

11 | Rome's Attitude to Jews after the Great Rebellion – Beyond *Raison d'état*?

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According to an influential thesis set out by Martin Goodman in his *Rome and Jerusalem*,¹ Jews and Judaea were treated with extraordinary harshness in the wake of the Great Rebellion. Goodman refers chiefly to Rome's failure to allow the Temple in Jerusalem to be rebuilt and to the imposition, as well as the continuing retention, of the special tax on Jews throughout the empire. This, he argues, amounted to unusual severity that cannot be explained by ordinary considerations of imperial policy. He suggests that this policy resulted from the new Flavian dynasty's need to base its legitimacy on a victory in a foreign war. Since Vespasian was a usurper of humble origins who had seized power through civil war, and thus deficient in legitimacy, he had to present himself as Rome's saviour from a foreign foe in order to legitimize his rule. In order to drive this point home, the Jews had to be presented and treated as dangerous enemies of Rome. This policy, not originating in religious or ethnic hostility, but imposed by the regime's pressing political needs, amounted to a 'war on Judaism' and 'depicting the religion of the Jews as not worthy to exist'. This was to have fateful repercussions for the relations between Jews and the empire, finally resulting in two rebellions with catastrophic results – in the Diaspora under Trajan and in Judaea under Hadrian.

Despite many valid points, I disagree with the thesis. Vespasian enjoyed considerable legitimacy at the beginning of his reign; he did not need to base his legitimacy on a continuous 'war against the Jews'; nothing he did needs to be explained by attributing this motivation to him. Naturally, the new ruler was anxious to cultivate his public image, and the victory in Judaea played an important part in this. This put the Jews in an unenviable position. The Flavian victory was, for them, a catastrophic and traumatic event; its celebration must have been deeply offensive. But there is no reason to assume that Vespasian needed to defend his legitimacy by extraordinary means. His policy towards Jews and Judaea is perfectly susceptible to rational explanation without such an assumption.

Hostility to Jews in the wake of the rebellion,² and perhaps also the political expediency of demonstrating this hostility, cannot of course be ruled out; but there is no reason to attribute decisive importance to this aspect. This applies both to the Jewish tax and to the issue of the Temple. However, what from the Roman viewpoint can easily be accounted for by ordinary considerations of imperial policy must have seemed to many Jews a religious and ethnic insult. This may well have contributed to the final result, as suggested by Goodman.

1 Crisis of Legitimacy?

No doubt, the victory in Judea came in very handy for Vespasian and was used to the full extent in order to enhance the prestige of the new ruler who, indeed, lacked distinguished ancestry. But there is no need to overdramatize Vespasian's deficit of legitimacy at this point, much less to attribute it to his seizure of power in a civil war. The main legitimacy of any victor in a civil war was, surely, the fact that he has extinguished the flames of civil strife and brought internal peace to Rome. Only unsuccessful civil wars are well and truly illegitimate. The inherent illegitimacy of a civil war works, eventually (as had happened with Octavian), in favour of the victor whose victory brings peace; history then tends to be rewritten in order to absolve him of any blame for having started the war in the first place. As regards Vespasian, as we shall see, this task was easy.

For all the undoubted importance of the victory in the Jewish war, it is an exaggeration to present it, as is sometimes done, as the 'foundation myth'³ of Vespasian's principate and the new dynasty. The main foundation myth was different: it is surely reflected in what Suetonius says in the opening sentence of Vespasian's biography:

The empire, which for a long time had been unsettled and, as it were, drifting, through the usurpation and violent death of three emperors, was at last taken in hand and given stability by the Flavian family (*rebellione trium principum et caede incertum diu et quasi vagum imperium suscepit firmavitque tandem gens Flavia*). (*Vesp.* 1.1).⁴

² On Roman attitudes to Jews at that time, see, e.g., Gruen 2002a: 38–9.

³ See, e.g., Barnes 2005: 129; Rives 2005: 156 ('as many scholars have emphasized').

⁴ English translations in this chapter will usually follow the Loeb edition. According to Edmondson 2005: 9, this phrase 'hints at the importance of the suppression of the revolt in Judaea in the official Flavian version of events'. But surely 'taking in hand and stabilizing' the empire means putting an end to its 'drifting' – i.e., civil wars.

Elsewhere (*Vesp.* 8.1), Suetonius says that the state had been ‘tottering and almost overthrown’ (*prope afflicta nutansque*) before Vespasian’s accession. According to Tacitus, the year 69 was ‘nearly the last year of the commonwealth’ (*rei publicae prope supremus*) (*Hist.* 1.11), ‘a period rich in disasters, frightful in its wars, torn by civil strife’ (*Hist.* 1.2). *Res publica* here is obviously without ‘republican’ political connotations. It is the existence of the Roman state that is said to have been threatened – because it was repeatedly torn by civil wars, not, principally, because of the Jewish rebellion.

The Judaeen war could never have been presented as having posed anything like an equal danger to Rome. Even the blatantly exaggerated account of the victory in an inscription on the now-disappeared ‘Arch of Titus’ at the south-east end of the Circus Maximus (erected under Titus) could do no more than falsely claim that Jerusalem had never been conquered, and had mostly been left unmolested, before 70.⁵ Taking such a city and ‘subduing the race of the Jews’, in the words of the inscription, was indeed a glorious victory (of Titus and of his father, the commander-in-chief). But the contest was not one in which the fate of the empire hung in the balance, nor is it described as such. The Jewish enemy had simply not been powerful enough to mark the victor(s) as having ‘saved the state by defeating the Jews’⁶ – whereas Vespasian was definitely presented as having saved it by ending the civil wars.

In fact, according to Josephus’ preface to his *Jewish War*, part of his motivation for writing was that ‘some men’ had published accounts of the war that sought, out of hostility to Jews, to belittle their stature as a (worthy) enemy, thus presenting the victory as less glorious by implication (*BJ* 1.3). Naturally, we cannot be sure that Josephus presents his rivals’ writings fairly.⁷ But this line of argument was only possible because the Jews in Judaea were an enemy that, however one managed the delicate balancing act of disparaging them without belittling the importance of the victory, could not in any case be described as having threatened the existence of the empire.⁸ Thus, they could not provide the victor with a credible claim of having ‘saved’ it from them.

Of course, the military achievement involved was considerable. Taking a major well-fortified city by storm after a prolonged siege made ‘subduing’

⁵ *CIL* 6. 944 = *ILS* 264. ⁶ Goodman 2005: 171.

⁷ Cf. Mason 2005: 258–9. Josephus’ own characterization of the importance of the war, in the opening sentence of his book, is wildly exaggerated.

⁸ Cf. Gruen 2002a: 38 on the Roman feeling of ‘outrage at the idea that this puny and insignificant ethnos’ ventured to challenge the power of Rome.

the Jews an outstanding accomplishment, not merely a matter of suppressing a rebellion in a small province. While the Judaeian triumph was 'an anomaly' in being the only triumph ever celebrated over a provincial population, the war itself was 'a major event in Roman military history, demanding a massive concentration of forces'; the siege of Jerusalem was 'the longest . . . in the whole of the imperial period' and the forces deployed there were 'significantly larger' than those deployed for the invasion of Britain in 43.⁹ Naturally, a victory won by Vespasian and Titus was in any case bound to be presented as a victory in a full-fledged foreign war in order to justify the triumph and other displays of Flavian triumphalism. For the Jews, being advertised as a defeated enemy of Rome was an unenviable position. It is not obvious that to be presented as conquered foreign foes was, in itself, worse than to be portrayed as long-time subjects of the empire who had treacherously rebelled against it.¹⁰ On the other hand, a foreign victory left greater room for advertisement, and the Flavians certainly made the most of it, celebrating and monumentalizing their victory on a grand scale.¹¹

While Vespasian was certainly 'portrayed . . . as warrior hero' due to this victory, his claim to be the 'saviour of the state'¹² could not rest wholly or primarily on it but was sustained mainly by the very factor blamed for his alleged deficit of legitimacy – victory in civil war. The horrors brought by this war extending to Rome and to the Capitol itself were such that the man who had ended them could indeed be credibly presented as Rome's saviour. The emphasis on *aeternitas* in Vespasian's coinage may reflect the existential anxieties generated by these events.¹³ Pliny the Younger, writing under Vespasian, holds that the relief extended by him to the exhausted state (*fessis rebus subveniens*) – obviously, a state exhausted by civil strife – is paving his way to heaven (*NH* 2.18). The greater the calamity preceding Vespasian's advent to power, the greater the glory brought by ending it.

⁹ Millar 2005: 101–2.

¹⁰ Cf. Joseph. *BJ* 2.355–7: Agrippa II, trying to dissuade the populace in Jerusalem from rebelling, argues that while defending one's freedom against foreign conquest deserves respect, a nation that has accepted Roman rule for a long time and then rebels 'is rather a refractory slave than a lover of liberty'. Such sentiments were probably shared by many. This does not mean that in actual practice 'defenders of liberty' first conquered by Rome were treated less harshly. According to Gambash 2013, the opposite was generally true. He notes that Judaea was treated by Vespasian and Titus as a full-fledged foreign enemy, with great harshness, throughout their campaign and in its aftermath, and the victory over it was advertised accordingly. This, according to him, resulted from the fact that Judaea had been wholly lost to Roman control at the beginning of the rebellion, and reconquering it required an all-out war, with massive deployment of military power. See also Gambash, Gitler, and Cotton 2013.

¹¹ See on this Millar 2005. ¹² Goodman 2007: 439. ¹³ Levick 1999: 66.

Thus, there is no reason to portray the Flavians as insecure in their legitimacy and implicitly apologetic – ‘a government seeking to justify the seizure and retention of power by claiming to have defeated a dangerous enemy’.¹⁴ Vespasian’s seizure of power was very probably regarded by many as a major blessing to Rome (not merely presented as such by the regime, which was inevitable in any case). According to Tacitus (*Hist.* 4.3), the senators who voted him the imperial powers were ‘filled with joy and confident hope, for it seemed to them that civil warfare, which, breaking out in Gallic and Spanish provinces, had moved to arms first the Germanies, then Illyricum, and which had traversed Egypt, Judaea, Syria, and all provinces and armies, was now at an end, as if the expiation of the whole world had been completed’. Josephus attributes a similar attitude to the people: ‘The people, too, exhausted by civil disorders, were still more eager for his [Vespasian’s] coming, expecting now at last to obtain permanent release from their miseries, and confident that security and prosperity would again be theirs’ (*BJ* 7.66).

Josephus is no doubt echoing Flavian propaganda. But this only goes to show that, far from trying to ‘disguise the unpalatable truth of the civil strife’ which had brought Vespasian to power,¹⁵ this propaganda was using this fact in order to glorify the new emperor. And indeed, it is not difficult to believe there was a widespread feeling of relief, with high hopes pinned on someone whose victory had brought peace – a man who, for all his lack of distinguished ancestry, was a victorious military commander, with two adult sons holding out a hope for uncontested hereditary succession.¹⁶

Moreover, unlike others who could claim credit for extinguishing a civil war (including Octavian), Vespasian bore no blame for having fomented it in the first place. He had stepped in only at a late stage, under Vitellius – an unpopular ruler and a usurper in his own right, who inspired little confidence in future stability. At any rate, it was easy to portray Vitellius in this light retrospectively. The man who could be plausibly blamed for burning down the temple of Jupiter on the Capitol (‘the saddest and most shameful crime the Roman state had suffered since its foundation’, Tac. *Hist.* 3.72) was an easy target.

¹⁴ Goodman 2007: 463. The context is Domitian’s rule. The alleged deficit of legitimacy extended, allegedly, to the third representative of the dynasty; this is unlikely in itself. Similarly, Overman 2002: 216.

¹⁵ Goodman 2005: 171.

¹⁶ Cf. Levick 1999: 92 (on Vespasian’s demeanour at the outset of his reign): ‘This was a confident man, and one with a good conscience’.

Furthermore, Rome's second dynasty was not haunted by the ghost of the first one. The latter had safely vanished without a remnant, its prestige tarnished by Nero's tyranny (and the collapse of the Augustan peace following it) – though Vespasian had not been disloyal even to Nero.¹⁷

Unlike the 'usurpation', Vespasian's modest pedigree was, indeed, a handicap. However, his legitimacy was amply enhanced by sundry omens, prophesies and miracles for which the Orient provided wide scope but which included also earlier events interpreted *ex eventu*.¹⁸ This clearly demonstrated that Vespasian had come to power by divine favour – something that in any case could be taken, in Roman terms, as implied by the victory itself: *victrix causa deis placuit*.¹⁹ Having related these things, Suetonius (*Vesp.* 7.2) notes that Vespasian still lacked *auctoritas* and *maiestas*; however, 'these also he obtained' (*haec quoque accessit*); he then relates how Vespasian healed a blind man and a lame one in public in Alexandria.²⁰ By the time he returned to Rome, Vespasian is described as being at the height of his power and glory: *talis tantaque fama in urbem reversus* (8.1).

Naturally, the new ruler took care to enhance his *auctoritas* and *maiestas* still further; Suetonius proceeds to mention the triumph of *de Iudaeis* and Vespasian's eight consulships. But it is highly unlikely that Vespasian felt that he was facing a 'crisis of legitimacy upon [his] accession'.²¹

Although his rule was duly confirmed by a *senatus consultum* and a subsequent *lex*, Vespasian's decision to make July 1, the date of his military proclamation in Egypt, his *dies imperii* shows him unembarrassed by the legions' role in his advent to power. His two sons were, and were presented as, a guarantee of dynastic continuity and stability,²² an important element of legitimacy after the experience of the civil war.

Finally, Vespasian 'never tried to conceal his former lowly condition, but often even paraded it. When certain men tried to trace the Flavian family's origins to the founders of Reate and a companion of Hercules . . . he laughed at them for their pains' (Suet. *Vesp.* 12). Nevertheless, lack of noble ancestry was, no doubt, felt to call for *auctoritas*-enhancing measures such as Vespasian's accumulation of ordinary consulships and imperial

¹⁷ Cf. Tac. *Hist.* 2.76 (Mucianus is urging Vespasian to allow the armies of the East to proclaim him Emperor).

¹⁸ See on this Levick 1999: 67–70. ¹⁹ Luc. 1.128; cf. Dio, *Epitome* 63.13.1.

²⁰ Cf. Tac. *Hist.* 4.81. ²¹ Thus Vasta 2007: 136.

²² See, e.g., Plin. *NH* 2.18; Joseph. 7.73; Tac. *Hist.* 2.77; 4.8; 4.52; Suet. *Vesp.* 25.1; Dio 66.12.1.

salutations and the assumption of censorship – as well as, probably, putting an even greater emphasis on the Judaeian victory. But there is no indication that this deficiency produced a ‘crisis of legitimacy’.

Admittedly, the borderline between a ‘crisis of legitimacy’ and a simple need to cultivate the new emperor’s prestige energetically can be blurred. This is a matter of degree. Millar, for example, describes Vespasian’s standing in terms that are somewhere between those two poles: ‘As a first-generation senator, Vespasian had no inherited social prestige to draw on, and immediate steps needed to be taken to enhance the public standing of the new Flavian dynasty.’²³ This urgent need explains, according to Millar, the intensity with which the victory in Judaea was celebrated in monuments through the city; note that he speaks of a weakness caused by Vespasian’s modest descent, not his ‘usurpation’.

It is thus an exaggeration to say that, in Vespasian’s case, ‘the glory of a foreign victory was used, as earlier in Roman history [Octavian is obviously meant; we shall return to him presently – A. Y.] both to justify seizure of political power and to disguise the unpalatable truth of the civil strife through which it had been won’.²⁴ Rather than the foreign victory’s being used to disguise the origins of Vespasian’s principate, the two achievements, external and internal, were celebrated together. The Flavian triumphalism and the rhetoric of peace were sending a double message to the public. One triumphed, naturally, over foreign enemies – not over fellow citizens; but internal peace (resulting from the not-to-be-openly-celebrated victory over Roman citizens) was even more important – Vespasian’s main claim to have ‘saved the state’. The *pax* celebrated by him comprised both aspects. Vespasian was following Octavian’s footsteps: Octavian’s triple triumph in 29 BCE celebrated, officially, three foreign victories, two of them over Cleopatra (Actium and the conquest of Egypt); but Augustus’ main achievement was the peace he brought to the Roman world by ending civil strife.

The prominence given to *pax* under Vespasian,²⁵ therefore, should not be interpreted exclusively, or mainly, as an allusion to the Judaeian victory – still less as a sign that he was waging a ‘war on Judaism’. According to Goodman, following the Judaeian triumph during which ‘a copy of Jewish Law’ was displayed as part of the spoils, it became clear that ‘this war on Judaism was not to be only a temporary feature of Flavian propaganda’; this is reflected in the regime’s building projects, starting with the *Templum*

²³ Millar 2005: 102. ²⁴ Goodman 2005: 171.

²⁵ On the different aspects of this prominence, including coins, monuments and inscriptions, see Noreña 2003: 27–35.

Pacis.²⁶ But although the spoils from the Jerusalem Temple, including the famous candelabrum, were indeed displayed there (alongside other masterpieces of painting and sculpture from all over the empire),²⁷ the peace celebrated by the *Templum Pacis* was surely much more than the victory in Judaea.²⁸ According to Millar, the intended message of the speedy construction of the *Templum* was the reestablishment of peace – generally, after a period of civil war, and specifically in Judaea.²⁹

Moreover, the Roman peace had been challenged by foreigners and restored not just in Judaea. Certainly, Judaea provided the new dynasty with the most dramatic ‘peace-bringing’ external victory, with which Vespasian and Titus were personally identified. But the external aspect of the peace for which the regime claimed credit, in the *Templum Pacis* and generally, was surely much wider than the peace secured by that victory. It must have been the universal peace dramatically symbolized by the extraordinary step, taken by Vespasian, of closing the temple of Janus;³⁰ something to be done, according to Augustus in *Res Gestae* (13), when ‘peace had been secured by victories throughout the Roman empire by land and sea’.³¹ In his account of 68 BCE, Tacitus described Rome’s foreign and domestic tribulations together, as part of the same grim picture:

Four emperors fell by the sword; there were three civil wars, more foreign wars, and often both at the same time. There was success in the East, misfortune in the West. Illyricum was disturbed, the Gallic provinces wavering, Britain subdued and immediately let go. The Sarmatae and Suebi rose against us; the Dacians won fame by defeats inflicted and suffered; even the Parthians were almost roused to arms through the trickery of a pretended Nero. (*Hist.* 1.2)

²⁶ Goodman 2007: 453. ²⁷ Plin. *NH* 34.84; Joseph. *BJ* 7.159–62.

²⁸ Noreña holds that the peace proclaimed by the *Templum Pacis* was ‘military’ – the victory in Judaea and, generally, ‘pacification of foreign peoples’ and Roman military power, rather than ‘civilian’: ‘Vespasian would not have chosen to memorialize the domestic peace that followed the civil war of 68–9, since this would only serve as a permanent reminder of the civil violence that had enabled his ascent to the throne . . . A civil war monument had no place in Vespasianic Rome’ (Noreña 2003: 35). But surely the *Templum* was a monument to civil peace, not to civil war.

²⁹ Millar 2005: 109; cf. 112; similarly, Levick 1999: 126 (‘a declaration of normality restored after the civil wars’). On the date of the inauguration see Dio 65.15.1–2. On the wider imperial, ‘foreign’ significance of the message conveyed by the *Templum* and its exhibits, not confined to the victory in Judaea, see Levick 1999: 127; Vasta 2007: 127.

³⁰ Orosius 7.3.7–8, citing Tacitus.

³¹ Cf. Woolf 1993b: 177: while both Augustus and Vespasian made foreign victories ‘the ostensible occasion for promoting the cult of *pax*’, including the closing of the temple of Janus, ‘the evocation of civil harmony seems an inescapable sub-text’.

The rebellion led by the Batavian auxiliary commander Iulius Civilis, which came to involve Germanic and Gallic tribes in an attempt to set up a 'Gallic Empire', took heavy effort and massive forces to suppress at the beginning of Vespasian's reign.³² The *Templum Pacis* was surely meant to celebrate the peace throughout the empire, in both its aspects, external and internal.

Moreover, there was a clear connection between the two: foreign enemies were encouraged to challenge the empire because of Roman civil strife. In Tacitus' words (referring to the rebellion led by Civilis), 'nothing had encouraged [the Gauls] to believe that the end of our rule was at hand than the burning of the Capitol . . . Now [according to Druids] this fatal conflagration has given proof from heaven of the divine wrath and presages the passage of the sovereignty of the world to the peoples beyond the Alps' (*Hist.* 4.54).³³ This view (reflecting, at any rate, the Rome perception) helps explain how the civil war could be presented as a threat to the very survival of the empire – more so, certainly, than any threat originating in Judaea.

That a victory in civil war could be celebrated implicitly, under the pretext of an external victory, is attested by Tacitus for the beginning of Vespasian's reign, when senators 'gave Mucianus the insignia of a triumph, in reality for civil war, although his expedition against the Sarmatae was made the pretext' (*Hist.* 4.4). Celebrating the victory in Judaea was, of course, of great importance in itself, rather than merely a pretext for something else. Nevertheless, Josephus attests that the Judaeian triumph itself was widely regarded as signifying much more than the victory to which it was officially dedicated:

The city of Rome kept festival that day for her victory in the campaign against her enemies, for the termination of her civil dissensions, and for the dawning hopes of her felicity. (*BJ* 7.157)³⁴

All this is not to minimize the obvious importance of the victory in Judaea in the regime's self-presentation. However, making extensive political use of a foreign victory did not have to result in long-term official demonization of the vanquished, dictating the policy towards them. This did not happen after Actium, for all the allegedly fateful character of the confrontation, the virulence of anti-Egyptian propaganda that

³² Levick 1999: 107–13. ³³ Cf. Tac. *Hist.* 4. 57.1; Joseph. *BJ* 7.77–9.

³⁴ The triumphal procession itself had a wider imperial aspect and celebrated, according to Josephus, 'the magnitude of the Roman Empire' by parading its riches, 'the wonderful and precious productions of various nations' (*BJ* 7.133, see 132–7 for a detailed account); cf. Beard 2003: 551–2.

accompanied it, and its ideological importance for the Augustan principate. The Judaeian war was no match for Actium and Cleopatra's alleged schemes to put herself, with Mark Anthony's help, in a position of rendering judgement on the Capitol. Nevertheless, already a few years after Actium, Cleopatra herself could be treated (by Horace, *Carm.* 1.37, while recalling her alleged threat to the Capitol) with a degree of respect: once no longer an active and dangerous foe, she could be given credit for dying bravely, with dignity.³⁵ Here, admittedly, one can point to the difference between Vespasian's modest pedigree and that of Caesar's (adopted) son: Vespasian, it can be argued, had a greater need to exploit a foreign victory, even if it was a more modest one. However, neither the Jewish tax nor the failure to have the Temple rebuilt need to be accounted for in the way suggested by Goodman.

2 The Jewish Tax – Imposed by Propaganda Needs?

As for the tax imposed on Jews throughout the empire – this was indeed an extraordinary step in Roman terms. However, it was clearly inspired by extraordinary circumstances, and these must have been (mainly) financial rather than propagandistic. It should be viewed above all as a measure aimed at increasing state revenue at a time when this was urgently needed. The finances of the empire had been devastated by the civil wars (following Nero's extravagance); it was widely recognized that extraordinary steps needed to be taken to remedy the situation.³⁶ Vespasian was notoriously inventive in devising new sources of revenue, above all new and increased taxes (including the famous *pecunia non olet* one). 'Not content with reviving the imposts which had been repealed under Galba, he added new and heavy burdens, increasing the amount of tribute paid by the provinces, in some cases actually doubling it' (Suet. *Vesp.* 16.1);³⁷ 'he declared at the beginning of his reign that a huge sum [forty billion sesterces; though the manuscript is often amended to make the sum less astronomical] was needed to put the state on its feet financially' (*ut res publica stare posset*). Suetonius assumes that Vespasian's notorious unscrupulousness in financial matters was largely involuntary: he was 'driven by necessity to raise money by spoliation and robbery because of the desperate state of the *aerarium* and the *fiscus*' (16.3). It was one of the great

³⁵ Cf. Goodman 2007: 463 (comparing the Flavian dynasty's attitude to Jews unfavorably to the Augustan precedent).

³⁶ See Levick 1999: 95–106 on Vespasian's policies that ensured the 'financial survival' (the chapter's title) of the state.

³⁷ Cf. Dio 65, 8.3–4. *Pecunia non olet*: Suet. *Vesp.* 23.3; Dio 65.14.5.

achievements of his reign that he restored the state to financial health – while carrying out an extensive building programme that included, as a matter of priority, the restoration of the Capitol. But this achievement came at a high price. Part of the price, unsurprisingly in the circumstances, had to be paid by the Jews. This, surely, is the context in which the Jewish tax should be examined. Any additional motivation, while it cannot be ruled out, must have been secondary.

Imposing a tax on a non-territorial ethnic or religious group was, admittedly, unexampled in Roman practice. But from Vespasian's (far from disinterested) viewpoint, this tax had already existed, in a way – in the form of the voluntary contribution paid by Jews to the Temple in Jerusalem. It was now 'diverted' to the Capitoline Jupiter (as the testimony of Josephus and Dio is usually understood)³⁸ in a greatly aggravated form – the aggravation being perfectly in the spirit of the times. From Vespasian's perspective, the choice was between diverting these sums to Roman uses or allowing the Jews to keep their money and, in that sense, benefit from the war. The latter option must have looked singularly unattractive to him. The question is, needless to say, not one of fairness – of which there was obviously very little in these proceedings – but of motivation.

All this is not to argue that there could not have been an element of deliberate humiliation there – especially if the tax was indeed earmarked for the temple of Jupiter. Appearing to share a widespread prejudice against an unpopular group is something that a ruler might occasionally find useful without any crisis of legitimacy forcing his hand. But there is no need to assume that the desire to humiliate the Jews, and the political need to be perceived as humiliating them, was the main motive for imposing the tax – or for retaining it later on. Once a tax is imposed, whatever the original reason for this, and starts yielding very considerable sums (as was clearly the case with the Jewish tax),³⁹ it is unfortunately the rule that it will not be abolished unless there are very strong reasons for doing so. The Jews were never in a position to provide the Roman government with a good enough reason to give up the revenue produced by the Jewish tax. Its retention under Domitian does not show that the dynasty still felt, under its third

³⁸ Joseph. 4.218; Dio 65.7.2. Gambash argues that there is no certainty that the Jewish tax was used to finance the building of the new Capitoline shrine; there is a 'plausible possibility' that the money went to the Capitol in the sense of 'one of the branches of the *aerarium* [thought to have been situated on the *mons Capitolinus*]' (Gambash 2013: 191–2).

³⁹ See Levick 1999: 101. The suggested figure of 5 to 6 per cent of Rome's annual revenue is based on very uncertain estimates, both of the overall state revenue and of the Jewish population of the empire.

emperor, a need to defend its legitimacy by appearing to wage an incessant 'war on Judaism' and the Jews.

It is true that, as Goodman points out, Domitian, at the start of his reign and before he had accumulated his own triumphs, triumphal arches and imperial salutations, lacked, and doubtless envied, his father's and elder brother's military prestige. The fact that he 'was still in 85 issuing coins with the caption *IUDAEA CAPTA*' may indeed be attributed to his desire to partake in the glory of that victory; but this is not tantamount to feeling the need 'to justify his rule' by ostentatious hostility to Jews.⁴⁰ It is far more probable that he regarded the Jewish tax as an important source of revenue which he, so far from giving it up, was determined to exploit to the full. The harshness with which the tax was exacted under Domitian, vividly attested by Suetonius, was not out of tune with the general character of his rule,⁴¹ and with the financial difficulties he faced. The context in which Suetonius mentions this harshness is the financial straits to which Domitian 'was reduced by the cost of his buildings and shows, as well as by the additions which he had made to the pay of the soldiers'; faced with this, he resorted to 'every kind of robbery' (*Dom.* 12). It is, admittedly, likely that his task, in the case of the Jewish tax, was made easier by the fact that an unpopular minority was targeted; the same applies to the original imposition of the tax.

There seems to be no good reason to think that, as Goodman suggests, the tax was abolished by Nerva and reimposed by Trajan. It seems more likely that the phrase *fisci Iudaici calumnia sublata*,⁴² inscribed on a coin issued under Nerva, refers not to an abolition of the tax but to putting an end to harsh investigations of people suspected (often unjustly, hence *calumnia*) of evading it. This was presumably more worth taking credit for, before the general public, than any measure of relief benefiting the Jews;⁴³ all the more so if one assumes that Jews had been relentlessly demonized as dangerous enemies of Rome, but also on general grounds.

⁴⁰ Goodman 2007: 466–7. On the Flavian *IUDAEA CAPTA* coins, see Cody 2003: 105–13. See also Lopez (in print). Lopez argues that the *IUDAEA CAPTA* coins, and various other aspects of Flavian policy that he examines (including the Jewish tax, the celebration of the victory, the treatment of the Temple and the general policy in Judaea following the rebellion), denoted no special hostility to Jews.

⁴¹ Cf. Overman 2002: 218: 'Domitian's own attitude toward the Jews appears to have developed a sharper edge than existed during the reign of his father or brother'. A 'sharper edge' characterized Domitian's reign on more than one issue.

⁴² *BMCRE* 3. 15 no. 88, 17 no. 98, 19 nos. 105–6. The testimony of Dio 68.1.2 according to which Nerva did not permit 'to accuse anybody of *asebeia* or of a Jewish way of life' is often cited in this context, on the assumption that Nerva's liberalization benefitted people of non-Jewish origin, and could thus be expected to be popular with the wider public.

⁴³ Cf. Cotton and Eck 2005: 45–6.

If one assumes that Trajan did reimpose the tax, it seems very unlikely that his main reason for this would have been, as Goodman suggests, that his father had been a legionary commander in Judaea. The main reason would have been, presumably, that Trajan had grand plans of his own and needed a lot of money. Reimposing a tax abolished by Trajan's deified adoptive father (bringing back the *calumnia* he had taken pride in abolishing) would have been a drastic step. In the absence of positive evidence that it was taken, it is safer to assume that it never was than to postulate an abolition (on the strength of an inconclusive piece of evidence)⁴⁴ and a subsequent unattested reimposition. But assuming that it was taken because Trajan was pursuing a vendetta against Jews inherited from his father is even more difficult than attributing it to pressing fiscal necessity.

Coming back to Vespasian, my colleague Gil Gambash has suggested to me that the Romans may have viewed the tax as a war indemnity of sorts, since the money collected from abroad must have been used to finance the rebellion. Of course, this was not an indemnity in any precise sense, for there was no claim that Jews in the Diaspora were guilty of anything. But Josephus makes Titus tell the Jews in Jerusalem, while enumerating the advantages of Roman rule (in order to stress the Jewish ungratefulness):

And, as our greatest [favour], we permitted you to exact tribute to God and to collect offerings, without admonishing or hindering those who brought them – only that you might grow richer at our expense and prepare with our money to attack us! And then . . . you turned your superabundance against the donors, and like untameable serpents spat your venom upon those who caressed you. (*BJ* 6.335–6)⁴⁵

The claim that the money was a Roman 'donation' is, naturally, a rhetorical exaggeration; but from the Roman viewpoint, allowing it to be collected throughout the empire and sent to Jerusalem appears to have been a special privilege, not something merely technical or to be taken for granted. We know already from Cicero's *Pro Flacco* (28.67–9) that some took strong exception to it. From this viewpoint (coloured, no doubt, by the pressing need for money) it might have seemed reasonable that if Roman kindness had been abused in this way, Rome would help itself to this money from now on, even if the Diaspora contributors were not guilty of anything.

⁴⁴ This is acknowledged by Goodman in Goodman 2005: 176: 'the precise import of the legend . . . is debated and debatable'.

⁴⁵ Cf. Tac. *Hist.* 5.8.1; 5.5.1 on the *immensa opulentia* of the Temple in Jerusalem and massive foreign contributions to it (referring to converts), mentioned with resentment.

3 The Temple in Jerusalem: Different Perspectives

It has been pointed out that the imposition of the Jewish tax implied a decision that the Temple in Jerusalem would not be rebuilt – or at least that it would not be allowed to enjoy its former status;⁴⁶ clearly, the tax created a strong financial disincentive for any such restoration. But the main thing about the Temple, from the Roman viewpoint, was, surely, that it had served as a military fortress during the rebellion, and in many ways as its epicentre;⁴⁷ that it had to be taken by storm; that its treasures must have financed the rebellion; and that, if rebuilt, it would again draw huge numbers of Jewish pilgrims into Jerusalem during especially sensitive periods. If considered by Roman authorities at all, the idea of rebuilding it must have seemed risky and unattractive.

Beyond direct considerations of public order, Romans were probably aware that Jewish rebels were influenced by ‘hopes and memories which centred upon the Temple’ which they viewed as ‘God’s House, that is, the palace of a supreme Jewish monarch who in no way could be considered a vassal to Rome’.⁴⁸ At this point, admittedly, the distinction between religion and politics becomes blurred. But even if the Flavians can be described as acting, in this matter, with the aim of neutralizing a certain aspect of the Jewish religion that had proved politically dangerous, it is still an exaggeration to say that they waged (or postured as waging) a war against Judaism. It was well known that the religious practices of the Jews were by no means confined to the Temple cult.⁴⁹

⁴⁶ Rives 2005: 152–3.

⁴⁷ ‘The Jewish Temple and its priests were inseparable from the revolt from the very onset of hostilities’ – Gambash 2013: 186; cf. *ibid.* 184–7 on the destruction of the Temple as part of taking the city and the Temple by storm, compared with usual Roman practice. Josephus’ claims that Titus tried to spare the Temple (*BJ* 6.241; 254–66) have been disbelieved by many. They do not prove that this was what actually happened, or the Flavian ‘official version’ of the events (cf. Barnes 2005: 144; Rives 2005: 145–50), although Josephus claims that Titus ‘personally put his own stamp on my volumes and bade me publish them’ – *Vit.* 363). They do, however, sit oddly with any claim that the Flavians waged an open war on Judaism and based their legitimacy on it; cf. note 56 and text.

⁴⁸ Schwartz 2005: 66.

⁴⁹ Cf. Rives 2005, contrasting the permanent suppression of the Temple cult with Vespasian’s toleration of other aspects of ‘what we would identify as Jewish religion’ (165). Rives suggests that beyond considerations of public order and forestalling rebellion, the Temple cult had, in Vespasian’s eyes, proven dangerous because it had made Diaspora Jewry ‘to some extent a shadow *civitas*’, identifying primarily with Jerusalem and its cult rather than with the city where they lived and with Rome (163). If Vespasian thought that suppressing the Temple cult would remove an obstacle to ‘the integration of Jews into the empire’, the Jewish tax had, naturally, the opposite effect, as Rives notes (165). It is probably safer to assume that more mundane considerations of money, public order and security were dominant.

According to Goodman,⁵⁰ there were less hurtful ways of coping with the threat of unrest posed by the Jewish Temple: 'It would be understandable if the Romans took greater care than they had before 66 to prevent the crowds at the great pilgrim festivals in Jerusalem getting out of hand, but that precaution would hardly require the Temple site to be left altogether in ruins. Treatment so harsh and unusual must have another explanation.'

But should it surprise us that Roman attitudes and policies on such matters did not correspond to modern notions of proportionality? And, moreover, how unusual and exceptional was Rome's conduct in this case? This, obviously, is a crucial element of Goodman's thesis:

In the context of normal practice in the Roman Empire, the Jews' hopes [to see the Temple rebuilt] should not have been idle. Temples burned down through accident quite frequently in the ancient world. Romans took for granted that the obvious response was to rebuild. The great temple of Jupiter Capitolinus in Rome was burned down during the civil strife between Vespasian's supporters and those of Vitellius in 69; ... the first step towards the temple's restoration, took place on 21 June 70. But the Roman state was not to allow the Jerusalem Temple to be rebuilt in the same way, a refusal which may reasonably be seen as a major cause of the sixty-five years of conflict to come. It is worthwhile to emphasise the enormity of this refusal in the context of ancient religious practice, and the extent to which it revealed a special prejudice against the Jews.⁵¹

But one would have wished to find a closer parallel than Rome's decision to rebuild the temple of Jupiter on the Capitolium. How many examples do we have, in Roman history, and specifically in the decades preceding the Judaeen rebellion, of a major enemy city taken by storm after a prolonged siege and sacked, and a major temple therein destroyed after it, too, had to be taken by storm, and then restored, within a short period of time, with Rome's permission? I cannot think of such an example.

All this does not mean that animosity to Jews – out of ethnic and religious prejudice, sheer vindictiveness, or the propagandistic needs of the regime – played no part in Roman policies towards Jews and Judaea under Vespasian and his successors. But there is no reason to assume that Roman policy was driven primarily by such feelings, or the political need to demonstrate them, rather than by conventional imperial policy considerations. These were indeed harsh, but not necessarily unusual.

⁵⁰ Goodman 2007: 464. ⁵¹ Goodman 2007: 449.

This paper deals with the Roman perspective, not the Jewish one, but I would like to round it up with two observations on the latter. Firstly, what for the Roman state was perfectly rational imperial policy may well have been regarded by many Jews in the light suggested by Goodman. The Jewish tax was oppressive and offensive. If indeed it was earmarked for the temple of Jupiter, it must have been widely regarded by Jews as a religious insult.

In other respects, it should be stressed, Vespasian's policy towards Jewish religion was tolerant. It is surely an overstatement to say, that '[Vespasian and] Titus set about depicting the religion of the Jews as not worthy to exist'.⁵² Nothing was done against Jewish religious observance in matters unconnected with the Temple. As Goodman notes, 'The only special and different aspect of Roman attitudes to Judaism compared to other provincial religions was the destruction of the Jerusalem Temple'.⁵³ The continued existence of Jews practicing their religion, freely and under state protection, throughout the empire, was conspicuous and well known enough to make any posture of treating Judaism as 'unworthy to exist', on the regime's part, quite meaningless. The Flavian patronage extended to Josephus and his writings, though its scope and Josephus' standing in Flavian Rome are debated,⁵⁴ seems hardly compatible with any consistent official posture of implacable hostility to Jews and Judaism. For all his Roman and Flavian loyalty, Josephus, in all his writings, is certainly a proud Jew.⁵⁵ 'His entire literary output was predicated on the indestruct-

⁵² Goodman 2007: 439.

⁵³ Goodman 2007: 459. The closing of the Jewish temple in Leontopolis in Egypt was, like the Temple itself, an affair of local significance. It was provoked by the attempt of a group of *sicarii* who had escaped from Judaea to stir up trouble among the Jews in Alexandria; some of them had escaped 'into Egypt and the Egyptian Thebes' (Joseph. *BJ* 417). On receiving the report, Vespasian, 'suspicious of the interminable tendency of the Jews to revolution, and that they might again collect together in force and draw others away with them', ordered the Temple closed. The Roman reaction was certainly heavy-handed, and demonstrates Vespasian's unwillingness 'to take . . . chances in allowing the revived Jewish temple cult' (anywhere) – Rives 2005: 154. But it was not an act of 'war on Judaism' in general.

⁵⁴ See, e.g., Cotton and Eck 2005 for a minimalistic view; contra, Bowersock 2005. Josephus' history of the war has often been described as 'Flavian propaganda' (see Barnes 2005: 142 with references; cf. Beard 2003: 556), though this may well be exaggerated; see next note.

⁵⁵ According to Goodman 2005: 172–3, 'Josephus' brave defence of his people's history and customs in the *Antiquitates* . . . was produced in direct contradiction to the anti-Jewish ethos of the Flavian regime, but he also attests quite clearly the exceptional favour showered upon him by all three Flavian emperors (*Vit.* 425, 428–9)'. But Josephus would hardly be brave enough to write in direct contradiction to the ethos of the regime (as opposed to societal prejudice) on a matter that was, supposedly, of crucial importance to its very legitimacy, nor is it likely that Domitian's favours would have been showered upon someone as brave as this. Josephus' role as

ible value of Judaism'.⁵⁶ A comparison such as with 'the plight of the Jews in the early years of the Third Reich'⁵⁷ is out of place: there could have been no Flavius Josephus there.

For all that, Goodman may well be right to argue that in the first decades after the destruction of the Temple, the kind of post-Temple Judaism that was destined to develop was yet to emerge. Many must have hoped for a speedy restoration of the Temple, and were bitterly disappointed when this did not happen. Moreover, the very significance of the fact that the Temple was destroyed and lay in ruins, was, whatever the Romans' motives, much graver for the Jews than the case of a single sanctuary – one of many – being destroyed, and left unrestored, for other peoples of the empire.

On the other hand, it is worth noting that Vespasian is treated in the Jewish tradition with surprising leniency for someone who allegedly launched a war on Judaism and treated it as 'not worthy to exist'. Titus, the destroyer of the Temple, is naturally demonized, and so would be Hadrian. The non-demonization of Vespasian is surprising enough for someone who was, at any rate, an enemy, and that in a war that ended in the destruction of Jerusalem and the Temple. On the assumption that he then also, beyond imposing an oppressive tax in the aftermath of the suppression of the rebellion, waged what was perceived as a systematic war on Judaism, this non-demonization becomes very difficult to explain. Jewish tradition generally does not suffer from amnesia in such cases.

a 'prophet' of Vespasian's rise (Goodman 2005: 173) helps explain his special status but would hardly have allowed him to challenge the regime's 'ethos'.

⁵⁶ Rajak 2005: 83.

⁵⁷ Goodman 2005: 172. He notes that hostility, in the case of the Flavians, was not strictly racial and could be avoided by apostasy, citing the case of Tiberius Iulius Alexander.