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Stranger Danger! *Amixia* among Judaeans and Others

Steve Mason

Philo and Josephus were fluent in the common cultural discourse of their world. They explained Judaeans laws and customs in ways that resonated with the highest Graeco-Roman values. For both, the laws of Moses embody the very laws of nature (φύσις) and so provide the finest human constitution (πολιτεία). The Judaeans νόμοι breathe justice and humanity and virtue; they inculcate simplicity of life and contempt for death. Louis Feldman showed in countless studies that Josephus paraphrased the Bible (*Judaean Antiquities* 1–11) in such a way as to find common ground with Graeco-Roman values, while dropping or marginalising elements that did not sound right.¹ Now Judaeans received relentless criticism from Graeco-Roman intellectuals for their aloofness or non-mixing with other peoples.² Yet on this one question, far from making any effort to conceal or explain away the perception, Josephus (like Philo) celebrates it as a virtue. How should we explain that, given his general sensitivity to outsider impressions?

This chapter can only be an initial probe. To keep it manageable, I shall focus on Josephus and pay special attention to a rare word, which encapsulates the problem: ἀμιξία (“non-mingling,” “aloofness”). It suggests the negation or absence of something normally expected: ἐπιμιξία (“mingling”) or similar. We shall use Josephus’s single ἀμιξία passage (two occurrences of the noun) and two with the cognate adjective ἄμικτος (“unmingled,” “unable to mingle”) as reference points for constructing a literary context, with special attention to Tacitus and Philo. Finally, we shall return to Josephus with clearer criteria for identifying a thematic cluster in his work. My modest proposal is that Josephus

- 1 Cf. Louis H. Feldman, *Studies in Josephus’ Rewritten Bible* (Leiden: Brill, 1998) for examples; and Feldman, *Josephus’s Interpretation of the Bible* (Berkeley: University of California Press, 1998) for a synthesis. Josephus’s neglect of Septuagintal διαθήκη as “covenant” (using it only for wills) is an obvious case. Paul Spilsbury (*The Image of the Jew in Flavius Josephus’ Paraphrase of the Bible* [Tübingen: Mohr Siebeck, 1998]) argues that Josephus reinterprets the covenantal idea in patron-client terms.
- 2 Cf. Menahem Stern, *Greek and Latin Authors on Jews and Judaism*, 3 vols. (Jerusalem: Israel Academy of Sciences, 1974–84); e.g., Diodorus, Strabo, and Tacitus.

offers an interpretation of what could be seen as ἀμῖξία that is in accord with the most elevated reaches of Greek thought.

Needless to say, this kind of question is not about the actual lives of Judaeans and their varied real-life interactions in Alexandria, Antioch, or Rome. That would be an entirely different kind of study. We are here trying only to understand an important idea-set in the late first century—friendly exchange with others, perceived aloofness, possible justifications—from different perspectives.

1 Preliminaries

In the ethnographical mindset that prevailed throughout pre-Christian antiquity, from Hecataeus of Miletus and Herodotus through the Neo-Platonist Julian—that is to say, in the time “before religion”³—loyalty to one’s ancestral *nomoi* remained an axiomatic virtue. In attacking the Persian Cambyses for his outrageously impious behaviour in Egypt, Herodotus wrote (3.38):

If someone could somehow design an experiment, directing all humans to choose the finest *nomoi* from all *nomoi*, even after making a careful examination each would choose their very own. To such a degree do they consider their own *nomoi* to be the finest. [...] It seems to me that Pindar formulated it properly when he said that that “*nomos* is king of all” (νόμον πάντων βασιλέα).

Half a millennium later, Josephus assumes the same virtue in his polemic against the Egyptian-become-Alexandrian Apion (*Apion* 2.144), though *nomos* has now hardened to “law”: “It is the duty of thoughtful people to devote themselves to the scrupulous maintenance of their own *nomoi* in relation to piety, and not to malign those of others (τοῖς μὲν οἰκείοις νόμοις περὶ τὴν εὐσέβειαν ἀκριβῶς ἐμμένειν, τοὺς δὲ τῶν ἄλλων μὴ λοιδορεῖν). This fellow not only abandoned his; he traduced ours!” Similarly, he castigates critics of the Judaeans for contrasting them with other *ethnē*, because each people’s traditions are sacrosanct and should be respected, no matter how strange they seem. Since his enemies have engaged in odious comparisons, however, he will reluctantly play the same game, contrasting Judaeans laws advantageously with those of others

3 Brent Nongbri, *Before Religion: A History of a Modern Concept* (New Haven: Yale University Press, 2013); Carlin Barton and Daniel Boyarin, *Imagine No Religion: How Modern Abstractions Hide Ancient Realities* (New York: Fordham University Press, 2016).

(*Apion* 2.237): “I certainly would have preferred not to scrutinise others’ legal precepts; for it is our tradition to guard our own and not to bring accusations against others” (ἐγὼ δ’ οὐκ ἂν ἐβουλόμην περὶ τῶν παρ’ ἑτέροις νομίμων ἐξετάζειν· τὰ γὰρ αὐτῶν ἡμῖν φυλάττειν πάτριόν ἐστιν, οὐ τῶν ἀλλοτρίων κατηγορεῖν). In a world that runs on the same calendar and with instant global communication, it is impossible for us to imagine the radical diversity, even in a small geographical area, that characterised ancient life. No doubt most people had little time for reflecting on the big picture. But those who did—and Greek thinkers from Herodotus to Stephanus of Byzantium were fascinated by the variety of *ethnē*—ended up using the same sort of “world-affirming” language. Members of an *ethnos* were expected to cherish their own ancestral *nomoi* and, equally, to respect the very different ways of others.

Celsus invoked the same view, held by all decent people, to attack the Christians. Recalling Pindar’s pithy phrase, he made a clear distinction between Judaeans and Christians on this issue. Whatever one thinks of Judaeans *nomoi* (he does not care for them), they are ancient, inspire appropriate loyalty among Judaeans, and demand respect from foreigners. Christians, though also born into *ethnē* with ancient laws and customs, of course, have rejected any such loyalty and turned their backs on society’s basic ordering principles (Origen, *Against Celsus* 5:34–35, 40–41).

2 Josephus’s *Amixia* Passage in Its Literary Context

The *Thesaurus Linguae Graecae* (TLG) shows only about ten occurrences of ἀμῖξια up to Josephus’s time, and another five by the end of the third century. The most relevant cases for cultural questions—leaving aside the mere mixing or non-mixing of substances in Aristotle and Theophrastus—are as follows. Thucydides (1.3.4) says that the Trojan War first united the Hellenes; before that, they had lived in isolation (ἀμειξία). Isocrates, in the voice of the Spartan Archidamus, commiserates with the Achaeans, who face fearful isolation (*Discourses* 6.67). Polybius uses ἀμῖξια twice in his criticism of the Carthaginians for using mercenary troops from diverse places, for in a crisis their lack of understanding leaves them isolated—in a state of ἀμῖξια vis-à-vis the citizens (1.67.3, 11). Plutarch uses ἀμῖξια with χαλεπός (“harsh,” “ferocious”) to describe the savagery of Dolopians on the island of Scyros (*Theseus* 36.2); the horde of Teutons heading towards Italy under Marius, who were mysterious because they would not interact with others (*Marius* 11.4); and the uncultured ruler in the *Moralia*, who lives in isolation from his people (*Uneducated Ruler* 780A). In all of these cases, the negative resonance is clear.

Lucian, assuming the word's negative connotation, explains how it came about in the case of the Athenian misanthrope Timon. He says that it was actually Timon's *love of people* that caused his withdrawal. Some seemingly close friends had swindled him out of a fortune. When sympathetic gods led Timon to discover gold in compensation, he quite understandably turned to a life of ἀμικία (*Timon* 42). This looks like a case study of the origins of misanthropy, as described by Socrates in the *Phaedo* (89b–91c): people who have been harmed by trusting others naturally resolve to protect themselves by keeping apart in future. Tacitus (*Histories* 5.3–4) uses a similar logic to explain—at least partly—Judaean aloofness: they had suffered at Egyptian hands.

In a section of Philostratus's marvellous *Life of Apollonius of Tyana*, the Greek sage and Thespesion of Egypt engage in a good-natured debate about the merits of their respective cultures (*Life of Apollonius of Tyana* 6.20). Thespesion mentions the Spartan practice of flogging young men at the altar of Artemis Orthia. How can other Greeks—and Apollonius—admire such brutal behaviour? Or the famed Spartan removal of foreigners: ξενηλασία (cf. Thucydides 1.144)? Why is this not as offensive to Greeks as it would be to Egyptians? Would it not be better for Spartans, the Egyptian asks sarcastically, to sacrifice one or two foreigners, rather than ban them all? Apollonius argues that ξενηλασία is indeed admirable (6.20):

Let's not pick on [the Spartan lawgiver] Lycurgus, Thespesion, for we need to understand the man, and that when he excluded strangers from settling in, he did not have ἀμικία in mind, but wanted to keep the habits of Sparta healthy and free from external debasement (οὐκ ἀμικίας αὐτῶ νοῦν εἶχεν, ἀλλὰ τοῦ ὑγιαίνειν τὰς ἐπιτηδεύσεις μὴ ἐνομιλούντων τῇ Σπάρτῃ τῶν ἔξωθεν).

Thespesion is not impressed. First, *real* virtue would consist in actually mingling with others and still preserving one's virtue, not in taking the easy path of isolation. Second, in spite of their vaunted isolation, the Spartans have borrowed much from others! Their fuss about keeping themselves unsullied is nonsense. We soon discover, however, that Thespesion does not mean any of this. His ultimate aim is to expose the folly of rationalising any people's customs.

Thinking about Spartan ξενηλασία, a partner to ἀμικία, brings us to two passages in Plato. In the *Protagoras*, Socrates anticipates Apollonius by insisting that Spartan ξενηλασία is necessary for the protection of its wisdom, especially from Laconisers. Laconisers here are Sparta fanboys, who gravitate to the *polis* because they admire the fitness regime. They fail to understand that Spartan

strength comes from wisdom about governance and discipline (*Protagoras* 342c). Such hangers-on, who cannot live the life, must be kept away so that they do not dilute Sparta's unique effectiveness or potency.

Still more important is Plato's last work, *The Laws*. Here, three elders from various *poleis* are planning an ideal new *polis*: Magnesia on Crete. The Athenian member is appalled to learn that its location will be a mere 80 *stadia* (16 km) from an excellent sea harbour, because this means constant interaction with foreigners; it will need "a mighty saviour and divine lawgivers" if it is to avoid "luxurious and depraved habits" (704–5). In the final part of the work, the sages ponder the extent to which this *polis* should isolate itself from foreigners in Spartan fashion. They agree on the premise that a uniquely well-governed *polis* must protect itself from contamination (950a): "Foreigners interacting with foreigners means novelties being grafted in (καινοτομίας ἀλλήλοις ἐμποιούντων ξένων ξένοις). For those who are well governed by proper laws, this would inflict enormous damage all round—though with most *poleis*, which are hardly well regulated, it doesn't matter." Since their new *polis* will be uniquely well-governed, they must narrowly limit the scope for contamination—without acquiring a reputation for misanthropy. To do this, the committee puts strict limits on citizens' foreign travel. Only those older than forty may leave, only in pairs or groups, and only in a public capacity. The *polis* may also send men abroad to seek out the wise elsewhere, but these investigators must be in their fifties, to be incorruptible by foreign customs (951a–c). As for inbound risks, the planners envisage receiving summer tourists, festival-goers, or officials from other *poleis* on public business. They must all be hospitably received, but restricted to meeting only the necessary citizens and forbidden from introducing any novelties. Anyone who visited the Soviet Union might recognise parallels.

Plato thus opens the door to constructive possibilities for ἀμικία, when common mixing would be dangerous. Porphyry's *On Abstinence* makes the point in relation to what is sacred. Shortly after his glowing description of the Judaeans and their Essene masters of discipline, Porphyry reflects on purity (*On Abstinence* 4.20): "Holy men postulated that purity is the separation [non-mingling] of opposites, whereas mingling means defiling" (ἀγνείαν γὰρ ἐτίθεντο οἱ ἱεροὶ <τὴν> πρὸς τοῦναντίον ἀμικίαν, μολυσμὸν δὲ τὴν μίξιν).

Since every *polis* included sacred or specially consecrated areas, and the concept of purity and pollution was ubiquitous, Josephus can expect his audience's understanding and admiration when he says of the Judaeans priests—a hereditary caste, unlike those of Mediterranean *poleis* (*Apion* 1.30): "[Our ancestors] from the beginning not only put in charge of these matters the best men and those devoted to the service of God; they also made provision so that the ancestral line of the priests should remain unmixed and pure" (ἀλλ' ὅπως τὸ

γένος τῶν ἱερέων ἄμικτον καὶ καθαρὸν διαμενεῖ προυνόησαν). The logic is unassailable: if you have something that must be kept pure, you separate it from contamination. The only question was whether a group claiming to require such aloofness deserved it. A gated community with nothing worthy of protection is merely antisocial.

2 Maccabees is germane for the ἀμικτία question because it thematises this language in relation to a crisis of forced mixing under the Seleucid king Antiochus IV. Although it is the royal power that directly threatens Judaeans' allegiance to their ancestral *nomoi*, these measures are nevertheless the outcome of energetic "mixing" initiatives by Jerusalem's disgraceful priestly elite—the very men who should have been at the forefront of championing their nation's laws. Their designs, summarised as "hellenising" and "foreignising" (Ἑλληνισμός, ἄλλοφυλισμός), are vividly explained: they abandoned their service in the sacred temple court in favour of Greek values, institutions, customs, and even dress (2 Maccabees 4:13). Even though this appears to be an in-house Judaeon text, the disgrace involved would have been clear to any ancient reader.

In 2 Maccabees 14, the author refers twice to "the times of ἀμικτία" (ἐν τοῖς τῆς ἀμικτίας χρόνοις). It is a strange construction, both because the "times" obviously refer to a single brief period of testing, and because in this moment the historic apartness of the Judaeans becomes something that must be defended, even at the cost of one's life. Like his ironic coinage Ἰουδαϊσμός ("Judaising" Jerusalem and its leadership and people), I would suggest, ἀμικτία would not be an issue if the Judaeans had been left to their laws, as common sense required. For long centuries they had followed distinctive ways while managing relations with rulers and neighbours.

This chapter contrasts the behaviour of two prominent Judaeans during the crisis. The high priest Alcimus had destroyed his credentials at the altar and among the people by deliberately contaminating himself (ἐκουσίως δὲ μεμολυσμένος ἐν τοῖς τῆς ἀμικτίας χρόνοις; 14:3). His only remaining gambit was to become a puppet high priest of the Seleucid regime, which did not work out well. In sharp contrast, the wise lay elder Razis, otherwise unknown, emerges as a lover of his *polis*-people (ἀνὴρ φιλοπολίτης), who is so well spoken of that people call him the "father of the Judaeans" (14:37). Any sensible reader of standard ancient virtue should find these traits admirable. But in the absurd crisis, they become capital charges against Razis: he dared to promote Judaeon identity in Jerusalem (Ἰουδαϊσμός; 14:38).

The premise that the Israelite *'am* or Judaeon *ethnos* must not mingle its laws with those of others taps a deep biblical vein. Before Moses receives the law at Sinai, God declares: "The whole earth is mine, but you shall be for me

a priestly kingdom and a holy nation" (Exodus 19:5–6). In Numbers 25, God commands the death of those Israelites who have mixed with women of the neighbouring peoples (cf. Deuteronomy 7:3–4). The great scribe Ezra requires Jerusalemites to divorce their foreign wives (Ezra 9:1–10:11). Separation (*havdalah*) is a profound theme of biblical and post-biblical literature, possibly accounting for the *p'rishut* of the Pharisees. From an ancient ethnographic perspective, all of this was fine. Each *ethnos* was assumed to have its charter myths and laws; they simply had to get along with everyone else. Our interest is in how these questions were playing out for Judaeans in the late first century CE.

And so we reach the two occurrences of ἀμιξία in Josephus. The setting is 134 BCE, shortly after the accession of the Hasmonean John Hyrcanus. The Seleucid king Antiochus VII Sidetes, having fallen out with Hyrcanus's father, Simon, in the preceding years, is fed up and decides to besiege Jerusalem. But when the Feast of Booths arrives and the Jerusalemites request a ceasefire, Antiochus not only allows it, he sends in magnificent sacrifices. This pious gesture encourages Hyrcanus to request more: How about self-rule for Jerusalem? Remarkably, Antiochus agrees—on the condition that Jerusalem hand over its weapons, pay tribute for the territories that Simon has taken, and accept a Seleucid garrison to replace the one Simon expelled (13.215–217). Hyrcanus agrees to the first two proposals. In place of the third, he offers hundreds of hostages and massive compensation, so intolerable was the prospect of the foreign garrison. Still more remarkably, Antiochus agrees to this. This deal becomes crucial for the advance of Hasmonean interests.

Ἀμιξία appears twice here in rapid succession. First, Josephus places Antiochus in a long line of rulers, from Cyrus and Alexander the Great to Marcus Agrippa and the legates of Syria in Nero's time, who have honoured Jerusalem's temple. In doing so, however, Antiochus ignored the advice of commanders who "urged him to eradicate the *ethnos* on account of the ἀμιξία of their way of life towards others" (13.245). In the very next sentence, the narrator's voice confirms that Jerusalemites would not accept a fortress because "they did not intermingle with others on account of their ἀμιξία" (13.247).

Josephus has anticipated this ignored advice from anti-Judaeans counsellors two volumes earlier, where the Persian official Haman advises King Artaxerxes. Annoyed that the Judaeans Mordechai does not prostrate himself before the king, Haman first wants him killed, but quickly extends this into a plan to destroy Mordechai's whole *ethnos* on the same charge of ἀμιξία (*Antiquities* 11.212):

So he [Haman] comes to the king and accuses them, saying that there is a certain worthless *ethnos*, and it is dispersed through the inhabited earth

under his rule: “separated [unmixed], incompatible, neither having the same worship as others nor following similar laws, hostile to your people and all humanity in customs and practices (ἀμικτον ἀσύμφυλον οὔτε θρησκείαν τὴν αὐτὴν τοῖς ἄλλοις ἔχον οὔτε νόμοις χρώμενον ὁμοίοις, ἐχθρὸν δὲ καὶ τοῖς ἔθεσι καὶ τοῖς ἐπιτηδεύμασιν τῷ σὺ λαῷ καὶ ἅπασιν ἀνθρώποις). This *ethnos*—if you want to leave some benefaction for your subjects—you should order destroyed down to its roots, with no remainder of it whatsoever left behind, not even under guard in slavery or captivity.”

As a motive for Haman’s puzzling escalation from indignation on the king’s behalf to genocide, Josephus explicates what the Bible only hints at: that Haman was an Amalekite, therefore a descendant of the people the Israelites themselves were to eradicate, down to the last infant and animal (*Antiquities* 3.60; 6.132–33). It is revenge time. Although Haman’s plot is overridden by the wise ruler, and Josephus delights in Haman’s miserable end, he makes the man’s antipathy understandable.

The campaign of Antiochus VII appears in works by other authors, sometimes with the more expected conclusion of a final harsh assault on Jerusalem, as in Eusebius, *Chronicle* 1.255 (Latin from Armenian): “In the third year of the 162nd Olympiad [130 BCE—apparently a mistake] he [Antiochus VII Sidetes] conquered the Judaeans, pulled down the walls [of Jerusalem] after a siege, and put their leaders to death.” An account by Diodorus of Sicily (34/35.1.1–5), however, ends up largely where Josephus does, but not before more fully airing the complaints of the king’s friends:⁴

Now most of his friends advised the king to take the *polis* by storm and to destroy completely the *genos* of the Judaeans, For of all *ethnē* they alone reject fellowship in the way of mixing in with another *ethnos* (τῆς πρὸς ἄλλο ἔθνος ἐπιμιξίας) and see everyone as enemies. They pointed out, further, that these people’s ancestors had been forced to flee all of Egypt, as impious and hated by the gods. [...] Those who had been banished occupied the spots around Hierosolyma and, after establishing the *ethnos* of the Judaeans, made the hatred of humanity hereditary. For this reason they laid down utterly bizarre legal precepts: neither to share a table with another *ethnos* or even to show any good will of any kind.

His friends also reminded him of the longstanding hatred among his ancestors for this *ethnos*. [...] Going through all this, his friends implored Antiochus to destroy the *ethnos* completely or, if not, to abolish their laws and force them to change their ways. But the king, being

4 See Stern, *Greek and Latin Authors*, 1.181–83.

magnanimous and gentle in character, took hostages but dismissed the charges against the Judaeans—after seeing to the tribute owed and dismantling Jerusalem's walls.

If the friends' advice in Josephus is implausibly abstract, this is even more so. We are hardly surprised that a king facing the rigours of a siege waves off their historical learning as irrelevant. But Josephus shows that he is well aware of such outsider views. Diodorus's account agrees with him that, no matter how hostile such views were, wise political leaders have, in the practical interest of governing, disregarded such attempts to rationalise cultures.

3 Tacitus and the Allure of the Exclusive

Tacitus's famous excursus on Judaeans in *Histories* book 5 implies a similar distinction between intellectuals' assessments and the imperative of governance: he knows that Jerusalem was a famous and successful city (*urbs famosa*, 5.2) under Rome's *imperium*, in spite of his considerable disenchantment. Notice his use of Latin equivalents for *ethnos*, *polis*, and cultic activity. The *Iudaei* are a *gens* (11 times in his brief description) among other *gentes*; he refers 15 times to the *urbs* Jerusalem, which he calls *the head of the gens* (5.8: *genti caput*). He is only pausing his narrative of Flavian rule, after all, to describe the *urbs* and *gens* (= the *polis* and *ethnos*) that faced Titus in the spring of 70 (5.2, 13), though Tacitus's account of Jerusalem's destruction is lost.⁵

Space does not permit interaction with the divergent readings of this passage—bitter anti-Semitic slander, a warning against proselytism, a one-time only investment to contextualise the Flavian achievement, or merely a bit of rhetorical mischief.⁶ Our interest is in *Histories* 5.4–5, where Judaeans laws and customs are reviewed with an emphasis on their difference, separateness, and aloofness. René Bloch has shown convincingly that the whole movement in this passage is towards the (missing) destruction of Jerusalem. But I think that he overlooks the implications of Tacitus's remarks about conversion for the temple and Jerusalem—while he rightly rejects proposals that the passage

5 This point and its importance for understanding the passage are laid out in the exemplary study by René S. Bloch, *Antike Vorstellungen vom Judentum: der Judenexkurs des Tacitus im Rahmen der griechisch-römischen Ethnographie* (Stuttgart: Franz Steiner, 2002).

6 For the first three, see Bloch, *Antike Vorstellungen*, 16–26, and his main argument; for the fourth, see Erich S. Gruen, *Rethinking the Other in Antiquity* (Princeton: Princeton University Press, 2011), 179–96.

was written to warn Jews or Romans about proselytism.⁷ Tacitus is evidently exercised at the extent to which Romans and others support that foreign people and their world-famous temple. It might seem contradictory to make these two accusations together—the Judaeans isolate themselves from others, and everyone wants to join them!—but that is what Tacitus does. Perhaps they are two sides of the same coin, and that coin (in Tacitus's imagination) built Jerusalem.

One way into this question is to consider Tacitus's *Germania*, which speaks glowingly—for the most part—of a large, formidable, and virtuous population beyond the reach of Roman ambition. For example, at 2.1 he writes: “The *Germani* [...] have in no way been mixed by the arrivals and alliances of other peoples” (*minimeque aliarum gentium adventibus et hospitibus mixtos*).⁸ Or again at 4.1: “I agree with the views of those who think that the inhabitants of Germania have not been tainted by any intermarriage with other tribes, but have existed as a distinct and pure people, resembling only themselves” (*qui Germaniae populos nullis aliis aliarum nationum connubiis infectos propriam et sinceram et tantum sui similem gentem exstitisse arbitrantur*). At 9.2, he lauds the *Germani* for their way of worship, which eschews temples and images of the deity: “They judge it not in accord with the greatness of the gods to confine them with walls or to liken them in appearance to any human countenance.”⁹ In 19–20, he commends the natural ways they have preserved in marriage and child-raising: one man and one woman mate for life and raise all the children they produce. Whatever specific aims scholars attribute to the *Germania*, they agree that the isolation of this people and their consequent purity are crucial.¹⁰

But each of these has a close parallel in his description of the Judaeans, where similar traits are “perverse, disgusting, and depraved” (*Histories* 5.5). Thus the Judaeans are reliably loyal and compassionate to one another, though they regard outsiders as hostile. With the admired *Germani*, the contrast is even sharper between a harmonious home life and the men's readiness to fight all foreigners (*Germania* 6–10, 14–16). Whereas the *Germani* are admirable for

7 See Bloch, *Antike Vorstellungen*.

8 This translation is by James Rives, *Tacitus: Germania* (Oxford: Clarendon, 1999).

9 Tacitus was in good philosophical company in applauding natural aniconic worship; cf. Diogenes Laertius 1.6, 9–10; 9.18. According to Plutarch, the Roman king Numa (*Numa* 87–8), and according to Augustine, the philosopher Varro (*City of God* 4.31) rejected images. Cicero presents a Stoic as scorning divine anthropomorphism (*On the Nature of the Gods* 2.28) and relates that Xerxes destroyed the temples of the Athenians “because he considered it impious for the gods, whose home is this entire world, to be held shut up within walls” (*Republic* 3.14; cf. *Laws* 2.26).

10 See Rives, *Germania*, 51–56.

keeping their stock pure and untainted by foreign marriage (4.1), Tacitus complains that Judaeans eat and sleep apart from foreigners, even practising male circumcision to maintain sexual exclusivity. Just like the *Germani*, Judaeans produce many children and raise all of those they produce, rather than exposing unwanted offspring. And they are, Tacitus acknowledges, contemptuous of death, especially in battle, because of their belief that brave souls are rewarded after death.

Given that contempt for death was arguably the principal aim of philosophical training (e.g., Seneca, *Moral Epistles* 24), which Josephus will celebrate as a unique attribute of Judaeans,¹¹ we begin to get the sense that Tacitus has trouble finding anything actually deplorable to support the harsh adjectives he uses in describing the Judaeans. Indeed, he seems to give up. The rest of *Histories* 5.5 is a contrast between Judaeans and Egyptian views of subterranean and heavenly matters, where the former have the advantage hands down. Whereas Egyptians worship all kinds of animals and contrived images, Judaeans insist that one can grasp the sole true deity only through the mind (*Judaei mente sola unumque numen intellegunt*). This Platonic interpretation is, especially with the gloss that Judaeans understand the Supreme Being to be eternal and subject to neither representation nor decay, a major salute. It distances them from the Egyptians precisely on the point that attracted Roman ridicule: animal worship.¹²

Tacitus appears to divide his material on Judaeans laws and customs into three groups. First, he says, they have customs emerging from their Egyptian origins (5.4): the sabbath, pork-abstention, fasting days, and the choice of sacrificial victims. These are strange enough, he says, but they enjoy the irrefragable defence of being very old (*antiquitate defenduntur*; 5.5). A seemingly intended third group, beginning halfway through 5.5 (*Corpora condere [...] caelestium contra*), creates an *inclusio* with 5.4, returning to ancient beliefs and practices that distinguish Judaeans from Egyptians, to the Judaeans' credit. In between, at the beginning of 5.1, we have this caption: "The rest of their enterprises [or undertakings] receive their vigour from being perverse, disgusting, and depraved" (*cetera instituta, sinistra foeda, pravitate valere*). Circumcision,

11 Josephus, *Judaean War* 2.128, 151, 377; 3.356, 475; 5.458; 6.33, 42; 7.406; *Apion* 2.294; cf. Epictetus (Arrian, *Discourses* 4.1.71, 7.33) and Plutarch (*Brutus* 12.2; *Sayings of the Spartans* 210F, 216C, 219E).

12 Lina Girdvainytė ("Egypt in Roman Imperial Literature: Tacitus' *Ann.* 2.59–61," *Literatūra* 57 (2015): 84–97) shows how complex Tacitus's picture of Egypt was—it was not merely anti-Egyptian. Still, Tacitus shared the common view of animal worship as "the most despicable practice of Egyptian religion in the eyes of the Romans" (p. 92).

mentioned only here, he must know to be as old as the defensible old customs. Why put it here?

Although one could propose various higher-level reasons, as scholars have, for Tacitus's determination to make things so obviously *Germani*-like sound bad, in the text itself the Judaeans' obvious difference from the *Germani* lies in their attraction of foreigners and Romans to their laws. For those who go over to the Judaeans immediately regard Jerusalem as their homeland and send money to support its temple, while turning their backs on their own proper allegiances to family and the laws of their own native people.

As soon as he has spat out the trio of derisive adjectives, Tacitus leaves no confusion about his meaning. He justifies (with "for," *nam*) his accusation by fusing in a most unexpected way allegations of both Judaeans' aloofness and extreme popularity:

For the worst element [of other *gentes*], scorning their ancestral devotions, gathered up for them (*illuc congregabant*) their contributions and presents. This grew the wealth of the Judaeans [N.B.: the temple now destroyed], as did the fact that among themselves they are steadfastly loyal and ready with compassion, *though they regard the rest of humanity with all the hatred of enemies* (*Nam pessimus quisque spretis religionibus patriis tributa et stipes illuc congregabant, unde auctae Iudaeorum res, et quia apud ipsos fides obstinata, misericordia in promptu, sed adversus omnis alios hostile odium*).

Tacitus continues with another, even more surprising juxtaposition of this exclusiveness and attraction of foreigners:

Holding banquets separate from others, and exclusive in their marriage beds—though as a *gens* they are singularly prone to lust—they refrain from cohabitation with foreigners; among themselves, nothing is unlawful (*Separati epulis, discreti cubilibus, proiectissima ad libidinem gens, alienarum concubitu abstinent; inter se nihil illicitum*). Cutting of the genitals they introduced in order to be recognisable by the difference (*Circumcidere genitalia instituerunt ut diversitate noscantur*). Those who go over to their way of life quickly grasp the principle, with which they are indeed thoroughly infected, of despising the gods, disowning their *patria*, and holding in contempt their own parents, children, and brothers (*Transgressi in morem eorum idem usurpant, nec quicquam prius imbuuntur quam contemnere deos, exuere patriam, parentes liberos fratres vilia habere*).

This usually pithy writer here takes the trouble to spell out the consequences of adopting Judaeans laws. Those who do so instantly become as exclusive as other Judaeans—that is, they forsake their own parents, children, and brothers. Surely there is no more basic violation of respectable values.

And now we can see what he is doing with circumcision. Tacitus mischievously makes it a function and a badge of sexual exclusiveness. Stressing that Judaeans are resolutely opposed to sleeping with foreigners but up for anything with each other, he says that they instituted circumcision in order to be identifiable by the difference (*ut diversitate noscantur*)—when naked, obviously. Tacitus's entire section on the Judaeans he finds disgusting therefore consists only of these two symbiotic conditions: exclusiveness and the attraction of foreigners. The force of his claim comes in the governing verb *valuere*: they enjoy their vigour or strength today because of these disgraceful attributes—stealing foreigners from their home loyalties.

So the Judaeans' exclusiveness is not that of the remote, harmless, and admirable *Germani*, because Judaeans are found in every Mediterranean centre. Tacitus mentions nothing here about proselytism, in the sense of seeking "converts." Quite the opposite—he stresses the Judaeans' propensity to keep entirely to themselves. But this aloofness exercises a profound appeal, as they are the only *gens* that keeps itself so fully apart. Exclusiveness has its appeal.

Why bring this up here, in the narrative of Jerusalem's destruction? In trying to describe this people (*gens*) and the mother-*urbs* about to be destroyed, it makes sense that Tacitus would highlight distinctive traits. He does that throughout the section on laws and customs (5.4–5), though most of these differences (from Egyptians) speak well of Judaeans. What clearly offends him is the defection of others to support Judaea. This is directly relevant to Jerusalem's post-Herodian glory, because these people then began making regular contributions of tributes and gifts to them—presumably to the temple.

Greeks and Romans were familiar with devotion (ζῆλος) to *foreign constitutions* or *poleis*, a forgivable tendency if the object were truly worthy of admiration—Sparta rather than Crete, Cilicia, or Egypt—and as long as the attraction was not fanatical enough to cause abandonment of one's own people. Philo and Josephus, though they share the abhorrence of ethnic disloyalty among their own people, harshly criticising any laxity or defection,¹³ are proud

13 E.g., *Judaean War* 7.47–53 (Antiochus of Antioch); *Judaean Antiquities* 5.98 (Joshua warns army not to follow the ways of other *ethnē*); 20.100 (Tiberius Alexander of Alexandria), 143 (Drusilla, sister of Agrippa II), 146 (Polemon, who briefly married Berenice—though she is blamed for the contrivance and dirty motives).

of the magnetism of Judaeon laws among thoughtful foreigners. To them we now turn.

4 Philo (with Celsus and Julian)

Philo has a passage that, so to speak, looks Tacitus in the eye. After explicating the kindness and humanity that Moses's laws enjoin for the treatment of compatriots, his essay *On the Virtues* continues (102):

Having legislated for fellow-members of the *ethnos*, he [Moses] holds that newcomers must be deemed worthy of every privilege, because they have left behind blood-affiliation, homeland, customs, sacred rites and temples of the gods, the gifts and honours too, having undertaken a noble migration [or transfer] from story-like fabrications to the clarity of truth (καὶ τοὺς ἐπηλύτας οἶεται δεῖν προνομίας τῆς πάσης ἀξιοῦσθαι, γενεάν μὲν τὴν ἀφ' αἵματος καὶ πατρίδα καὶ ἔθνη καὶ ἱερὰ καὶ ἀφιδρύματα θεῶν γέρα τε καὶ τιμὰς ἀπολελοιπότας καλὴν δ' ἀποικίαν στείλαμένους τὴν ἀπὸ τῶν μυθικῶν πλασμάτων πρὸς τὴν ἀληθείας ἐνάργειαν) [...] He directs those of the *ethnos* to love the newcomers, not merely as friends and relatives but as their very selves in body and soul: making common cause in the body while in the mind sharing the same sorrows as well as joys, as reckoning the divided parts to be a single living being.

Just as in Tacitus, here we see foreigners abandoning primary *ethnos* loyalties, indeed completely turning their backs on them to join the tightly knit Judaeon *ethnos*. Philo sublimates every element of scandal in *ethnos*-betrayal, however, on the grounds that Judaeans are not merely another *ethnos*, but have unique access to the only truth. In his *Rewards and Punishments* (152), he speaks likewise of the newcomer's having "deserted" (αὐτομολέω) his *ethnos* for God. Desertion is normally and obviously bad, but Philo praises him for it.

On the other hand, Judaeon resistance to mixing with other *ethnē* comes through clearly in *Special Laws* 4.179. Commenting on God's concern for strangers, orphans, and widows, Philo says:

Indeed the whole Judaeon *ethnos* can be spoken of as an orphan when compared with all others everywhere else. For the others, whenever misfortunes swoop down on them from above, have no shortage of help because of their mixing with the other *ethnē* (διὰ τὰς ἐν τοῖς ἔθνεσιν ἐπιμιξίας) who live the same kind of lives as they do. But no one at all comes

together to help the other [i.e., the Judaeans *ethnos*], as it follows the most select laws. These laws are necessarily serious because they “anooint” [athletes for] the highest virtue/prowess. But *serious* means *austere*, and this the great mass of humanity recoils from, on account of its partiality to pleasure.

Philo’s viewpoint mirrors Tacitus, then, from a Judaeans perspective. Like every *ethnos* of the *oikoumenē*, Judaeans expect loyalty to their laws and customs. But since theirs alone are also true, they are prepared to warmly receive foreigners who come over to Jerusalem, as long as there is no mixing or grafting in of foreign ways.

The agreement between Philo and Tacitus reflects a larger common perception. People held different views about it, but they agreed on the phenomenon. A generation after Tacitus, Celsus puts the same issue sharply. He respects Judaeans laws for being ancient and grounded in a famous place (in Origen, *Against Celsus* 5.25). He feels Tacitean indignation, however, at the adoption of Judaeans laws by others, who disgracefully turn traitor against their own peoples (5.41):

Certainly if the Judaeans protect their own law, in accord with these principles, they have no blame. It lies rather with those who have abandoned their own ways, professing those of the Judaeans. If, as though they now prided themselves on wiser understanding, they reject the fellowship of their peers as though they were not as pure [they will find comparable piety among other *ethnē*: no need to join the Judaeans!] [...] Nor is it the least bit probable that they [Judaeans] are in favour with God or are loved more than these other [*ethnē*], or that messengers are sent to them alone, or that they had received some *chōra* [i.e., Judaea] of the blessed. For we can see very well who they are, and what sort of *chōra* they were thought worthy of [post-135]. Let this chorus [of Judaisers] vanish, then, after paying the penalty for their boasting. For they do not know the great God, but have been lured and cheated by Moses’s deceptiveness, and become its student for no good end.

The emperor Julian gets at a similar point (*Against the Galileans* 306b):

I wished to show that the Judaeans agree with the [other] *ethnē*, except in supposing there to be only one God. That is their peculiar thing, alien to us. But all other matters are in common with us: the sanctuaries, sacred spaces, sacrificial altars, purifications, and particular observances—

concerning which we [and the Judaeans] differ from one another either not at all or only trivially.

The Judaeans have a secure place among the *ethnē*, as everyone agrees. In considering their God and laws to be the only valid ones and thus holding themselves apart from others, though Julian does not spell out the consequence, they attract and can rationalise welcoming migrants from other *ethnē*. Spokesmen of other *ethnē* think that this is not cricket. It is not part of the ethnographical playbook.

5 Back to Josephus

It is time to draw these threads together in relation to Josephus's view of Judaeans exclusiveness. Like Philo, he was immersed in Greek *paideia*, literature, rhetoric, and historiography. He closes the *Antiquities* by reflecting on his strenuous efforts to master Greek literature, and *Apion* 1.51 says that only those with Greek *sophia* could make sense of his *Judaean War*. Nevertheless, he rarely misses a chance to make snide remarks about loquacious, lightweight Greeks. He postures from first to last as the spokesman of the Judaeans *ethnos*, the oldest and the best.

It seems to me that Josephus takes a sophisticated approach to the place of Judaeans in the *oikoumenē*. As a baseline, he accepts the ethnographic relativism of “live and let live.” He also understands why Judaeans are criticised for not mingling: because they do not mingle. But this is grounds for accusation only if one assumes that all peoples are governed equally badly, as Plato remarked. Since the Judaeans possess a uniquely sublime and disciplined constitution—like that of the Spartan mirage, only far superior and actually implemented—obviously that *must* be protected. Judaeans cannot join in the worship or undisciplined customs and diets of others.

This does not mean that they are hostile to humanity, however. On the contrary, their benevolence is clear: first in welcoming all foreigners to the public areas of Jerusalem, a trip that many eminent figures have made (even sponsoring sacrifices); and second in the decidedly un-Spartan welcome they extend to foreigners who eventually wish to share their life under Judaeans law.

I begin with a well-known passage from *War*, which has been neglected in relation to this kind of question. But a careful reading suggests that Josephus had already formed his views on this matter by the time of the first work, even though he dealt with it most explicitly in the later ones. The passage is famous because it is often treated, especially by scholars who see the outbreak of war

against Rome as the result of a long build-up, as the popping of the cork when the pressure could no longer be contained: it is the “Judaean declaration of war.” I must quote a generous amount of it, highlighting important lines by supplying the Greek text, to explain my point:

(2.409) Meanwhile in the temple, Eleazar, son of the high priest Ananias, a very bold young man serving as commandant at the time, induced those performing the services of worship to accept no gift or sacrifice from any outsider (ἀναπείθει μηδενὸς ἀλλοτρίου δῶρον ἢ θυσίαν προσδέχεσθαι). And this was a foundation of war against the Romans, for they cast aside the sacrifice on behalf of these [the Romans] and Caesar (τοῦτο δ' ἦν τοῦ πρὸς Ῥωμαίους πολέμου καταβολή· τὴν γὰρ ὑπὲρ τούτων θυσίαν Καίσαρος ἀπέρριψαν). (410) Although both the chief priests and the notables kept appealing to them not to jettison *this custom on behalf of the rulers*, they would not give in [...] for the most vigorous element of the revolutionaries were working with them, and they were looking intently to Eleazar as *their* commandant.

(411) At any rate, when the powerful [men] had come together [...] they began deliberating about the whole situation. [...] (412) First they gave full vent to their anger at the audacity of the rebellion and at their inciting such a great war in the ancestral homeland (τὸ τηλικούτον ἐπισείειν τῇ πατρίδι πόλεμον). Then they turned to refuting utterly the irrationality of the justification, stating that their ancestors had furnished the shrine mostly from the foreigners, always welcoming the gifts from outside *ethnē* (φάμενοι τοὺς μὲν προγόνους αὐτῶν κεκοσμηκέναι τὸν ναὸν ἐκ τῶν ἀλλοφύλων τὸ πλεόν ἀεὶ προσδεχομένους τὰς ἀπὸ τῶν ἔξωθεν ἐθνῶν δωρεάς). (413) And not only had they not prohibited the sacrifices of some, which is the height of impiety; they actually set up the votive offerings [of foreigners] around the temple that can be seen and have remained there such a long time (καὶ οὐ μόνον οὐ διακεκαλυκέναι θυσίας τινῶν, τοῦτο μὲν γὰρ ἀσεβέστατον, ἀλλὰ καὶ τὰ βλεπόμενα καὶ τὰ παραμένοντα τοσοῦτον χρόνον ἀναθήματα περὶ τῷ ἱερῷ καθιδρυκέναι).

(414) But now they were goading the weapons of the Romans and, while courting war from them, were also grafting in [N.B.: the Platonic term] an alien way of worship. Along with the danger, they had voted to condemn the *polis* for impiety—if [people knew that] among the Judaeans alone an outsider could neither sacrifice nor make obeisance (καινοτομεῖν θρησκείαν ξένην καὶ μετὰ τοῦ κινδύνου καταψηφίσασθαι τῆς πόλεως ἀσέβειαν, εἰ παρὰ μόνοις Ἰουδαίοις οὔτε θύσει τις ἀλλότριος οὔτε προσκυνήσει.). [...]

(417) While they were saying these things, they brought forward the priests who were experts in the ancestral traditions, who explained that all their ancestors used to accept the sacrifices from strangers ("Ἀμα ταῦτα λέγοντες παρήγον τοὺς ἐμπείρους τῶν πατρίων ἱερεῖς ἀφηγουμένους, ὅτι πάντες οἱ πρόγονοι τὰς παρὰ τῶν ἀλλογενῶν θυσίας ἀπεδέχοντο). No one among the revolutionaries was paying attention.

I said above that the passage is usually read as the Judaeans' moment of declaring war on Rome, which triggered the revolt of 66 by halting the regular sacrifice for the emperor's welfare. In my view, this is untenable both historically—which is another subject—and as a reading of the passage.¹⁴ The episode brings to a head a narrative in which, after the Jerusalemites' growing frustration with the violent behaviour of Nero's prefect and his auxiliary garrison (locally recruited from among the Judaeans' enemies), and given the impotence of King Agrippa II to fix the situation, one Judaeans faction arms itself for protection against the auxiliary, while a priestly group in the temple decides to cut Jerusalem off from dealings *with foreigners*.

Josephus, writing in hindsight, indeed brings forward the point that banning dedications and sacrifices from and for foreigners also meant stopping the one for the emperor—obviously the most important concern, as it was a crucial symbol of Judaeans loyalty. But both his own wording of the decision itself—"to accept no gift or sacrifice from any outsider"—and the longer part of the response from the elders make it clear that the decision was not to stop the daily sacrifice on the emperor's behalf. The elders are worried about the implications for that sacrifice, but they are no less concerned with the implications for Judaeans relations with foreigners. This move will fundamentally change the temple's longstanding relationship with foreign peoples.

The issue was so important because welcoming foreigners to worship in Jerusalem was the only way in which Jerusalem *could* show itself as open to the world. Judaeans could not worship elsewhere, but King Herod had vastly expanded the Court of Nations on the *temenos* to demonstrate Jerusalem's friendliness, and many eminent foreigners had made obeisance to the Judaeans God there, even sponsoring major sacrifices. Cutting Jerusalem off from foreign gifts and sacrifices would terminate this sole route of contact. Josephus notes the irony: in trying to exclude *xenoi*, the disaffected priests are grafting in a way of worship that is foreign (*xenē*) to Jerusalem's tradition.

14 See Mason, *A History of the Jewish War, A.D. 66–74* (Cambridge: Cambridge University Press, 2016), 276.

A second kind of neglected passage for our theme comes from Josephus's presentation of Judaeen law to his audiences. Surprisingly enough for us, but illustrative of the principle that the hard and uncorrupted life draws admiration, Josephus delights in the unparalleled severity of Judaeen law. Unlike other lawmakers, Moses makes no accommodations for persistent human failure. This is even more remarkable because Josephus charges so confidently in precisely the opposite direction from the Pharisaic-rabbinic tradition, which greatly softened the possible harshness of biblical law.

For example, in *Antiquities* 4.260–64, Josephus elaborates on the biblical law concerning the rebellious son. Deuteronomy 21:18–21 permits a persistently rebellious son to be hauled by his father before the city elders and stoned to death. As Louis Feldman points out in his commentary, the later rabbis qualified the biblical prescription in so many ways as to render it effectively unenforceable (cf. Mishnah, *Sanhedrin* 8.1–4). They exegeted the text to reveal that the provision concerned only boys in a roughly three-month period of pubescence, who had managed to show themselves gluttons and drunkards, which they could do only by boldly consuming others' food in a public place, before many witnesses. Both mother and father had to desire such a boy's death—and both of them had to be perfectly healthy. Even then it was not a simple matter of stoning. The parents had first to beat the boy before three judges, and only if he repeated the same offence (while still in that narrow age-bracket) could they bring him to trial before the court of twenty-three, for capital cases—with the original three judges of the non-capital tribunal also present. The law was honoured, then, but no one was going to be executed in this way.¹⁵ We do not know about common practice before 70, but Josephus—no Pharisee himself—insists that the Pharisees' interpretation of the law held sway, at the insistence of the common people, precisely because it mitigated biblical punishments (*Antiquities* 13.294, 298; 18.17). We can imagine a degree of movement towards the rabbis' qualifications.

Whatever status the law of the rebellious son had in real-life Jerusalem, Josephus not only fails to limit or soften it; he seizes and rides it as a shining example of the Judaeen law's unique, unapologetic, and inexorable severity—an encounter with truth that no other nation could tolerate. In summarising the law itself, he adds much to the Bible by way of a morality play, with the parents making clear what a violation of the moral order has been committed. The child—for Josephus includes both daughters and sons, with no age

15 See Mishnah *Sanhedrin* 8.1–4 and Louis H. Feldman, *Judaean Antiquities 1–4*, vol. 3 of *Flavius Josephus: Translation and Commentary*, ed. Steve Mason (Leiden: Brill, 2000), 431.

restriction—is given a proper chance to repent, but if persistent, faces execution.

This is no aberration. In the *Apion*, where he can choose only a few items to illustrate the *admirable* severity of Judaeen law, which other nations could not bear, he returns to the same example (*Apion* 2.206): “The one who does not fully reciprocate the favours received from them [parents], but falls short in any way (ἀλλ’ εἰς ὅτιοῦν ἐλλείποντα), it [the law] delivers up to be stoned.” This whole work is conditioned by Josephus’s early explanation that Judaeans are not mentioned in works by Greek authors, though they are ancient, because they do not seek the common mixing with others (*Apion* 1.60):

We don’t inhabit a coastal land; nor do we take joy in trade or in the interactions (ταῖς πρὸς ἄλλους διὰ τούτων ἐπιμιξίαις) with others that go with these. [...] (61) If one adds what has been said already about the peculiarity of our way of life (τῆς περὶ τὸν βίον ἡμῶν ιδιότητος), then plainly there was nothing in olden times to make us interact with the Greeks (ποιοῦν ἡμῖν πρὸς τοὺς Ἕλληνας ἐπιμιξίαν).

Proud inaccessibility and lack of contamination are strikingly consistent features of this work.

Josephus reuses the rebellious-son law as part of a rousing celebration of the exclusive toughness of Judaeen law. This section ends (*Apion* 2.214):

In this way he [Moses] took great care to incline us towards reasonable conduct in every respect, by prescribing such laws to be our teachers—and having ordered that those who transgress them be punished without any room for excuse (τοὺς δ’ αὖ κατὰ τῶν παραβαινόντων τιμωρητικούς τάξας ἄνευ προφάσεως). (215) The penalty facing most transgressors is indeed death (Ζημία γὰρ ἐπὶ τοῖς πλείστοις τῶν παραβαινόντων ὁ θάνατος), whether a man commits adultery or rapes a girl [...] The law is inexorable (ὁ νόμος ἀπαράιτητος).

As he moves toward *Apion*’s rousing peroration on the glory and worldwide impact of these laws, Josephus drives home that this unflinching severity is the very thing that makes his people uniquely estimable. At *Apion* 2.228, he says that “our laws impose on us challenges and labours requiring levels of endurance far greater than those attached to the Spartans by popular imagination.” At 2.234, he allows that even the easy things that Judaeans do would be thought intolerable by others: their personal discipline, restricted diet, rejection of indulgence in food or drink or sexual relations, not to mention the rigid calendar

of work and rest days. No other *ethnos* could take this. We get the flavour from *Apion* 2.276–77, right at the work's rhetorical climax:

I'll leave aside for now discussion of the punishments that most lawgivers gave from the start as resolutions for the offenders—legislating money as a penalty for adultery, or marriage for rape. And, if anyone should bother to open an inquiry, they create a wall of excuses to deny anything connected with impiety. Look, today the transgression of laws has with most people become an art form. (277) This is not the case with us! [...] There is no Judaeans, no matter how far removed from his homeland, and no matter how terrified of a harsh despot, who is not more afraid of the law than he is of that fellow.

In Josephus's conceptual world, he is not contrasting Judaeans laws with religions, the language for which did not exist, but with the laws of other *ethnē* and *poleis*. This is clear as he first cites Plato's ideals of legal observance but, recognising that people disregard Plato as a fantasist, then turns to Lysurgus, on the grounds that the Spartans are still universally admired. But, Josephus insists, Judaeans have shown death-defying devotion to extremely severe laws for far longer (two millennia) and more convincingly than Spartans, who frequently gave up (*Apion* 2.220–31). Thus Judaeans alone have realised in practical life the ideal of a whole political community's commitment to a high legal standard (2.221–22).

Not surprisingly, this contrast of Judaeans and Greek polities includes Josephus's most definitive statements about Judaeans interaction with foreigners. First, in the middle of the above discussion of the law's inexorable standard, he comments (*Apion* 2.210): "All those who want to come over and live under our laws he [Moses] welcomes heartily, reckoning that the kinship bond exists not only through ancestry, but also by virtue of the deliberate choice of life, though he did not want those who came by in a casual way to be integrated in [ἀναμίγνυσθαι] our intimate society." After another extended critique of Greek views of the gods (2.236–56), which develops Plato's exclusion of the poets and the prologue to his own *Antiquities*, Josephus claims that Plato imitated Moses in two respects—first, in requiring that all citizens learn and obey their laws, and second: "He took precautions so that it would not be necessary for outsiders to mix randomly with them, but the *politeuma* would be pure for those steadfastly following the laws" (καὶ μὴν καὶ περὶ τοῦ μὴ δεῖν ὡς ἔτυχεν ἐπιμίγνυσθαι τινὰς ἔξωθεν, ἀλλ' εἶναι καθαρὸν τὸ πολίτευμα τῶν ἐμμενόντων τοῖς νόμοις προυνόησεν, *Apion* 2.258).

Josephus readily admits the charge made by Apollonius Molon that Judaeans refuse to admit those with different *doxai* about God and do not seek fellowship with those who follow a different mode of life (2.258). But he is proud of this, on solid Greek principle, for Plato and the Spartans understood this need. He even appeals explicitly to Spartan *ξενιλασία* and their practice of forbidding their own citizens to travel as practices admired by others (2.259). This allows him to favourably contrast Judaeans, who obviously travel widely, are found everywhere, and, “[a]lthough we have no interest at all in emulating the ways of others, we certainly and gladly welcome those who want to share ours. This should be a decisive proof, I reckon, of our humanity along with our magnanimity” (καὶ τοῦτο ἂν εἴη τεκμήριον, οἶμαι, φιλανθρωπίας ἅμα καὶ μεγαλοψυχίας). Magnanimity (μεγαλοψυχία) unites this endpoint of the corpus with Josephus’s explanation of his motives in the prologue to the *Antiquities*: he penned that 20-volume account, he said, as a magnanimous gesture—because so many Greek-speakers in Rome, especially the circle of Epaphroditus, had not ceased urging him to write such a clear account of Judaeian law and custom (*Antiquities* 1.10–12). In short, if the Spartans of old deserve the admiration they still attract in Josephus’s day, and receive a pass for holding themselves apart from others, then real-life Judaeans are infinitely more deserving of both recognition and understanding.

A large part of the closing volume of Josephus’s *Antiquities* (20.17–96) concerns the royal house of Adiabene’s embrace of Judaeian law. I mention it here because—given the way that Josephus makes it the capstone of his work on the glorious Judaeian constitution, the *Antiquities*—the episode may illustrate what he meant when he wrote in the *Apion* about “those who come to live under our laws” with full commitment. That is what this story is about: foreigners who so admire Judaeian law and custom that they abandon the ancestral ways of their own *ethnos* to follow them. It is also the scenario that Philo and Tacitus describe, from their very different perspectives.

In this case, the royal family of a Parthian principality learn Judaeian law through personal contacts. Queen Helena goes to stay in Jerusalem, where she spends vast amounts to relieve a famine in the 40s CE. She establishes a palace there, as do other members of her family, as well as a family mausoleum. Her two sons adopt Judaeian law and send their sons to be educated in Jerusalem. Those young men, in turn, are significant players in the war against Rome. This is a full realignment of one’s life to foreign ways, which incurs the serious danger of assassination by local nobles for treason. The story ends with a reminder that the leading family members would in fact be buried in Jerusalem (20.95–96): this was fully their homeland now, though the laws and customs of

their upbringing could not have been more different. But they did not attempt a merger or a fusion; they simply came to “live under our laws,” with all the hazards and ruptures that entails.

6 Conclusions

It is time to return to our opening question: How is it that Josephus and Philo, so deeply immersed in Graeco-Roman cultural norms, can be so blasé about celebrating Judaeans’ standoffishness? Rather than denying or marginalising it, they fully own it.

In their times, Philo and Josephus looked out on an *oikoumenē* populated by diverse *ethnē*. They accepted the prevailing pluralism, with the assumption that everyone must be loyal to his or her ancestral ways. But the quest for the best form of governance inevitably gave this pluralism a comparative dimension. Learning from other polities was part of the picture, and admiration for the laws of an admirable *polis* was understandable. The Spartans were the clearest example, but Athenians, Persians, Egyptians, Germani, and Indians all had their admirers. Most thinkers accepted that a superior society would need to take measures to prevent contamination. It would need to maintain a sharp boundary between those committed to the discipline of its laws and outsiders—like the many Laconisers—who wanted to hang around and cherry-pick attractive elements.

In the same way that Spartan ξενιλασία could appear antisocial, as Philo and Josephus understood, Judaeans appeared standoffish—because they were. They accepted the fact of ἀμιξία but rejected the interpretation of concomitant misanthropy. Judaeans’ love of humanity was, on the contrary, proven by their willingness (in sharp contrast to Spartan practice) to welcome foreigners who truly resolved to live under their laws. This is not the feared grafting in (καينوτομία) of foreign contamination, but the wholesome grafting in of new branches from other stalks on the solid trunk of Moses’s laws.

A final summary observation is prompted by another neglected passage that is relevant for our question—*War* 2.487–88. Josephus writes about the Judaeans of Alexandria in Egypt:

Now in Alexandria there was ongoing civil strife among the natives towards the Judaeans’ element—ever since Alexander, after he had used very eager Judaeans against the Egyptians, gave as a reward for their alliance the [privilege of] settling in the city on an equal footing with the Greeks. (488) This honour for them endured with the Successors, who

also marked off for them a place of their own, so that they might maintain their regimen more purely with less of the foreigners' intermingling (διέμεινεν δ' αὐτοῖς ἡ τιμὴ καὶ παρὰ τῶν διαδόχων, οἱ καὶ τόπον ἴδιον αὐτοῖς ἀφώρισαν, ὅπως καθαρωτέραν ἔχοιεν τὴν δαίταν ἢ ττον ἐπιμισγομένων τῶν ἄλλοφύλων).

Rather than apologising for Judaeen separateness, Josephus again celebrates it. His point here, as in earlier passages, is that every great and wise ruler has understood Judaeen difference and the need for protection of its *nomoi*.

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