepts of aristocracy and theocracy. And it shows that Josephus did not just formulate and shape his various political judgments in order to gain favor either for himself or for Judaism in the eyes of his immediate Flavian Roman audience. Rather, it demonstrates that Josephus harbored thoughtful and nuanced ideas about the nature of authority, and had considered which governing styles and forms of rule best served the interests of the governed.

Moreover, his concept of kingship blended Greek, Roman, and biblical ideals and values. This is especially evident in his consideration of kingship and virtues, and in his treatment of φιλοτιμία ("love of honor") in particular. This essential Greco-Roman royal quality fundamentally conflicted with the Jewish idea that the king should be humble and obedient towards Yahweh. Yet, Josephus modified it and reconciled it with Jewish royal values.

The view advanced by some scholars that Josephus was anti-monarchical is simplistic. To be sure, Josephus by no means viewed kingship with starry eyes. He understood that the nature of kingship made it susceptible to corruption: monarchy provided few formal restraints on the king’s power. Hence Josephus, like other Greek and Roman writers, repeatedly emphasized the importance for kings to possess virtues and the right personal attributes. An additional reason explains Josephus’ ambivalence towards kingship. Like the author of Samuel, Josephus was keenly aware that monarchy essentially replaced the sovereignty of Yahweh, who stood at the head of the ideal society envisioned in the Pentateuch. Moreover, this society was sanctioned by Yahweh himself. As such, monarchy posed a significant theological-political dilemma, and one that
Josephus was all too aware of. This largely explains his evident preference for aristocracy and theocracy to kingship.

Nonetheless, Josephus did not reject kingship. He did not remain silent when recounting the reigns of successful kings. He did not even omit praise for the accomplishments of kings, like Herod, whom he generally disliked. Even his criticisms of monarchs illuminate his concept of how a king should and therefore could govern. Accordingly, despite his reservations Josephus held that given the right ruler monarchy could be an effective and even advantageous form of rule. Indeed, Josephus had a fully worked out and complex theory of monarchy. He largely conceived of monarchical government as the allocation of the personal power of the king to advance the interests of the governed. The king had broad and nearly unchecked authority, and influenced practically all aspects of his subjects’ lives. He ensured just rule, protected his subjects from wars and disasters, forged alliances that benefitted the kingdom, advanced the prosperity of his subjects by initiating public works, maintained divine favor by upholding Mosaic Law and properly administering cult, and encouraged his subjects to act responsibly and piously by exemplifying virtuous behavior and obedience to Yahweh.

Josephus may not have viewed monarchy as the ideal form of government, but he did have a concept of ideal kingship, and held that in theory it could be a viable and even benevolent form of rule. It is only possible to appreciate this, however, if Josephus’ political thought is viewed on its own terms, and not as something determined by his Flavian readership.

Finally, my thesis shows how Josephus’ historical writings, which have largely been overlooked as sources for his political thought, provide valuable insights into his
political philosophy. Setting Josephus’ writings in the context of Greco-Roman political thought, and approaching them in the way that scholars approach Thucydides and Polybius as political thinkers, illustrates this. Like these two authors, Josephus’ accounts of the actions of leaders (i.e. kings), and his comments on these actions, provide crucial information about his attitude towards and concept of kingship. Moreover, his historical works express ideas about ideal kingship that were commonplace among Greek and Roman intellectuals, and which clearly rubbed off on him. My thesis therefore provides scholars with a new model for further illuminating Josephus’ political thought, and its complexity and nuances.
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