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Administrative Development in the Kingdoms and Principalities of the Near East under the Aegis of Rome

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Abstract

This thesis examines the administrative impact of dynastic rule in the Roman Near East. It compares administrative practice under kings and princes with the provincial administration that eventually followed. By contrasting these two manifestations of Roman imperialism, it conceptualises dynastic rule as a distinct form of governance and evaluates its role within the context of Roman imperialism in the East.

Previous scholarship has maintained that dynastic rule was an intermediate stage in the development of Roman provincial territory. According to this interpretation, kings and princes, either consciously or unconsciously, were maintained in order to affect particular changes on the territories under their control, making them more suitable for direct rule. This study provides a critical evaluation of this influential perspective.

The thesis thus consciously moves away from the study of kings and princes and focuses on the study of kingdoms and principalities. Each chapter deals with a different administrative activity essential to governance in the Roman world – political organisation, arbitration and enforcement, and taxation – and first considers practices under kings and princes before contrasting these with the provincial administration that followed. The study concludes that dynastic rule was, by its very nature, heterogeneous; kingdoms and principalities were organised and governed in a variety of different ways. By highlighting the contrasts between different kingdoms and principalities, on the one hand, and between dynastic and provincial rule, on the other, this thesis demonstrates that no single process of development can encapsulate the history of kingdoms and principalities in the Near East.

Administrative Development in the Kingdoms and Principalities of the Near East under the Aegis of Rome

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A thesis submitted for the qualification of Doctor of Philosophy

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Durham University

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Table of Contents

List of Abbreviations

References to classical authors follow the system described in the *OCD*. Other abbreviations are listed below:

AAES	Prentice, W. K. (1908) *Publications of an American Archaeological Expedition to Syria in 1899-1900. Greek and Latin Inscriptions*, New York, NY
AE	*L'Année Épigraphique*
BMC Arabia	Hill, G. F. (1965) *Catalogue of the Greek Coins of Arabia, Mesopotamia and Persia,* Bologna
BMC Palestine	Hill, G. F. (1965) *Catalogue of the Greek Coins of Palestine (Galilee, Samaria, and Judaea),* Bologna
CIIP	Cotton, H. M., Di Segni, L. *et al.* (2010-) *Corpus Inscriptionum Iudaeae/Palaestinae*, Berlin
CIL	*Corpus Inscriptionum Latinarum*
CIS	*Corpus Inscriptionum Semiticarum*
DNWSI	Hoftijzer, J. and Jongeling, K. (1995) *Dictionary of the North-West Semitic Inscriptions*, Leiden
FGrHist	Jacoby, F. (1926-) *Die Fragmente der griechischen Historiker*, Leiden
H1, H2 etc	Inscriptions from Hatra. Numbering from the main collections:
	Vattioni, F. (1981) *Le iscrizioni di Hatra. Istituto Universitario Orientale, Annali*, suppl. 28, vol. 41, fasc. 3, Naples
	Aggoula, B. (1991) *Inventaire des inscriptions hatréennes*, Paris
	Vattioni, F. (1994) *Hatra. Istituto Universitario Orientale, Annali*, suppl. 81, vol. 54, fasc. 4, Naples
	Beyer, K. (1998) *Die aramäischen Inschriften aus Assur, Hatra und dem übrigen Ostmesopamien*, Göttingen
HJP	Schürer, E. (1973-1987) *The History of the Jewish People in the Age of Jesus Christ (175 BC – AD 135)*, vols. I-II (eds.) G. Vermes and F. Millar, vol. III (eds.) G. Vermes, F. Millar and M. Goodman, Edinburgh, 3 vols.
IGLS	Jalabert, L., Mouterde, R. *et al.* (1929-) *Inscriptions grecques et latines de la Syrie*, Paris
IGRRP	Cagnat, R., Toutain, J., Jouguet, P. and Lafaye, G. (1975) *Inscriptiones Graecae ad res Romanas pertinentes*, Chicago, IL, 4 vols.
Inscr. Délos	*Inscriptions de Délos*, nos. 1-88 (ed. 1950) A. Plassart, nos. 89-104 (ed.1972) J. Coupry, nos. 290-371 (ed. 1926) F. Durrbach, nos. 372-509 (ed. 1929) J. Coupry, Paris [An interval is left after the nos. of *IG*11(4)]. Nos. 1400-96 (ed. 1935) F. Durrbach and P. Roussel, nos. 1497-2879 [2 parts] (eds. 1937) P. Roussel and M. Launey, Paris
JSNab	Nabataean inscriptions in Jaussen, A. and Savignac, R. *Mission archéologique en Arabie*, vol. I (1909), vol. II (1914), Paris
LSJ	Liddell, H. G., Scott, R. and Jones, H. S. (eds. 1940) *A Greek-English Lexicon*, Oxford

NHL	Stern, E., Lewinson-Gilboa, A., and Aviram, J. (eds. 1993-2008) *The New Encyclopedia of Archaeological Excavations in the Holy Land*, Jerusalem, 5 vols.
Ms	Safaitic inscriptions published as part of the *Online Corpus of the Inscriptions of Ancient North Arabia*
OCD	Hornblower, S., Spawforth, A. and Eidinow, E. (eds. 2012) *The Oxford Classical Dictionary*, Oxford, 4th ed.
OGIS	Dittenberger, W. (1903-1905) *Orientis graeci inscriptiones selectae*, Leipzig
OLD	Glare, P. G. W. (1996) *Oxford Latin Dictionary*, Oxford
PAT	Hillers, D. and Cussini, E. (eds. 1996) *Palmyrene Aramaic Texts*, Baltimore, MA
P Dura	Welles, C. B., Fink, R. O. and Gilliam, J. F. (eds. 1959) *The Excavations at Dura-Europos conducted by Yale University and the French Academy of Inscriptions and Letters: Final Report 5, Part 1. The Parchments and Papyri*, New Haven, CT
P Euphr.	Feissel, D. and Gascou, J. (1995) "Documents d'archives romains inédits du Moyen-Euphrate (IIIe s. après J.-C.) 1, les petitions (*P. Euphr.* 1 à 5)", *Journal des Savants*, 65-119
	Feissel, D., Gascou, J. and Teixidor, J. (1997) "Documents d'archives romains inédits du Moyen Euphrate (IIIe s. après J.-C.) 2, les actes de vente-achat (*P. Euphr.* 6 à 10)", *Journal des Savants*, 3-57
	Feissel, D. and Gascou, J. (2000) "Document d'archives romains inédits du Moyen Euphrate (IIIe s. après J.-C.) 3, actes divers et lettres (*P. Euphr.* 11 à 17)", *Journal des Savants*, 157-208
PF	Hallock, R. T. (1969) *Persepolis Fortification Tablets*, Chicago, IL
P Ḥever	Cotton, H. M. and Yardeni, A. (eds. 1997) *Aramaic, Hebrew and Greek Documentary Texts from Naḥal Ḥever and Other Sites: with an appendix containing alleged Qumran texts*, Discoveries in the Judaean Desert 27, Oxford
P Mesop.	Teixidor, J. (1990) "Deux documents syriaques du IIIe siècle après J.-C., provenant du Moyen Euphrate", *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 134, 144-66
P Mur.	Benoit, P., Milik, J. T. and de Vaux, R. (1961) *Les grottes de Murabb'at,* Discoveries in the Judaean Desert II, Oxford
P Oxy.	Parsons, P. J. (ed. 1974) *The Oxyrhynchus Papyri*, London
P Rev. Laws	Grenfell, B. P. (ed. 1896) *Revenue Laws of Ptolemy Philadelphus*, Oxford
P Teb.	*Tebtunis Papyri*, London, vol. i (eds. 1902) B. P. Grenfell, A. S. Hunt, J. G. Smyly and E. J. Goodspeed, vol. ii (1907), vol. iii, part 1 (1933), vol. iii, part 2 (eds. 1938) A. S. Hunt, J. G. Smyly and C. C. Edgar, vol. iv (eds. 1976) J. G. Keenan and J. C. Shelton, London
PUAES	Butler, H. C. (1907-1949) *Publications of the Princeton University Archaeological Expeditions to Syria*, Leiden
P Yadin	Lewis, N. (ed. 1989) *The Documents from the Bar Kokhba Period in the Cave of Letters. Greek Papyri*, Jerusalem

Yadin, Y., Greenfield, J. C., Yardeni, A. and Levine, B. A. (eds. 2002) *The Documents from the Bar Kokhba Period in the Cave of Letters. Hebrew, Aramaic and Nabataean-Aramaic Papyri*, Jerusalem

Quellen   Hackl, U., Jenni, H. and Schneider, C. (2003) *Quellen zur Geschichte der Nabatäer*, Freiburg

RPC   *Roman Provincial Coinage*

SEG   *Supplementum Epigraphicum Graecum*

SIJ   Winnett, F. V. (1957) *Safaitic Inscriptions from Jordan*, Toronto

Wadd.   Waddington, W. H. (1870) *Inscriptions grecques et latines de la Syrie, recueillies et expliquées*, Paris

Rabbinic Literature

b.   *Babylonian Talmud*

m.   *Mishnah*

t.   *Tosefta*

y.   *Jerusalem Talmud*

'Abod. Zar.   *Abodah Zarah*

BBat.   *Bava Batra*

Git.   *Gittin*

Hor.   *Horayot*

Ket.   *Ketubbot*

Kid.   *Kiddushin*

Meg.   *Megillah*

MSh.   *Ma'aser Sheni*

Sanh.   *Sanhedrin*

Sot.   *Sotah*

Conventions

Where ancient languages are quoted, the following conventions are used: Latin, Greek, and Hebrew sources are presented in their own scripts; Aramaic dialects – Nabataean, Palmyrene, Hatran, Jewish Aramaic, Syriac, Safaitic, and Thamudic – are transliterated into lower case Latin alphabet in accordance with the table below. In the main text, Greek terms used abstractly are transliterated in the Latin alphabet. Quotations of Greek sources or direct references to Greek words as they are used in source material are written in the original script.

All names are transliterated into Latin script. When translating from source material, names are transliterated directly. In the main text, personal names are presented in accordance with the commonly used form of the name even if that does not necessarily correspond to the spelling of that name in the source material discussed.

Letter	Hebrew	Latin Transliteration
Ālap	א	ʾ
Bēth	ב	b
Gāmal	ג	g
Dālath	ד	d
Hē	ה	h
Waw	ו	w
Zain	ז	z
Ḥēth	ח	ḥ
Ṭēth	ט	ṭ
Yodh	י	y
Kāp	כ	k
Lāmadh	ל	l
Mem	מ	m
Nun	נ	n
Semkath	ס	s
ʿĒ	ע	ʿ
Pē	פ	p
Ṣādhē	צ	ṣ
Qop	ק	q
Rēsh	ר	r
Shin	ש	š
Taw	ת	t

List of translations

Loeb translations are used for Greek and Latin sources unless otherwise stated. Where New Testament translations are quoted, the *New International Version* is used. The list below shows translations – other than those already stated above – that are used in the thesis. In some cases I have used my own translations or adapted the translations of others; in these instances, it is specified in the text.

Brock, S. (1991) "Some new Syriac documents from the third century AD", *Aram* 3(1/2), 259-67

Clark, V. A. (1979) *A Study of New Safaitic Inscriptions from Jordan*, unpublished PhD thesis, University of Melbourne

Cotton, H. M. and Yardeni, A. (eds. 1997) *Aramaic, Hebrew and Greek Documentary Texts from Naḥal Ḥever and Other Sites: with an appendix containing alleged Qumran texts*, Discoveries in the Judaean Desert 27, Oxford

Crowther, C. and Facella, M. (2003) "New evidence for the ruler cult of Antiochus of Commagene from Zeugma", in G. Heedemann and E. Winter (eds.) *Neue Forschungen zur Religionsgeschichte Klienasiens*, Bonn, 41-80

Danby, H. (1933) *The* Mishnah. *Translated from the Hebrew with introduction and brief explanatory notes by H. Danby*, Oxford

Dörner, F. K. and Young, J. H. (1996) "The *Nomos* inscriptions", in D. H. Sanders (ed.) *Nemrud Daği. The* Hierothesion *of Antiochus I of Commagene, Volume 1, Text*, Winona Lake, IN, 207-16

Hackl, U., Jenni, H. and Schneider, C. (2003) *Quellen zur Geschichte der Nabatäer*, Freiburg

Healey, J. F. (1993) *The Nabataean Tomb Inscriptions of Mada'in Salih*, Oxford

Lewis, N. (ed. 1989) *The Documents from the Bar Kokhba Period in the Cave of Letters. Greek Papyri*, Jerusalem

Parsons, P. J. (ed. 1974) *The Oxyrhynchus Papyri*, London

Prentice, W. K. (1908) *Publications of an American Archaeological Expedition to Syria in 1899-1900. Greek and Latin Inscriptions*, New York, NY

Welles, C. B., Fink, R. O. and Gilliam, J. F. (eds. 1959) *The Excavations at Dura-Europos conducted by Yale University and the French Academy of Inscriptions and Letters: Final Report 5, Part 1. The Parchments and Papyri*, New Haven, IN

Winnett, F. V. (1957) *Safaitic Inscriptions from Jordan*, Toronto

Yadin, Y., Greenfield, J. C., Yardeni, A. and Levine, B. A. (eds. 2002) *The Documents from the Bar Kokhba Period in the Cave of Letters. Hebrew, Aramaic and Nabataean-Aramaic Papyri*, Jerusalem

1. Introduction

ταύτης δὲ τῆς συμπάσης χώρας τῆς ὑπὸ Ῥωμαίοις ἣ μὲν βασιλεύεται, ἣν δ᾽ ἔχουσιν αὐτοὶ καλέσαντες ἐπαρχίαν, καὶ πέμπουσιν ἡγεμόνας καὶ φορολόγους. εἰσὶ δέ τινες καὶ ἐλεύθεραι πόλεις, αἱ μὲν ἐξ ἀρχῆς κατὰ φιλίαν προσελθοῦσαι, τὰς δ᾽ ἠλευθέρωσαν αὐτοὶ κατὰ τιμήν. εἰσὶ δὲ καὶ δυνάσται τινὲς καὶ φύλαρχοι καὶ ἱερεῖς ὑπ᾽ αὐτοῖς. οὗτοι μὲν δὴ ζῶσι κατά τινας πατρίους νόμους.[1]

"Of the entire area which is subject to the Romans, some is ruled by kings, some they rule directly under the designation 'provincial' territory, appointing governors and tax collectors to the inhabitants. There are also free cities, some of which attached themselves to the Romans as friends from the outset, while to others the Romans themselves granted freedom as a mark of honour. Some dynasts, *phylarchoi* and priestly rulers are also subject to the Romans, these people regulate their lives along their traditional lines."

The Romans did not employ one single strategy to control their Empire. In this passage – taken from the final sections of his *Geography* – Strabo discusses Roman governance, the factor that links together all of the regions, cultures, and societies he has described.[2] He divides the area subject to the Romans into three categories: kingdoms and principalities, provinces, and free cities. For Strabo, these three means of administration define the territories under Roman control.

Dynastic rule in the Roman world – where territory subject to Rome was left or placed under the control of a king or prince – has been a particular focus of scholars since Ernst Badian's *Foreign Clientelae* in 1958.[3] Scholarship rarely, however, conceptualises dynastic rule in the terms in which Strabo defines it here: as a form of *Roman* governance. Studies that deal with the phenomenon of dynastic rule in the Roman world have tended to emphasise the personal and political relationships between dynasts and Rome. David Braund and Fergus Millar showed how dynasts had to balance the demands of Rome, as their

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[1] Strabo, 17.3.24. Translation adapted from Loeb. For commentary, see Radt (2009), 548-50; Biffi (1999), 434-6.
[2] For this description, see Strabo, 17.3.24-5. At the outset of this passage, he writes: τὰ μὲν οὖν μέρη τῆς καθ᾽ ἡμᾶς οἰκουμένης οὕτω διάκειται· ἐπεὶ δ᾽ οἱ Ῥωμαῖοι τὴν ἀρίστην αὐτῆς καὶ γνωριμωτάτην κατέχουσιν, ἅπαντας ὑπερβεβλημένοι τοὺς πρότερον ἡγεμόνας, ὧν μνήμην ἴσμεν, ἄξιον καὶ διὰ βραχέων καὶ τὰ τούτων εἰπεῖν. ("This, then, is the lay of the different parts of our inhabited world; but since the Romans occupy the best and best known portions of it, having surpassed all former rulers of whom we have record, it is worthwhile, even though briefly, to add the following account of them.") For the unifying role that Roman governance plays in the *Geography*, see, in particular, Clarke (1999), esp.210-28; 325-7. See further below, 1.3.1.2; 2.2.1.
[3] Badian (1958). For an in-depth discussion of previous scholarship, see below, 1.2.2.

suzerain, and their own people.[4] Near Eastern dynasts were at the same time proud kings and princes, following Persian and Hellenistic traditions, and tributaries to a foreign power. This dynastic approach, however, does not consider the function that kingdoms and principalities served within the wider context highlighted by Strabo in the passage above: Roman hegemony. Strabo conceptualises dynastic rule as a means by which lands subject to Rome could be governed and places particular emphasis on this form of control in particular, listing it before provincial and civic government. This territorial and administrative perspective is often taken only by regional studies that aim to further our understanding of one kingdom or principality in particular.

The increasing supply and improved accessibility of documentary evidence from the Roman Near East allow us a better view than ever into the practice of Roman governance in the region.[5] Over the last twenty to thirty years invaluable perishable documents from the Judaean Desert and Middle Euphrates region have been discovered and published. The supply of inscriptions on stone from the Near East is continually expanding and the publication of new corpora has made this material more accessible. Sources such as these – material texts that served a practical function – attest to administration at all levels and allow us to see past the lives of kings and princes that preoccupy many of our literary sources. By using these texts, in conjunction with literary sources, we can better understand the role kingdoms and principalities played as a means of administering territory subject to the Romans.

This thesis examines the documentary, literary, and numismatic evidence for administration in kingdoms and principalities. By contrasting administrative practice under kings and princes with the provincial administration that eventually followed, it conceptualises dynastic rule as a distinct form of governance and evaluates its role within the context of Roman imperialism in the East. This investigation allows us to better understand

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[4] Millar (1996); Braund (1984).
[5] See further, 1.3.2; 1.3.3.

the impact that dynastic rule had on territories placed under it and provides an important case study into this particular manifestation of Roman imperialism.

1.1. The Near East

The geographical scope of this work follows the model established by Fergus Millar, spanning the area between the Taurus Mountains and the Red Sea from North to South.[6] In the West, the boundary is demarcated by the Mediterranean coast, and, in the East, by the upper Tigris. Within this larger region, this study focuses in particular on the kingdoms and principalities under Roman influence: Commagene, the Ituraean Principalities, the Nabataean Kingdom, the Herodian Kingdom, the Kingdom of the *Emesenoi*, and Edessa.

Although it was previously only the domain of Semitists, the Near East, thus defined, was brought to the attention of classical scholars by Maurice Sartre's *L'Orient romain* and Fergus Millar's *The Roman Near East.*[7] Whereas previously the Near East had been important for the study of Roman history only so far as it impacted on Rome itself, since these impactful works, the Near East has been a fertile ground for classically trained historians seeking to understand an important and distinct region of the Roman world in its own right.

Throughout this study I will emphasise the distinctiveness of the various areas, peoples, and cultures that populate the Near East. The region incorporates much of the Fertile Cresent, encompassing the Mediterranean coast and the area around the Orontes, Euphrates, and Tigris; the Lebanon and Anti-Lebanon mountains; and large areas of steppe and desert. The topographical contrasts throughout the region are remarkable. The topography and climate of the Beqaa Valley for instance – the subject of an ecological case study in Horden and Purcell's *The Corrupting Sea* – bears little relation to the steppe farther east, characterised by black volcanic rock, or to the coast to the west.[8] The Near East was – as it still is now – home to a great number of different peoples and cultures. The variety of self-governing

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[6] Millar (1993a), xi-xii; 3. See also Butcher (2003), 11-2.
[7] Millar (1993a); Sartre (1991).
[8] See Horden and Purcell (2000), 54-9.

peoples in the first centuries BC and AD led Warwick Ball to describe the Near East as "a patchwork of small but glittering princely states."[9]

Nevertheless, the Near East is brought together by shared history and language. At the height of the Achaemenid Empire, the region was completely under Persian control before being subjected by Alexander and then the Hellenistic kingdoms that followed him. As I will discuss at some length below, the region – and the royal dynasties that inhabited it in particular – was indelibly shaped by that shared history. It is characterised by its use of Greek alongside various Middle Aramaic dialects – Nabataean, Palmyrene, Hatran, Jewish Aramaic, and Syriac – that stem from Official Aramaic.[10]

1.2. History of scholarship

1.2.1. Roman imperialism

In many ways this thesis is a case study in Roman imperialism: it examines a particular means by which Rome exerted control over certain territories on the borders of its Empire and evalutes its role in the Roman administration of the Near East. In this section, I will discuss scholarship on Roman imperialism and how this work relates to it.

We must first define what we mean by Roman imperialism. W. V. Harris, in his influential book *War and Imperialism in Republican Rome*, saw Roman imperialism solely as a territorial practice, in which Rome subjected new territories to direct Roman rule.[11] Whilst Harris' book is thought-provoking and incisive, his interpretation has garnered significant criticism.[12] Harris' approach towards Roman imperialism neglects the many means by which Rome exerted control over its neighbours. For instance, we might point to an anecdote recorded by Polybius where the Seleucid King, Antiochos IV, was ordered to desist from

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[9] Ball (2000), 30.

[10] Millar (1993a), xiii-xv, amongst other means, defines his area of study by the languages used. For a survey of the languages used in the region, see Gzella (2015), 212-80; Healey (2009), 26-51.

[11] Harris (1979). *Cf.* also the supportive response by John North (1981).

[12] In particular, see the review of Sherwin-White (1980). More recently, see Erskine (2010), 4-5; Champion and Eckstein (2004), 1-3.

invading Egypt in 168 BC.[13] The king was met outside Alexandria by a Roman ambassador called Gaius Popilius Laenas, who delivered a *senatus consultum* demanding his immediate withdrawal.[14] In the face of Roman opposition to his actions, Antiochos assented and returned home. In a similar display of diplomatic power, some centuries later, Rome dispersed a meeting of kings convened by Agrippa I at Tiberias.[15] Agrippa hosted the kings of Commagene, Emesa, and Armenia, but Marsus, the governor of Syria, ordered the kings to leave for their various homes. Displays of authority such as these demonstrate how Rome was willing and able to manipulate other states outside of their borders.

Scholars have more recently come to recognise the many ways in which Rome exerted control over its neighbours and to see Roman imperialism in terms of broader influence. Champion and Eckstein define this approach well:

> "For our purposes we can say that imperialism is an unequal power relationship between two states in which the dominant state exercises various forms of control, often forcibly, over the weaker state. But within such a broad definition, we can speak of many different imperialisms, such as ones based on military conquest, economic exploitation, territorial acquisition, and direct annexation, as well as looser forms of control such as those which superordinate power have often exercised over nominally independent client states, and even more indirect forms of control or influence, such as the seductive allure of the cultural productions of the imperial centre on the periphery."[16]

This hegemonic approach to Roman imperialism, recognising the importance of non-territorial control, is necessary if we are to understand the position of the kingdoms and principalities under discussion. The authority of kings and princes – as has long been recognised – was dependent on Roman support.[17] They were allowed to present themselves in their kingdoms as nominally independent rulers, but it was clear to all concerned that they were subjects to Rome's hegemonic power.[18] On their accession, kings and princes had to be accepted as the new ruler by Rome and would often travel to Rome in order to be

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[13] Polyb. 29.27.1-9.
[14] Polybius' narrative is discussed, in particular, by Millar (1987).
[15] Jos. *AJ* 19.338-42.
[16] Champion and Eckstein (2004). For this interpretation, see also Erskine (2010), 4; Doyle (1986), 12; Gruen (1984), 3-8; Badian (1968), 1-3.
[17] See, for instance, Millar (1996); Braund (1984), 5-7; Badian (1958), 154-6. See further below, 1.2.2; 2.2.1.
[18] This relationship is encapsulated best by Fergus Millar (1996), who referred to it as a "two-level sovereignty." See further below, 2.2.1.

confirmed.[19] We also have accounts of subjects, unhappy with a particular dynast, appealing to Rome as the centre of power.[20]

Scholars have taken three different approaches when trying to account for or explain Roman imperialism.[21] Beginning with the work of Mommsen and Holleaux, some have argued that Rome's imperialistic behaviour was intrinsically defensive; Rome's aggression and expansion is explained by fear of external threats.[22] Arguing against these so-called 'defensive imperialists', W. V. Harris maintained that Rome was consistently the aggressor in conflicts.[23] According to this interpretation, social and economic factors – the place of war in a successful political career and the profitability of conquest – led Rome to continually expand. Although much of Harris' interpretation has been rejected, scholars continue to place emphasis on these social and economic factors when discussing the rationale for Roman imperialism.[24] These approaches to Roman imperialism emphasise the study of Rome – its society, culture, institutions, and strategic position – when seeking explanations for Roman imperialism.

Others have taken an opposing approach, emphasising the study of those on the periphery, those who are controlled or subjugated by Rome. Of particular note is Erich Gruen's work, *The Hellenistic World and the Coming of Rome*, which examines Roman imperialism through a case study of its interactions with the Hellenistic East.[25] Works such as this – that focus on the periphery rather than the centre – seek to understand Roman imperialism and expansion by examining the situations that led to Roman involvement.[26]

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[19] Josephus provides us with a detailed narrative of this process for Archelaus of Judaea, in which he travels to Rome in order to persuade Augustus to make him king: *BJ* 2.1-7; 14-40; 80-92; 94-8; *AJ* 17.219-28. Josephus also tells us, in less detail, of a similar journey undertaken by Aretas of Nabataea: *BJ* 2.68; *AJ* 16.353; 355. See further, Braund (1984), 26.

[20] The cities of Gadara, Hippos, and Gaza, for instance, reportedly petitioned Rome to be removed from Herod's control and added to *provincia Syria*. See Jos. *AJ* 15.354-9. See further below, 2.2.2. During the annexation of Commagene, the upper classes reportedly favoured direct Roman rule and the people supported the monarchy: Tac. *Ann.* 2.42.5; Jos. *AJ* 18.53.

[21] See also the useful overviews provided by Erskine (2010), 47-9 and Champion and Eckstein (2004). On approaches to imperialism in general, see Doyle (1986), 22-6.

[22] See Scullard (1980), 249-51; Garnsey and Whittaker (1978), 1-3; Walbank (1963); Holleaux (1921); Frank (1914).

[23] Harris (1979). See also Derow (1979); Hopkins (1978). More recently, this view is taken up by Erskine (2010), 36-9.

[24] See now Erskine (2010), 39-47.

[25] Gruen (1984).

[26] For the differentiation between the centre and the periphery, see now Isaac (2011).

The third approach taken towards the study of Roman imperialism is systematic: studies have moved away from focusing on either Rome or its neighbours and deal with imperialistic behaviour in a more holistic way. In particular, Arthur Eckstein's *Mediterranean Anarchy* concludes that Roman imperialism and expansion was the inevitable result of a situation in which states had to fight for their continued survival and prosperity.[27]

The thesis identifies more closely with the second of these three approaches, focusing primarily on the groups subject to imperialistic behaviour. It examines one particular manifestation of Roman imperialism: hegemonic control through a king or prince.

Another issue raised by commentators that concerns this study is the decision-making process behind Roman imperialistic behaviour. In 1976, Edward Luttwak published *The Grand Strategy of the Roman Empire*, in which he postulated that the Eastern Roman Empire went through distinct stages of development according to a long-term plan.[28] In the first stage posited by Luttwak, 'The Julio-Claudian System', Rome had no border security and relied on a series of kingdoms and principalities to maintain the borders of the Empire from incursion.[29] The army was used primarily to counter internal threats. Under the Flavians and Severans, kingdoms and principalities were annexed into provincial territory and Rome established clearly demarcated borders to its eastern Empire.[30] The final stage of Luttwak's theory of strategic development is the establishment of 'self-contained strongholds' in the eastern territories.[31] In response to increasingly strong and mobile attacking forces, Roman defensive practice moved from clear defended borders to the establishment of a series of fortresses within its Empire supported by highly mobile auxiliary forces.

More recently, scholars have rejected the notion of a 'grand strategy' in Roman decision-making. Particularly influential to this interpretation is Benjamin Isaac, who, in direct response to Luttwak's work, has argued that military or territorial decisions often defy

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[27] Eckstein (2006). See also Eckstein (2008).
[28] Luttwak (1976).
[29] Luttwak (1976), 7-50.
[30] Luttwak (1976), 51-126.
[31] Luttwak (1976), 127-90.

rational strategic thinking.[32] Emperors decided to go to war for reputation or the spoils of war – similar reasons to generals under Republican Rome – and they did not have the counsel of professional soldiers that could dissuade them for strategic reasons. According to this interpretation, decisions were made by a limited group, the Emperor and his *consilium*, with a view to short-term efficacy rather than long-term strategy. Policy would change in accordance with the Emperor's desires and motivations.

Luttwak, in his remarkable synthesis, is right to point out that the history of kingdoms and principalities in the Near East is one of creation and annexation.[33] The kingdoms and principalities that dominated the Eastern border of the Empire for the first centuries BC and AD were all annexed into provincial territory by the mid-second century, by which point Rome's power had spread and it was concerned with other kingdoms farther East. Nevertheless, we cannot impose a 'grand strategy' on this pattern without real risk of anachronism.[34]

In *The Limits of Empire*, Isaac has convincingly argued, with reference to military action in the East, that Roman decision-making was often haphazard and lacking a coherent strategy.[35] The way in which Rome treated kingdoms and principalities seems to have been no different. The Kingdom of Commagene, for instance, was annexed in AD 17 by Tiberius only to be reinstated by Caligula in 38.[36] Edessa was annexed by Caracella in AD 212/213, returned to the Abgarids in 239, and was annexed again by 242. The decisions made to maintain or annex kingdoms and principalities do not seem to conform to any 'grand strategy'. They can be best understood – as scholars have recently emphasised – by looking at their short-term advantages.[37]

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[32] Isaac (1990).

[33] The pattern of creation and annexation is emphasised by Sartre (2001), 499; (1991), 65. See further below, 1.2.2.

[34] As Kaizer and Facella (2010), 31, have observed: "In any case, Rome seems not to have been concerned – often in contrast with modern scholars – that the way its sphere of influence was ruled was not always homogenous, or what we would call 'logical'."

[35] See, in particular, Isaac (1990), 377-87. For comment on this view, see Champion (2004), 278-9. See also Sommer (2010), 223.

[36] These events are discussed below, with bibliography, as part of the narrative history of kingdoms and principalities, 1.4.

[37] See, for instance, Facella (2010); Rey-Coquais (1994), 47.

1.2.2. Kingdoms and principalities

The relationships between Rome and dynasts on the periphery of its Empire have attracted much scholarly attention. Ernst Badian's 1958 work, *Foreign Clientelae*, was one of the first studies to conceptualise the interaction between Rome and the kings and princes under its influence.[38] Badian's study of dynasts under Republican Rome defined their position in terms of *clientela*, from which the modern misonomer 'client king' came into fashion.[39]

Much of the work done since then has concentrated on the nature of the personal and political relationship between Rome and dynasts; the terminology used to describe the relationship has been a particular focus. David Braund's seminal *Rome and the Friendly King* rejected the misonomer 'client king' and instead conceptualised the relationship between Rome and dynasts in terms of *amicitia*, hence the term 'friendly king'.[40] Braund's work – still considered to be the main study of dynasts and their relationship with Rome – discusses the position of kings and princes in relation to Rome, the Empire, and their subjects. Fergus Millar later revisited the topic, conceptualising the relationship between Rome and its subject kings as a 'two-level sovereignty', in which the monarch was able to present himself as a sovereign ruler within his own territory but was also clearly subordinate to Roman authority.[41]

The works discussed above typify much of the scholarship studying the phenomenon of dynastic rule in that they deal with kings and princes: their role within their kingdoms; their interactions with Rome and the Emperor; and how they were perceived, both by Rome and their subjects.[42] Other studies of kings and princes have tended to focus on a specific dynasty. Of particular note are the prosopographical articles written by Richard Sullivan that

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[38] Badian (1958). See also Badian (1984), 408; (1968), 14-5.

[39] Dynasts are rarely referred to by the language of *clientela* in ancient literature, but a brief allegorical mention in Suetonius, *Augustus*, 60, in which he describes the kings in Augustus' retinue travelling without royal insignia "in the manner of clients" (*more clientium praestiterunt*) has likely lended the appellation 'client king' more credibility. This passage is linked to the term 'client king' by Millar (1996), 162. The term 'client king' and the problems associated with it has been discussed at length many times, see now Baltrusch and Wilker (2015), 8-10; Wendt (2015); Jehne and Pina Polo (2015); Snowdon (2015); Kaizer and Facella (2010), 16-22, amongst others.

[40] Braund (1984). On *amicitia*, see Gruen (1984), 55; Ziegler (1972), 83. With regard to kings and princes in particular, see Kaizer and Facella (2010), 22; Coşkun (2005); (2008); Coşkun and Heinen (2004).

[41] Millar (1996).

[42] More recently, see Jehne and Pina Polo (2015); Baltrusch and Wilker (2015); van Wijlick (2015).

examine the history of particular dynasties.[43] More recently, Julia Wilker's monograph, *Für Rom und Jerusalem*, is a detailed study of the Herodian Dynasty's interactions with Rome and the people of Palestine.[44]

Another approach towards the study of kingdoms and principalities involves detailed case studies of the institutions, society, and culture of particular regions. There is a vast body of work, for instance, on Herodian and Roman Palestine.[45] Margherita Facella has done much to broaden our knowledge not only of the Commagenian Dynasty, but also of the institutional, social, and economic history of the region.[46] Similarly, Steven Ross' monograph, *Roman Edessa,* provides a well-rounded treatment of the region during the period of dynastic rule.[47] These regional approaches engage with the phenomenon of dynastic rule, but deal with kingdoms and principalities in isolation, without comparing them explicitly to others. The object of this approach is a better understanding of each particular region rather than dynastic rule as a wider phenomenon.

The study of kingdoms and principalities is thus largely divided between the study of dynastic rule through kings and princes, on the one hand, and the study of particular kingdoms and principalities on the other. There are some exceptions to this rubric: Maurice Sartre, in particular, has tried to link the institutional history of kingdoms and principalities to their rulers' status as dependent kings.[48] In his *L'Orient romain*, this view finds its clearest expression:

> "Paradoxalement, la disparition progressive des Etats clients dans les dernier tiers du 1er siècle fut, en partie, la conséquence de leurs succès: ils avaient rempli la tâche qui leur était implictement assignée de préparer le régime de l'administration directe."[49]

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[43] Sullivan (1977a); (1977b); (1977c). See also Kokkinos (1998b).
[44] Wilker (2007a). See also Wilker (2007b).
[45] See, for instance, the work of Martin Goodman: Goodman (2002); (1996a); (1996b); (1991); (1987); (1983). Hannah Cotton: Cotton (2005); (1999b); Cotton and Eck (2005); (2001); Eck and Cotton (2005); Weiser and Cotton (2002). Steve Mason: Mason (2016a); (2016b); (2007).
[46] For works that focus on insitutional, social, and economic history, see Facella (2012); (2010); (2005b).
[47] Ross (2001). See also Segal (1970).
[48] See also Mitchell (1993), 1.33.
[49] Sartre (1991), 65.

For Sartre, dynastic rule was a means by which Rome could affect particular changes on regions unsuitable for direct Roman rule. Annexation was thus a consequence of the dynasts' success in implementing change in their territories. Ten years later, in the light of Ben Isaac's *The Limits of Empire* and a growing scholarly consensus against the idea of long-term strategy in Roman decision-making, Sartre adapted his interpretation:

> "Le maintien de ces États clients s'explique le plus souvent par les caractères spécifiques de régions rurales et montagneuses, où Rome estimait sans doute avoir plus à perdre qu'à gagner en administrant elle-même. Ce trait se retrouve même en Syrie du Nord puisque des tétrarchies existent non loin d'Apamée ou d'Antioche. La proximité des grandes cités grecques n'aurait donc pas suffi, après trois siècles de présence ininterrompue, à intégrer suffisamment de notables indigènes afin qu'ils servent de relais à l'administration romaine. Mais il faut bien admettre que notre ignorance est trop grande pour que l'on puisse supposer une justification unique pour la création ou le maintien de toutes ces principautés. Il peut aussi bien y avoir un jeu complexe de relations personnelles, d'équilibre des forces, voire d'intérêts financiers."[50]

Here Sartre does not attribute Rome with a long-term motive in establishing or maintaining kings under its influence, but he still considers the nature of the territories under dynastic control to be an important factor in Roman decision-making. Whilst in *L'Orient romain* kings and princes were implicitly tasked with preparing their territories for direct Roman administration, here the choice is framed in terms of short-term expediency: Rome clearly believed that indirect control through a dynast was preferable in certain areas. He goes on to say the following:

> "Sans que nous sachions expliquer complètement ce choix, on constate donc que Rome s'en tint à l'administration indirecte, par le biais de ces clients dévoués et peut-être mieux adaptés que des fontionnaries romains au maintien de l'ordre et à la pacification de régions d'accès souvent difficile."[51]

Sartre credits dynasts with the ability to administer regions that could not be profitably placed under direct Roman rule. He thus presents us with an alternative approach to the dynast-centric interpretations of Badian and Braund, and the regional direction taken by others: by emphasising the administrative role of kingdoms and principalities, maintained in

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[50] Sartre (2001), 499.
[51] Sartre (2001), 499.

regions that could not be profitably provincialised, we can better understand how dynastic rule functioned within its wider context, Roman hegemony in the Near East.

This thesis follows the administrative approach – based in the study of kingdoms and principalities rather than kings and princes – outlined by Sartre. Sartre observes that kings and princes were placed in control of areas that were difficult for Rome to administer. Whilst he has abandoned the idea that kings and princes were supported with long-term aims in mind, he still attributes the imposition of provincial rule in these regions to changes effected by kings and princes. For Sartre, this process can be best exemplified by the eventual annexation of the Herodian Kingdom:

> "L'oeuvre de pacification et de mise en valeur avait en tout cas assez progressé pour que Rome prît elle-même en charge l'administration de le région. Les structures villageoises et civiques avaient engendré une classe de notables hellénisés assez nombreuse, à laquelle Rome confia l'administration locale pendant qu'elle assurait la sécurité. L'annexion couronne le succès de la politique des Hérodiens."[52]

Sartre asserts that the Herodian tendency to found cities and promote village communities was the primary reason for the kingdom's annexation. This argument – as I discuss at length below – seems to ignore the substantial differences between cities founded by the Herodians and by the Romans.[53] The Herodians propagated a notably different type of civic institution; Sartre's argument does not take this important difference into account.

Sartre's view of Herodian Palestine is endemic of his work on kingdoms and principalities in general. It is greatly influenced by a wider assumption he makes about the role of dynastic rule: he assumes that – as all kingdoms and principalities were eventually annexed into *provinciae* – changes implemented under dynastic rule were responsible for the annexation of kingdoms and principalities. Sartre does not offer a systematic defence of this assumption, which then colours his discussion of the individual kingdoms and principalities. Sartre thus points to the Herodians' propagation of cities and villages as the crucial process that explains the kingdom's annexation and, in so doing, obfuscates important differences

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[52] Sartre (2001), 514-5.
[53] See below, 2.2.2; 2.3.2. On the different approaches taken towards villages, see below, 2.2.4; 2.3.4.

between the institutions founded by the Herodians and the later provincial administration. This thesis evaluates Sartre's anachronistic assumption that administration under dynasts led to the eventual annexation of kingdoms and principalities by investigating the changes that occurred under kings and princes and their impact on the provinces they later became.

Some scholars have taken steps in this direction, discussing the rationale behind dynastic rule with reference to its effect on the territories placed under its control.[54] In a 2010 paper, Margherita Facella discusses the advantages and disadvantages of the continuing relationship between Rome and the Commagenian Dynasty.[55] Facella emphasises two main reasons why the relationship was advantageous for Rome: the wealth of the Commagenian dynasty and the difficulties – caused by the lack of infrastructure and prevalence of banditry – Roman governors had administering the region directly. Julien Aliquot, in his seminal article on the Ituraean Principalities, emphasises the process of administrative development associated with provincialisation as the principalities were divided into smaller units before being annexed and placed under the control of cities.[56] Scholars have, therefore, taken an administrative and territorial approach towards the study of regions controlled by Roman tributaries. It has thus far, however, been confined to studies of particular regions and has not been applied to the study of dynastic rule as a wider phenomenon.

The present study applies the administrative and territorial approach taken by scholars towards particular kingdoms and principalities and applies it to the phenomenon of dynastic rule across the Near East. It evaluates the assumption made by Maurice Sartre that dynastic rule was a means by which territories could be prepared for direct Roman control. By examining administration in kingdoms and principalities, this thesis rejects Sartre's anachronistic model of development and establishes a new schema, qualifying the impact that dynastic rule had on the territories subject to it and how it differed from provincial rule.

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[54] For a recent overview of the variety of approaches taken to kingdoms and principalities, see also Baltrusch and Wilker (2015), 11.
[55] Facella (2010). See also Speidel (2005), who discusses Roman and Commagenian perspectives of their relationship.
[56] Aliquot (1999-2003), 225-47.

1.3. Sources

Before embarking on a discussion of the types of source material used in this thesis, it is important to point out the evidentiary disparity between some of the kingdoms and principalities under discussion. Whilst we have a significant amount of evidence from the Herodian Kingdom and the Nabataean Kingdom, there are significant gaps in our knowledge for other regions, especially the Ituraean Principalities and the Kingdom of the *Emesenoi*. It is important to be aware of this disparity and not to overvalue the evidence from better attested regions at the expense of others.

1.3.1. Literature

The issues under discussion in this thesis – political institutions tasked with governance, legal practice, and taxation – are rarely addressed in classical literary sources. Such issues are often only mentioned when a significant problem, such as a revolt or conflict, arises as a result of these administrative practices. As a result, literary sources tend to mention administrative issues only in passing and when such details fit into their overarching narrative. There are, however, some significant sources that will be discussed frequently in the thesis. In what follows, I will not discuss specific passages in detail – they are dealt with further below – but I shall give an overview of the most important works and discuss some significant issues that affect their evidentiary value.

1.3.1.1. Josephus

Flavius Josephus was a prominent leader in the Jewish Revolt of AD 66-70 until his surrender in 67. He was released on Vespasian's accession as Emperor in 69, took the name Flavius, and later became a friend and advisor to Titus. Whilst in Rome, Josephus wrote three major works that are discussed in this thesis: the *Jewish War, Jewish Antiquities*, and *Life of*

Josephus. In Josephus – as Mary Beard has observed in an effusive piece advocating Josephus'

relevance to Roman history – we have a first-hand source narrating the changes surrounding

provincialisation in Herodian and Roman Judaea.[57] His personal involvement, Judaean and

Roman allegiances, and priestly heritage all contribute to the complexity of these intricate and

vivid portrayals of Palestine in the first century AD.[58]

      Josephus represents a remarkable source for the Herodian Kingdom and events

concerning Herodian and Roman Judaea. His works, however, are not without their

limitations. He gives us very little information about anywhere other than Palestine and is of

little help in the study of kingdoms and principalities elsewhere. We receive the occasional

piece of information about other kingdoms and principalities when they interact with the

Herodian Dynasty. For instance, a small observation made in passing regarding *strategoi* in

the Nabataean Kingdom is one of our best pieces of evidence for internal administration in

that region.[59] Josephus tells us that the divorced wife of Herod Antipas travelled through

Arabia "being passed from one *strategos* to the next as they provided transport." The implicit

observation that Nabataean *strategoi* controlled particular regions of the country shapes our

understanding of the epigraphic evidence and contributes greatly to our knowledge of

administration in the Nabataean Kingdom.

      As readers we must, however, bear in mind that the Nabataeans and others are

peripheral characters to Josephus' main subjects: the Herodians, the Judaeans, and the

Romans.[60] The portrayal of the Nabataeans – as I discuss below – changes significantly

between the *Jewish War* and the *Jewish Antiquities* in accordance with their particular role in

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[57] See Beard (2003), 541.

[58] Beard (2003). 543-8, emphasises the complexity of Josephus' position in relation to the narratives. See now the lengthy discussion of Mason (2016a), 60-137 regarding the *Jewish War*. Josephus has long been the focus of scholarship, see, in general, Landau (2006); Mason (1998); Schwartz (1990); Bilde (1988); Varneda (1986); Rajak (1983); Cohen (1979).

[59] Jos. *AJ* 18.112. This is quoted and discussed further below, 2.2.3.

[60] Josephus uses the term *Ioudaios* to refer to the native people and institutions of Judaea in the Second Temple Period. When referring to these groups, I use the adjective 'Judaean' rather than 'Jewish'. The former better encapsulates the meaning inherent in the Greek word *Ioudaios* in ancient literature: it refers to a member of an ethnic and cultural group linked specifically to the land of Judaea. The modern term 'Jewish' is primarily a religious description. This interpretation is followed by Andrade (2010), 342; Mason (2007). *Contra* Schwartz (2007), who argues that *Ioudaios* primarily denotes the individual's religion and thus should be translated as 'Jew', and Lowe (1976), who emphasises the ambiguity of *Ioudaios*.

the narrative.[61] The Nabataeans are often used as the antagonists to the Judaeans and this literary role affects all the information Josephus gives us about them.

Although each work deals with much of the same material and cover similar time periods, the three narratives have different aims and are distinctly different in character. Of the three major works, the earliest, the *Jewish War*, best represents Josephus' Roman affiliations.[62] In this work, Josephus strives to absolve the Judaean ruling class – including himself – of responsibility for the war whilst at the same time portraying the Romans as unwilling protagonists, drawn in to the war by a particular group of Judaeans.[63]

In the prologue to the *Jewish War*, Josephus attributes the war and the destruction of the Temple solely to a group of Judaean revolutionaries, the Zealots.[64] Josephus' aim to exonerate the Judaeans and Romans of blame for the revolt colours every aspect of his narrative. In this work, for instance, Josephus is rarely explicitly critical of the Romans.[65] Whilst he criticises Herod's actions, his criticism is often muted and – unlike in the *Antiquities* – he at no point seems to be fundamentally opposed to the Herodian monarchy in general terms. The central focus of the work is the development of Judaean-Roman relations and Josephus thus leaves out details that he includes in the *Jewish Antiquities* or *Life of Josephus*.

The longer *Jewish Antiquities* has a different subject: it is an account of Judaean history from Moses until the destruction of the Second Temple.[66] The *Antiquities* is moralising: one of the stated aims of the work is to demonstrate that only those who obey God's laws prosper.[67] The tenor of the work is thus significantly different: Josephus' narrative voice is more prevalent and more emotive; more time is spent discussing purely Jewish and Judaean issues without a Roman context. There are also distinct changes to Josephus' views

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[61] See below, 2.2.1.
[62] See, in particular, Landau (2006), 66-8; 115-8; Rajak (1983), 65-103.
[63] Mason (2016a); Price (1992), 186; Bilde (1988), 77-8; Goodman (1987), 20-1; Rajak (1983), 78-83; Rhoads (1976), 12.
[64] *BJ* 1.10-1. He does not refer to the Zealots by name here; he calls them *tyrannoi*. On Josephus' portrayal and relationship with the Zealots, see Mason (2016b); Goodman (1987), 185-97; 219-20; Rajak (1983), 86-93.
[65] See, in particular, Landau (2006), 114-8. See further below, 3.2.1.
[66] This is described in *AJ* 1.5. See Schwartz (2016); Feldman (2000), xii-xxxvi.
[67] *AJ* 1.14.

regarding the Herodians and Romans. In this work, he is sometimes more critical of the Romans and is often explicitly critical of the Herodians, Herod in particular.[68] Whilst, in the *Jewish War*, Josephus does not advocate any political system in particular, in the *Antiquities* he clearly expresses a preference for priestly oligarchy and sees the Herodian monarchy as an aberration.[69]

The third major work, the *Life of Josephus*, continues the moralising themes of the *Antiquities*, but applies them over a much shorter time period, dealing only with Josephus' lifetime.[70] At the end of the *Antiquities*, Josephus states his intention to write a history of his own life.[71] The *Life* thus seems to be either an ending to the longer work, or something of an addendum.[72] It differs from the *Antiquities* in its biographical style. Josephus himself points out that particular details of events have been changed to suit the narrative of the *Life*: on two occasions, at the beginning and end of the central story, Josephus refers the reader back to his more precise account in the *Jewish War*.[73] In the *Life*, both events and characters are manipulated to suit the character exposition of the work.

Josephus is a crucially important source for the study of the Herodian Kingdom. His works, however, are distinctly different – with different aims, information, and writing styles – and must be treated as such. Where Josephus is used as a source, I shall, where it is appropriate, refer to any parallel passages within Josephus' body of work and discuss any discrepancies between the accounts.

1.3.1.2. Strabo

Strabo wrote his *Geography* in the early first century AD. His description of the topography, climate, peoples, and cultures of the Roman world gives us a useful insight into

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[68] On Josephus' relationship with Herod in the *Jewish War* and *Antiquities*, see Landau (2006). For a literary analysis, see also van Henten (2016); (2011); (2008); Mason (2003), 152-64. For Josephus' relationship with the Romans and Roman historiography, see Mason (2016c); (2016d); Cotton and Eck (2005).
[69] For Josephus' relationship with the priesthood, see now McLaren (2016). This is discussed further below, 3.5.
[70] See Mason (2016e); (2001), xiii-liv.
[71] *AJ* 20.262-8.
[72] On this, see now Mason (2016d), 59-69, who points out stylistic similarities between the *Life* and book 20 of the *Antiquities*.
[73] *Vit.* 27; 412.

the social and political history of those on the outskirts of the Roman Empire. His account of the Nabataean Kingdom, for instance, has been the subject of much discussion; it is, along with a contrasting presentation by Diodorus, one of only two detailed literary accounts of the kingdom.[74] Strabo is also one of the only literary sources to mention the kingdom of the *Emesenoi*; his description of Sampsikeramos and Iamblichos as "*phylarchoi* of the *ethnos* of the *Emesenoi*" has come to define the kingdom and its rulers.[75]

Strabo's Graeco-Roman perspective, however, may affect his presentation of groups such as the Nabataeans and *Emesenoi*. Strabo – as a Greek living in the Roman world – depicts the Roman Empire as both a culturally Greek and Roman phenomenon. Johannes Engels has shown the extent to which Strabo emphasised the cultural importance of the Greek world.[76] Depictions of societies that lay under Roman hegemony but were judged to be outside of this Greco-Roman cultural sphere are subject to Strabo's etic viewpoint. Scholars have pointed out that his description of the Nabataeans for instance – as I discuss in some detail below – follows literary models of uncivilised societies.[77] Björn Anderson has argued that Strabo presents the Nabataeans as disorganised and uncivilised in order to justify Roman control over the region.[78] Studies by Laurent Tholbecq – discussing the description of the Nabataeans – and Eran Almagor – dealing with Strabo's depiction of 'barbarians' – have shown that Strabo emphasises differences between the peoples he describes and the Greco-Roman culture ascribed to the Empire.[79]

There are, therefore, some significant difficulties with using Strabo as a source for kingdoms and principalities in the Near East. Depictions of groups on the fringes of the Empire may have been adapted as Strabo sought to emphasise the role of the Greeks and

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[74] Strabo, 16.4.26. *Cf.* Diod. Sic. 19.94. For a comparison of the two accounts, see Alpass (2013), 23-30; Dijkstra (1995), 297-307. See further below, 2.2.3.
[75] Strabo 16.2.10. See further below, 2.2.3.
[76] Engels (2006). See also Braund (2006); Clarke (1999); Aujac (1966).
[77] Alpass (2013), 23-30; Anderson (2009); Graf (1990), 51-3. See below, 2.2.3.
[78] Anderson (2009).
[79] Tholbecq (2009); Almagor (2005).

Greek culture in the early Augustan Empire.[80] We have to treat Strabo's work with particular caution where it cannot be supported by other sources of evidence.

1.3.1.3. Pliny the Elder

Pliny the Elder wrote his monumental *Natural History* in the first century AD. His work deals with geography, flora and fauna, medicines, and geology across thirty-seven books. In much the same way as Strabo, Pliny's desire to record such a broad span of natural questions has often been linked to Roman imperialism.[81] His work has been seen as an attempt to conceptualise the Roman Empire in terms of its natural phenomena.

Whilst much of Pliny's work is not useful to this study, his geographical description of the Near East includes many important details regarding the political and social composition of kingdoms and principalities. Pliny, for instance, records a list of the toparchies of Judaea; scholars have contrasted this description with Josephus' list and have been able to decipher much about the political organisation of first-century Judaea.[82]

We may have similar problems when dealing with Pliny as we do with Strabo: scholars have recently emphasised Pliny's conceptual links to Roman imperialism. In particular, Thomas Laehn has argued that Pliny presents a defence of Roman imperialism, justifying Roman intervention in the regions he describes.[83] We must, therefore, be cautious when using this source as his depiction of kingdoms and principalities may have been tailored to fit his overarching imperialistic narrative.

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[80] In general, see Engels (2006); (1999); Clarke (1999). For Strabo's relationship with Hellenistic geography and writing: Engels (2013); Irby (2012).

[81] See Murphy (2004); Carey (2003); Naas (2002). *Cf.* Doody (2010). For similar links applied to Strabo, see Engels (1999); Lasserre (1982).

[82] *HN* 5.70. See, in particular, Cotton (2001a). This is discussed further below, 2.2.4.

[83] Laehn (2013).

1.3.2. Inscriptions

Epigraphy is one of our most valuable sources of evidence for administrative practice in the Roman Near East.[84] Unlike literary sources, inscriptions were functional texts and objects that formed an important part of provincial life in the Roman world. They were written with particular purposes in mind and those purposes are usually made evident by the texts themselves. For this thesis – which deals with the administration of outlying areas of the Roman world – inscriptions are of particular importance. As they were often used to display regulations, they can give us invaluable insights into the laws, customs, and institutions of the groups that produced them.

Beyond their immediate function – whether it was to honour individuals, commemorate statues, or display rules – inscriptions can inform us more obliquely about the communities that produced them.[85] If and how an inscription was produced and displayed was the result of a series of choices. Inscribers had to decide, for instance, where to establish the text: it could be attached to a relief or a statue; it could be in a place of particular public significance; or it could be part of a tomb. The location, as well as the text's appearance, information, script, and language could be adapted for a particular purpose or for a particular audience. All of these choices reflect the individual and the society that produced them. The choice of language and the implications of those choices have been a particular focus of scholarship in this regard.[86]

It is worthwhile to point out some potential problems with using epigraphy as a source in this thesis. Whilst the nexus of choices that went into the creation of an inscription is a valuable source of information, much of this can be opaque to us. As these are texts designed to be read by a certain audience in a certain setting, little of the text's context is typically explained. We have little way of discerning, for instance, if a certain language was

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[84] On the epigraphy of the Roman world in general see Desmulliez and Hoët-van Cauwenberghe (2005); Bodel (2001); Millar (1983).
[85] See, in particular, Millar (1983), 52-3.
[86] For general studies, see Cotton *et al.* (2009); Biville *et al.* (2008); Adams (2003). More specific bibliography is referred to where appropriate below.

widely spoken or if it was only used in writing.[87] No inscriber would make this clear on an inscription since it would be obvious to anyone who might be expected to read it. There are, therefore, significant limits on how we might hope to engage with the layers of information provided by epigraphic corpora. I shall not discuss specific texts here, but it will be useful to give an overview of the types of texts we find.

Inscriptions from the Near East can be usefully differentiated by the language and script in which they are written. The majority of extant texts are written in Greek, which was – at least to some degree – found in all the kingdoms and principalities under Roman influence.[88] Various Middle Aramaic dialects were linked to particular regions. We have thousands of Nabataean Aramaic inscriptions from Arabia, although there are some significant discrepancies between the scripts used in different parts of the Nabataean Kingdom.[89] So-called Jewish Aramaic was prevalent, alongside Greek, in Herodian Palestine.[90] Old Syriac Aramaic, the forerunner to the Estrangela script associated with early Christian literature, was used for epigraphy in the Kingdom of Edessa.[91] We have many inscriptions written in Palmyrene Aramaic from Palmyra and its hinterland.[92] Safaitic – an often misused term referring to a North Arabian dialect and script used primarily by nomads – appears on thousands of graffiti found across southern Syria and northern Arabia.[93] Latin is predominantly found in inscriptions generated by soldiers or in Roman *coloniae* such that we find isolated pockets of Latin epigraphy in Berytus, Aelia Capitolina, and Caesarea.[94]

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[87] See Millar (2009); Richter (2009).

[88] Greek epigraphy, along with Latin inscriptions, in the Near East is collected in the ongoing *IGLS* series. For a useful handbook on Greek epigraphy of the Roman period, see McLean (2002).

[89] See Healey (2007); Macdonald (2003) for a detailed overview of Nabataean inscriptions. On the Nabataean script, see Healey (2009), 28; 38-40; (1993a), 55-63; Macdonald and Lewis (2003); Cantineau (1930-1932). See also, discussing Nabataean epigraphy in general terms, Alpass (2013), 21-3.

[90] On this script, see the overview in Healey (2009), 28-9; 40-3. It is most commonly used for funerary texts, see, for instance, *CIIP*, 1.18-608.

[91] The standard collection of Old-Syriac inscriptions is still Drijvers and Healey (1999). See also Millar (2013), 113-6; (2011a); Drijvers (1972). On the script, see Healey (2009), 29-32; 44-7; Drijvers and Healey (1999), 1-20.

[92] Palmyrene texts are collected together in *PAT*, more recently supplemented by Yon (2013). On the script, see the useful overview of Healey (2009), 29; 43-4.

[93] The Safaitic texts are being collected as part of the wider *Online Corpus of the Inscriptions of Ancient North Arabia*. On Safaitic inscriptions in general, see Macdonald (2014); (2004); (1993); Macdonald *et al.* (1996); Khraysheh (1995); Clark (1979). The term Safaitic – as has been forcefully emphasised by Macdonald (1993), 305-10 – is a modernism referring to the Ṣafa, a volcanic region in southern Syria. It denotes a script and a dialect; it is not used as an ethnic designation and we cannot use it to refer to an ethnic group or community.

[94] On these settlements, see Millar (1990a). More recently, Latin inscriptions and their link to *coloniae* has been discussed by Eck (2009) and Isaac (2009). *Coloniae* are discussed further below, 2.3.2.

Inscriptions from the Near East vary greatly in their presentation: we find texts of various levels of formality and monumentality. In this thesis we will discuss graffiti – often unstructured texts that were not necessarily meant to be read by others or displayed – as well as formal public inscriptions – designed to impart particular information in public fora.[95] The language that inscriptions are written in and the form in which they are presented have an indelible effect on the texts and their interpretation. Whilst we cannot make a comprehensive survey of the languages, scripts, and forms of epigraphy in the Near East here, specific texts are considered in terms of their content, context, presentation, and language.

1.3.3. Parchments and Papyri

As historical sources, parchments and papyri have similar advantages and disadvantages to texts written on stone. They preserve functional texts, designed and written with a particular purpose in mind. Such texts can tell us much about the tasks they were written to perform and about the people and the society that produced them. In much the same way as inscriptions, however, the context in which the documents were produced is often unclear to us. Whilst perishable documents can give us a glimpse into a legal case or census return, we can often only guess at the wider circumstances in which they operated. In what follows, I shall give an overview of the main corpora of documents discussed in the thesis.[96]

1.3.3.1. The Babatha and Salome Komaise archives

Babatha and Salome Komaise were two Jewish women who lived in a town called Maoza on the southern coast of the Dead Sea. They lived in the Nabataean Kingdom and

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[95] On the study of ancient graffiti, see Baird (2016); Baird and Taylor (2011). For the usefulness of formal inscriptions see Millar (1983).
[96] For documents in the Near East in general, see the catalogue of Cotton, Cockle, and Millar (1995). More recently, see Gascou (2009).

within their lifetimes saw the kingdom's annexation and the creation of *provincia Arabia* in AD 106.

The documents that form the Babatha archive were found together, alongside others, in the so-called 'Cave of Letters' at Naḥal Ḥever, on the Western coast of the Dead Sea. They were tightly wrapped inside a leather purse, now on display in Jerusalem's Israel Museum. The documents were found during a series of excavations under the supervision of Yigael Yadin in 1960-1961. The Greek documents in this multi-lingual corpus were published in 1989 whilst the Semitic documents were not published until 2002.[97]

Unlike the Babatha archive, we cannot be sure that the Salome Komaise archive was all found in one place. The majority of the documents were taken into what is now the Rockefeller Museum in East Jerusalem in 1952 and 1953 by bedouin.[98] As Salome Komaise's marriage certificate was found in the 'Cave of Letters', the corpus as a whole very possibly originated there as well.[99] The documents were published in 1997 as part of the *Discoveries in the Judaean Desert* series.[100]

Between them, these two archives comprise of forty-three documents written in Nabataean, Greek, and Jewish Aramaic. The earliest of the documents held in the Babatha archive is dated to between AD 56 and 67; its latest is dated to 132.[101] The Salome Komaise archive ranges from AD 100 to 131.[102] The majority of the documents date to a forty-year period leading up to the Bar Kokhba revolt, AD 94-132. What is important about this time period is that it spans the annexation of the Nabataean Kingdom. By using these texts we are able to directly compare administrative practice under Nabataean and provincial rule.

The majority of the documents written before AD 106, the point at which the Nabataean Kingdom was annexed, were written in Nabataean.[103] Most of those written

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[97] For the Greek documents, see Lewis *et al.* (1989). For the Semitic: Yadin *et al.* (2002). Both of these sets of documents are given the designation *P Yadin*.
[98] On their provenance, see Czajkowski (2017), 5-9; Cotton and Yardeni (1997), 1-6; 158.
[99] Salome Komaise's marriage certificate (*P Ḥever* 65), was found in the 'Cave of Letters' by Yadin and his team.
[100] Cotton and Yardeni (1997). They are given the designation *P Ḥever*.
[101] The earliest: *P Yadin* 36. The latest: *P Yadin* 27.
[102] The earliest: *P Ḥever* 2. The latest: *P Ḥever* 12.
[103] A recent monograph, Esler (2017), deals with the Nabataean documents from the Babatha archive. For a recent study of the Greek documents, see Czajkowski (2017).

afterwards, under provincial administration, were written in Greek.[104] Both of these archives from Naḥal Ḥever are repositories of legal documents relevant to the two women and their families. They contain contracts of sale, marriage contracts, deeds of gift, summons and counter-summons, and the minutes from a city-council meeting.

1.3.3.2. The Middle Euphrates archive

The Middle Euphrates archive consists of nineteen documents – seventeen written in Greek, two in Syriac – that originate from the Middle Euphrates region. The documents were recovered from the antiquities market in the late 1980s and quickly published in a series of articles. Denis Feissel and Jean Gascou published the seventeen Greek documents, and Javier Teixidor published the two Syriac texts.[105] The archive contains a number of petitions, contracts of sale, and letters.

The documents were written in various locations in the Middle Euphrates region. Several originate from Beth Phouraia, near Appadana in *provincia Syria*. Of particular interest for our purposes, however, are the texts from the Kingdom of Edessa and *provincia Osrhoene*. We have five documents from this archive – as well as another similar text found at Dura-Europos – that originate from Osrhoene between AD 240 and 250.[106] Three of these texts are written in Greek, two come from Marcopolis and the third from Carrhae.[107] The two Syriac texts come from Marcopolis and date to AD 240 and 242.[108]

The five documents from Osrhoene are of particular interest for our purposes because – in much the same way that the Babatha and Salome Komaise archives span the year 106 – they bridge the annexation of the Kingdom of Edessa. It is clear from the documents that the

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[104] The implications of this linguistic change are discussed in detail below, 3.3.2.

[105] Feissel and Gascou (2000); (1995); (1989); Feissel *et al.* (1997); Teixidor (1991-1992); (1990).

[106] The additional text, *P Dura* 28, was written in AD 243 in Marcopolis, but found in Dura.

[107] *P Euphr.* 6; 7; 10. These documents are published in Feissel *et al.* (1997). On these texts, see also Mazza (2007); Gnoli (2000); Gascou (1999).

[108] The Syriac texts are labelled as *P Mesop.* A and B, following Mazza (2007) and Brock (1991). They were previously designated *P Euphr. inv.* 19 and 20 by Teixidor, and *P1* and *P2* by Drijvers and Healey (1999), 237-40. For a recent in-depth study of *P Mesop.* A, see Healey (2008). On these texts in general, see Healey (2005); Ross (1993); Teixidor (1991-1992); (1990); Will (1987).

kingdom was annexed into *provincia Osrhoene* in AD 213 but it was briefly restored in 239. The Abgarids were deposed again by 242, when documents show the resumption of provincial administration.[109] The five documents from Oshroene allow us to compare dynastic and provincial administration in the region.

1.3.4. Coins

Coins are a relatively abundant source in the kingdoms and principalities of the Roman Near East. They were, first and foremost, an economic tool and, although the distribution of coins can tell us relatively little about fiscal administration, the way in which coins were minted and the denominations that were made can provide useful information for the study of fiscal policy in kingdoms and principalities.[110]

Beyond their economic role, coins were the main means by which the ruling powers could disseminate a public image of themselves to a wider audience. The circulation of coins meant that the information included on them, although secondary to the coin's economic purpose, was widely seen and disseminated. Those responsible for the minting of coins crafted the legends and images on coins to fit the image they wanted to portray.

In the Roman Near East, the minting of coins was restricted to dynasts and cities. The very existence of coins minted in the name of an individual or a community can therefore be informative.[111] The images and legends that appear on coins are of particular interest for our purposes; they can tell us much about the ideology of a king or the identity of a civic community.[112]

There are some significant limitations to what we can learn from numismatic evidence. It can be difficult to identify where a coin was minted and how the location of the mint impacts the legends and images on the coin. Dynasts often minted coins in cities with

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[109] For the history of the Abgarids see below, 1.4.6.
[110] With reference to kingdoms and principalities, the most notable example of such an analysis is Facella (2005b). See further below, 4.1; 4.2.
[111] For the link between city status and the ability to mint coins, see *RPC* 1.14-7; 2.1-2; Howgego (2005), 83-90; (1995), 41-3; Butcher (2004), 242-4; (1988), 9-13; Millar (1993a), 256-7; Weiss (1992). See further below, 2.1.1.
[112] See Howgego (2005); (1995), 75-6.

which they were associated, but why they chose one city over another or how this choice affected the information on the coins is often unknown to us.[113] Civic coins were typically minted in the city responsible for their minting, but we cannot necessarily assume that this was the case.[114]

There are also questions about chronology. It is often not clear why either dynasts or cities minted coins when they did. Often coins were issued for short periods only and, whilst it has been thought that civic coins were a response to a local need for currency either to monetise tax revenue or fund troops stationed there, we cannot always explain the timing of issues.[115] We do not, for instance, know why all minting of civic coins stops towards the end of the third century. Many aspects of the process of minting coins and their economic role remain unclear to us. Nevertheless, coins are an important source of information both for the study of ancient economies and the self-presentation of those in power.

1.4. The history of kingdoms and principalities

In this section, I shall give an overview of the history of the kingdoms and principalities under discussion in this thesis. I shall discuss the history of kings and princes, establish a timeline for dynastic rule in the Near East, and outline the most important bibliography. The overview will also serve to establish more precise geographical and temporal limits to the study.[116]

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[113] A notable example of the complexity of this evidence are the coins minted by Agrippa II, who dated his issues from the point at which the minting city came under his control. His coins are thus dated according to different eras ranging from AD 45 to 60. This pattern was recognised only relatively recently in an excellent article, Kushnir-Stein (2002). On Agrippa's coinage in general, see Meshorer (2001), 102-6.
[114] See Howgego (1995), 28. A case study in the production of coins in northern Syria can be found in Butcher (2004), 23-142.
[115] On these possible explanations for the minting of civic coins, see Howgego (2005), 89-91; Butcher (2004), 250-1.
[116] Similar overviews are given by Butcher (2003), 87-98; Sartre (2001), 497-529.

1.4.1. Commagene

The Kingdom of Commagene – on the western bank of the Euphrates – came within Rome's sphere of influence with the invasion of Lucullus in 69 BC. It is likely that, after this point, King Antiochos I began proclaiming himself *philoromaios*.[117] In 64, Pompey brought the kingdom officially into *amicitia* with Rome as part of his reorganisation of the Near East.[118] Much of its history after this point is obscure, but we do know that the kingdom was annexed by Rome after the death of Antiochos III in AD 17.[119] After twenty years of direct Roman administration under *provincia Syria*, Caligula restored the kingdom under Antiochos IV, the son of Antiochos III.[120] Antiochos was shortly deposed again under circumstances that are largely unknown to us. A few years later he was reinstated, along with the gift of additional territory in Cilicia, by Claudius. The kingdom was finally annexed into *provincia Syria* in AD 72 on the pretext that he was conspiring with the Parthians.[121]

The most important recent work done on the Kingdom of Commagene is the 2006 monograph by Margherita Facella, *La dinastia degli Orontidi nella Commagene ellenistico-romana*.[122] Michael Speidel's work on Roman Commagene, particularly his article on early Roman rule in Commagene, is also worthy of particular mention here.[123] The older work of Jörg Wagner remains important.[124]

1.4.2. The Ituraean Principalities

The Ituraeans controlled territory in three main areas across Mount Hermon and trans-Jordan. The most important principality was centred on Chalcis in Lebanon. The Prince

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[117] See the inscription published by Wagner and Petzl (1976), in which Antiochos is given the title *philoromaios*. The inscription has been convincingly dated to before Pompey's intervention in 64. See Facella (2010), 186-7. On the epithet *philoromaios* in Commagene in general, see Facella (2005a).
[118] App. *Mith.* 114; Strabo, 16.2.3.
[119] Jos. *AJ* 18.53; Tac. *Ann.* 2.56.4.
[120] Jos. *AJ* 19.276; Cass. Dio 60.8.1.
[121] Jos. *BJ* 7.219-43.
[122] Facella (2006). See also Facella (2012); (2010); (2005b).
[123] See, in particular, Speidel (2005). See also Speidel (2012a); (2012b); (1998).
[124] See, in particular, Wagner (1985); (1976).

of Chalcis, Ptolemaios, had his authority confirmed by Pompey after paying a significant tribute in 63 BC.[125] Ptolemaios' successor, Lysanias, was executed by Antony in 36 BC.[126] His territories – comprising of lands in the Bekaa Valley, Mount Hermon, and parts of Trachonitis – were given to Cleopatra and leased to a certain Zenodoros. After Zenodorus' death in 20 BC, much of this land was given to the Herodians.[127] Whilst we cannot be sure, it seems likely that Chalcis was ruled by Herodian princes after that point until it was annexed and placed under the control of Berytus before the end of the first century AD.[128]

Relatively little is known of the second principality, based in Arca. Cassius Dio suggests that it was gifted to the Emesan dynasty in AD 38.[129] The territory was awarded to the Herodian King, Agrippa II, in 53.[130] The third major principality, Abila, was ruled by a certain Lysanias under Tiberius.[131] We know little more about its history, except that it was given to Agrippa II along with Arca in 53.[132]

The most recent dedicated treatment of the Ituraean Principalities is the 2010 monograph, *The Ituraeans and the Roman Near East*, by Elaine Myers.[133] Julien Aliquot's monograph article, *Les Ituréens et la présence arabe au Liban du II siècle a.C. au IVe siècle p.C.*, remains a seminal work on the subject.[134]

1.4.3. The Nabataean Kingdom

The Nabataean Kingdom encompasses most of modern Jordan and parts of western Saudi Arabia and southern Israel. The Nabataeans came into Rome's sphere of influence in 58 BC, when Aretas III paid a substantial sum of money to M. Aemilius Scaurus, governor of

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[125] App. *B Civ.* 5.7.
[126] Jos. *AJ* 15.90-2.
[127] Cass. Dio 65.9.3; Jos. *BJ* 1.398-40; *AJ* 19.274-7.
[128] Jos. *BJ* 2.215-6. For this interpretation, see Aliquot (1999-2003), 225-37. For a more sceptical view, see Butcher (2003), 92-3. This issue is discussed further below, 2.3.2.
[129] Cass. Dio 59.12.2.
[130] Jos. *BJ* 7.96-7. See also Plin. *HN* 5.74.
[131] See, in particular, *Luke* 3:1. It is also called 'Abila of Lysanias' by Jos. *BJ* 19.275; Ptol. *Geog.* 5.15.22.
[132] Abila is included in a list of tetrarchies incorporated into kingdoms (Plin. *HN* 5.74). The most likely kingdom is the kingdom of Agrippa II. For this interpretation, see Aliquot (1999-2003), 244.
[133] Myers (2010).
[134] Aliquot (1999-2003). See also Aliquot (2009); (2008).

Syria.[135] Nabataean rule was for the most part stable throughout the first centuries BC and AD. One of the only dynastic issues of note comes after the death of Obodas III in 9 BC. A certain Syllaeus – courtier to Obodas, discussed further below – travelled to Rome and asked Augustus to grant him the royal title rather than the eventual successor, Aretas.[136] It seems that Aretas had succeeded Obodas without asking Augustus for permission and this affront afforded Syllaeus the possibility of replacing him. In the end, Augustus confirmed Aretas' kingship and had Syllaeus executed. It seems likely that the final Nabataean King, Rabbel II, moved the capital from Petra northwards to Bostra.[137] The kingdom was finally annexed in AD 106 – most likely at the time of Rabbel II's death – and became the province of Arabia.

Much recent work has been done on the Nabataean Kingdom. Ursula Hackl, Hanna Jenni, and Christoph Schneider have collected references to the Nabataean dynasty in a comprehensive sourcebook, *Quellen zur Geschichte der Nabatäer*, that also offers commentary and treatment of some important issues.[138] The most recent significant treatment of the kingdom is Christian-Georges Schwentzel's *Juifs et Nabatéens*.[139] Recent work has also been done on the kingdom's religious life, particularly Peter Alpass' *The Religious Life of Nabataea*.[140] The seminal works on the Nabataean dynasty are still the treatments of Philip Hammond and Arie Negev written in the 1970s.[141] More recently, Philip Freeman has dealt with administrative issues and a series of articles dealing with various aspects of the kingdom was published in 2007.[142]

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[135] Jos. *AJ* 14.80.
[136] See below, 2.2.1.
[137] There are no literary sources attesting this move, but it seems likely given that all of the epigraphy in which Rabbel is mentioned comes from the area around Bostra. This is discussed further below, 2.2.2.
[138] *Quellen.*
[139] Schwentzel (2013).
[140] Alpass (2013). See also Alpass (2015).
[141] Negev (1977); Hammond (1973).
[142] Politis (2007); Freeman (1996).

1.4.4. The Herodian Kingdom

Herod the Great became king over a kingdom spanning Judaea, Samaria, Peraea, and Galilee in 41 BC.[143] His rule over this area was stable and, after the death of Zenodoros, Augustus augmented his territory with Zenodoros' territories from the Hauran. Herod died in 4 BC, leading to revolts and dispute over who would succeed him.[144] Augustus divided Herod's Kingdom between his three sons: Archelaus became ethnarch over Judaea, Philip was tetrarch of Peraea and the Hauran, and Herod Antipas was tetrarch of Galilee.[145] Some cities were removed from the Herodian Kingdom at this point and attached to *provincia Syria*.[146]

Archelaus' rule was cut short when, ostensibly due to popular discontent, he was deposed in AD 6.[147] Judaea was controlled by praefects based in Caesarea until AD 41. Philip ruled until his death in 34.[148] His lands were briefly annexed to *provincia Judaea* before then being passed to his nephew Agrippa I in 37, along with the royal title. Herod Antipas died in 39 and his lands were also passed to the new Herodian King.[149] The former kingdom of Herod the Great was mostly reunited in 41, when Claudius gave Judaea to Agrippa as well.[150] He died only three years later, in 44, and his territories were returned to *provincia Judaea*. Judaea proper was controlled by Roman procurators until the Jewish Revolt, after which legates were made governors.

Agrippa II began receiving territories from Claudius in AD 50.[151] He was first given territories in Galilee and the Anti-Lebanon. Under Nero he was given Peraea and the wealthier sections of the Galilee, around Abila and Livias.[152] Agrippa II ruled these territories

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[143] Jos. *BJ* 1.282-5; *AJ* 14.386-9.
[144] *BJ* 1631-2; *AJ* 17.182-7.
[145] *BJ* 2.20-50; *AJ* 17.317-9.
[146] *BJ* 2.97; *AJ* 17.320.
[147] *BJ* 2.125-6; *AJ* 17.342-4.
[148] *BJ* 2.181; *AJ* 18.106.
[149] *BJ* 2.182-3; *AJ* 18.236-7.
[150] *BJ* 2.214-7; *AJ* 20.137-40.
[151] *BJ* 2.223.
[152] *BJ* 2.247; *AJ* 20.137-40.

until the end of the first century AD; after his death, the kingdom was finally taken under direct Roman rule.

The Herodian Kingdom has been the subject of much scholarly attention. The standard reference work for the region is still the revised *The History of the Jewish People*, written by Emil Schürer and updated by Geza Vermes, Fergus Millar, and Martin Goodman.[153] Important recent works dealing with the Herodian Kingdom include Julia Wilker's 2007 monograph, *Für Rom und Jerusalem*, and Christian-Georges Schwentzels' *Juifs et Nabatéens*.[154] Steve Mason's monolithic *History of the Jewish War* is now an essential work for the study of Herodian Palestine.[155]

1.4.5. The Kingdom of the *Emesenoi*

The *Emesenoi*, whose kingdom lay in the area around modern Homs and the northern part of the Beqaa Valley, first come to the attention of our sources when Antony had the king, Iamblichos, executed before the battle of Actium.[156] After the battle, Octavian annexed the kingdom only to later return it to another Iamblichos, the son of the executed king.[157] The important city of Arethusa was never returned to the dynasty.[158] In the first century AD, Caligula gave the then king, a certain Soaemus, additional land north of Heliopolis.[159] The kingdom was likely annexed at some point between AD 72 and 78. Two inscriptions provide us these *terminae ante/post quem*. The first – discussed further below – is from Heliopolis and dated to 72; it is dedicated to the Emesan Soaemus and refers to him as *rex magnus*.[160] The second is the tomb of a certain Sampsigeramos of the Emesan Dynasty. The accompanying inscription, dated to AD 78/9, shows that he was a Roman citizen and makes no mention of

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[153] *HJP*.
[154] Schwentzel (2013); Wilker (2007a).
[155] Mason (2016a).
[156] Cass. Dio 50.13.7.
[157] Cass. Dio 51.2.2; 54.4.2.
[158] An inscription from the city dates its addition to the *provincia Syria* in 31 BC. See further below, 2.2.2.
[159] Cass. Dio 59.12.2. Kropp (2010), 216, makes the suggestion that it was north of Heliopolis up to Laodicea.
[160] See below, 2.2.3.

the kingdom.[161] It seems likely that this lavish tomb belonged to a member of the Emesan Dynasty whose kingdom had been annexed into *provincia Syria*.

Only recently has the Kingdom of the *Emesenoi* garnered significant scholarly attention. A recent study by Michaela Konrad deals with the material culture of the region in the Hellenistic and Roman periods.[162] Andreas Kropp's article on the Emesan dynasty's self-representation remains the most important recent work on both their history and royal iconography.[163] Sullivan's prosopographical article on the Emesan dynasty is still relevant.[164]

1.4.6. Edessa

Edessa, lying on the eastern side of the Euphrates, is farther east than any of the other kingdoms and principalities discussed here. Rome's direct involvement in Edessa's administration began during Trajan's eastern campaigns of AD 114-117. The incumbent king, Agbar VII, was overthrown by Rome and replaced with a certain Parthamaspates.[165] Only four years later this Roman candidate was removed in favour of another Abgarid, Ma'nu VII.[166] In 162, the pro-Roman Edessene King Ma'nu VIII was overthrown by the pro-Parthian Wa'el bar Sahru.[167] The situation was reversed once again after Lucius Verus' successes in 165; he restored Ma'nu VIII.

Some years later – during the reign of Ma'nu's successor, Abgar VIII –*provincia Osrhoene* was created.[168] Some scholars, presuming that Abgar had supported Niger over Septimius Severus, maintain that the creation of the province was a means to punish the

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[161] *OGIS* 604. See, in particular, Kropp (2010), 204-7.
[162] Konrad (2014).
[163] Kropp (2010). Much of that material is included also in Kropp (2013a).
[164] Sullivan (1977a).
[165] Cass. Dio 68.30.2.
[166] *Chron. Zuq.* 119/89. For the problems associated with the Syriac Edessene King lists and a convincing reading of the evidence, see Gawlikowski (1998a). More recently, see Sommer (2010). On this eighth-century chronicle, see Brock (1979-1980), 10-3.
[167] *Chron. Zuq.* 125/97.
[168] An inscription from the region confirms that both Osrhoene and Edessa existed at the same time. See Wagner (1983).

king.[169] They thus argue that the new *provincia Osrhoene* was created out of a substantial portion of the kingdom. It seems unlikely, however, that Abgar would have remained on the throne had he supported Severus' rival.[170] The province of Osrhoene was most likely created out of other neighbouring principalities.[171] The Kingdom of Edessa was annexed in 213 and the city was made a *colonia*.[172] Extant documents – discussed further above – show that the Abgarids were briefly restored to their powers in 238 before the kingdom was finally annexed once more in 242.[173]

For the study of the Kingdom of Edessa, Steven Ross' monograph, *Roman Edessa,* has effectively replaced Judah Segal's older work, *Edessa: 'The Blessed City'*.[174] Michael Sommer has dealt with the kingdom extensively, both as part of his 2005 monograph discussing Rome's eastern frontier and in a later article examining Roman decision-making in Osrhoene.[175]

1.5. Structure of the thesis

The thesis investigates the administrative role and impact of dynastic rule within the context of Roman imperialism in the Near East. By contrasting administrative practice under kings and princes with provincial rule, it questions the influential assumption that dynastic rule led to annexation and it establishes a new model for dynastic rule as a distinct mode of governance. The work is organised thematically, with each chapter dealing with a particular administrative activity. In what follows I shall give an overview of the structure of the thesis. More detailed discussions of the approach taken in each chapter can be found in the relevant chapter introduction.

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[169] See, in particular, Sommer (2010); Ross (2001), 50-1. *Contra* Kaizer and Facella (2010), 30-1; Kaizer (2003), 290-1.
[170] For this interpretation, see, in particular, Kaizer and Facella (2010), 31; Sartre (2001), 617; Gawlikowski (1998a), 422-3.
[171] This suggestion was first made by Gawlikowski (1998a), 423, who suggested that the principality of Anthemousia and the city of Carrhae might have been annexed into *provincia Oshroene*.
[172] Cass. Dio 78.12.1.
[173] See above, 1.3.3.2.
[174] Ross (2001); Segal (1970).
[175] Sommer (2010); (2005).

Each chapter is divided into two sections: one dealing with kingdoms and principalities and the other looking at the provinces they later became. The thesis is organised so that each chapter is able to provide a comprehensive account of the evidence for administration in the dynastic period. The sections dealing with provincial rule are not aimed to be comprehensive; they are intended to contrast the discussions of kingdoms and principalities and allow us to better appreciate the distinctiveness of dynastic rule as a means of administering regions under Roman influence. For this reason, the thesis first discusses kingdoms and principalities and then includes a section comparing that evidence with the provinces that follow in each chapter.

Chapter two focuses on how kingdoms and principalities were organised into social and political units; it looks at the types of institutions promoted by kings and princes and how they interacted with the world around them. Chapter three investigates the practice of arbitration and enforcement, looking at how contracts were enforced and how the rule of law was maintained. Chapter four looks at what taxes were levied, how they were assessed, and how they were collected.

On occasion evidence from outside the area of focus – kingdoms, principalities, and the provinces they later became – is used to better understand the source material. In particular, well attested parallels from Palmyra or elsewhere in the Roman Near East can provide much-needed context to the evidence from kingdoms and principalities. The treatment of administration in Palmyra or elsewhere is not intended to be comprehensive; it is used to support the analysis of the subject matter.

2. Political units

2.1. Introduction

Political units – groups, bodies, or organisations that wield authority over a certain group of people or a certain space – are crucial to the conception and governance of both people and land. On a conceptual level, both people and land are often defined by their political unit. People are classified according to the unit that wields authority over them, and land is divided into defined spaces controlled by political units. Practically, political units, both large and small, are responsible for how decisions are made and carried out. This chapter examines the political units employed in kingdoms and principalities.

By looking at the types of political unit employed in kingdoms and principalities and comparing their role under dynastic and provincial government, this chapter establishes a model for how political administration was conducted under dynastic rule. It focuses on how different types of political units were employed, engaged with, and received under both dynastic and provincial rule. It draws conclusions about those forms of rule based on points of change and continuity.

Before beginning a full discussion of the evidence, it is necessary to define and consider some of the difficult issues surrounding certain aspects of the political units discussed: how cities were organised and how we can recognise them; and how we can define tribes, and the issues inherent to our evidence of tribal groups in the Near East.

2.1.1. Cities, civic government and civic coinage

Our evidence for the operation of cities in the regions under discussion is rather limited.[1] We can, in general, discern much more about their general structure and how they fit into the wider political topography than we can about how they actually functioned. For instance, when discussing a particular city council, we often will not know very much about

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[1] This is emphasised particularly by Sartre (2001), 650-4.

how the body operated, but the wider effects of an authoritative body attached to a city community are much clearer. This chapter will, in general, look at the impact that cities, as a type of political unit, had on the political structure of kingdoms and principalities.

We can discern enough about the structure of cities in our period and place to equate it with that of their Hellenic and Hellenistic forebears.[2] Whilst villages could bear significant similarities to cities in physical terms, cities are a distinct type of political unit defined by their organisation. We should expect a city: to have a degree of local autonomy, with an assembly, council, and magistrates; to be able to mint its own civic coinage; and to control its surrounding territory, often including, at least nominal, control over the surrounding villages.

The clearest indication of city status from an evidentiary point of view is the minting of civic coins. Literary sources are not always as accurate as we might like when discussing the status of communities. For instance, Strabo, writing in the early first century AD, refers to Petra as μητρόπολις δὲ τῶν Ναβαταίων ("*metropolis* of the Nabataeans").[3] It is, however, quite unlikely that Petra was given this title until the second century AD. The first unambiguous evidence comes from an inscription erected in AD 114, calling Petra a *metropolis*.[4] Strabo refers to Jerusalem as the '*metropolis* of the Judaeans' and reports a debate over whether Sidon or Tyre was the '*metropolis* of Phoenicia'.[5] None of these settlements were given the title and status of *metropolis* when Strabo was writing. He uses the word to refer to important settlements; he does not attach the status to this term that it later implies. Issues such as this make it difficult to use literary sources to determine the status of settlements or communities. It is often possible to determine the status of a city from inscriptions or documents. For example, we have evidence for civic tribes from Bostra and Edessa.[6] A series of inscriptions from the villages around Bostra attest to members of those

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[2] The composition of cities has been much discussed. For the study of the city in general, see Hansen (2006); Millar (1993b); Glotz (1953); Jones (1940); amongst others. In the Roman Near East in particular: Sommer (2005), 81-7; Sartre (2001), 640-710; Millar (1993a), 228-9; 256-63.

[3] Strabo 16.4.21.

[4] Bowersock (1983), 84; (1982), 198. All other sources that suggest it was a city come from after this point. A document records the minutes of the city council of Petra from AD 124 (*P Yadin* 12). It mints coins under Hadrian, including the title *metropolis*: Spijkerman (1978), Petra, 2; *BMC Arabia*, Petra, 12.

[5] For Jerusalem: 16.2.28. For Sidon and Tyre: 16.2.22.

[6] For Bostra, see *P Oxy.* 42.3054. For Edessa, see *P Dura* 28. They are discussed further below, 2.3.3.

villages participating in the city council.[7] Documents such as these are useful evidence for determining if a settlement had city status, particularly in conjunction with supporting evidence.

Coins are the clearest representation of a city's status and identity. The production of civic coinage was a sign of city status and was often used as a means to demonstrate that status to groups both inside and outside of the community.[8] Coinage was an integral part of the city as a political unit; it reinforced the independence of the community.

2.1.2. Tribes: families, groups linked by kinship, and federations

Another important type of political unit that should be discussed here is the tribe. A tribe is a grouping based on and defined by relationships rather than locality.[9] It will be immediately clear that this definition is a very wide one; in this respect it reflects the nature of tribes in our source material. Similar terms are used for groups of drastically varying sizes. In what follows, I shall review some of the most common terms used to denote tribal groups and discuss the nature of our evidence for them. As the evidence discussed in this section demonstrates, personal identifications on inscriptions are the most useful, and often the only, evidence for identifying tribal groups.

The Greek word *phyle* is one of the terms used in the regions under discussion to denote tribes. In a civic context this can often refer to civic tribes: official groups, often important for city government, that made up the citizen body.[10] As briefly mentioned above, a papyrus from Oxyrhynchus, the registration of a sale from the third century AD, attests to the *phyle Romana* and *phyle Dios* at Bostra.[11] We have no information about the composition or operation of these bodies, only their names, as they were used as a form of personal

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[7] A full list of these inscriptions is given in Sartre (1985), 84-7. See further, 2.3.2.
[8] See Howgego (1995), 42; (1990), 20-1.
[9] For this definition, see Macdonald (1998), 182: "Within the context of the Near East, I mean by 'tribe' a social group in which all relationships and responsibilities are perceived and expressed in genealogical terms"; Millar (1993a), 395: "Groupings which seem to be defined by relationships rather than ... by locality." See also, Smith (2013), 38-40; Macdonald (1993), 352-67. *Cf.* Graf (1989); Parker (1986); Sartre (1982a); (1982b); Milik (1980).
[10] See Roussel (1976).
[11] *P Oxy.* 42.3054. Mentioned above, 2.1.1, and discussed further below, 2.3.3.

identification in this document. We might venture that these were civic tribes, given their overtly Greco-Roman names and the civic context of the document – the individuals identified by their membership of the *phyle Romana* and *phyle Dios* are also identified as *bouleutai*.[12] This illustrates the nature of much of our evidence for tribal groups: we do not know anything about the history, membership, or operation of the *phylai Romana* or *Dios*.[13] Any identification we would give them beyond calling them tribes that existed within a civic context would require some speculation.

Although it is not strictly within the bounds of this study, the debate over 'the four tribes of the city' in Palmyra is illustrative of the issues related to evidence for tribes in the Roman Near East. Tribes are attested in Palmyra with the Palmyrene *pḥz* or *pḥd bny* and the Greek *phyle*. There seems to be a discrepancy – as is discussed in detail below – between those tribes attested only in Palmyrene and those attested with the Greek term *phyle*.[14] A certain group of tribes, called 'the four tribes of the city' in one well known inscription, seem to have been involved in civic government and this role is reflected by their attestation in Greek as *phylai*.[15] The debate over their interpretation is addressed in more detail below; what is important for our purposes here is that the terms *pḥz, pḥd bny,* and *phyle* all refer to tribes but in significantly different contexts.[16] They may indeed refer to very different types of group.

We do find the Greek *phyle* outside of cities, but mostly in settled areas. Inscriptions from the Hauran in which the inscriber identifies themself by both their village and their tribe confirms that sedentary people could be active members of a tribe.[17] Members of village communities were able to engage with tribal groups and identify themselves accordingly.

In both Safaitic and Nabataean, the word *'l* was used to denote tribal groups. Tribal identifications are common in the Safaitic graffiti and seem to have been the primary means

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[12] This argument is made, most prominently, by Sartre (1985), 78; (1982a), 84. See also, Freeman (1996), 106.
[13] As emphasised by Kaizer (2002), 65. For this sceptical approach in general, see Macdonald (1993), 352-67.
[14] See below, 2.3.3.
[15] *PAT* 2769; *IGLS* 17.1.149.
[16] See, in particular, Taylor (2002), 320, who argues that, in Palmyra, Greek was the language of public activities and city governance, whilst Palmyrene was the language of the social sphere. See below, 2.3.3.
[17] See further below, 2.3.3.

of self-identification for the authors of these texts. The evidence for tribes in Safaitic graffiti, however, rarely places these groups in context. Although there are some important exceptions, typical examples contain little more than the name of the dedicant and their tribe. The tribes could be social groups as small as individual families or much larger organisations. The widespread repetition of some tribal names in Safaitic graffiti does suggest, however, that at least some of these groups spanned large distances and included many participants.[18]

There are fewer examples of tribal identifications in Nabataean inscriptions and these are often similarly uninformative. There are, again, important exceptions to this statement that allow for a greater understanding of Nabataean tribes. A Nabataean-Greek inscription from Si', discussed in detail below, shows the tribe *'l 'byšt* dedicating a statue.[19] The group are called the 'assembly of the *Obaisenoi*' in Greek (ὁ δῆμος ὁ τῶν Ὀβαισηνῶν). The equation of *'l* in Nabataean with *demos* in Greek is noteworthy. The term *demos* would typically denote a citizen body in a civic context; we cannot be sure to what extent the organisation of the *'l 'byšt* equates to common uses of *demos*, but it perhaps gives us a perspective of the relative size and importance of the group.

The different terms used for tribes all show a breadth of use that defies precise interpretation. Groups labelled with one of these words – *phyle*, *'l*, *pḥz* – could be a family, a group of families with a common remote ancestor, a federation of such groups, or some other organisation defined by relationships. It is important to emphasise here the variety of different contexts that terms for tribes appear in: they are used in different languages, by nomadic and sedentary peoples, and refer to various different levels of organisation. The choice to express tribal identifications in one language over another was dependent on the context, though the implications of this decision are sometimes difficult to identify. We cannot assume that all groups called tribes had a certain type of organisation, nor is there a definite correlation between language and the type of tribe. All of these are important limitations to consider when examining tribes and their role in kingdoms and principalities.

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[18] The *'l 'mrt*, for instance, appears to have been a wide-ranging organisation. For discussion and references, see Macdonald (1993), 359-60; Milik (1980).
[19] *Quellen* (2003), E.004.04; Healey (2009), no.15; *CIS* 2.164; Cantineau (1930-1932), 2.13-4. See below, 2.2.3.

2.2. In kingdoms and principalities

2.2.1. Kings and princes

Kings and princes were the most obvious political force in the kingdoms and principalities of the Near East. Their kingship formed an overarching political context within which the other political structures of kingdoms and principalities existed.[20] In this section I will examine the political role of kings and princes within their territories, looking first at the kings and princes themselves and then at their courts. Dynastic government in kingdoms and principalities was greatly influenced by the administration of Persian and Hellenistic Kingdoms; the king and his court acted as the kingdom's administrative centre.

The overarching authority of King Abgar IX of Edessa, for instance, is encapsulated by his representation on a Syriac document dated to AD 240 from the so-called Middle Euphrates archive. It records a transfer of debt and its royal context is evident from the introduction, which I will quote here:

> *byrḥ knwn qdm šnt ḥmšm'' wḥmšyn wtrtyn bšnt*
> *tlt d'wṭqrṭwr qsr mrqws 'nṭwnyws gwrdynws*
> *gdy' wzky' wbšnt trtyn d'lyws spṭmyws 'bgr mlk'*
> *br m'nw pṣgryb' br 'bgr mlk' dmyqr bhpṭy' b'rhy*
> *b'ds mdynt' rbt' 'm' dmdynt' klhyn dbyt nhryn*
> *ktyb šṭr' hn' bhykl' krk' ḥdt' dṣyd' d'bgr mlk'*
> *bywm tmny' w'śryn* [21]

> "In the month of Former Kanun of the year five hundred and fifty-two, in the third year of Autokrator Caesar Marcus Antonius Gordianus the Fortunate and Victorious, and in the second year of Aelius Septimius Abgar the king son of Ma'nu, crown prince, son of Abgar the king, who was honoured with consular rank in Urhoy, in Edessa, the great city, mother of all the cities of Bet Nahrin, this document was written in the palace, New-Town-of-Hunting, of Abgar the king, on the twenty-eighth day."[22]

The introduction defines the document's political context. It is dated by the year of the emperor's rule and then by the year of King Abgar IX's rule; these dating formulae

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[20] The political role of kings and princes within their territories has been discussed, in particular, by Choi (2013), 117-51; Millar (1996); Braund (1984), 105-22.

[21] *P Mesop*. A.1-7. Text and translation adapted from Healey (2008).

[22] For the *paṣgriba* ("crown prince"), see Sommer (2005), 244; Ross (2001), 1; 60; (1993), 192-3; Segal (1970), 19; 31. For discussion of Abgar's 'consular title', see Ross (2001), 80-1.

demonstrate the context in which the document was valid. The use of the year of the emperor

and Abgar's regnal year evokes what Fergus Millar called a 'two-level sovereignty', whereby

the king operated as a monarch with the backing and implicit oversight of the emperor.[23] The

king, whose authority stems from the emperor, enforced the contract. The choice to write the

document in Syriac – rarely found in documents outside of Osrhoene – reinforces the limits of

its competence.[24] Abgar's kingship legitimised the document and served as the defining

context in which it could operate as a functional legal text.

Legal documents found at Naḥal Ḥever attach a similar role to the Nabataean King in

the political structure of his kingdom. A document confirming a debenture from AD 93-94,

for instance, is dated by the year of King Rabbel II's rule: "year twenty-three of Rabbel the

King, King of the Nabataeans, who has brought life and deliverance to his people,"[25] and it

denotes the tax to be paid to the crown: "And to our lord, Rabbel, the king as well."[26] An

additional contract appended on the same document, which shows the wife's consent to the

loan her husband is taking, is dated by the year of the king at the outset: "[On the eighth(?) of

Elul, year twenty th]ree of Rabbel, the King, King of the Nabataeans."[27] In this document, we

are left in no doubt that these contracts operated within the overarching authority of the

Nabataean King, which gave them a political structure within which they would have

competence and legitimacy. As we might perhaps expect, they were the product of a territory

in which the king was the highest authority.

The epithets of the Nabataean Kings Aretas IV (*rḥm 'mh*; "the lover of his people"),

and Rabbel II (*dy 'ḥyy wšyzb 'mh*; "who resuscitated and saved his people") are attached to

these kings in a variety of contexts.[28] Rabbel's epithet is used on a number of inscriptions,

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[23] Millar (1996).

[24] For the importance of language choices in legal documents in the Near East, see, in particular, Cotton (1999a).
On the extent of Syriac west of the Euphrates in this period see, in particular Facella (2012); Millar (1993a), 456-
60.

[25] *P Yadin* 1.1-2: *btmwnh b'lwl šbt 'šryn wtlt lrb'l mlk' mlk nbṭw dy 'ḥyy wšyzb 'mh*. Cf. lines 11-2. On this
contract, see now Esler (2017), 103-5.

[26] Line 9: *wlmr'n' rb'l mlk' kwt*. Cf. line 42. On this formulation, see below, 4.2.

[27] Line 46: *[btmwn]h [b']l[w]l šn[t 'šry]n [wt]lt lrb'l mlk' mlk nbṭw*.

[28] The epithets are linked to the Hellenistic Greek epithets *philodemos* ("lover of the *demos*") and *soter* ("saviour")
respectively. See Yadin *et al.* (2002), 217; Graf (1994), 291.

particularly from the north of the kingdom.[29] Aretas' epithet appears frequently in the legal inscriptions attached to rock-cut tombs at Hegra, which place restrictions on the use of the tomb and detail punishments for those that contravene them.[30] In these texts, his kingship is used as a means of dating, and he appears as an authority executing the fines, as in the inscription below from AD 4-5:

> *... wmn dy yʿbd kʿyr mh dy ʾlʾ*
> *ktyb pʾyty ʿmh ldwšrʾ ʾlhʾ bḥrmʾ dy ʾlʾ*
> *ldmy mgmr slʿyn ʾlp ḥrty wlmrʾnʾ ḥrtt mlkʾ kwt*
> *byrḥ šbṭ šnt ʿśr wtlt lḥrtt mlk nbṭw rḥm*
> *ʿmh* [31]

"…And whoever does other than what is written above shall be liable to the god Dushara regarding the inviolability referred to above, for the full price of a thousand Haretite selaʿs, and to our lord King Haretat for the same amount. In the month of Shebat, the thirteenth year of Haretat, King of the Nabataeans, lover of his people."

The inscription names Aretas as one of the two authorities to whom the fine is payable. It is not certain to whom a fine payable "to the god Dushara" would be paid in practice; it most likely refers to a religious authority of some sort.[32] In either case, it demonstrates the authority of the Nabataean King whereby he acted as the executor of the fine, guaranteeing the force of the inscription. The pervading authority of the Nabataean King over the administration of his kingdom is demonstrated by his presence and role in legal documents and inscriptions, which use it as a means to legitimise and guarantee their orders.[33]

The examples of Abgar, Aretas, and Rabbel demonstrate the role of kings within their kingdoms. Extant documents and inscriptions, texts which served a practical function in the administration of these territories, use the appropriate king's authority to define themselves within a political context and as a means to convey legitimacy. The authority of kings was an

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[29] From Avdat: AD 76, Negev (1963), 144-5; AD 87, Negev (1961), 135, n.8. From the Hauran: AD 92, Dussaud and Macler (1901), 168, n.36; AD 95, Dussaud and Macler (1901), 187, n.62. The concentration of inscriptions mentioning Rabbel in the north has led to scholars arguing that Rabbel moved the seat of the Nabataean Kings to Bostra. See Millar (1993a), 408; MacAdam (1986), 174; Sartre (1985), 54-6; Bowersock (1983), 73; Milik (1958), 233-5. *Cf.* also Alpass (2013), 186. *Contra* Fiema (2003), 44. There is little certain evidence to confirm this, but it seems likely given the epigraphic disparity.
[30] Aretas is given the epithet *rḥm ʿmh*, 'the lover of his people' in Healey (1993a), nos. 1; 3; 5; 7; 9-12; 16; 19; 24; 27-32.
[31] Healey (1993a), no.1.6-10.
[32] See Alpass (2013), 138; Healey (1993a), 47-8. This is discussed further below, 3.2.1.
[33] This point is made by Freeman (1996), 106; Goodman (1991), 171-2.

overarching political structure that determined and enforced the organisation of those under it.[34]

The positions that kings and princes held within their lands was informed notably by the traditions of Persian and Hellenistic kingship. The way in which the authority of Abgar, Aretas, and Rabbel defined political authority in their kingdoms echoes the way in which Persian and Hellenistic rulers were the political, legal, and administrative centres of their kingdoms. The lineage back to Persian and Hellenistic rulers can be seen in the ideology and iconography of kings and princes in the Roman period, which has been the subject of much recent work. In particular, Andreas Kropp has, in a seminal analysis of the iconography of kings and princes, shown how these rulers incorporated various aspects of Persian, Hellenistic, and Roman ideology and iconography.[35] Christian-Georges Schwentzel has convincingly argued for the identification of the Herodians and Nabataeans as 'rois ethniques'.[36] According to this interpretation, these kings presented themselves as ruling over, and identifying with, a particular *ethnos*. In this way, Schwentzel sees the identity of these kings as being a product of their particular *ethnos* and its history. The Herodians maintained a dual identity, as Judaean and Greek monarchs, following the example set by Hellenistic kings like the Seleucids and Ptolemies, who ruled multi-ethnic kingdoms.[37] The Nabataeans, on the other hand, presented themselves as *mlky nbṭw*, Kings of the Nabataeans, ruling over only one *ethnos*.[38]

The influence of Persian and Hellenistic kingship on kingdoms and principalities in the Roman period can be seen in the presence and authority of royal courtiers.[39] Alongside kings and princes, we have various mentions of royal courtiers in influential administrative

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[34] We have few similar sources relating to the Kingdom of the *Emesenoi* and the Ituraean Principalities. Whilst we have evidence for dynasts in these regions, there is little to tell us how their authority impacted their subjects and administration in general. The nature of dynastic rule in these regions is discussed in further detail below, 2.2.3.

[35] Kropp (2013a). See also Kropp (2013b); (2013c); (2010).

[36] Schwentzel (2013). Similar ideas have been proposed before, see, for instance, the 'native states' or 'ethnic states' discussed by Paltiel (1991), 17; 157; 205.

[37] Schwentzel (2013), 11; 119. The clearest evidence of this self-presentation is in the production of coins, as Herodian Kings tended to mint coins with pagan iconography in pagan, Greek areas, and aniconic coins in Judaean areas. See Kushnir-Stein (2002); Meshorer (2001). This is discussed further below, 2.2.2.

[38] Schwentzel (2013), 207-9. *mlk nbṭw* appears as a legend on the coinage of the Nabataean Kings. See Hoover and Barkay (2010); Barkay (2007-2008); (2006); Zouhdi (2002); Gitler and Kushnir-Stein (1992-1993); Schmitt-Korte (1990); Bowsher (1990); Meshorer (1975).

[39] See Rocca (2008), 72-3; Roller (1998), 54-65.

roles.[40] Before embarking on a discussion of courtiers in kingdoms and principalities, it is necessary to quickly establish how Persian and Hellenistic courts were structured.

The Persian 'friends of the king' or 'relatives of the king' served as integral parts of the court, a focal point of policy-making and governance.[41] Herodotus' well-known 'constitution debate' portrays the Persian court as the political centre of the kingdom where courtiers were influential in decision-making at the highest level.[42] Documents, such as the so-called Passover edict from Elephantine, show orders made by courtiers on behalf of the king.[43] Courtiers would also validate orders and perform other bureaucratic duties on the king's behalf, as demonstrated in particular by a courtier named Parnaka under Darius I.[44]

In the Macedonian and Seleucid Kingdoms, courtiers, called *hetairoi* or *philoi*, existed at the centre of a political and administrative system based on patronage; they connected the king to smaller political units and served as administrators on the king's behalf.[45] The multifarious and widespread influence of courtiers in Macedon is demonstrated by Polybius, who referred to courtiers under Philip V, as those *peri ten aulen* ("around the court"), *sustrateuomenon* ("co-generals"), and *egemonai* ("commanders").[46]

In both the Persian and Hellenistic courts, courtiers undertook political, legal, or bureaucratic tasks on behalf of the king. An inscription dedicated to Antiochos the Great from Commagene, Kilafik Hüyük, suggests a continuation of Hellenistic court structure into the first century BC:

[βα]σιλέα Ἀντί[οχον]
[θ]εὸν δίκαιο[ν]
[ἐ]πιφανῆ<ι> Φιλορ[ώμαι]-
ον καὶ Φιλέλληνα,
τὸν ἐγ βασιλέως [Μι]-
θραδάτου καλλ[ι]-
νίκου καὶ βασιλί[σ]σης Λαοδίκη[ς]

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[40] Following Strootman (2014), 32-3, for our purposes we might conceptualise a court as the king's immediate social milieu. It represented a political and administrative centre, as well as a symbol of monarchic representation. *Cf.* Adamson (1999), 7.
[41] See Llewellyn-Jones (2013), 32-3; Briant (2002), 308-10.
[42] Hdt. 3.80-4. On this see, in particular, Pelling (2002).
[43] For the document, see Lindenberger (2003), 65, no.30a, reproduced in Llewellyn-Jones (2013), 159, no.A19.
[44] Llewellyn-Jones (2013), 34; Elias (1983), 3. Parnaka's bureaucratic duties are known from epigraphy, see, for instance, *PF* 6764, from Persepolis, reproduced in Llewellyn-Jones (2013), 190, no.D10.
[45] See Strootman (2014), 32-41; Spawforth (2007), 84-6; Walbank (1984).
[46] Polyb. 4.87.7; 4.87.8; 5.4.13 respectively. This point is made, with reference to further bibliography, by Strootman (2014), 121.

θεᾶς φιλα|δέλφου,
Ἀπολλᾶς Ἀπ[ολ]-
λᾶ τῶν πρώ[των]
καὶ προτιμω[μέ]-
νων φίλων, ὁ
ἐγλογιστής, [τε]-
ταγμένος δ[ε καὶ]
[στ]ρατηγὸ[ς] [47]

"King Antiochos, just, eminent god, *philoromaios* and *philhellen*, son of the triumphant King Mithridates and Queen Laodice, goddess, who loves her brother, Apollas, son of Apollas, of the *protoi* and the honoured *philoi*, *eklogistes*, appointed and *strategos*."

The inscription was established by Apollas, who identifies himself by terms associated with courtiers from the Seleucid Kingdom: he calls himself one of the *philoi*, an *eklogistes*, and a *strategos*.[48] There is no further evidence for courtiers in Commagene, but this inscription strongly suggests that there was some sort of court based around Hellenistic traditions.

There is more evidence for courtiers with influential roles in the court of Herod the Great, the most notable of whom was Nicolaus of Damascus.[49] Nicolaus was sent multiple times as an envoy to Rome; in the best recorded of these visits, Nicolaus was apparently instrumental in convincing Augustus not to support the Nabataean administrator Syllaeus.[50] Josephus describes Nicolaus' position in the following terms:

καὶ Νικόλαος ὁ Δαμασκηνὸς φίλος τε ὢν τοῦ βασιλέως καὶ τὰ πάντα συνδιαιτώμενος ἐκείνῳ, καὶ τοῖς πράγμασιν ὃν πραχθεῖεν τρόπον παρατετευχώς.[51]

"And Nicolaus of Damascus, friend of the king and his daily companion, who was familiar with his way of conducting his affairs."

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[47] Text from Waldman (1973), 48-9. See also Savalli-Lestrade (1998), 201; Dörner and Naumann (1939), 43-7. Translation is my own.

[48] This has been pointed out by Facella (2012), 72; (2005b), 227; Savalli-Lestrade (1998), 201.

[49] Fairly comprehensive work has been done to identify Herod's courtiers and their roles. Roller (1998), 57-65, provides a list of Herod's intellectual circle, including known courtiers with administrative responsibilities. See also Rocca (2008), 84-94. We have considerable fragments of writing from Nicolaus of Damascus extant, see *FGrHist* 90; Malitz (2003).

[50] Syllaeus, and his place in Greco-Roman literature, is discussed further below. On Nicolaus' role as Herod's envoy, see *FGrHist* 90.F136; Jos. *BJ* 1.574; *AJ* 16.299; 335-55. On Nicolaus, see Toher (2009); (2003); Rocca (2008), 84-5; Roller (1998), 61-2; Wacholder (1989); (1962).

[51] Jos. *AJ* 17.99. *Cf. BJ* 1.629.

Nicolaus is described as a 'friend of the king', using the same technical term that denotes a participant in Hellenistic courts. Nicolaus undertook diplomatic duties on Herod's behalf. He was reportedly involved in the administration of the trials of Herod's sons and he influenced the decisions surrounding Archelaus' accession.[52]

Besides Nicolaus, the most prominent courtier of Herod the Great was Ptolemy, who Josephus reports was considered to be ὁ τιμώτατος τῶν φίλων ("the most honoured of his friends"), again using the language of friendship to convey his status.[53] In the parallel passage from the *Antiquities*, Josephus gives him the title διοικητὴς τῶν τῆς βασιλείας πραγμάτων ("administrator of royal affairs"), which possibly gives us an indication of Ptolemy's practical role in Herod's court.[54] We might typically assume this title implies a role over financial affairs; *dioiketes* denoted officials of financial administration in Ptolemaic Egypt.[55] Josephus, however, uses the same term to describe the position of Varus, who acted as regent for Agrippa II.[56] As I discuss below, Josephus demonstrates that Varus had authority over both military and political affairs as well as finances. It is still likely that Ptolemy was in charge of financial affairs, but it seems that we cannot make certain conclusions about his role based on Josephus' use of the title *dioiketes*. Josephus credits Ptolemy with at least some role in civic affairs: he reportedly helped to calm the crowd during the second trial of Alexander and Aristobulus.[57] He seems to have had responsibility for financial administration as well as some domestic affairs.[58]

Josephus credits Ptolemy with a substantial role in the administration of Herod's Kingdom. Both his general appellation, *philos*, and the specific designation, *dioiketes*, are framed in terms of his relationship with the king. Josephus makes it clear that Ptolemy fulfilled these roles on the king's behalf.

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[52] See *FGrHist* 90.F136. These events are discussed in detail below, 3.2.1.
[53] *BJ* 1.473.
[54] *AJ* 16.191.
[55] On this, see Rhodes (2015).
[56] *BJ* 2.481: κατελέλειπτο δὲ διοικεῖν τὰ πράγματα. Varus and Agrippa II are discussed below.
[57] Jos. *AJ* 16.321. Ptolemy is not mentioned in the parallel account of the stoning of those implicated during questioning: *BJ* 1.550-2. On these trial narratives, see below, 3.2.1.
[58] Rocca (2008), 85, thus gives Ptolemy multiple titles: 'finance minister' and 'minister of the interior'. Roller (1998), 63, opts for 'royal treasurer'.

Evidence for courtiers acting as administrators in kingdoms and principalities beyond the court of Herod the Great is more sparse. Josephus tells us of a courtier who acted as regent on behalf of Agrippa II. There are two, partially contradictory, accounts of this man. One comes from Josephus' *Jewish War*, the other, much more detailed account, from his *Life of Josephus*.[59] The two accounts give this regent different names: he is called *Noaros* in the *Jewish War* and *Ouaros* in the *Life*. The latter, *Ouaros*, relates to the Latin *varus*, meaning literally 'twisted', or 'bent'; as I discuss below, the name Josephus gives him in this narrative belies his character. He is typically called Varus in modern scholarship and I shall follow that convention here.

In the *Jewish War*, Varus, acting as regent while Agrippa II was away, took violent action against the Judaeans of the kingdom, hoping to be installed as king over either Judaea or the former Ituraean principalities.[60] In the *Life of Josephus*, we see another character, Philip, son of Jakimos, a political figure in the Kingdom of Agrippa II.[61] In this narrative, Varus prevented Philip from reaching him or contacting the king for fear that Philip would replace him as regent, allowing Varus the time to act violently against the Judaeans of Caesarea and murder a deputation from the Judaeans at Ecbatana.[62]

In the *Jewish War*, Varus' regency is described as follows:

Αὐτὸς γὰρ ἐπεπόρευτο πρὸς Κέστιον Γάλλον εἰς Ἀντιόχειαν, καταλέλειπτο δὲ διοικεῖν τὰ πράγματα τούτου τῶν ἑταίρων τις τοὔνομα Νόαρος.[63]

"The King himself had gone to visit Cestios Gallos at Antioch, leaving in charge of the government one of his companions named Noaros."

Varus is called one of Agrippa's ἑταίροι, another term linked to Hellenistic court terminology. He is not given any title specific to his role as regent in this account. The

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[59] There are chronological differences between the accounts that do not affect the presentation of his position and responsibilities. I shall not deal with them in detail here. On these differences, see Mason (2001), 49-52; Cohen (1979), 161-4; Drexler (1925), 306-12.
[60] *BJ* 2.481-3.
[61] On whom, see Price (1991).
[62] *Vit*. 46-61.
[63] *BJ* 2.481.

regency itself is referred to as an *epitrope* in the extended passage from which this extract is taken.[64]

In the *Life*, Josephus presents a contrast between the loyal Philip and the conniving Varus. This narrative precedes Josephus' account of his stewardship of Galilee during the Jewish Revolt, in which he is often faced with problems caused by John of Gischala, a leader of the revolt.[65] Josephus presents the loyal, pro-Agrippan Philip as the victim of difficult circumstances, whilst Varus is shown to be a conniving Judaean that harms his own people.[66] The Varus narrative stands as a precursor to the longer account of Josephus' stewardship of Galilee with Philip standing in for the apologetic character of Josephus and Varus representing John Giscala.

As we might perhaps expect, given the character roles assigned to Philip and Varus in the *Life of Josephus*, Josephus downplays the link between Varus and Agrippa's court in this narrative. Varus is not called a *philos* or a *hetairos*, and descriptions of his role as regent emphasise its impermanence; it is particularly striking at the first mention of Varus' role towards the beginning of the passage:

> ἦν δ᾽ οὗτος κατὰ τὸν καιρὸν ἐκεῖνον ὁ τὴν βασιλείαν διοικῶν, καταστησάντων αὐτὸν τῶν βασιλέων.[67]

> "[Varus] was governing the realm at that time, having been appointed by the king and his sister."

The present participle διοικῶν underlines the impermanence of Varus' position. In order not to incriminate Agrippa, of whom Josephus was supportive, Varus is not explicitly linked to the king or his court, or credited with any sort of permanent position.[68] Across Josephus' two accounts of Varus, we only have one description of his role or position that extends beyond his tenure as regent, *hetairos* of the king.

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[64] *BJ* 2.483.
[65] *Vit.* 65-125.
[66] See Mason (2001), 50.
[67] Jos. *Vit.* 49. Translation is my own.
[68] διοικέιν often represents the Latin 'to be *praeses*', meaning 'head' or 'chief'. See Mason (2001), 52; Mason (1974), 38.

There is evidence of a similar influential administrator from the Nabataean Kingdom. A well-known passage of Strabo, describing Petra and Nabataean governance more generally, attests to an *epitropos* who advises the King, the so-called 'brother of the king':[69]

μητρόπολις δὲ τῶν Ναβαταίων ἐστὶν ἡ Πέτρα καλουμένη ... βασιλεύεται μὲν οὖν ὑπό τινος ἀεὶ τῶν ἐκ τοῦ βασιλικοῦ γένους, ἔχει δ᾽ ὁ βασιλεὺς ἐπίτροπον τῶν ἑταίρων τινά, καλούμενον ἀδελφόν· σφόδρα δ᾽ εὐνομεῖται.[70]

"The *metropolis* of the Nabataeans is called Petra … [Petra] is always ruled by some king from the royal family; and the king has as administrator one of his companions, who is called 'brother'. It is exceedingly well-governed."

Strabo, however, only names one of these 'brothers', Syllaeus, who appears as the villain in his account of Aelius Gallus' expedition to Arabia:[71]

ἐπὶ τούτοις μὲν οὖν ἔστειλε τὴν στρατείαν ὁ Γάλλος· ἐξηπάτησε δ᾽ αὐτὸν ὁ τῶν Ναβαταίων ἐπίτροπος Συλλαῖος, ὑποσχόμενος μὲν ἡγήσεσθαι τὴν ὁδὸν καὶ χορηγήσειν ἅπαντα καὶ οὔτε παράπλουν ἀσφαλῆ μηνύων, οὔθ᾽ ὁδόν.[72]

"Upon these considerations, therefore, Gallos set out on the expedition, but he was deceived by the Nabataean *epitropos*, Syllaios, who, although he had promised to be guide on the march and to supply all needs and to co-operate with him, acted treacherously in all things, and pointed out neither a safe voyage along the coast nor a safe journey by land."

Gallus reportedly was ordered by Augustus to make an investigative journey to Arabia during his tenure as prefect of Egypt from 26 to 24 BC. There are multiple accounts of the expedition, but Strabo's is the only one in which we hear of the Nabataean *epitropos*, Syllaeus.[73] Strabo characterises Syllaeus as a power-hungry and treacherous individual, who wanted to establish himself as king.[74] Strabo's close relationship with Aelius Gallus is surely

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[69] Strabo's is one of the two main accounts of Nabataean society in classical literature. For the other, see Diod. Sic. 2.43-8; 19.94-100. Dijkstra (1995), 297-307 gives a useful comparison.

[70] Strabo 16.4.21.

[71] We can confirm that Syllaeus called himself the 'brother of the King', as it appears on two inscriptions he set up: one in Miletus (Cantineau [1932], 45-6.), the other in Delos (*Inscr. Délos* 2315). See also Dijkstra (1995), 70-1; Bowersock (1983), 51. For the coin minted under Syllaeus' authority, see Meshorer (1975), 36-40.

[72] Strabo 16.4.23. Adapted from Loeb translation.

[73] See also, Plin. *HN* 6.160; Cass. Dio 53.29.3-4. Syllaeus' role in the expedition is not even acknowledged by Josephus, *AJ* 15.317, whose portrayal of Syllaeus elsewhere is consistently negative. This point is made by Anderson (2009), 393.

[74] Thus, 16.4.24.1: ζητοῦντος, ὡς οἶμαι, κατοπτεῦσαι μὲν τὴν χώραν καὶ συνεξελεῖν τινας αὐτῶν πόλεις καὶ ἔθνη μετὰ τῶν Ῥωμαίων, αὐτὸν δὲ καταστῆναι κύριον ἁπάντων ("he sought, as I think, to spy out the country and, along with the Romans, to destroy some of its cities and peoples, and then to establish himself lord of all.")

important in explaining this rather anomalous account of the expedition, as Syllaeus provides a useful scapegoat to excuse Gallus' failure.[75]

Björn Anderson has examined Strabo's treatment of the Nabataeans within the *Geography* as a whole.[76] He argues that the Nabataeans are depicted in accordance with literary models of uncivilised societies, and that the character Syllaeus personifies this depiction.[77] According to this interpretation, Strabo contrasts the uncivilised Nabataeans, personified by Syllaeus, and Rome. In doing so, he attempts to justify Roman intervention in Nabataean affairs and their inclusion in the organised Roman world, the unifying theme of the *Geography*.[78]

In light of this, we should reconsider Strabo's account of the so-called 'brother'. Strabo's statement that there was one *epitropos* called 'brother' has often been accepted: the 'brother of the king' has been seen as the chief administrator and advisor of the Nabataean Kings.[79] The title 'brother' is reminiscent of advisors to the Persian Kings, whose courtiers would be described in terms of family relationships despite not being related. It might be suggested – as was the case in Persian courts – that there were many 'brothers' of the king, rather than one individual serving as the chief advisor and administrator. Strabo makes the example of Syllaeus all pervading through the sweeping statement that there is one 'brother of the king'; Syllaeus thus appears as the sole representative of the royal court and the sole example of a holder of the position.

Josephus' presentation of the Nabataean court supports this interpretation, as Syllaeus serves a similar literary purpose in this narrative.[80] Syllaeus is portrayed as a treacherous and power-hungry individual throughout Josephus' works. In the *Jewish War*, he is accused of killing several prominent Nabataeans close to Aretas in order to strengthen his own position

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[75] See Dijkstra (1995), 34-5; Sidebottom (1986); Bowersock (1983), 47-53.

[76] Anderson (2009). See also Anderson (2005), 153-8. A similar, but more general point is made by Wenning (2013), 7: "It has become clear that [the literary sources for Nabataea], from the Ancient Near East as well as those from Greek writers, should be read with some caution. They follow their own literary rules and intentions, often presenting topoi instead of describing reality."

[77] On this typology, see also Almagor (2005).

[78] On the *Geography* in general, see Clarke (1999), 325-8. See also, Alpass (2013), 28.

[79] See Al-Otaibi (2011), 94; Biffi (2002), 306; Freeman (1996), 102; Dijkstra (1995), 70; Bowersock (1983), 47-53; Negev (1977), 558-61; Meshorer (1975), 38; Hammond (1973), 107.

[80] Josephus deals with Syllaeus in *BJ* 1.487; 534; 566; 574-7; 583; 605; *AJ* 16.275-99; 335-53; 17.54-7.

and of poisoning Salome's brother, Pheroras, so that he might be able to marry her.[81] In the *Antiquities*, Josephus adds a lengthy account in which Syllaeus provides security for bandits for his own profit.[82] Like Strabo, Josephus only gives us one example of a prominent courtier or noble of the Nabataean Kingdom, Syllaeus. Elsewhere, he refers to a group with authority in the Nabataean Kingdom with the vague description 'those in power' (οἱ ἐν τέλει). There are three mentions of this group relating to our period; it is worth quoting these in full. The first passage comes from Josephus' description of the military assistance given to Julius Caesar during his Egyptian campaigns shortly after the death of Pompey:

> ἦκεν Ἀντίπατρος ἄγων Ἰουδαίων ὁπλίτας τρισχιλίους, ἐξ Ἀραβίας τε συμμάχους ἐλθεῖν ἐπραγματεύσατο τοὺς ἐν τέλει.[83]

> "Antipater arrived with three thousand heavily-armed Judaean soldiers, and also managed to get those in power from Arabia to come to his aid."

In this passage, the Judaean Antipater, father of Herod-the-Great, asks the 'men in power from Arabia' for aid. The Nabataeans, as well as all of the kingdoms and principalities of Syria, are reported to have joined Antipater in assisting Caesar's campaign.

The second passage comes shortly after the Parthians sacked Jerusalem and murdered Herod's brother, Phasael. In this time of need, Herod approaches the Nabataeans for repayment of a debt:

> ἀγγέλων δ᾽ αὐτῷ ὑπαντησάντων παρὰ τοῦ Μάλχου, δι᾽ ὧν ἐκέλευσεν αὐτὸν ἀναχωρεῖν, παρηγγελκέναι γὰρ αὐτῷ Πάρθους Ἡρώδην μὴ δέχεσθαι· ταύτῃ δ᾽ ἐχρῆτο προφάσει ὑπὲρ τοῦ μὴ ἀποδοῦναι τὰ χρέα, καὶ τῶν ἐν τέλει παρὰ τοῖς Ἄραψιν εἰς τοῦτο ἐναγόντων, ὅπως ἀποστερήσωσι τὰς παρακαταθήκας, ἅς παρὰ Ἀντιπάτρου λαβόντες ἔτυχον.[84]

> "But [Herod] was met by messengers from Malchos, who through them ordered Herod to retire, for the Parthians, he said, had instructed him not to receive Herod; this he used as a pretext for not repaying his debts, and those in power amongst the Arabs urged him on to this in order that they might withhold from Herod the sums which they had received in deposit from Antipater."

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[81] *BJ* 1.574-7; 583.
[82] *AJ* 16.275-6.
[83] *AJ* 14.128.
[84] *AJ* 14.372. Translation adapted from Loeb.

Malichus refuses this request, apparently on the advice of the 'men in power amongst the Arabs'. The group portrayed advising Malichus here bears a significant difference to those depicted in the parallel passage in the *Jewish War*, where Malichus was advised by the τῶν περὶ αὐτὸν οἱ δυνατώτατοι ("most powerful of those around him").[85] Whilst the *Antiquities* places blame on the Nabataean ruling class as a whole, the *War* attributes the advice to a particularly powerful few within Malichus' court.

The third passage is part of Josephus' description of Syllaeus' misdeeds:

περὶ τετταράκοντα δέ τινες ἀρχιλησταὶ κατὰ δέος τῶν ἡλωκότων ἐξέλιπον μὲν τὴν χώραν, εἰς δὲ τὴν Ἀραβίαν ἀφορμήσαντες Συλλαίου δεξαμένου μετὰ τὴν ἀποτυχίαν τοῦ Σαλώμης γάμου, τόπον τε ἐρυμνὸν ἐκείνου δόντος ᾤκησαν, καὶ κατατρέχοντες οὐ μόνον τὴν Ἰουδαίαν ἀλλὰ καὶ τὴν κοίλην Συρίαν ἄπασαν ἐλῄζοντο, παρέχοντος ὁρμητήρια τοῦ Συλλαίου καὶ κακῶς ποιοῦσιν ἄδειαν. Ἡρώδης δὲ ἐπανελθὼν ἀπὸ τῆς Ῥώμης ἔγνω πολλὰ τῶν οἰκείων αὐτῷ κεκακωμένα, καὶ τῶν μὲν λῃστῶν ἐγκρατὴς οὐ δυνάμενος γενέσθαι διὰ τὴν ἀσφάλειαν ἣν ἐκ τῆς τῶν Ἀράβων προστασίας ἐπορίσαντο, χαλεπῶς δὲ ἔχων αὐτὸς τῶν ἀδικημάτων, περιελθὼν τὸν Τράχωνα τοὺς οἰκείους αὐτῶν ἀπέσφαξεν.[86]

"But some forty of the brigand chiefs, fearful of what had been done to those who had been captured, left the country and set off for Arabia, where Syllaios received them after his failure to marry Salome, and gave them a fortified place to dwell in. And they overran and pillaged not only Judaea but also all of Coele-Syria, for Syllaios provided a base of operations and security to these malefactors. But when Herod returned from Rome, he learned that many of his possessions had suffered, and since he was unable to seize the brigands because of the security which they enjoyed as a result of the protection given them by the Arabs, and was himself angry at the injuries inflicted by them, he surrounded Trachonitis and slaughtered their kinsmen."

Syllaeus is blamed for allowing the bandits safe passage and shelter at first, but this blame is then broadened to encompass the Arabs as a group in the following chapter. This passage is not paralleled in the *Jewish War*.

It is only in the *Jewish Antiquities* – the work in which Josephus aligns himself most with particularly Judaean interests – that the Nabataean ruling class is presented as a unified group that consistently opposes the interests of the Judaeans. Syllaeus is the only named representative of that group and is used to characterise the group as a whole. The *Jewish War* does acknowledge the presence of a wider group of courtiers, but only some of them act

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[85] *BJ* 1.276.
[86] *AJ* 16.275-6. Translation adapted from Loeb.

against the Judaeans. In this more Greco-Roman narrative, Syllaeus' crimes are attributed only to him.

It seems likely, therefore, that 'brother' was a term used for advisors and administrators attached to the court of the Nabataean King rather than being a title for a single chief advisor. The coinage minted under Syllaeus' authority would suggest that he was indeed involved in some sort of usurpation of power.[87] Our main sources, Strabo and Josephus, have used Syllaeus as an exemplar of Nabataean court society in general. They seem to conflate many people and actions into one role and one person in order to demonise them as a group.

The evidence suggests that kings and princes, following in the footsteps of Persian and Hellenistic kings, used adherents to the royal court as advisors and administrators. Our evidence attests to a number of individuals in kingdoms and principalities acting as administrators in influential and important roles. The authority of the courtiers was derived from that of the king or prince; they are generally referred to in terms of personal friendship or relation to the king. The two political structures, the authority of the king and the royal court with its courtiers, were inseparable, and constituted the recognisable form of dynastic government in these regions.

Dynastic government was the major defining political structure in kingdoms and principalities. Kings and princes under Roman influence benefitted from the traditions of Persian and Hellenistic kingship. Dynastic government thus took a recognisable form whereby the king, with his royal court, was a clear focal point of political power and administration that defined the territory as a whole.

2.2.2. Cities

The city was a particular type of political organisation, defined by its constitution, including a city council, magistrates, and an assembly. In this section, I examine the relationship between cities, kingdoms and principalities, looking both at cities given to kings

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[87] For this, see Meshorer (1975), 36-40.

and princes and those founded by them. I posit that there was a stark difference between the two: only cities that were a product of dynastic authority were content to exist under it. The relationship between dynasts and cities was a product of each territory's culture, language, and history. I shall first discuss cities founded by dynasts and then cities incorporated into kingdoms and principalities.

The Herodians' tendency for monumental building and benefaction has been much discussed; it was part of their identity as Hellenistic *basileis*.[88] In accordance with this, the Herodian Kings founded cities throughout Palestine.[89] We know very little about a number of these settlements. For Agrippeon or Phasaelis, for instance, we have no source other than Josephus; it is not certain that we should call them cities.[90] Antipatris minted civic coins only in the third century AD and some others never did. Nevertheless, it is clear from those foundations for which we have more information, that the Herodians had a clear interest in establishing city communities.[91]

The communities seem to have been successfully integrated into Herodian society. There is little evidence to show that cities were an unwelcome presence imposed by the Herodian Kings as Judaeans actively participated in civic government. Whilst there was significant ethnic conflict in the cities of Palestine from the Herodian period until the Jewish Revolt, it was not a result of the presence of cities *per se*.[92] Josephus, discussing the building

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[88] See *HJP* 2.56-8; Schwentzel (2013), 101-9; Rocca (2008), 60; Levine (2002), 187; Sartre (2001), 514; Roller (1998); Turnheim (1998), 143-70; Millar (1993a), 353-6; Schalit (1969), 403-21.

[89] Josephus tells us of several of these cities: Sebaste (*BJ* 1.403; *AJ* 15.392) Caesarea (*BJ* 1.408-14; *AJ* 15.331-7; 16.136), Gaba (*BJ* 3.36; *AJ* 15.294), Esbous (*AJ* 15.294), Antipatris (*BJ* 1.417; *AJ* 16.142-3), Phasaelis (*BJ* 1.417; *AJ* 16.145), Caesarea Philippi (*BJ* 2.168; *AJ* 18.28), Sepphoris (*AJ* 18.27), Tiberias (*BJ* 2.168; *AJ* 18.36-8), Agrippeon (*BJ* 1.416), Julias/Livias, formerly Bethramtha (*BJ* 2.168; *AJ* 18.27), and Julias, formerly Bethsaida (*BJ* 2.168; *AJ* 17.28).

[90] It is noted, in particular, by Millar (1993a), 354; *HJP* 2.182.

[91] Caesarea's civic status is demonstrated by the minting of civic coins (*BMC Palestine*, Caesarea, 5-35). See also *NHL* 1.270-91; *HJP* 2.115-8; Evans (2006); Raban (1989); Netzer (1986); Meshorer (1985); Levine (1975a); (1975b), 11-23; Fritsch (1975). On Herod's founding of the city and others, Roller (1998); Richardson (1996), 174-215; Schalit (1969), 330-9. For civic coins of Tiberias, see *BMC Palestine*, Tiberias, 1-38. See also *HJP* 2.178-82; *NHL* 4.1464-73; Applebaum (1989); Dudman and Ballhorn (1988); Meshorer (1985).

[92] The most notable example of such conflict was the violence that erupted between Greeks and Judaeans in Caesarea in AD 60 (Jos. *BJ* 2.266; *AJ* 20.173). On this, see Andrade (2010); Kloppenborg (2000); Kasher (1990), 225; Levine (1975b), 11-29. There has been much wide-ranging debate over Judaean interaction with Hellenic and Hellenistic culture, including discussion of language, philosophy, literature, and architecture. Martin Hengel has argued for the integration of Hellenic language and ideas into Judaism: Hengel (2001); (1989); (1976); (1969). In response, Louis Feldman has argued for the continuing distinctiveness of Judaean culture and its resistance to Hellenism: Feldman (2002); (1993); (1986); (1977). *Cf.* also Gardner (2007); Grabbe (2002); Schwartz (2001); Rajak (2001); Gruen (1998); Bowersock (1990); Momigliano (1981); Millar (1978). On the construction of ethnic identities in general, see Luce (2007); Hall (2002), 9; Barth (1995), 133,

program of Herod the Great, gives us a revealing perspective on ethnic and religious tensions at the time:

Ὑπὸ δὲ τῆς εἰς τοῦτο φιλοτιμίας καὶ τῆς θεραπείας, ἣν ἐθεράπευε Καίσαρα καὶ Ῥωμαίων τοὺς πλεῖστον δυναμένους, ἐκβαίνειν τῶν ἐθῶν ἠναγκάζετο καὶ πολλὰ τῶν νομίμων παραχαράττειν, πόλεις τε κτίζων ὑπὸ φιλοτιμίας καὶ ναοὺς ἐγείρων, οὐκ ἐν τῇ τῶν Ἰουδαίων, οὐδὲ γὰρ ἂν ἠνέσχοντο τῶν τοιούτων ἀπηγορευμένων ἡμῖν ὡς ἀγάλματα καὶ τύπους μεμορφωμένους τιμᾶν πρὸς τὸν Ἑλληνικὸν τρόπον, τὴν δ᾽ ἔξω χώραν καὶ τὰ πέριξ οὕτως κατεσκευάζετο.[93]

"Because of his ambition in this direction and the flattering attention which he gave to Caesar and the most influential Romans, he was forced to depart from the customs (of the Jews) and to alter many of their regulations, for in his ambitious spending he founded cities and erected temples – not in Judaean territory, for they would not have put up with this, since we are forbidden such things, including the honouring of statues and sculptured forms in the manner of the Greeks. These he built in foreign and surrounding territory."

Josephus describes areas within Herod's Kingdom, but outside 'Judaean territory'. Nathanael Andrade, amongst others, has proposed a convincing answer to what this difference entails.[94] As part of their program of founding monumental cities in Palestine, the Herodians demarcated civic spaces as either ethnically Greek or Judaean. The cities distinguished themselves primarily by their use or avoidance of iconism. For instance, Tiberias and Sepphoris in the Galilee, despite having monumental structures typical of a city, tended to eschew iconism; this tendency can be seen most prominently on their coinage.[95] Judaeans were willing to participate in cities built after the Hellenic and Hellenistic model. Tension and violence arose as a result of religious problems, which manifested primarily in the use of human likenesses.[96] Josephus, in his discussion of Herod's changes in Jerusalem, gives us a good idea of the relationship Judaeans had with Greek building and culture.[97] He

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[93] *AJ* 15.328-9. Adapted from Loeb translation.
[94] Andrade (2010). See also van Henten (2014), 238.
[95] For the coins of Tiberias, see *BMC Palestine*, Tiberias, nos.1-2; Reifenberg (1963), nos.45-52. Sepphoris: *BMC Palestine*, Sepphoris-Diocaesarea, nos.1-4. See also the detailed study of Judaean responses to iconism in Lichtenberger (2009); Fine (2005), 60-81.
[96] Thus, Fergus Millar (1993a), 353, wrote: "'Judaism and Hellenism' may be not quite the right label for the contrasts involved; at one level it was a conflict between Judaism and *paganism*, and at another between Empire and a claim for liberty." See also Andrade (2010); Kloppenborg (2000). *Contra* Kasher (1990), 193-209, who claims that the Judaeans saw theatres and other monumental buildings in the same light as idolatrous and religious buildings.
[97] *AJ* 15.267-76. *Cf.* the less critical account in the *War, BJ* 1.401-2.

begins by condemning Herod's contradiction of Jewish practices.[98] His main criticisms are about the games held in the city, particularly the large and costly prizes,[99] and the killing of animals.[100] At the end of the passage, Josephus highlights the main issue Judaeans had with Herod's activity in Jerusalem:

πάντων δὲ μᾶλλον ἐλύπει τὰ τρόπαια· δοκοῦντες γὰρ εἰκόνας εἶναι αὐτὰ τοῖς ὅπλοις περιειλημμένας, ὅτι μὴ πάτριον ἦν αὐτοῖς τὰ τοιαῦτα σέβειν, οὐ μετρίως ἐδυσχέραινον. [101]

"But more than all else it was the trophies that irked them, for in the belief that these were images surrounded by weapons, which it was against their national custom to worship, they were exceedingly angry."

Josephus identifies religious issues, and iconism in particular, as the main cause of ethnic and religious tension at this time. In one of his two parallel accounts of the violence at Caesarea, Josephus identifies these concerns in relation to the ethnic dispute:[102]

οἱ δὲ ἕτεροι τὸν οἰκιστὴν μὲν προσωμολόγουν Ἰουδαῖον, αὐτὴν μέντοι γε τὴν πόλιν Ἑλλήνων ἔφασαν· οὐ γὰρ ἂν ἀνδριάντας καὶ ναοὺς ἐγκαθιδρῦσαι Ἰουδαίοις αὐτὴν ἀνατιθέντα. [103]

'The opponents [of the Judaeans] admitted the Judaean origin of its second founder, but maintained that the city itself belonged to the Greeks, since Herod would never have erected the statues and temples which he placed there had he destined it for Judaeans.'

Josephus' other account of the causes of the conflict is less clear. He blames 'ἰσοπολιτεία' for the tension between Judaeans and Greeks, or Syrians, in the city:[104]

Γίνεται δὲ καὶ τῶν Καισάρειαν οἰκούντων Ἰουδαίων στάσις πρὸς τοὺς ἐν αὐτῇ Σύρους περὶ ἰσοπολιτείας [105]

"There arose also a quarrel between the Judaean and Syrian inhabitants of Caesarea on the subject of *isopoliteia*."

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[98] *AJ* 15.267.
[99] *AJ* 15.270-3.
[100] *AJ* 15.274-5.
[101] *AJ* 15.276.
[102] A thorough treatment of the two, partially conflicting accounts, is given by Andrade (2010).
[103] *BJ* 2.266. Translation adapted from Loeb.
[104] On the often interchangeable use of Greek and Syrian, see Andrade (2013); (2010).
[105] *AJ* 20.173. Translation adapted from Loeb.

Isopoliteia can be broadly defined as being 'an equality of civil rights.'[106] On the basis of this passage, it has often been argued that Judaeans and Greeks in Caesarea controlled separate political bodies and that this division was the cause of the conflict.[107] According to this interpretation, the Greeks and Judaeans constituted two parallel civic organisations, or *politeumata*. Each ethnic group had a separate *demos, boule*, and magistrates and controlled different regions of the city.

Such an arrangement, however, seems unlikely. Christopher Zuckerman has convincingly questioned whether any ancient cities had parallel civic organisations, arguing that *politeumata* were most often associations of soldiers and that it need not be related to political organisation.[108] In Caesarea, it seems unlikely that Josephus would not have mentioned that Herod established the city with separate Greek and Judaean civic bodies.[109] Moreover, the evidence from the city suggests that the civic government was decidedly unequal: coinage from the city declares its pagan and Greek status with images of the *tyche* of Caesarea.[110]

Josephus' statement that the quarrel between Greeks and Judaeans in Caesarea concerned *isopoliteia* more likely implies that it was attributed to competition over the one civic organisation in the city. Josephus suggests that there was a substantial Judaean community in the city, but consistently portrays it as a minority. In the *Jewish War* account, Josephus first refers to the "Greeks in Caesarea" (οἱ Καισαρέων Ἕλληνες) and thereafter refers to the Greeks as "Caesareans" (οἱ Καισαρέοι).[111] The Judaeans, on the other hand, are only referred to as the "Judaeans in Caesarea" (οἱ ἐν Καισαρείᾳ Ἰουδαῖοι). The *Antiquities* is more even-handed, referring to the two sides as the "Judaean and Syrian inhabitants of

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[106] *LSJ*, 838.
[107] See, in particular, Andrade (2010), 366-7; Kasher (1990), 231-2; (1985). Following a similar notion of *isopoliteia* elsewhere in the Roman Near East, see Applebaum (1985-1988).
[108] Zuckerman (1985-1988). Following on from his arguments, see, more recently, Honigman (2003). See also, with reference to Caesarea, Choi (2013), 124; Kloppenborg (2000), 240-1; Millar (1993a), 343.
[109] See Kloppenborg (2000), 241.
[110] *BMC Palestine*, Caesarea, nos.5-29, pl.2.11-4. On the *tyche* of Caesarea, see Kropp (2013a), 76; 251-2; 243; (2011); Gersht (2008); (1996); (1984); Belayche (2003); Seyrig (1972).
[111] *BJ* 2.284-91.

Caesarea" (οἱ Καισάρειαν οἰκοῦντοι Ἰουδαίοι ... οἱ ἐν αὐτῇ Σύροι).[112] Even in this narrative, however, the Judaeans are not given any sense of ownership over the city as they are called either the "Judaeans in the city" (οἱ κατὰ τὴν πόλιν Ἰουδαῖοι) or simply "Judaeans" (οἱ Ἰουδαῖοι).[113] Whilst there does seem to have been an informal separation between the Greek and Judaean ethnic groups, this does not imply the existence of separate civic institutions. The Greeks dominated the civic government and displayed their dominance through the use of classical iconism.

The people of Herodian Palestine – both Greeks and Judaeans – were willing and able to participate in and engage with city communities, resulting in conflict over the governance of some of these communities. Greek, unsurprisingly, was the *de facto* public language of all the cities founded by the Herodians. It does not seem to have been incongruous, as Greek was used widely in Herodian Palestine alongside Hebrew and Aramaic.[114]

The region had a storied history with cities. Some Herodian cities, most notably Sebaste and Caesarea, were initially restored to city status by Pompey as part of his reorganisation of the Near East.[115] The cultural and linguistic history of the region prompted widespread acceptance of city communities; both Greeks and Judaeans were willing to engage with Greek as a means of public expression, and with the culture of monumental cities. In sum, Herodian Palestine was a very apt location for city communities. The Herodian kings embraced this aspect of their territory and their people, and styled themselves after Hellenistic *basileis* in their tendencies for monumental building projects and city foundation.[116]

Despite the Herodians' affinity for city communities, there are clear signs of tension between the Herodians and the cities given to, but not established by, them. After the battle of Actium, several cities re-established by Pompey as part of his re-organisation of the Near East

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[112] *AJ* 20.173.

[113] *AJ* 20.173-7.

[114] Documents and inscriptions from the region show a complex mix of all three languages. For an overview of the documents from Herodian Palestine, see the classic article of Cotton, Cockle, and Millar (1995), and the more recent Mitthof and Papathomas (2004). On papyri in the region as a whole, see now Gascou (2009). The epigraphic evidence consistently shows elements of Greek, Aramaic, and Hebrew throughout the Herodian period. In general, see Millard (2000), 84-131; Millar (1993a), 352-3; Barr (1989); Greenfield (1978).

[115] Jos. *BJ* 1.155-6; *AJ* 14.75-6.

[116] See, in particular, Schwentzel (2013), 10; 101-38. See further above, 2.2.1, on Herodian notions of kingship.

were given to Herod including Gadara, Hippos and Gaza.[117] As early as 20 BC, residents of Gadara made a petition to Augustus, asking to be liberated from Herod's kingdom and added 'to the territory governed by Caesar'.[118] The request was denied, but after the death of Herod in 4 BC these cities were removed from the Herodian Kingdom and added to the province of Syria. A fragment of Nicolaus of Damascus mentions the transition:

> τὸν μέντοι πρὸς τὰς Ἑλληνίδας πόλεις οὐκ ἠξίου, ἀλλὰ καὶ Ἀρχελάωι παρήινει μὴ ἐναντιοῦσθαι αὐταῖς ἐλευθερίας γλιχομέναις· ἀρχεῖν γὰρ αὐτῶι τὴν ἄλλην δυναστείαν.[119]

> "[Nicolaus] did not think it right to argue against the Greek cities, and he advised Archelaus not to oppose their bid for freedom, but to be content with the rest of his kingdom."

Nicolaus does not identify the cities removed from Archelaus' control by name. We can see from Josephus, however, that the cities of Gadara, Hippos, and Gaza were attached to the province of Syria at that time.[120] The history of all of the cities in Herodian Palestine is often difficult to track precisely. The most important thing to note is that, as is evident from both Gadara's initial application to leave the kingdom and their 'bid for freedom' after Herod's death, Greek cities of Palestine that were not founded by the Herodians were unhappy under their sovereignty.[121] There seems to have been a significant difference in the status or outlook of these pre-existing cities to the ones founded by the Herodians.

Outside of the Herodian Kingdom our evidence for local culture in cities is more sparse, but similar trends can still be identified in the relationship between kingdoms and city communities. In the Kingdom of Commagene, for instance, there is remarkably little evidence for political and social history outside of the monumental inscriptions established by the royal dynasty. We have clear evidence for two cities in Commagene during the dynastic period, Zeugma and Samosata.

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[117] For Pompey's restoration, see Jos. *BJ* 1.155-6; *AJ* 14-75-6. Added to the Kingdom of Herod: *BJ* 1.396-7; *AJ* 15.217.

[118] Jos. *AJ* 15.355: τῇ διοικήσει τῇ Καίσαρος. For the whole narrative, see 354-9.

[119] *FGrHist* 90, F136.10.

[120] *BJ* 2.97; *AJ* 17.320.

[121] This general point is made well by Millar (1993a), 353-4.

Zeugma is the name used in the Roman period for the two settlements Seleucia and Apamaea founded on the Euphrates by Seleucus I Nicator *circa* 300 BC.[122] It was added to the Kingdom of Commagene as part of Pompey's reorganisation of the Near East.[123] On the basis of coins dated to the era of Actium, it is often argued that Zeugma was removed from the authority of Commagene and attached to *provincia Syria* in 31 BC.[124] Kevin Butcher has convincingly argued that the coins are more likely dated to the Roman annexation of Commagene in AD 17; Zeugma was probably added to *provincia Syria* during this brief period of annexation.[125]

Samosata was the seat of the Kings of Commagene, but it also seems to have functioned as a city.[126] It minted coins in the first century BC with legends proclaiming its city status: ΣΑΜΟΣΑΤΩ ΠΟΛΕΩΣ.[127] Unlike Zeugma, there is nothing to suggest that it was taken out of the hands of the royal dynasty until the annexation of the kingdom as a whole. There is unfortunately no evidence to show how Samosata, which seems to have been both a city and the royal seat, functioned in practice and to what extent it conformed to our expectations of civic government.

Some further settlements were likely founded by Antiochos IV. Antiochia – built on the banks of the Euphrates up river of Zeugma – can probably be attributed to Antiochos, but did not mint coinage until the reign of Marcus Aurelius.[128] Caesarea Germanicia – on the site of Kahramanmaras in modern-day Turkey – was likely established around this time as well; it too did not mint coins until the reign of Marcus Aurelius.[129] As neither of these foundations

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[122] For the excavations of Zeugma, see now Aylward (2013). Also, Early *et al.* (2003); Kennedy (1998). See also, in general, Ergeç (2004); Wagner (1976). Research has now shown, see in particular Aylward (2013), 1.22, that the two settlements did not operate in tandem. Apamaea was primarily a Hellenistic settlement and Seleucia was a Roman settlement.

[123] Strabo 16.2.3; App. *Mith*. 114.

[124] See Millar (1993a), 29; Sullivan (1990), 198; Wagner (1976), 64. *Cf.* Crowther (2013), 192; Facella (2006), 61. For the coins, see Butcher (2004), nos. 27-8.

[125] Butcher (2009); (1998). See also Butcher (2013); Speidel (2012a), 19-20.

[126] On Samosata's role as the royal residence, see, in particular, Strabo 16.2.3: ἔχει δ᾽ ἐρυμνὴν πόλιν Σαμόσατα, ἐν ᾗ τὸ βασίλειον ὑπῆρχε. "And it has a city fortified by nature, Samosata, where the royal residence used to be." The *basileion* has been identified in excavations: Zoroğlu (2000), 75-83; Tirpan (1989), 519-36; Mellink (1984), 451-9. See also Facella (2005b), 227.

[127] Butcher (2004), no.1. For the dating, see Butcher (2004), 468. See also Facella (2012), 80.

[128] See Butcher (2004), 466; Grainger (1990), 138.

[129] Butcher (2004), 478-9. It is identified as a city by Ptol. *Geog.* 5.14.

minted coins during the period of dynastic rule, we cannot be certain that they were cities in this period.

We can probably attribute Iotape, Germanicopolis, Claudiopolis, and Neronias in Cilicia to this Antiochos as well.[130] The names given to these foundations might suggest that they were monumental cities. We have practically no evidence, however, for the organisation or local culture of these foundations.

Farther west, in the Kingdom of the *Emesenoi*, Arethusa minted coins in AD 217-218 under the Emperor Diadumenian.[131] The coins are dated according to the Pompeian era, beginning in 64-63 BC. It was certainly a city by 217-218, but was probably given city status in Pompey's reorganisation of the Near East in 64-63 BC.[132] Not unlike Zeugma, Arethusa was removed from the control of the Emesan dynasty in 37 BC.[133] An inscription from AD 5, found in Arethusa, suggests that the city was added to *provincia Syria* in 31 BC:

> ἔτους ϛλ΄ κατ-
> ὰ δὲ τὸν πρότερο-
> ν ἀριθμὸν ιζτ΄ ἐλ(ευθερίας),
> Ἑρμαγόρας Ἀπολλω-
> νίου τὸ ἡρῷον
> ἑαυτῷ ἐπόισεν [134]

> "In the year 36, the year 317 according to the old reckoning, of the 'era of freedom', Ermagoras, son of Apollonios, established this tomb for himself."

The dating formulae here are potentially ambiguous. *Eleutherias* here could refer to the era of Actium (the year 36) or to the Seleucid era (the year 317).[135] It seems more likely that *eleutherias* relates to the year 36, dating from the battle of Actium, as the appearance of the term outside the phrase κατὰ δὲ τὸν πρότερον ἀριθμὸν ιζτ΄ would suggest that it should

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[130] On these foundations, see Butcher (2003), 90-1; Sullivan (1977c), 785-94. For cities in dynastic Commagene in general, see now Versluys (2017), 82-91.
[131] See Seyrig (1950), 21.
[132] See van Wijlick (2013), 61-2; Butcher (2003), 92; Sullivan (1977a), 200-1. Josephus' account of Pompey's reorganisation of the Near East supports this thesis (*BJ* 1.155-6; *AJ* 14.74-6).
[133] See Plut. *Ant.* 37.1-2; Cass. Dio 49.24.2. On Arethusa's removal from the Emesan dynasty, see van Wijlick (2013), 191-2; Sullivan (1977a), 209.
[134] *IGLS* 5.2085. Translation is my own.
[135] The editors of *IGLS* 5, Jalabert and Mouterde, 57-8, followed by Sullivan (1977a), 202, see the 'era of liberty' as a reference to the Seleucid era; they assume that the dedicator here is contrasting their current state with the Seleucid period. Kropp (2013a), 26; (2010), 215; Butcher (2003), 92, on the other hand, argue that the 'era of freedom' refers to the Actian era.

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not be related to it. More significantly, as Arethusa was made a city in 64-63 BC and removed from the authority of the Emesan dynasty in 37 BC, there is no obvious reason why the era of Actium would be used in this case unless it marked the point at which the city was annexed into *provincia Syria*.[136] There is no evidence to suggest that any cities other than Arethusa were established during the dynastic period. Emesa itself was probably not made a city until the Roman period, when it minted coins under Antoninus Pius.[137]

In contrast, there is no evidence for *poleis* in the Nabataean Kingdom. The Nabataean Kings clearly had a keen interest in settlements, both as focal points of their political power and as monumental structures following the Hellenistic model.[138] Petra was certainly the seat of the majority of the Nabataean Kings.[139] Rabbel II is a likely exception as he is only known from inscriptions in the region of Bostra; this epigraphic disparity suggests that Bostra was probably his main city.[140] Scholars have argued that Rabbel was based in Bostra on the basis of an inscription that refers to Dushara-A'ra as the 'god of our Lord who is in Bostra'.[141] An inscription from Hegra, however, confirms that it is the god Dushara-A'ra who is at Bostra rather than the king.[142] Nevertheless, it still seems likely, given the epigraphic disparity, that Bostra was the home of Rabbel rather than Petra.

The most profilic periods of building in both Petra and Bostra came under the Nabataean Kings.[143] Both settlements also display topographical features and architecture that we might expect from a monumental city in this period.[144] The Nabataean Kings therefore relied on urban centres built after the style of Hellenistic *poleis*, but did not establish autonomous civic organisations in these places like the Herodians or the Commagenian

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[136] The phenomenon of the 'era of freedom' is discussed further in 2.3.1.

[137] *BMC Syria*, Emisa, nos. 1-8. On the dynasty of Emesa, see Kropp (2010).

[138] This is pointed out, most notably, by Millar (1993a), 407; Bowersock (1983), 64.

[139] For Diodorus, Petra was the centre of the Nabataean Kingdom (2.48.6). Strabo and Josephus both refer to it as the *metropolis* of the kingdom (Strabo 16.4.21; Jos. *AJ* 4.82).

[140] See Millar (1993a), 408; Sartre (1985), 54-6; Bowersock (1983), 73; Milik (1958), 233-5.

[141] In particular, Bowersock (1983), 73. For inscription, see *Quellen* F.025.01; Alpass (2013), 188-9, no.1.

[142] *Quellen* Q.047.21; Alpass (2013), 189, no.2. This is pointed out by Alpass (2013), 186.

[143] The greatest period of urban development in Petra seems to have come in the first centuries BC and AD under Aretas IV, see, in particular, *NHL*, 1181-93; Parr (2007); McKenzie (1990), 38-56; Bowersock (1983), 61-73; Negev (1977), 564. For Bostra, it was towards the end of the first century AD, under Rabbel II, see Millar (1993a), 408; Graf (1992), 3; Segal (1988), 52-8; Sartre (1985), 56-62; Miller (1983), 113.

[144] For Petra, the standard work on the subject is still McKenzie (1990). For Bostra, see Dentzer *et al.* (2002); Sartre (1985), 56-62.

Dynasty. A number of differences between Nabataea and the Herodian Kingdom seem to be relevant to this discrepancy. Firstly, it seems unlikely that Greek was widely used as a public language under the Nabataean Kings. The kings minted coins with Nabataean legends and extant documents from the archives found at Nahal Hever that date to before AD 106 exclusively use Nabataean.[145] There is a notable dearth of Greek in inscriptions, documents, or coins until the arrival of Roman rule, when a considerable linguistic change saw Greek become the most prevalent language in these texts.[146]

Secondly, there was no history of city communities in Nabataea. Petra and Bostra were both treated as important political centres and contained topographical elements that we might expect from a city, but there is no evidence to suggest that they had city status during the dynastic period. Unlike the Herodian Kingdom, Pompey did not establish any cities in their territory, nor did Nabataea have the same close links to the free cities of the Phoenician coast as the Herodian Kingdom.

The Nabataean kings portrayed themselves as *mlky nbṭw*, as kings of the Nabataeans.[147] This self-presentation did not lead them to found cities in the manner of the Herodians and Hellenistic kings before them. It reflects the culture, language, and history of the Nabataean Kingdom and its people.[148]

The relationship between kingdoms and principalities of the Near East and city foundation differs according to the nature of the particular kingdom or principality. Cities were founded in the Herodian Kingdom because it was appropriate that they should be. The history, language, and culture of Herodian Palestine meant that the city community was an appropriate political institution. I would suggest that none were founded in the Nabataean Kingdom because it was an inappropriate place for cities. We might see a similar contrast between Commagene, where Antiochos founded monumental cities, and the Ituraean Principalities, where there do not seem to have been any such institutions. The relationship

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[145] See *P Yadin* 1-4, dating from AD 93-99. On these documents see now Esler (2017).
[146] This is pointed out, most notably, by Cotton (1999a), 228-30; Millar (1993a), 407-8. The issue is dealt with more fully in 2.3.1; 3.3.2.
[147] Following the analysis of Schwentzel (2013), 10; 207-9. See above, 2.2.1.
[148] A more in-depth analysis of Nabataean society follows in 2.2.3.

between dynasts and cities can be best seen in terms of propriety; kings and princes seem to have acted in accordance with the nature of their territory and their people.

We can identify another trend in the important interaction between dynastic rule and city communities. Cities that were given to kings and princes, rather than established by them, tended not to be content under the sovereignty of kings or princes. Such cities petitioned to be removed from dynastic authority and placed under the auspices of a Roman governor. In this aim, they seem to have been very successful. The majority of cities given to kings and princes, rather than established by them, were removed from dynastic authority well before the annexation of the kingdom or principality into a province. Cities established by the Romans were clearly not comfortable existing under the authority of kings and princes.

In the case of the Herodian Kingdom there is no clear evidence of constitutional differences between cities established by Pompey and cities founded by the Herodians. The important difference seems to lie in their different civic identities and how they interacted with the Herodian Kings.

The Herodians and the cities they founded were, perhaps unsurprisingly, strongly linked. This link appears nowhere more strongly than in coinage. Issues minted under the authority of the Herodian Kings often mirrored civic iconography of the cities in which the coin was minted. For instance, coins minted under the auspices of Herod Antipas in one of the cities he founded, Tiberias, show a centrally positioned palm branch on the obverse with the legend ΗΡΩΔΟΥ ΤΕΤΡΑΡΧΟΥ and the legend ΤΙΒΕΡΙΑC on the reverse, wreathed.[149] There is a remarkable similarity between this issue and the civic coins minted by Tiberias in AD 53.[150]

The tetrarch Philip minted coins in Caesarea Philippi in AD 30-31 with busts of Herodians or members of the Imperial Family on the obverse, and the Augusteum in Caesarea

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[149] Meshorer (2001), nos.79-81. The majority of Herod Antipas' issues, who minted exclusively in Tiberias, use the same legend, including: issues from AD 19/20 (*Ibid.,* nos.75-8); from 28/9 (*Ibid.,* nos.79-82); from 29/30 (*Ibid.,* nos.83-6); and from 32/3 (*Ibid.,* nos.87-90). The exceptions are the coins he issued in AD 39, which featured the legend ΓΑΙΩ | ΚΑΙCΑΡΙ | ΓΕΡΜΑ|ΝΙΚΩ (*Ibid.,* nos.91-4).
[150] *BMC Palestine*, Tiberias, nos.1-2; Reifenberg (1963), nos.45-52. They show a wreathed legend reading ΤΙΒΕΡΙΑC on the obverse, and a palm-branch on the reverse.

Philippi on the reverse.[151] Coins minted later by Agrippa I use this particular local image of the Augusteum on the reverse as well.[152]

Similarly, coins minted under the authority of Agrippa I in AD 42/3 show Agrippa on the obverse and the *tyche* of Caesarea on the reverse.[153] Later civic coins, from AD 67/8, show Nero on the obverse and the *tyche* of Caesarea, adopting the same pose as on the coins of Agrippa, on the reverse.[154] We also see a recurrence of nautical themes in both the civic and royal coinage minted at Caesarea. In particular, a civic issue from the Claudian era features an anchor within a wreath on the reverse; it is remarkably similar to an issue minted under Agrippa I, which depicts the same anchor image on the reverse.[155]

There are multiple examples where iconography on civic coins and dynastic issues minted in the city have carried similar or identical images. By presenting recognisable images linked to cities they founded, the Herodian Dynasty emphasised the link between them. The cities founded by the Herodians, named after members of the dynasty and the Imperial Family, were clearly linked to their founders and were part of the ideology of Herodian rule.

The same cannot be said for cities like Gadara, Gaza, and Hippos. Such cities had distinct civic identities separate from the Herodian Kingdom in which they found themselves.[156] This is a distinct difference between the cities given to the Herodians and the cities founded by the Herodians. The latter were a product of Herodian kingship; the independent civic identity of other cities seems to have presented a problem when under the authority of kings and princes.

Cities that were not intrinsically linked to the authority of the king or prince were unwilling to exist under them, but were willing to submit to Roman control. The way in which dynasts founded and interacted with cities was significantly different to practice under direct Roman rule.

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[151] Meshorer (2001), nos.96-106. For the interpretation of the temple, see Kropp (2013a), catalogue, Philip; Wilson (2004), 24; Meshorer (2001), 228-30. For recent debate on Philip's building programme, see Strickert (2010); Kokkinos (2008).
[152] Meshorer (2001), no.115. See Wilson (2004), 24.
[153] Kropp (2013a), Agrippa I, no.123.
[154] *BMC Palestine*, Caesarea, nos.5.29.
[155] Civic coin: *Sylloge Nummorum Graecum*, vol.6, no.745. Royal coin: Kropp (2013a), Agrippa I, no.123.
[156] For the coins of Gadara, Gaza and Hippos, see Spijkerman (1978).

2.2.3. Tribes

Tribes represent one of the most prevalent, but also elusive, types of political structure in the kingdoms and principalities of the Near East. We are given, in the relatively abundant epigraphy of the Nabataean Kingdom, a view into their role in society. The Nabataean Kingdom, however, is a singular example; we do not have a similar epigraphic record of tribes from any other kingdoms or principalities. Literary sources emphasise the importance of tribes to society and authority in the Kingdom of the *Emesenoi* and the Ituraean Principalities, but there is little evidence from the territories themselves to either corroborate or contest this evidence. Our view of tribes is limited, but some important conclusions can be made. I shall look first at the role of tribes in the conception of dynastic rule, then their role in local administration, and finally at the impact they had on society more generally in kingdoms and principalities.

Michael Sommer, in his influential book *Roms orientalische Steppengrenze*, has proposed a model for Near Eastern kingdoms and principalities that warrants discussion here.[157] According to this interpretation, there are two types of dynastic rule. The Nabataean Kingdom, the Kingdom of the *Emesenoi*, the Ituraean Principalities, and the Kingdom of Edessa were based on tribal authority; Commagene and the Herodian Kingdom followed the model of Hellenistic kingship. In this section, discussion will be restricted to the former, the so-called 'Stammesstaaten'.[158] Sommer's model of 'Stammesstaaten' benefits greatly from Michael Rowton's definition of dimorphic societies, which incorporate both sedentary and nomadic people into the political and social infrastructure.[159] For Sommer, these kingdoms and principalities were organised around tribes and included nomadic groups within their administrative structure. In what follows, I argue that, whilst many of these kingdoms and

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[157] Sommer (2005), esp.58-65.
[158] For discussion of how this idea relates to the Herodian Kingdom and Commagene, see below, 2.2.4.
[159] Sommer (2005), esp.95-7. See Rowton (1977); (1976); (1974). This idea is also discussed in relation to the Near East by Scharrer (2010), 245-6; Macdonald (1993), 312-3; Sartre (1991), 333-4.

principalities bear the hallmarks of a tribal past, little about their administration under Roman

influence justifies the title 'Stammesstaaten.'

Dynastic rule has been most prominently linked to tribes in the Nabataean Kingdom.

On the basis of Strabo's description of Nabataean government, it has been argued that the

Nabataean King resembled a tribal leader:[160]

οὕτω δ᾽ ὁ βασιλεύς ἐστι δημοτικός, ὥστε πρὸς τῷ αὐτοδιακόνῳ καὶ ποτε
ἀντιδιάκονον τοῖς ἄλλοις καὶ αὐτὸν γίνεσθαι· πολλάκις δὲ καὶ ἐν τῷ δήμῳ δίδωσιν
εὐθύνας, ἔσθ᾽ ὅτε καὶ ἐξετάζεται τὰ περὶ τὸν βίον [161]

"The king is so democratic that, in addition to serving himself [whilst dining], he
sometimes even serves the rest himself in his turn. He often renders an account of his
kingship in the popular assembly; and sometimes his mode of life is examined."

According to this argument, the 'democratic' (*demotikos*) aspect of this tradition is

evidence for a form of rule based on tribal traditions where the king was equal to the other

members of his tribe.[162] The evidence, however, does not seem to support this interpretation.

It is far from certain that we can read a form of tribal governance into this passage;

the practice of communal dining, with leaders accountable to a citizen body, is hardly

restricted to tribal groups.[163] Even without the tribal label that has been applied by modern

scholars, however, we are left with an unusual impression of kingship from this passage.

Strabo's portrayal of a Nabataean *euthuna*, a term used for the public examination of officials

in Classical Athens, is not supported by any other evidence.[164]

Strabo's presentation of communal authority contrasts with the impression of

Nabataean Kingship we receive from elsewhere. Coins present the king as the sole ruler of the

kingdom. Apart from a single issue attributed to the 'brother of the king' Syllaeus, only

members of the royal family produce or appear on coins minted in the kingdom. As I have

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[160] See Sommer (2005), 59; Knauf (1997); (1989); (1986); (1985), 89-90; Negev (1977), 555. *Cf.* Freeman (1996), 102.
[161] Strabo 16.4.26.
[162] See, in particular, Negev (1977), 555: "The king, not much different from a bedouin *sheikh*, is equal to the other elders of the tribe."
[163] This is pointed out also by Tholbecq (2009), 61-2.
[164] On Athenian *euthunai*, see Davies (1994). The term is applied to Classical Athens particularly by the *Ath. pol.* 48.3-4; 54.2.

discussed above, the king takes on a singular role as the political and legal centre of the kingdom in documents and inscriptions as well.[165]

Laurent Tholbecq has pointed out this discrepancy, noting that Strabo presents a series of facts in his description of Arabia that would seem paradoxical to a Greek reader.[166] Thus, rather unusually, kingship is related to terms like *euthuna* and *demos* that would typically be attributed to the *polis*. Strabo here, as he does elsewhere, presents the Nabataeans and their government at odds with the Greco-Roman world.[167]

Strabo's description of Arethusa under the Emesan dynasty more clearly presents the Kingdom of the *Emesenoi* as a tribal society:

Ἀρέθουσα ἡ Σαμψικεράμου καὶ Ἰαμβλίκου, τοῦ ἐκείνου παιδός, φυλάρχων τοῦ Ἐμισηνῶν ἔθνους [168]

"Arethusa, belonging to Sampsikeramos and his son Iamblichos, *phylarchoi* of the *ethnos* of the Emesenoi."

Strabo calls Sampsigeramos and Iamblichos *phylarchoi*, related to the Greek *phyle* ("tribe"), which would imply some sort of link to tribal groups. It is also the title Strabo typically gives to tribal leaders.[169] Cicero gives a similar impression, calling the Emesan leader Iamblichos a *phylarchus Arabum*.[170] We have little evidence from which to reconstruct the organisation or local culture of the Kingdom of the *Emesenoi* nor do we have much evidence for the nature of Emesan Kingship.[171]

Members of the Emesan dynasty appear in a few inscriptions from the first century AD. A Latin inscription from Heliopolis gives us an idea of how the Emesan Kings were perceived:

regi magno
C(aio) Iulio Sohaemo

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[165] See above, 2.2.1.
[166] Tholbecq (2009), 62. See also Schwentzel (2013), 208.
[167] Strabo's presentation of the Nabataean upper class and the 'brother of the king', Syllaeus, in particular follows literary models of uncivilised societies. This is discussed in detail above, 2.2.1.
[168] Strabo 16.2.10. Translation adapted from Loeb.
[169] See Kropp (2010), 201; Aly (1957), 162.
[170] Cic. *Fam.* 15.1.2-3. On this description, see, in particular, Konrad (2014), 47-8; Millar (1993a), 302.
[171] This is emphasised, in particular, by Millar (1993a), 302.

regis magni Sam-
sigerami f(ilio), philo-
caesari et philo-
[r]homaeo, honora-
t[o ornamentis] consulari-
b[us . . . .],
patrono coloniae
(duum)viro quinquenn(ali)
L(ucius) Vitellius L(uci) f(ilius)
Fab(ia tribu) Soss[i]a[nus] [172]

"To the great king Gaius Iulius Sohaemus, son of the great king Sampsigeramus, *philocaesar* and *philoromaios*, given consular honours, protector of the *colonia*, *duumvir* for the fifth year, Lucius Vitellius Sossianus, son of Lucius, of the tribe Fabia."

In contrast to the accounts of Strabo and Cicero, this inscription presents Sohaemos and Sampsigeramos, his father, as *reges magni*. As the text comes from the territory of the Roman *colonia* Berytus, it is possible that the terminology used here is more of a reflection of the colonial context than the Emesan Kings. The lack of supporting evidence makes it difficult to be certain on this issue. Nevertheless, it is significant to note that, in using the phrase 'great king', the text evokes the language of Persian and Hellenistic Kingship in much the same way as we see with the Herodian Kings and the Kings of Commagene.[173]

A problematic inscription from the Temple of Bel in Palmyra perhaps mentions this same Sampsigeramos.[174] The text of this Palmyrene inscription was first published by Jean Cantineau in 1931, who reconstructed elements of the fragmentary text:

[......*d*]*y mtqrh 'lksndrws*
[.....*td*]*mry' dy hw 'bd*
[......]*h lqdmyn wšdrh grmnqs*
[.....*m*]*lk' myšny['w]lwt 'rbz*
[......] *h' mn sṭ[r...] lyswdy*
[.....*šm*]*šgrm mlk [ḥmṣ ml]k' ršy'*
[......] *wlwt* [........] [175]

"[......*w*]ho is called Alexander [.....Pal]myrene, because he did [......] previously and Germanicus sent it [.....] the king from Mysene and with Orabses [......] who *sṭ[r...] lyswdy* [.....Sam]sigeram the High King [of Emesa] [......] and at [........]."

[172] *IGLS* 6.2760.1-9.
[173] See above, 2.2.1.
[174] See Kropp (2013a), 26.
[175] Cantineau (1931), 139-41, no.18.

This inscription shows Germanicus making connections with the Kingdom of Mysene to the East. What is important for our purposes is the portrayal of King Sampsigeramos, who is here called the *mlk rš* ("High King"). This appellation is similar to his title in the Latin inscription from Heliopolis, in which he is called the *rex magnus*. Cantineau's reconstruction, however, is problematic and has been questioned. The editors of *Palmyrene Aramaic Texts* see the sixth line of the text differently, reconstructing it in the following way:

[...... *mlk* [...]*k' ršy'* [176]

Hillers and Cussini do not read the fragment of the name Sampsigeram (*šgrm*) into the text nor do they think there is room to reconstruct *ḥmṣ*.[177] The reconstruction of this text, therefore, is very problematic and we cannot place much emphasis on the portrayal of Emesan Kingship we get from it.

Whilst we do not have any extant coinage minted by the Kings of Emesa, we do have a royal portrait preserved on a golden seal ring found in a tomb on Tell Abu Sabûn.[178] Andreas Kropp has dated the image to the first century AD on the basis of comparisons with Eastern kings such as Agrippa I and II.[179] The ring shows a beardless man in profile, after the same classical style as images of Augustus, with an Hellenistic diadem and a rather peculiar earring. What is important for our purposes is that, as Kropp has shown, the image is typical of kings under Roman influence, depicting a mixture of Roman and local elements.[180]

Our evidence for Emesan Kingship is very limited, but no aspect of their portrayal in inscriptions or on the seal ring suggests that it was fundamentally different to dynastic rule in other kingdoms and principalities. The Emesan Kings are described with the same royal language, derived from Persian and Hellenistic kingship, that we see in other kingdoms and principalities, and the extant portrait is typical of this royal discourse as well.

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[176] *PAT* 2754.
[177] See also Yon (2002), 105, who does not read King Sampsigeramos into this text.
[178] See Seyrig (1952), 236-9.
[179] See Kropp (2013a), 80-3; (2010), 201-4, for dating, description, and analysis of the image.
[180] On the portrait of the Emesan King, see Kropp (2010), 213-4. For more general conclusions regarding common themes in the portraiture of kings and princes under Roman influence, see the seminal study of Kropp (2013a), 382-3.

Classical sources relating to Edessa do not present stable dynastic rule. Pliny presents the region as being inhabited by multifarious peoples and political units.[181] Other, slightly later, classical sources do depict a dynasty of sorts: Plutarch refers to a φύλαρχος Ἀράβων ("*phylarchos* of the Arabs") called Ariamnes;[182] and Tacitus mentions a *rex Arabum* ("King of the Arabs") called Acbarus.[183] None of these depictions, however, refer to the period in which Edessa was undoubtedly a kingdom under Roman infuence, from the late second century to the mid-third century.[184]

Sommer's claim that Edessa was a 'Stammesstaat' places much emphasis on a series of Syriac inscriptions found at Sumatar that depict the 'governor of *'Arab'*.[185] From these inscriptions we are given information about holders of this office from AD 162 to 197, when the territories it concerned were removed from Edessa and added to the *provincia Osrhoene*.[186] A typical example of these inscriptions depicts an Abgar undertaking the role:

hn' ṣlm'
d'bd m'nw
br mqmy
l'bgr šlyṭ'
d'rb
[-m']nw gn[...] [187]

"This is the image which Ma'nu son of Muqimi made for Abgar, governor of 'Arab .. Ma'nu ....."

This inscription was found between two figures and was dedicated to Abgar, the *šlyṭ' d'rb* ("governor of *'Arab*"). The term *'Arab* here seems to refer to a region. Han Drijvers argued that the *'Arab* was the desert spanning from Edessa all the way to the Tigris in the East.[188] The implication of this interpretation is that the Kings of Edessa, through this 'governor of *'Arab'*, controlled an area significantly larger than the later *provincia*

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[181] Plin. *HN* 5.85-6. Pliny's presentation of Edessa is discussed further below.
[182] Plut. *Crass.* 21.
[183] Tac. *Ann.* 12.12.
[184] Millar (1993a), 457, emphasises the uncertainty of these classical impressions and their relationship to the later dynasty of Edessa.
[185] Sommer (2010), 225; (2005), 252-5. For the inscriptions, see Drijvers and Healey (1999), As36; As37; As46; As49; As51; As52.
[186] See Drijvers and Healey (1999), 105-6; Gawlikowksi (1998a); Drijvers (1980), 122-34.
[187] Drijvers and Healey (1999), As51.
[188] Drijvers (1980), 130.

Osrhoene.[189] As Steven Ross has pointed out, in the absence of any evidence to the contrary it seems unlikely that the Edessan Kings would have had a larger territory than the later province.[190] The more conservative definition of *'Arab* proposed by Louis Dillemann, a confined area around Tella and Rhesaina, seems more likely.[191] In either case, the region controlled by the 'governor of *'Arab*' was primarily inhabited by nomadic tribes.

The corpus of inscriptions from Sumatar span the period of transition between Edessa's pro-Parthian and pro-Roman positions. We have evidence for four holders of this office: Wa'el, from before AD 162; Tiridates, from 162 to 165; Abgar, from 165 to 176; and Barnahar from 176 onwards.[192] Whilst we are given relatively little information about these individuals, it seems likely that they – and, by extension, the office – were relatively important. The governor Wa'el was likely the son of Wa'el bar Sahru, who was King of Edessa under Parthian influence from 163 to 165, and the Abgar attested in the inscription quoted above probably later became the pro-Roman King Abgar VIII.[193]

For Sommer the 'governor of *'Arab*' is evidence for the integration of tribal nomads into the Kingdom of Edessa. According to this interpretation, the governor was integrated into a tribal structure and was a leader in both the nomadic tribes in *'Arab* and the sedentary kingdom.[194] Whilst we can assume some interaction between nomads and sedentaries in this region, there is no evidence that shows tribal nomads integrated into Edessan society.[195] The 'governor of *'Arab*', tasked with controlling a region known for nomadic tribes, does not prove that the tribes were integrated into the kingdom but rather suggests the opposite. The governor seems to have been an intermediary between the kingdom and the nomadic tribes; the necessity of such a role would suggest that they were quite distinct political units.[196]

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[189] On the territory of Edessa and Osrhoene, see Ross (2001), 25-6; Millar (1993a), 457; Segal (1970), 22.
[190] Ross (2001), 25-6.
[191] Dillemann (1962), 75-6, followed by Ross (2001), 26.
[192] For this list, see Drijvers and Healey (1999), 105-6. See also Gawlikowski (1998a); Drijvers (1980), 122-34.
[193] On Wa'el see Drijvers and Healey (1999), 129. Abgar: Drijvers and Healey (1999), 135-6; Drijvers (1982), 177.
[194] See Sommer (2005), 252-4. Luther (1997), 173, is less explicit in this regard, but sees the 'governors of *'Arab*' as tribal leaders.
[195] On interactions between nomads and sedentaries in this region see Scharrer (2010), 301-5; Dijkstra (1995), 251-8. Macdonald (2014), makes some useful remarks regarding interaction between nomads and sedentaries in general as part of his discussion of Safaitic texts.
[196] This is the conclusion reached by Scharrer (2010), 305; Drijvers and Healey (1999), 105.

The 'governor of *'Arab'* has often been linked to an *arabarches* mentioned in a document from Dura-Europos from AD 121, to a *mry' 'rby* ("Lord of the Arabs") in Hatra, and to a *strategos nomadon* ("governor of the nomads") in Arabia.[197] These three titles seem to indicate officials with some sort of responsibility over nomadic or tribal groups. The particularly interesting thing about them is that they all present an external view of the peoples involved. The titles themselves present those under the control of the official as a distinct group or political unit: the titles *arabarches* and *mry' 'rby* distinguish either Arabs or those who live in a region called Arab as distinct from those in power; and the title *strategos nomadon* distinguishes the nomads from those in power.[198] If the groups under the control of these officials were synonymous with those who assigned the official and undertook the role then qualifiers such as 'of the Arabs' and 'of the nomads' would not have been necessary. In the same way, the 'governor of *'Arab'*, in the absence of any further evidence, is indicative of a separation between the Kingdom of Edessa and nomadic tribes to its east.

We have little evidence for local administration in any of the kingdoms or principalities under discussion, but we are given a glimpse into lower levels of administration in the Nabataean Kingdom.[199] In what follows, I shall examine the evidence for local administration in the Nabataean Kingdom and discuss the impact that tribes had on it.

Josephus gives us some indications of the internal organisation of the kingdom in his description of a journey undertaken through it by Aretas IV's daughter, the divorced wife of Herod Antipas:

> ἡ δέ, προαπεστάλκει γὰρ ἐκ πλείονος εἰς τὸν Μαχαιροῦντα τότε πατρὶ αὐτῆς ὑποτελῆ, πάντων εἰς τὴν ὁδοιπορίαν ἡτοιμασμένων ὑπὸ τοῦ στρατηγοῦ ἅμα τε παρῆν καὶ ἀφωρμᾶτο εἰς τὴν Ἀραβίαν κομιδῇ τῶν στρατηγῶν ἐκ διαδοχῆς παρῆν.[200]

> "Some time earlier she herself had dispatched messengers to Machaeros, which was at that time subject to her father, so that when she arrived all preparations for her journey had been made by the *strategos*. She was thus able to start for Arabia as

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[197] For the *arabarches*: *P Dura* 20.5; *mry' 'rby*: H78; *strategos nomadon*: *PUAES* 3.A.752. On the links made between these see, in particular, Scharrer (2010), 301-5. The *strategos nomadon* is discussed further below, 2.3.3.
[198] On the purview of the *arabarches*, see Millar (1998), 477; Segal (1970), 22-3. On the *mry' 'rby,* see Dijkstra (1995), 175-208. See below, 2.3.3, for the *strategos nomadon*.
[199] Nabataean governance has been the subject of multiple studies, see Freeman (1996); Negev (1977); Hammond (1973).
[200] Jos. *AJ* 18.112. Translation adapted from Loeb.

soon as she arrived, being passed from one *strategos* to the next as they provided transport."

Along her journey Aretas' daughter was aided by a series of *strategoi*. The most likely explanation for her 'being passed from one *strategos* to the next' is that these *strategoi* had defined areas of responsibility; as she passed into the territory of another *strategos*, that official would provide transport through his region.[201]

Laïla Nehmé, in a recent article, has collected all twenty-one known inscriptions from Nabataea that mention a *strategos*.[202] The inscriptions are concentrated in certain areas, leading to Nehmé's convincing argument that *strategoi* were stationed in places of particular importance, so-called 'central places.' An inscription from Hegra seems to confirm that *strategoi* were attached to important locations:

> *dnh kpr' dy 'bd trṣw hprk'*
> *br tymw lnpšh wl'ydt 'ntth brt*
> *'bd'dnwn wl'bdrb'l wtymw bnwhy wlyldhm wl'ḥrh[m]*
> *w'ṣdqhm mn [y]wm' dn[h] 'd 'lm w[...]m[.......kpr]'*
> *dnh l[...]'[....................]l'' bnw[hy]*
> *yztry [wyz]bn m[.......]mš[k]n[..............]*
> *wkl 'nwš dy yzbn kpr' dnh 'w ytktb lh bh mwhbh p'yty 'mh*
> *l'srtg' dy hw' bḥgr' sl'yn 'lp ḥrty wlmr'n' mnkw mlk' kwt*
> *byrḥ ṭbt šnt 'śryn w'rb' lmnkw mlk' mlk nbṭw* [203]

> "This is the tomb which Tarsu the prefect, son of Taymu, made for himself and for 'Aydat, his wife, daughter of 'Abd'adnon, and for 'Abdrabel and Taymu, his sons, and for their children and for their descendants and their legitimate heirs from this day for ever. And … this tomb .... his sons .... and sell ……… give in pledge …............. And anyone who sells this tomb or writes for himself regarding it a deed of gift shall be liable to the *strategos* who is in Hegra in the sum of a thousand Haretite selas and to our lord King Maliku for the same amount. In the month of Tebet, the twenty-fourth year of King Maliku, King of the Nabataeans."

This legal text, like the majority of the rock-cut inscriptions at Hegra, details the fine for entering the tomb illegally.[204] For our present purposes, there are two important pieces of information here. Firstly, the authority of the *strategos* is linked to a particular place, Hegra. It

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[201] On this passage, see Nehmé (2015); Freeman (1996), 101; Graf (1994), 274-90; MacAdam (1986), 54; Negev (1977), 569; Jones (1971), 290-2.
[202] Nehmé (2015). See also Esler (2017), 110-6; Graf (1994).
[203] Healey (1993a), no.38.
[204] On these inscriptions and the fines levied, see further 3.2.1. This inscription is the only one from the corpus in which a *strategos* acts as the recipient of a fine. The recipients of fines and the choices inscribers make are discussed further below, 3.2.2.

seems likely that this official was posted there and that it was the centre of his authority. Secondly, part of the fine was payable to this *strategos*. The division of the fine between the king, as the central authority, and the *strategos* at Hegra suggests that the *strategos* represented a significant local authority in the region.[205]

An inscription from Medaba allows us to further characterise Nabataean *strategoi* as local authorities. This text, from AD 37-8, was established by ʿAbdʿobodat the *strategos*:

> *dnh mqbrtʾ wtrty npštʾ dy [ʿl]ʾ*
> *mnh dy ʿbd ʿbdʿbdt ʾsrtgʾ*
> *lʾytybl ʾstrgʾ ʾbwhy wlʾytybl*
> *rb mšrytʾ dy blḥytw wʿbrtʾ br ʿbdʿbdt*
> *ʾsrtgʾ dnh bbyt šlṭwnhm dy šlṭw*
> *zmnyn tryn šnyn tltyn wšt ʿl šny ḥrtt*
> *mlk nbṭw rḥm ʿmh wʿbydtʾ dy*
> *ʿlʾ ʿbydt bšnt ʾrbʿyn wšt lh* [206]

"This is the tomb and the two funeral monuments above it which ʿAbdʿobodat the *strategos* made for Itaybel the *strategos*, his father, and for Itaybel, the camp commandant, who is in Luhitu and ʿAbarta, son of this ʿAbdʿobodat the *strategos*, in the place of their authority, which they exercised twice for thirty-six years during the time of Haretat, King of the Nabataeans, lover of his people. And the above work was executed in his forty-sixth year."[207]

The *strategoi* ʿAbdʿobodat and Itaybel are linked to a particular place, their *byt šlṭwn*, the place of their authority. This inscription explicitly links the *strategoi* to a particular place in or from which they exercise their authority. It confirms the presentation of Nabataean *strategoi* we get from Josephus: they are linked to particular localities, within which they seem to have been significant authorities.

The inscription from Medaba raises another important issue concerning local officials in Nabataea. All of the individuals in positions of authority mentioned in it are related. It has been argued, on the basis of inscriptions such as this, that the offices were hereditary.[208] There

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[205] This point is also made by Nehmé (2015), 115.

[206] Text and (adapted) translation from Healey (1993a), 247-8. See also *CIS* 2.196; Nehmé (2015), no.5.

[207] As Nehmé (2015), 115, has pointed out, Healey's translation of *byt šlṭwn* as 'territory of their rule' is not quite appropriate. *Byt* generally refers to a very specific place or building, thus I do not think 'territory' is specific enough. Nehmé suggests 'house of their authority', but since there is no further evidence to suggest it necessarily refers to a building, I opt for 'place of their authority.'

[208] See Nehmé (2015), 116; Freeman (1996), 102-3; Jones (1971), 291. *Cf.* Graf (1994), 277, who separates the evidence for *strategoi* in Hegra from the rest of the inscriptions. He argues that the title *strategos* outside of Hegra seems to be hereditary, whilst it was a "matter of appointment and rotation" in Hegra.

are a number of inscriptions that confirm the office of *strategos* was held by multiple close family members. Four, including the inscription from Medaba above, include a father and his son that were *strategoi*;[209] in one of these, two brothers are *strategoi*.[210]

It does not seem likely, however, that all these local appointments were hereditary.[211] The number of and relationship between office holders suggests a different arrangement. An inscription from Umm ar-Raṣāṣ, from AD 40-1, mentions three *strategoi*, ʿAbdmaliku, whose tomb is being consecrated, ʿObaišu, his father, and his brother, Iaʿmuru, who is dedicating the inscription. It seems unlikely that both ʿAbdmaliku and Iaʿmuru could have inherited the office or title *strategos* from their father.

The inscription quoted above, from Hegra, AD 37-8, consecrated the tomb of Itaybel, the *strategos*, and Itaybel, the *rb mšryt'* ("camp commandant").[212] It was established by an ʿAbdʿobodat, the *strategos*, who was the son of Itaybel, the *strategos*, and father of Itaybel, the camp commandant. In this instance, the younger Itaybel did not have the title *strategos*, but was able to achieve a different position of authority.[213] Similarly, an inscription from Hegra shows the father of a *strategos* holding a different title, *hyparchos*.[214] It was not the case, therefore, that all *strategoi* were descended from holders of the office, nor that sons of *strategoi* would always inherit it. The most likely explanation for the repeated appearance of both father and son with the title *strategos* is not that the titles were hereditary, but that certain families monopolised positions of local authority and stature.

Some scholars have argued that the dominance certain families held over the office of *strategos* is evidence for the authority of local tribes, but it is not unusual for certain families to dominate political offices.[215] There is no indication that the title *strategos* was assigned to a tribal leader or on the basis of tribal affiliation. Moreover, the little evidence we have for the

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[209] *CIS* 2.196, from Medaba, AD 37-8; *CIS* 2.161, from Ḍmayr, AD 94-5; Healey (1993a), no.34, from Hegra, AD 71-2; *CIS* 2.195, Umm ar- Raṣāṣ, AD 40-1. For all these inscriptions, see the recent list compiled by Nehmé (2015).

[210] *CIS* 2.195, from Umm ar-Raṣāṣ, AD 40-1.

[211] This conclusion was reached independently by Esler (2017), 115.

[212] *CIS* 2.196; Nehmé (2015), no.5; Healey (1993a), 247-8.

[213] On the *rb mšryt'*, see also Macdonald (2014), 158; Graf (2004), 148; Savignac and Starcky (1957).

[214] Healey (1993a), no.32.1-2: *mṭyw 'strg' br 'wprns hprk'* ("Matiyu, *strategos*, son of Euphronios, *hyparchos*"). See also no.6, ll.1-2, which is heavily reconstructed. For the equation of *hprk'* with ὕπαρχος, see Healey (1993a), 108-9; *CIS* 2.207.

[215] This argument has been made by Freeman (1996), 103; Jones (1971), 291.

purview of these officials suggests that their authority was linked to particular places rather than groups. There is little indication that local government in the Nabataean Kingdom was based around tribal groups.

Nevertheless, a series of inscriptions referring to the so-called revolt of Damasi emphasise the political importance of tribes in the Nabataean Kingdom.[216] The revolt is used as a means to date a Safaitic inscription:

> *lhr bn 's bn hr d'l mskt wwld bhdr snt mrd mḥrb wsnt mrd dmṣy whrṣ hsn' fhlt wdšr slm wmwyd*[217]
>
> "By Hair, son of 'Aus, son of Hair, of the tribe of Māsikat. He was born in this place the year of the rebellion of Muḥarib and the year of the rebellion of Damasi. He is on the watch for the enemy, so, Allat and Dushara [grant] security and continued existence."

Winnett has suggested a possible identification for the *dmṣy* shown here.[218] He links *dmṣy* to a certain *dmsy* from a signature at Hegra.[219] There is an important difference in the spelling, the Safaitic *dmṣy* using a *ṣādhē* and the Nabataean *dmsy* using a *semkath*, but this could be explained by the process of transliterating the Greek name Damasi.[220] The Greek *sigma* could be transliterated with a *ṣādhē* in Safaitic and a *semkath* in Nabataean. According to this interpretation, Damasi was part of a family mentioned in the corpus of inscriptions from Hegra, including Maliku, his brother, and Rabib'el, his father, from a rock-cut tomb inscription dated to AD 71-2.[221] If we accept this identification, the rebellion of Damasi would most likely be at some point during the reign of Rabbel II (AD 70-106).[222] We cannot

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[216] On the 'revolt of Damasi', see in particular, Al-Otaibi (2011), 90-1; Freeman (1996), 103; Graf (1988), 199; Winnett (1973), 55.

[217] *SIJ* no.287. See also Al-Otaibi (2011), 90; Winnett (1973), 54.

[218] Winnett (1973), followed by Al-Otaibi (2011), 90-2; Graf (1997), 63; Bowersock (1983), 156.

[219] For the Nabataean signature, see *CIS* 2.287; *JSNab* 84; Nehmé (2015), no.20: *dkyr dmsy br rbyb' 'srtwn' bṭb* ("May Damasi be remembered, son of Rabib', the *strategos*, in peace").

[220] Winnett (1973) sees Damasi as a Greek name. 65 derivatives are attested in the *Lexicon of Greek Personal Names*.

[221] *CIS* 2.224; *JSNab* 34; Healey (1993a), no.34.

[222] It has thus been argued by Bowersock (1983), 156, followed by Al-Otaibi (2011), 91, that Rabbel's suppression of this revolt led to his epithet 'he who brought life and deliverance to his people.' This, however, is largely speculative given that we do not have any evidence for the revolt written in Nabataean or directly related to Rabbel.

be certain about this identification; it is also possible that they are revolting against Roman authority.[223]

Two further Safaitic graffiti seem to refer to related acts of rebellion. Firstly, the rebellion of Muḥarib is mentioned again:

lwdm'l bn trṣ bn 's bn h'b wšty (h)wrd snt mrd mḥrb hslṭn [224]

"By Wadam'il, son of *trṣ*, son of 'Aus, son of *h'b*. He spent the winter at this watering place the year of the rebellion of Muḥarib against the sovereign power."

It is not obvious from the inscription what the *slṭn* ('sovereign power') is. It seems likely, however, based on Winnett's identification of Damasi, that it was the Nabataean Kingdom. Another graffito is dated by the year of the rebellion of Damasi:

lmyd bn zd bn qdm br mr' d'l df wq(s) s bd df snt mrd dmṣy lh tm … 'slm f(') [225]

"By Maid, son of Zaid, son of Qadam, son of Mar', of the tribe of Daif. He followed Daif the year of the rebellion of Damasi … he surrendered."

This inscription mentions the rebellion of Damasi and seems to imply that another group, the *'l df* ("tribe of Daif") was involved. The three texts link acts of rebellion by Damasi, Muḥarib, and Daif. We might infer, as they use the revolt as a means of dating, that this was a significant act of rebellion incorporating all three of these groups.

The three Safaitic texts demonstrate the political importance of tribal groups in the Nabataean Kingdom.[226] Membership in the revolt was defined by tribe and tribes represented the primary means by which the political act of rebellion was organised and conceptualised. We cannot be certain whether these graffiti refer to a rebellion against the Nabataean Kingdom or against Rome. In either case, they provide a striking example of the political importance of tribal groups in this region. Whilst administration in the Nabataean Kingdom

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[223] For a good discussion of the problems associated with this identification and the corresponding date see Scharrer (2010), 274-5.
[224] *SIJ* 281.
[225] *SIJ* 823.
[226] See Al-Otaibi (2011), 90; Freeman (1996), 103; Graf (1989), 363.

does not seem to have been organised around tribal authority, tribes were still clearly important social and political units.

The wider importance of tribes to the social and political culture of the Nabataean Kingdom is reflected in how the kings presented their authority. It is common for coins minted by the Nabataean Kings to include the legend *mlk nbṭw*, King of the Nabataeans.[227] The ethnic designation *nbṭw* appears in a few inscriptions, most of which were found outside of Nabataea.[228] The kings define their kingdom in terms of the people governed rather than in terms of the area controlled.

We can see a similar phenomenon in references to the Ituraean Principalities. Strabo refers to the principality of Ptolemais as ἡ Ἰτουραίων ὀρείνη ("the mountainous country of the Ituraeans"); the territory is defined as the area under the control of the Ituraeans, rather than an area with the name Ituraea.[229] We do see Ἰτουραία or *Ituraea* used to refer to an area, but, as Julien Aliquot has convincingly argued, these terms seem to designate territory controlled by the Ituraeans rather than a particular region of Syria.[230]

In Strabo's description of the city of Arethusa, quoted above, he presents the *phylarchoi* Sampsigeramos and Iamblichos as ruling over the *'ethnos* of the *Emesenoi'*.[231] Strabo presents the Emesan Dynasty ruling over a set of people, the *Emesenoi*, rather than a place called Emesa.[232] In much the same way as we see with the Nabataeans and Ituraeans, Strabo here uses an ethnic designation rather than a geographical one.

All three of these dynastic territories are conceptualised in terms of relationships rather than in terms of locality. The use of ethnic designations for these kingdoms and principalities seems to be linked to the way in which they were formed. Much research has

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[227] Meshorer (1975), nos.9-11 (Obodas II); 12-9 (Malichus I); 20-7; 29; 31-9 (Obodas III); 46-60; 65-6; 79-80; 83-7; 94-6; 98-111 (Aretas IV); 123-39 (Malichus II); 142-5; 147-61 (Rabbel II). On the issue in general, see Macdonald (1991).
[228] On these see Al-Otaibi (2011), 15-24; Macdonald (1991). On the use of *nbṭw* in general, see now Healey (2009), 20-1.
[229] Strabo 16.2.10.
[230] See Aliquot (1999-2003), 193-5.
[231] Strabo 16.2.10.
[232] The name Emesa only appears in conjunction with the city Emesa under provincial rule, see below 2.3.2.

been done to trace their history, which I will not replicate here.[233] As Michael Macdonald has

shown, the Nabataeans were most likely nomads who became part of a settled community.[234]

Nbṭw changed accordingly from a tribal identity to a label implying subjection to the

Nabataean King. It seems likely that the Ituraeans, and possibly also the Emesans, underwent

a similar process.[235]

Ethnic designations are typically linked to a territory associated with the *ethnos* in

question.[236] Whilst they are, in this way, also a reference to geographical space, the way in

which that space is conceptualised is informative. Classical sources use ethnic terms to define

the territory of the Ituraean Principalities and the Kingdom of the *Emesenoi*; the Nabataean

Kings expressed their own authority in similar terms. The tendency to view authority and

territory in terms of people rather than space evinces a tribal culture, where social and

political organisation is defined by relationships instead of localities.

Epigraphy can provide us with another important perspective on the role of tribes

within kingdoms and principalities. In inscriptions from the Nabataean Kingdom, tribes were

frequently used as a means of expressing individual identity. From this, we can deduce that

tribes were both prevalent and important societal constructs in the Nabataean Kingdom.

In the Safaitic graffiti, which were found mostly in the Jordanian desert to the north

of the Nabataean Kingdom, tribal identifications are commonplace.[237] Tribes seem to have

been the primary means of social organisation amongst the authors of the Safaitic graffiti.

There is less clear evidence for the importance of tribal groups amongst the writers of

Nabataean inscriptions. A bilingual Nabataean-Greek inscription from the monumental

sanctuary at Si' in the Hauran is notable for being established by a tribal group:

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[233] For Nabataea, see, in particular, Schmid (2001); Macdonald (1991); Graf (1990); Healey (1989); Milik (1982); Negev (1977), 521-8. For the Ituraean principalities: Myers (2010), 147-57; Knauf (1998); Aliquot (1999-2003), 166-77. For Emesa: Konrad (2014), 47-8; Sullivan (1977), 198-9.
[234] Macdonald (1991), 116.
[235] See, in particular, Aliquot (1999-2003), 191: "La situation des Ituréens serait donc comparable à celle des Nabatéens, nomades sédentarisés au cours de l'époque hellénistique, qui ont adopté l'écriture araméenne, et dont l'onomastique et les cultes permettent de présumer l'origine arabe; on peut ainsi supposer une évolution du concept d''Ituréen' analogue à celle du concept de 'Nabatéen', dont M. C. A. Macdonald indique qu'il se réfère initialement à une identité ethnique ou tribale, puis à la sujétion à un souverain nabatéen, et enfin, après l'annexion de 106 *p.C.*, à une appartenance originelle à une aire géographique et culturelle particulière."
[236] On the link between ethnic groups and territory, see, in particular, Hall (1997), 25; Smith (1986), 28-32. On ethnic designations in general, see also Hall (2002), esp.9.
[237] On Safaitic graffiti, see above, 1.3.2.

dnh ṣlm' dy 'qymw 'l 'byšt
lmlykt br m'yrw br mlykt
lqbl dy hw bnh byrt' 'lyt'
kdw br 'byšt 'mn' šlm

"This is the statue that the tribe of the Obaishat erected for Malikat, the son of Mu'airu, the son of Malikat, who built the upper part of the temple. Kaddu, the son of the Obaishat, was the stonemason. Peace.

ὁ δῆμος ὁ τ-
ῶν Ὀβαισην-
ῶν ἐτείμησε-
ν Μαλείχαθον
Μοαιέρου ὑπερ-
οικοδομήσαν-
τι τὸ ἱερὸν ἀρε-
τῆς τε καὶ εὐσ-
εβείας χάριν [238]

"The *demos* of the Obaisenoi honoured Maleichathos, the son of Moaieros, who built the upper part of the sanctuary, because of his virtue and piety."

The '*l 'byšt* or ὁ δῆμος ὁ τῶν Ὀβαισηνῶν is here dedicating a statue. This inscription is fairly unusual for inscriptions in Nabataea; few explicitly tie the dedicants to their tribal identity and fewer show a tribe acting as the dedicant. There are other Nabataean inscriptions, particularly from the Hauran, that show tribal identifications, but few as informative.[239] The equation of the Nabataean '*l* with the Greek term *demos* might give an indication as to the relative size and importance of the group. *Demos* would typically imply a citizen body of an authoritative community in a city or village. The use of such a term to interpret '*l* in this case might suggest that the group was relatively large, akin to a city or village community in scale.

There is relatively little evidence for tribal identifications *per se*, using the word '*l*, in Nabataean inscriptions. The inscription above, however, shows that there are multiple ways in which tribal identity can be expressed in Nabataean inscriptions. In line 1, where the Obaishat are referred to as a group dedicating the statue, they are called '*l 'byšt*. In line 4, where the stonemason is identified as being a member of this group, '*l* is omitted and he is identified as *kdw br 'byšt* ("Kaddu, son of the Obaishat"). As this inscription demonstrates, *br*

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[238] *Quellen* E.004.04; *CIS* 2.164; Healey (2009), no.15; Cantineau (1930-1932), 2.13-4. Translation is my own.
[239] For instance, *CIS* 2.165 reads simply … *dš l'l qṣyw*. See also Healey (2009), 116, with further examples.

can be used to denote a link to a relatively large tribal group as well as to express a father-son relationship.[240]

It is common for the authors of Nabataean inscriptions to identify themselves in terms of relationships, often by genealogical links, and rare for them to identify themselves by locality or settlement.[241] It is not possible to provide comprehensive evidence of this tendency, so I shall demonstrate it with reference to an illustrative example from the corpus of Nabataean epigraphy. The dedicant of a recently published inscription from Bostra is identified solely by genealogical links:

> dʾ npšʾ dy bn{h} {b/ʿ}{d/r}{s}{w/n} {br} ʿ{m}[rt]
> br ʾmtn ʾl ʿnmw w ʾmtn ʿ[l]
> ʾḥwhy bny ʿmrt br ʾm{t}[n]
> byrḥ tšry šn{t} ----
> lḥrtt mlk nbṭ[w rḥm ʿmh] [242]

> "This is the burial chamber that was built … son of ʿAm[rat], son of ʾAmtān for ʿĀnimū and ʾAmtān f[or] his brothers, sons of ʿAmrat son of ʾAmt[ān] on the month of Tišrī, year … of Haretat, king of the Nabat[aeans who loves his people]"

The dedicant of this inscription is identified as the son of ʿAmrat. His brothers are mentioned here as well, identified also as sons of ʿAmrat. This inscription is a useful example of both the general tendency in Nabataean inscriptions to identify individuals in terms of relationships, and the inherent ambiguity in these identifications.[243]

We cannot necessarily assume that ʿmrt refers to a person rather than to a larger group. There is a group called ʾl ʿmrt mentioned frequently in Safaitic graffiti,[244] and an ʾl ʿmrt appears in a well known Greek-Nabataean bilingual inscription from Medaba.[245] We cannot identify this ʿmrt with an ʾl ʿmrt from elsewhere on the basis of the similarity between the names, but neither is the identification impossible. There are two possibilities: that the dedicator is identifying himself as the son of an ʿAmrat, or that he is expressing his identity as

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[240] On similar ambiguities in the use of *br* in Palmyra, see Yon (2002), 57-9.
[241] Studies of social groups in the Nabataean Kingdom have emphasised the importance of tribes: Macdonald (2014); (1999); (1998); (1993), 352-67; Graf (2004); (1989). See also, the recent study Nehmé (2013), which identifies a series of social groups in Petra based on the worship of particular gods.
[242] Nehmé (2010), no.4.
[243] See further above, 2.1.2.
[244] On these, see, in particular, with extensive references, Milik (1980). See also Macdonald (1993), 359-60.
[245] Milik (1958), 243-6, no.6.

a member of a larger group based on relationships, an ’*l ‘mrt*. For our present purposes, the distinction does not necessarily matter. What is important here is that the dedicator is identifying himself in terms of relationships using the language of kinship that seems to be applicable to groups of various sizes and compositions defined by relationships.

There is a general trend in epigraphy from the Nabataean Kingdom whereby individuals are identified in terms of relationships, often using the language of kinship, rather than by settlement or locality. It seems likely, given the inherent vagueness surrounding the use of terms for tribe, ’*l* and φυλή, and the broad usage of identifications using the word *br*, that the tribe was an important and prevalent means of socio-political organisation.

The use of ethnic terms to describe the territory of the Nabataean Kingdom, the Kingdom of the *Emesenoi*, and the Ituraean Principalities shows that the presentation of authority and territory was shaped by the local culture. The label 'Stammesstaat' seems inappropriate, however, as there is little evidence to suggest that tribes had any impact on kingship and authority in these kingdoms and principalities. There seems to be little functional difference between Nabataean kingship, for instance, and that of other kingdoms in the region, yet there was a significant difference in how they were presented.[246] Whilst the Nabataean King was not a tribal leader, he was a king ruling a culture in which tribes were the most important characteristic of individual and group identity.

2.2.4. Villages

The fourth pertinent type of political structure is the village. Our evidence for village life in kingdoms and principalities is very limited; there are large areas for which we have virtually no evidence of local culture and political administration. In stark contrast, there is a wealth of information for village life in these areas after they were annexed into provincial territory. In this section, I shall consider the impact of the village as a type of administrative and political institution in kingdoms and principalities. I posit that the village was a

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[246] See further above, 2.2.1.

widespread means of settlement, but that it only constituted an important political organisation in some cases. We cannot be sure that the complex village government seen in the epigraphy and papyri of Roman Syria and Arabia was ever implemented in kingdoms and principalities.

The term village is closely linked to the Greek *kome* and refers to a settlement with a sedentary population but without a city constitution. It is used to refer to a variety of settlements differing greatly in size, layout, and appearance.[247] When discussing the role of villages in kingdoms and principalities, it is important to make a distinction between the village as a settlement and as a type of political organisation. The physical presence of a village does not necessarily imply the existence of an organised village community, whose membership and authority is defined by the settlement.

It must be acknowledged, first of all, that our view of village settlement in the Near East is quite restricted. We have compelling material evidence from some particular regions to show that the village was a prevalent type of settlement.[248] Despite significant gaps in our knowledge elsewhere, it has been convincingly argued that the village was, most likely, a prevalent type of settlement across the Near East from at least the Hellenistic period.[249]

Josephus' description of Galilee, controlled by Agrippa II, at the beginning of the Jewish Revolt, leaves little doubt as to the extent of village habitation there:

ἀλλὰ καὶ πόλεις πυκναὶ καὶ τὸ τῶν κωμῶν πλῆθος πανταχοῦ πολυάνθρωπον διὰ τὴν εὐθηνίαν, ὡς τὴν ἐλαχίστην ὑπὲρ πεντακισχιλίους πρὸς τοῖς μυρίοις ἔχειν οἰκήτορας.[250]

"The cities, too, are thickly distributed, and even the villages, thanks to the fertility of the soil, are all so densely populated that the smallest of them contains above fifteen thousand inhabitants."

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[247] Sartre (2001), 771-3, gives a good account of the variation between villages.

[248] See, in particular, Kennedy (1999), 98; Millar (1993a), 250. In particular, extensive research in the Hauran in southern Syria and northern Arabia has revealed a complex network of villages inhabited continuously from the Hellenistic period onwards: see Rohmer (2010); Dentzer *et al.* (2010); Braemer *et al.* (2008); Vallat and Leblanc (2008); Graf (1992); Dentzer (1986); Villeneuve (1985). Exploration in the limestone massif in north-west Syria similarly reveals a vast network of villages: see Hirschfeld (1997); Tate (1997); (1992); Tchalenko (1953-1958).

[249] See Choi (2013), 125-30; Sartre (2001), 766-76; Kennedy (1999), 97-8; Millar (1993a), 347-50; Graf (1992), 5-6.

[250] Jos. *BJ* 3.43. Translation adapted from Loeb.

Josephus here stresses the prevalence of settlements, both cities and villages, in Galilee. In his wider description of Palestine, from which this extract is taken, Josephus defines the territory of Galilee, Peraea, Samaria, and Judaea.[251] What is important for our purposes is that he demarcates the territory of these regions in terms of cities and villages. Josephus clearly considered these settlements to be prominent landmarks to use them as a means of defining these regional boundaries. In his *Life*, Josephus further characterises Galilee as a region defined by settlements, as he claims it hosted 204 cities and villages.[252] These depictions of Palestine on the eve of the Jewish Revolt serve to emphasise the extent of village habitation as well as the significance of settlements to the topography of the region.

Josephus' description of the boundaries of Galilee, Peraea, Samaria, and Judaea reveals much about the political organisation of the region. The relationship between cities, villages, and these regional boundaries is exemplified by the following passage describing Galilee:

Δύο δ᾿ οὔσας τὰς Γαλιλαίας, τήν τε ἄνω καὶ τὴν κάτω προσαγορευομένην, περιίσχει μὲν ἡ Φοινίκη τε καὶ Συρία, διορίζει δ᾿ ἀπὸ μὲν δύσεως ἡλίου Πτολεμαΐς τοῖς τῆς χώρας τέρμασι καὶ Κάρμηλος, τὸ πάλαι μὲν Γαλιλαίων, νῦν δὲ Τυρίων ὄρος· ᾧ προσίσχει Γάβα, πόλις ἱππέων, οὕτω προσαγορευομένη διὰ τὸ τοὺς ὑφ᾿ Ἡρώδου βασιλέως ἀπολυομένους ἱππεῖς ἐν αὐτῇ κατοικεῖν· ἀπὸ δὲ μεσημβρίας Σαμαρεῖτίς τε καὶ Σκυθόπολις μέχρι τῶν Ἰορδάνου ναμάτων. πρὸς ἕω δ᾿ Ἱππηνῇ τε καὶ Γαδάροις ἀποτέμνεται καὶ τῇ Γαυλανίτιδι ταύτῃ καὶ τῆς Ἀγρίππα βασιλείας ὅροι. τὰ προσάρκτια δ᾿ αὐτῆς Τύρῳ τε καὶ τῇ Τυρίων χώρᾳ περατοῦται. καὶ τῆς μὲν κάτω καλουμένης Γαλιλαίας ἀπὸ Τιβεριάδος μέχρι Χαβουλῶν, ἧς ἐν τοῖς παραλίοις Πτολεμαῒς γείτων, τὸ μῆκος ἐκτείνεται. πλατύνεται δ᾿ ἀπὸ τῆς ἐν τῷ μεγάλῳ πεδίῳ κειμένης κώμης, Ξαλὼθ καλεῖται, μέχρι Βηρσάβης, ᾗ καὶ τῆς ἄνω Γαλιλαίας εἰς εὖρος ἀρχὴ μέχρι Βακὰ κώμης· αὕτη δὲ τὴν Τυρίων γῆν ὁρίζει. μηκύνεται δὲ μέχρι Μηρὼθ ἀπὸ Θελλὰ κώμης Ἰορδάνου γείτονος.[253]

"Galilee, with its two divisions known as Upper and Lower Galilee, is enveloped by Phoenicia and Syria. Its western frontiers are the outlying territory of Ptolemais and Carmel, a mountain once belonging to Galilee, and now to Tyre; adjacent to Carmel is Gaba, the 'city of cavalry', so called from the cavalry who, on their discharge by King Herod, settled in this town. On the south the country is bounded by Samaria and Scythopolis up to the waters of Jordan; on the east it is limited by both Hippos and Gadara, and by Gaulanitis, which is the frontier of Agrippa's kingdom; on the north Tyre and its district mark its limits. Lower Galilee extends in length from Tiberias to Chabulon, which is not far from Ptolemais on the coast; in breadth, from

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[251] Jos. *BJ* 3.35-58.

[252] Jos. *Vit.* 235. On this statement in particular, see David (2011). See also, albeit dealing primarily with a later period, Goodman (1983), 27-40.

[253] Jos. *BJ* 3.35-40. Translation adapted from Loeb.

a village in the great plain called Xaloth to Bersabe. At this point begins Upper Galilee, which extends in breadth to the village of Baca, the frontier of the territory of Tyre; in length, it reaches from the village of Thella, near the Jordan, to Meroth."

Two features of this passage are pertinent to this discussion. Firstly, there is a clear difference between cities and villages in the presentation of territory. Cities are credited with civic territory and are referred to in terms of space. At the outset of the description of Galilee, its western boundary is demarcated by Ptolemais' civic space. Tyre is attributed civic territory multiple times within this passage: Mount Carmel is said to be under its control and Tyre's territory is directly mentioned twice in the description of Upper Galilee.[254] The cities in his description are conceptualised as political entities with boundaries and a defined territory. In contrast, villages are shown only as settlements. Here, Josephus mentions the villages of Xaloth, Baca, and Thella; none of these villages are attributed any territory or conceptualised in terms of political space. None of the villages mentioned in his later descriptions of Peraea, Samaria, and Judaea, namely Gineas (3.48), Anuath Borcaeus (3.51), and Iardan (3.52), are referred to in terms of space either.

Secondly, cities are shown to be outside the boundaries of Galilee, whilst villages are within them. The territory of Galilee is defined by the abutting territory of Ptolemais and by Mount Carmel, which was removed from Galilee and given to Tyre. The eastern boundary of Galilee is defined in terms of cities outside it (πρὸς ἔω δ᾽ Ἱππηνῇ τε καὶ Γαδάροις ἀποτέμνεται: "on the east, it is limited by both Hippos and Gadara").[255] Josephus' use of ἀποτέμνω, meaning to 'divide' or 'cut off', creates a distinct sense of division between the cities and Galilee. In contrast, the villages are attributed to Galilee. Josephus demarcates the eastern and western borders of Upper Galilee in terms of the most easterly and westerly villages within it (μηκύνεται δὲ μέχρι Μηρὼθ᾽ ἀπὸ Θελλᾶ κώμης Ἰορδάνου γείτονος; "in length, it reaches from the village Thella, near the Jordan, to Meroth").[256] The same is true of Josephus' description of Samaria: ἀρχομένη γὰρ ἀπὸ τῆς ἐν τῷ πεδίῳ κειμένης Γιναίας ὄνομα

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[254] *BJ* 3.38: τὰ προσάρκτια δ᾽ αὐτῆς Τύρῳ τε καὶ τῇ Τυρίων χώρᾳ περατοῦται: "On the north, Tyre and its district mark its limits." 3.40: αὕτη δὲ τὴν Τυρίων γῆν ὁρίζει: "which demarcates the territory of Tyre."
[255] *BJ* 3.37.
[256] *BJ* 3.40.

κώμης ἐπιλήγει τῆς Ἀκραβετηνῶν τοπαρχίας ("beginning at the village of Ginaea situated in the plain, it terminates at the toparchy of Acrabatene").[257] Whilst cities are portrayed as being distinct political spaces from Galilee, Peraea, Samaria, and Judaea, the villages are included within these regions. Josephus, therefore, presents a dichotomy between the cities, which dominated their own civic territory, on the one hand, and the regions Galilee, Peraea, Samaria, and Judaea, in which villages were the most notable landmarks, on the other.

Josephus describes Palestine on the eve of the Jewish Revolt and thus after the creation of *provincia Judaea*. Although it can sometimes be difficult to trace the territories of Agrippa II precisely, Galilee and Peraea were likely part of Agrippa's kingdom whilst Judaea and Samaria were part of *provincia Iudaea*.[258] It is important to note that he treats villages as the defining aspects of Galilee, Peraea, Samaria, and Judaea alike despite the fact that this spans the kingdom of Agrippa II and *provincia Iudaea*.

Josephus later credits villages with an administrative and political role. Both he and Pliny attest to a system of administrative divisions, called toparchies (*toparchiai*), that seem to revolve around the authority of leading villages.[259] The term toparchy is known from Ptolemaic and Roman Egypt where it denotes a subdivision of a *nomos* controlled by a *toparches*.[260] The system of toparchies in Palestine most likely began under Ptolemaic rule.[261] We can confirm that it was maintained by the Hasmonean dynasty as toparchies appear frequently in the books of the *Maccabees*.[262] Josephus' account of the toparchies of Judaea comes at the end of his description of Galilee, Peraea, Samaria, and Judaea discussed above:

> μερίζεται δ᾽ εἰς ἕνδεκα κληρουχίας, ὧν ἄρχει μὲν βασίλειον τὰ Ἱεροσόλυμα προανίσχουσα τῆς περιοίκου πάσης ὥσπερ ἡ κεφαλὴ σώματος· αἱ λοιπαὶ δὲ μετ᾽ αὐτὴν διῄρηνται τὰς τοπαρχίας, Γόφνα δευτέρα καὶ μετὰ ταύτην Ἀκράβετα, Θάμνα πρὸς ταύταις καὶ Λύδδα, Ἀμμαοῦς καὶ Πέλλη καὶ Ἰδουμαία καὶ Ἐνγαδδαὶ καὶ Ἡρώδειον καὶ Ἱεριχοῦς· μεθ᾽ ἃς Ἰάμνεια καὶ Ἰόππη τῶν περιοίκων ἀφηγοῦνται, κἀπὶ

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[257] *BJ* 3.48. The arrangement of Judaea into toparchies is discussed below.
[258] See further 1.4.4.
[259] On these, in general, see *HJP* 2.190-8; Choi (2013), 125-30; Smallwood (1981), 344.
[260] On Egyptian *nomoi* and administration in general, see Jördens (2012), 58; Bowman (1986), 58-9. Toparchies are well attested in documents and inscriptions from Egypt, see, amongst others, *P Rev. Laws* 37.3; 41.7; 87.4 (3rd century BC); *P Teb.* 24.62; 48.6 (2nd century BC); *P Oxy.* 2118.3 (2nd century AD). See also *LXX Ge.* 41:34.
[261] See Choi (2013), 128-30; Cotton (1999b), 58; Jones (1971), 241.
[262] *1 Macc.* 10:30; 38; 11:28; 34. On this, see Sartre (2001), 775-6; Stern (1974), 250; Jones (1931a), 79.

ταύταις ἥ τε Γαμαλιτικὴ καὶ Γαυλανῖτις Βαταναία τε καὶ Τραχωνῖτις, αἵ καὶ τῆς Ἀγρίππα βασιλείας εἰσὶ μοῖραι.[263]

"It is divided into eleven districts, among which Jerusalem as the capital is supreme, dominating all the neighbourhood as the head towers above the body; in the case of the other minor districts the divisions coincide with the toparchies. Gophna is the second, then come Acrabeta, Thamna, Lydda, Emmaus, Pella, Idumaea, Engaddi, Herodion, and Jericho. To these must be added Jamnia and Joppa, which have jurisdiction over the surrounding localities, and lastly the territories of Gamala, Gaulanitis, Batanaea, and Trachonitis, which form, moreover, part of Agrippa's Kingdom."

There are some discrepancies between these eleven districts and those mentioned by

Pliny:

reliqua Iudaea dividitur in toparchias decem quo dicemus ordine: Hiericuntem palmetis consitam, fontibus riguam, Emmaum, Lyddam, Iopicam, Acrebitenam, Gophaniticam, Thamniticam, Bethleptephenen, Orinen, in qua fuere Hierosolyma longe clarissma urbium orientis, non Iudaeae modo, Herodium cum oppido inlustri eiusdem nominis.[264]

"The rest of Judaea [excluding Peraea] is divided into ten toparchies in the following order: the district of Jericho, which has numerous palm-groves and springs of water, and those of Emmaus, Lydda, Joppa, Acrabatta, Gophna, Thamna, Betholethephene, Orine, the district that formerly contained Jerusalem, by far the most famous city of the East and not of Judaea only, and Herodium with the celebrated town of the same name."

Josephus lists eleven toparchies in Judaea: Jerusalem, Gophna, Acrabatta, Thamna, Lydda, Ammaus, Pelle, Idumaea, Engaddi, Herodion, and Jericho. Pliny's list of ten comprises of: Jericho, Emmaus, Lydda, Joppa, Acrabatta, Gophna, Thamna, Betholethephene, Orine, and Herodium. Both agree on seven Judaean toparchies, called: Gophna, Acrabatta, Thamna, Lydda, Ammaus (or Emmaus), Herodion (or Herodium), and Jericho. We are then left with a few discrepancies that can be usefully explained.[265]

It has been convincingly argued, on the basis of papyri found at Naḥal Ḥever, that Pliny's list reflects the situation after the Jewish Revolt of AD 70 whilst Josephus' list refers to before it.[266] A census declaration from AD 127 found at Naḥal Ḥever subordinates Engaddi

[263] Jos. *BJ* 3.54-6.
[264] Plin. *HN* 5.70. Translation adapted from Loeb.
[265] On the discrepancies between the two, see *HJP* 2.190-6; Cotton (1999b), 84-5.
[266] See Cotton and Yardeni (1997), 150; Isaac (1992), 67-9.

to Jericho: κώμης Αἰνγαδδῶν περὶ Ἰερειχοῦντα τῆς Ἰουδαίας ("the Jewish village of Engaddi in the vicinity of Jericho").[267] This document suggests that Engaddi was incorporated into the toparchy of Jericho. It seems likely that Engaddi was destroyed or seriously damaged in the Jewish Revolt, which led to its demotion and addition to the toparchy of Jericho.[268] The time difference in their source material also explains the discrepancy between Josephus' toparchy of Jerusalem and Pliny's Orine. Pliny uses Orine, a term used for the highlands in which Jersualem stood, instead of Jerusalem because, as he points out, Jerusalem had been destroyed. In this case, the toparchy seems to have retained the same geographical area, but Jerusalem no longer acted as its administrative centre. Josephus' Pelle and Pliny's Betholethephene seem to correspond to the Greek and Hebrew names of the same settlement. Josephus elsewhere refers to a toparchy of Bethleptenpha, which has been convincingly argued to equate to Pliny's Betholethephene.[269]

What is important for our purposes is that the Judaean toparchies are all named after important villages within them.[270] There is no evidence that shows the role these villages had within their toparchies in practice, but it seems likely that they held some sort of political or administrative responsibility.

The discrepancy regarding Joppa's (Jaffa) inclusion in lists of Judaean toparchies is intriguing. Joppa was certainly a city in the first century BC; Josephus repeatedly refers to it as a city and it minted coins at that time.[271] Josephus separates Joppa, along with Jamnia, from his list of Judaean toparchies: μεθ᾽ ἃς Ἰάμνεια καὶ Ἰόππη τῶν περιοίκων ἀφηγοῦνται ("to these must be added Jamnia and Joppa, which have jurisdiction over the surrounding localities").[272] His description of Joppa conforms to what we would expect from a city: it controls its hinterland. The way in which Josephus separates Joppa and Jamnia from his

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[267] *P Yadin* 16.16

[268] On this, see Cotton (2001a); (1999b); 84-5.

[269] Jos. *BJ* 4.445. On this, see *HJP* 2.191.

[270] See Isaac (1992), 68; *CIIP* 3.28; Cotton (1999b), 85. For bibliography on these settlements, see *HJP* 2.192-4.

[271] Josephus lists Joppa amongst the list of cities restored by Pompey (*BJ* 1.156; *AJ* 14.76). It is included amongst the list of cities given back to Herod (*BJ* 1.396; *AJ* 15.217). Josephus also explicitly calls it a *polis* (*AJ* 14.205; 17.320). The dating of coins from Jaffa to the first century BC is not certain, but seems likely. On this, see Ecker (2010), 157-8. For the coin type, see Ecker (2010), 167; Meir (2000), 124, n.12; Kindler (1985), 30.

[272] Jos. *BJ* 3.56.

description of Judaean toparchies confirms that cities existed outside of the system of toparchies, which was based around the authority of certain villages.

Joppa's subsequent inclusion in Pliny's list of Judaean toparchies raises questions about its status. The most likely explanation seems to be that Joppa did not have city status for a period of time after the Jewish Revolt that coincided with the dating of Pliny's source material.[273] After supporting the revolt, Joppa was reportedly captured and burnt by Cestius Gallus' forces before being refortified and being captured again by Vespasian.[274] It is certain that Joppa was a city before the revolt and again in the third century, when the minting of civic coinage resumes, but there is a considerable lacuna for which we have little certain evidence regarding its status.[275] Joppa's third-century coinage shows that it took the name Flavia Joppa, suggesting that it was refounded by Vespasian or one of his immediate successors.[276] Following its sacking by Roman soldiers in the revolt, it most likely was stripped of its city status before being later refounded under Vespasian.

Josephus' and Pliny's descriptions of the organisation of Judaea, therefore, credit villages with a significant political and administrative role in first-century Palestine.[277] Both of these sources refer to the situation in Judaea under direct Roman control. Josephus writes about the situation before AD 70, when Judaea was controlled by Roman procurators, and Pliny relates the situation after AD 70, when Judaea was controlled by Roman legates. Nevertheless, the system of toparchies they present seems to be reflective of the Herodian Kingdom as well. The network of toparchies – as I have discussed above – is attested under the Hasmoneans and seems to have been maintained from Ptolemaic rule in Judaea. The

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[273] On Joppa as a city in general, see *HJP* 2.110-4; Applebaum (1985-1988); Jones (1971), 273-5.

[274] For Cestius Gallus' occupation, see Jos. *BJ* 2.507-9. For Vespasian, *BJ* 3.414-27. In general, see *HJP* 2.110-4.

[275] For the coinage in general, see Ecker (2010); Meir (2000); Kindler (1985).

[276] The legend ΦΛΑΟΥΙΑϹ ΙΟΠΠΗϹ appears (often abbreviated) on a number of issues: Ecker (2010), nos. 3; 5; 6; 7; 9; 11; 15; 16; 17; 19; 20; 21; 22.

[277] The attitude towards village life in the Hebrew Bible evinces a similar culture, where villages operated as administrative and political centres. It differentiates between an *'ir* (עיר), a walled settlement, and a *ḥaṣer* (חצר) or *kaphar* (כפר), an unwalled settlement. The distinction is most usefully illustrated by *Lev.* 25:29-31, which details the different laws regarding buying and selling property in walled and unwalled settlements. Unwalled settlements are often subordinated to the walled settlements. Thus, the *Book of Joshua* mentions the "fourteen *'irim* with their *ḥaṣerim*" (*Jos.* 15:36; ערים ארבע–עשרה וחצריהן). See *Jos.* 15:41; 44; 46; 51; 54; 57; 59; 62; 19:6; 7; 15; 16; 22; 30; 38; 48. Similarly, we are told of an *'ir* and 'its daughters', referring to *ḥaṣerim*. See *Num.* 21:25; 32; 32:42; *Jos.* 15:46; 17:11; *Neh.* 11:25-7; *1 Chron.* 2:23; 5:16; 8:12; 18:1; *2 Chron.* 13:19; 28:18; *Ezek.* 26:6; 30:18. See *HJP* 2.188-90; Cotton (1999b), 82-3.

Roman praefects most likely inherited the system from the Herodians. Josephus also tells us that the toparchies of Gamala and Gaulanitis, in the Golan Heights, and Batanaea and Trachonitis, in the Hauran, were part of Agrippa II's kingdom.[278] Toparchies, therefore, seem to have been an important means of political organisation in Palestine under both dynastic and provincial rule.

In addition to the toparchies specified in the passages quoted above, we are given some indication of others. Josephus refers to Jamnia and its toparchy (Ἰαμνειάν τε ... καὶ τὴν τοπαρχίαν πᾶσαν) when reporting that it had been bequeathed to Livia.[279] Another passage, describing additions made to Agrippa II's kingdom after the death of Claudius, defines the added territory in these terms:

> τῇ δ᾽ Ἀγρίππα βασιλείᾳ τέσσαρας πόλεις προστίθησιν σὺν ταῖς τοπαρχίαις, Ἄβελα μὲν καὶ Ἰουδιάδα κατὰ τὴν Περαίαν, Ταριχαίας δὲ καὶ Τιβεριάδα τῆς Γαλιλαίας.[280]

> "He annexed to Agrippa's kingdom four cities with their toparchies, namely Abila and Julias in Peraea, and Tarichala and Tiberias in Galilee."

The toparchies attested here are potentially problematic; they are the only instances where the word toparchy is used in conjunction with cities. It is important that whilst the toparchies of Judaea are named after certain villages, the cities themselves are distinguished from the toparchies under their control. Thus, the four cities Abila, Julia, Tarichala and Tiberias are noted as being accompanied by their toparchies whilst, in Josephus' description of Judaea quoted above, Jerusalem, Gophna, and Acrabatta are the given names of toparchies. As Hannah Cotton points out, it seems as if Josephus is here using the same word to reflect quite a different situation.[281] From these passages we might conclude that cities were not conceptually included within toparchies, but they could exert control over them.

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[278] On these, see Choi (2013), 129.

[279] *AJ* 18.31.

[280] Jos. *BJ* 2.252. Translation adapted from Loeb. τοπαρχία is not used in the parallel passage in the *Jewish Antiquities*, 20.159.

[281] See Cotton (1999b), 86.

We are given another small view into the political and administrative role of villages in Herodian Palestine by Josephus, who twice mentions 'village clerks'.[282] Unfortunately, we are given little insight into this office as they are mentioned only as part of a spiteful remark made by Salome concerning Herod's sons. Nevertheless, the *komogrammateis* could not have been evoked in this way if there were not some individuals fulfilling this role or something approximating it. We have some significant evidence, therefore, for villages in Herodian Palestine acting as centres of political organisation. Josephus and Pliny depict a situation where certain villages had, at least nominal, control over their surrounding territory and smaller settlements.

In conclusion, whilst it seems likely that the village was a prevalent means of settlement across the kingdoms and principalities of the Roman Near East, we cannot necessarily attribute administrative and political importance to these communities. In Herodian Palestine, villages operated as political and administrative centres outside of civic territory, although we do not have enough evidence to show how this worked in practice. Josephus describes the territory in terms of settlements, which he clearly considered to be the most notable landmarks. The Hebrew Bible, Josephus, Pliny, and papyri from the region all show that territory and settlements were subordinated to certain villages. Our evidence portrays a culture where settlements were the most important means of social and political organisation.

There is little comparable evidence from other kingdoms and principalities. In Commagene, for instance, we do not have sufficient evidence to make decisive claims about this aspect of local culture.[283] It seems probable, however, that villages were an important means of political organisation.[284] Whilst we have remarkably little evidence coming from villages themselves, we are given an insight by the famous Nemrud Dagh inscription where Antiochos I characterises his kingdom in terms of cities and villages:

[282] Jos. *AJ* 16.203: κωμῶν γραμματεῖς. *BJ* 1.479: κωμογραμματεῖς. On this, see *HJP* 2.185-6. The *komogrammateus* is better attested in Egypt, where there is a lot of evidence for these village clerks who were responsible for the registration of land and people. See Jördens (2012), 59; Derda (2006), 147-261.
[283] This is emphasised by Millar (1993a), 454.
[284] See, in particular, Facella (2005b), 234-5; Millar (1993a), 454.

... βασιλείας δὲ πλῆθος
εἰς συναγωγὰς καὶ πανηγύρεις
καὶ θυσίας ταύτας διελὼν κατὰ
κώμας καὶ πόλεις τοῖς ἔγγιστα
τεμένεσιν ὡς ἥροζεν ἑκάστοις
κατὰ γιτνίαν ἐνεορτάζειν ὥρι-
σα ...[285]

"The population of my kingdom I have divided up for the purpose of these assemblies, festival gatherings, and sacrifices, and directed them to repair by villages and cities to the nearest sanctuaries, whichever is most conveniently located for the festival observance."

He specifies that the royal cult would be funded by a select group of villages that would be given special protection:[286]

... ὁμοίως δὲ
μηδὲ κώμας, ἃς ἐγώ καθιέρωσα
δαίμοσιν τούτοις, μηδενὶ
ὅσιον ἔστω μήτε ἐξιδιά
σασθαι μήτε ἐξαλλοτριῶσαι
μήτε μεταδιατάξαι μήτε
βλάφαι κατὰ μηδένα τρόπον κώ-
μας ἐκείνας
ἢ πρόσοδον, ἥν ἐγὼ κτῆμα δαιμόνων
ἄσυλον ἀνέθηκα ...[287]

"It is equally not permitted for anyone to appropriate or to alienate the villages which I have dedicated to these gods, to sell them or to devote them to some other purpose, or in any way to injure those villages; or to reduce the income from them, which I have dedicated to the gods as an inviolable possession."

In Antiochos' view, his kingdom could be divided into cities and villages. Antiochos' choice to fund sacrifices with the income from certain villages might suggest that villages were both important and prevalent within Commagene. Archaeological evidence confirms at least that the village was a prevalent type of settlement in the kingdom.[288]

As I have discussed above, Michael Sommer has linked the Herodian Kingdom and Commagene as kingdoms following the model and culture of Hellenistic kingship.[289] He differentiates them from so-called 'Stammesstaaten', territories based around semi-nomadic

[285] Dörner and Young (1996), ll.93-9.
[286] This is pointed out, in particular, by Facella (2005b), 234.
[287] Dörner and Young (1996), ll.191-200.
[288] See Blaylock et al. (1990).
[289] See above, 2.2.3. Sommer (2005), 59.

tribes. I argue above that there is little difference in how the 'Stammesstaaten' and Hellenistic kingdoms were administered, but that the former were linked by a history of tribal authority and share a certain linguistic and political culture stemming from that history.

In the same way, the evidence from the Herodian Kingdom and Commagene depicts a Greek linguistic and political culture in which settlements were the most important means of political organisation. Greek language, cities, and forms were readily accepted in Herodian Palestine by both Greeks and Judaeans.[290] Although our evidence for local culture in Commagene is rather meagre, we can say for certain that Greek was the language of expression for the royal family, elite members of society, and administration. Inscriptions established as part of Antichos' cult and those that can be attributed to elite members of society outside the royal family are written in Greek.[291] It seems likely that some Middle Aramaic dialect was spoken in the kingdom, but it does not seem to have been the language of political discourse.[292] In both the Herodian Kingdom and Commagene, Greek language and culture accompany a political culture in which cities and villages were important means of political and social organisation.

The evidence for village life in the Herodian Kingdom and Commagene can be starkly contrasted with that in the Roman provinces that followed. We have a wealth of information from Roman Syria, Arabia and Judaea that attests to a complex system of village government.[293] Documentary evidence shows, in some detail, that village communities were important social and political institutions. They had their own officials and organised communal construction. There are still areas of relative silence, but there is a clear difference in the nature and quantity of our evidence between the regnal and provincial periods. We

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[290] This is discussed in detail above, 2.2.2.
[291] For the inscriptions detailing Antiochos' cult and the cult in general, see Brijder (2014), 38-175; Crowther and Facella (2014); (2003); Wagner (2012); Facella (2006); Sanders (1996). Bibliographic information for the ruler cult inscriptions is listed in the recent article by Crowther and Facella (2014), 267-8. For epigraphic evidence from elite Commagenian society, see, in particular: Waldman (1973), 48-9, an inscription from the first century BC, from Kilafik Hüyük, written by a royal courtier; and Schmitz *et al.* (1988), an inscription from Sofraz that records the names of a wealthy Commagenian family.
[292] For evidence of Aramaic dialects in Commagene, see in particular the *Letter of Mara bar Sarapion.* For the argument that some Aramaic dialect was spoken, see Facella (2012), 69-70; Lane Fox (1986), 249. A more sceptical attitude is taken by Millar (1993a), 456.
[293] See further below, 2.3.4.

cannot be sure that village administration in Herodian Palestine and Commagene entails the sort of complex village government that we see in Roman Syria, Judaea, and Arabia.

2.3. In provinces

2.3.1. Provincial Rule

Once kingdoms and principalities had been annexed into provincial territory their lands were placed under the control of a Roman official. This official was usually a provincial governor: Commagene, the Ituraean Principalities and the Kingdom of the *Emesenoi* came under the control of the governor of Syria; Edessa was placed under the governor of Oshroene; and the Nabataean Kingdom became *provincia Arabia*, ruled by a provincial governor. When the territory of the ethnarch Archelaus was annexed in AD 6, Judaea came under the control of praefects. It was eventually given a consular governor at the turn of the second century AD.[294]

Much scholarly attention has been paid to the nature of provincial government. It has been widely recognised that, by the first century AD, *provinciae* had come to be recognised as territories under Roman control rather than magisterial appointments, as under Republican Rome.[295] Many scholars have also emphasised the adaptability of the Roman provincial system and its close association with civic government.[296] My aim in this section is not to reproduce this work, but to examine the process of change as dynastic rule in kingdoms and principalities was replaced by provincial government. In this section, I argue that provincial government in former kingdoms and principalities took a consistent and recognisable form, bringing a political culture and organisation distinct from the kingdoms it replaced.

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[294] There has been some significant debate over the status of provincial Judaea. A well-known inscription from Caesarea, *CIIP* 2.1277, confirms that, at least initially, officials of Judaea were called *praefecti*. Stern (1974) and others have argued that Judaea was a separate province under equestrian control. It seems more likely that Judaea was subordinate to *provincia Syria*. Josephus makes this subordination explicit: τὴν Ἰουδαίαν προσθήκην τῆς Συρίας γενομένην (*AJ* 18.2; "Judaea, which had been annexed to Syria"). See Haensch (2010), 73; Eck (2007), 24-51; Cotton (1999b), 75-9.

[295] See Erskine (2010), 5; Richardson (2008); (1991); Champion and Eckstein (2004), 2.

[296] See Bowman (1996); Lintott (1993), 43-69; Braund (1988); Purcell (1986).

We have relatively little evidence for the moment of change between dynastic and provincial rule. Sources for the annexation of Commagene claim that support was divided between the upper classes, who supported provincial rule, and the lower classes, who favoured continued dynastic rule.[297] These sources, however, tell us little about the nature of provincial rule in the former kingdom. A passage from Josephus' *Jewish War* provides us a glimpse into the nature of early provincial rule in Judaea after the deposition of Archelaus in AD 6:

> τῆς δὲ Ἀρχελάου χώρας εἰς ἐπαρχίαν περιγραφείσης ἐπίτροπος τῆς ἱππικῆς παρὰ Ῥωμαίοις τάξεως Κωπώνιος πέμπεται.[298]

> "The territory of Archelaos was now reduced to a province, and Coponius, a Roman of the equestrian order, was sent out as procurator."

The former principality is referred to as the 'territory of Archelaus', whilst the usual *interpretatio graeca*, *eparcheia*, is used for the provincial territory. Josephus here confirms what we might expect: whilst the principality was defined by the authority of the ethnarch Archelaus, the provincial territory that followed was defined by its provincial status rather than the authority of the governor.

We are given a clearer view into the process of change associated with provincialisation from documents found at Naḥal Ḥever.[299] This corpus spans the period of the Nabataean Kingdom's annexation and thus provides clear evidence of the changes involved. Many features of the following document, a contract of sale written in AD 97-98, are emblematic of its political context in the Nabataean Kingdom of Rabbel II:

> btlth b[k]slw šnt '[šr]yn wtmwn' lrb'l mlk' mlk nbṭw dy 'ḥyy wšyzb 'mh w'l ḥyy 'bdt
>   br >r<rb'l mlk' mlk nbṭw dy 'ḥyy wšyzb 'mh
> wdy gmlt [wh]grw 'ḥwth ml[kt] nbṭw [bny] mnkw mlk' mlk nbṭw br ḥrtt mlk [nb]ṭw
>   rḥm 'mh bmḥwz 'gltyn [300]

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[297] See Jos. *AJ* 18.53; Tac. *Ann.* 2.42.5, relating to the first annexation of Commagene in AD 17. We get a similar impression from the so-called *Letter of Mara bar Sarapion*, which most likely can be situated in the context of the final annexation of Commagene in AD 72. See Facella (2012), 67-83; Spiedel (2012); Merz and Tieleman (2008), 122-3; Millar (1993a), 461-2. *Contra* Chin (2006); McVey (1990).
[298] Jos. *BJ* 2.117. *Cf. AJ* 18.2.
[299] On these documents, see further above, 1.3.3.
[300] *P Yadin* 2.1-2. See Esler (2017), 126-9.

"On the third of [K]islev, year t[wen]ty and eight of Rab'el the King, king of the Nabataeans, who has brought life and deliverance to his people, and during the lifetime of 'Obodat, son of Rab'el the King, king of the Nabataeans, who has brought life and deliverance to his people, and of Gamilat and [Ha]gru, his sisters, Quee[ns] of the Nabataeans, [children of] Maniku the King, king of the Nabataeans, son of Ḥaretat, king of the [Naba]taeans, lover of his people, in Maḥoz 'Egla[tai]n."

The introduction to this contract emphasises its royal context. The document, as well as providing information about the royal family more generally, is dated by the regnal year and is written in Nabataean.[301] Another item from the same archive, a document of summons written in AD 125, uses similar means to show its political context in the new *provincia Arabia*:

ἔτους ἐνάτου Αὐτοκράτ[ορος Τραιανοῦ Ἀδριανοῦ Καίσαρος]
Σεβαστοῦ, ἐπὶ ὑπάτων Μάρκ[ου] Οὐαλερίου Ἀσιατικοῦ τὸ [β κα]ὶ
Τιτίου Ἀκυλείνου πρὸ τεσσάρων εἰδῶν Ὀκτωβρίῳ[ν, κατὰ]
δὲ τὸν ἀριθμὸν τῆς [ἐπαρχείας Ἀραβίας ἔτους εἰκοστοῦ]
μηνὸς Ὑπερβερεταίου λεγ[ομενου Θεσρεὶ τετάρτη καὶ εἰ-]
κάς, ἐν Μαωζα περὶ Ζ[οαραν.][302]

"In the ninth year of Imperator Traianus Hadrianus Caesar Augustus, in the consulship of Marcus Valerius Asiaticus for the 2nd time and Titius Aquilinus four days before the ides of October, and according to the compute of the province of Arabia year twentieth on the twenty-fourth of month Hyperberetaios called Thesrei, in Maoza of Zoara."

A comparison of these documents raises some important issues associated with the annexation of the Nabataean Kingdom. The first, and most obvious, change is the shift from Nabataean to Greek. In this way, the two papyri shown here are representative of the archive as a whole; all of the documents from the 'Babatha Archive' composed before AD 106 are written in Nabataean and the majority of those from after 106 are written in Greek. There are two documents written under provincial rule in Nabataean and three in Jewish Aramaic.[303] After 106, litigants in *provincia Arabia* tended to write legal documents in Greek in response

[301] Such features are discussed in further detail above in 2.2.1. The document is also dated by the Babylonian day and month (3rd Kislev), on which see Samuel (1972), 139-44.
[302] *P Yadin* 14.15-21. Adapted translation.
[303] *P Yadin* 6 and 9 are written in Nabataean and can be dated to AD 119 and 122 respectively. *P Yadin* 7 (AD 120); 8 (122); and 10 (date unknown) are written in Jewish Aramaic.

to the imposition of provincial rule and as a means of engaging with Roman provincial courts.[304]

The change from dynastic to provincial rule is evident in the dating formulae. The second document is dated in accordance with its provincial context: it is dated by the imperial year, consular year, Roman calendar, provincial year, and Macedonian calendar.[305] The provincial governor is not mentioned as part of the dating formulae.[306] In the first document, dated by the regnal year, the authority of the Nabataean King provides the political context in which the document was valid and could be enforced.[307] The second document shows that the province was defined by its institutional label as a *provincia* and its inclusion within the Roman Empire.

The variation between place names is another noteworthy difference between these two documents. The Nabataean document was reportedly composed in Maḥoz ʿEglatain (*mḥwz ʿgltyn*), whereas the Greek one was written in Maoza of Zoara (Μαωζα περὶ Ζοαραν). Hannah Cotton and Jonas Greenfield have convincingly explained the apparent discrepancy in these place names.[308] Three names for this place appear in the 'Babatha Archive', two Aramaic and one Greek. In the Aramaic papyri, we see *mḥwz ʿgltyn*, which can be literally translated as "the port of Eglatain", and an abbreviated version in the determined state, *mḥwz'* ("the port").[309] It had previously been argued that the name *mḥwz ʿgltyn* placed the village of Maḥoz in the 'district of Eglatain'; the phrase was equated with the Greek Μαωζα περὶ Ζοαραν and scholars thus argued that *ʿgltyn* and Ζοαρα were the Aramaic and Greek names for the same area.[310] However, as the two Aramaic names, *mḥwz ʿgltyn* and *mḥwz'*, appear interchangeably in a Jewish Aramaic deed of gift written in AD 120, they both seem to be

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[304] See further below, 3.3.2. On this issue, see Czajkowski (2017), 115-24; Oudshoorn (2007), 20-1; Cotton (1999a), 230; Isaac (1992); Goodman (1991).
[305] On the Roman calendar, see Rüpke (2011); Samuel (1972), 153-70. For the Macedonian calendar, see Samuel (1972), 139-44.
[306] On the provincial governor's role as a legal authority, see below 3.3.1.
[307] See further above, 2.2.1.
[308] Cotton and Greenfield (1995). See also Esler (2017), 65-9.
[309] *Mḥwz ʿgltyn*: P Yadin 2.2; 3; 20; 22; 3.1; 3; 22; 23; 7.2; 32. *Mḥwz'*: P Yadin 7.3; 13; 33; 48; 49.
[310] Bowersock (1991), 340-1; Yadin (1963), 231.

names for the village called Μαωζα, a transliteration of *mḥwz'*, in the Greek papyri.[311] There was no 'district of 'Eglatain'. There is therefore a notable difference between the Aramaic and Greek documents: only in the Greek documents is the village Maoza described in terms of another place.[312]

There were some significant changes in the form these documents took in response to provincialisation. The imposition of provincial rule seems to have had a greater impact than just the replacement of the king with the Emperor as the chief figurehead. The differences between these two documents show that the litigants adapted to a new linguistic and political culture associated with provincial rule.

The introductions to two more documents, from Edessa, illuminate these changes further. The first, a contract transferring debt from AD 240, was written in the last year under Agbar IX:

> *byrḥ knwn qdm šnt ḥmšm'' wḥmšyn wtrtyn bšnt*
> *tlt d'wṭqrṭwr qsr mrqws 'nṭwnyws gwrdynws*
> *gdy' wzky' wbšnt trtyn d'lyws spṭmyws 'bgr mlk'*
> *br m'nw pṣgryb' br 'bgr mlk' dmyqr bhpṭy' b'rhy*
> *b'ds mdynt' rbt' 'm' dmdynt' klhyn dbyt nhryn*
> *ktyb šṭr' hn' bhykl' krk' ḥdt' dsyd' d'bgr mlk'*
> *bywm tmny' w'śryn* [313]

> "In the month of Former Kanun of the year five hundred and fifty-two, in the third year of Autokrator Caesar Marcus Antonius Gordianus the Fortunate and Victorious, and in the second year of Aelius Septimius Abgar the king son of Ma'nu, *paṣgriba*, son of Abgar the king, who was given consular honours in Urhoy, in Edessa, the great city, mother of all the cities of Bet Nahrin, this document was written in the palace, New-Town-of-Hunting, of Abgar the king, on the twenty-eighth day."

This document demonstrates its political context by dating itself first by the year of the Emperor's rule and then by the year of King Abgar IX's rule.[314] The second document, a

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[311] *P Yadin* 7.30-3.

[312] Maoza is consistently mentioned in reference to other places in the Greek papyri from Naḥal Ḥever: for instance, *P Yadin* 5.i.4; 16.13-4; 19.10-1; 20.22-3; 21.5-6; 22.5-6; 23.23; 37.2-3; *P Ḥever* 62.12. See also Gascou (1999) ll.2-3: Αὐρηλίας Θοφεισης Αζειζου κώμης Αζζειρων τῆς Αἰανείτιδος ὁρίου Αὐγουστοκολ(ωνίας) μητροπόλεως Βόστρων. This issue is discussed further in 2.3.2 and 2.3.4. See also Cotton and Yardeni (1997), 152; Freeman (1996), 103; Isaac (1992), 69.

[313] *P Mesop.* A.1-7. Text and (adapted) translation from Healey (2008).

[314] The introduction to this document is discussed further in 2.2.1.

lease of land from AD 242, was written after the Abgarid dynasty had been deposed and Edessa returned to colonial status:

> *bšnt ḥmš d'wṭqrṭwr qsr mrqws 'nṭwnyws gwrdynws 'wsbws sbsṭws*
> *bhpṭy' dwṭyws 'ṭyqws wdlpydws prṭksṭṭws byrḥ 'lwl šnt ḥmš m''*
> *wḥmšyn wtlt bmnyn' qdmy' bšnt tltyn dḥrwr' d'ntwnyn' 'dys' nṣyḫt'*
> *qlwny' mṭrpwls 'wrly' 'lksndry' ktyb šṭr' hn' bmrqpwls tr' bkmrwt'*
> *dmrqws 'wrlyws 'm' hyrws br 'ky wb'rkwnwt' dmrqws 'wrlyws 'lksndrws*
> *br swbs wbr'ṭ' br šlmsyn bywm ḥd byrḥ'* [315]

> "In the year five of the Autokrator Caesar Marcus Antonius Gordianus Eusebes Sebastos, in the consulship of Vettius Atticus and Lepidus Praetextatus, in the month of September, of the year five hundred and fifty three by the former reckoning, in the year thirty of the freedom of Antoniana Edessa the glorious, the *colonia*, the *metropolis* Aurelia Alexandria, this document was written in Marcopolis Thera, during the priesthood of Marcus Aurelius *'bm'*(?), priest (*hiereus*), son of *'ky*(?), and in the archonship of Marcus Aurelius Alexandros son of Severus and Bar'ata son of Shlamsin, on the first day of the month."

It is noteworthy that this document, written in *provincia Osrhoene*, is in Syriac.[316] Unlike Nabataean, which was rarely used in a provincial context, Syriac continued to be an influential language in the former Kingdom of Edessa; it later became synonymous with early Christian literature.[317] Our scant documentary evidence from this period of transition is mixed. We have five documents from the first twenty years after the final annexation of Edessa in 240-241. Two of these were written in Syriac: the lease of land from 242 shown above, and a deed of sale from 243 found at Dura-Europos but written in Marcopolis.[318] The other three are all written in Greek: there are two documents from Marcopolis dated to 249, a contract recording the sale of a slave and a copy of that same document, and one from Carrhae dated to 250, regarding the sale of an horse.[319] As Fergus Millar has argued, this, albeit limited, documentary evidence gives the impression that the former kingdom was largely bilingual.[320]

There was no change in the choice of language between the two documents shown above, written before and after the annexation of the Kingdom of Edessa. Nevertheless, a

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[315] *P Mesop.* B.1-6. See also Drijvers and Healey (1999), 244.
[316] This is pointed out in particular by Millar (2011a), 103.
[317] On the continued importance of Syriac in this period, see Millar (2013); (2012); (2011a); (2011b); Brock (2009); (1994); Taylor (2002).
[318] *P Mesop.* B; *P Dura* 28.
[319] *P Euphr.* 6; 7; 10.
[320] Millar (2011a), 110.

number of distinct contrasts between the documents are indicative of the process of provincialisation in former kingdoms and principalities. As we might expect, the royal family are excluded from the document from 242. Instead, the text provides a new political context framed in terms of *colonia* Edessa and city magistrates of Marcopolis.[321] In much the same way as the document from Naḥal Ḥever, the authority of settlements, and officials connected to them, is a defining feature of the contract's new provincial context.[322]

Change is evident in the titles used for these officials. The second document is dated by the 'archonship' (*'rkwnwt'*) of two office holders and it identifies another as a priest using the transliterated Greek term *hyrws* (ἱερεύς). By transliterating titles such as these, the document reflects the Greco-Roman culture of the political organisations depicted. The civic and colonial organisation of Marcopolis and Edessa, brought about with the imposition of provincial rule, are closely associated with the Greco-Roman political culture typical of provincial government.[323]

A number of small changes in the language and form of these documents is further evidence that the writers of these documents adapted their language and terminology in order to interact with the new provincial administration.[324] The first document, from the kingdom of Abgar IX, gives the Emperor the Syriac epithets *gdy' wzky'* ("fortunate and victorious").[325] The second, from *provincia Oshroene*, transliterates the Emperor's typical epithets, *eusebes sebastos*, as *'wsbws sbstws*.[326]

Similarly, there is significant variation between the place names used in the two documents. The first document refers to Edessa as "Urhoy, in Edessa, the great city, the

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[321] Of particular interest is the 'archonship' (*'rkwnwt'*) of Marcus Aurelius Alexandros, son of Severus, and Barʻata, son of Shlamsin. Teixidor, Feissel, and Gascou argue that the *archontes* of Marcopolis, also attested in Syriac subscriptions to the Greek documents *P Euphr.* 6 and 7 (6.36; 43; 7.34; 38), were a transliterated Greek equivalent to colonial *duumviri*. See Feissel *et al.* (1997), 20. This, however, seems unlikely. It would be unusual for *duumviri* to be given the *interpretatio graeca archontes* rather than the usual *strategoi*. In none of the documents we have from Marcopolis at this time is the city called a *colonia,* whereas Edessa, which did have a pair of magistrates called *strategoi* (*P Dura* 28.5), is called a *colonia* throughout these documents. The evidence would suggest that Edessa was a *colonia* and had *duumviri*, called *strategoi*, whilst Marcopolis did not acheive this status and had civic magistrates called *archontes*. See Millar (2011a), 99-102; (1993a), 430; Ross (2001), 74, who equate the Edessan *strategoi* with *duumviri*, but do not see Marcopolis' *archontes* as holders of the same office. On the better attested *duumviri/strategoi* from Palmyra, see Millar (1993a), 480; Teixidor (1984), 61.
[322] This is discussed further in 2.3.2 and 2.3.4.
[323] This is discussed further in 2.3.2.
[324] A number of these formal differences are also pointed out by Ross (2001), 74-81; (1993), 198-200.
[325] *P Mesop.* A.3.
[326] *P Mesop.* B.1.

mother of all cities of Bet Nahrin."[327] In contrast, the second reads: "Antoniana Edessa the glorious, the colonia, the metropolis Aurelia Alexandria."[328] The first document uses the older Syriac name Urhoy in addition to the given name Edessa, which is used in the second text.[329] The phrase 'mother of all cities' is also striking; it seems to convey the sense of *metropolis*, used in the second text, but it does so without using the transliterated Greek title.[330]

It has been convincingly argued that these two documents were written in the same place.[331] They, however, give it different names: the first document uses New-Town-of-Hunting (*krk' ḥdt' dsyd'*), whilst the second calls it Marcopolis Thera (*mrqpwls tr'*).[332] The change from *krk' ḥdt'* to *mrqpwls* is a reflection of its new civic status. Alongside that change, the adjunct *dsyd'* ("of hunting") is replaced by a transliterated form of the Greek word θήρα ("hunt").[333]

The differences between the two documents show not only a change in the types of political organisation employed, but also a change in how this organisation was expressed. The second document uses transliterated Greek terms to refer to forms of political organisation associated with the Greek language. Greek terms are used for the Emperor's titles, for the settlements Edessa and Marcopolis, and for officials attached to them. Conversely, the first document eschews Greek borrowings in favour of Syriac terms that reflect the royal context of the document.[334]

In these two pairs of documents provincial government is closely associated with the use of Greek as an administrative language and the authority of settlements. In both cases the political context in which the documents are valid is defined first by the authority of the

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[327] *P Mesop.* A.4-5: *b'rhy b'ds mdynt' rbt' 'm' dmdynt' klhyn dbyt nhryn.* There is a significant difference in readings here. Teixidor originally read *b'rs* instead of *b'ds*. Teixidor's reading was interpreted as *baris*, a word that entered Hellenistic Greek from the East meaning a stronghold or fortified royal residence. See Will (1987). The word, however, does not appear in any other Semitic text in this form so Brock's reading of *b'ds* ("in Edessa") is preferable. For the two readings, see Brock (1991); Teixidor (1990). Ross (1993) has followed Teixidor's reading of *b'rs* whilst Healey (2008) more recently read *b'ds*. See also Ross (2001), 74-5, who discusses both possibilities.
[328] *P Mesop.* B.3-4.
[329] On the use of Urhoy, see Ross (2001), 5-28; 73-4; Segal (1970), 1-6.
[330] See Ross (1993), 199.
[331] Teixidor (1990), 155-6. See also Millar (2011a), 99-102; Ross (2001), 74.
[332] The interpretation of *tr'* as 'thera' was made by Teixidor (1990), 156. See also Feissel *et al.* (1997), 19. Greek documents written there omit Thera: *P Euphr.* 6.1; 7; 8-9; 15; 7.2; 8.
[333] See Ross (2001), 74.
[334] See, in particular, Ross (1993), 199.

Emperor, as the figurehead of the Roman State, and then by a more local institution: those from Arabia are dated by the year of the province; those from Osrhoene are dated by the *colonia Edessa*. In these documents, as elsewhere, provincial rule is defined by its institutional status rather than by the personal authority of the governor.

Provincial rule, indeed, should not be reduced to the authority of the governor alone. We have evidence for a number of Roman officials in the Near-Eastern provinces involved in provincial administration.[335] The majority of these worked under the auspices of the provincial governor, who was the centre of provincial government. There were others, however, who held authority distinct from the governor. Of particular note for our purposes are the financial procurators attested in Judaea and Arabia, who administered taxation in these provinces. The procurators were common throughout the provinces of the Empire, but is useful to discuss them as they represent a distinct contrast from practice under kings and princes.

A financial procurator was assigned to Judaea after the Jewish Revolt. A Latin inscription shows that a *praetorium* was built for this procurator in AD 77-78.[336] Archaeological excavations have identified the precise location of this building and furnished us with a number of inscriptions that give us some insight into this aspect of provincial government.[337]

A full *cursus honorum* for a certain Valerius Valerianus, who was the financial procurator from 212 to 217 AD, was found a short distance to the west of the *praetorium*.[338] According to this text, he was a *procurator provinciae* during this time period. The title suggests that he was responsible to the *provincia* rather than to the governor personally. We can see the same tendency in the titles given to other occupants of this *praetorium* in Caesarea. A dedication of a statue to procurator Calpurnius Quintianus in AD 152, for instance, reads:

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[335] On this, in general, see Demougin (2001); Bowman (1996); Lintott (1993), 43-69; Richardson (1976), 27-46.
[336] See Eck (2007), 219; Cotton and Eck (2003), 34.
[337] For the excavations, see *NHL* 5.1673-80; Patrich (2011), 211-8; (2000). The inscriptions are published now in *CIIP* 2.1282-1344. See also Patrich (2011), 205-18; Cotton and Eck (2009); (2006).
[338] For the *cursus honorum*, see *CIIP* 2.1284. The dates are confirmed by *CIIP* 2.1285.

[..Calp]urnio Quin|[tian]o proc(uratori) Aug(usti) | [prov]inc(iae) S[y]r(iae) Pal(aestinae) | [--|--] [339]

"For … Calpurnius Quintianus, Augustan procurator of the province of Syria Palaestina."

In this inscription, similar to others from the *praetorium*, the financial procurator is given the title *procurator Augusti provinciae Syriae Palestinae*.[340] In contrast to treasurers under kings or princes, whose authority derived from the dynasts, these officials seem to have held authority distinct from the governor, linked to the Emperor and the province.[341]

We have inscriptions attesting to seven financial procurators in the *provincia Arabia*, all stationed in Gerasa at various points during the first century after the annexation of the Nabataean Kingdom.[342] The first procurator for whom we have evidence, a certain L. Valerius Firmus, seems to have been appointed shortly after the creation of *provincia Arabia*. Based on information in his *cursus honoroum*, Hans-Georg Pflaum has estimated that he was in office around AD 108.[343]

In much the same way as the Judaean procurators, these officials had titles linking their authority to the Emperor and the province rather than the provincial governor. Most of them are attested with the common title *procurator Augusti* and in one case the office is explicitly tied to the province.[344] It is also of particular note that these procurators were based in Gerasa, whilst the provincial governor was most likely based in Petra until the Severan period.[345] The physical separation of the procurator and the governor underscores the independence of the procurator's authority. This practice is not exceptional in the Roman provinces, but it is a considerable change from how officials operated under kings and princes.

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[339] *CIIP* 2.1283.

[340] See also *CIIP* 1295 (*procurator Augusti*); 1289 (ἐπίτροπος τοῦ Σεβαστοῦ); 1297 (*procurator Augusti provinciae Syriae Palaestinae*) *et al.* On this, see Cotton and Eck (2005), 29.

[341] See Cotton and Eck (2005), 29. On the role that financial procurators played as part of provincial government in Judaea, see now Eck (2007), 53-104.

[342] This information has been collected by Pflaum (1960-1982), 3.1083: L. Valerius Firmus (Jones [1928], 148, no.5); C. Vibius Celer Papirius Rufus (*CIL* 3.14156³); Q. Maecius Laetus (Jones [1928], 149, no.7); L Didius Marinus (*CIL* 3.6753); Q. Aurelius Atillianus (Welles [1938], 435, no.172); Aurelius Honoratus (*CIL* 3.14157¹); and C. Furius Sabinus Aquila Timesitheus (*CIL* 13.1807).

[343] See Pflaum (1960-1982), 3.1083. For the *cursus honorum*, with analysis, see Jones (1928), 148, no.5. The same individual appears again in Bourdon (1928), 254. See also Cotton and Eck (2005), 29.

[344] *CIL* 3.6753 gives the title *procurator Augusti provinciae Arabiae*; Jones (1928), 149, no.7: *procurator Augusti*; *CIL* 3.14156³: *procurator Augusti*; *CIL* 3.14157¹: *procurator Augusti*.

[345] See Haensch (1997), 238-43.

We have evidence that Roman soldiers also played a significant part in the provincial administration of former kingdoms and principalities. Of particular note are the two extant returns for the Arabian census of 127 in which a praefect, Priscus, appears to have acted as the recipient of the documents. A copy of a reciept is preserved in the cache from Naḥal Ḥever:

Λειουου ὄμνυμι τύχην Κυρίου Καίσαρου κ[α]λῇ πίστει ἀπο-
γεγράφθαι ὡς προγέγραπται μηθὲν ὑποστειλάμενος. ἐ[γράφη διὰ]
χειροχρήςτου Οναινου Σααδαλλου. Ἑρμην{ν}εία ὑπογραφῆ[ς τοῦ]
ἐπάρχου. Πρεῖςκος ὕπαρχος ἐδεξάμην πρὸ ἑπτὰ κα[λανδῶν]
Μαίων [346]

"(I) son of Levi, swear by the *tyche* of the Lord Caesar that I have in good faith registered as written above, concealing nothing. W[ritten by] the *chirocrista* Onainos, son of Saʿadalos. Translation of the subscription of the prefect: I, Priscus prefect, received [this] six days before the Ka[lends] of May."

This receipt attests to the administrative function Roman soldiers played in *provincia Arabia*. A significant, if not necessarily expansive, bureaucracy seems to have been quickly established in Judaea and Arabia after the annexation of the Herodian and Nabataean Kingdoms. It is particularly striking that this administrative structure, in both cases, takes a similar and distinctly Roman form. The officials, with Latin titles, along with the administrative input of Roman soldiers represent a distinct change from the royal courts, based on the traditions of Persian and Hellenistic kingship, that came before them.

Comparisons between the periods of dynastic and provincial rule lead to the conclusion that provincial government in former kingdoms and principalities took a recognisable and consistent form. We should not dismiss the disparities between provincial rule in different areas, but a number of aspects remain consistent throughout.

Documents written under Roman rule show a rapid adaptation by people interacting with the provincial authorities. There was a sudden change in the types of political authorities mentioned: settlements, particularly civic institutions, became important features on the socio-political landscape; and the personal authority of kings and princes was replaced by the

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[346] *P Ḥever* 61, fragments a and b. *Cf.* also *P Yadin* 16.33-8.

institutional authority attached to the territory's status as a *provincia*. Alongside these changes to the types of important political institutions, litigants adapted the language they used; Greek and Latin were clearly favoured by the Roman authorities as the administrative languages of choice. There is no evidence to show that Rome enforced the use of these languages, but individuals adapted the language they used in order to better interact, and perhaps find favour with, the Roman authorities.[347] Provincial government in former kingdoms and principalities is associated with a certain Greco-Roman political culture, linked with the use of Greek and Latin, the authority of settlements, and a limited, but distinctly Roman, provincial bureaucracy.

Despite these points of similarity, there were significant differences between different provinces. Scholars have rightly emphasised the adaptability of Roman provincial rule.[348] Roman provincial government across the Empire was subject to any number of regional differences. We might point, for instance, to the gulf between the *civitates* of the West and *poleis* of the East, or to the similar discrepancy between the use of Latin in the West and Greek in the East. In the papyri shown above, we can see a distinct regional difference caused by the resiliance of Syriac, which continued to be used into provincial Osrhoene.

Of particular relevance in this regard is the office of High Priest and the Sanhedrin in Judaea, which were maintained through the first stage of provincial rule in Judaea until the Jewish War.[349] The Romans, like the Herodians before them, dominated the office of High Priest, choosing and deposing High Priests without oversight or external input.[350]

The importance of the High Priesthood to the notion of Judaean independence and representation in this period is difficult to overstate.[351] The end of Josephus' *Antiquities* is dedicated to discussion of the office: he gives the history of the High Priesthood up to Herodian-Roman rule when the Herodian Kings and Roman officials removed the High

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[347] See Millar (2011a), 94; Rochette (2011); Eck (2004). See further below, 3.3.2.

[348] See Bowman (1996); Lintott (1993), 43-69; Braund (1988); Purcell (1986).

[349] On the existence and composition of the High Priest and Sanhedrin, see below, 3.5.

[350] See *HJP* 2.215-27; Levine (2002), 170-2; Sartre (2001), 555; Goodman (1987), 111; Rajak (1983), 41-2; Safrai (1974), 389. For the relationship between the Herodians and the High Priests, see above 2.2.1. Roman prefects appointed 7 High Priests between AD 6 and 39 before control of the office was passed to the Herodians in AD 41. For the list of High Priests with references, see *HJP* 2.230-1.

[351] This is discussed in further detail below, 3.5.

Priests' autonomy.[352] The continuation of the office into the period of provincial rule in Judaea was most likely an attempt to maintain the support of the Judaean population.[353] In this aim, the Romans clearly failed; as Goodman has aptly said:

> "The problem was not just that the High Priests appointed by Herod were his puppets ... but that they were *blatantly* his puppets, just as the incumbents after A.D. 6 were blatantly the political choices of Roman procurators (from A.D. 6 to 41), or Herodian Princes (from A.D. 41 to 66)."[354]

Roman rule in Judaea exemplifies the adaptability of provincial government in former kingdoms and principalities whereby forms and institutions could be adopted in accordance with the nature of the region and the problems inherent in controlling it.

In conclusion, the progression from dynastic to provincial rule shows points of both continuity and change. The nature of the territory and its people is often reflected in both dynastic and provincial governments. There are considerable similarities between dynastic and provincial Edessa, and between dynastic and provincial Judaea. The points of change, however, can tell us much about the nature of provincial government and the dynastic rule it replaced.

Whilst dynastic rule was defined by the personal authority of the king or prince, authority in the provinces that followed was derived from the Roman State and the status of *provincia.* This difference is well reflected in a boundary stone from Edessa that records the point between the kingdom and *provincia Osrhoene*:

> *... C. Iul.*
> *Pacatianus proc(urator) Aug(usti) inter*
> *provinciam Osrhoenam et*
> *regnum Abgari fines posuit* [355]

> "C. Iul. Pacatianus, Augustan procurator, placed the boundary between *provincia Osrhoene* and the Kingdom of Abgar."

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[352] 20.225-47. On this passage, see Schwartz (2001), 45-6; (1990), 59-65; Safrai (1974), 389; Smallwood (1962). For further discussion, see below, 3.5.
[353] See, in particular, Goodman (1987), 109-11.
[354] Goodman (1987), 111.
[355] Wagner (1983), 113-4, ll.5-8. On this text, see Kaizer and Facella (2010), 30; Ross (2001), 50; Sartre (2001), 617. The translation is my own.

This inscription from AD 195 is clear evidence that *provincia Osrhoene* and the Kingdom of Edessa existed at the same time.[356] What is important for our purposes here is how authority is presented in each case. Whilst Edessa is known as *regnum Abgari* ("the kingdom of Abgar"), Osrhoene is defined by its provincial status.

An examination of officials under dynastic and provincial rule reveals a similar contrast. Kingdoms were typically administered by members of the royal court who served as an extension of their king's authority. On the other hand, officials under provincial rule were not always answerable to the provincial governor. Whilst the governor was the foremost authority in the province, provincial power was derived from the Emperor and the territory's status as a *provincia*.

Provincial rule seems to have been closely linked to a Greco-Roman political culture, in which Greek and Latin were the administrative languages of choice, and settlements, most notably cities, were important political units. Whilst it was certainly adaptable and reflected the region under this form of control, it also implied a certain political culture that seems to have been a distinct change from the kingdoms and principalities it replaced. Writers of documents from Nabataea/Arabia and Edessa/Osrhoene very quickly recognised these differences and adapted to the new political context brought about by the advent of provincial rule.

2.3.2. Cities

In this section, I shall examine how the role of cities changed after kingdoms and principalities were annexed into provincial territory and how this reflects on the nature of dynastic rule. I maintain that the city became a more prevalent and influential means of political organisation. It was closely associated with provincial administration and the social, political, and administrative changes that typically accompanied it.

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[356] Some, most notably Ross (2001), 50-1, have argued that the *provincia Osrhoene* was created out of lands taken from the kingdom of Edessa as retribution for their supporting Septimius Severus' rival Pescennius Niger. *Cf.* Kaizer and Facella (2010), 31; Sartre (2001), 617; Gawlikowski (1998a). For discussion of this debate, see above, 1.4.6.

The most stark change following the annexation of kingdoms and principalities came in the Nabataean Kingdom, where several settlements were given city status shortly after its annexation in AD 106. The cities adopted positions of considerable administrative, political, and social importance in the new province. Their addition was part of a plethora of changes that the former kingdom underwent after its annexation.[357] Petra and Bostra, the two seats of the Nabataean Kings, were made cities.[358] To these we might add Rabbathmoba, Charachmoba, Medaba, Capitolas, Esbous, and Soada (later, Dionysias), all of which seem to have been made cities within a century of the annexation of the Nabataean Kingdom.[359]

Documentary evidence from Petra and Bostra provides us with an excellent view into their administrative impact in the new *provincia Arabia.* A document found at Naḥal Ḥever records the minutes from a city council meeting in Petra, AD 124. I shall quote the text in full:

ἐγ(γ)εγραμμένον καὶ ἀντιβεβλημένον κεφαλαίου ἑνὸς ἐπιτροπῆς ἀπὸ ἄκτων
βουλῆς Πετραίων τῆς μητροπόλεως προκειμένω(ν) ἐν τῷ
ἐν Πέτρᾳ Ἀφροδεισίῳ καὶ ἔστιν καθὼς ὑποτέτακται· καὶ Ἰασσού-
ου Ἰουδαίου υἱοῦ Ἰασσούου κώμης Μαωζα Ἀβδοβδας
Ἰλλουθα καὶ Ἰωάνης Ἐγλα. ἐπράχθη ἐν Πέτρᾳ μητρο-
πόλει τῆς Ἀραβ[ία]ς πρ[ὸ τεσσ]άρων καλανδῶν [. . . . ἱ-]
ων ἐπὶ ὑπάτων [Μ]αγ[ί]ου Ἀκειλίου Γλαβρίωνος καὶ Γα-
ίου Βελλικ(ί)ου Τ[ο]ρκουάτου [..]σ[...]τογου [360]

[357] This is noted particularly by Millar (1993a), 408; 418-20.
[358] An inscription bearing the title *metropolis* shows that Petra was given this title by AD 114. See Bowersock (1983), 84-5; (1982), 198. It can probably be assumed that the title *metropolis* implies city status. Petra was certainly made a city before AD 124, as a document, discussed further below, from Naḥal Ḥever records the minutes from a city council meeting at that time (*P Yadin* 12). Bostra was most likely made a city immediately after 106. Four inscriptions from the Hauran are dated by the 'era of Bostra', which began in 106: Milik (1958), 243-6, no.6, from 108/9; MacAdam and Graf (1989), 183-4, no.7, from 225/6; Meimaris *et al.* (1992), 204, no.158, from 397; Meimaris *et al.* (1992), 234, no.273, from 538.
[359] The clearest indicator of city status is the minting of civic coinage, but additional attestations in documentary evidence may allow us to date this change more accurately. Rabbathmoba is labelled a city in documents found at Naḥal Ḥever, dated to AD 127 (*P Yadin* 16.11; *P Ḥever* 62.10). It minted coinage from AD 209/210 (Spijkerman [1978], Rabbathmoba, 1-3; *BMC Arabia*, Rabbathmoba, 5). Charachmoba issued coinage under Elagabalus (Spijkerman [1978], Characmoba, 1-5; *BMC Arabia*, Charachmoba, 1-3). Seal-impressions found at Mampsis show the legend ΧΑΡΑΚΜΩΒΛΠΟΛΙC (*sic*), see Negev (1969), 90-1, nos.4-6. Negev argues, based on the seals' similarity with coins minted at Philadelphia, that they can be dated to the reign of Trajan, but this is far from certain. *Cf.* Spijkerman (1978), 276-7. The earliest coinage from Medaba was minted in the reign of Septimius Severus (Spijkerman [1978], Medaba, 1-3). Capitolas' earliest extant coins date to AD 165/6 (Spijkerman [1978], Capitolas, 1; 4). Esbous minted coinage under Elagabalus (Spijkerman [1978], Esbus, 1-6; *BMC Arabia*, Esbus, 1-6). Soada has been identified as the unnamed city in two inscriptions detailing building works dating from 182-185: *IGRRP* 3.1276-7. See Grainger (1995), 180; MacAdam (1986), 68-73; Sartre (1982b), 85-6; Jones (1971), 292.
[360] *P Yadin* 12.4-11.

> "Verified exact copy of one item of guardianship from the minutes of the council of Petra the *metropolis*, minutes displayed in the temple of Aphrodite in Petra, and it is as appended below:
>
> And of Iassos, a Jew, son of Iassos, of the village Maoza, 'Abdobdas, son of Illouthas, and Iohannes, son of Eglas, [are appointed guardians].
>
> Done in Petra, *metropolis* of Arabia, four days before the kalends of …, in the consulship of Manius Acilius Glabrio and Gaius Bellicius Torquatus."

This document was kept by Babatha as part of a series relating to the guardianship of her son, Iassos. As this document confirms, after her husband died, these two men, 'Abdobdas and Iohannes, were appointed legal guardians of her son. Babatha was then responsible for a number of documents designed to ensure that these guardians provided fully for his maintenance.[361] What is important for our purposes is that the city council in Petra had control over the legal and financial matters of Babatha's family living in Maoza, on the southern coast of the Dead Sea, some sixty to seventy kilometers away in a straight line.[362] The document thus demonstrates the extent of Petra's administrative influence.[363]

Two more documents from the Judaean desert, returns for a census conducted in Arabia in AD 127, provide us a further glimpse into Petra's administrative and political function in *provincia Arabia*.[364] Petra appears notably in the introductions to both returns. I shall quote the opening to Babatha's return below:

> ἐπὶ Αὐτοκράτορος Καίσαρος θεοῦ Τραιανοῦ Παρθικοῦ
> υἱοῦ θεοῦ Νέρουα υἱωνοῦ Τραιανοῦ Ἀδριανοῦ Σεβαστοῦ ἀρχιερέως με-
> γίστου δημαρχικῆς ἐξουσίας τὸ δωδέκατον ὑπάτου τὸ τρίτον, ἐπὶ
> ὑπάτων Μάρκου Γα<ου>ίου Γαλλικανοῦ καὶ Τίτου Ἀτειλίου Ῥούφου Τιτι-
> ανοῦ πρὸ τεσσάρων νωνῶν Δεκεμβρίων, κατὰ δὲ τὸν τῆς νέας
> ἐπαρχείας Ἀραβίας ἀριθμὸν ἔτους δευτέρου εἰκοστοῦ μηνὸς Ἀπελ-
> λαίου ἑκκαιδεκάτῃ ἐν Ῥαββαθμωβοις πόλει. ἀποτιμήσεως
> Ἀραβίας ἀγομένης ὑπὸ Τίτου Ἀνεινίου Σεξστίου Φλωρεντίνου
> πρεσβευτοῦ Σεβαστοῦ ἀντιστρατήγου, Βαβθα Σίμωνος Μαωζηνὴ τῆς
> Ζοαρηνῆς περιμέτρου Πέτρας, οἰκοῦσα ἐν ἰδίοις ἐν αὐτῇ Μαωζα,

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[361] For the documents, see *P Yadin* 12-5; 27. The issue has been given much scholarly attention, see Czajkowski (2017), 48-52; Oudshoorn (2007), 300-77; Chiusi (2005); Cotton (2002a); (1993).
[362] It has been calculated that this distance was approximately 150 kilometers by road. See Isaac (1994), 260; Lewis *et al.* (1989), 69.
[363] See Cotton and Yardeni (1997), 152; Isaac (1994), 259-61; (1992), 63-4.
[364] *P Yadin* 16, a return made by Babatha, under the supervision of Judanes, her guardian; and *P Ḥever* 62, a return made by a certain Sammouos.

ἀπογράφομαι ἃ κέκτημαι [365]

"In the reign of *Imperator Caesar divi Traiani Parthici filius divi Nervae nepos Traianus Hadrianus Augustus pontifex maximus tribuniciae potestatis XII consul III*, in the consulship of Marcus Gavius Gallicanus and Titus Atilius Rufus Titianus four days before the nones of December, and according to the compute of the new province of Arabia, the twenty-second year, of the month Apellaios the sixteenth, in the city of Rabbath-Moab. As a census of Arabia is being conducted by Titus Aninius Sextius Florentinus, *legatus Augusti pro praetore*, I Babtha daughter of Simon, of Maoza, of Zoara, in the region of Petra, domiciled in my own private property in the said Maoza, register what I possess…"

The introduction to this document serves to define the political context in which it functioned. This is clear from the three dates provided: by the year of the Emperor, the consular year, and from the creation of *provincia Arabia*.[366] It also provides further context to the site of the property, it describes the village Maoza in terms of other, larger settlements with the phrase Μαωζηνὴ τῆς Ζοαρηνῆς περιμέτρου Πέτρας. Neither Petra nor Zoara appear to have had any practical role linked to the submission of this document; it was submitted in Rabbathmoab and held in the *basilica* there. This phrase seems to be a description of the local political context in which the document operated. The use of the partitive genitive implies subordination: Maoza was subordinated to Zoara, which was subordinated to Petra.[367]

The document places both Maoza and Zoara within the *perimetron* of Petra.[368] The term *perimetron*, which typically denotes a boundary or circumference, here seems to denote Petra's civic territory. The text places both Maoza and Zoara within the administrative and political competence of the city.[369]

Petra's influence over Maoza is also demonstrated in the Naḥal Ḥever documents by the preposition *peri*. A document of summons from AD 130 uses the phrase ἐν Μαωζα τῆ πε[ρ]ὶ Πέτραν to provide context.[370] *Peri* is more commonly used in the documents to denote

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[365] *P Yadin* 16.5-15. The opening of *P Ḥever* 62, the census declaration made by Sammouos, is identical in all pertinent respects.

[366] See further in 2.3.1 above.

[367] Cotton in Cotton and Yardeni (1997), 152, calls this a 'dual-layer' subordination.

[368] See also the other census declaration, *P Ḥever* 62.12: Σαμμουος Σιμων[ο]ς Μαωζηνὸς τῆς Ζοαρηνῆς περιμέτρου Πέτρας.

[369] Cotton and Yardeni (1997), 152; Freeman (1996), 103; Isaac (1992), 69, do not frame this in terms of 'civic territory', but otherwise agree with the general statement that the two towns were within Petra's administrative competence. This is discussed further below.

[370] *P Yadin* 23.23. Another contextualising phrase that might show a hierarchical relationship between Maoza, Zoara, and Petra should be noted here: a fragmentary marriage document from AD 131 includes the phrase ἐν

the relationship between Maoza and the neighbouring village Zoara.[371] This particular

formulation with *peri* seems to denote a hierarchical relationship between Petra and Maoza.

In the cache of documents from Naḥal Ḥever, the relevant locations, Maoza, Zoara,

and Petra, are often described in terms of each other. Scholars have attributed great

importance to these descriptions and the particular terminology used in them, arguing that

they are evidence for a system of administrative divisions imposed by the new provincial

authorities.[372] According to this interpretation, the province was divided into sections, called

hyparcheiai, which were then divided into smaller ones, called *perimetra*. Petra's large

territory would be called a *hyparcheia* and Zoara's would be called a *perimetron*. The way in

which the documents use these terms, however, seems to depict a less systematised

organisation.[373]

The term *hyparcheia*, argued to be the largest of the sub-divisions within Arabia's

administrative system, only appears once in the Naḥal Ḥever documents. It is used to refer

abstractly to any one of several sub-divisions of the province in a document of summons from

AD 131.[374] It is not typically used for sub-divisions of a province outside of a Parthian

context and appears in only this abstract sense in reference to *provincia Arabia*.[375]

The term *perimetron*, argued to be the smaller sub-division, is not used in a consistent

way. Whilst Petra is labelled a *perimetron* in the two census declarations mentioned above,

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Μαωζα τῆς Ζοαρηνῆς .... Πέτραν μητρόπολιν τ[ῆς Ἀραβίας] (*P Yadin* 37.2-3), but the *lacuna* is too large to reasonably reconstruct.

[371] These documents typically use the form ἐν Μαωζᾳ περὶ Ζοαραν (*P Yadin* 15.6-7), although use of the genitive is known (ἐν Μαωζας τῆς περὶ Ζοαρα; *P Yadin* 19.10-1). Such formulations, with small variations, are included in *P Yadin* 5.i.4; 15.16-7; 17.19-20; 18.32; 19.10-1; 23.23; 25.28; *P Ḥever* 64.a.3. This is discussed further below, 2.3.4.

[372] See Cotton and Yardeni (1997), 152; Freeman (1996), 103; Isaac (1992), 69; Lewis *et al.* (1989), 65-70.

[373] Isaac (1992), 69-70, notes the terminological inconsistency and questions whether there was any consistency in the bureaucratic nomenclature.

[374] *P Yadin* 26.4-6: ἐπὶ Ἀρέριον Νέπωταν πρε[σ]βευτοῦ Σεβαστοῦ ἀνιστρατηγοῦ ὅπου ἄν ᾖ ὑπ᾽ αὐτοῦ ὑπαρχε[ί]α ("[Babatha summoned Miriam to appear] before Haterius Nepos, *legatus Augusti pro praetore*, whenever he happens to be on his judicial circuit of the province.") Cotton and Eck (2005), 39, convincingly argue that this phrase refers to a part of a province where the governor might hear a case, an assize court location.

[375] For the Parthian connection, see Isaac (1992), 69. It is paralleled in a document from Dura-Europos, *P Dura* 20.2.

Zoara is given the same title in three documents dated to AD 130.[376] *Perimetron* is used, therefore, to refer to both the larger and the smaller administrative regions.

The notion that a new system of administrative divisions, called *hyparcheiai* and *perimetra*, was imposed under provincial rule is further undermined by their complete absence from the five extant Semitic documents written in *provincia Arabia*. Whilst Nabataean and Aramaic documents written after 106 do mention both Maoza and Zoara, neither is described in terms of any other settlement.[377] The absence of such description in the corpus of Semitic documents from *provincia Arabia* would suggest that, rather than indicating a new well-defined system of administrative divisions, the tendency to describe settlements in terms of others is endemic of the cultural baggage associated with writing in Greek for a Roman audience.[378] It is thus unsurprising that Maoza, which was in Petra's civic territory, would be described in terms of its political relationship with Petra in a Greek document but not in a Semitic one. The Greek documents employ a series of terms related to space – the preposition *peri*, and the nouns *perimetron* and *hyparcheia* – to convey the political influence of pertinent settlements.

A document from Bostra, a deposition made in AD 260, uses a very similar formulation to provide a geographical and political context. It was submitted by a certain Aurelia Theophise, whose affiliation is described in the following terms:

κώμης Αζζειρων τῆς Αἰανείτιδος ὁρίου Αὐγουστοκολ(ωνίας) μητροπόλεως Βόστρων.[379]

"[Aurelia Theophise Azeizos] of the village Azzeira, of Aianeitis, in the boundary of the august *colonia* and *metropolis* Bostra."

Many aspects of this formulation bear similarities to the presentation of Petra's relationship with Maoza discussed above. Bostra appears at the head of a two-level hierarchy

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[376] They all use the phrase ἐν Μαωζα περιμέτρῳ Ζοορων: *P Yadin* 20.22-3, a document regarding a property dispute; *P Yadin* 21.5-6, a contract regarding the purchase of a grain crop; *P Yadin* 22.5-6, another contract regarding the same crop.
[377] This is discussed in further detail above, 2.3.1.
[378] For this argument, see further above, 2.3.1. Issues of language in legal texts are discussed further below, 3.2.2; 3.3.2.
[379] *P Bostra* 1.3-4.

above the villages Azzeira and Aianeitis.[380] The administrative competence of Bostra is denoted by *horion* ("boundary" or "limit"), another term related to the organisation of space.[381] Bostra's function within its civic territory is conceptualised here in much the same way as that of Petra.

We receive another perspective of Bostra's role as an administrative and political centre from North Arabian epigraphy. Maurice Sartre has collected a remarkable corpus of inscriptions from the region of Bostra where individuals are identified as *bouleutai bostrenon* ("councillors of Bostra").[382] As their title would indicate, these *bouleutai* participated in Bostra's city council; they are attested in both the city itself and villages in its surrounding territory.[383] Political participation from the villages in its hinterland emphasises the extent to which Bostra represented the primary political and administrative centre in this region of northern Arabia.[384]

From Petra and Bostra, therefore, we have compelling evidence for the administrative importance of cities in the new province. The rare insight into the operation of these cities provided by documentary evidence shows that they had fairly wide-ranging administrative authority over large and well-defined territories. Their administrative function, however, is only part of the wider change caused by the addition of cities to the former kingdom. In the new *provincia Arabia*, cities represented important factors in the construction of personal and communal identity, and were part of a wider change in the language of administration.[385] Cities appear as a means of personal identification in the epigraphic record. It is not possible to provide comprehensive evidence of this tendency, so I shall demonstrate it with reference

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[380] See Cotton and Yardeni (1997), 152, who call this a 'two-level' division.

[381] *Horion* is also used to represent the civic territory of Eleutheropolis in a document found at Oxyrhynchus: *P Oxy.* 50.3574.3 uses a similar formulation: ἀπὸ ὁρίων Ἐλευθεροπόλεως τῆς Νέας Ἀραβίας. See Gascou (1999), 71.

[382] Sartre (1985), 78-87. He provides a full table of these inscriptions on page 85, which I shall not reproduce here. Also attested is the alternative *bouleutes bostrenos*. Littman (in *PUAES* 3.161-2), followed by Sartre (1985), 78-9, has convincingly argued that the abbreviation *BB*, often found in the Hauran, should be reconstructed to the title *bouleutes bostrenon* (or *bostrenos*) attested elsewhere.

[383] It has been argued that some villages in Roman Syria and Arabia had councils similar to those found in cities. In particular, Harper (1928), 142-5, argues on the basis that inscriptions mentioning *bouleutai* have been found in villages. See also Choi (2013), 125-30. There are, however, no attested village *boulai*. It seems more likely that, as in Bostra, participants in the city *boule* could live in villages in the city's hinterland.

[384] See also the 'era of Bostra' inscriptions discussed further below, 2.3.4.

[385] With reference to Arabia, Millar (1993a), 414-28, highlights these issues in particular.

to two illustrative examples. A well known inscription from Philippopolis shows an individual identifying himself by his village and city:

Σίθρος Ῥαββήλο[υ]
ἀρχιβαλι(στάριος) Σην-
ὸς Κανωθη-
νὸς ἀνέ(θηκεν).[386]

"Sithros, son of Rabbelos, *archibalistarios*, Seenian Kanothian, dedicated this."

The dedicator of this inscription identifies himself as a 'Seenian Kanothian', a member of the village Sia and the city in whose territory it sat, Canatha. The use of both village and city as markers of identity bears significant resemblance to the way in which Maoza is described in terms of its larger neighbours, Zoara and Petra. In this inscription, both the dedicator and his home village are defined by their inclusion within Canatha's civic territory.

Another well known bilingual inscription, a third-century epitaph from Trévoux, shows a similar formation of identity based in both village and city affiliations. The deceased, a trader from a village near Canatha, died in France and established this inscription there. I shall quote the relevant sections below:

Ἀθειληνὸς
βουλευτὴς πολί[τ]ις τε Κανωθαί[ω]ν ἐ[πὶ]
Συρίης [387]

"Atheilenian, *bouleutes* and citizen of Canatha in Syria."

[*fi*]*l*(*ii*) *Syri*
de vico Athelani, decurion(*i*)
[*S*]*eptimiano*(*rum*) *Canota*(*norum*).[388]

"To the son of Syria, from the village Atheila, *decurio* of the Septimian Canatha."

The deceased's identity is framed in terms of his village, Atheila, and his city, Canatha. It is noteworthy that only his affiliation to Canatha is related to governance or

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[386] *SEG* 7.989. On this inscription see Millar (1993a), 419. On Canatha in general, see Sartre (1981).
[387] *IGRRP* 1.25.3-4.
[388] *IGRRP* 1.25.12-4.

political participation. He is described as a citizen and participated in the city council. The impression we receive from this inscription is that Canatha was a noteworthy political body whilst Atheila was not.[389] In this inscription both the settlement and the individual were defined by the authority of the city.

The picture that emerges from documents and inscriptions from *provincia Arabia* is that the authority of cities represented a common means of defining territory, settlements, and individuals. In addition to their administrative and political role, cities were key factors in the construction of personal and communal identity.

The important point here is *not* that cities were important administrative, social, and political centres, but that this represents a profound change from the former kingdom. We might expect cities in a Roman province to have a substantial political and administrative function, to mint civic coinage, and to control civic territory, but, before 106, there were no cities in the region, tribes were the most important means of socio-political organisation, and Nabataean was the language of administration.[390]

The linguistic contrast between the Nabataean Kingdom and *provincia Arabia* has been discussed in some detail above.[391] The typical language of documentary evidence – both on stone and parchment – changed from Nabataean to Greek after 106. The new provincial context led litigants and inscribers to compose legal documents and inscriptions in Greek.[392] A well known bilingual inscription from Medaba written shortly after the imposition of provincial rule – dated to AD 108/109 - illustrates the implications of this linguistic change for the presentation of social and political organisation:

> *d' mqbrt' wnpš dy 'l'*
> *mnh dy 'bd 'bgr dy mtqr'*
> *'yšywn br mn't dy mn*
> *'l 'mrt lšlmn brh*
> *bšnt tlt lhprk bsr'*

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[389] For this interpretation see Millar (1993a), 419.
[390] On the city in the Roman world, see Millar (1993b); Sartre (1991); Jones (1940). For the role of tribes in the Nabataean Kingdom, see above, 2.2.3.
[391] See above, 2.3.1.
[392] The choice faced by authors of legal documents, in particular, is discussed below, 3.3.2. On linguistic change in Arabian epigraphy, see Millar (1993a), 419-21; Negev (1977), 681-4.

"This is the tomb and the monument that was made by Abgar, also called Išyon, son of Mun'at, of the tribe of 'Amirat, for Šelaman his son, in the third year of the *eparchy* of Bosra."

Σελαμαν χρηστὲ καὶ
ἄλυπε χαῖρε. Ἀβγαρ ὁ καὶ Εἰσίων
Μονοαθου υἱὸς υἱῷ τειμίῳ τὸ μνῆμα
ἐποίησεν, ἔτους τρίτου ἐπαρχείας.[393]

"Selaman, good and without pain. Abgar, also called Eision, son of Monoathos, made this monument for his beloved son in the third year of the *eparchy*."

This inscription identifies the dedicator by his tribe in Nabataean (*'l 'mrt*) but has no equivalent phrase in Greek. The dedicator here has made a deliberate choice not to include this piece of information in the Greek portion of the inscription. There seems to be a conceptual difference between Nabataean and Greek in how people express their political affiliations whereby tribal identifications are appropriate in Nabataean but not in Greek.[394]

We have a wealth of evidence that demonstrates the importance of cities in the new province, some of which is shown above, and the vast majority of it is written in Greek. Greek was the language of civic administration and expression as well as the language in which people expressed civic affiliation.[395] There was a close connection, therefore, between the city, as a type of political and social institution, and the linguistic changes associated with provincial government. The removal of dynastic rule and imposition of provincial government resulted in a change of political culture and the language in which it was expressed.[396]

The effect of provincialisation in the Herodian Kingdom was markedly different due to its distinct political and social context. Unlike the Nabataean Kings, the Herodians

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[393] Milik (1958), 243-6, no.6. Translation is my own.

[394] Bilingual epigraphy from Palmyra shows a similar tendency. Taylor (2002), esp.320, has shown that, in Palmyra, Greek was the language used to refer to activites related to the organisation of the city whilst Palmyrene was used to relate to the social sphere.

[395] In particular, *P Yadin* 12, which records the minutes of Petra's city council in AD 124, demonstrates that Greek was the language of civic administration in the province. See Sartre (2001), 640-62; Cotton (1999a), 230; Millar (1993a), 416-7. It is noteworthy that the Latin term *acta* is transliterated to describe the actions being recorded (ἀπὸ ἄκτων βουλῆς Πετραίων; lines 1; 4). It is a sign of the Roman provincial context in which the *boule* of Petra existed. Whilst there are a number of Roman aspects and allusions (on which, see Goodman [1991], 171; Lewis *et al.* [1989], 17), there is no indication that Latin was widely used as an administrative language in the first century of the new *provincia Arabia*.

[396] This is pointed out by Millar (1993a), 418-20. The linguistic and political culture of provincial rule more generally is discussed further above, 2.3.1.

presented a dual-identity as Judaean *mlkym* and Hellenistic *basileis*.[397] Herodian Palestine was home to many cities, dating back to the Hellenistic period and more recently restored by the Romans and Herodians. Greek was also a common language of administration in Palestine. Nevertheless, the imposition of provincial rule had a significant effect on the nature of civic government in the former kingdom.

The Herodians and Romans seem to have had differing approaches towards cities. As discussed above, cities in Herodian Palestine were often demarcated as being ethnically Judaean or Greek civic spaces, which identified themselves by either avoiding or adopting classical iconography.[398] In this way, Judaean and Greek ethnic differences were voiced through the medium of religious expression. The Herodians, in accordance with their Judaean and Hellenistic self-presentation, founded both Judaean and Greek cities. In contrast, Roman rule in Palestine was consistently linked to cities that identified themselves as Greek. The actions taken by the Romans in Herodian Palestine, not only founding ostensibly Greek cities but also supporting existing Greek polities, suggest a substantial connection between Roman rule and this form of civic government.

The Jewish Revolt in AD 66-70 was an important period of change in civic government in Palestine. The Judaean city of Joppa, after resisting Roman occupation, was reportedly captured and burnt by Cestius Gallus' forces before re-fortifying and being captured again by Vespasian.[399] Civic coins minted in the third century show that Joppa underwent a series a changes after the revolt. The coins call the city Flavia Joppa, which would suggest that it was refounded by Vespasian.[400] They also display classical icons: the five main types show a bull, Athena Promachos, Tyche, Perseus, and a horse and rider.[401]

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[397] This is discussed further above, 2.3.1. See Schwentzel (2013), 11; 119.
[398] See above, 2.2.2.
[399] For Cestius Gallus' occupation, see Jos. *BJ* 2.507-9. For Vespasian, *BJ* 3.414-27. See *HJP* 2.110-4; Ecker (2010), 153.
[400] The legend ΦΛΑΟΥΙΑΣ ΙΟΠΠΗΣ appears (often abbreviated) on a number of issues: Ecker (2010), nos. 3; 5; 6; 7; 9; 11; 15; 16; 17; 19; 20; 21; 22. On Vespasian's refoundation of Joppa, see Ecker (2010), 153; Alon (1984), 143-4; *HJP* 2.113. On Joppa's civic status, see further above, 2.2.4.
[401] For the coins and the identification of these main types see Ecker (2010); Kindler (1985). On representations of the mythological past in Joppa, see Kaizer (2011).

Vespasian seems to have refounded the city as a Greek civic space after its destruction during the Jewish Revolt.[402]

A similar process of change seems to have occurred in Tiberias. Before the revolt, it was a predominantly Judaean city in Galilee that demonstrated its identity by minting aniconic coinage.[403] Josephus reports that, during the war, there were considerable differences of opinion over which side the city should support. According to his account, the 'noble men' (εὐσχήμονες ἄνδρες) of the city supported the Romans whilst an unnamed majority along with some subversive nobles supported revolt.[404] The latter party won the debate and the citizens of Tiberias participated in the revolt.[405] When Vespasian reached the city, it surrendered and was subsequently spared destruction.[406] After the revolt, beginning in the year AD 99-100, the city began to mint coins with classical iconography.[407] The fourth-century Christian writer Epiphanius also attests to the presence of pagan temples from the second century.[408] There seems to have been a change at some point during or after the Jewish Revolt whereby the city became an ostensibly Greek civic space.

The city of Sepphoris seems to have undergone similar changes but they were likely not related to the Jewish Revolt of 66-70, in which Sepphoris supported Agrippa and the Romans. Josephus hints at Sepphoris' status as a Judaean city in a few select passages. When describing Sepphoris' actions during the revolt, he states that the citizens promised "their active support against their countrymen (κατὰ τῶν ὁμοφύλων)."[409] Similarly, the decision of

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[402] See, in particular, Kushnir-Stein (2008), 133; *HJP* 2.113. Judaeans certainly still lived in the city, but control of the city seems to have passed to the Greeks. A lead weight mentioning an *agoranomos* called Judah was found in the city, showing the continued Judaean presence. See Kaplan (1981), 412-6. On this, see Ecker (2010), 153-4.

[403] The city minted distinctive aniconic coins with a palm branch on the obverse and a wreathed inscription on the reverse. See *BMC* Palestine, Tiberias, 1-2. This is discussed in further detail above, 2.2.2. Josephus mentions a palace built by Herod Antipas with representations of animals, which were forbidden under Jewish law (*Vit.* 65). He describes the burning of the palace after it was decided to remove the icons. It is clear from the tenor of the passage that such representative images were very unusual in the city. See Chancey (2005), 82-94; Avi-Yonah (1951).

[404] Jos. *Vit.* 32-42. One of these subversive nobles is given by name, a certain Justus, who is credited with writing an extended account of the Jewish War that did not survive. On this see, in particular, Rajak (1973).

[405] Jos. *Vit.* 42. Some of the population reportedly maintained contact with Agrippa throughout the revolt: Jos. *BJ* 2.630-40; *Vit.* 155-73. See also *HJP* 2.181.

[406] Jos. *BJ* 3.445-61.

[407] Of those minted under Trajan: *BMC Palestine*, Tiberias, 3-9 show a city-goddess; 10-3 show Hygieia. See also Meshorer (1984), 33-5.

[408] Epiph. *Adv. haers.* 30.12. Iconic images are mentioned in the *Jerusalem Talmud*, although we cannot surely date this reference (*y. 'Abod. Zar.* 43b). See Dudman and Ballhorn (1988).

[409] Jos. *BJ* 3.32. For Sepphoris' actions in the war in general, see *BJ* 3.29-34.

Sepphoris not to send arms to defend Jerusalem is described as a failure to protect the temple "common to us all."[410] More telling than these statements is Sepphoris' civic coinage; the city minted aniconic coins under Trajan.[411] Sepphoris seems to undergo a significant change at some point during or after the Bar Kokhba Revolt in AD 132-136. Under Antoninus Pius, the city mints coins under a new name, Diocaesarea, with iconic images depicting Tyche.[412] There is little evidence to definitively suggest that this change was a result of the Bar Kokhba Revolt, but it was around this time that it occurred.

We cannot be sure in all these cases that the changes these cities underwent were a direct result of rebellion. In any case, we can see a general trend, in the context of Judaean rebellion in the first two centuries AD, whereby Judaean cities established by the Herodians became ostensibly Greek civic spaces.

During the same period, the first two centuries AD, the Romans founded a number of cities in Palestine: Vespasian founded Neapolis on the site of a village called either Mabartha or Mamortha in 72 AD;[413] Capitolas was founded at Bet Ras, most likely, at the end of the first century;[414] Eleutheropolis, formerly Betogabris, was founded in 199-200;[415] and Diospolis was founded from the village Lydda by the end of the second century.[416] With the exception of Neapolis, which initially minted a series of aniconic coins, they were all certainly Greek cities.

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[410] Jos. *Vit.* 348.

[411] For the coins minted under Trajan, see *BMC Palestine*, Sepphoris-Diocaesarea, nos. 1-4. On this, see also Chancey (2005), 82-94; (2001); Chancey and Myers (2000); Weiss and Netzer (1996).

[412] *BMC Palestine*, Sepphoris-Diocaesarea, 21-5. On this, see Chancey (2001), 142; Meshorer (1984), 36-7. Diocaesarea and Sepphoris are equated by Epiph. *Adv. haer*. 30.11. This change may be reflected in the *Mishnah*, where it states that any individual whose ancestors served as public officials in the 'old government' of Sepphoris should be recognised as an Israelite (*m. Kid.* 4:5). The implication of this statement is that the 'old government' of Sepphoris was Judaean whereas the administration that replaced it was not. For this reading, see *HJP* 2.174.

[413] Jos. *AJ* 4.449 calls the village Mabartha; Plin. *HN* 5.69 uses Mamortha. The first extant civic coins date to AD 82-3 (*BMC Palestine*, Neapolis, 1-19). The coins minted under Domitian tend to show aniconic images common on coins of the region, including an inscription within a laurel wreath (*Ibid.*, 1-3), cornucopiae (4-8), a palm tree (9-15), and ears of corn (16-9). The city does not start minting iconic coinage until 159-60, when it issues coins showing Asklepios and Hygieia (20).

[414] Although the city only begins minting coins from AD 165-166, it dates these issues from the year AD 97-98, which suggests the city was founded at the end of the first century. See Spijkerman (1978), Capitolias, 1; 4; 7; 8.

[415] The city first mints coins in AD 201-202 (*BMC Palestine*, Eleutheropolis, 1-2). They depict Tyche in a temple with four columns and a pediment.

[416] The earliest extant coinage was minted in AD 208-209 and depicts various iconic classical figures (*BMC Palestine*, Diopolis-Lydda, 1-5).

The connection between Roman rule in Palestine and Greek cities was not new to the first and second centuries AD. Pompey, who reorganised the political structure of the Near East in 63 BC, re-established many former Hellenistic *poleis*.[417] Our main source for these restorations is Josephus, who reports that Pompey 'liberated' (ἐλευθερῶ) Hippos, Scythopolis, Pella, Samaria, Jamnia, Marisa, Azotus, Arethusa, Gaza, Joppa, Dora, and Straton's Tower (later, Caesarea).[418] This 'liberation' is characterised by Josephus as depriving the Judaean *ethnos* of these territories.[419] The Roman proconsul Gabinius was then later responsible for rebuilding and expanding cities in the Near East, as well as strengthening them with new inhabitants.[420] Josephus reports that Gabinius restored Samaria, Azotus, Scythopolis, Anthedon, Raphia, Adora, Marisa, and Gaza.[421]

Roman rule in Palestine, therefore, was associated with cities. Beginning with Pompey in 63 BC, the Romans founded or refounded cities in the region. The role of Pompey and the Romans in establishing civic government is recognised by the widespread use of the Pompeian era by cities of the Decapolis.[422] This picture can be nuanced further as they particularly seem to have supported the interests of cities that were ethnically and culturally Greek. By the end of the second century, none of the Judaean civic spaces established by the Herodians remained.

The contrast between the Judaean civic spaces promoted by the Herodians and the Greek cities favoured by the Romans contradicts Sartre's view of administrative development in the region. Sartre argues that the cities founded by the Herodians allowed the Romans to more easily control the region, but the institutions founded by the Herodians proved to be problematic to the provincial authorities, who systematically removed all of Judaean civic spaces the Herodians founded.[423]

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[417] On this, in general, see Isaac (2010), 154; Kasher (1990), 174-81; *HJP* 2.86-93.

[418] Jos. *BJ* 1.155-6; *AJ* 14.74-6. There is one discrepancy between the accounts, the *Jewish Antiquities* claims that Pompey restored Dion, which is omitted from the *Jewish War*.

[419] Jos. *BJ* 1.155.

[420] See *HJP* 2.92; Kasher (1990), 174-81; Bammel (1961).

[421] Jos. *BJ* 1.166; *AJ* 14.88. There is again a small discrepancy, the *Jewish War* adds Apollonia, Jamnia, and Gamala, which are omitted from the *Jewish Antiquities*.

[422] This point is emphasised by Millar (1993a), 353.

[423] Sartre (2001), 514-5. See further above, 1.2.2.

Our evidence for cities in other former kingdoms and principalities is meagre by comparison. The Kingdom of the *Emesenoi*, as discussed above, was long associated with the city Arethusa, which was removed from the Emesan Dynasts' control in 37 BC.[424] We only hear of a city called Emesa in the first century AD, when it mints civic coinage.[425] Coins minted under Antoninus Pius give us a *terminus ante quem*, but we have little evidence beyond this to establish when the city was created.[426]

Although we have relatively little evidence for civic life and institutions in the former Kingdom of Commagene, we are given some idea of the impact of provincial rule on cities in the region. After the annexation of Commagene, Samosata minted coins proclaiming itself Flavia Samosata, and dated to a new era beginning after Commagene's annexation.[427] Three Latin inscriptions on a bridge over the river Chabinas rather enigmatically mention the 'four *civitates* of Commagene'.[428] We cannot be sure which four cities the inscriptions refer to, but the four cities from which we have extant coinage – Samosata, Antiocheia ad Euphratem, Germaniceia, and Doliche – seem likely candidates.[429] Whilst we can say relatively little about the nature of these cities, the number and influence of cities in the region seems to have increased under provincial rule. The refoundation of the former capital, Samosata, as Flavia Samosata explicitly links the former centre of royal power to the new provincial administration.

After the death of Zenodorus in 20 BC, the territories of the Ituraeans were gradually taken from dynastic control. In the first century AD, the Ituraean Principalities consisted of three distinct territories named after settlements within them, Chalcis, Arca, and Abila.[430] Whilst much is unclear, at least one of these three principalities was made a city.

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[424] See above, 2.2.2.

[425] *BMC Syria*, Emisa, nos.1-8.

[426] See, in particular, Kropp (2010), 201; Millar (1993a), 302-3, assumes that the city was created by the Emesan Dynasty by the late first century BC, but we do not have the evidence to make this claim. The fact that the Emesan Dynasty and the city of Emesa have the same name does not guarantee that they existed at the same time or that they are directly related. Our only other evidence for the city's operation is a mention of Emesan *bouleutai* in Cassius Dio's account of events in AD 218 (Cass. Dio 79.31.3).

[427] *BMC Syria*, 117-123. On this coinage see Butcher (2004), 467-8; Millar (1993a), 453.

[428] *IGLS* 1.42.10-2: *quattuor | civitates com|[m]ag(enes)*; *IGLS* 1.43.7-9: *quattuor | civitates | commag(enes)*; *IGLS* 1.44.4-5: *quat(tuor) civitat(es) | commag(enes)*.

[429] On the inscriptions and the four *civitates*, see Butcher (2003), 114; Millar (1993a), 453-4.

[430] On the, often obscure, history of the Ituraean Principalities and the location of these territories, see above, 1.4.

There has been much debate over the identification of Chalcis, controlled first by the Ituraeans and then by the Herodians.[431] Whilst the suggestion of Jean-Paul Rey-Coquais and Julien Aliquot, that Chalcis was situated at Majdel 'Anjar – to the south of Gerrha, the site preferred by some scholars, Chehab in particular – seems the more likely option, we cannot locate it with any certainty. A fragmentary inscription from a temple at Majdel 'Anjar perhaps provides us with some idea of the fate of Chalcis after its annexation:

[ἔτου]ς δ[.]ς΄, μηνὸς Δύστρου γ΄, Ἀπολλοφ[άνης . . .]
[. . .] Λ[.]ΟΥ Σειδώνιος ὑπὲρ σωτ[ηρίας . . .] Π[. . .].[432]

"The year 2[.]4, 3rd of the month of Dystros, Apollophanes, Sidonian, for the life of ..."

The date of this inscription is unfortunately fragmentary, it could read between 204 and 294. Julien Aliquot convincingly establishes limits for dating the text.[433] He identifies three eras, known in the region, that the text could be dated by: the Seleucid era, the era of Sidon, and the era of Berytus. It seems unlikely that it would be dated by the Seleucid era as that would date the inscription to between 109-108 and 19-18 BC, a period for which we have virtually no epigraphic record from this region. The era of Sidon begins in 111-110 BC; it would thus date the text to between AD 93-94 and 193-194. The era of Berytus, beginning in 81-80 BC, would date it to between AD 123-124 and 213-214. Either of these city eras are plausible. Aliquot argues that the dedicator's choice to identify himself as a Sidonian indicates that the inscription was not set up in the territory of Sidon.[434] According to this interpretation, such an identification would not have been necessary in Sidon's hinterland; the text was thus set up in Berytus' territory and dated by the era of Berytus. Aliquot's argument is certainly tempting, but we cannot attribute it with certainty to either the era of Sidon or Berytus. The more important issue for our purposes is that the text likely places Chalcis in either Sidon or Berytus' hinterland in the second century AD.

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[431] See Wright (2013), 57; Cohen (2006), 240; Sartre (2001), 515-6; Aliquot (1999-2003), 225-37; Gatier (1999-2000), 108-11; Chehab (1993), 43; Ghadban (1987), 222; Will (1983).
[432] *SEG* 37.1446.
[433] Aliquot (1999-2003), 234-5.
[434] Aliquot (1999-2003), 235.

Contrary to this presentation, Maurice Sartre has attributed a series of coins proclaiming AD 92 the beginning of an 'era of liberty'.[435] If these coins could be reliably attributed to this Chalcis – Chalcis in Lebanon – then it would seem to confirm Chalcis' independent city status, and addition to *provincia Syria*, in AD 92. There are, however, significant problems with this identification; a growing scholarly consensus attributes these coins to the North-Syrian city Chalcis, often known as *Chalcis ad Belum*.[436] We cannot reliably ascribe these coins to Chalcis in Lebanon; it seems to have passed into the control of one of the large Phoenician cities, Sidon and Berytus, after it was attached to *provincia Syria* in the first century AD. As we have no extant coins from it, we cannot be sure if it was ever made a city.

The settlement Arca – the centre of its eponymous principality – was certainly made a city at some point in the first or second century AD.[437] Under Antoninus Pius, the city mints coins under the name Caesarea;[438] it must have been made a city before this point. Julien Aliquot and Maurice Sartre credit Arca's new name, Caesarea, to kings or princes, likely either the Herodians or Ituraeans.[439] As the Herodian Kings founded Caesarea Maritima, Sebaste, and Caesarea Philippi, it seems likely that such a name would have come from a king or prince rather than Rome. Cities founded or refounded by Emperors in the East typically bore the name of a specific Emperor or dynasty, such as Flavian Samosata or Hadrianic Petra. Our evidence, however, points to the settlement being made a city in the late first or early second century. Whereas Josephus only attests to the Principality of Arca, later sources such as Ptolemy – who lists Arca amongst the cities of Phoenicia – and Cassius Dio – who refers to the settlement as Arca – identify it as a city.[440] There is something of a discrepancy between our literary sources, which refer to it as Arca, and extant coins, which call it Caesarea. The fourth-century historian Aurelius Victor claims that both names, Arca and Caesarea, were

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[435] Sartre (2001), 509-15.
[436] See *HJP* 1.573; Aliquot (1999-2003), 236-7; Jones (1931b), 267; Seyrig (1931), 323-5.
[437] On the Principality of Arca in general, its identification and location, see above 1.4.2.
[438] Seyrig (1959), 38-43.
[439] Aliquot (1999-2003), 239-40; Sartre (2001), 643.
[440] Jos. *BJ* 1.188; *AJ* 14.129; Ptol. *Geog.* 5.15.21; Cass. Dio 79.30.3.

used.[441] The name Caesarea does not seem to have been intrinsically linked to Arca's city status in the same way as in Caesarea Maritima – formerly Straton's Tower – and Caesarea Paneas – formerly Banias. It is plausible that the settlement was called Caesarea by kings or princes, but not made a city until the second century, after it was annexed into provincial territory. We cannot, however, be certain of when Arca was made a city; it could have achieved this status under dynastic rule.

The third of these principalities, Abila, likely only became a city in the fourth century AD. Whilst Ptolemy lists Abila – not to be conflated with Abila of the Decapolis – amongst a list of cities of Coele-Syria, he also includes a number of others that we know were not cities in this period.[442] Abila at no point mints civic coinage. We only have positive evidence for Abila's city status from the fourth century AD.[443]

The evidence for these three principalities is problematic and there are significant gaps in our knowledge. Nevertheless, they do portray a general transition, associated with provincialisation, from dynastic rule to civic government.[444] Chalcis seems to have been transferred to the territory of Berytus after it was annexed; Arca was made a city at some point in the late first or early second century AD; and Abila eventually became a city in the fourth century. In all three cases, the authority of a local dynast, controlling a relatively small principality, was effectively replaced by civic government.

It is also pertinent to discuss *coloniae* here. *Coloniae* were typically settlements of Roman veterans that were controlled by *duumviri*, or sometimes *duoviri*, and a council of *decuriones*; they were commonly granted *ius Italicum* and granted freedom from taxation.[445] In practice, this form of political organisation took many different shapes. Beginning in the first century AD, the *colonia* became an important means of social and political organisation in former kingdoms and principalities in the Near East.[446]

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[441] Aur. Vict. *Caes.* 24.1: *cui duplex Caesarea et Arce nomen est.*
[442] Ptol. *Geog.* 5.15.22.
[443] See Aliquot (1999-2003), 244-5.
[444] This is emphasised particularly by Aliquot (1999-2003), 224-54. See also Sartre (2001), 641-4.
[445] On *coloniae* in general, see Levick (1967); Kornemann (1901).
[446] On this issue, see Millar (1990a); Isaac (1980a).

As Fergus Millar has pointed out, there were three major stages in the 'colonisation' of the Near East.[447] Berytus was the first Roman *colonia* in the Near East; it was formed by the settlement of veterans in 15 BC.[448] The second stage in this process involved the creation of three *coloniae* in Roman Palestine: Ptolemais, Caesarea, and Aelia Capitolina. Finally, the third stage came after the accession of Septimius Severus, who, followed by his successors, conferred this title on many towns across the Roman world.

Caesarea was made a *colonia* under Vespasian and demonstrates its new status on coins minted under Domitian.[449] There has been significant debate over the creation of the colony. Hannah Cotton and Werner Eck have recently argued, based on the concentration of Latin epigraphy, that a significant number of veterans were settled in the city when it was given colonial status.[450] Whilst we have relatively little literary evidence for this change, the third-century jurist Paulus, seems to suggest that colonial status was bestowed on those who already lived in Caesarea:

> *Divus Vespasianus Caesarienses colonos fecit, non adiecto, ut et iuris Italici essent, sed tributum his remisit capitis.*[451]
>
> "The divine Vespasian made the people of Caesarea *coloni*, without conferring the *ius Italicum*, but released them from personal taxation."

Caesarea also lacks a number of other typical signs of veteran colonists. At no point did it mint coins with legionary *vexilla*, which are present on the coins of veteran colonies in the region: Berytus and Aelia Capitolina.[452] On balance, it seems unlikely that there was any concerted attempt to settle veterans in the city as part of the grant of colonial status.

Nevertheless, it is clear that Caesarea's change in status resulted in notable changes within the city. Inscriptions from the city show that it adopted the administrative

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[447] Millar (1990a).

[448] On Berytus and its 'colonisation', see Jones-Hall (2004); Millar (1993a), 279-81; (1990a), 168-82; Isaac (1990), 318-21.

[449] *BMC Palestine*, Caesarea, 36-8. See also Plin. *HN* 5.69: *Stratonis Turris, eadem Caesarea ab Herode rege condita, nunc Colonia Prima a Vespasiano Imperatore deducta.*

[450] Eck (2009), 34; Cotton and Eck (2002).

[451] *Dig.* 50.15.8.7. This passage is cited by Isaac (2009), 56; (1980a); Millar (1990a), 186.

[452] For legionary standards on coins of Berytus: *BMC Phoenicia*, Berytus, 55-6. Ptolemais: Syon (2010), 71, fig.86; Seyrig (1969), 43-4; Kadman (1961), 92-6. Aelia Capitolina: Meshorer (1989), 2; 42; 111; 114; 144; 169; 170; 182. This is pointed out by Isaac (2009), 57.

infrastructure typical of *coloniae*. A second- or third-century inscription from near the city shows a dedication made to a *legatus* by a *duovir*.[453] It is also one of the many inscriptions that attest to the city's *decuriones*.[454] Alongside this change, we can also see a shift, amongst the elite, towards Latin epigraphy in the city.[455] Caesarea demonstrated its new colonial status by issuing coins with the Latin legend *Col. I F. Aug. F. C. Caes. Metrop*.[456] These changes to the language and machinery of administration exemplify the distinction between a Greco-Roman city and a Roman *colonia*.

Aelia Capitolina was founded on the ruins of Jerusalem at the outset of the Bar Kokhba revolt of AD 132-136.[457] The colony was most likely founded by settling veterans of the legion X Fretensis, which was also stationed in a nearby camp, as this legion's *vexilla* appear on its coinage.[458] We have little evidence for the culture or infrastructure of Aelia Capitolina beyond its coinage. An inscription from the city provides its title: *[Colonia Ael]ia Kap(itolina) Commo[diana]*.[459] Epigraphic evidence attests to a council of *decuriones*.[460] Aelia, along with Berytus, was one of the only two *coloniae* in the Near East founded by settling Roman veterans. It could, therefore, have been a distinctly Roman and Latin space like Berytus, but we have little evidence to support this.[461]

It is no surprise that Aelia Capitolina – a *colonia* created by the settlement of veterans – possesses a distinctly Roman character. The changes that Caesarea underwent after gaining colonial status, however, seem to have occurred for no other reason than the award of colonial status. Its new status led to a change in the language of administration and the language used by the elite. The award of colonial status, which on the surface appears to be an administrative change, seems to have caused a wider change whereby those in and around

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[453] Lehmann and Holum (2000), no.8.

[454] See, for example, Lehmann and Holum (2000), nos.3; 9; 11; 87 *et al*.

[455] This is discussed at length by Eck (2009); Isaac (2009); Cotton and Eck (2002).

[456] *BMC Palestine*, Caesarea, 36-8.

[457] Cassius Dio attests to its founding and the construction of a pagan temple there (69.12.1-2). See Meshorer (1989).

[458] Meshorer (1989), nos. 169; 170. See also Meshorer (1989), 21. Justin, 1 *Apol*. 47.6.; Euseb. *Hist. eccl.* 4.6.4 attest to the exclusion of Judaeans from the colony. See Millar (1990a), 189; Isaac (1980a), 46-7. On legionary *vexilla* in general, see Stoll (2009).

[459] *AE* (1984), 914.

[460] For instance, *CIL* 3.6639, an inscription in honour of Antoninus Pius uses the familiar phrase *d(ecreto) d(ecurionum)*. See Millar (1990a), 190.

[461] For Berytus' Latin character, see Millar (1993a), 124; 279-81.

power chose to express themselves in Latin. The *colonia* is a particular type of civic government with a particular structure and a political culture associated with it. Roman provincial rule is intimately associated with this political structure.

In conclusion, the city became a more prevalent and more important form of political organisation under provincial rule. Roman provincial government in former kingdoms and principalities consistently associated itself with Greek cities: they were removed, often on request, from kingdoms and principalities and added to provincial territory; the Romans tended to found cities in new provinces; and Judaean cities in Herodian Palestine became Greek civic spaces under Roman leadership. The imposition of provincial rule thus resulted in a significant change in the nature of civic governance. Greek cities and Roman provincial administration shared a political culture – in which settlements were the most important social and political units – and a common language of administration and political expression.

2.3.3. Tribes

In this section I shall examine how the role of tribes changed after kingdoms and principalities were annexed into provincial territory. I shall first discuss the impact of tribes on the administration of former kingdoms and principalities, and then I shall consider their wider socio-political importance. I posit that the tribe was a marginalised form of political and social organisation under provincial rule. Tribes did not cease to exist nor did they necessarily stop being an important part of people's lives, but they did not fit within the political culture and discourse of Roman provincial administration.

Evidence for tribes performing an administrative function in former kingdoms and principalities is rare; only from *provincia Arabia* do we have evidence of such a phenomenon. A few Greek inscriptions from the Hauran depict the interaction between tribes and provincial government.[462] One text, from Rama, links an official to a tribe:

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[462] These inscriptions have been discussed by Macdonald (2014), 156; (1993), 368-77; Brüggemann (2007); Graf (1989); Sartre (1982a), 121-5; (1982b).

Ὀδαινάθῳ Σαουάδου
στρατηγήσαντι Ἀουι|δηνῶν κ(αὶ) φ[υ]λ[αρχήσ]α[ντι]
τι Θομαλόχη γυνὴ κ(αὶ) Σ-
αουδὸς πατὴρ α[ὐτ]οῦ ἀνέστησαν [463]

"Odainathos, son of Saouados, who was the *strategos* of the *Aouidenoi* and a *phylarch*. Thomaloche, his wife, and Saoudos, his father, set this up."

This inscription is unusual for the epigraphy of the Hauran at this time as the majority of inscriptions are written by villagers, identified only by their village.[464] It mentions two officials, a *strategos* and a *phylarchos*, and a tribal group, the *Aouidenoi*. As both Sartre and Macdonald have pointed out, we cannot necessarily link the title *phylarchos* to the *Aouidenoi* in this inscription.[465] The genitive plural Ἀουιδηνῶν governs στρατηγήσαντι, but not φυλαρχήσαντι. This inscription commemorates an individual who was the *strategos* of a tribal group called the *Aouidenoi* and acted as a *phylarchos*, which may have been related to this tribe or not.[466]

Whilst we know little about either the *strategos* or the *Aouidenoi*, it is important that we have evidence for an official whose authority is defined by a tribe. It is tempting to speculate that the *strategos*, given the implications of the title, was a military official of some kind.[467] Some scholars have attempted to link this group, the *Aouidenoi*, to a certain *'l 'wd* that appears in Safaitic graffiti, but there is no evidence for this beyond the possible similarity in their names.[468] We cannot necessarily judge whether the tribe is nomadic or sedentary.

Another inscription from the Hauran shows the same title, *strategos*, similarly divorced from the village setting that dominates the epigraphy of the region:

[ὁ δεῖνα]
στρατη-
[γ]ὸς παρε-
[μ]βολῶν
[ν]ομάδω-
[ν], ἐτῶν

[463] *OGIS* 617. Dated to the third century AD. See Brüggemann (2007), 279; Clermont-Ganneau (1903), 147-8.
[464] See 2.2.4; 2.3.4.
[465] Macdonald (1993), 368; Sartre (1982a), 123.
[466] Sartre (1982a), 123-5, assumes that both titles apply to the *Aouidenoi*, but this cannot necessarily be read into the text. For this view, see Macdonald (1993), 368.
[467] As is suggested by Macdonald (1993), 373; Sartre (1982a), 125.
[468] See Graf (1989), 361-2; Sartre (1982a), 124-5. Macdonald (1993), 352-67, takes a more cautious approach.

κζ΄ [Ἄ]ωρε ἄ-
[λ]οιπε χ-
αῖρε [469]

"This man, *strategos* of the units of the nomads, twenty seven years old, Aope, *aloipe chaire*." [470]

The term *parembole* can mean a 'camp', an 'army', or a 'military group.' In this case it seems more likely to refer to a section or division of the Roman army, drawn from nomads.[471] A Safaitic inscription from Ruwayšid seems to show a similar phenomenon:

l 'qrb bn 'bgr b msrt 'l 'mrt frs.[472]

"By *'qrb*, son of *'bgr*, horseman in the unit of the tribe *Amirat*."

This inscription is unusual as the writers of Safaitic texts are rarely identified by their profession. The writer here identifies himself as a horseman in the *msrt* of the *'l 'mrt*. Macdonald has persuasively argued that *msrt* should be translated, like the Aramaic *mašrīṭā*, as 'camp' or 'troop'.[473] We can make two important judgements about this individual and his unit. Firstly, the fact that he is writing in Safaitic indicates that he was a nomad.[474] Secondly, we can assume that his unit was composed of men from his tribe, the *Amirat*.[475]

The two inscriptions, referring to a *parembole nomadon* ("unit of nomads") and a *msrt 'l 'mrt* ("unit of the tribe *Amirat*"), seem to parallel each other in depicting military units made up of nomads. It seems likely, given the importance and prevalence of tribes in epigraphy from nomadic peoples of the region, that the *parembole nomadon* was organised around tribal identities in the same way as the *msrt 'l 'mrt*. The different means these inscriptions use to identify the units are noteworthy. What we see here is two very different

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[469] *PUAES* 3.A.752, from Malka.
[470] Ἄλοιπε χαῖρε is a variation of a commonly used and uninflected funerary expression ἄλυπε χαῖρε found across Egypt and the Near East. See Yon (2003).
[471] See Brüggemann (2007), 278; Macdonald (1993), 375. Sartre (1982a), 124, takes the contrary view that the παρεμβολαί νομάδων were nomadic encampments.
[472] *Ms* 64. See also, as pointed out by Macdonald (2014), 157; (1993), 374, the similar Greek inscription *IGRRP* 3.1257: Μεσαμαρος ἱππεὺς Κυρ(ηναικῆς) γένο[ς] Ναβας ("Mesamoros, the horseman of the *genos* of the Kurenaikai, of the Nabas").
[473] Macdonald (1993), 374. *Cf.* also a similar Palmyrene text, *PAT* 0319: *nbṭy' rwḥy' dy hw' prš bḥyrt' wbmšryt' dy 'n'* ("Nabataean of Rawwaha, who has been a cavalry soldier at Hirta and in the camp of Ana"). On this parallel, see Kaizer (2017), 80-1; Macdonald (2014), 157-8.
[474] See above, 1.3.2.
[475] See also Macdonald (1993), 374.

perspectives on what seem to be similar units. The appellation 'unit of nomads' only makes sense from the perspective of the sedentary population. If the identification were written by a nomad for the information of another, then they would most likely use the name of their tribe.[476] The language and form of the inscriptions thus tell us much about their purpose and intended audiences. The author of the Safaitic text describes himself as a "horseman in the unit of the tribe *Amirat*" in order to identify himself to other tribal nomads. The Greek inscription written for a "*strategos* of the unit of the nomads", on the other hand, was most likely written by an outsider to the group of nomads and was expected to be read by the sedentary population.

Similar titles appear in other Greek inscriptions from the region. A second-century inscription from Malka in the Hauran shows another *strategos nomadon*:

Ἀδριανοῦ τοῦ καὶ Σοαίδου
Μαλέχου, ἐθνάρχου, στρα-
τηγοῦ νομάδων, τὸ
μνημ(ε)ῖον ἐτῶν λβ´
Ἄδδος ἀδελφὸς ἐτῳν κη´.[477]

"This is the memorial of Hadrianos, also called Soaidos, son of Malechos, *ethnarchos*, *strategos* of the nomads, aged 32, made by Addos, his brother, aged 28."

In this inscription only the title *strategos* is linked to the *nomades*; it is tempting to link *ethnarchos* to the nomads as well, but we cannot make that assumption based on the text.[478] In the same way as the Greek inscriptions shown above, this text clearly presents an outsiders' perspective on the *nomades* under this man's control. Another inscription from the Hauran, found at Djebel al-Druz, links the title *strategos nomadon* to the Romans:

ἐπὶ βασιλέω[ς μεγάλου Μάρχου Ἰου]-
λίου Ἀγρίππα
[ἔτους . . . . ὁ δεῖνα]
Χαρῆτος ἔπα[ρχος . . .]
σπείρης Αὐ[γούστης καὶ στρατηγ]-

[476] It should be emphasised here that there is no *a priori* link between tribes and nomadism. Nomads in the region, however, almost exclusively identify themselves by their tribe in the plentiful corpus of Safaitic graffiti. See Macdonald (1993), 342-57; Graf (1989); Sartre (1982b); Clark (1979), 138-57. The evidence from graffiti in general and the text quoted above, written by the 'horseman in the unit of the tribe *Amirat*', in particular suggests that these groups of nomads are likely to be organised by their tribe. On this, see Macdonald (1993), 371-7.
[477] *OGIS* 616.
[478] See Brüggemann (2007), 277; Macdonald (1993), 368.

ὸς νομάδων [. . .]-
ης καὶ Χαλ[κιδηνῆς . . . . .] [479]

"In the year of the great King Marcos Iulios Agrippa [in the year ... a certain] Kharetos *epa*[*rchos* ...] *speires* of Au[gustus and *strateg*]*os* of the nomads ... and Chalcidean."

This inscription dates to the reign of Agrippa II and Kharetos was thus probably *strategos* in the Herodian territories of the northern Hauran during the second half of the first century AD. Whilst this text does not come from a Roman province, it is important because Kharetos seems to have been a Roman military official.[480] In light of this, it seems plausible, as Macdonald forcefully argues, that the *parembole nomadon* and the *msrt 'l 'mrt* were both units of auxiliaries drawn from nomads and controlled, or at least given some supervision, by Roman military officials.[481]

We have less information about the other titles attested in these inscriptions, *phylarchos* and *ethnarchos*. Maurice Sartre has argued that these offices were Roman terms for leaders of nomadic tribes.[482] This, however, seems unlikely given the perspective from which these Greek inscriptions are written: they are written from a distinctly Roman point of view and for the consumption of people outside the nomadic tribal groups mentioned. They do not give us any information about the internal organisation of the groups they depict. It seems much more likely that they would honour Roman officials that interacted with the nomadic groups rather than members important within them.[483]

The small group of Greek inscriptions from the Hauran discussed here presents an external view. The texts tend to describe units made up of nomads by the characteristic that would be most distinctive to a non-member, their nomadism, rather than the means by which the members would identify themselves, by their tribe.

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[479] *OGIS* 321.

[480] As Brüggemann (2007), 277, has pointed out, *eparchos speires* is usual Greek equivalent of *praefectus cohortis*. He goes too far, however, to claim that this inscription "seems to represent a typical Roman equestrian career."

[481] Macdonald (2014), 156; (1993), 375.

[482] Sartre (1982a), 124-5. In his argument he refers to more Greek inscriptions that attest to the titles *phylarchos* (Brünnow [1899], no.55) and *ethnarchos* (Schumacher [1897], 135; *PUAES* 3.A.675). These texts give little additional information for our purposes beyond the mention of these titles.

[483] This point is made by Macdonald (1993), 371.

The well known inscriptions from a temple in Rawwafah show a similar interaction between Rome and tribes.[484] Four inscriptions – labelled (i) to (iv) below – commemorate the building of a temple between AD 166 and 169 in the former Nabataean Kingdom. (i) is a Greek-Nabataean bilingual established on the lintel above the main entrance. (ii) is a Greek inscription from the southern end of the same lintel. (iii) is written in Nabataean and was found in the vicinity of the temple. (iv) is a Greek inscription from the northern end of the lintel. All four inscriptions are quoted in full below:

(i) ὑπὲρ αἰωνίου διαμονῆς κρατήσεως τῶν θειοτάτων κοσμοκρατόρων Σεβαστῶν
      μεγίστων Ἀρμενιακῶν Μάρκου Αὐρηλίου Ἀντωνείνου καὶ Λουκίου
Αὐρηλίου Οὐήρου πα[τέρων πατρίδος τὸ τῶ]ν Θαμουδηνῶν ἔ[θνος *vacat* c.60
      letters]-ΣΤΑ καθείδρυσεν μετὰ προτρο[πῆς]
καὶ ἐκ πει[θοῦς *vacat* c.25 letters Κ]οίντου [Ἀντιστίου Ἀδουεντοῦ πρεσβευτοῦ
      Σεβαστῶν ἀντιστρατήγου . . .] [485]

"For the eternal durability of dominion of the most divine rulers of the world, the greatest Emperors, *Armeniaci*, Marcus Aurelius Antoninus and Lucius Aurelius Verus, fa[thers of the fatherland], the *ethnos* of the *Thamudenoi* [...] have founded through the encouragement and on the instigation of [...Q]uintus [Antistius Adventus, the imperial governor.]"

lšlm' dy mtm[ky]n l[k]l ['ʼ]l[m' vacat c.30 letters *mrqs] 'wrlys 'nṭwnyns
      wlwqys 'wrlys wrs dy 'rmny' [. . . . .] dnh nws' dy 'bdt šrkt tmwdw qdmy
      šrkth lmhw' šwh mn ydhm wmšmšh [ml'l]m*
[vacat] *wḥfyt 'nṭsṭys 'dwnts hgmwn'* [*vacat* c.10 letters] *wrmṣhm*

"For the well being of the rulers of the whole world [… Marcus] Aurelius Antoninus and Lucius Aurelius Verus who are *Armeniaci*, this is the temple which the unit of the *Thamudenoi* built, the leaders of the unit, in order that it might be [established] by their hand and worship conducted [for them forever]. By the efforts of Antistius Adventus the governor [who …] and at their request."

(ii) ἐπὶ νείκη καὶ αἰωνίῳ διαμονῇ διαμονῇ αὐτοκρατόρων Καισάρων [Μ]άρκου
      [Αὐ]ρηλίου Ἀντωνείνου
καὶ Λουκίου Αὐρηλίου Οὐήρου Σεβ(αστῶν) Ἀρμενιακῶν [Μηδι]κῶν Παρθικῶν
      μεγ[ί]στων καὶ τοῦ παντὸς οἴ[κου α]ὐτῶν τὸ τῶν Θαμουδηνῶν ἔθνος [*vacat*]
τὸν νεὼ<ν> συνετέλεσεν | καὶ τὸ ἱερὸν καθειέρωσεν | [ἐπὶ Λ(ουκίου) Κλ]αυδίου
      Μοδέστου | [πρεσβευτ(οῦ) Σεβ]β ἄντιστρατ(ήγου).

"Because of the victory and eternal durability of the ruling Caesars, Marcus Aurelius Antoninus and Lucius Aurelius Verus, the Emperors, *Armeniaci, Mediaci, Parthici maximi*, and their entire house, the *ethnos* of the *Thamudenoi* […] have completed

[484] For these inscriptions, see Milik (1971), reproduced in Dijkstra (1995), 78; Graf (1978); Bowersock (1975). On these inscriptions in general, particularly the Greek-Nabataean bilingual, see also Scharrer (2010), 259-61; Macdonald (2009), a revised and expanded translation of Macdonald (1995); Graf and O'Connor (1977); Bowersock (1975).
[485] For the text, with French translation, see Milik (1971). Translation adapted from Macdonald (2009).

the temple and have dedicated the sanctuary during the tenure of the office of imperial governor by Lucius Claudius Modestus."

(iii) *[d]nh byt' dy bnh š'dt 'fkl*
'[l]h' br mgydw dy mn rbtw
l'lh['] 'lh . . . .[b]ḥfyt
mr'n' [*vacat*] *hgmwn'*
[*vacat*] *'mrw*

"This is the sanctuary that Ša'dat built, the priest of 'Ilaha, son of Mugidu, who is from the tribe *Rubatu* for the god Ilaha . . . thanks to the zeal of our lord . . . the governor . . . of 'Amiru."

(iv) CICΘΑΙΟΙ Θ[αμ]ουδηνῶ-
ν φυλῆς Ῥοβάθου οἰκοδο-
μησα τὸ εἰερὸν τοῦτο

The presence of a Greek-Nabataean bilingual in the middle of the second century AD is interesting and noteworthy in itself. The main bilingual inscription, (i), from above the main entrance was written by members of the *ethnos Tamoudenon*. It seems very possible, given the repeated mentions of the governor in the inscription, that Roman officials might have been present during the dedication or at least that they were seen as a possible audience for the inscription.[486]

The group that built the temple are called τὸ τῶν Θαμουδηνῶν ἔθνος in Greek and *šrkt tmwdw* in Nabataean in inscription (i). There has been significant debate over how these two seemingly parallel terms, *ethnos* and *šrkt*, should be interpreted. Józef Milik translated them as 'nation' and 'féderation' respectively, interpreting the group building the temple as a confederation of tribes linked by the ethnic term 'Thamoudéens'.[487] A more convincing interpretation has been put forward by Michael Macdonald, who claims that *ethnos* and *šrkt* were terms used for a military unit in much the same way as *parembole* and *msrt* in

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[486] The governor Antistius Adventus is mentioned repeatedly in both inscriptions (i) and (ii). There has been much uncertainty over his role due to debate over the interpretation of the final Nabataean word *wrmṣhm*. Disagreements over this term have led to different translations of the phrase *wḥfyt 'nṭsṭys 'dwnts hgmwn'* [*vacat* c.10 letters] *wrmṣhm*. Milik (1971), 56, translated it as "par les soins d'Antistius Adventus, le gouverneur [qui . . .] et a mis la paix entre eux." This interpretation is followed by Dijkstra (1995), 77-80; Bowersock (1975), 515. Macdonald (2009), 12, suggests "by the efforts . . . Antistius Adventus, the governor [...] and at their request." The second interpretation seems more likely, but in either case the governor is thanked for a service provided and may well have seen the dedication or the inscription. A similar text from Palmyra is dedicated to an individual who made peace between two tribes: *CIS* II.3.3915. See Millar (1993a), 322.
[487] Milik (1971), 56, followed by Graf (1978), 9-10; Graf and O'Connor (1977), 65; Bowersock (1975), 515.

inscriptions from the Hauran.[488] He argues that *ethnos* and *šrkt*, in this case, were equivalent to the Latin *natio*, which was used to refer to military units drawn from certain ethnic groups.[489] This interpretation convincingly explains why this group would have built this temple in such a remote location and dedicated it to the Emperors.[490] The temple was most likely established by a military unit drawn from the *Thamoudenoi*.[491]

The final inscription of the set, (iv), is the only one to use a word meaning tribe, φυλή. It states that the temple was built by the "*sisthaioi* of the *Thamudenoi*, of the tribe *Rhobathos*."[492] The *Rhobatos* appear in the Nabataean inscription (iii) as the *rbtw*; the priest that dedicated the sanctuary, Šaʿdat, is identified by his membership of this tribe. The word order of this inscription gives precedence to the *Thamudenoi* over the tribe *Rhobatos* such that we might infer that there were multiple tribes within the larger group, the *Thamudenoi*.[493] With the suffix -ηνοι, we might call this an ethnic or gentilic term; it is certainly a tribal designation as it expresses a group defined by relationships or genealogy.

What is important for our purposes is the relationship between these tribal groups and Roman administration. The leaders of the group, the *qdmy šrkth* attested in Nabataean on inscription (i), were most likely members of the group rather than Roman officials that interacted with it, as the *strategoi nomadon* were. They are attested only in Nabataean whilst the title *strategos nomadon* only appears in Greek.

The terms used to define the unit as a whole and those within it are of particular importance. The bilingual inscription, (i), characterises the unit with the ethnic *Thamudenoi*. Another tribal identification appears in the other inscriptions: the priest mentioned in the Nabataean inscription (iii) is identified only as part of the *Rubatu*; and the *sisthaioi* in the

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[488] Macdonald (2009). See also Scharrer (2010), 261, who notes both possibilities.

[489] On these *nationes*, see Speidel (1975), 206-8. Macdonald interprets a Greek inscription from the Hauran in much the same way: [τὸν δεῖνα πρεσ]β(ευτὴν) Σεβ(αστοῦ) ἀντιστρά(τηγον) οἱ ἀπὸ ἔθνους | νομάδων, ἀγνείας χάριν (*IGRRP* 3.1254). The appellation ἔθνος νομάδων seems extraordinarily vague if ἔθνος refers to a tribe, but makes sense if we understand ἔθνος in the same way as the Latin *natio*.

[490] As Macdonald (2009), 12, says: "It has always seemed to me a very curious action for a tribe of nomads to build a beautifully constructed temple in the middle of the desert, and to dedicate it to the Roman Emperors."

[491] On the history of the Thamud in general see van den Branden (1966). It is not related to the so-called 'Thamudic' language of North Arabia. On this, see Macdonald and King (2000).

[492] The meaning of CICΘAIOI is not clear. See Scharrer (2010), 261; Graf (1978), 10.

[493] On this see, in particular, Macdonald (1993), 352, who points out that the larger of two levels of social organisation is usually placed first. *CIS* 2.3973 is a particularly illustrative example, where the individual is identified as *nbṭyʾ rwḥy*[ʾ] ("the Nabataean, the Rwhite"). See also Scharrer (2010), 260-1.

Greek inscription (iv) are identified as being both part of the *Thamudenoi* and the *phule Robathos*. The word order in this latter cases suggests that the tribe *Rubatu/Robathos* was a smaller group within the *Thamudenoi*. The men within this unit most likely used such tribal associations as their primary means of self-identification. The *ethnos Thamudenon* or *šrkt tmwdw* is a larger corporate identification that does not reflect the way in which these people identified themselves on a day-to-day basis.

Epigraphy from *provincia Arabia* demonstrates the extent of the change in how tribal identities were represented in the former Nabataean Kingdom. Whilst tribes were the foremost means of social and political organisation in the Nabataean Kingdom, tribal identities are often obfuscated in the Greek documentary evidence prevalent in Roman Arabia. In these inscriptions, the Roman authorities did not see the tribe as an important means of designating groups or defining administrative roles; they employed different means with which to characterise or define these people.

The tendency not to engage with tribal identities, however, was not common to the entire Roman Near East. Tribes were a common means of personal identification in Roman Palmyra.[494] An important inscription from AD 171 mentions 'the four tribes of the city':

[---]
ω[---]πο[---]
πα[τρὶς] [ἐ]ν τῷ Καισαρείῳ ἔφιππον ἀν[δριά]ντα ἔν δ[ὲ]
τῷ τοῦ Βήλου ἱερῷ ἀνδριάντα ὀνόμα[τι β]ου[λῆς καὶ]
δήμου καὶ διὰ ψηφισμάτων [δὲ τεσσάρων] ἐ[μαρ-]
τύρησαν παρὰ Ἀουιδίῳ Κασσίῳ τῷ διασημοτάτῳ
ὑπά[ρχ]ῳ αἱ δὲ τ[ῆ]ς π[ό]λε[ω]ς τέσσαρες φυλαὶ ἑκάσ[τη]
ἐν ἰ[δίῳ ἱερῷ ἀνδρίαν]τα ἀνήγειρεν τειμῆς καὶ βελτίστου πολιτεύ-
[ματος χάριν ἔτους 483] μηνὸς Δειου [495]

"[--- --- the native town has set up] in the *Kaisareion* an equestrian statue and in the temple of Bel a statue in the name of the council and the assembly, and (this native town?) has witnessed (on his behalf) with [four] decrees before Avidius Cassius, the most distinguished governor. And the four tribes of the city, each in their own sanctuary, erected a statue, in his honour and because of his most excellent citizenship [in the year 483] in the month Dios."

[---]
[shd l]h [yr]ḥbwl '[lh]' [---]

[494] See Smith (2013), 40-7; Kaizer (2008); (2002), 43-4; Yon (2002), 66-77.
[495] *PAT* 2769; *IGLS* 17.1.149. Text and translation from Kaizer (2002), 44-5.

[--- --- ---] lšmš [--- --- ---]
[---] bd[y]l hln 'štkḥ rḥm md[ynth]
w'ml bswmh shdt lh bdgm bwl' wdms [---]
lwt hygmn' bqblyn 'rb'' w'bd lh [bt qsry']
ṣlm mrkb sws wṣlm bt bl [--- --- ṣlm]
nḥš w'p 'm yqr' dy bwl' wdms 'bd lh ['rb']
pḥzy' pḥz pḥz bt 'lhyh ṣlm dy nḥš lyqrh bdyl dy špr
[---] byrḥ knwn šnt 483

"[--- --- --- Yarhibol the god witnessed on behalf of him --- --- --- NP son of] Lishamsh [--- --- --- and because] of that he was found to be patriotic and to have laboured personally, and the council and the assembly gave him a testimonial by decree [---] to the governor with four decrees. (The city) made for him [in the Caesareum] an equestrian statue, a statue in the house of Bel [and in the name of the council and the assembly a statue] of bronze, and also, with the honour of the council and the assembly, the [four] tribes made for him each in their own sanctuary a statue of bronze, in his honour, for he did good [to them], in the month Kanun, the year 483."

There has been significant debate over the issue of 'the four tribes of the city'. In 1971, Daniel Schlumberger argued that the 'four tribes' made up the original citizen body of the city.[496] Since then, they have been seen as an artificial Roman creation that did not reflect pre-Roman tribal organisation.[497] More recently, Andrew Smith has argued that they were an organic response to new social and economic pressures in the second century AD.[498]

Two more inscriptions mention the 'four tribes', but neither directly link them to the city in the same way that the bilingual inscription of 171 does.[499] As 'the four tribes of the city' are attested only in the second century, it is difficult to make any definitive arguments about their origins. The evidence for Palmyrene tribes, however, seems to differentiate between civic and non-civic tribes. Only five tribes are attested in Greek with the term *phyle*: the *phulai Khomarhnon/Khoneiton*, *Maththaaboleion, Mithenon, Magerenon*, and *Klaudias*.[500]

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[496] Schlumberger (1971).
[497] Kaizer (2002), 43-56; 64-5; Yon (2002), 66-72; Dirven (1999), 25-6; Sartre (1996), 386; van Berchem (1976), 170-3; Gawlikowski (1973), 26-52.
[498] Smith (2013), 132-43. *Cf.* also Teixidor (1980); (1979), 36.
[499] *PAT* 1063 = *IGLS* 17.1.307, from AD 198, mentions αἱ τέσσαρες φυλαί. *PAT* 1378 = *IGLS* 17.1.222 from AD 199, mentions αἱ τέσσαρες φυλαί and *'rb' pḥzy'*.
[500] This has been recognised by Smith (2013), 137; Yon (2002), 67-8; Kaizer (2002), 64-5; Gawlikowski (1973), 48-52; Schlumberger (1971), 132.

Other tribes are attested either only in Palmyrene or are presented as an ethnic identification in Greek.[501]

The use of this Greek appellation for the tribes in particular separates them from the rest. As Jean-Baptiste Yon points out, the way in which these tribes are presented in Greek inscriptions links them to the administration of the city.[502] A funerary monument for a certain Hairan, from south of the Agora and dated to AD 52, illustrates the way in which certain tribes are linked to a civic context:

> *Haeranes Bonne Rabbeli*
> *f. Palmirenus phyles Mithenon*
> *sibi et suis fecit* [503]

> "Hairan, son of Bonne, son of Athenatan, a Palmyrene of the tribe *Mithenon*, made this for himself and for his family."

> ἔτους γξτ´ μηνὸς Ξανδικοῦ
> Αἰράνης Βωνναίου τοῦ Ῥαββήλου
> Παλμυρηνὸς φυλῆς Μειθηνῶν ἑαυτῷ
> καὶ Βωννῇ πατρὶ αὐτοῦ καὶ Βααλθεγα μητρὶ
> αὐτοῦ εὐνοίας ἕνεκεν καὶ τοῖς ἰδίοις αὐτοῦ

> "In the year 363 of the month Xandikos, Hairan son of Bonne, son of Rabbel, Palmyrene of the tribe of the *Meithenoi*, made this for himself, and for Bonne, his father, and for Baalthega, his mother in their honour and for his family."

> *byrḥ nysn šnt CCCLXIII qbt' dnh' dy*
> *ḥyrn br bwn' br rb'l br bwn' br 'tntn br*
> *tymy tdmry' dy mn pḥd bny myt' dy bn' 'l*
> *bwn' 'bwhy w'l b'ltg' brt blšwry dy mn*
> *pḥd bny gdybwl 'mh wlh wlbnwhy lyqrhwn*

> "In the month of Nisan of the year 363, this is the tomb of Hairan, son of Bonne, son of Rabbel, son of Bonne, son of Athenatan, son of Taimai, a Tadmorean from the tribe of the sons of Mita, which he built for Bonne his father and for Baalthega, daughter of Bolsari from the tribe of the sons of Gadibol, his mother, for himself and for his sons, in their honour."

This trilingual inscription mentions two tribes, the *pḥd bny gdybwl* and the *pḥd bny myt'*. Hairan's father's tribe, the *pḥd bny myt'*, is mentioned also in the Latin and Greek sections, whilst his mother's tribe, the *pḥd bny gdybwl*, is only included in Palmyrene. The

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[501] For instance, *PAT* 0263 = *IGLS* 17.1.23 links the *bny gdybwl* with the οἱ Γαδδειβωλοι. *PAT* 0296 = *IGLS* 17.1.196 mentions the *bny zbdbwl* / οἱ ἐγ γένους Ζαβδιβωλειων.
[502] See Yon (2002), 69-72.
[503] Rodinson (1950). See also Millar (1995), 411.

Latin and Greek sections of the inscription seem to be summaries of the larger Palmyrene, with the Greek excluding some information from the Palmyrene and the Latin excluding even more. The mention of the *pḥd bny myt'* / *phyle Meithenoi* in Greek, the language of civic administration, links it to the civic sphere, whereas the *pḥd bny gdybwl* is omitted. It is possible that more importance was placed on the former, the *pḥd bny myt'*, than the latter, the *pḥd bny gdybwl*, for no reason other than one was Hairan's father's tribe and the other his mother's tribe. The way in which the *pḥd bny myt'* is presented, however, links it directly to Hairan's civic identity and suggests that it had a particular civic status that the *pḥd bny gdybwl* did not. The *pḥd bny myt'* consistently follows the marker of civic identity (*Palmirenus*, Παλμυρηνός, *tdmyry'*). As Yon argues, the word order is important: we are first given the general identity, as a Palmyrene, and then the more specific identity within that, as a member of the *pḥd bny myt'*.[504]

In this way, civic tribes were distinguished by their appearance in Greek and the use of the Greek term *phyle*. The fact that we have the names of five tribes, rather than four as stipulated in the inscription from 171, is not necessarily a problem. Organisations like the city of Palmyra were rarely static and it is likely that there was some change in the number or names of the tribes.[505] Whether these tribes were wholly artificial Roman creations or pre-Roman groups, they acted in a civic capacity and this role was reflected in how they were presented in inscriptions.

A papyrus from Oxyrhynchus from the third century AD, seems to depict similar civic tribes from Bostra, in the former Nabataean Kingdom. The document, a registration of sale, attests to the *phyle Romana* and the *phyle Dios*.[506] The individuals identified by their membership of these tribes are also identified as *bouleutai*. It thus seems likely, given the

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[504] Yon (2002), 43-7.

[505] Many possible explanations have been given for the existence of the *phyle Klaudias* in particular. Piersimoni (1995), 253, maintains that, rather than a conventional tribe, it indicated those to whom Roman citizenship was given. Sartre (1996) argues that it was a second name given to a civic tribe in honour of the Emperor.

[506] *P Oxy.* 42.3054.

civic context of the document, that these were civic tribes.[507] It should be noted, however, that this cannot be proven definitively.[508]

Two inscriptions from Soada, AD 182-185, give us a similar insight into the role of tribes in a civic context.[509] Both inscriptions commemorate building work undertaken by 'the city' (ἡ πόλις) that was in some way supervised by a tribe:[510] the first inscription uses the phrase ἐπισκοπούσης φυλῆς Σομαιθηνῶν ("supervised by the tribe of the *Somaithenoi*"), whilst the second uses the similar formula ἐπισκοπούντων βουλευτῶν φυλῆς Βιταιηνῶν ("supervised by the councillors of the tribe of the *Bitaienoi*"). These two groups, the *phule Somaithenoi* and *phule Bitaienoi*, must also be civic tribes given their direct role in the administration of the city's building and the civic context of the inscriptions.

We can, therefore, see tribes from Bostra and Soada serving an administrative function in a civic context. We should, however, be careful to distinguish these civic tribes from other tribal groups in former kingdoms and principalities. Denis Roussel's comprehensive study of Ionian civic tribes has demonstrated the intrinsic link between civic tribes and the Greek *polis*.[511] The civic tribe, which was often a means used to divide cities into districts, is fundamentally linked to the city as a type of political and social organisation. The distinction between civic tribes and other tribes is evident in the language used to present them. In Palmyra, civic tribes can be distinguished by their appearance in Greek, the language of civic administration in Palmyra, and the term *phyle*. Similarly, in Bostra and Soada the tribes appear in Greek inscriptions within a civic context. They were linked to the city and were part of the linguistic and political culture that surrounded them. Civic tribes are evidence for civic rather than tribal organisation. As the tribes from Palmyra, Bostra, and Soada show, they are a function of civic organisation and are linked to the political and linguistic culture surrounding it.

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[507] See Freeman (1996), 106; Sartre (1985), 78; (1982a), 84.
[508] This is pointed out, in particular, by Kaizer (2002), 65.
[509] *IGRRP* 3.1276-7. See also *IGRRP* 3.1273.
[510] 'The city is generally identified as Dionysias. See Grainger (1995), 180; MacAdam (1986), 68-73; Sartre (1982b), 85-6; Jones (1971), 292. A further, unfortunately very fragmentary, inscription from Soada links the people of the settlement (Σοαδεηνεῖς) to the city (*IGRRP* 3.1275).
[511] Roussel (1976). See also Jones (1987); Triall (1975). With reference to Palmyra, see Yon (2002), 51-4.

There is, therefore, very little evidence for tribes performing any sort of administrative role in former kingdoms and principalities. Tribal identities are rarely seen in the Greek documentary texts associated with the Roman provincial administration and typical of the Eastern provinces. The only case in which we can see tribes performing an administrative function in a former kingdom or principality demonstrates this point further. Where tribes appear to be undertaking an administrative role in the *provincia Arabia*, the titles they are given reflect a Roman perspective of them, informed by the linguistic and political culture endemic of provincial rule. The groups of tribal nomads in the Hauran were thus called *parembolai nomadon*, rather than being identified by their tribe, and the unit from Rawwafah was called the *ethnos Thamoudenon* rather than being identified by the smaller tribes within that ethnic designation.

The evidence for tribes as social organisations reflects similar changes. As I have already discussed at some length, there seems to be a conceptual difference between Semitic languages and Greek in how social and political affiliations are expressed.[512] The well-known Nabataean-Greek bilingual inscription from Medaba, quoted elsewhere, shows that tribal identities were better, or more appropriately, expressed in Nabataean than in Greek.[513] The imposition of provincial rule in the former Nabataean Kingdom, along with the resulting linguistic change from Nabataean to Greek, saw a change whereby tribal identities were no longer the most prevalent means of social and political identification. Though they still feature occasionally, tribes are notably absent from the, largely Greek, epigraphy of *provincia Arabia*.[514] The way in which tribes do appear, however, suggests that they remained a prevalent means of organisation. An inscription from Deir, in the Hauran, from 320 gives us an important perspective on the relationship between tribes and villages. The dedicators of the inscription are listed with their village and tribe:

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[512] See above, 2.2.3; 2.3.2.
[513] Milik (1958), 243-6, no.6, quoted in 2.3.2.
[514] See Millar (1993a), 420-4; MacAdam (1986), 54-61.

Κάσσι(ο)ς Μαλίχαθος κώμ(ης) Ῥειμέας φυλ(ῆς) Χαρητηνῶν, καὶ Παῦλος Μαξιμῖνος
κώμ(ης) Μερδόχων φυλ(ῆς) Αὐδηνῶν [515]

"Kassios Malichathos, village Rheimeas, tribe of the Xaretenoi, and Paulos
Maximinos, village of the Merdochoi, tribe of the Audenoi."

This inscription shows two individuals identified by both their village and their tribe.[516] The dual identity of these men contrasts with the majority of the epigraphic evidence from this time and place. The writers of Semitic inscriptions, particularly Safaitic graffiti, are usually identified by their tribes, whilst writers of Greek inscriptions are usually identified by their village alone or by their village and their city.

This discrepancy led François Villeneuve to argue that tribal identities were linked to nomadism and the *phylai* seen in villages were an adaptation of tribal language undertaken by sedentarised nomads.[517] There is no difference, however, in the terminology used by nomadic and sedentary peoples to denote tribes. Villeneuve assumes that tribes were necessarily linked to nomadism; without making this assumption, there is little evidence to make this claim. Research into Safaitic graffiti has increasingly found that there was constant interaction between nomads and sedentaries in southern Syria and northern Arabia so there seems to be little reason to suspect that a tribe could not have both sedentary and nomadic members.[518]

Inscriptions like the one quoted above show that people in villages could be members of tribes and could reasonably express their identity in these terms. The fact that tribes appear relatively infrequently in the Greek inscriptions from *provincia Arabia* is testament to the changes associated with the process of provincialisation and how people adapted to Roman rule. The rise of village communities and the use of villages as a means of political and social identification accompanied the arrival of a more classical epigraphic culture. The language of

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[515] Wadd. 2393.
[516] On this phenomenon, see Macdonald (1998), 182; (1993), 352. Other inscriptions from the same region, also cited by Macdonald, show the same formulation: Wadd. 2265; 2396b.
[517] Villeneuve (1989), 134-5.
[518] See, in particular, Macdonald (2014). See also Macdonald (1993), 346-52; Sartre (1992), and, more generally, (2009).

administration changed from Nabataean to Greek, and the nature of the inscriptions themselves changed as monumental public inscriptions became more common.[519]

We can see a similar trend in the epigraphy from the former Ituraean principalities and Emesa. There is a dearth of epigraphy from these regions dating to the dynastic period.[520] The provincial period, however, saw the rise of formal Greek inscriptions in which villages and cities are portrayed as the most important means of social and political organisation.[521] In these regions, which were often linked with tribal identities whilst under dynastic rule, there seems to have been a process of change, associated with provincialisation, whereby people increasingly adopted a Greco-Roman epigraphic habit, writing formal, public inscriptions in Greek.

In conclusion, we can see a clear change in the former Nabataean Kingdom, at least, whereby the tribe no longer featured as an important means of social and political organisation. The social and political role of tribes seems to be obfuscated by our evidence, which presents an external, Roman perspective of these groups. The plentiful epigraphic evidence from *provincia Arabia* allows us some perspective on this process, but we have virtually no comparable evidence from elsewhere. There is no mention of tribes in the documentary evidence from Emesa, the former Ituraean Principalities, and Osrhoene – regions that are widely associated with tribes – as our source material consists almost entirely of formal Greek inscriptions that emerge from village contexts. It does not seem likely that the tribe ceased to be a form of political and social organisation under provincial rule. It is still used by both settled and nomadic peoples as a means of identification, but it seems to be significantly less important in the formal Greek inscriptions and Greco-Roman political discourse associated with provincial rule.

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[519] On the nature of Greek epigraphy in the Hauran, see Macdonald (1998), 180-1; (1993), 351-2; Sartre (1992), 51-2.

[520] See above, 2.2.3.

[521] See the inscriptions collected in *IGLS* 5; 6; and 11. On Greco-Roman epigraphy and village life in the former Ituraean principalities and Emesa, from Mount Hermon, Emesa (modern Homs), and the Beqa Valley, see the introduction to *IGLS* 11, pp.16-7; Aliquot (1999-2003), 224-53; Millar (1993a), 310; Rey-Coquais (1993); Dar (1993); (1988). See further below, 2.3.4.

2.3.4. Villages

Two Greek terms are used for settlements: *kome* ("village") and *polis* ("city"). The presence of civic institutions, a citizen body and city council, is the distinguishing factor between these two types of settlement. The term *kome*, referring to a settlement with a sedentary population but without a city constitution, thus refers to a variety of settlements that can differ greatly in their size, layout, and appearance.[522] Settlements called *komai* can have monumental public spaces and buildings as well as village officials and a significant degree of local autonomy.

The village, thus defined, has long been recognised as the most prevalent means of settlement in the Roman Near East.[523] We have significant archaeological evidence for a series of long-standing villages, albeit limited to a few particular regions.[524] Documentary evidence from the provincial period provides us with a wealth of further information, portraying a dense network of semi-autonomous village communities. In this section, I shall examine how the role of villages changed after the imposition of provincial rule in former kingdoms and principalities. Whilst the village was a common type of settlement from at least the Hellenistic period, it became an increasingly important means of political and social organisation after the imposition of provincial rule. This change seems to have brought about a significant change in the amount and type of evidence from regions where villages were prevalent: we have a great deal of evidence, mostly Greek inscriptions, for networks of village communities that is particular to the provincial period.

We have relatively little literary evidence for the importance of villages in former kingdoms and principalities. Josephus' description of first-century Palestine – discussed in some detail above – gives us a rare insight into this type of local political organisation in

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[522] See Sartre (2001), 771-3 on the variation between villages. See the further discussion above, 2.2.4.
[523] See Choi (2013), 125-30; Sartre (2001), 766-76; Kennedy (1999), 97-8; Millar (1993a), 347-50; Graf (1992), 5-6.
[524] In particular, there has been extensive research on village life in the Hauran in southern Syria and northern Arabia, and in the limestone massif in north-west Syria. See the bibliography listed in 2.2.4.

provincia Judaea.[525] Josephus describes Galilee, Peraea, Samaria, and Judaea in turn, defining them primarily in terms of the villages within these areas. Cities, in contrast, lie outside of their boundaries. Although Josephus describes some areas controlled by Agrippa II – Galilee and Peraea – and some in *provincia Judaea* – Samaria and Judaea – there seems to be little difference in how villages are depicted. As part of this description, Josephus names eleven administrative divisions led by villages, called toparchies, in Judaea.[526] These toparchies remained from the period of Ptolemaic rule in Judaea and existed in both Herodian and Roman Judaea. A papyrus from Murabbʿat, dated to AD 124, confirms that this arrangement continued into the second century AD; it mentions a toparchy named after the fortress and royal palace Herodion.[527] The picture we get from Josephus, therefore, is one of continuity: villages were prevalent under both dynastic and provincial rule and the system of toparchies, in which villages played important administrative roles, continued into the provincial period.

Outside of literary sources, however, there is a stark change in the nature of our evidence under provincial rule. The imposition of provincial rule accompanied a wave of Greek epigraphy and documents originating from villages in Syria, Arabia, the Anti-Lebanon, and the Middle Euphrates. Much scholarly attention has been paid in particular to the epigraphy of southern Syria and northern Arabia since the classic article of George McLean Harper in 1928.[528] Scholarship has highlighted three important aspects of village life in the Roman Near East made visible by this evidence: village bureaucracy; interaction and collaboration between villages; and Roman involvement in these villages. The evidence for village life, particularly concentrated in the Hauran but more sparsely visible elsewhere, depicts a dense network of village communities that interacted freely with each other and

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[525] Jos. *BJ* 3.35-58. This extended passage is discussed at length above, 2.2.4.
[526] Jos. *BJ* 3.54-6. *Cf.* Plin. *HN* 5.70. See the discussion above, 2.2.4.
[527] *P Mur*. 115.2. This is pointed out by Cotton (1999b), 85; Isaac (1992), 68. Herodion does not seem to have ever been a city, and is described primarily as a fortress and royal palace by Josephus (*AJ* 15.324). On Herodion, see Netzer (1981). Other documents show settlements subordinated to the leading villages of toparchies: Engaddi to Jericho (*P Yadin* 16.16); Bethbassi to Herodion, Galoda to Akrabatta, and Batharda to Gophna (*P Mur*. 115.2-3).
[528] The bibliography on this topic is vast. See, in particular, Harper (1928). See also Sartre-Fauriat and Sartre (2014), 17-23; Gnoli (2013); Sartre (1999); (1993); (1992); MacAdam (1995); (1986); (1984); (1983); Grainger (1995); Gnoli and Mazza (1994); Graf (1992); Villeneuve (1989); (1985); Dentzer-Feydy (1988).

represented a point of contact with the Roman authorities. I do not aim to reproduce the work done on village epigraphy; instead, I shall briefly illustrate the most important issues.

Epigraphy from the Hauran shows a variety of different officials attached to certain villages.[529] For instance, an inscription from Shahba, dated to AD 177-180, uses the phrase ἐπὶ Αἰλάμου Λαβάνου στρατηγοῦ and ends with Αἴλαμος Λαβάνου στρα(τηγός).[530] The authority of the *strategos* Ailamos is defined by the village Labanos. Another, from Eitha, of uncertain date, was dedicated by a certain Ἡρακλίτος Χάρητος στρατηγός.[531] These texts explicitly link the authority of these officials to particular villages. We have similar evidence for a variety of other village magistrates: *epimeletes*; *pistos*; *pronoetes*; *dioiketes*; *episkopos*; *oikonomos*; *ekdikos*; and some others.[532]

The majority of the evidence for these village officials comes from the Hauran, but there are enough parallels from elsewhere to show that this sort of organisation was more widespread. An inscription from the town of Hammara, on the northern part of the Anti-Lebanon, mentions *epimeletai* in conjunction with a village, Ainkania:

Ἀγαθῇ Τύ[χ]ῃ [τοῦ μεγίστ]ου Διός· α[ὔ]ξι Τύχη Αἰν[κανίας].
ἐπὶ Ἀβιμμεο[υς] Ἀπολλιναρίου ἀρχιερέως, ἕ[ξ]
Αὐρήλιοι, Βαρεαλας Φιλίππου καὶ Οκβεος Οκβεου
καὶ Βήρυλλος Ἀβιμμεους καὶ Αειανης Γερμα[νοῦ]
καὶ Μακεδόνις Ἀβιμμεους καὶ Βεελιαβος Δ . . .
ἐπιμεληταὶ ἀπὸ κώμης Αἰνκανίας ἐκτίσαντο [533]
"To the good fortune of the greatest Zeus. Increase the fortune of Ainkania. From Abimmeos, son of Apollinarios, high-priest, six Aurelii, Barealas, son of Philippos, Okbeos, son of Okbeos, Berullos, son of Abimmeos, Aeianes, son of Germanos, Makedonis, son of Abimmeos, and Beeliabos, son of . . ., *epimeletai*, from the village Ainkania, paid for it."

The use of the name Aurelius allows us to date this inscription to the reign of Antoninus Pius at the earliest. The inscription gives us the names of six *epimeletai* involved in funding the construction of a temple. They are described as ἀπὸ κώμης Αἰνκανίας ("from

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[529] This is emphasised by MacAdam (1986), 57-87; Harper (1928). Grainger (1995) provides a list of attested officials from the Hauran. See now Sartre-Fauriat and Sartre (2014), 17-23.
[530] *IGRRP* 3.1195. See Grainger (1995), 189; Harper (1928), 120.
[531] *IGRRP* 3.1137. See Grainger (1995), 189; Harper (1928), 120. Harper's suggestion, based on this inscription, that the *strategos* was the only major official of the village goes too far.
[532] See the lists, with references, compiled by Grainger (1995).
[533] *IGLS* 6.2986. Adapted translation.

the village of Ainkania"). It is possible that this description was simply a recognition of their birthplace, but it seems more likely, given the absence of any other group responsible for building the temple, that they were funding the temple on behalf of the village Ainkania.[534]

There is a substantial body of evidence – too much to show comprehensively here – for officials whose authority stems from a village. Our view is certainly coloured by the comparatively plentiful epigraphy from the Hauran, but we can see similar village officials elsewhere.[535] The few examples shown above illustrate the nature of our evidence. Inscriptions like these attest to the affiliations of these officials and the actions they undertake, but there is little evidence to show how the villages were organised internally.[536] The very presence of village officials, however, shows that villages must have operated as political entities, probably with some significant local autonomy.

The second important aspect of village life in former kingdoms and principalities is the way in which villages, and their members, communicated and collaborated with each other. There is a significant body of evidence for villages involved in joint building projects.[537] An important inscription from Deir-el-Leben in the Hauran seems to commemorate such an action:

Διὸς ἀνικήτου Ἡλίου θεοῦ Αὔμου ἐκτίσθη τὸ περιβόλεον τῆς αὐλῆς διὰ Κασσίου Μαλιχάθου κώμ(ης) Ρειμέας καὶ Παύλου Μαξιμίνου κώμης Μαρδόχων, πιστῶν [538]

"Of Zeus, of the unconquered sun, of the god of Aumon, was built a colonnade of the court by Kassios, son of Malichathos, of the village Reimea, and Paulos, son of Maximinos, of the village Mardoxon, *pistoi*."

This inscription commemorates the building of a court supervised by two *pistoi*, both of whom are identified by their village. Harper assumes that the building work was

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[534] See Aliquot (2008), 89-95, who sees the sanctuary at Ainkania as a 'village sanctuary' and emphasises the role of villages in the religious life of Mount Hermon in general. See further Aliquot (2009), 71-127.
[535] The network of villages in Galilee seems to have had a similar village bureaucracy in the second and third centuries AD. See Hirschfeld (1997); Safrai (1994); Goodman (1983), 118-28.
[536] Choi (2013), 125-30; Harper (1928), 142-5 have argued that some villages were home to councils similar to those found in cities, but there are no attested examples of such a body. This is discussed further above, 2.3.2.
[537] See, in particular, Sartre (1993), 125-7; MacAdam (1986), 58-61; Harper (1928), 123-6; 152-3.
[538] Wadd. 2394.

undertaken by the villages, of which the *pistoi* were representatives.[539] This, however, is not made clear by the text, which seems to link the two men, Kassios and Paulos, to their villages rather than their role as *pistoi*. Another inscription from Duweiri, in the Hauran, dated to AD 326, shows a very similar undertaking:

ἐπὶ ὑπάτων τῶν κυρίων ἡμῶν Κωνσταν-
τείνου Αὐγούστου τὸ ζ΄ καὶ Κωνσταντείου ἐπ-
ιφανεστάτου Καίσαρος τὸ α΄, προνοίᾳ Ἀμελαθου εἰ<α>ρὶ καὶ Χασε-
του Ῥουφίνου κώμης
Ἀρρανων
καὶ Σύμμαρχος Φ-
ιλίππου κώμης Ἀ-
γρενων,
πιστοὺς θε[ο]ῦ Αυμον οἰκοδομήθη ἀχυ-
ρὼν καὶ τὰ περίβολα [540]

"Under the consulship of Constantine Augustus for the seventh time and Constantius the most noble Caesar for the first time, by the foresight of Amelathos, priest, and by Chasetos, son of Roufinos, of the village of Harrana, and Summarchos, son of Philippos, of the village of Agraina, *pistoi* of the god of Aumos, a barn and walls were built here."

In this case, *pistoi* from two villages are involved jointly in the construction of a barn and walls, presumably to support a temple complex of some sort. In this inscription as well, the two individuals are linked to their villages, but their role as *pistoi* is instead described in terms of the god (πιστοὺς θε[ο]ῦ Αυμον [sic]).

The two ambiguous inscriptions quoted here leave us with multiple possibilities about the building projects and the officials involved. It is possible that the *pistoi* in both these cases are acting on behalf of their villages, but they might also have been representatives of the sanctuary instead.[541] Even if they were not referred to as the *pistoi* of their villages then it is still very possible that the building work was funded by the villages.[542] Whatever the answers to these questions, it is important that both individuals identify themselves by their village:

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[539] Harper (1928), 123-4.
[540] *IGLS* 15.254.
[541] *Pistoi* have been known to be attached to villages or to particular sanctuaries. See, in particular, Sartre-Fauriat and Sartre (2014), 319; Sartre (1993), 125-7. With reference to neighbouring Mount Hermon, Aliquot (2008), 92-3, maintains a distinction between the officials and treasure of villages and those of neighbouring sanctuaries.
[542] For the role of villages funding public building works, see, in particular, Sartre-Fauriat (1999); Sartre (1993), 125-7; Harper (1928), 152-3.

these inscriptions demonstrate how the village was used as a marker of identity when people interacted with other groups.

Documents from the Middle Euphrates region give us a further glimpse of the frequent communications between villages.[543] For instance, a deed of sale from AD 252 shows a trader travelling between villages:

ἔτους γξφ΄ μηνὸς Δαισίου γι΄ ἐν Βηφουρεα κ(ώμῃ)· ἀπ[έδοτο Αυλαειας Αβδιλαιου]
(κώ(μης) Βαγασαμσων οἰκοῦντος ἐνταῦθα δούλην ὀνόμα[τι Ουαρδαναιαν τὴν ἐπικλη]-
θεῖ[σαν Διάνην·] *vacat* ἐπρίατο *vacat* Αβισαυτα Αβιδιαρδ[ου (δηναρίων) φν΄] [544]

"In the year 563, the 13th day of the month of Daisios, in the village of Beth Phouraia, Aulaias, son of Abdilaios, of the village of Banasamsa, who lives here, has sold a slave named Vardannaia, also known as Diane. Abisautas, son of Abidardas, has bought her for 550 denarii."

The seller in this contract identifies himself by his village, Banasamsa, but notes that he lives in Beth Phouraia, where he is conducting this deal.[545] The text is emblematic of the village culture depicted by the Middle Euphrates archive: it shows a culture in which villages were the main means of portraying self-identity and villagers interacted freely and frequently with other villages.[546]

The third aspect of village life in the Roman Near East that has been emphasised is the extent of direct Roman involvement. A significant number of inscriptions, discussed in detail by Jones, MacAdam, and Grainger, show Roman soldiers involved in the construction of public buildings in villages.[547] Jones and MacAdam argued that Roman centurions, who appear frequently in these inscriptions, were part of the village administration of the region. As Grainger points out, however, soldiers were often utilised in *ad hoc* construction projects.[548]

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[543] See, in particular, Kaizer (2017), 75-80; Mazza (2007); Gnoli (2000); Millar (1993a), 129-30.
[544] *P Euphr.* 9.1-3. Adapted translation.
[545] See also, similarly, *P Euphr.* 8.
[546] See also, from the Middle Euphrates region, *P Dura* 25; 26.
[547] Grainger (1995), 183-4; MacAdam (1986), 54-6; Jones (1931b), 268. See also Sartre (1993), 125-34. For centurions involved in construction projects in villages of the Hauran, see, for instance, Wadd. 2438; 2528; 2525; 2213; *AAES* 392; *IGRRP* 3.1290.
[548] Grainger (1995), 184.

We have, therefore, a well-defined picture of village life in the provinces of the Roman Near East. Certain regions, such as the Hauran, Galilee, Mount Hermon, and the Middle Euphrates region, give us plentiful evidence for a vast network of semi-autonomous village communities. The inhabitants of these villages defined themselves by their village communities, which employed a series of officials in charge primarily, from what we can see, of building projects and financial matters.[549] The evidence for village life in former kingdoms and principalities can be starkly contrasted with that from the dynastic period. Whilst we have a significant amount of evidence to suggest that the village was a prevalent means of settlement, there is little sign of the network of village communities that we see in the provinces.[550] The type of documentary evidence discussed here, in which personal identities tied to villages and communal building by village officials evoke a village context, is particular to the provincial period.

Whilst the documentary evidence provides an excellent view of village life in the provinces of the Roman Near East, there is relatively little to show how these networks of villages were organised. One potential avenue is the corpus of ten inscriptions from the Hauran, collected by Maurice Sartre, that shows a number of villages in that region were given the title *metrokome*.[551] A. H. M. Jones, followed by Henry Innes MacAdam, saw these *metrokomiai* as part of a Roman policy of city creation and promotion in the region.[552]

The inscriptions themselves offer little information about the title other than the fact that it was given to a particular village. The villages Akraba, Neeila, Saura, Zoarana, and Borechath Sabaôn are all attested with the title, and we can likely ascribe it to Phaina and Thelsee as well.[553] According to Jones and MacAdam's interpretation, *metrokomiai* were an

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[549] As is emphasised by Harper (1928).

[550] The evidence from the dynastic period is discussed above, 2.2.4.

[551] The inscriptions are quoted in full in Sartre's comprehensive article (Sartre [1999]).

[552] MacAdam (1986), 53-8; 79-88; (1983); Jones (1931b), 275. On this policy in general, see Jones (1971).

[553] Akraba: *IGLS* 14.1.518 (μητροκωμία Ακραβα καὶ Ασιχων); Neeila: *IGLS* 14.1.461 (μητροκωμία Νεειλων); Saura: *IGLS* 15.104 (μητροκ(ωμήτος) Σαυρα); Zoarana: *IGRRP* 3.1155 ([οἱ ἀπὸ μητρο]κωμίας); Borechath Sabaôn: *IGLS* 14.1.28 (μητροκωμία Βορεχαθ Σαβάων). The dedicator of an inscription from Phaina (*IGLS* 15.13) is attested as being μητροκωμίᾳ τοῦ Τράχωνος ("in the *metrokome* of Trachôn"); we can probably presume that this *metrokome* is Phaina, but this is not certain. A further inscription attributes the title *metrokome* to a group rather than a village: it mentions the [πρω]τευόντες τῆς Θελσεηνῶν μ[ητρο]κώμης ("notables of the *metrokome* of the Thelsenoi"). As Sartre (1999), 202-3, assumes this likely refers to the people of a village Thelsee. The other

intermediate step before the founding of a city and had administrative responsibilities in their territory in accordance with that role. However, as John Grainger most notably pointed out, it is difficult to argue for a process of development as none of the *metrokomiai* ever became cities.[554]

Sartre developed this idea with the ingenious suggestion that *metrokomiai* were a *de facto* replacement for cities due to the fact that much of this region belonged to an Imperial estate and founding cities would deprive the Imperial treasury of revenue.[555] This interpretation suffers from the lack of evidence for *metrokomiai* in the Roman period. There is no contemporary evidence to support his claim that *metrokomiai* represented an administrative centre in the absence of cities; he lends too much weight to the later evidence from the *codices* of Theodosius and Justinian, from the fifth and sixth centuries.[556]

More recently, Tommaso Gnoli has rejected the administrative role that *metrokomiai* were thought to have had in the Hauran.[557] He compares the title *metrokome* to the closest parallels in the Roman Near East, *metropolis* and *metrocolonia*. Both of these titles seem to have been honorific and did not confer any special administrative or legal role.[558] In the absence of any evidence that attests to *metrokomiai* having a privileged administrative or legal position, this comparison seems compelling. The title *metrokome* was most likely an honorific position that did not confer any particular administrative or legal responsibilities.

The ten attestations of *metrokomiai* in Trachonitis and Batanaea, therefore, do not tell us very much about the administration of the network of villages in the Hauran. They are, however, an indication of the level of interaction between these villages and the Roman provincial administration. If the title *metrokome* functioned in a similar way to *metropolis* or *metrocolonia*, then it seems likely that it would have to be conferred, or at least authorised, by

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two inscriptions, *IGLS* 14.1.434, from Rayfa, and *IGLS* 1.153, from Cyrrhos, are very fragmentary and the reconstruction of the title *metrokome* is questionable.
[554] Grainger (1995), 182.
[555] Sartre (1999).
[556] In the most recent study of the topic, Gnoli (2013), 287-9 discusses the possibility of the term's meaning and implications changing in late antiquity.
[557] Gnoli (2013).
[558] On the title *metropolis* in general, see Deininger (1965), 143. With reference to former kingdoms and principalities, see Gascou (1999); Millar (1993a), 95; Sartre (1985), 74; Negev (1977), 642. On *metrocoloniae*, see Millar (1990a); Levick (1967).

the Roman authorities.[559] At the very least we can thus assume that Roman officials were in a position to determine which of the villages merited the title.

Documents from the Middle Euphrates region provide us another perspective on how networks of villages, albeit not in any former kingdoms or principalities, were organised.[560] It is worth quoting the opening to one of the documents, a petition made to the governor of Syria in order to prevent the theft of property during a dispute from AD 245:

> ἐπὶ ὑπά(των) Αὐτοκρά(τορος) Καίσαρος Μάρκου Ἰουλίου Φιλίππου Σεβ(αστοῦ) καὶ
>   Μεσσίου Τιττιανοῦ πρὸ πέντε καλ(ανδῶν) Σεπτεμβρ(ίων) ἔτους τρίτου γϞσ´
>   μηνὸς Λῴου ηκ´ ἐν Ἀντιοχ(είᾳ) κολ(ωνίᾳ) μητροπόλει ἐν
> ταῖς Ἀδριαναῖς θερμες [vacat]
> Ἰουλίῳ Πρείσκῳ τῷ διασημοτάτῳ ἐπάρχῳ Μεσοποταμίας διέποντι τὴν ὑπατείαν
>   παρὰ Ἀρχώδου
> Φαλλαιου καὶ Φιλώτα Νισραιαθου καὶ Ουορωδου Συμισθαραχου καὶ Αβεδσαυτα
>   Αβεδιαρδα ὄντων ἀπὸ κώμης Βηφ-
> φούρης κυριακῆς τῆς περὶ Ἀππάδαναν. [vacat] ἔχοντες, κύριε, ἀμφισθήτησιν μεταξὺ
>   τῶν συν-
> κωμητῶν ἡμῶν περὶ χώρας καὶ ἑτέρων, ἀνήλθομεν ἐνταῦθα δικαιολογήσαθαι παρὰ
>   τῇ σῇ χρηστό-
> τητι...[561]

> "In the consulship of Autokrator Kaisar Marcus Julius Philippus Sebastos and Maesius Tittianus, five days before the Kalends of September, in the year 293, on the 28th day of the month Loos, at Antioch, colony and *metropolis*, in the baths of Hadrian:

> To Julius Priscus, the most perfect prefect of Mesopotamia, exercising proconsular power, from Archodes, son of Phallaios, Philotas, son of Nisraiabos, Vorodes, son of Sumisbarachos, and Abezautas, son of Abediardas, from the imperial village Beth Phouraia near Appadana:

> Having a dispute, lord, with our fellow villagers concerning land and other things, we came here to plead our case before your goodness..."

The most striking aspect of this document is how it evokes its village context. The petition is made by four people who identify themselves by their village. The dispute in question is between these individuals and other people from their village, called *synkometoi* ("co-villagers"). Everyone involved in this case is identified by their membership of the

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[559] This is pointed out by Gnoli (2013), 280.
[560] See Feissel and Gascou (1995).
[561] *P Euphr.* 1.1-7. Translation adapted from Feissel and Gascou (1995).

village Beth Phouraia.[562] As discussed above, this sort of village-orientated documentary evidence, whereby the village was the most important means of geographical orientation and social identity, is particular to the provincial period.

An important feature of this document is how it describes the petitioners' village, Beth Phouraia, in terms of the nearby village Appadana (ἀπὸ κώμης Βηφ|φούρης κυριακῆς τῆς περὶ Ἀππάδαναν: "from the imperial village Beth Phouraia near Appadana"). The relationship seems to be more than one of proximity: the petition calls for the procurator of Appadana, Claudius Ariston, to intervene and secure the property until the dispute is arbitrated.[563] Appadana's administrative role in this issue would suggest that the phrase *peri Appadanan* denotes an administrative relationship.[564]

Our documents do not present the relationship between Beth Phouraia and Appadana with any consistency. Of the six documents written at Beth Phouraia, only the petition from 245 quoted here describes the village with reference to Appadana.[565] Whilst the phrase *peri Appadanan* reflects the administrative function Appadana performed as the home of the Roman *praefect*, it does not seem to denote a well-defined or formalised administrative relationship.[566] Nathaniel Andrade defines the relationship between Beth Phouraia and Appadana by calling the latter a *metrokome*.[567] This title is misleading for two reasons. Firstly, the title itself is misplaced: Appadana is never attested with the title *metrokome* and the title itself does not seem to confer any administrative responsibilities. Secondly, it does not reflect how the relationship is represented: it is not formalised with a title or consistent formulaic language.

Documents from Naḥal Ḥever present the relationship between the villages Maoza and Zoara in much the same way, describing Maoza in terms of its geographical proximity to

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[562] On the identification of this village see the thorough study by Gnoli (2000), esp.57-8.
[563] *P Euphr*. 1.14-5.
[564] On this, see Edwell (2008), 70-1. This is assumed by Andrade (2010), 318; Cotton, Cockle, and Millar (1995), 220, with reference to *P Euphr*. 8.
[565] The following documents from the Middle Euphrates archive were written in Beth Phouraia: *P Euphr*. 11 (AD 232); 15 (235); 13 (243); 12 (244); 1 (245); 8 (251); 9 (252).
[566] *Cf.* also two similar cases from the same archive where one village is described in terms of another: *P Euphr* 5.2-3 (Βαθσαββαθα Ἀρσινόης κώ(μης) Μαγδάλης τῆς Σφωρακηνῆς) and 8.9-10 (Αβσαλμας Αβιδρωδακου κώμης Βηαθαγαης τῆς Ἀβουρηνῆς περιχώρου Θεγαναβων).
[567] Andrade (2010), 318.

its larger neighbour Zoara.[568] As I have argued above, these descriptions depict a loose administrative and political relationship rather than a formalised system of administrative divisions.[569] The portrayal we get from these two sets of documents, from the Middle Euphrates and Arabia, is that little formal organisation was imposed on the networks of villages in these regions. It seems to have been normal for villages to interact with each other and for larger settlements to have performed certain administrative tasks. There is little evidence, however, for any sort of formalised administrative or political relationship between villages where one was subordinate to another.

In conclusion, the imposition of provincial rule on kingdoms and principalities led to a significant change in the role and status of the village in our evidence. It seems likely that it was a prevalent and important type of settlement in the dynastic period, but the provincial period saw a drastic increase in Greek epigraphy from these villages. Documents from the region, both on stone and parchment, depict networks of semi-autonomous villages; this type of evidence, evincing this distinct village context, is particular to the provincial period.

2.4. Conclusions

Between them, the political units discussed above – kings and princes, provincial government, cities, tribes, and villages – represent the means by which people and places were governed and conceptualised. Discussion of their position in kingdoms and principalities and how it changed after the imposition of provincial rule has allowed us to conceptualise political administration under dynastic rule.

The most important conclusion to come from this discussion is that kingdoms and principalities were heterogeneous. On the one hand, they each occupied different territories, each of which had its own people, geography, and distinct culture. On the other, they were

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[568] Maoza is described in terms of proximity to Zoara in three main ways: by using *peri* (*P Yadin* 5.i.4; 15.16-7; 19.10-1; 23.23; 25.28; *P Ḥever* 64.a.3); by attributing the term *perimetron* to Zoara (*P Yadin* 20.22-3; 21.5-6; 22.5-6); and by placing Zoara in the genitive (*P Yadin* 16.13-4; 37.2-3; *P Ḥever* 62.12). See further above, 2.3.2.
[569] See above, 2.3.2.

each ruled by a king or prince with their own heritage and ideology of rule. Whilst kings and princes in the Near East all followed in some way from the traditions of Persian and Hellenistic kingship, they were all distinctly different from one another. This heterogeneity was intrinsic to dynastic rule: kings and princes with different backgrounds and perspectives were entrusted with different people and territories. In contrast, whilst provinces did differ significantly from one another, we can identify a schema of provincial rule, characterised by its association with Greek cities, the use of Greek and Latin as administrative languages, and the authority of Roman officials.

The role of cities, tribes, and villages in kingdoms and principalities differed greatly in accordance with the nature of the territory in question. There is little evidence to suggest a trend of administrative development leading towards provincial rule. The independent Greek cities that defined the eastern provinces were never comfortable under the control of dynasts; they were systematically – and often at their request – removed from dynastic control. In all cases, provincialisation seems to have resulted in a significant change for the regions once under dynastic rule.

Whilst various factors determined the role of cities, tribes, and villages in kingdoms and principalities, the role of language is worth emphasising. Our evidence is indelibly influenced by the language of expression. There seems to be a significant difference between Semitic languages and Greek in how the writer expresses the world around them. When writing in Semitic languages, people tend to emphasise the importance of tribes and personal relationships; when writing in Greek, settlements are more prominent. We cannot be sure whether the choice of language has influenced our view of social and political topography, or if the nature of the political organisation has determined the language of expression. The answer seems to lie between these two alternatives. Each type of political unit was linked to a particular linguistic and political culture.

Each kingdom and principality was the product of a particular group of people in a particular place. Whilst we can identify certain trends in how each type of political unit was employed, the diversity inherent to dynastic rule extended to political organisation at every

level. The same types of political unit were used across the region, but the particular form in which they occurred and the way in which kings and princes interacted with them was usually specific to one kingdom or another.

3. Arbitration and enforcement

3.1. Introduction

The need for a legal framework that settled disputes and maintained order was as fundamental in the Roman Empire as it is today. Laws govern behaviour and shape interaction in all levels of society; no study of administration can reasonably omit a discussion of the law. It is particularly pertinent in this case as so much of the evidence we have for administrative practice in the Roman Near East comes from legal documents.[1] Documents from the Judaean desert and the Middle Euphrates, some of which have been discussed in chapter two, represent substantial sources of evidence for Roman administration and daily life in the region. This chapter examines the systems that resolved disputes and maintained order in kingdoms and principalities. In what follows, I shall discuss my approach to legal administration.

In much the same way as the political units discussed in chapter two both reflected and defined the societies in which they existed, systems of law were both a product and a determinant of society. Scholarship, albeit particularly concerned with the later Roman Empire, has recently emphasised the pluralism of legal practice in the provinces.[2] As Clifford Ando states in his influential *Law, Language, and Empire in the Roman Tradition*:

> "The civil law was an instrument of empire. It was not, or was not simply, as Roman legal philosophers claimed, a body of rules crafted through communal deliberation and approved by the citizen body for use strictly over itself. On the contrary, many of its most characteristic features … developed in response to the challenges posed when the Latinate legal system of the single and singular polity of Rome was deployed so as to embrace, incorporate, and govern discrepant people and cultures far afield."[3]

For Ando, the heterogeneous cultures and peoples in the Empire were reflected in heterogeneous civil law. This represents a significant change to previous modern

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[1] This is pointed out by Bryen (2012), 771-5, in particular. For the documents of the Roman Near East, see the classic article of Cotton, Cockle, and Millar (1995), and now Gascou (2009). See further, 1.3.
[2] See, for instance, Humfress (2013b); (2011); Ando (2011); Tuori (2007); Harries (2003); (2001); (1999). On legal pluralism in general, see the overview of Berman (2009).
[3] Ando (2011), ix.

interpretations of law in the Roman Empire, which saw it as a single codified and universally applied legal system.[4]

The study of legal documents from the Roman Near East has long recognised the influence of multiple different legal traditions. A long-standing approach to these documents has been to identify parallels in the documents' phrasing with various legal systems in order to identify what laws the documents operated under. Of particular note is the remarkable body of work produced by Hannah Cotton in her studies of the Babatha archive; her articles deal with particular laws or issues stemming from the documents.[5]

In 2007, Jacobine Oudshoorn published a monograph entitled *The Relationship between Roman and Local Law in the Babatha and Salome Komaise Archives*, which sought to compare the law as seen in the documents from Naḥal Ḥever with Judaean, Hellenistic, and Roman legal systems.[6] She concludes that the documents operated under substantive Judaean law but adopted formal aspects of Roman law. A number of potential problems arise from this approach.[7] Firstly, we have no contemporary sources for the legal systems with which the documents are compared: the source used for Judaean law is the third-century *Mishnah*, whilst Roman law is derived from fifth- and sixth-century codices. Secondly, this approach assumes that the protagonists were thinking in terms of discrete legal systems, that litigants in the Roman Empire had a clear choice between different venues governed by distinct legal codes.

Legal practice in the provinces, as recent scholarship has emphasised, was subject to the influences of many different legal traditions and is best treated as the product of a particular time and place rather than the implementation of a clear set of rules. On this basis, Kimberley Czajkowski's recent monograph, *Localized Law: the Babatha and Salome Komaise Archives*, analyses legal documents from a 'ground-up' approach, focusing on the

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[4] On this approach and the change to a pluralistic model see, in particular, Czajkowski (2017), 17-21; Tuori (2007).
[5] See Cotton (2003); (2002a); (2002b); (2001b); (1999a); (1998); (1997a); (1997b); (1997c); (1996); (1995a); (1995b); (1994); (1993); Cotton and Greenfield (1994); (1995). See also the papers in Katzoff and Schaps (2005). Cotton takes a similar approach towards documents from Roman Arabia in a more recent article: Cotton (2009).
[6] Oudshoorn (2007).
[7] Czajkowski (2017), 9-24 provides an excellent account of the weaknesses of this approach. See also Healey (2013).

actions taken by the protagonists in the documents to negotiate disputes.[8] She thus situates legal practice "within its social, temporal and geographical situation."[9] Czajkowski has demonstrated that it is not necessarily profitable to find parallels to phrases or formulae in legal documents. The practice of law in the provinces was more akin to a negotiation where all parties resolved disputes by interacting with known precedents and traditions.

We have significantly less information for legal administration in kingdoms and principalities than under provincial rule and yet the issues that arise are similar. We have no evidence for codified sets of laws operating under dynastic rule; our view of legal frameworks comes almost exclusively from documentary sources. The only examples of codified law codes in these regions are the third-century *Mishnah* and the fourth-century *Tosefta*, which were both compiled after the annexation of Palestine into provincial territory.[10] Scholarship investigating Herodian Palestine has increasingly moved away from reliance on these later texts. Discussion of the legal responsibilities of the High Priest and Sanhedrin, for instance, no longer relies on later rabbinic texts but rather emphasises the contemporary sources and context.[11]

Recent scholarship on legal issues in kingdoms and principalities more widely takes a similar context- and practice-focused approach towards the material. Of particular note is John Healey's work on Semitic legal documents from across the Near East. His publication of tomb inscriptions at Hegra, *The Nabataean Tomb Inscriptions of Mada'in Salih*, as well as his work on Syriac papyri from Edessa and Dura, place these legal texts in their contemporary context and focus on legal practice.[12] This sort of approach, which emphasises legal administration rather than any legal traditions the documents appeal to, seems to be more profitable.

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[8] Czajkowski (2017). On a 'ground-up' approach to law in the provinces, see also Humfress (forthcoming); (2014); (2013a); (2011); Kantor (2016); (2014); (2012); (2009); Galsterer (1986). See also Czajkowski's own defence of a 'ground-up' approach: (2017), 17-24.

[9] Czajkowski (2017), 19.

[10] On the codification of legal practice in rabbinic literature, see Hezser (2007); (2003); (1998). On problems of codification in general, see Harries (2007).

[11] For discussion of this debate see below, 3.5. *HJP* 2.207-11 accepts the rabbinic tradition of a Sanhedrin numbering seventy. This has since been rejected as anachronistic by major commentators: Grabbe (2008), 14; Goodblatt (1994), 107-8; Goodman (1987), 113-4; Efron (1987), 292.

[12] See, for instance, Healey (2013); (2009); (1993a); (1993b).

With the general approach towards legal frameworks in kingdoms and principalities thus defined, I shall briefly discuss how I am going to examine the practice of legal administration. In order to reflect this practice-focused approach, I have named the chapter after the two most fundamental activities in the administration of legal frameworks: arbitration, settling disputes over land, property, or behaviour; and enforcement, the application of rules or contracts. The vast majority of legal activities fall under one of these two categories.

My focus on the practice of legal administration, arbitration and enforcement, leads me to two avenues of study. I first examine the implementation of these functions, looking at how they were done, by whom, and how this changes after the imposition of provincial rule. Then, I discuss how litigants interacted with this legal framework and how they adapted to changes resulting from direct Roman rule. Approaching the problem of legal administration from both of these perspectives allows us to understand both sides of the negotiation and better understand the dialogue between the authorities and the litigants.

3.2. In kingdoms and provinces

3.2.1. Implementation

In this section, I examine the implementation of legal frameworks in kingdoms and principalities. I posit that kings and princes had wide-ranging legal authority to act within their territories. At a local level, leaders of important political and social institutions arbitrated disputes and maintained social order. Much of this judicial activity was likely very informal and did not necessarily constitute a court as we might envisage it.

Our evidence for arbitration and enforcement in kingdoms and principalities is rather meagre. The majority of extant legal documents from these regions date to after the imposition of provincial rule. Only four, largely fragmentary, documents from the important cache found at Naḥal Ḥever date to before the annexation in AD 106, and only three of the

texts from the Middle Euphrates were written under the last Abgarid King, Abgar X.[13] Whilst we have some significant legal texts inscribed on stone from both Nabataea and Commagene, they give us little information about how the laws recorded on them were enforced. Our greatest source for legal administration, albeit restricted to the Herodian Kingdom, is Josephus, who provides extensive, but often highly stylised, accounts of legal proceedings involving the Herodian Dynasty. We have no evidence for arbitration and enforcement from the Ituraean Principalities or the Kingdom of the *Emesenoi*. In what follows, I examine how legal administration was organised and implemented in kingdoms and principalities, looking first at the judicial role of dynasts and then at local legal authorities.

I begin discussion of the role kings played in arbitration and enforcement with the trial narratives provided by Josephus. These accounts are unique in providing a view, albeit a second-hand one, into dynastic trial proceedings. The most notable of these narratives concern trials of Herod's family: Mariamme, Alexander, Aristobulus, and Antipater.[14] Discussion of Josephus' Herodian trial narratives has focused particularly on these.[15]

The first of these trial narratives, that of Herod's wife Mariamme, took place in 29 BC. Josephus' two accounts, in the *Jewish War* and *Antiquities*, depict intrigue, scandal, and deception. Herod's sister Salome reportedly provoked Herod with allegations of Mariamme's adultery.[16] He was so upset by these rumours that he brought adultery charges against Mariamme as well as arresting and executing an Ituraean called Soemus.

All of Josephus' trial narratives concerning Herod's family, with the possible exception of the trial of Antipater, include similar details: they show Herod being led astray by those around him, highly emotional, and unable to decipher truth from fiction.[17] In a recent article looking particularly at the *Jewish War*, Helen Bond has convincingly argued that these scenes of domestic intrigue are an attempt by Josephus to undermine Herod as the

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[13] The documents from Edessa written under Abgar X are discussed primarily above 2.2.1.
[14] Mariamme: *BJ* 1.442-4; *AJ* 15.229-31. Alexander and Aristobulus: *BJ* 1.452-66; 489-91; 516-27; *AJ* 16.87-135; 247-50; 300-12. Antipater: *BJ* 1.582-645; *AJ* 17.61-182.
[15] See Schuol (2007), 145-57; Rabello (1992); Volkmann (1969), 153-61. See now also the excellent article by Kimberley Czajkowski (2016), with whom I am largely in agreement in what follows.
[16] Jos. *BJ* 1.438-40; *AJ* 15.222-8.
[17] The trial of Antipater is discussed in detail below.

representative of monarchic rule over the Jews.[18] Whilst the often apologetic *Jewish War* is more subtly critical of Herod, the *Jewish Antiquities* explicitly opposes him and the monarchic rule he represents.[19] The trial narratives involving Herod's family in this longer work often show him in an even more erratic and unreasonable state of mind. As a result, we might reasonably question some of the information in these trial narratives. It seems very possible that reports of Herod's motivations in bringing and deciding these cases would defer to this particular model of Herod that Josephus presents.[20] On the other hand, Josephus, and his source Nicolaus of Damascus, were probably very well informed as to the organisation of proceedings. In order for Josephus' characterisation of Herod in these narratives to be plausible, the trials would have to be conducted in a manner in keeping with court proceedings in Herodian Palestine. It thus seems unlikely that information concerning the composition of the court or the outcome of the case would be skewed towards Josephus' agenda.

There are two accounts of Mariamme's arrest and execution, in the *Jewish War* and *Antiquities*:

> ὁ δ᾽ ὑπ᾽ ἀκράτου ζηλοτυπίας ἐκμανεὶς παραχρῆμα κτείνειν προσέταξεν ἀμφοτέρους. μετάνοια δ᾽ εὐθέως εἵπετο τῷ πάθει, καὶ τοῦ θυμοῦ πεσόντος ὁ ἔρως πάλιν ἀνεζωπυρεῖτο. τοσαύτη δ᾽ ἦν φλεγμονὴ τῆς ἐπιθυμίας, ὡς μηδὲ τεθνάναι δοκεῖν αὐτήν, ὑπὸ δὲ κακώσεως ὡς ζώσῃ προσλαλεῖν, μέχρι τῷ χρόνῳ διδαχθεὶς τὸ πάθος ἀνάλογον τὴν λύπην ἔσχεν τῇ πρὸς περιοῦσαν διαθέσει.[21]

> "Mad with sheer jealousy, he ordered that both should instantly be put to death. But remorse followed hard upon rage; his wrath subsided, his love revived. So consuming, indeed, was the flame of his passion that he believed she was not dead, and in his affliction would address her as though she were alive; until time taught him the reality of his loss, when his grief was as profound as the love which he bore her while she was alive."

> καὶ τὸν μὲν Σόαιμον εὐθὺς ἐκέλευσεν ἀποκτεῖναι συλλαβόντας· τῇ δὲ γυναικὶ κρίσιν ἀπεδίδου ... ἦν δὲ ἀκρατὴς ἐν τῷ λόγῳ καὶ κρίσεως ὀργιλώτερος, καὶ τέλος οὕτως ἔχοντα γινώσκοντες αὐτὸν οἱ παρόντες θάνατον αὐτῆς κατεψηφίσαντο. διενεχθείσης δὲ τῆς γνώμης ὑπεγίνετο μέν τι καὶ τοιοῦτον αὐτῷ τε καί τισιν τῶν παρόντων μὴ προπετῶς οὕτως ἀναιρεῖν, καταθέσθαι δὲ εἰς ἕν τι τῶν ἐν τῇ βασιλείᾳ φρουρίων. ἐσπουδάσθη δὲ ταῖς περὶ τὴν Σαλώμην ἐκποδὼν ποιήσασθαι τὴν ἄνθρωπον καὶ

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[18] Bond (2012).
[19] For bibliography on Josephus' portrayal of Herod, see above, 1.3.1.1.
[20] On the usefulness of these reports for the study of legal issues in Herodian Palestine, see now Czajkowski (2016), 473-4.
[21] *BJ* 1.444.

μᾶλλον ἔπεισαν τὸν βασιλέα, τὰς ταραχὰς τοῦ πλήθους, εἰ ζῶσα τύχοι, φυλάξασθαι συμβουλεύουσαι. Μαριάμμη μὲν οὖν οὕτως ἤγετο τὴν ἐπὶ θανάτῳ.[22]

"And so he gave orders that Soemus should be arrested and put to death at once, while to his wife he conceded the right to a trial ... Since he was intemperate in speech and too angry to judge, those who were present realized in what a state he was, and finally condemned her to death. But after sentence had been passed, it occurred both to him and to some of those present that she ought not to be done away with so hastily but be put away in one of the fortresses of the kingdom. But Salome and her friends made every effort to get rid of the poor woman, and they prevailed upon the king to do so by advising him to take precautions against the popular disturbances which would break out if she should be allowed to live. That is how Mariamme came to be led to execution."

These two accounts share their criticism of Herod's emotional instability and credulity, citing his jealousy and anger as reasons for the events that followed. They do, however, differ on important aspects of the case. In the *Jewish War*, Herod, once he has accepted the accusations as true, immediately orders both of them be executed. In the *Jewish Antiquities*, on the other hand, Soemus is immediately put to death but Mariamme was 'conceded a trial' (τῇ δὲ γυναικὶ κρίσιν ἀπεδίδου) in front of a court made up of Herod's relatives and advisors (οἱ οἰκειοτάτοι).[23] Josephus presents this court as an *ad hoc* gathering instigated by Herod: he is clear that Herod brought them together (συναγαγών); and he does not define the group with a title but rather emphasises its impermanency by using the present participle οἱ παρόντες ('those present').

We can take two important points from these two accounts. Firstly, the decision-making power rests with Herod in both cases: in the *Jewish War*, he has Mariamme immediately executed; in the *Antiquities*, he decides to allow a trial and convenes a court of his advisors, who then follow his decision on the outcome. Whilst Josephus perhaps implies that the court might have had the authority to make a decision contrary to Herod's, the execution of Soemus shows that recourse to this court was not a necessity. Secondly, we are given an important insight into the nature of the court itself. The *ad hoc* court, composed of 'those closest

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[22] *AJ* 15.229-31.
[23] We can safely assume that this group was made up of Herod's courtiers, following the tradition of a Hellenistic *aule*. It could have included relatives, friends, and advisors. See Rocca (2008), 273-5; Levine (2002), 172; Rabello (1992), 47. Herod's court is the subject of multiple detailed studies: Rocca (2008), 84-94; Roller (1998), 57-65. See further the discussion of Herod's courtiers in chapter 2.2.1.

to Herod' (οἱ οἰκειότατοι) and built around the king's authority, seems to emulate judicial practice in Hellenistic kingdoms.[24]

Proceedings against Alexander and Aristobulus began in 12 BC when Herod, reportedly due to rumours spread by Antipater, accused his sons of making an attempt on his life.[25] The *Jewish War* claims that Alexander plotted to poison Herod, whilst the *Antiquities* informs us of a number of allegations including planning to kill Herod and usurp his throne. The two sons were arrested and brought before Augustus.[26] As modern commentators have noted, the fact that the trial was conducted before Augustus is the most pertinent detail from a legal standpoint.[27] As part of Josephus' narrative, Herod makes accusations against his sons and describes the legal situation in the following way:

> τὸ δὲ μέγιστον, οὐδὲ ἐπὶ τοιούτοις ἦν εἶχεν ἐξουσίαν ταύτῃ κατ᾽ αὐτῶν χρησάμενος ἀγαγεῖν ἐπὶ τὸν κοινὸν εὐεργέτην Καίσαρα, καὶ παρελόμενος αὐτοῦ πᾶν ὅσον ἢ πατὴρ ἀσεβούμενος ἢ βασιλεὺς ἐπιβουλευόμενος δύναται, κρίσεως ἰσοτιμίᾳ παρεστακέναι.[28]

> "And what was most important, not even in such circumstances had he used his authority against them but had brought them before Caesar, their common benefactor, and had given up all his own rights as a father undutifully treated and as a king plotted against, and had presented himself for judgment on an equal footing with them."

According to this reported speech by Herod, he had the authority to try his sons without the Emperor's approval. After Herod's accusations, Alexander gave a speech in his own defence, which persuaded Augustus to give the brothers a reprieve. In the *Jewish War* account we are told that Alexander was an excellent orator.[29] The *Jewish Antiquities* recreates his speech in full; it has been praised for its rhetoric and the text has generally been attributed to Josephus'

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[24] This is argued fervently by Rabello (1992) with reference to all the trials of Herod's family. On the courts of Hellenistic kings, see the discussion above, chapter 2.2.1. On the relationship between Hellenistic and Jewish kingship, see, with a particular focus on the Herodian dynasty, Choi (2013), 42-4.
[25] Jos. *BJ* 1.452; *AJ* 16.91-9.
[26] *BJ* 1.452; *AJ* 16.90.
[27] In particular, see Czajkowski (2016), 474-5; Rabello (1992), 44-7.
[28] Jos. *AJ* 16.98-9.
[29] *BJ* 1.452-4.

source Nicolaus of Damascus.[30] At the outset of this speech, Alexander reinforces the legal situation as described by Herod:

πάτερ, εἶπεν, ἡ μὲν σὴ πρὸς ἡμᾶς εὔνοια δήλη καὶ παρ᾽ αὐτὴν τὴν κρίσιν· οὐκ ἂν γάρ, εἴ τι δυσχερὲς ἐνενόεις ἐφ᾽ ἡμῖν, ἐπὶ τὸν πάντας σώζοντα προήγαγες· καὶ γὰρ ἐξῆν, παρούσης μὲν ἐξουσίας ὡς βασιλεῖ, παρούσης δὲ ὡς πατρί, τοὺς ἀδικοῦντας ἐπεξιέναι·[31]

"'Father,' he said, 'your goodwill toward us is evident even in this trial. For if you had intended to take severe action against us, you would not have brought us before the saviour of all mankind. For having both the authority of a king and the authority of a father, you might have punished the guilty.'"

Alexander accepts that Herod was able to try his sons himself and praises him for bringing this trial before Augustus. The speech apparently moved Caesar and led to Alexander and Aristobulus' acquittal.[32] Augustus then takes it upon himself to reconcile the two parties.

Two important questions arise from this narrative: why was the case referred to Augustus; and how can we conceptualise Herod's legal authority. Czajkowski has convincingly argued that, as Josephus is adamant that Herod had the authority to undertake the trial himself, Caesar's input was more of a political than a legal decision.[33] As Herod's position as king was dependent on Roman support, it would be to his advantage to refer public and potentially destabilising issues to Rome. Czajkowski also highlights the potential significance of the trial in emphasising Herod's personal connection to the centre of Roman power. Given the allegations concern plots against him, Herod was possibly wise to draw attention to the stake Rome had in his reign.

The narrative provides us some direction for the second question: how can we conceptualise Herod's legal authority. Herod and Alexander portray it in the same way: in terms of his two positions as the defendants' father and their king. Debate over this question has focused on these two sources of authority: the *ius vitae necisque* of the *pater familias*, after the Roman tradition; and the judicial competence of Hellenistic kings. Some scholars have situated

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[30] *AJ* 16.104-20. See, in particular, Kasher and Witztum (2007), 263. Landau (2006), 143-7, provides a literary analysis of the speech.
[31] *AJ* 16.105-6.
[32] *AJ* 16.121-6.
[33] Czajkowski (2016), 485-7. See also Braund (1984), 66-7.

the trial of Alexander and Aristobulus in a domestic court context, where the *pater familias* exercised his *ius vitae necisque*.[34] More recently, Alfredo Rabello has argued that Herod's power derived from his position as a king following the Hellenistic tradition.[35] However, as Kimberley Czajkowski has shown, Josephus' account is decidedly unclear, giving Herod power both as Alexander and Aristobulus' father and their king. She has convincingly argued that the vagaries of Herod's legal competence in Josephus' narrative are a reflection of his position. Herod was their father, he also presented himself variously as a Judaean *mlk* and an Hellenistic *basileus*. In the same way that litigants would adapt their presentation of a case depending on the audience, there is no reason why Herod would not be able to justify a judicial proceeding as a *iudicium domesticum* to one audience and as the *aule* of a Hellenistic king to another if both jurisdictions were applicable.[36] There is, for instance, little to differentiate between these two types of court in Josephus' description of the group that passed judgement on Mariamme, which was made up of οἱ οἰκειοτάτοι gathered by Herod.

Not long afterwards, in 10 BC, Herod, convinced that Alexander and Aristobulus were plotting against him, made further accusations against his sons.[37] There was no formal trial, as Archelaus, King of Cappadocia, came to reconcile the domestic squabble. Some two to three years later, domestic tensions finally led to another trial of the brothers.[38] The two accounts begin in familiar fashion, with Herod giving credence to unsubstantiated rumours about his sons.[39] The accusations, that Alexander persuaded two former bodyguards of Herod to kill him, were corroborated by testimony acquired under torture.[40] This case, like the first set of proceedings against Alexander and Aristobulus, was referred to Augustus.[41] Unlike the first trial, Caesar's response was for Herod to judge the case himself:

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[34] See, in particular, Schalit (1969), 251-3; Volkmann (1969), 157. Some doubts have been raised about whether this was a genuine legal right: see the discussion and bibliography given by Rabello (1992), 41. On the *ius vitae necisque*, see Westbrook (1999); Yaron (1962).
[35] Rabello (1992). On Herodian self-presentation, see chapters 2.2.1; 2.2.2.
[36] On legal pluralism in general, see the discussion above, chapter 3.1.
[37] Jos. *BJ* 1.489-91; *AJ* 16.247-50.
[38] Jos. *BJ* 1.516-51; *AJ* 16.300-12; 356-94.
[39] *BJ* 1.516-26; *AJ* 16.300-12.
[40] *BJ* 1.526-9; 544-9; *AJ* 16.313-9; 387-91.
[41] *BJ* 1.535-7; *AJ* 356-8.

οἱ δ᾽ ὡς εἰς Ῥώμην πλεύσαντες ἀνέδοσαν τὰ ἀπὸ τοῦ βασιλέως γράμματα, σφόδρα μὲν ἠχθέσθη Καῖσαρ ἐπὶ τοῖς νεανίσκοις, οὐ μὴν ᾤετο δεῖν ἀφελέσθαι τὸν πατέρα τὴν περὶ τῶν υἱῶν ἐξουσίαν. ἀντιγράφει γοῦν κύριον μὲν αὐτὸν καθιστάς, εὖ μέντοι ποιήσειν λέγων, εἰ μετὰ κοινοῦ συνεδρίου τῶν τε ἰδίων συγγενῶν καὶ τῶν κατὰ τὴν ἐπαρχίαν ἡγεμόνων ἐξετάσειεν τὴν ἐπιβουλήν· κἂν μὲν ἐνέχωνται, κτείνειν, ἐὰν δὲ μόνον ὦσιν δρασμὸν βεβουλευμένοι, κολάζειν μετριώτερον.[42]

"Taking ship to Rome they delivered the king's dispatches to the Emperor, who, while deeply distressed for the young men, did not think it right to deprive the father of authority over his sons. He replied accordingly, leaving Herod complete liberty of action, but adding a recommendation to him to hold an inquiry into the plot before a joint council of his own relatives and the provincial governors; then, if his sons were convicted, to put them to death, but if they had merely meditated flight, to be content with a milder penalty."

As Czajkowski has pointed out, we have an interesting situation here whereby Augustus claims that Herod has the power to try his sons, but also feels the need to grant him permission to do just that.[43] It seems likely that, as in the first trial, Augustus is giving Herod political support to exercise his existing judicial powers.

Josephus goes into some detail describing the court that Herod convenes in Berytus.[44] In the *Antiquities*, he gives few names but does specify that Roman governors were included; the group as a whole apparently included one hundred and fifty men. The *Jewish War* account includes names:

προκαθίζουσίν τε οἱ ἡγεμόνες γραφὲν αὐτοῖς ὑπὸ Καίσαρος, Σατορνῖνός τε καὶ οἱ περὶ Πεδάνιον πρέσβεις, σὺν οἷς καὶ Οὐολούμνιος [ὁ] ἐπίτροπος, ἔπειθ᾽ οἱ τοῦ βασιλέως συγγενεῖς καὶ φίλοι, Σαλώμη τε καὶ Φερώρας, μεθ᾽ οὓς οἱ πάσης Συρίας ἄριστοι πλὴν Ἀρχελάου τοῦ βασιλέως· τοῦτον γὰρ ὄντα κηδεστὴν Ἀλεξάνδρου δι᾽ ὑποψίας εἶχεν Ἡρώδης.[45]

"In accordance with written instructions received from Caesar, the Roman officers presided, namely Saturninus and his legates, Pedanius and others; with them was associated Volumnius the procurator. Next came the king's relatives and friends, including Salome and Pheroras, and after these all the foremost men of Syria, with the exception of King Archelaus; for, as Alexander's father-in-law, he was regarded by Herod with distrust."

The composition of the court is endemic of the political and legal position that Herod found himself in. The presence of Saturninus, governor of Syria, emphasises Roman influence

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[42] *BJ* 1.536-7. *Cf. AJ* 16.356-8.
[43] Czajkowski (2016), 477. See also Rabello (1992), 48-54.
[44] *BJ* 1.538-9; *AJ* 16.362-3. The group is called τό δικαστήριον in the *War*, τὸ συνέδριον in the *Antiquities*.
[45] *BJ* 1.538.

over the proceedings. It is not clear what would have happened had the Roman delegation

disagreed with Herod's preferred outcome as they reportedly advocated different punishments:

Saturninus argued against the death penalty whilst Volumnius was for it.[46] The inclusion of

'relatives and friends' (συγγενεῖς καὶ φίλοι), like the group brought together for the trial of

Mariamme, evokes the traditions of Persian and Hellenistic kingship. In accordance with these

traditions, the attendants are described in terms of relation to and friendship with the king.[47] The

court represents these two sources of Herod's judicial authority, Roman support and Hellenistic

kingship.

Herod addressed the court personally, but the accused were kept at a nearby village,

Platana.[48] During his speech, Herod presents yet another potential source of judicial authority:

> τὸ δὲ τελευταῖον εἰπών ὅτι καὶ τῇ φύσει καὶ τῇ Καίσαρος δόσει τὴν ἐξουσίαν αὐτὸς ἔχοι, προσέθηκεν αὐτῷ καὶ πάτριον νόμον κελεύειν, εἴ του κατηγορήσαντες οἱ γονεῖς ἐπιθοῖεν τῇ κεφαλῇ τὰς χεῖρας, ἐπάναγκες εἶναι τοῖς περιεστῶσιν βάλλειν καὶ τοῦτον ἀποκτείνειν τὸν τρόπον.[49]

> "Finally, he said that both by nature and by Caesar's grant he himself had authority to act, but he added that there was also a law in his country that provided that if a man's parents, after accusing him, placed their hands on his head, the bystanders were bound to stone him and to kill him in this way."

Here Herod emphasises that he had the authority to try his sons without Augustus'

approval. He then goes on to specify another source of legal authority, Judaean law, which

would allow him to have his sons stoned to death.[50] The presentation of Herod's authority is,

again, unclear. He seems to evoke judicial authority from Roman, Hellenistic, and Judaean legal

traditions. What is striking about this case is that Herod seems to have felt no need to pursue the

case identifying one source of judicial authority only. The lack of clarity in this matter likely

reflects the reality. The eventual result of the trial was Alexander and Aristobulus' execution at

Sebaste.

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[46] *BJ* 1.540-3; *AJ* 16.367-72.
[47] See, in particular, Rabello (1992), 47.
[48] *BJ* 1.539; *AJ* 16.362.
[49] *AJ* 16.365-6.
[50] On this, see Czajkowski (2016), 478. The law is preserved in *Deut.* 21:18-21; Jos. *AJ* 4.260-5. See also Gras (1984); Pease (1907).

In the last year before Herod's death, he brought charges against another son, Antipater, who was reportedly the cause of the disputes between Herod, Alexander, and Aristobulus. Josephus' parallel narratives of this trial in the *Jewish War* and *Antiquities* begin with Herod discovering the extent of Antipater's deceptions.[51] He gives us some idea of the composition of the court:

Τῇ δ᾽ ἐπιούσῃ συνέδριον μὲν ὁ βασιλεὺς ἀθροίζει τῶν συγγενῶν καὶ φίλων, εἰσκαλεῖ δὲ καὶ τοὺς Ἀντιπάτρου φίλους. προκαθέζεται δὲ αὐτὸς ἅμα Οὐάρῳ καὶ τοὺς μηνυτὰς πάντας ἐκέλευσεν εἰσαγαγεῖν.[52]

"On the following day the king assembled a council of his relatives and friends, inviting Antipater's friends to attend as well. He himself presided, with Varus, and ordered all the informers to be produced."

The court setting is similar to the one that tried Alexander and Aristobulus. The majority of the group was made up of Herod's relatives and friends (συγγένοι καὶ φίλοι) whilst the presence of the governor of Syria, Varus, underscores Rome's influence on the proceedings.

Herod began the trial by making a polemical indictment of Antipater, but he was reportedly overcome by the emotion of the event and handed the prosecution over to Nicolaus of Damascus.[53] In contrast to Herod, Nicolaus is said to have presented the facts to the court in a reasoned manner with accompanying evidence.[54] After Herod passes the prosecution over to Nicolaus, Varus, at least in formal aspects of the trial, seems to represent the greater authority: Varus called on Antipater to make his defence,[55] and ordered the poison be tested on a criminal sentenced for execution.[56] Much of Nicolaus' speech was directed at Varus rather than Herod.[57] Nevertheless, it is unclear how much influence he had in the conclusion of proceedings. After the trial finished, a letter was sent to Augustus; in the *Jewish War*, Varus wrote the letter, but, in the *Antiquities*, Herod wrote it.[58] Following this, no action was taken concerning the verdict or

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[51] *BJ* 1.608-13; *AJ* 17.61-82.
[52] *BJ* 1.620. See also *AJ* 17.93.
[53] *BJ* 1.629; *AJ* 17.99. For an analysis of the speeches in this trial, see Landau (2006), 86-8; 150-4.
[54] *BJ* 1.637-8; *AJ* 17.107-23.
[55] *BJ* 1.639; *AJ* 17.127.
[56] *BJ* 1.640 *AJ* 17.132.
[57] On this point, see Czajkowski (2016), 479-81; Landau (2006), 152-4; Schalit (1969), 642.
[58] *BJ* 1.640; *AJ* 17.133.

punishment of Antipater until a decision arrived from Augustus.[59] Josephus' account in the *Antiquities* describes Herod's deliberations, but makes it clear that he might have acted without a verdict from Rome:

> Ἡρώδης δὲ ἐκπλαγεὶς μεγέθει τῆς Ἀντιπάτρου κακίας ὥρμησε μὲν καὶ παραχρῆμα αὐτὸν ἀνελεῖν ὡς κύκηθρον μεγάλων γεγονότα πραγμάτων.[60]

> "In his dismay at the enormity of Antipater's villainy, Herod had the impulse to get rid of him immediately as a formentor of serious troubles."

> Ἡρώδης δὲ περιαλγῶν ὥρμησε μὲν πέμπειν ἐπὶ Ῥώμης τὸν υἱὸν ὡς Καίσαρα, λόγον ὑφέξοντα τῶν ἐπὶ τοῖσδε βουλευμάτων, ἔπειτα δείσας μὴ καὶ βοηθείᾳ τῶν φίλων εὑρίσκοιτο τοῦ κινδύνου διαφυγάς, αὐτὸν μὲν δέσμιον ὡς καὶ πρότερον ἐφύλασσεν, αὖθις δὲ πρέσβεις ἐξέπεμπε καὶ γράμματα ἐπὶ κατηγορίᾳ τοῦ υἱέος, ὁπόσα τε Ἀκμὴ συγκακουργήσειεν αὐτῷ, καὶ ἀντίγραφα τῶν ἐπιστολῶν.[61]

> "Thereupon Herod, being deeply grieved, was prompted to send his son to Caesar in Rome to undergo trial for his wicked plotting but later, fearing that with the help of his friends Antipater might find a way to escape this danger, he kept him in chains as before, and again sent envoys with letters (to Rome) to accuse his son and to tell all that Acme had done as his accomplice in crime, and he also sent copies of the letters."

In these passages Herod explores a number of seemingly possible options: condemn and execute Antipater immediately; hand full control of the trial to Caesar; or wait for blessing from Rome before undertaking the punishment.[62] As he did in the second trial of Alexander and Aristobulus, he took the third option, getting imperial support to decide and undertake the punishment himself. Rome's response was that Antipater was guilty but that Herod should decide the punishment, exile or death.[63] Augustus is ambiguous as to the source of Herod's judicial authority here, crediting him with power over Antipater both as his father and his king.[64]

Josephus' accounts of the trial of Antipater present a familiar picture of Herod's judicial competence: Herod is shown to have multiple potential sources of judicial authority, none of which are distinguished as more important or relevant than the others; and, whilst Roman

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[59] *BJ* 1.661-2; *AJ* 17.182-3.
[60] *AJ* 17.142.
[61] *AJ* 17.144-5. *Cf. BJ* 1.645 in which Herod determined to execute Antipater but was prevented by poor health.
[62] On this passage and these choices, see also Czajkowski (2016), 481; Rabello (1992), 54-6.
[63] *BJ* 1.661-2; *AJ* 17.182.
[64] *AJ* 17.182.

support is again seen as being very important to Herod's decision making, it does not seem to be essential from a legal standpoint.

Josephus records two other notable instances where Herod exercised his judicial authority: the trial of Hyrcanus and the trial of those accused of removing a golden eagle from the Temple. In both cases, Josephus makes it clear that Herod had wide-ranging authority to try, judge, and punish those accused in his kingdom. In 30 BC, the Hasmonean Hyrcanus was accused of plotting against Herod with the Nabataeans.[65] Herod then had Hyrcanus executed. In the *Jewish War* there is no mention of any sort of trial, but the *Jewish Antiquities* states that Herod showed the evidence of wrongdoing to a *synedrion* of unknown composition before the execution:

> ὡς δὲ καὶ ταύτην Ἡρώδης ἐδέξατο τὴν ἐπιστολήν, εὐθύς τε μεταπέμπεται τὸν Ὑρκανὸν καὶ περὶ τῶν γενομένων αὐτῷ συνθηκῶν πρὸς τὸν Μάλχον ἀνέκρινεν. ἀρνησαμένου δέ, τὰς ἐπιστολὰς δείξας τῷ συνεδρίῳ διεχειρίσατο τὸν ἄνδρα.[66]

> "When Herod received this letter, he immediately sent for Hyrcanus and questioned him about the agreements which he had made with Malchus. When the other denied having made any, Herod showed the letters to the *synedrion* and had the man put to death."

This discrepancy means little in practical terms as both narratives present the decision as resting on Herod alone. The *synedrion* consulted in this case, as we also find in the trial of Mariamme, seems to be no more than an advisory council under Herod's authority.[67]

The incident with Herod's golden eagle is well-known.[68] Herod set up the image of an eagle above the entrance of the Temple. During his final year, when he was quite ill, two men,

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[65] The *Jewish War* (1.433-4) gives no details as to the circumstances. The *Jewish Antiquities* provides two different accounts. The first (15.165-173) states that Hyrcanus sent letters asking the Nabataean Malichus for refuge that were intercepted by Herod. The second (174-8) contends that all the charges were invented by Herod. This rather Herodotean logography allows Josephus to condemn Herod without lending his credibility as an historian to one account or another. See Landau (2006), 129-30.

[66] *AJ* 15.173. Translation adapted from Loeb.

[67] It has been argued that the *synedrion* used to try Hyrcanus here was the Judaean Sanhedrin, an established Judaean council with authority over judicial matters. See, for instance, *HJP* 2.206. It seems more likely that it was Herod's court of relatives and advisors. For this view see Smallwood (1976), 68. There is little evidence to suggest that the Sanhedrin existed in any institutionalised form before the annexation of Judaea in AD 6. See further below, 3.3.1; 3.5.

[68] Jos. *BJ* 1.648-55; *AJ* 17.149-55. See Kropp (2013a), 247; 270-1; Wilker (2007b), 41-2; Fuks (2002), 241-2; Richardson (1996), 16.

Judas and Matthias, inspired a crowd to pull down the statue.[69] The men were arrested and Herod, after chastising the Judaean community at large, had the perpetrators as well as Judas and Matthias burnt alive.[70] There seems to be little ambiguity in either the trial of Hyrcanus or the trial of those who tore down the eagle: Herod seems to have had the authority to try and punish these men in any way he wished.

Josephus' trial narratives give us a unique view into Herod's judicial authority within his kingdom. He had wide-ranging powers that allowed him to bring suspects to trial, judge them, and proclaim verdicts. Trials that were potentially sensitive or damaging, such as those of Alexander, Aristobulus, and Antipater, were referred to Rome for political support. His judicial competence was a reflection of his political situation: as long as he had Roman support, Herod was able to judge cases within his kingdom, evoking Roman, Hellenistic, and Judaean legal traditions in the process.[71]

There is little comparable evidence for the role that dynasts played in the legal administration of other kingdoms and principalities but documentary evidence can provide a perspective on this issue. The well-known ruler cult inscriptions of Antiochus I of Commagene, for instance, establish religious law in the kingdom.[72] A recently-found example from Zeugma shows the direct relationship Antiochus had with the law:

τοῦτον τύπον ἰδίας γνώμης νόμον τε κοινῆς εὐσε-
βείας εἰς χρόνον ἅπαντα προνοίαι δαιμόνων στήλαις
ἐνεχάραξεν ἱεραῖς.[73]

"[Great king Antiochus] engraved for all time by the providence of the deities on sacred stelai this depiction of his own thought and law of common piety."

... περὶ δὲ ἱ<ε>ρουργιῶν ἀϊδίων διάταξιν πρέπου-
σαν ἐποιησάμην, ὅπως σὺν αἷς ἀρχαῖος καὶ κοι-
νὸς νόμος ἔταξεν θυσίαις καὶ νέας ἑορτας
εἴς τε θεῶν σεβασμὸν καὶ ἡμετέρας τι-
μὰς ἅπαντες οἱ κατ᾽ ἐμὴν βασιλείαν ἐπιτε-

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[69] *BJ* 1.648-50; *AJ* 17.149-55.
[70] *BJ* 1.655; *AJ* 17.167.
[71] As discussed above, 2.2.1 and 2.2.2, the Herodian dynasts were able to maintain their position by presenting themselves variously to different audiences as (i) *amici et socii populi romani*, (ii) Hellenistic *basileis*, and (iii) Judaean *mlkm*. See, in particular, Schwentzel (2013); Andrade (2010); Millar (1996).
[72] Bibliographic information for these inscriptions and the cult in general is listed above, 2.2.4. Relevant bibliography is listed in the recent article by Crowther and Facella (2014), 267-8.
[73] Crowther and Facella (2003), BEc.4-6.

λῶσι ...[74]

"I established an appropriate regulation concerning the sacred observances for them to be everlasting, so that all the inhabitants of my kingdom might offer together with the sacrifices required by ancient and common law also new festivals in reverence of the gods and in my honour."

Whilst we have no evidence for how these religious laws were enforced, this text is emblematic of the king's relationship with the law. Antiochus here presents himself not just as its enforcer, but as its source. In accordance with his self-presentation in monuments associated with the ruler cult, his stance regarding the law draws on the traditions of Persian and Hellenistic kingship, in which the king was not only part of the legal framework but the source of law and authority.[75]

We have a substantial corpus of legal texts from Nabataea on both stone and parchment that provide a view into the Nabataean King's judicial role. Of particular interest are the collection of inscriptions attached to tombs in Hegra.[76] The following is a typical example from AD 31/32:

> *dnh kpr' dy 'bd hn'w br tpṣ'*
> *lh wlyldh bnwhy wbnth wlmn dy ynpq*
> *bydh tqp [m]n yd hn'w dnh dy ytqbr*
> *bkpr' [dnh wd]y l' ytqbr bkpr' dnh*
> *'nw[š .....'w yz]tbn 'w ttrtb bh*
> *mwhb' ['w 'wgrw] 'w tqp klh lhn hn*
> *yktb hn'w dnh 'w yqbr mn dy yṣb' hn'w*
> *dnh 'w ṣdqh mn b'trh wmn y'bd k'yr dnh*
> *p'yty 'mh lmr'n' sl'yn 'lp ḥrty byrḥ*
> *nysn šnt 'rb'yn lḥrtt mlk nbṭw rḥm 'mh*
> *ḥwrw psl' br 'ḥyw 'bd* [77]

"This is the tomb which Hani'u son of Tafsa made for himself and for his children, his sons and his daughters, and for whoever produces in his hand a deed of entitlement from the hand of this Hani'u to the effect that he may be buried in this tomb. And let no stranger be buried in this tomb and let it not be sold nor any deed of gift or lease or deed of entitlement be drawn up, other than if this Hani'u writes it or this Hani'u or his legitimate heir after him buries in it whoever he wishes. And if anyone does other than this, he shall be liable to our lord in the sum of a thousand

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[74] Crowther and Facella (2003), BEc.29-34.
[75] On the role of Achaemenid kings as the source of law and justice, see Kuhrt (2007), 502-9; Briant (1996), 217-65, esp.226-7. On Hellenistic kingship and the notion that they were νομὸς ἔμψυχος ("the embodiment of the law"), see Billows (1995), 60-1; Aalders (1969); Delatte (1942), 245-9.
[76] These are collected by Healey (1993a). See above, 1.3.3.
[77] Healey (1993a), no.5.

Haretite sela's. In the month of Nisan, the fortieth year of Haretat, king of the Nabataeans, lover of his people. Huru the mason, son of Uhayu, made it."

This text achieves four legal aims: it is a statement of ownership; it formalises restrictions on usage; it details fines for those who contravene those restrictions; and it gives instructions for cession.[78] The king appears twice in the inscription, in both cases performing important functions. He appears as the recipient of the fine: we might presume that representatives of the king would demand payment of the fine and, in doing so, enforce the restrictions imposed by the text.[79] The king also appears in the document's date: in dating the document by the year of the king, the inscribers are linking the text to a particular political and legal context, defined by the king's authority, in which they hope it will be enforced.[80]

The legal role of kings in their kingdoms mirrors their political position: they seem to have had wide-ranging powers to convict suspects and enforce contracts in their kingdoms, but their authority was dependent on Roman support.[81] The presentation of legal practice in Judaea, Commagene, and Nabataea suggests that the kings wielded judicial power in much the same way, or at least using similar terminology and judicial bodies, as Persian and Hellenistic kings.

Whilst kings and princes served as the figureheads for royal authority, the majority of legal decisions must have been made on their behalf by local authorities rather than by them.[82] Our evidence for these authorities is often patchy, but we can make some conclusions about local courts and those in charge of them. In what follows, I shall discuss the evidence for local legal authorities in kingdoms and principalities.

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[78] On these legal functions see Healey (2005a), 136-7. Healey also notes parallel Aramaic cession documents from Palmyra: *PAT* 42; 47; 58; 95; 555. On these documents see Cussini (1995).

[79] The king appears as the executor of the fine in most of the inscriptions from Hegra, but often in conjunction with other authorities. They are discussed further below. Fines are, at least partially, payable to the king in Healey (1993a), nos.1; 5; 9; 12; 19; 30; 34; 36; and 38. Only three texts do not include any fines at least partially payable to the king: 16; 28; 31.

[80] Goodman (1991), in particular, remarked that the Babatha archive shows how the Nabataean Kings were willing to enforce contracts. See also Freeman (1996), 103. The role of dating formulae to contextualise and legitimise documents and the implications of this process are discussed further above, 2.2.1.

[81] On the political position and self-representation of kings and princes, see above, 2.2.1.

[82] See Cotton and Eck (2005), 23-4, who make this point with reference to the provincial governor and his assize-tour. See further below, 3.3.1.

We have a substantial body of legal texts from the Nabataean Kingdom, both on stone and parchment, that can give us an insight into local legal practice. Strabo, in his description of the kingdom, relays Athenodorus' impressions of the legal framework as a whole:

> γενόμενος γοῦν παρὰ τοῖς Πετραίοις Ἀθηνόδωρος, ἀνὴρ φιλόσοφος καὶ ἡμῖν ἑταῖρος, διηγεῖτο θαυμάζων· εὑρεῖν γὰρ ἐπιδημοῦντας ἔφη πολλοὺς μὲν Ῥωμαίων, πολλοὺς δὲ καὶ τῶν ἄλλων ξένων· τοὺς μὲν οὖν ξένους ὁρᾶν κρινομένους πολλάκις καὶ πρὸς ἀλλήλους καὶ πρὸς τοὺς ἐπιχωρίους, τῶν δ᾽ ἐπιχωρίων οὐδένας ἀλλήλοις ἐγκαλοῦντας, ἀλλὰ τὴν πᾶσαν εἰρήνην ἄγοντας πρὸς ἑαυτούς.[83]

> "At any rate, Athenodorus, a philosopher and companion of mine, who had been in the city of the Petraeans, used to describe their government with admiration, for he said that he found both many Romans and many other foreigners sojourning there, and that he saw that the foreigners often engaged in lawsuits, both with one another and with the natives, but that none of the natives prosecuted one another, and that they in every way kept peace with one another."

Athenodorus here describes a well-used and well-organised legal framework, with which both Nabataeans and foreigners could engage.[84] Extant legal texts support this presentation. Whilst their very existence is testament to the state's willingness to enforce contracts, the repeated use of formal legal language and the practice of keeping copies of legal texts are indicative of a coherent system of arbitration and enforcement.[85]

Certain phrases or clauses are frequently repeated in the Nabataean documents from Hegra and Naḥal Ḥever.[86] For instance, the two Nabataean documents of sale from AD 99 both include an investiture clause handing complete power over the property to the purchaser.[87] The clause gives the purchaser the right to "buy and to sell, and to pledge and to

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[83] Strabo 16.4.21.
[84] On this passage, see Negev (1977), 552-5.
[85] Healey (2005a), 137-8 discusses the practice of keeping copies of inscribed legal texts and the legal importance of the texts from Hegra in particular. One of the tomb inscriptions, Healey (1993a), no.36.9, from AD 31/32, references a "copy of this deposited in the temple of Qaysha" (nṣḥt dnh yhyb [bb]yt qyš' byrḥ). The practice of archiving copies of legal texts is also known from *provincia Arabia*: Babatha's return for the census of Arabia in AD 127 is labelled as a "Verified exact copy of a document of registration which is displayed in the basilica here" (ἐγγεγραμμένον καὶ ἀντιβεβλημένον ἀντίγραφον πιτακίου ἀπογραφῆς προκειμένης ἐν τῇ ἐνθάδε βασιλικῇ; *P Yadin* 16.1-2, cf. *P Ḥever* 62.1-2). Similarly, a document of minutes from a meeting of the Petra city council, AD 124, had a copy in the temple of Aphrodite in Petra (*P Yadin* 12.1-3). In Edessa, a Greek subscription to a Syriac document of sale attests to the "superintendent of the sacred and civic archives" (ὁ ἐπὶ τοῦ ἱεροῦ καὶ τοῦ πολειτικοῦ μ(α)ρ(τυρῶ); *P Dura* 28.27-8). Practical aspects of Nabataean legal documents are discussed further below, chapter 3.2.2.
[86] They are discussed in more detail below, chapter 3.2.2.
[87] On this so-called *kyrieia* clause, see Healey (2005a), 137; Greenfield (1974), 69-70.

bequeath, and to grant as gift, and to do with these purchases all that he wishes."[88] One of the tomb inscriptions at Hegra, from AD 16/17, also includes such a clause: "he gave this tomb to Amah … that she might do with it whatever she wishes."[89] The use of formulaic phrases such as these, which clearly communicated legal prerequisites and stipulations, mean that the documents could be easily checked and their stipulations enforced in the event of disputes.

We have some indications of the local authorities that enforced these documents. The tomb inscriptions from Hegra mention a number of recipients other than the king that seem to have been involved in enforcing fines.[90] This is certainly the case with the 'strategos who is in Hegra' mentioned in an inscription from AD 63/64:

> *wkl 'nwš dy yzbn kpr' dnh 'w ytktb lh bh mwhbh p'yty 'mh*
> *l'strg' dy hw' bḥgr' sl'yn 'lp ḥrty wlmr'n' mnkw mlk' kwt* [91]

> "And anyone who sells this tomb or writes for himself regarding it a deed of gift shall be liable to the *strategos* who is in Hegra in the sum of a thousand Haretite selas and to our lord King Maliku for the same amount."

This *strategos*, as I have already discussed above, must be a local authority of some sort.[92] He is due to receive the same proportion of the fine as the king and appears before the king in the text.[93] It seems likely that this *strategos* was an important local official who had some responsibility in enforcing contracts.

Another text from the site, dating to 1 BC/AD, stipulates that another official of sorts, a religious functionary (*'pkl'*), should receive part of the fine:

> *... wmn dy l' y'bd kdy 'l' ktyb p'yty 'mh*
> *ldwšr' whblw wlmnwtw šmdyn 5 wl'pkl' qns*
> *sl'yn 'lp ḥrty bl'd mn dy ynpq bydh ktb mn yd*

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[88] *P Yadin* 2.9. See also the very similar formulation in *P Yadin* 3.10. On this clause, see further, with bibliography, below, 3.2.2.

[89] Healey (1993a), no.27. This parallel is noted particularly by Healey (2005a), 138. The language used in the two clauses is remarkably similar: the document from AD 99 uses *kl dy yṣbh* ("whatever he wishes") and the inscription uses *kl dy tṣb'* ("whatever she wishes").

[90] The fines stipulated in Healey (1993a), nos.5 and 9 are only payable to Aretas. nos.1; 19; 30; and 36 are payable to Dushara and Aretas. 28 and 31 are payable to Dushara alone. 12 is payable to a Tadhay and Aretas. 16 is payable to Dushara, Hubalu, Manotu and a priest. 34 is payable to Dushara, Manotu, and Rabbel II. 38 is payable to the '*strategos* who is in Hegra' and Maliku.

[91] Healey (1993a), no.38.7-8. Adapted translation.

[92] See further above, 2.2.3.

[93] This is noted particularly by Healey (1993a), 236. The decisions of who to include in these formulations taken by the writers of these texts are discussed further below, 3.2.2.

kmkm 'w klybt brth bkpr' hw pqym ktb' hw [94]

"And whoever does not act according to what is written above shall be liable to Dushara and Hubalu and to Manotu in the sum of 5 *shamads* and to the priest for a fine of a thousand Haretite selas, except that whoever produces in his hand a document from the hand of Kamkam or Kulaybat, her daughter, regarding this tomb, this document will be valid."

The Nabataean word *'pkl'* has been linked to the Akkadian *apkallu* and thus could be translated as "expert", or "priest".[95] It is not certain precisely what implications the word has in the Nabataean dialect, but we can be sure that it refers to a religious functionary of some sort.[96]

This text demands two fines: one of 5 *shamads* to three divine names, Dushara, Hubalu, and Manotu, and another of a thousand Haretite selas to the priest.[97] The fine of a thousand Haretite selas is relatively common amongst the tomb inscriptions on the site; the text from AD 63/64 quoted above, for instance, mandates two fines of a thousand Haretite selas, one payable to the *strategos* and the other to the king.[98] The priest seems to have been an important figure, equivalent to the *strategos* mentioned above, in the administration of this fine and the enforcement of this legal text.[99]

Alongside this priest, the inscription details fines payable to the divine figures Dushara, Hubalu, and Manotu. This is the only inscription from Hegra in which the fine was payable to this particular combination of gods, but divine names, Dushara in particular, often appear as the recipients of fines in these texts.[100] There are few parallels to this sort of text, but a Nabataean inscription from the 'Temple of the Winged Lions' in Petra, from AD 28/29, seems to be relevant here:

mh dy y't' lh mn ksp wdhb wqrbwn wzwn klh wmn ksp' wnḥ[š] ...
wlkmry' plg' 'ḥrn' 'm 'klt' kryz hww qdm dnh pytḥlqwn ...

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[94] Healey (1993a), no.16.7-10. Adapted translation.

[95] See Healey (1993a), 161; Teixidor (1966), 91-3.

[96] The word seems to be more common in Palmyrene or Hatran Aramaic. These parallels are discussed in detail by Healey (1993a), 160-1. See also *DNWSI*, 95-6; Kaizer (2002), 237.

[97] It is not clear what 5 *shamads* entails, whether it means a payment of money or a payment in kind. On this see, with bibliography, Healey (1993a), 159-60.

[98] *Cf.* also Healey (1993a), nos.1; 5; 11; 12; 28; 30; 34; 38.

[99] This is emphasised by Healey (1993a), 161.

[100] Dushara is one of multiple recipients in Healey (1993a), nos.1; 16; 19; 34; 36, and the sole recipient in 28; 31.

'lwhy dy 'bd k'yr kl dy 'l' ktyb pypr' mh dy yštkḥ '[lwhy] …
bywm 'rb'h b'b šnt tltyn wšb' lḥrtt mlk nbṭw rḥm 'mh wtw …[101]

"Whatever comes to him from silver and gold and offerings and all provisions, and from silver coin and bronze coin … and to the priests the other half with the food, as they were before this (person), so that they are divided … against him that he has done other than all that which is written above, he will pay whatever will be found against him … on the fourth of Ab, year 37 of Haretat, king of the Nabataeans, who loves his people. And …"

This fragmentary text seems to give a set of instructions to the priests – referred to with the more typical *kmry'* – regarding offerings given to the temple.[102] In this, albeit incomplete, inscription, offerings given to the temple are divided with at least some of them going directly to the priests themselves. I think it is likely that a similar sort of organisation is behind the divine names in the inscriptions from Hegra. The gods are most likely representative of temples or religious groups who received the fines and enforced the stipulations of these texts.[103]

The inscriptions from Hegra appeal to the authority of a number of different groups: the king, who might be represented locally by an official; temples or groups of religious personnel; and a *strategos*. The variety of different groups involved in enforcing fines in these documents suggests that there was a degree of choice as to which authorities were entrusted with the task.[104] All three of these groups seem to have had the authority to enforce restrictions on the use of the tombs.

Whilst we do not have similarly informative legal documents from other kingdoms and principalities, literary sources give us multiple perspectives on local judicial authority in the Herodian Kingdom. Josephus, as part of his invaluable account of infrastructure and society in Galilee, describes the arrangements he made for legal administration in some detail:[105]

συνιδὼν δ᾽ ὅτι τοὺς μὲν δυνατοὺς οἰκειώσεται μεταδιδοὺς τῆς ἐξουσίας αὐτοῖς, τὸ δὲ πᾶν πλῆθος, εἰ δι᾽ ἐπιχωρίων καὶ συνήθων τὰ πολλὰ προστάσσοι, τῶν μὲν γηραιῶν

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[101] Jones (1989); Hammond *et al.* (1986).
[102] On the Nabataean *kmr* ("priest"), see *DNWSI*, 515-6.
[103] See Alpass (2013), 138; Healey (1993a), 47-8.
[104] This aspect of choice in writing these texts is discussed further below, 3.2.2.
[105] For Josephus' view of village life in general see above 2.2.4.

ἑβδομήκοντα τοὺς σωφρονεστάτους ἐπιλέξας ἐκ τοῦ ἔθνους κατέστησεν ἄρχοντας ὅλης τῆς Γαλιλαίας, ἑπτὰ δ᾽ ἐν ἑκάστῃ πόλει δικαστὰς τῶν εὐτελεστέρων διαφόρων· τὰ γὰρ μείζω πράγματα καὶ τὰς φονικὰς δίκας ἐφ᾽ ἑαυτὸν ἀναπέμπειν ἐκέλευσεν καὶ τοὺς ἑβδομήκοντα.[106]

"[Josephus] realised that he would conciliate the leaders by associating them with him in his authority, and the people at large, if his orders were in the main given through the medium of their local acquaintances. He, therefore, selected from the nation seventy persons of mature years and the greatest discretion and appointed them magistrates of the whole of Galilee, and seven individuals in each city to adjudicate upon petty disputes, with instructions to refer more important matters and capital cases to himself and the seventy."

Josephus' account describes his actions whilst governing Galilee during the revolt. The brief and exceptional nature of his command raises an important question: to what extent is the arrangement shown here representative of wider practice in the Herodian Kingdom.

Josephus' presentation in this passage contrasts with his other account of Galilean administration in his *Life*. In this later text, Josephus states that he took the administrators of Galilee, of whom there happened to be seventy, hostage and employed them as a court.[107] There is no mention of the local courts in the *Life*. The distinction between the two accounts is important: whilst the *Jewish War* presents his judicial arrangements as a coherent strategy, the *Life* describes them largely as the product of happenstance.[108] The constitution presented in the *Jewish War* seems to represent an ideal rather than reality. In the *Jewish Antiquities*, he attributes the practice of appointing seven judges to each local court to Moses, including it in a list of commands given by the prophet to the Jews.[109] The higher court, comprising of seventy-one including Josephus, contains the same number as the council of elders constituted in the time of Moses and the same number as was later enshrined as the 'Great Sanhedrin'

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[106] Jos. *BJ* 2.570-1.

[107] *Vit.* 79.

[108] This distinction is articulated well by Tessa Rajak (1983), 160: "It is a fusion of the two representations – the aspirations to order embodied in the *War* and the underlying anarchy exposed in the *Life* – which brings us close to grasping the real situation in Galilee. If the *War* shows what Josephus tried to make of things, the *Life* reveals how many obstacles stood in the way." See Rajak (1983), 158-60; Cohen (1979), 208. Mason (2016a), 352-8, discusses discrepancies between the *Jewish War* book 2 and the *Life* more broadly.

[109] *AJ* 4.214. Boards of seven judges do not appear specifically in Hebrew Scriptures. *Deut.* 16:18 stipulates that judges should be appointed in each city, but it does not specify a number. It does appear in later rabbinic literature: *b.Meg.* 26a refers to the seven 'good citizens of the town' (טובי העיר). See Goodblatt (1994), 114 and the note to *AJ* 4.214 in Feldman (2000), 408. For Josephus' treatment of Moses more generally, see Feldman (1998), 374-442.

(סנהדרין גדולה) in rabbinic literature.[110] Josephus' arrangement of Galilee, as described in the *War*, seems to represent an ideal of priestly oligarchy over the Jews.

He also seems to draw heavily on ancient Judaean principles of judicial practice. The book of *Deuteronomy* frequently shows legal decisions being made by 'elders of the '*ir*' (העיר זקני).[111] This practice seems to be paralleled by Josephus, who depicts a court of seventy selected from old men (οἱ γηραιοί) and establishes seven judges in each *polis* (ἑπτὰ δ᾽ ἐν ἑκάστῃ πόλει δικαστὰς). The type of settlement Josephus presents here is open to interpretation. Whilst עיר and πόλις are both usually translated as 'city', their implications are different. As I have discussed above, an עיר ('city') is distinguished from a כפר ('village') by virtue of its walls, and a πόλις ('city') is distinguished from a κωμή ('village') by its magistrates and city council.[112] I think it is unlikely that Josephus is referring to *poleis*, as we might define the term, when he describes how he established seven judges in each city. Throughout his description of his leadership in Galilee, Josephus tries to portray himself, and the rest of the Judaean ruling class, remaining loyal to Judaea and Judaean tradition.[113] It seems unlikely that he would tie the authority of these local judges to the Greco-Roman *polis*.[114] It would also be odd, given that there were only two cities in Galilee at the time, Sepphoris and Tiberias, for Josephus to describe himself establishing judges in 'each' (ἕκαστος) city rather than 'both' cities. It seems much more likely that Josephus uses *polis* rather than *kome* to differentiate between more and less important villages. His presentation of Galilee at this time emulates Judaean principles of local judicial practice; it is difficult to take this presentation as the contemporary reality.

We get a different perspective from the Gospels of Matthew and Luke. They envisage a single leader as judge and arbitrator. In these Gospels, Jesus refers to *kritai* ("judges") that

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[110] For the council of Moses: *Num.* 11:16. For the 'Great Sanhedrin': *m.Sanh.* 1:6. Josephus reports that the Zealots in Jerusalem established a council of seventy (*BJ* 4.336). See *HJP* 2.211.
[111] For instance, see *Deut.* 19:12; 21:2; 22:15; 25:7. *Deut.* 22:15-9, in particular, shows the 'elders of the city' performing a judicial role. See *HJP* 2.184-8; Goodman (1987), 70-3.
[112] See above, 2.2.4 for כפר/עיר and 2.1.2 for πόλις/κωμή. This is emphasised by Cotton (1999b), 82-3.
[113] On these aims in the *War* in general, see Landau (2006), 106-13; Cohen (1979), 84-100.
[114] Although it should be recognised that, whilst the cities of Galilee were certainly *poleis*, they were recognised as Judaean civic spaces. See above, 2.2.2.

are portrayed as having unilateral power in their communities. For instance, when addressing the issue of murder in the sermon on the mount, Jesus reportedly said:

ἴσθι εὐνοῶν τῷ ἀντιδίκῳ σου ταχὺ ἔως ὅτου εἶ μετ᾽ αὐτοῦ ἐν τῇ ὁδῷ, μήποτέ σε παραδῷ ὁ ἀντιδικος τῷ κριτῇ, καὶ ὁ κριτὴς τῷ ὑπηρέτῃ, καὶ εἰς φυλακὴν βληθήσῃ.[115]

"Settle matters quickly with your adversary who is taking you to court. Do it while you are still together on the way, or your adversary may hand you over to the judge, and the judge may hand you over to the officer, and you may be thrown into prison."

In this way, the *kritai* are portrayed as individuals with unilateral power seemingly without oversight.[116] We know little about these judges as they are always referred to, as in the passage above, in abstract terms.[117] In none of the references to these judges are they linked to a particular community or settlement.

Neither Josephus nor the Gospels seem to provide a clear model for local arbitration and enforcement in Herodian Palestine. Whilst Josephus presents an idealised picture derived from Hebrew Scriptures, his emphasis on the role of village communities is plausible. Villages seem the likely fora for local judicial practice.[118] As I have described at length above, the village was the most prevalent and important means of settlement in Herodian Palestine.[119] We cannot necessarily attribute villages with the complex organisation we see in the provincial period, but they are credited with administrative roles over districts called toparchies under Herodian rule. Either this role as the administrative centres of toparchies or their social importance more generally might have led to villages acting as fora for local arbitration and enforcement. This practice may have been very informal, following ancient Judaean practice whereby town 'elders' would make such decisions, or it may have been more formal like the boards of judges described by Josephus or the lone judges mentioned in the Gospels. It is difficult to make any definite conclusions, but it would be surprising if there was not some sort of local legal framework based in villages in Herodian Palestine.

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[115] *Matt.* 5:25.
[116] On these in general, see Sherwin-White (1963), 133-4.
[117] See also *Luke* 12:58; 18:2. These reservations are expressed well by Goodman (1987), 70.
[118] This attitude is, most notably, taken by Cotton (2002b), 20, with reference to provincial Judaea.
[119] For the wider importance and role of villages in kingdoms and principalities see above, 2.2.4.

In conclusion, we have, albeit often patchy, evidence for judicial authority on multiple levels. Kings and princes seem to have had legal authority in keeping with their political position: they had wide-ranging powers to try and convict in their territory subject to Roman approval. At a local level, authority seems to have been vested in whatever local institutions were important and at hand. In Nabataea, local officials as well as temples or religious groups were available for enforcement and arbitration. In Herodian Palestine, these responsibilities were most likely undertaken by village communities. The majority of local judicial practice was most likely informal.

3.2.2. Interaction

In this section, I examine the way in which litigants interacted with legal frameworks in kingdoms and principalities. There is very little evidence for this interaction under dynastic rule, but we do have a small number of significant documents from Nabataea and Edessa. Legal documents in these regions were important and functional texts; litigants included formulaic legal phrases in the expectation that the texts would be checked and enforced. Extant legal texts suggest that those seeking arbitration or enforcement were able to choose between multiple legal authorities. In what follows I examine the way in which legal documents were presented and how they operated within the legal framework of kingdoms and principalities.

We have relatively few documents from kingdoms and principalities. Whilst a number of texts found in the Judaean desert have been palaeographically dated to the Herodian period, we cannot certainly attribute them to the Herodian Kingdom.[120] One text in particular, a deed of sale dated palaeographically to the late Herodian period, illustrates the issues associated with this material well.[121] Cotton, Cockle, and Millar date it to somewhere

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[120] See Cotton, Cockle, and Millar (1995), nos.219-29.
[121] *P Ḥever* 9.

between the turn of the first century and AD 66.[122] The document gives us no indication of the political context in which it operates: it is not dated by either a Herodian or a Roman era nor does it mention any recognisable authority. Whilst this is, in itself, an interesting and noteworthy aspect of the document, it tells us little about legal administration in either kingdoms or provinces as it does not engage with either political context. In this investigation, we are limited to legal documents that can be attributed to one context or the other.

The way in which legal documents present themselves as operating under dynastic or provincial rule has been discussed at length above, but a few points can be usefully emphasised here.[123] Extant legal texts from Nabataea and Edessa define their force by the dynastic context in which they were produced. They do this in three main ways: they are typically dated by the regnal year, including standard honorific titles and epithets for the king and his family; they are often written in a local Aramaic dialect; and the king's authority is sometimes explicitly called on to enforce fines or contract stipulations. The texts are explicitly attached to the king's authority with the expectation that, within this political context, their stipulations will be enforced.

The Babatha and Middle Euphrates archives, both of which span the annexation of kingdoms into provinces, demonstrate how litigants were able to adapt their documents in response to a change in administration.[124] Texts produced shortly after the imposition of provincial rule define themselves in terms of the new administration, representing a change in both form and content from documents written under dynastic rule. Litigants seem to have been acutely aware of the political context in which they operated; they adapted various aspects, both formal and substantive, of their documents to suit the administration. The way in which litigants presented legal texts reflected the framework to which they were appealing. In what follows, I examine the legal terminology litigants used to achieve their aims and what this can tell us about arbitration and enforcement in Nabataea and Edessa.

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[122] Cotton, Cockle, and Millar (1995), 226.
[123] See above 2.2.1; 2.3.1.
[124] This is discussed in detail in chapter 2.3.1.

The formulaic use of so-called *kyrieia* or investiture clauses – handing power over property to another – in documents from kingdoms and principalities is mentioned briefly above.[125] Two Nabataean documents of sale from AD 99 both include such a clause:[126]

'by'dn [d' š]y ḥrṣ dmyn [...]n gmryn bšlyn ḥlṭyn l'lmyn lmqn' wl[zbn]h wlmrhn wlmnḥl wlmntn wlm'bd bzbny' 'lh kl dy yṣbh [127]

"[This (same)] 'Abi-'adan, [the fixed sale pri]ce in funds. (These are) […]… at full value, mature and beyond release forever. (The right) to buy and to sell, and to pledge and to bequeath, and to grant as gift, and to do with these purchases all that he wishes."

lmqn' wlzb<n>h [wlmrhn wlmnḥl wlmn]tn wlm'[bd bzbny' 'lh kl dy yṣbh šm'wn dnh mn ywm [128]

"(The right) to buy and to sell, [and to pledge, and to inherit and to gr]ant as gift, and to d[o with these purchases all that he wishes (accrues to) this (same) Shim'on from the day."

The same language appears on a tomb inscription from Hegra, AD 16/17:

dnh kpr' dy 'bd tym'lhy br
ḥmlt lnpšh wyhb kpr' dnh l'mh
'ntth brt glhmw mn zmn šṭr
mwhbt' dy bydh dy t'bd bh kl dy tṣb'
mn 26 b'b šnt 25 lḥrtt mlk nbṭw
rḥm 'mh [129]

"This is the tomb which Taymallahi son of Hamilat made for himself. And he gave this tomb to Amah, his wife, daughter of Gulhumu, from the date of the deed of gift which is in her hand, that she might do with it whatever she wishes. From the 26th of Ab, the 25th year of Haretat, King of the Nabataeans, lover of his people."

All three of these texts include a transfer of property and use a variant of this legal phrase to achieve it: *lm'bd ... kl dy yṣb'* in the first extract; *lm'bd ... kl dy yṣbh* in the second; and *t'bd bh kl dy tṣb'* in the third. Parallels to this Nabataean phrase appear from across the Near East. A recent study by Andrew Gross evaluates these clauses in conjunction with Aramaic parallels: he concludes that the Nabataean clauses, whilst distinct, share many

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[125] See above, 3.2.1.
[126] On the clauses in these documents in particular, see Esler (2017), 128-9.
[127] *P Yadin* 2.9. *Cf.* also 30-1.
[128] *P Yadin* 3.10. *Cf.* also 33.
[129] Healey (1993), no.27.

elements of structure and terminology with well established Aramaic legal traditions.[130] Cession documents appear frequently in Palmyra, which, although the legal phrases themselves are somewhat different, use formulaic language to achieve the same legal aim.[131]

The tomb inscriptions at Hegra repeat another legal phrase indicating the fine payable if the stipulations of the text are not followed. With some variation, the phrase *mn dy y'bd k'yr mh dy 'l' ktyb p'yty 'mh l...* ("whoever does other than what is written above shall be liable to...") appears frequently in the corpus.[132] Such phrases are an important part of the texts: they stipulate the punishment for contravening the restrictions on the tombs. As John Healey has pointed out, there are notable parallels to this legal phrase detailing punishments.[133] Particularly striking is a Hebrew contract from AD 134, which closely parallels the Nabataean statement of liability: רשה לא איתי לך עמי ("you shall have no claim on me").[134]

Similarly formulaic language is used in the description of property in the Nabataean documents from Naḥal Ḥever. The two Nabataean sale contracts from AD 99 discussed above describe the property under sale in terms of its abutters:

> *w'lh tḥwmyh lmdnḥ' 'dḥ' wlm'rb' bty tḥ' brt 'bdḥrtt wlymyyn' 'r' mr['n]' rb'l mlk'
>   mlk*
> *nbṭw dy '[ḥy]y wšyzb 'mh [wl]šm'l' rqq' ggt' hy klh bkl tḥwmyh wkl dy 'yty l'by'dn
>   d' bh mn ṣdq wrwšw wtḥwm wḥlq wtqp* [135]

> "And these are its boundaries: to the east: the road; and to the west: the houses of Taḥa', daughter of 'Abad-Ḥaretat; and to the south: the land of [ou]r lor[d], Rab'el the King, King of the Nabataeans – who has brought [li]fe and deliverance to his people; [and to] the north: the swamp. That plantation, in its entirety, within all its boundaries, and all that belongs to this (same) 'Abi-'adan within it, but entitlement and jurisdiction, according to boundary and share, and valid document."

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[130] See Gross (2008), 92-150. See also Gross (2013), 141-9; Healey (2005a), 137; (1993a), 181; Greenfield (1974), 69-70.
[131] These are mentioned, with bibliography, above, 3.2.1.
[132] This quotation comes from Healey (1993a), no.1.6-7. There are a couple of notable variations to this phrase in the tomb inscriptions from Hegra. No.30 has a much more definite stipulation in its punishment clause: *w'yty 'm kl mzbn yth ldwšr*; "And anyone selling it will be liable to Dushara." In nos.31.7 and 34.11, *'m* is replaced by *'l*: *wmn dy y'bd k'yr dy 'l' ktyb p'yty 'lwhy kpl dy 'tr' dnh klh wl'nt dwšr wmnwtw* (31.7; "And whoever does anything other than what is written above shall be liable for double the price of this whole burial place and for the curse of Dushara and Manotu").
[133] See Healey (1993a), 76.
[134] Milik (1954), 182-90, l.5.
[135] *P Yadin* 2.4-5. *Cf. P Yadin* 2.23-7; 3.4-5; 25-7.

As the editors of these documents have discussed at length, the definition of property in terms of abutters and boundaries is common in Aramaic documents from across the Near East.[136] The term *tḥwm*, used for "border" or "boundary", appears both in Nabataean and other Aramaic documents.[137]

Extant documents from Edessa are no less formulaic. John Healey has undertaken a comprehensive study of the legal aspects of the loan transfer from Edessa, AD 240, which I will not repeat here.[138] The document served to transfer a debt from one creditor to another. It leaves us in little doubt of its legal purpose and force, including declarations and subscriptions from all relevant parties. Of particular interest is the declaration that the agreed payment had been made:

> *tnn qblt mnh dwrwd dynr' hlyn m'' wḥmšyn dqr'* [139]
>
> "I [Ba'ishu, son of Abgar] have received from Worod these one hundred and fifty denarii which he [Sha'idu] was demanding."

In this sale of debt a certain Ba'ishu, son of Abgar, is acting on behalf of his master, Sha'idu, who is illiterate. This phrase acknowledges the receipt of payment for the debt.[140] The presence of legal formulae such as this leaves us in no doubt that the document was a functional legal text that was expected to be checked and enforced.

As detailed studies of legal terminology in these texts have already been made, I do not seek to provide a comprehensive inquiry here.[141] The overview I have given, however, illustrates two points important for the study of arbitration and enforcement in kingdoms and principalities. Firstly, it gives us an idea of what these texts were used for. The use of formulaic phrases with clear legal functions, repeated almost verbatim across a number of similar documents, indicates that they were functional legal texts whose authors expected

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[136] Yadin *et al.* (2002), 7-8; 219. See also Porten (2000); Levine (1975b), 48-53.

[137] For instance, *P Yadin* 7, an Aramaic deed of gift from AD 120 uses the same term and describes property using boundaries and abutters.

[138] Healey (2008). On this document, see also Ross (1993); Brock (1991); Teixidor (1990).

[139] *P Mesop.* A.22.

[140] On such clauses in the Aramaic tradition, see Gross (2008), 46-91.

[141] Bibliography on specific documents is included above. On the law in these documents see, in general, Healey (2005a); (2005b).

them to be checked and enforced. The repeated clauses with little variation allow for the stipulations of a certain text to be easily understood within the appropriate legal context. The physical form of these documents allows for further scrutiny. Most of the documents from Nabataea and Edessa were also 'double documents', which consisted of an upper text and a sealed lower copy that could be checked to ensure the upper version had not been altered.[142] We are also given some indications that copies of documents were kept: one of the tomb inscriptions from Hegra refers to a copy kept in the 'temple of Qaysha'.[143] The content and form of the extant legal documents from Nabataea and Edessa suggest that litigants made them in the expectation that they would be legally binding and could be scrutinised in the event of a dispute.

Secondly, the overview of legal terminology illustrates the link between the documents discussed here and the wider Aramaic legal tradition.[144] In order to appeal to legal authorities in Nabataea and Edessa, litigants used local Middle Aramaic dialects and drew on language from Aramaic legal traditions. The legal documents discussed here, and the way in which they were composed, further link the dynasties of Nabataea and Edessa with particular Middle Aramaic dialects, Nabataean and Syriac, and the wider linguistic, legal, and political culture that comes with them. In much the same way as the documents written to appeal to provincial administration are decidedly Greco-Roman, these documents give us an insight into the distinct cultures of Nabataea and Edessa and how they affected the practice of arbitration and enforcement.

Another important question relating to the tomb inscriptions at Hegra should be dealt with here: why are the fines stipulated in the texts payable to different groups? In the previous section, I addressed one aspect of this issue, identifying the main groups to whom fines were payable.[145] The fact that different legal authorities could be called upon to enforce these

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[142] On the use of 'double documents' in the Roman Near East, see Oudshoorn (2007), 22-4; Meyer (2004), 187-202; Cotton (2003).

[143] Healey (1993a), no.36.9: *nsḥt dnh yhyb [.bb]yt qyš' byrḥ* ("a copy of this deposited in the temple of Qaysha"). This practice is discussed in further detail above, 3.2.1.

[144] On which, see, in particular, Gross (2013); (2008); Healey (2005b).

[145] See above, 3.2.1.

contracts is important in itself. In what follows, I shall discuss this practice and the choices owners of tombs made to ensure legal protection.

In the corpus of tomb inscriptions at Hegra, thirteen texts stipulate a fine for those who break the restrictions. The table below shows the recipients listed in the tomb inscriptions and the fine demanded:

Inscription[146]	Recipients of fine	Amount
1 (AD 4/5)	Dushara and Aretas	1000 selas each
5 (AD 31/32)	Aretas	1000 selas
9 (AD 35/36)	Aretas	2000 selas
11 (AD 34/35)	Aretas	1000 selas
12 (AD 34/35)	Tadhay and Aretas	100 selas each
16 (1 BC/ AD)	Dushara, Hubalu, Manotu, an *'pkl'*	5 *shamads* to Dushara, Hubalu, and Manotu. 1000 selas to a religious functionary.[147]
19 (AD 26/27)	Dushara and Aretas	3000 selas each
28 (uncertain)[148]	Dushara	1000 selas
30 (AD 7/8)	Dushara and Aretas	1000 selas each
31 (uncertain)[149]	Dushara	Double the price of the tomb and 1000 selas[150]
34 (AD 71/72)	Dushara, Manotu, Rabbel	1000 selas to Dushara and Manotu; 1000 selas to Rabbel
36 (AD 31/32)	Dushara and Aretas	500 selas each
38 (AD 63/64)	The '*strategos* in Hegra' and Maliku	1000 selas each

Looking at the corpus as a whole, there seems to be little correlation between the fines, dates, and recipients. No recipient or group of recipients consistently warrant a greater fine nor was there any notable increase in fines over time.

The smallest fine, of a total of two hundred selas, appears on an inscription (no.12) from AD 34/35 payable to Tadhay and Aretas. The tomb is unusual as, whilst the tombs

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[146] All references refer to texts published in Healey (1993a).

[147] It is not clear what the fine of 5 *shamads* entails. See, with bibliography, Healey (1993a), 159-60. On the religious functionary, see the discussion above, 3.2.1.

[148] Healey (1993a), 195 estimates a date between AD 19/20 and AD 39/40.

[149] Healey (1993a), 211 dates the inscription to 1 BC/AD – AD 10/11.

[150] This inscription is unusual in having two fines. One using the common formula discussed above: *mn dy y'bd k'yr dy 'l' ktyb p'yty 'lwhy kpl dmy 'tr' dnh klh wl'nt dwšr wmnwtw* ("(And whoever) does other than what is written above shall be liable for double the price of this whole burial-place and for the curse of Dushara and Manotu"; 6-8). This first fine does not specify a recipient. Fines based on the value of the tomb are found elsewhere in the corpus (8). There is little indication what 'the curse of Dushara and Manotu' entails. It draws on divine punishment in much the same way as the 'death of the god' found in inscriptions from Hatra. On which, see Kaizer (2006). The second fine is more specific: *kl mn dy yt'lp bkpr' dnh 'w y'yr mn kl dy 'l' p'yty 'mh ldwšr' sl'yn 'lp ḥrty* ("And anyone who draws up for himself (a document) regarding this tomb or alters anything of what is above will be liable to Dushara in the sum of a thousand Haretite selas"; 10-1).

typically had legal texts barring entry on the façade, a second text (no.11), demanding a

different fine, was found inside. I will quote both of these important texts in full:

dnh kpr' dy 'bdw wšwḥ brt bgrt
wqynw wnškwyh bnth tymnyt' lhm klh
klh wl'myrt w'ṣr'nt w'l'lt 'ḥwthm bnt
wš<w>ḥ d' wlgryhm klh dy ytqbrwn wšwḥ wbnth
dy 'l' wgrhm klh bkpr' dnh pqym 'l
wšwḥ wbnth 'lh wgrhm klh dkr' wnqbt' dy
l' yz<b>nwn wl' ymšknwn wl' y'yrwn mn wgr'
dnh l'nwš klh wd[y y]šn' mn dy 'l dy 'l
p'yty 'mh ltdhy sl'yn m'h ḥrty
wlmr'n' ḥrtt mlk' kwt byrḥ 'yr šnt
43 lḥrtt mlk nbṭ[w] rḥm 'mh
ḥlp'lhy psl' 'bd [151]

"This is the tomb which Wushuh daughter of Bagrat and Qaynu and Nashkuyah, her daughters, Taymanites, made for themselves, each one, and for Amirat and Usra'nat and Al'alat, their sisters, daughters of this Wushuh, and for those under their protection, every one, that Wushuh and her daughters mentioned above and all those under their protection might be buried in this tomb. And it is incumbent on Wushuh and these daughters of hers and all those under their protection, male and female, not to sell or give in pledge or alter anything of this rock-tomb for (in favour of?) anyone. And whoever changes anything of what is on what is above will be liable to Tadhay in the sum of a hundred Haretite selas and to our lord King Haretat for the same amount. In the month of Iyyar, the 43rd year of Haretat, King of the Nabataeans, lover of his people. Halafallahi, the mason, made it."

dnh gwḥ' dy 'bdt wšwḥ brt
bgrt lnpšh bgw wgr' dy lh wlbnth
mn dy ytptḥ yth 'w ynpq yth
mn gwḥ' hw l'lm p'yty 'mh lmr'n'
ḥrtt mlk nbṭw rḥm 'mh sl'<y>n 'lp ḥrty
wl'n dwšr 'lh mr'n' w'lhy' klhm
mn dy ynpq wšwḥ d' mn gwḥ' d<n>h l'lm
wśhd bdnh l'nt dwšr' w'lhy' klhm
wd' bywm 10 b'b šnt 43 lḥ<r>tt
mlk nbṭw rḥm 'mh [152]

"This is the burial-niche which Wushuh daughter of Bagrat made for herself within the rock-tomb belonging to her and her daughters. Whoever opens it for himself or removes her from this burial-niche for ever shall be liable to our lord Haretat, King of the Nabataeans, lover of his people, in the sum of a thousand Haretite selas. And may Dushara, the god of our lord, and all the gods curse whoever removes this Wushuh from this burial-niche for ever. And may the curse of Dushara and all the gods bear witness to this. And this was on the 10th day of Ab, the 43rd year of Haretat, King of the Nabataeans, lover of his people."

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[151] Healey (1993a), no.12.
[152] Healey (1993a) no.11.

The first inscription, from the tomb façade, was completed a few months before the second, from the burial-niche. There are two notable differences between the texts. The outer text commands a much smaller fine, of a total of 200 selas payable to Tadhay and Aretas, than the inner text, which demands 1000 selas payable to Aretas alone. The second difference is the recognition that the family comes from Tayma further north in the Hijaz. The outer text identifies the family as Taymanites (*tymnyt'*) and demands payment, in part, to the god Tadhai, who has been identified as the god *trh*/*tdh* attested in inscriptions from Tayma.[153] It is the only text from the tomb inscriptions at Hegra that so explicitly links the deceased with another place. As John Healey has pointed out, we cannot be certain that there was a temple or religious group in Hegra linked to Tadhay; this distance may be an explanation for the low fine.[154]

The discrepancies between the two texts can be explained by their different functions. Only the inner text (no.11) provides protection for the tomb and the deceased as it stipulates fines for unlawful usage of the burial-niche. The outer text (no.12) only protects the inscription from misuse. Of the two inscriptions, the outer is unusual – appealing to a god from Tayma, identifying the deceased as Taymanites, and demanding a relatively low fine – but the inner text conforms to what we expect from tomb inscriptions at Hegra – appealing to Dushara and demanding a fine of a thousand selas. The outer text, clearly in view on the façade of the tomb, labels the tomb and identifies the family that owns it. The inner text, which would have been seen far less frequently, conforms to expected norms in its role giving legal protection to the tomb.

For the inner text, Wushuh relies on the legal authority of the king and calls on the protection of "Dushara ... and all the gods."[155] There are a few plausible reasons why she would call on Dushara rather than Tadhay in this more important inner text: she might see the divine protection offered by Dushara to be greater than the local Taymanite deity Tadhay; or she might predict an evocation of Dushara having a greater impact on those who might violate

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[153] See *Quellen* 325-6; Alpass (2013), 122-3; Healey (1993a), 141-2.
[154] Healey (1993a), 47; 142.
[155] As Alpass (2013), 135-6, has emphasised, Dushara is here treated as the supreme god.

the tomb. In order to better protect her tomb, Wushuh evokes a different, more appropriate, deity.[156] She has composed the two inscriptions very differently, in both religious and legal aspects, in accordance with their different functions.

Two other inscriptions from the corpus at Hegra deserve particular mention in this regard. The largest fine of all is found in no.19, dated to AD 26/27. The inscription demands a fine totalling six thousand selas to Dushara and Aretas. It is unusual for the number of restrictions placed on the tomb by the inscriber, a physician called Kahlan. This Kahlan allows no changes to the tomb, even by his descendants, without written permission from him:

> *... 'l kl 'nwš 'ṣdq wyrt dy l'*
> *yzbn qbr' dnh wl' ymškn wl' ywgr wl' yš'l wl' yktb*
> *bqbr' dnh ktb klh 'd 'lm wkl 'nwš dy ynpq bydh ktb mn khln*
> *pqym hw kdy bh ...* [157]

> "It is incumbent on everyone, legal heir and inheritor, not to sell this tomb or give it in pledge or lease it or lend it or write for this tomb any document for ever. And anyone who produces in his hand a document from Kahlan – it shall be valid in accordance with what is in it."

This strict control over the tomb has been characterised as "neurotic" by John Healey.[158] He sees the unusually large fine placed on the security of this tomb as a manifestation of that neuroticism.

Another unusual fine stipulated by a tomb inscription at Hegra requires that five *shamads* be paid to Dushara, Hubalu, and Manotu, and a thousand selas be paid to a religious functionary.[159] This text and these recipients have been discussed at length above, but some further comment should be made about the text here.[160] It includes the legal language common to the corpus of tomb inscriptions at Hegra and, apart from the number of divine

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[156] Such a choice is a common one in a polytheistic setting. A Palmyrene inscription found on the island of Suqutra off the coast of Yemen evokes the "god who resides here" to entreat others coming to the cave, clearly visited often as a sacred site, not to remove his inscription. Here the Palmyrene perhaps does not know what gods are worshipped in that place, but composes his inscription to appeal to the power of the god there and to that god's worshippers in order to get what he wants. For the inscription, see Dridi and Gorea (2003), 48-54. See also Kaizer (2004), 171-2.
[157] Healey (1993a), no.19.3-6.
[158] Healey (1993a), 46.
[159] Healey (1993a), no.16.
[160] See above, 3.2.1.

names appealed to, has relatively few atypical features.[161] The unusual features of this inscription, like the others discussed above, can most likely be attributed to choices made by the owners of the tomb. In this latter example, the owner of the tomb, Kamkam, seems to have placed the protection of her tomb in the hands of religious groups rather than the crown. Kahlan, owner of the tomb with particularly severe restrictions, seems to have arranged a particularly large fine as he was unusually concerned with its security. Wushuh elected to erect two inscriptions: one essentially labelling the tomb and another giving it legal protection. The writers of the tomb inscriptions seem to have been able to entrust the security of their tomb to any number of different legal authorities, including local officials and religious groups.

3.3. In provinces

3.3.1. Implementation

The organisation of legal frameworks in the provinces has received much scholarly attention.[162] Work has focused, in particular, on the judicial role of the governor, who acted as the head of legal frameworks in provinces.[163] More recently, scholars have emphasised the variety of local law and custom in the Empire.[164] Rather than addressing the practice of law in the provinces in general, I shall discuss how the practice of arbitration and enforcement changed after the imposition of provincial rule in former kingdoms and principalities. I shall look first at the judicial role of provincial governors and then at the evidence for local practice. I posit that, whilst governors were the figureheads of legal administration, provincial rule brought with it a strong tradition of local judicial practice based on different institutions than under dynastic rule.

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[161] On the divine names see Alpass (2013), 133-9.
[162] See du Plessis *et al.* (2016); du Plessis (2015); (2013); Eck (2000).
[163] See, in particular, Meyer-Zwiffelhoffer (2002); Burton (1975).
[164] See now Czajkowski (2017); Vervaet (2016); Ando (2016); Humfress (2013a); (2013b); Harries (1999).

The administration of arbitration and enforcement in former kingdoms and principalities was undoubtedly led by provincial governors. Whilst these governors did not embody provincial legal authority in the way that kings did in their kingdoms, they became the figureheads of legal administration.[165] Nowhere is this clearer than in extant legal texts from the newly-created *provincia Arabia*. In the texts found at Naḥal Ḥever, Babatha seeks audience with the governor at assize courts and appeals to his authority alone. Throughout the intense litigation surrounding the guardianship of her son, Jesus, in particular, Babatha treats the governor as the only person able to render judgement on the case.[166] This presentation, of the governor alone making judgements in his province, does not seem realistic; the sheer volume of cases would be impossible for one man to judge.[167] Other legal authorities are conspicuously absent from legal documents: there is little direct evidence for courts in villages, cities, or any other political or social centre in former kingdoms and principalities. Nevertheless, the only reasonable conclusion is that there must have been some sort of other legal authority operating in addition to the court of the governor.

The governor exercised his judicial powers at assize courts. The seminal work on these courts in the provinces is still the classic treatment of Burton, who, dealing primarily with Asia Minor and Egypt, has shown that the assize-tour was common to all the proconsular provinces and was the framework around which the governor's judicial duties were based.[168] More recent studies have approached assize-tours from the litigants' point of view, looking at how they availed themselves of the governor's court.[169] Litigants would petition the governor, or his officials, with a case. The governor would then, if he was willing to hear the case, return his subscription. On receiving this, the petitioner would summon the defendant to the

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[165] The way in which kings embodied legal authority is discussed further above, 2.2.1; 3.2.1.

[166] *P Yadin* 12-5; 27-30 are pertinent to this case. See Cotton (1993); Czajkowski (2017), 48-52; 190-2. *P Yadin* 25; 26; *P Ḥever* 62 all show a similar tendency to treat the governor as the sole legal authority in the province. On this in general, see the excellent article by Cotton and Eck (2005), who refer to the governor's singular role in these documents as an unhistorical 'splendid isolation' (24). See Cotton (2002b), 13-4; Cotton (1998), 171-9; Cotton and Yardeni (1997), 154; Goodman (1991), 172-3, who also comment on the absence of any other courts in these documents.

[167] See Cotton (2007), 236; (2002b), 14; Cotton and Yardeni (1997), 154. *Contra* Schwartz (1999), 210.

[168] Burton (1975). See also Meyer-Zwiffelhoffer (2002); Burton (1996).

[169] See, for instance, Hannah Cotton's work on documents from the Judaean desert: Cotton (2002a); (1999a); (1998); (1997a); (1997b); (1993), or Georgy Kantor's work on Asia Minor: (2014); (2013); (2009); (2008). See also Czajkowski (2017), 166-96; Humfress (2013a); (2011); Bryen (2012). Weaver (2002) discusses the differences between different types of provincial governors.

governor's court.[170] Most of the evidence for assize courts in general comes from Egypt and Asia Minor; there is little direct evidence for assize courts in the Roman Near East, but documents from Naḥal Ḥever indicate such a system: a document of summons from AD 131, for instance, requires the defendant to appear ἐπὶ Ἁτέρον Νέπωταν ... ὅπου ἄν ᾖ ὑπ᾽ αὐτοῦ ὑπαρχεία ("before Haterius Nepos ... whenever he happens to be on his judicial circuit of the province").[171] Both Petra and Rabbathmoab serve as assize court locations in the archive.[172]

The governor did not undertake his judicial duties alone. As Hannah Cotton and Werner Eck have recently shown in a comprehensive study, there was an, albeit limited, bureaucracy around the governor to help with both administrative and judicial functions.[173] They emphasise two sources of legal authority in the provinces other than the governor: imperial procurators and military officials.

As I have discussed in some detail above, procurators fulfilled certain roles in a province independent of the governor's authority.[174] We are particularly well informed of the office of the financial procurator in *provincia Judaea*, who was in charge of all financial matters in the province and had legal authority over cases resulting from them.[175] A document from Caesarea, dated to AD 152, illustrates the judicial role undertaken by the procurator:

... ἀξιοῦντος
Οὐαλερίου Σερήνου οὐετρα-
νοῦ ἀπὸ κώμης Μεάσων τῆς
Περέας παραδεχθῆναι εἰς
τὸν ἀριθμὸν τῶν ἐπακουσάν-
των [συν] ἀναγορείας γενομέ-
νης ἐπὶ Κοϊντιανοῦ, Αἴλιος
Ἀμφιγέθης ἐπίτροπος Σεβαστ[οῦ]
ἀπελεύθερος, εἶπεν, ἐν τῇ νομῇ εἶ; εἶ-
πεν ὁ Σερῆνος, εἰμί [ναί]. Ἀμ-
φιγέθης ε[ἶπ]εν, [οὐ]δὲ εἷς
σε ἐκβαλεῖ. μ[ε]νεῖς ἐν τῇ
νομῇ καὶ ἐκ .... μαι ἐν
τῷ ταβλαρίῳ καὶ [......] ἐὰν εὑρεθῇ
[ται] ἡ μᾶτριξ [........] τῶν οὐετρανῶν

[170] On this process, see Burton (1975), 99-102; Czajkowski (2017), 167-9; Harries (2010), 97.
[171] For the interpretation of this passage, see Cotton and Eck (2005), 39.
[172] *P Yadin* 14; 23; 25 show proceedings undertaken at Petra and *P Yadin* 25 summons the defendant to Rabbathmoab. See Cotton and Eck (2005), 39.
[173] Cotton and Eck (2005). See now also Vervaet (2016).
[174] On the presence and role of these officials, see above 2.3.1.
[175] On this procurator, his role, and the praetorium see above, 2.3.1.

[σεται ἡ παρασημίωσις]
[Κοϊντιαοῦ] σμηιώσομαί
σοι ὀνόματί σου ὅ δεῖ με
σημιώσασθαι [176]

"When Valerius Serenus, veteran, from the village of Meason in the Peraea, petitioned to be received into the number of those who heard a proclamation which took place before Quintianus, Aelius Amphigethes, procurator, freedman of Augustus, said "Are you in possession?" Said Serenus "I am." Amphigethes said: "No-one will eject you. You will remain in possession and I shall … in the record-office and if the muster-roll of the veterans is found, I shall certify for you in your name what it is necessary for me to testify.""

In this text, the imperial procurator Aelius Amphigetes confirms the rights of a certain Valerius Serenus.[177] It has been convincingly argued by Cotton and Eck, on the basis of an inscription from Caesarea, that the Quintianus mentioned here was the deputy to the procurator, Aelius Amphigetes, rather than the provincial governor, as was proposed by John Rea.[178] According to this interpretation, we can identify this Quintianus with Calpurnius Quintianus, a *procurator Augusti* mentioned in a fragmentary inscription from the *praetorium* of the procurator at Caesarea. The connection is based on the informality with which Quintianus is addressed in the document. It seems unlikely that the governor would be mentioned with only his cognomen and without his title. This document, therefore, seems to show the financial procurator, with another official working underneath him, certifying the possessions of a veteran in Caesarea. Procurators undertaking these roles were an important aspect of judicial practice in former kingdoms and principalities.

The military provided another source of legal expertise. As Cotton and Eck have shown, governors could ask military officials, particularly legates or tribunes, for legal advice or even delegate judicial authority to them.[179] Although this phenomenon is better attested elsewhere, there is some significant evidence of it from former kingdoms and principalities. As discussed above, two returns for the Arabian census of AD 127 have survived in the Babatha and Salome Komaise archives. A Roman prefect, a certain Priscus, attached his

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[176] Text and translation from Rea (1977), ll.4-21. See also Cotton and Eck (2005), 32; Maehler (1974).
[177] For a discussion of the potential problems of this text, see Rea (1977).
[178] Cotton and Eck (2005), 32-3.
[179] Cotton and Eck (2005), 25-8.

subscription to both of these documents. He seems to have received the submissions in Rabbathmoab and attached his signature as confirmation:

…Ἑρμηνεία ὑπογραφῇ[ϲ τοῦ]
ἐπάρχου. Πρεῖϲκοϲ ὕπαρχοϲ ἐδεξάμην πρὸ ἑπτὰ κα[λανδῶν]
Μαίων [180]

"Translation of the subscription of the prefect: I, Priscus prefect, received [this] six days before the Ka[lends] of May."

The prefect signed his subscription in Latin, which was then translated in the extant copies. A petition from the Middle Euphrates archive shows military officials taking a similarly direct role in legal administration:

Ἰουλ(ίῳ) Μαρείνῳ (ἑκατοντάρχῳ) τῷ ἐπὶ τῆϲ εὐταξίαϲ Σφω-
ρακηνῆϲ *vacat* παρὰ *vacat* Βαθϲαββαθα Ἀρϲινόηϲ
κώ(μηϲ) Μαγδάληϲ τῆϲ Σφωρακηνῆϲ [*vacat*]
ἐπί, κύριε, [ϲο]ῦ γενομένου ἐν [Ἀ]ππαδάνᾳ παρέϲ-
τηϲά ϲοι Αὐρήλ(ιον) Αβιλααν ϲτρατ(ιώτην) λεγ(εῶνοϲ) ιϲ Φλαουΐαϲ
Φίρμηϲ καὶ Βαρϲημεαν οὐετερανὸν ἄνδραϲ
ἀξιοχρέουϲ οἵτινεϲ ἐπὶ ϲοῦ ἐμαρτύρηϲαν
Νιϲραϊαβον ἀδελφόν μου γενόμενον ὑπ᾽ ἐμοῦ
ἠλευθερῶϲθαι ἀνερεθέντα ὑπὸ τινων κα-
κούργων, *vacat* οὗ τὰ ὑπάρχοντα τὰ ἐμοὶ
ἀνήκοντα Ἰαβαθνανεα διακατέχει καὶ
ἑτοίμη εἰμὶ κατηγορεῖν αὐτῆϲ περὶ τοῦ αὐτοῦ
φόνου, ἐκ τούτου οὖν ἀξιῶ ὑποϲημιώ(ϲαϲθαί)
ϲέ μου τούτῳ τῷ πιττακίῳ μαρτυρίαϲ χάριν [181]

"To Julius Marinus, centurion in charge of maintaining order in Sphoracene, from Bathsabbatha daughter of Arsinoe, from the village of Magdala, of Sphoracene. For, lord, in your presence at Appadana I have presented Aurelius Abilaas, soldier of the legion XVI Flavia Firma, and Barsemaias, veteran, men worthy of faith, who testified before you that my late Nisraiabos has been recovered by me, murdered by criminals, and saw that his property, which is coming back to me, is in the possession of Iabathnanaia, and I am ready to accuse him of that murder, so that is why I ask you to take out my petition here, for it serves as testimony."

This petition was made to a centurion, Julius Marinus, by a certain Bathsabbatha from the village of Magdala relating to a murder.[182] Her brother, Nisraiabos, was killed by criminals. She was able to recover the body, but his possessions are in possession of a certain

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[180] *P Ḥever* 61, fragments a and b, ll.4-6. *Cf. P Yadin* 16.36-8.
[181] *P Euphr.* 5.1-14.
[182] For commentary see Feissel and Gascou (1995), 107-18. See also Gnoli (2000), 31; 56.

Iabathnanaia. Bathsabbatha cites testimony from a current soldier, Aurelius Abilaas, and a veteran, Barsemaias, to corroborate her account.[183] This document petitions the centurion to add his subscription and thus certify that the witnesses have been heard.

Julius Marinus, in his role as the centurion 'in charge of maintaining order' (ἐπὶ τῆς εὐταξίας), is able to confirm the testimony of the witnesses. It seems that he was not able to hear the subsequent trial of Iabathnanaia or that the petitioner did not want him to preside over the trial. This document – which serves as an official recognition of testimony that might not be available at the trial – would only be necessary if the centurion did not plan on presiding over proceedings. Julius Marinus, therefore, is here undertaking a police rather than a judicial action.[184] We might presume that this Bathsabbatha petitioned the governor to accuse Iabathnanaia; all of the other petitions in the Middle Euphrates archive are addressed to the provincial governor.[185]

As long as the Emperor was not in the region, the governor was, therefore, clearly the Roman official with the greatest judicial responsibilities.[186] His assize court was the most important locus of judicial activity in the province. Nevertheless, we have evidence for a network of other Roman officials, procurators and military personnel, who had a significant role in the legal administration. Our evidence does not allow us a comprehensive view into this legal framework, but we have, at least, a good idea of the impact that Roman officials could make on arbitration and enforcement in former kingdoms and principalities.

Arbitration and enforcement in former kingdoms and principalities took a distinctly Roman form, characterised most prominently by the governor's assize court. This regional legal framework of Roman officials marks a change from the dynastic period, when judicial authority rested on the king and his court. Unlike kings and princes, who were an embodiment of the law, a number of Roman officials were vested with distinct legal authority.

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[183] As Feissel and Gascou (1995), 110-1 have pointed out, soldiers would probably have been valuable and trustworthy witnesses.
[184] On the role of soldiers in civilian policing, see Fuhrmann (2016); (2012), 45-88; 201-38.
[185] *P Euphr.* 1-4. See Feissel and Gascou (1995).
[186] For instance, Caracalla takes on such a legal role in a trial recorded on a well-known inscription at a temple in Dumeir: *SEG* 17.759; Roussel and de Visscher (1942-1943). On this text, see Kunkel (1974).

We have, in accounts of the trials of Jesus and his apostles, a rare glimpse into the workings of courts in former kingdoms and principalities. The narratives, preserved in the Gospels and the Book of Acts, are potentially difficult evidence for provincial practice.[187] Their transmission is intrinsically tied to the development of Christianity and thus 'blame' is often apportioned to different parties depending on the author. A comparison of the different Gospels reveals that details of time, place, and certain events can differ between them. Whilst we can confirm or deny certain details based on other contemporary evidence, there is no way to prove or disprove facts or narratives from the Gospels or to show one as being more factually accurate than another. The Gospels and the Book of Acts, are, however, emblematic of a particular place and time. Whilst I cannot reasonably provide certain answers to the difficult questions surrounding the sources of the Gospels or when they were written, they evoke the social and political situation in Palestine before the destruction of the Second Temple.[188] The Gospels and the Book of Acts are primarily concerned with Jesus' life and thus, whilst some elements may be anachronistic, they are tied to that particular situation. They will, at least, give us reasonable portrayals of the social, political, and judicial concerns in provincial Judaea even if the narratives themselves cannot be verified. In what follows, I discuss accounts of judicial practice in Judaea in order to clarify the governor's judicial role, the legal process, and other groups involved in it.

I will first discuss the best known of the trial narratives from provincial Judaea, those concerning the trial of Jesus.[189] As the details of the four accounts are so well known I will not quote or summarise their every detail. A number of discrepancies between the Gospels of Matthew, Mark, Luke, and John, however, are pertinent for our purposes.

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[187] The bibliography concerning the validity of historical information in the New Testament, and the Gospels in particular, is vast. To name but a few important items: Brown (1994); Lane Fox (1991); Millar (1990b); Johnson (1986); Sanders (1985); Betz (1982); Catchpole (1971); Guthrie (1965); Sherwin-White (1963); Winter (1961).

[188] Millar (1990b), 357, in particular, ties these narratives to this time and place: "All that seems to me to be certain of all four [Gospels] is that they could not have come to be as they are without their deriving in some sense, direct or indirect, from an environment in which the geography and social structure of pre-A.D. 70 Palestine was familiar; and, more important, an environment in which the *concerns* of pre-70 Jewish society were still significant."

[189] *Matt.* 26:47-27:44; *Mark* 14:43-15:32; *Luke* 22:47-23:43; *John* 18-19:27. The bibliography looking at this trial in particular is vast. Again, I shall highlight a few important items: Brown (1994); Millar (1990b); Betz (1982); Catchpole (1971); Winter (1961).

The four accounts differ in the timing of the trial; as the trial occurred around the time of the Passover celebrations, these discrepancies have implications on the nature of the proceedings. In the Gospels of Matthew and Mark, Jesus is arrested immediately after the meal traditionally eaten on the first night of Passover, the paschal meal, and questioned immediately afterwards.[190] In the Gospel of Luke, Jesus is arrested immediately after the Last Supper and taken to the house of the High Priest. After the sun rises on the next day, a council (τὸ πρεσβυτέριον) is convened to question him.[191] John explicitly places the events before the beginning of Passover: the Last Supper was on the night before the first night of Passover. Jesus was arrested and questioned immediately after the meal.[192] The timing of the proceedings in these narratives is problematic; it seems rather unlikely that formal trials in front of the governor's court would have been undertaken in the middle of the night or on the morning of the first day of Passover.[193]

In all four narratives Jesus is first taken to be questioned by Judaeans without the governor, but the precise events and nature of the interrogating group differs between accounts. In the Gospels of Matthew and Mark Jesus is taken to the house of Caiaphas, the High Priest (ἀρχιερέα).[194] The group at the house of the High Priest comprised of Caiaphas, the 'scribes' (γραμματεῖς), and 'elders' (πρεσβύτεροι). We are then told that "the chief priests and the whole council (οἱ ἀρχιερεῖς καὶ τὸ συνέδριον ὅλον) were looking for false evidence against Jesus so that they could put him to death."[195] This *synedrion* has often been identified as the Sanhedrin, an aristocratic Judaean council with authority over administrative and judicial functions.[196] The group represented by *synedrion* here, however, seems to have been an *ad hoc* group assembled for the particular purpose; the description at no point seems to

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[190] *Matt.* 26:17-29; *Mark* 14:12-25. The meal eaten before Jesus' arrest is typically referred to as the 'Last Supper'. I follow this convention here.

[191] The Last Supper: *Luke* 22:14-38. Questioning on the next day: 22:66.

[192] For the timing of events: *John* 13.1. As Millar (1990b), 369, has pointed out, there is no indication in the following narrative that they were eating the paschal meal, typically eaten on the first night of Passover. For Jesus' arrest: 18:1-14.

[193] See Goodblatt (1994), 122; Michaels (1990), 478-9; Millar (1990b), 377-8; Winter (1961), 20. *Contra* Harvey (1976), 14-7, who argues that the Gospel of John depicts an extended formal trial. Sherwin-White (1963), 35, treats the proceedings as depicted by the Gospel of Luke as a formal trial.

[194] *Matt.* 26:57; *Mark* 14:53. Only Matthew identifies the High Priest as Caiaphas.

[195] *Matt.* 26:59. *Cf. Mark* 14:55.

[196] See, in particular, Beare (1981), 498-50; Sherwin-White (1963), 35-40. The debate surrounding this issue is discussed in detail below, 3.5.

resemble an institutional body and it seems unlikely that the Sanhedrin, as it is defined in modern scholarship, could be assembled formally on the first night of Passover.[197] No decisions made by this group are depicted as formal sentences.

In the Gospel of Luke, Jesus is taken to the group of Judaeans at dawn the morning after he was arrested. This account seems to portray a more formal council than the Gospels of Matthew and Mark:

> Καὶ ὡς ἐγένετο ἡμέρα, συνήχθη τὸ πρεσβυτέριον τοῦ λαοῦ, ἀρχιερεῖς τε καὶ γραμματεῖς, καὶ ἀπήγαγον αὐτὸν εἰς τὸ συνέδριον αὐτῶν [198]
>
> "At daybreak, the council of the people, the chief priests and scribes, met together and took him to the *synedrion*."

Here the group is depicted more formally, with the title 'council of the people' (πρεσβυτέριον τοῦ λαοῦ). It seems to be very similar in composition to the group depicted by Matthew and Mark, comprising of the 'chief priests' (ἀρχιερεῖς) and 'scribes' (γραμματεῖς). The passage uses both τὸ πρεσβυτέριον and τὸ συνέδριον, with the latter, as in the Gospels of Matthew and Mark, referring abstractly to the meeting and the former representing the group. It is thus possible that the group depicted here and referred to as τὸ πρεσβυτέριον represents the institutional body known as the Sanhedrin in current debate.[199] As in the Gospels of Matthew and Mark, this council does not seem to be able to make a legal judgement of their own, they bring Jesus before the prefect Pilate.[200]

In the Gospel of John, Jesus is arrested by a group of Roman soldiers along with officials (ὑπερέται).[201] He is first brought to Annas, a former High Priest and father-in-law of the High Priest Caiaphas, and questioned there before being brought to Caiaphas and then,

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[197] For this interpretation, see Goodblatt (1994), 119; McLaren (1991), 97-101; Millar (1990b), 376-7. As Lane Fox (1991), 290-1, has pointed out, the conclusion that this was an *ad hoc* court rather than the Sanhedrin does not constitute evidence against the existence of a formal body as the term *synedrion* could be used both as the name of a particular council and to denote another council or group.
[198] *Luke* 22:66. Adapted translation.
[199] As Millar (1990b), 367, has pointed out, τὸ πρεσβυτέριον is only used to refer to the Sanhedrin by this author: here and in *Acts* 22:5.
[200] *Luke* 23:1-2.
[201] *John* 18:12.

subsequently, in front of the prefect Pilate.[202] Unlike the other narratives, the questioning in front of the High Priest is brief and only conducted by Caiaphas himself.[203] We are not given any information about the group, if John envisioned one, present at the High Priest's questioning.

All four Gospel narratives depict Jesus being brought to the governor Pontius Pilate after being questioned by the Judaeans. In the Gospels of Matthew and Mark Jesus is brought before the governor and accused by the "chief priests and the elders" (οἱ ἀρχιερεῖς καὶ πρεσβυτέροι).[204] There is no indication that the meeting with Pilate constitutes a formal trial. When asked to crucify Jesus by the Judaeans, Pilate asks them "Why? What crime has he committed?"[205] As Fergus Millar has emphasised, these narratives present Pilate's decision as a political one rather than a legal one: he acquiesced to the Judaeans' wishes to have Jesus executed and did not make a legal judgement about Jesus' guilt.[206]

In the Gospel of Luke, we are given more detail about the charges made against Jesus. We are told that Jesus was accused of refusing to pay taxes, claiming to be a king, and stirring rebellion.[207] After hearing that Jesus was from Galilee, Pilate passes the accused to Herod Antipas, tetrarch of Galilee, who questioned him but does not seem to have offered any verdict *per se*.[208] More of this narrative, therefore, seems to depict judicial activities but the outcome is very much the same as the Gospels of Matthew and Mark: Pilate does not find

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[202] *John* 18:12-28. On Annas and Caiaphas, see *HJP* 2.230.
[203] *John* 18:19-23.
[204] *Matt.* 27:12. *Cf. Mark* 15:1: καὶ εὐθὺς πρωὶ συμβούλιον ποιήσαντες οἱ ἀρχιερεῖς μετὰ τῶν πρεσβυτέρων καὶ γραμματέων καὶ ὅλον τὸ συνέδριον δήσαντές τὸν Ἰησοῦν ἀπήνεγκαν καὶ παρέδωκαν Πιλάτῳ ("Very early in the morning, the chief priests, with the elders, the scribes and the whole *synedrion*, made their plans. So they bound Jesus, led him away, and handed him over to Pilate.") As elsewhere in the Gospels, *synedrion* seems to be used here to refer to this particular *ad hoc* group rather than a body called *to synedrion*. See McLaren (1991), 114; 251-6. *Cf.* also *Mark* 15:3: καὶ κατηγόρουν αὐτοῦ οἱ ἀρχιερεῖς πολλά ("The chief priests accused him of many things.")
[205] *Matt.* 27:23; *Mark* 15:14.
[206] Millar (1990b), 376-8.
[207] *Luke* 23:1-5.
[208] *Luke* 23:8-12. As Millar (1990b), 368, has pointed out, it is not unknown that the Herodian Kings would be involved in cases heard by the governor's court in Roman Judaea. Josephus reports that Agrippa II often visited Judaea, and maintained a residence there, when it was not part of his kingdom (*AJ* 20.189-94). Agrippa is consulted in the trial of Paul as depicted in the Book of Acts (25:13-26:32). Scholars have suggested a reason for Antipas' inclusion in this narrative. In *Acts* 4:25-6, the author of the Gospel of Luke and the Book of Acts quotes Psalm 2:1-2, which maintains that the kings on earth conspired against Jesus. Even though he was not technically a king, Herod Antipas' role in the Gospel of Luke is used to confirm the validity of the Psalm quoted in *Acts*. See Lane Fox (1991), 297.

Jesus guilty of any crimes worthy of the death penalty, but makes the decision to execute him in order to alleviate the pressure from the Judaeans. Luke makes this explicit in his narrative:

Ὁ δὲ τρίτον εἶπεν πρὸς αὐτούς, τί γὰρ κακὸν ἐποίησεν οὗτος; οὐδὲν αἴτιον θανάτον εὗρον ἐν αὐτῷ … οἱ δὲ ἐπέκνειντο φωναῖς μεγάλαις αἰτούμενοι αὐτὸν σταυρωθῆναι, καὶ κατίσχυον αἱ φωναὶ αὐτῶν. Καὶ Πιλᾶτος ἐπέκρινεν γενέσθαι τὸ αἴτημα αὐτῶν [209]

"For the third time he spoke to them: "Why? What crime has this man committed? I have found in him no grounds for the death penalty ... But with loud shouts they insistently demanded that he be crucified, and their shouts prevailed. So Pilate decided to grant their demand."

Whilst the meeting before the governor seems much more like a formal court, the decision is, as it is in the Gospels of Matthew and Mark, a political rather than a legal one.

In the Gospel of John, the longest account of the meeting between Pilate and Jesus, Pilate again makes his decision not on legal grounds, but wanting to mollify the gathered Judaeans.[210] The discussion between the gathered crowd, referred to with the general appellation *hoi Ioudaioi*, and Pilate is of some legal importance.[211] Pilate told the group to judge Jesus themselves as they were reportedly not able to enter the day before the first night of Passover:

εἶπεν οὖν αὐτοῖς ὁ Πιλᾶτος, Λάβετε αὐτὸν ὑμεῖς, καὶ κατὰ τὸν νόμον ὑμῶν κρίνατε αὐτόν. εἶπον αὐτῷ οἱ Ἰουδαῖοι, Ἡμῖν οὐκ ἔξεστιν ἀποκτεῖναι οὐδένα: ἵνα ὁ λόγος τοῦ Ἰησοῦ πληρωθῇ ὃν εἶπεν σημαίνων ποίῳ θανάτῳ ἤμελλεν ἀποθνήσκειν. [212]

"Pilate said, "Take him yourselves and judge him by your own law.'

'But we have no right to execute anyone,' they objected. This took place to fulfill what Jesus had said about the kind of death he was going to die."

This passage has been the subject of intense scholarly interest. It has been taken as proof that the Judaean authorities did not have the power to judge capital cases.[213] This interpretation, however, is rather problematic. As Fergus Millar has argued, it is difficult to

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[209] *Luke* 23:22-4.
[210] *John* 19:1-16.
[211] Unlike the other Gospels, which specify the crowd's composition, the Gospel of John often refers to the group simply as οἱ Ἰουδαῖοι, especially from 18:30 onwards. This tendency has been the subject of much literature, see Cook (1987); Culpepper (1987); Efron (1987), 321-5; Beare (1981), 501; Harvey (1976), 63-4.
[212] *John* 18:31-2.
[213] See, in particular, Sherwin-White (1963), 32-3.

interpret this passage as the Judaeans telling the Roman governor that they cannot try capital cases according to Roman law.[214] Surely the governor would already be aware of this. More convincing is the possibility that they cannot execute him because it was the day before Passover, the same reason why they could not enter the *praetorium*.[215] The time at which these events unfolded, just before Passover, is key to the legal aspects of this narrative.

The trial of Jesus narratives, therefore, provide an uncertain picture of legal administration in provincial Judaea. None of them seem to depict a formal trial; they portray a political decision in the face of determined public opinion. Nor do they provide any certain answers about the Judaean organisations they depict: the Gospel of Luke seems to depict a formal Judaean council whilst the others portray *ad hoc* gatherings. The time at which the events take place, at the outset of Passover, makes it unlikely that such a council would convene if it did exist.

The Book of Acts, written by the same author as the Gospel of Luke, depicts much judicial activity surrounding Jesus' apostles.[216] In much the same way as the Gospels, it is difficult to place too much credence in the factual accuracy of these narratives; they are, however, narratives set in first-century Judaea and likely reflect the social structure and judicial issues of that time.[217] The Book of Acts depicts a series of arrests, trials, and punishments inflicted on Jesus' disciples after his execution. The most notable of these depicts all of the apostles being arrested before being released by an angel.[218] The apostles were arrested on the orders of the High Priest and those with him:

> Ἀναστὰς δὲ ὁ ἀρχιερεὺς καὶ πάντες οἱ σὺν αὐτῷ, ἡ οὖσα αἵρεσις τῶν Σαδδουκαίων, ἐπλήσθησαν ζήλου καὶ ἐπέβαλον τὰς χεῖρας ἐπὶ τοὺς ἀποστόλους καὶ ἔθεντο αὐτοὺς ἐν τηρήσει δημοσίᾳ.[219]

> "Then the High Priest and all his associates, who were members of the party of the Sadducees, were filled with jealousy. They arrested the apostles and put them in the public jail."

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[214] Millar (1990b), 374.

[215] As Millar (1990b), 374, points out, the *Mishnah* (*m. Sanh.* 4:1) stipulates that capital trials could not be conducted on the day before a *yom tov*. On the history of Passover in general, see Segal (1963).

[216] On the authorship of Luke-Acts, see Fitzmyer (1998), 49-51; Kümmel (1975), 156.

[217] On the reliability of judicial process in the Book of Acts, see Harries (2010), 89; Sherwin-White (1963).

[218] *Acts* 5:17-42. On this narrative in general, see Keener (2013), 1205-24; Fitzmyer (1998), 330-42.

[219] *Acts* 5:17-8.

After a brief interlude where the apostles were freed from the jail by an angel and then recaptured, the High Priest convened a gathering described in the following terms: τὸ συνέδριον καὶ πᾶσαν τὴν γερουσίαν τῶν υἱῶν Ἰσραήλ.[220] This line has been the subject of substantial scholarly interest. Robin Lane Fox sees it as being conclusive evidence for the existence of a formal Judaean council, referred to as τὸ συνέδριον.[221] According to this interpretation, καί here introduces a gloss; πᾶσαν τὴν γερουσίαν τῶν υἱῶν Ἰσραήλ is a description of τὸ συνέδριον. It seems more likely, given the friction between the two terms *synedrion* and *gerousia* in this passage, that τὸ συνέδριον refers to the trial in an abstract sense and that ἡ γερουσία τῶν υἱῶν Ἰσραήλ was a council of Judaean elders.[222]

In this narrative, the apostles are brought before the group assembled by the High Priest and questioned.[223] The court initially decides to have the apostles executed, but changes its decision based on an impassioned speech from one of the group.[224] The apostles are given a flogging and allowed to go free.

Shortly after this account, Stephen is arrested and similarly questioned by Judaean authorities. According to this account, the members of a particular synagogue opposed this Stephen and began to plot his downfall:

> Συνεκίνησάν τε τὸν λαὸν καὶ τοὺς πρεσβυτέρους καὶ τοὺς γραμματεῖς, καὶ ἐπιστάντες συνήρπασαν αὐτὸν καὶ ἤγαγον εἰς τὸ συνέδριον [225]
>
> "So they [members of the Synagogue] stirred up the people and elders and the scribes. They seized Stephen and brought him before the council."

The narrative gives us little further information about the composition of this *synedrion*, but this passage seems to depict Stephen being heard by a formal Judaean council

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[220] *Acts* 5:21.
[221] Lane-Fox (1991), 290-1.
[222] See Goodblatt (1994), 124; McLaren (1991), 114; 251-6; Efron (1987), 318. There seems to be a temptation in modern scholarship concerning the Sanhedrin to attach a particular significance to the word *synedrion* in Greek literature. Its borrowing in rabbinic literature, *Sanhedrin*, has dominated conceptions of a Judaean council in the Second Temple Period. There is no reason why such a body could not be described by the term *gerousia* in passages such as this. The connection, linguistic or otherwise, between the council described here and the rabbinic *Sanhedrin* is anachronistic. See further below, 3.5.
[223] *Acts* 5:27.
[224] *Acts* 5:29-40.
[225] *Acts* 6:12.

with judicial authority.[226] During the questioning, the court is incensed by a long speech given by Stephen and they proceed to take him outside and stone him to death.[227] The narrative would suggest that the Judaean council had the authority to make this decision and undertake the punishment, but it is portrayed as an act of passion rather than a reasoned legal decision.

Later on in the Book of Acts, Paul, as he was a Roman citizen, was brought to trial in front of the governor.[228] All of the impetus for this trial seems to have come from the Judaean leaders, the High Priests (οἱ ἀρχιερεῖς) and Judaean elites (οἱ πρῶτοι τῶν Ἰουδαίων).[229] Of particular note for our purposes are the actions of the governor: it is mentioned that the governor only continued with the trial on account of the political pressure from the Judaeans.[230] The governor, Festus, here seems to take a similar course to Pilate in the trial of Jesus narratives; he engages with the case in order to satisfy political pressure.

Another point of interest in this trial is the role of Agrippa II, who at that time held the title of king but did not control Judaea. After agreeing to hear the case against Paul, Festus seems to have been surprised that it was rooted primarily in Judaean law.[231] As a result, Festus consults Agrippa for legal advice and allowed the king to question Paul.[232] This narrative highlights the diversity of legal practice, even in the governor's court, and the variety of sources of legal expertise the governor could call upon.[233]

The trial narratives from the Book of Acts are certainly stylised accounts; we cannot necessarily use these as sources for particular events, but they are representative of issues contemporary to provincial Judaea. One issue that has dominated modern scholarship concerning these texts is the questions surrounding the Sanhedrin, a formal Judaean council with administrative and judicial responsibilities.[234] The Book of Acts certainly seems to

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[226] See Lane Fox (1991), 290-1. Goodblatt (1994), 124 and Efron (1987), 318-20 both accept that the Book of Acts depicts a permanent and formal Judaean council, but they do not think that this depiction is representative of reality.

[227] *Acts* 6:8-7:60.

[228] *Acts* 25:1-32.

[229] *Acts* 25:1-2.

[230] *Acts* 25:9: "Festus, wishing to do the Jews (οἱ Ἰουδαῖοι) a favour, said to Paul, "Are you willing to go up to Jerusalem and stand trial before me on these charges?" *Cf.* Also 25:3.

[231] *Acts* 25:13-22.

[232] *Acts* 25:23-26:32.

[233] See also Harries (2010), 89-90.

[234] On this debate, see below, 3.5. See also 3.2.1.

portray such a body and attributes it with judicial responsibility. We should not place too much emphasis on this evidence, however, as the narrative does not depict these events as fair trials. The author seems to place a lot of emphasis on Judaean animosity towards the disciples.[235] Nevertheless, it seems unlikely that such a narrative would emerge had there not been some sort of organised Judaean leadership able to conduct judicial proceedings of its own.

Whilst the biblical trial narratives perhaps do not give us reliable accounts of particular events, we can draw some useful conclusions from the issues they raise. They show a particular concern with the relationship between Roman officials and non-Roman organisations. The role of the Judaeans seems to be exaggerated in some of the narratives, with the Romans sometimes conspicuously absent, but these stories nevertheless emerge from a place and time where such issues were significant concerns. Accounts of the trials of Jesus and Paul emphasise the nuanced position of the governor, who had to maintain relations with the people and thus sometimes make political decisions in a legal context.[236] Biblical narratives tell us that, whilst the court of the governor was a focal point for legal administration, non-Roman authorities could still be both prevalent and important.

Many of the concerns we find in the Gospels are mirrored in literature from elsewhere in the Empire. Fergus Millar, in his seminal study of the 'World of the Golden Ass', has excellently demonstrated that the world depicted in Apuleius' fantastical *Metamorphoses* reflects historical reality or, at least, a potential reality of life in the provinces:

> "Indeed I am going to suggest that the realism of tone in the novel may extend beyond purely physical descriptions, to realistic images of social and economic relations, the framework of communal life in a Roman province and even, here and there, to the wider context of what it meant to be a subject of the Roman Empire."[237]

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[235] For this interpretation, see Goodblatt (1994), 124; Efron (1987), 318-20.

[236] Millar (1990b), 378-9, has encapsulated, with reference to the trial of Jesus, the political pressures that would have motivated Pilate to take action against those setting themselves up in opposition to Roman authority. See also, Fuhrmann (2012), 171-7, who emphasises the governor's difficult position between demands for favour from below and the demands for peace and order from above.

[237] Millar (1981), 63.

His examination of the *Metamorphoses* demonstrates that the world of the novel shares much with the world of the Gospels. One of the most striking aspects of provincial life depicted by the *Metamorphoses* is the relationship between the governor and city aristocracy. The cities, essentially run by its aristocratic families, and the governor had a remarkably two-way relationship where the governor depended on his relationship with the aristocracy and they depended on their relationship with him.[238] In one notable instance, pointed out by Millar, the aristocratic Lucius from Corinth is questioned by his host in Hypata about Corinth, its leading citizens and the governor.[239] The *Metamorphoses*, like the biblical trial narratives, present a nuanced picture of the provincial governor, who is subject to political pressures from local elites as well as the consistent pressure to maintain order.

Apuleius' *Metamorphoses* also give us a similar picture of mob justice. In much the same way as the court trying Stephen in the Book of Acts, incensed, took him outside and stoned him, Apuleius depicts a group stoning a witch to death in one episode and immediately stone a woman accused of murder in another.[240] In a third, the father of a murdered man accuses his other son of the crime.[241] The reaction of those present is to immediately kill the accused man, but, fearing violence, magistrates ensure there is a proper trial:

> *Tanta denique miseratione tantaque indignatione curiam sed et plebem maerens inflammaverat ut, remoto iudicandi taedio et accusationis manifestis probationibus et responsionis meditatis ambagibus, cuncti conclamarint lapidibus obrutum publicum malum publice vindicari. Magistratus interim metu periculi proprii, ne de parvis indignationis elementis ad exitium disciplinae civitatisque seditio procederet, partim decuriones deprecari, partim populares compescere ut, rite et more maiorum iudicio reddito et utrimquesecus allegationibus examinatis, civiliter sententia promeretur.*[242]

> "The grieving father inflamed the council and the people too with so much pity and such intense anger that they wanted to dispense with the nuisance of a trial, with its clear demonstrations by the prosecution and studied evasions by the defence. They shouted in unison that this curse on the people should be punished by the people, crushed under a rain of stones. The magistrates meanwhile were afraid of the danger to themselves if sedition should arise from the small seeds of anger and go on to destroy public order and civic government. Some of them interceded with the

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238 Millar (1981), 69.
239 *Met.* 1.26. See Millar (1981), 69.
240 For the stoning of the witch: *Met.* 1.10. For stoning of the woman accused of murder: 2.27. Both stories are mentioned by Czajkowski (2017), 146 and Millar (1981), 69.
241 *Met.* 10.6-12.
242 *Met.* 10.6.

councillors, others restrained the common people, arguing that a verdict ought to be rendered with due process and customary procedure, that the allegations of both sides should be examined, and that a sentence should then be pronounced in a civilised manner."

Two aspects of this narrative are striking. Firstly, the appeal to mob justice is not treated as being particularly outrageous or uncommon. As Kimberley Czajkowski has argued: "In cities, towns, and villages, we should, therefore, perhaps allow for the possibility that forms of self-help and informal 'justice' – including what we might label vigilantism – were a key part of the legal landscape."[243] Secondly, it is striking that the city council was able to undertake the trial of one accused of murder without input from the governor.[244] Throughout the novel, justice is mostly pursued in local courts by local authorities without the judicial input of Roman officials. The picture we receive of judicial practice in Roman provinces from Apuleius' *Metamorphoses* is that it was highly devolved to cities, villages, and local communities.[245]

Along the same lines, Plutarch, discussing avenues for ambitious young politicians, gives us broad indications of the role of cities in the Empire:

νῦν οὖν ὅτε τὰ πράγματα τῶν πόλεων οὐκ ἔχει πολέμων ἡγεμονίας οὐδὲ τυραννίδων καταλύσεις οὐδὲ συμμαχικὰς πράξεις, τίν᾽ ἄν τις ἀρχὴν ἐπιφανοῦς λάβοι καὶ λαμπᾶς πολιτείας; αἱ δίκαι τε λείπονται αἱ δημόσιαι καὶ πρεσβεῖαι πρὸς αὐτοκράτορα.[246]

"Nowadays, then, when the affairs of the cities no longer include leadership in wars, nor the overthrowing of tyrannies, nor acts of alliances, what opening for a conspicuous and brilliant public career could a young man find? There remain the public lawsuits and embassies to the Emperor."

For Plutarch, writing in the first and second centuries AD, city courts were a means by which young men could begin a political career.[247] Elsewhere in his *Moralia*, Plutarch bemoans the decline of city courts and local independence with them.[248] In these two

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[243] Czajkowski (2017), 147.
[244] This point is emphasised by Millar (1981), 70-1.
[245] Millar (1981), 71-2.
[246] Plut. *Mor.* 805a.
[247] On this, see Reynolds (1988), 31.
[248] *Mor.* 814-5. See Czajkowski (2017), 139-40.

depictions of life in the provinces, from Apuleius and Plutarch, we are given a distinct sense of the importance of local judicial practice.

We have little first-hand evidence for local judicial fora in former kingdoms and principalities. As I have discussed above, much of our evidence presents the provincial governor as the only possible source of legal judgement. The evidence we get from Apuleius and Plutarch, however, seems to suggest that local judicial practice was common to the provinces of the Empire. Trial narratives given by the Gospels, which are particularly concerned with the judicial authority wielded by local groups, reinforce this presentation. In what follows, I discuss the likely locations for local judicial practice in former kingdoms and principalities and to what extent they indicate a change from practice under dynastic rule.

Whilst Plutarch presents city courts as an important venue for local judicial practice, we have little direct evidence – such as trial narratives or legal documents – for these courts in the Roman Near East. For this reason, the extant document recording minutes from Petra's city council, from AD 124, is of great importance.[249] The text records a decision made regarding the guardianship of Babatha's son, Jesus, by the city council. This documentary evidence supports the more general presentation we get from Apuleius and Plutarch, that cities acted as important judicial centres for their hinterland.[250] It seems likely, despite the lack of direct evidence, that cities had a profound impact on the legal administration of former kingdoms and principalities. In the previous chapter, I demonstrated that the city was closely associated to provincial rule in the Near East and represented the most important political and social units.[251] The annexation of kingdoms and principalities saw the addition of pre-existing cities to provinces that otherwise comprised former dynastic territory and the creation of new cities. The judicial role of cities, in addition to their political and social importance, was a defining aspect of the new provincial rule.

In the search for local legal fora in former kingdoms and principalities, we might also look to the networks of villages in these regions. As I have discussed above, many of the

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[249] *P Yadin* 12. This is discussed further above, 2.3.2.
[250] See, with reference to *P Yadin* 12, Isaac (1992); Goodman (1991).
[251] See above, 2.2.2; 2.3.2.

provinces that followed dynastic rule were characterised most prominently by vast networks of villages governed by village officials.[252] It seems likely, given the emphasis Apuleius and Plutarch place on the legal authority of local communities, that these villages served as judicial fora.[253] Whilst the village seems to have been an important means of settlement in the Near East from the Hellenistic period onwards, provincial rule seems to have led to an increased emphasis on the agency of settlements as corporate bodies representative of their inhabitants. This change in the evidence whereby villages seem to be treated more explicitly as active self-governing communities might indicate that they became more important judicial fora as well but we cannot be sure. Whilst we have a number of documents, discussed at length above, that originate from a village context, they tend to be written by litigants appealing to the Roman authorities.[254] We are given little insight into judicial practice within villages. There was likely little change in the former Herodian Kingdom. Josephus' idealised presentation of community elders undertaking judicial functions in important towns, deriving from the Hebrew Scriptures, most likely continued throughout the period of Herodian and provincial rule in Judaea. We have little evidence that attests to this sort of practice elsewhere, however, and the increased importance and independence of village communities may have led to judicial authority being increasingly vested in these institutions.

In conclusions, whilst much of our evidence focuses on the judicial role of the governor in former kingdoms and principalities, it seems likely that most arbitration and enforcement was conducted in local fora, cities and villages. The change in legal administration resulting from the imposition of provincial rule was twofold. Firstly, the legal framework of Imperial officials – the governor, procurators, and the military – was distinctly Roman and a change from the royal courts it replaced. Secondly, whilst much of the arbitration and enforcement still seems to have occurred in local communities, there seems to have been a change in the type of community in which this occurred. The widespread

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[252] See above, 2.3.4.
[253] This is argued most prominently, with reference to *provincia Judaea*, by Cotton (2002b).
[254] See above, 2.3.4.

introduction of cities and an increased emphasis on the political role of village communities likely led to a change in local arbitration and enforcement.

3.3.2. Interaction

In this section, I examine the way in which litigants interacted with legal frameworks in former kingdoms and principalities. Interaction in the provinces has recently been the focus of much scholarly activity, which has looked particularly at the ways in which litigants attempted to get positive outcomes from provincial legal systems.[255] The particular focus here is how litigants' changed their behaviour after the imposition of provincial rule on kingdoms and principalities. Our main sources for this interaction are legal documents, functional texts that provide us a glimpse into the dialogue between litigants and those with judicial authority. The imposition of provincial rule brought with it new legal fora, the courts of Roman officials. Litigants utilised new language, forms, and even a new means of using documents in order to avail themselves of these courts.

After the imposition of provincial rule, there were substantial changes in content and form in the way that legal documents were written. I have discussed the way in which litigants reflected their new political setting in detail above, but I shall summarise some important points here.[256] The striking change in language – from local Aramaic dialects to Greek – was typically accompanied by a change in how the political landscape was presented: kings and the royal family, unsurprisingly, made way for the Emperor and Roman officials; and the name and presentation of many settlements changed to reflect new statuses under provincial rule. In what follows, I will discuss how legal aspects of documents changed in response to the imposition of provincial rule and how this reflects on arbitration and enforcement in kingdoms and principalities.

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[255] See now Czajkowski (2017); Duindam *et al.* (2013); Humfress (2013b).
[256] See above, 2.2.1; 2.3.1; 3.2.2.

Our evidence for interaction between litigants and authorities is rather limited. Whilst we have more extant documents written under provincial rule, only caches from Naḥal Ḥever and the Middle Euphrates region span the period of annexation and give us a clear view of how the behaviour of litigants changed.[257] This section deals primarily with these corpora, focusing on aspects of change related to the imposition of provincial rule.

There is a significant disparity between the documents produced under dynastic rule and the documents produced under provincial rule.[258] There are several times as many extant documents on papyrus or parchment from the provinces.[259] This numerical difference alone cannot be indicative of anything. As we have no idea what proportion of the texts written have survived, it would certainly be a mistake to take the relative paucity of extant texts to mean that few were written. The extant legal texts, both on stone and parchment, from the Nabataean Kingdom, for instance, are indicative of a widespread and complex system of contracts where copies of these documents were held in archives to be checked and enforced.[260]

A further difference between the corpora of extant legal texts written under dynastic and provincial rule is the use of documents that arrange formal hearings. Many of the extant documents from provinces are either petitions or summons. In the cache of documents from Naḥal Ḥever, for instance, many of the extant documents, involved either in the saga surrounding Jesus' guardianship or issues concerning Babatha's ownership of a date orchard, are either petitions to be heard at an assize court of the governor or documents summoning litigants to that court.[261] Similarly, we have a substantial number of petitions in the cache of documents from the Middle Euphrates region: four of these documents petition the governor and one petitions a centurion.[262] We do not have any extant petitions or documents of summons from kingdoms and principalities and it seems likely that this discrepancy reflects a difference in practice.

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[257] For description of these caches, see above. 1.3.3.
[258] This is discussed further above, 3.2.2.
[259] For this, see the catalogue of Cotton, Cockle, and Millar (1995).
[260] See above, 3.2.1; 3.2.2.
[261] Petitions: *P Yadin* 13; 33; 34. Summons: *P Yadin* 14; 23; 25; 26; 35.
[262] *P Euphr.* 1-5. See Feissel and Gascou (1995).

Fergus Millar's influential work, *The Emperor in the Roman World*, characterises Roman Imperial administration as a process of call and response: requests would be sent to those in power and responses sent back.[263] Whilst Millar deals primarily with the role of the Emperor, this model is characteristic of Roman administration at all levels. Petitions and summons were a necessary part of the governor's assize-tour; in order to be heard, litigants needed to petition the governor for his attention, who would return his subscription.[264] This model of petition and subscription, call and response, only appears in our evidence after the annexation of kingdoms and principalities and only when dealing with Roman officials.

The imposition of provincial rule in former kingdoms and principalities also meant the gradual improvement of road networks and new rights granted to official traffic.[265] The system of *vehiculatio*, expanded to the Empire under Augustus, gave priorities and rights to official traffic.[266] These improvements, brought about by provincial rule, perhaps made this sort of litigation, based on written documents, more logistically possible. We do not have sufficient evidence for the movement or storage of documents in former kingdoms and principalities to make any conclusions about the impact of these transport improvements. We can say that, whether logistical concerns were an issue or not, provincial rule, and the judicial role of Roman officials in particular, seems to have brought about a change in judicial practice, introducing a system of petition and response.

The use of such a system has implications on the role of documents. Whilst legal texts from kingdoms and principalities were certainly functional documents, they were probably rarely moved or checked. The majority of the documents from kingdoms and principalities are contracts of one type or another: we have contracts of sale, loans, debentures, and marriage contracts. When they were written they would be signed by relevant parties and

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[263] Millar (1977). See also Millar (2000); (1967).

[264] See Burton (1975). See also above, 3.3.1.

[265] On road networks and infrastructure in the Near East, see the comprehensive catalogue of milestones, Thomsen (1917). For roads and infrastructure in the former Herodian Kingdom: Isaac (2010); Binson and Kane (2000); Fisher *et al.* (1996); Isaac and Roll (1982); Avigad (1980); Chevallier (1976); Roll and Ayalon (1976); Avi-Yonah (1966); (1950-1951). For roads in Commagene, see the summary of Brijder (2014), 50-1. For Nabataea: Isaac (1980b); Graf (1978), 1-3; Bowersock (1971), 237-8.

[266] This system gave certain official traffic the right to demand vehicles or refuelling. See Fuhrmann (2012), 110-2; Kolb (2000); Millar (2000), 24-5; Duncan-Jones (1990), 7-29; Mitchell (1976), provides an analysis of the distances and times involved in moving around the Empire.

kept in case the parameters needed to be checked or enforced, but this would likely rarely happen. In contrast, the petitions and summons written under provincial rule needed to be sent, signed and seen by different parties in order to fulfill their function; they are a much more active part of the process of arbitration and enforcement. It thus seems likely that legal documents moved around much more and became a more prominent part of arbitration and enforcement after the imposition of provincial rule.

The changing role of legal documents in former kingdoms and principalities is best exemplified by three copies of the same text held as part of the Babatha archive:

με[τα]ξὺ τοῦ [δεῖνος τοῦ δεῖν]ος
ἐνκαλοῦν[τος καὶ τ]οῦ δεῖνος
ἐνκαλουμέ[νου μ]έχρ[ι] (δηναρίων) [Β]φ
ξενο[κρί]ται ἔ[στωσαν]. ἐπεὶ
ὁ δεῖνα τ[οῦ] δεῖν[ο]ς [ὀρ]φανοῦ
ἐπιτροπ[ὴ]ν ἐχείρισεν,
περὶ ο[ὗ] πράγματος ἄγεται,
ὅταν διὰ τ[ο]ῦτο τὸ πρᾶγμα
τὸν δεῖνα τῷ δεῖνι δοῦναι
ποιῆσαι δέῃ ἐκ κ[α]λῆς
πίστεως, τούτου οἱ ξενοκρίται
τὸν δεῖνα τῷ δεῖνι μέχρι
δην(αρίων) Βφ κατακρειν[ά]τω-
σαν, ἐ[ὰν δὲ] μὴ φ[αί]νηται ἀπο-
λυσ]άτωσαν.[267]

"Between a plantiff X son of Y and a defendant A for up to 2,500 denarii there shall be judges (*xenokritai*). Since A son of B has exercised the guardianship of orphan X, concerning which matter the action lies, whenever by reason of this matter A is obligated to give or do [something] to X in good faith, the judges of this shall award judgement against A in favour of X up to 2,500 denarii, but if [such obligation] does not appear, they shall dismiss."

This document, and the two other copies, seem to be Greek versions of the praetor's formula later codified by the jurist Gaius:

Iudex esto. Quod Aulus Agerius apud Numerium Negidium mensam argenteam deposuit, qua de re agitur, quidquid ob eam rem Numerium Negidium Aulo Agerio dare facere oportet ex fide bona, eius iudex Numerium Aulo Agerio condemnatio. Si non paret, absoluito.[268]

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[267] *P Yadin* 28. *P Yadin* 29 and 30 are copies of the same text. Numbers 28 and 29 seem to have been written by the same scribe, whilst 30 was likely copied by someone else. On these documents, see Czajkowski (2017), 93-105; Oudshoorn (2007), 330-6; Chiusi (2005); (1994); Nörr (1999); (1998); (1995).
[268] Gai. *Inst.* 4.47. This parallel was pointed out first by Lewis *et al.* (1989), 118-20.

"Let a judge be appointed. Whereas Aulus Agerius deposited with Numerius Negidius the silver table which is the subject of this action, in whatever Numerius Negidius ought on that account in good faith to give to or do for Aulus Agerius, in that you, judge, condemn Numerius Negidius to Aulus Agerius. If it does not appear, absolve."

The version given in the Greek papyri differs from the version shown here in its purpose, substituting guardianship for deposit, and in limiting the amount to 2,500 denarii. Despite the variations from the form we find later codified by Gaius, there is little doubt that Babatha's documents are Greek versions of a Roman legal formula, the *actio tutelae*. There has been some debate over the identity of the *xenokritai* attested in the documents. It has been convincingly argued by Dieter Nörr that the *xenokritai* were *recuperatores*, Roman judges that sat on boards of three or five. In this case, he argues, they may well have been non-Roman judges attached to the governor's authority.[269]

The three documents under discussion are not dated but can presumably be linked to the case surrounding the guardianship of Babatha's son, Jesus.[270] Babatha's husband died at some point before AD 124 and two guardians, Abdoobdas and John, were appointed for him.[271] Babatha claimed that the guardians were not paying sufficient maintenance for the child, petitioning the governor on the matter and summoning one of the guardians, John, to his court.[272] She also seems to have offered to take over control of Jesus' property from them and pay his maintenance herself.[273]

Whilst we can probably link Babatha's possession of these documents to this case, their purpose has been the subject of much discussion. According to Roman law, the *actio tutelae* should be brought only after the end of the guardianship, typically by the ward themselves.[274] The more suitable course in this case would be to use the *crimen suspecti*

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[269] Nörr (1999); (1995). Previously the *xenokritai* had been labelled as 'local judges', see Lewis *et al* (1989), 118-20, following Polotski (1967).
[270] On this case in general, see Cotton (1993).
[271] *P Yadin* 12 records a meeting of the *boule* of Petra where the guardians were appointed.
[272] The petition to the governor: *P Yadin* 13. Document of summons: *P Yadin* 14.
[273] This offer is made in the deposition designated *P Yadin* 15.
[274] This has been pointed out by Czajkowski (2017), 96; Oudshoorn (2007), 330-6; Cotton (1993), 102-3. For Roman law in this case see *Dig.* 27.3.9.4.

tutoris charge, which would result in the removal of a guardian.[275] Discussion over these three documents has thus centred on why and how Babatha acquired this particular formula. The most important question for our purposes is how she planned to use it.[276]

A number of different suggestions have been made for the function of these documents. Hannah Cotton has raised the possibility that Babatha may have been misinformed as to the possible use of this formula.[277] More recently, Jacobine Oudshoorn has argued that Babatha was planning for the future; she planned to use the *actio tutelae* after using the charge of *crimen suspecti tutoris* or after the death of the guardians.[278] Kimberley Czajkowski has also suggested the rather tempting hypothesis that the formula was used as a negotiation tactic during the arbitration.[279] According to this interpretation, the guardians, who we can probably assume did not know how an *actio tutelae* was supposed to be used, would have been threatened with the documents. Seeing a Roman legal formula and a settlement of 2,500 denarii, the guardians may well have wanted to settle rather than risk being indicted by a Roman court. There is no clear way to know what Babatha had in mind with these documents; the fact that Babatha had three copies suggests that she did not get an opportunity to use it. In any case, the documents were clearly supposed to be used actively in the process of arbitration. Babatha here seems to have adapted, doubtless with the help of legal experts and scribes, to a particularly Roman form of arbitration that uses documents and written legal language in an active and substantive way.[280]

The evidence we have for legal interaction in the Babatha archive is unparalleled in corpora from other former kingdoms and principalities. It provides us a glimpse into multiple stages of a case dealing primarily with the court of the governor. There are no similar sets of documents from Emesa, the Ituraean principalities, or Commagene and, whilst we have several documents from provincial Judaea, we have very few that engage directly with the

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[275] See, in particular, Cotton (1993), 102-3. For the procedure in this case, *Dig.* 26.10.
[276] The question of how Babatha acquired this formula has been excellently tackled by Kimberley Czajkowski (2017), 96-8.
[277] Cotton (1993), 105.
[278] Oudshoorn (2007), 336.
[279] Czajkowski (2017), 102-4.
[280] On Babatha's use of scribes and legal expertise, see now Czajkowski (2017), 60-87.

judicial machinery of the province. The evidence we have for this form of litigation based on written documents, therefore, comes mainly from the Babatha archive and can be linked with certainty only to the courts of Roman officials in *provincia Arabia*. Nevertheless, it seems likely, given the widespread use of assize-tours throughout the Empire, that a similar form of litigation was practiced elsewhere.[281]

The three *actio tutelae* documents emphasise the importance of form when using documents in arbitration or litigation. Babatha may have hoped the form of the documents would provoke a response from her son's guardians or perhaps she thought it would convey legitimacy in the eyes of the Roman governor. We do not know precisely how Babatha expected to use these documents, but their form, written in Greek and modelled after a Roman legal formula, was doubtless integral to the purpose. The issue of language in documents from former kingdoms and principalities has been much discussed, both in this thesis and elsewhere.[282] Whilst Rome does not seem to have tried to suppress the use of any language, Roman officials certainly only communicated in Latin or Greek and those who wished to address them did so in those languages.[283] The reluctance of Roman officials to operate in any language other than Greek or Latin explains the shift in language that we see in caches of documents from Arabia and Osrhoene. As I have discussed at length above, there is a notable change whereby documents from the Babatha and Middle Euphrates archives written after the imposition of provincial rule began to be composed in Greek. Like the *actio tutelae* documents discussed above, the choice of language, often Greek, reflected the intended purpose: to engage with the court of the Roman governor. Accordingly all of the extant documents that clearly involved the court of the governor or any other Roman officials are written in Greek.

In the context of this general change from Nabataean, in the Babatha archive, and Syriac, in the Middle Euphrates archive, to Greek, those few documents that were still written

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[281] As Cotton and Eck (2005), 37, have emphasised, the burden of proof now lies on those who wish to deny the existence of assize-tours in the provinces.

[282] See above, 2.2.1; 2.3.1; 3.2.2. See, in particular, Czajkowski (2017), 66-70; Cotton (1999).

[283] See Millar (2011a), 94; Rochette (2011); Eck (2004). For further bibliography on language choices in a multi-legal environment see Mullen and James (2012); Adams *et al.* (2002); Spolsky (1985).

in a Middle Aramaic dialect under provincial rule are worthy of comment. I have discussed a Syriac document, a contract for a lease of land written in Marcopolis in 242, at length above.[284] This text, written shortly after the deposition of the Abgarid dynasty, is written in Syriac but uses transliterated Greek terms to describe its new political context. For instance, the place of writing, called 'New-Town-of-Hunting' (*krk' ḥdt dsyd'*) in an older Syriac document,[285] is called 'Marcopolis Thera' (*mrqpwls tr'*) in the later text written in *provincia Osrhoene*.[286] This document, as I have argued above, reflects its linguistic and political context: it is written in Syriac but uses transliterated Greek terms where the writer feels is necessary. The choice to write this document in Syriac rather than in Greek suggests that the writers did not envisage it being brought before a Roman official. As Fergus Millar claims, the mix of Syriac and Greek in this document is likely a reflection of the local culture.[287]

Documents from the Judaean desert provide us with a series of contrasts between similar Greek and Aramaic legal texts. Of particular note are the marriage documents, written in both Aramaic and Greek.[288] We have eight marriage documents from the desert dating to the early second century AD. Three of these documents are written in Jewish Aramaic: two from Murabba'at and one from Naḥal Ḥever.[289] The other five are written in Greek: two from Murabba'at and three from Naḥal Ḥever.[290]

The notable differences between the Aramaic and Greek documents, and how these differences relate to Judaean and Greek law, has been the subject of intense debate. The Aramaic documents are clearly rooted in Judaean tradition, mirroring the clauses later codified in the *Ketubba* tractate of the *Mishnah*.[291] This link is explicit in two of the texts: the groom in one of them, from Murabba'at, states "you will be my wife according to the law of

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[284] *P Mesop.* B. The document is discussed at length and the introduction is quoted in chapter 2.3.1. On this document in general see Healey (2008). Similar points can be made about a Syriac document written in Edessa itself in AD 243 but found in Dura-Europos, *P Dura* 28.

[285] *P Mesop.* A.6. This document, from AD 240, written under the last Abgarid King, Abgar IX, is discussed at length in chapter 2.3.1 also.

[286] *P Mesop.* B.4.

[287] Millar (2011a).

[288] See Oudshoorn (2007), 378-438; Safrai (2005); Yiftach-Firanko (2005); Satlow (2001); Friedman (1996); Yadin *et al.* (1994); Cotton (1994).

[289] *P Mur.* 20; 21; *P Yadin* 10.

[290] *P Mur.* 115; 116; *P Yadin* 18; 37; *P Ḥever* 65.

[291] For this analysis, see Czajkowski (2017), 38-48; Oudshoorn (2007), 379-88; Yadin *et al.* (1994); Cotton (1994), 81-2. For the rabbinic *ketubbot*, see *m.Ket.* 4:7-12.

Moses and the Jews",[292] and Judah, Babatha's second husband, similarly states that he takes her "for a wife according to the law of Moses and the Jews."[293] It has been generally accepted that all three of these documents display their Judaean character and appeal to Judaean law.[294] It is perhaps problematic to call them all *ketubbot* as that term relates primarily to the later codification of marriage practice and thus is subject to anachronism.[295]

The debate over these documents has particularly focused on the nature of the texts written in Greek and the laws under which they operated. In contrast to the Aramaic documents, the Greek texts show influence from a wide array of legal traditions and have thus been difficult to tie to any one legal background.[296] For instance, Ranon Katzoff has argued forcefully that the marriage contract, written in Greek, of Babatha's stepdaughter, Shelamzion, was rooted in Judaean tradition whilst Abraham Wasserstein has disagreed, emphasising the Greek and Egyptian parallels to the document.[297]

I do not wish to support one side or the other in this debate, identifying one operative legal tradition for the Aramaic and Greek documents. What is important for our purposes is to point out that the legal form of the documents corresponds to the language they are written in. In an excellent article, Hannah Cotton has identified points at which the Greek marriage documents follow alternatives to Judaean legal traditions.[298] From her analysis, and work done on these documents more generally, it is clear that, whilst there are distinctively Judaean elements, the Greek marriage documents from the Judaean desert rely on legal language and social customs known from parallels in the Hellenistic world.[299] As Kimberley Czajkowski has emphasised, we should not take this to mean that the Greek documents operated under Greek marriage laws, but simply recognise that these are markedly different types of

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[292] אתי תהוא לי לאנתה כדין מושה ויהודאי (*P Mur.* 2.3-4).
[293] *P Yadin* 10.5.
[294] See Cotton (1994), 81-2; Yadin *et al.* (1994), 81.
[295] They are called *ketubbot* by some commentators, see, for instance Safrai (1996); Friedman (1996); Yadin *et al.* (1994).
[296] On the multifarious nature of the legal traditions behind these texts see, in particular, Oudshoorn (2007), 379-88; Cotton (1994).
[297] See Katzoff (1991); Wasserstein (1989). See also Katzoff's article discussing another marriage contract from Naḥal Ḥever, Katzoff (2005). Many other scholars engage with these documents in these terms; see also Oudshoorn (2007), 379-88; Yiftach-Firanko (2005); Satlow (2005); Ilan (1993).
[298] Cotton (1994).
[299] This is also emphasised by Oudshoorn (2007),

contract.[300] Those written in Aramaic rely heavily on Judaean legal traditions, whilst those written in Greek incorporate elements from various other traditions across the Hellenistic world.

The contrast between the Aramaic and Greek legal documents is particularly striking in the case of the two marriage documents from the Babatha archive: whilst Babatha's contract is written in Aramaic and takes a distinctly Judaean form, her stepdaughter Shelamzion has one written in Greek.[301] The decision to write documents in Greek, as discussed above, often seems to be made in order to interact with Roman courts. In this case, however, this does not seem to be a reasonable explanation. It seems to have been an issue of personal choice based, most likely, on the type of marriage document the family wanted.[302]

In conclusion, the most striking aspect of the legal documents from former kingdoms and principalities is the importance of their language and form. In order to engage with the courts of Roman officials, litigants were willing to adapt their language and the way in which they used documents. The use of petitions and summons, as well as their language and form, is particular to the courts of Roman officials and seems to represent a significant change from legal administration in kingdoms and principalities.

Whilst all documents addressed to or clearly involving Roman officials are written in Greek, it does not seem to be the case that all Greek documents were written with Roman courts in mind. The form such texts take is a result of their function and their context. There is no indication that documents written in languages other than Greek or Latin were not valid in Roman courts or that other courts had any similar restrictions. Rather, the use of different legal languages in different texts seems to be the result of the writers considering what language is most appropriate for the particular function and forum.

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[300] Czajkowski (2017), 38-48.

[301] Babatha's contract: *P Yadin* 10. Shelamzion's contract: *P Yadin* 18.

[302] Wasserstein (1989), 120-1, has also argued that there were two versions of each marriage contract: an Aramaic religious version and a Greek secular one. This, however, seems unlikely. We have no two copies for any one marriage, and it seems unlikely that Babatha, for instance, would prepare both the religious and secular documents and then only keep one. On this, see also Czajkowski (2017), 38-45.

3.4. Conclusion

The basic legal activities were the same under both dynastic and provincial rule: legal authorities arbitrated disputes and enforced contracts. The imposition of provincial rule led to a change in the types of legal authorities empowered to fulfill these functions and a corresponding change in how litigants interacted with the authorities. By tracing these changes, we have been able to get some insight into the nature of arbitration and enforcement under dynastic rule.

The most obvious change resulting from annexation was the replacement of kings and princes with provincial governors. In much the same way as Persian and Hellenistic kings, dynasts wielded supreme legal authority over their citizens with the help of a court selected from their friends and relatives. Roman governors, on the other hand, were part of a provincial legal framework that followed the distinctly Roman method of arbitration, using assize-courts and documents of summons. Both of these legal authorities, however, seem to have faced similar challenges in the practice of legal administration. Trial narratives provided by Josephus and the Gospels demonstrate the pressure applied to both dynasts and governors from local groups, which favoured particular outcomes in their interest, and Rome, which demanded the maintenance of order. Both Josephus and the New Testament record judges making political rather than legal decisions in the face of such pressures.

Our evidence emphasises the importance of local organisations to legal administration. Most of the arbitration and enforcement was conducted by local authorities. The types of local groups involved varied significantly from kingdom to kingdom: whilst the most important groups in the tomb inscriptions from Hegra were religious authorities, village elders were particularly prominent in Herodian Palestine. It seems likely that the imposition of provincial rule led to cities and villages becoming increasingly important in legal administration.

The most striking aspect of arbitration and enforcement under both dynastic and provincial rule is the extent to which the participants could negotiate their legal position. On

the one hand, judges do not seem to have been obliged to restrict their arguments to one legal tradition. In Josephus' trial narratives, Herod appeals to Hellenistic, Roman, and Judaean legal precedents. Similarly, Pontius Pilate, in the trial of Jesus, negotiates both Roman and Judaean traditions. On the other hand, those appealing to legal authorities seem to have had significant powers to negotiate the means of arbitration and enforcement. The writers of tomb inscriptions at Hegra were able to choose the legal authority that protected their tomb, and Babatha, seeking help from provincial authorities, was able to adapt forms from Roman and Judaean law to suit her needs during litigation.

Under both dynastic and provincial rule, the ability to negotiate one's legal position was a core principle of jurisdiction. The practice of law in these regions should thus be considered in its social and political setting. Whilst legal authorities and litigants did engage with law codes and legal traditions, the practice of arbitration and enforcement was dependent on the pragmatic concerns of the people involved. The difference between dynastic and provincial practice lies not in the basic functions that litigation was supposed to perform, but in the means by which they were achieved. The language litigation was conducted in and the legal traditions that were appealed to were the product of the language and culture of the legal authorities, whether they were kings or local authorities, in question. In this way, the Greco-Roman traditions that dominated litigation under provincial rule represent a significant change from the dynastic period.

3.5. Excursus: The High Priest and the Sanhedrin in the Herodian-Roman Period

There has been fierce debate over the relationship between the High Priesthood and the Sanhedrin in the Herodian-Roman period. Scholars have questioned the composition, purview, and even existence of the Sanhedrin, increasingly placing power over the Judaeans in the hands of the High Priest alone. The issue is important to the study of administration in Herodian and Roman Judaea, as, for Josephus, the High Priesthood was emblematic of

Judaean autonomy amidst the coming of Rome. The end of his *Antiquities* is devoted to a narrative of the office.[303] He begins with the High Priesthood's biblical origins:

Ἀναγκαῖον δ' εἶναι νομίζω καὶ τῇ ἱστορίᾳ ταύτῃ προσῆκον διηγήσασθαι περὶ τῶν ἀρχιερέων, πῶς ἀρξάμενοι καὶ τίσιν ἔξεστι τῆς τιμῆς ταύτης μεταλαμβάνειν καὶ πόσοι γεγόνασιν μέχρι τῆς τοῦ πολέμου τελευτῆς. πρῶτον μὲν οὖν πάντων λέγουσιν Ἀαρῶνα τὸν Μωυσέως ἀδελφὸν ἀρχιερατεῦσαι τῷ θεῷ, τελευτήσαντος δὲ ἐκείνου διαδέξασθαι τοὺς παῖδας εὐθὺς κἀπ' ἐκείνων τοῖς ἐγγόνοις αὐτῶν διαμεῖναι τὴν τιμὴν ἅπασιν. ὅθεν καὶ πάτριόν ἐστι μηδένα τοῦ θεοῦ τὴν ἀρχιερωσύνην λαμβάνειν ἢ τὸν ἐξ αἵματος τοῦ Ἀαρῶνος, ἑτέρου δὲ γένους οὐδ' ἂν βασιλεὺς ὢν τύχῃ τεύξεται τῆς ἀρχιερωσύνης.[304]

"Now I think it necessary and befitting in this history to give a detailed account of the high priests – how they began, who may lawfully participate in this office, and how many there were up to the end of the war. It is said that Aaron the brother of Moses was the first to act as high priest to God, that after his death his sons at once succeeded him, and that thereafter the office remained permanently with all their descendants. Wherefore it is also a tradition that non should hold God's high priesthood save him who is of Aaron's blood, and that no-one of another lineage, even if he happened to be a king, should attain to the high priesthood."

Having established this tradition of priestly descent, Josephus continues his narrative until eventually pointing out how the Herodians and Romans disregarded the typical rules for High Priests. His description of Herod's reign, in particular, draws this aspect to the fore:

τὴν δὲ βασιλείαν Ἡρώδης παρὰ Ῥωμαίων ἐγχειρισθεὶς οὐκέτι τοὺς ἐκ τοῦ Ἀσαμωναίου γένους καθίστησιν ἀρχιερεῖς, ἀλλὰ τισιν ἀσήμοις καὶ μόνον ἐξ ἱερέων οὖσιν πλὴν ἑνὸς Ἀριστοβούλου τὴν τιμὴν ἀπένεμεν.[305]

"Herod, when the kingdom was committed to him by the Romans, abandoned the practice of appointing those of Hasmonean lineage as high priests, and, with the exception of Aristobulus alone, assigned the office to some insignificant persons who were merely of priestly descent."

For Josephus, the decline of the priestly oligarchy, represented primarily by the High Priesthood, is one of the most important aspects of change resulting from Herodian and Roman rule in Judaea.[306] In this section, I shall outline the debate surrounding the High Priest and the Sanhedrin in the Herodian-Roman period and present a possible solution to the issue. In chapter three I discussed trial narratives in the works of Josephus and the New Testament;

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[303] *AJ* 20.224-51.
[304] *AJ* 20.224-6.
[305] *AJ* 20.247.
[306] On Josephus' relationship with the priesthood see McLaren (2016); (2009); Schwartz (1990), 58-109; Thoma (1989).

the narratives are important sources for the competence of the High Priest and Sanhedrin. I will not repeat the work done on these narratives *verbatim*, but certain conclusions, as they relate to this debate, will be summarised here.

The Sanhedrin appears most prominently in rabbinic literature, which has dominated scholar's conceptions of Judaean leadership.[307] The third-century *Mishnah* describes the High Priesthood and the Sanhedrin in the following way:

> סנהדרין גדולה, היתה של שבעים ואחד וקטנה של עשרים ושלשה ∙ ומנין לגדולה שהיא של שבעים ואחד שנאמר אספה לי שבעים איש מזקני ישראל, ומשה על גביהן הרי שבעים ואחד[308]

> "The greater Sanhedrin was made up of one and seventy [judges] and the lesser [Sanhedrin] of three and twenty. Whence do we learn that the greater Sanhedrin should be made up of one and seventy? It is written, *Gather unto me seventy men of the elders of Israel*; and Moses added to them makes one and seventy."

The *Mishnah* presents a permanent council of seventy-one, including the High Priest, and a series of smaller tribunals. The council, called the 'Great Sanhedrin' (סנהדרין גדולה; loaned from the Greek συνέδριον) or *Bet Din* (בית דין; meaning 'law court'), is the chief source of political and legal authority, whilst the High Priest is chiefly responsible for religious affairs.[309] Primarily based on this material, Adolf Büchler influentially argued that the two terms referred to different Judaean councils: one with purview over political affairs, the 'Great Sanhedrin', and a law court, the *Bet Din*.[310] His arguments have since been convincingly disproven; the two terms are used interchangeably, denoting a council with a purview over both political and legal matters.[311]

The model of the 'Great Sanhedrin' derived from rabbinic literature dominated discussion of Judaean leadership for Büchler and Mantel. More recently, however, scholars have come to appreciate the problems inherent in using this material as a model for the Second Temple period. The *Mishnah*, a codification of the rabbinic practice compiled in the

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[307] It is the initial point of discussion for, amongst others, Efron (1987), 290; Goodblatt (1994), 103; Goodman (1987), 113.

[308] *m.Sanh.* 1:6.

[309] For the 'Great Sanhedrin': *m.Sanh.* 1:6; 3:1; 4:3; *m.Sot.* 9:11; *t.Sanh.* 3:10. For the *Bet Din*: *m.Git.* 6:7; *m.Hor.* 1:5; *m.Sanh.* 11:2; 4; *m.Sot.* 1:4; 9:1. The religious purview of the High Priest is made clear from the rest of the *Sanhedrin* tracate, see, in particular *m.Sanh* 2:1.

[310] Büchler (1902), followed by Mantel (1961); Hoenig (1953); Zeitlin (1945).

[311] See *HJP* 2.207-8; Goodblatt (1994), 106; Goodman (1987), 113; Efron (1987), 292.

third century AD, cannot be used as a source for the Herodian period without risk of anachronism.[312] Debate has thus more recently focused on the extent to which a formal and regular Judaean council, often called the Sanhedrin for want of a better term, can be found in the late Second Temple Period.

Contemporary sources for Judaean leadership in the Herodian-Roman period give us quite a different picture. Our evidence comes from Josephus and the New Testament, but neither provide clear testimony on the issue. In what follows, I shall review the evidence for a Judaean council in these sources.

The first instance where Josephus gives us a glimpse of a Judaean council in the late Second Temple Period is the trial of Herod in 47/46 BC.[313] There is, however, a significant disparity between Josephus' two parallel accounts. In the *Jewish War*, Hyrcanus, on the urging of agitators and as a result of his own jealousy, summoned Herod to trial for contravening Judaean law.[314] On hearing this, the governor of Syria, Sextus Caesar, instructed Hyrcanus to find Herod not guilty, fearing violence. Although Hyrcanus was ordered by the governor, the decision to find Herod not guilty is presented as Hyrcanus' own:

> ὁ δὲ καὶ ἄλλως ὡρμημένος, ἠγάπα γὰρ Ἡρώδην, ἀποψηφίζεται.[315]
>
> "Hyrcanus, being inclined to take that course on other grounds, for he loved Herod, acquitted him."

This short narrative does not mention any regular Judaean council; all of the decision-making power seems to rest in the High Priest Hyrcanus, who has the authority to bring the case and to declare Herod not guilty.

In contrast, the *Jewish Antiquities* shows significant agency on the part of οἱ πρῶτοι τῶν Ἰουδαίων.[316] On the behest of this group, Hyrcanus summoned Herod to trial:

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[312] This is emphasised by *HJP* 2.207-11; Grabbe (2008), 14; Goodblatt (1994), 107-8; Efron (1987), 292; Goodman (1987), 113;. On the codification of legal practice in rabbinic literature, see above, 3.1.
[313] Jos. *BJ* 1.208-11; *AJ* 14.163-78.
[314] *BJ* 1.210.
[315] *BJ* 1.211.
[316] For the 'first men amongst the Judaeans', see *AJ* 14.165.

Ὑρκανὸς δὲ ἀκούσας ταῦτα πείθεται· προσεξῆψαν δὲ αὐτοῦ τὴν ὀργὴν καὶ αἱ μητέρες τῶν ὑπὸ Ἡρώδου πεφονευμένων· αὗται γὰρ καθ᾽ ἑκάστην ἡμέραν ἐν τῷ ἱερῷ παρακαλοῦσαι τὸν βασιλέα καὶ τὸν δῆμον, ἵνα δίκην Ἡρώδης ἐν τῷ συνεδρίῳ τῶν πεπραγμένων ὑπόσχῃ, διετέλουν. κινηθεὶς οὖν ὑπὸ τούτων Ὑρκανὸς Ἡρώδην ἐκάλει δικασόμενον ὑπὲρ ὧν διεβάλλετο.[317]

"Having heard these arguments, Hyrcanus was persuaded. And his anger was further kindled by the mothers of the men who had been murdered by Herod, for every day in the temple they kept begging the king and the people to have Herod brought to judgement in the *synedrion* for what he had done. Being, therefore, moved by these pleas, Hyrcanus summoned Herod to stand trial for the crimes of which he was accused."

In this account Hyrcanus, who is both the king and the High Priest, has the power to summon Herod to trial, but this trial is to be held 'in the *synedrion*'.[318] In much the same way as in the *Jewish War* account, Sextus Caesar intervened, telling Hyrcanus to prevent a guilty verdict against Herod.[319] The way in which Hyrcanus achieved this, however, differs from the *Jewish War*:

Ὑρκανὸς δὲ ὁρῶν ὡρμημένους πρὸς τὴν ἀναίρεσιν τὴν Ἡρώδου τοὺς ἐν τῷ συνεδρίῳ τὴν δίκην εἰς ἄλλην ἡμέραν ἀνεβάλετο, καὶ πέμψας κρύφα πρὸς Ἡρώδην συνεβούλευσεν αὐτῷ φυγεῖν ἐκ τῆς πόλεως· οὕτω γὰρ τὸν κίνδυνον διαφεύξεσθαι.[320]

"Now when Hyrcanus saw that those in the *synedrion* were bent on putting Herod to death, he postponed the trial to another day, and secretly sent to Herod, advising him to flee from the city, for in that way, he said, he might escape danger."

Unlike in the *Jewish War*, Hyrcanus does not have the power to acquit Herod himself. The verdict on Herod here seems to rest on 'those in the *synedrion*' (οἱ ἐν τῷ συνεδρίῳ). In this trial narrative, τὸ συνέδριον seems to refer to the tribunal or to the place in which it was held. We are not given much information about the composition of this group; we may suppose that it was made up of the 'first men amongst the Judaeans' that wanted the trial to be brought, but even that is not made explicit. The major difference between the two accounts is that Hyrcanus' judicial authority is second to the tribunal – either called or taking place in τὸ

[317] *AJ* 14.168-9. Translation adapted from Loeb.
[318] *Cf.* also 14.171: καταστὰς δὲ ἐν τῷ συνεδρίῳ.
[319] *AJ* 14.170.
[320] *AJ* 14.177. Translation adapted from Loeb.

συνέδριον – in the *Antiquities* passage whilst he has full decision-making power in the *Jewish War*.[321]

Josephus uses the same term, *synedrion*, to refer to tribunals in the prosecution of Herod's family. I have dealt with these trials in some detail in chapter three above, so I shall just summarise the pertinent details here. The term *synedrion* is used to describe two tribunals in which Herod prosecuted his sons. In 10 BC Herod tried his sons Alexander and Aristobulus for treason. In advance of the trial, Herod petitioned Augustus for advice on what to do with the two men. Augustus advised that Herod convene a *synedrion* to try them himself.[322] Josephus describes the *synedrion* Herod convened in some detail: it was composed of some Roman officers along with the king's συγγενεῖς καὶ φίλοι, his 'relatives and friends.'[323] The *synedrion* presented here seems to be an *ad hoc* tribunal, collected by Herod, that resembles the court of a Hellenistic king.

Later, in 4 BC, Herod convened a similar *synedrion* to try his son Antipater. Josephus describes the group in similar terms to the one that presided over the trial of Alexander and Aristobulus: it was composed of his friends and relatives.[324] In these two cases, where Josephus describes the group he terms a *synedrion*, it is incompatible with any notion of a permanent Judaean council referred to as the Sanhedrin in secondary literature.

Josephus uses the same term to describe the group that Agrippa II convenes over a religious issue in AD 64:

τῶν δὲ Λευιτῶν, φυλὴ δ᾽ ἐστὶν αὕτη, ὅσοιπερ ἦσαν ὑμνῳδοὶ πείθουσι τὸν βασιλέα καθίσαντα συνέδριον φορεῖν αὐτοῖς ἐπίσης τοῖς ἱερεῦσιν ἐπιτρέψαι λιμὴν στολήν.[325]

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[321] Many scholars have inferred more from these passages than I think can be critically read in them. Some have taken the *Jewish War* passage to mean that Hyrcanus, as High Priest, was the leader of a permanent Sanhedrin that conducted the trial: *HJP* 2.200; Sartre (2001), 308-10; (1991), 358; Rajak (1983), 41-2; Safrai (1974), 377-416. There is, however, no mention of a tribunal of any sort in the *Jewish War* passage and it is presumptuous to assume such a body. On the other hand, McLaren (1991), 69-79, sees it differently and emphasises the power of Hyrcanus in both cases. He argues Hyrcanus' ability to delay the trial represents supreme power over it. I think, however, that the necessity of delaying the trial, rather than proclaiming a verdict, underscores his *lack* of authority in this narrative. Goodblatt (1994), 112-3, questions the historicity of the *Antiquities* passage.
[322] Jos. *BJ* 1.536-7. See also *AJ* 16.356-8.
[323] *BJ* 1.538.
[324] *BJ* 1.620. See also *AJ* 17.93.
[325] *AJ* 20.216. Translation adapted from Loeb. On Josephus' relationship with Jewish sects, see now Baumgarten (2016).

"Those of the Levites – this is one of our tribes – who were singers of hymns urged the king to convene the *synedrion* and get them permission to wear linen robes on equal terms with the priests."

This group, presented without further description, is rather ambiguous. It is involved in the prescription of religious law, but there is little to tell us whether it was a pre-existing council or an *ad hoc* one convened for the purpose.[326] Although Josephus uses the same term, *synedrion*, that is later borrowed to make the Hebrew-Aramaic word *Sanhedrin*, the two concepts are not linked. Josephus applies the term *synedrion* to some groups that certainly do not correspond to the regular Judaean council called the Sanhedrin in modern scholarship.[327]

Josephus mentions groups called *boulai*, a term that typically denotes city councils, in Judaea as well. Of particular interest for our purposes is a letter from Claudius to the Judaeans recorded by Josephus.[328] The letter comes in response to a petition asking the Emperor to return the High Priest's robes, which had been deposited in the fortress Antonia.[329] It is addressed to the Ἱεροσολυμιτῶν ἄρχουσι βουλῇ δήμῳ Ἰουδαίων παντὶ ἔθνει ("the rulers, council, and people of Jerusalem, and to the whole *ethnos* of the Judaeans").[330] The *boule* of Jerusalem depicted here has been much debated. David Goodblatt and others have argued that this was the city council of Jerusalem.[331] On the other hand, Victor Tcherikover maintained that Jerusalem did not have the infrastructure of civic government and that this *boule* had authority over Judaea.[332]

There is little hope of conclusively resolving this debate. We can say for sure that, if Jerusalem was a *polis*, it was an unusual *polis*.[333] It never minted civic coinage, nor do we see civic institutions reflected in the, relatively abundant, epigraphy from the region.[334] Tcherikover's argument, therefore, might be more likely, but we are still given little idea of

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[326] On this problem, see also Grabbe (2008), 12; Goodblatt (1994), 110-2.
[327] Josephus also uses the term to refer to Augustus' *consilium* (*BJ* 2.25). This passage is discussed further below.
[328] *AJ* 20.11-4.
[329] *AJ* 20.4-10.
[330] *AJ* 20.11.
[331] Goodblatt (1994), 117; Efron (1987), 314-6; Levine (2002), 265-9.
[332] Tcherikover (1964).
[333] Tcherikover (1964) compellingly shows all the ways in which Jerusalem differed from what we might expect from a city in this place and time. On the model of the Greco-Roman city and potential problems with this, see above, 2.1.1.
[334] On which, see now *CIIP* 1.

what the *boule* of Jerusalem was. We have some further fragments of information about this group – Josephus mentions a building in which the *boule* met and a secretary attached to the *boule* – but nothing that allows us to positively differentiate between a city council and a pan-Judaean council.[335]

We are not given any clearer evidence by the New Testament. Narratives of the trial of Jesus in the Gospels and accounts of the apostles' trials in the Book of Acts have been fertile ground for scholars arguing for the existence of a permanent Judaean council whilst others have rejected this evidence as ahistorical.

The trial of Jesus narratives give us a complex picture of judicial administration in Roman Judaea.[336] They are especially problematic as none of these four accounts presents a formal legal decision; they show a political decision made by Pilate in the face of public scrutiny. The presentation we are given of Judaean leadership is mixed and made all the more uncertain as the narratives take place around the beginning of Passover, when it seems unlikely that a formal Judaean council would meet. In the Gospels of Matthew and Mark Jesus is questioned by a *synedrion* gathered at the house of the High Priest, Caiaphas.[337] The group depicted here, however, at no point resembles a formal council, but rather an *ad hoc* gathering.

The Gospel of Luke more likely depicts a formal meeting of a regular council. One passage in particular calls the meeting τὸ συνέδριον but uses a different term, τὸ πρεσβυτέριον τοῦ λαοῦ, to describe the group attending the meeting.[338] This group, called the *presbuterion*, could represent a permanent Judaean council, but it is only given this title by this author, in the Gospel of Luke and in the Book of Acts.[339] The group is not able to make a judicial decision regarding Jesus, rather they have to refer him to the prefect Pilate.

In the Gospel of John, meanwhile, Jesus is only questioned by Annas, a former High Priest, and Caiaphas, the current High Priest. At no point does John describe the group, if he

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[335] For the building: *BJ* 5.144; 354. For the secretary: *BJ* 5.532. On this, see also Grabbe (2008), 12-3.
[336] The trial of Jesus narratives are discussed in detail with bibliography above, 3.3.1.
[337] *Matt.* 26:59; *Mark* 14:55.
[338] *Luke* 22:66. This passage is quoted in full in 3.3.1.
[339] *Acts* 22:5. This is pointed out by Millar (1990b), 367.

does envisage one, present at the meeting. There is little in these narratives that clearly points to the existence of a permanent Judaean council.

The Book of Acts does, at times, seem to depict a Judaean council. It presents one trial narrative in particular that is of interest for our purposes: all of the apostles are arrested and tried by the Judaean authorities before being released by an angel.[340] For this trial the High Priest is reported to have convened τὸ συνέδριον καὶ πᾶσαν τὴν γερουσίαν τῶν υἱῶν Ἰσραήλ.[341] As I have argued above in chapter three, this passage, in the same way as the Gospel of Luke, uses τὸ συνέδριον to refer to the tribunal as a whole and another term, ἡ γερουσία, to refer to a group within it. In this case, ἡ γερουσία could well refer to a permanent Judaean council.

A brief survey of the evidence reveals a clear disparity between the Sanhedrin of the *Mishnah* and sources contemporary to the late Second Temple Period. Whilst the *Mishnah* clearly describes an authoritative and permanent council of seventy, contemporary sources are far more nebulous. If Josephus and the New Testament do depict a permanent Judaean council, then it most likely does not resemble the powerful institution depicted in rabbinic literature. It is anachronistic to try to impose that model on the late Second Temple Period.[342] Commentators have thus argued that a regular aristocratic council was the foremost institution of Judaean self-government in this period, but that it bore little resemblance to the Sanhedrin of rabbinic literature.[343]

The remarkable terminological diversity and lack of clarity in the works of Josephus and the Bible has led to two alternative approaches. Firstly, Martin Goodman suggested that the Sanhedrin was a group of advisors to the High Priest, similar to Augustus' *consilium*.[344] Secondly, Joshua Efron, David Goodblatt, and others have argued that there was no formal Sanhedrin, emphasising the High Priest's role as sole leader of the Judaeans.[345] Both of these

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[340] *Acts* 5:17-42. The trial narratives in *Acts* are discussed in further detail, with bibliography, above, 3.3.1.
[341] *Acts* 5:27.
[342] This is emphasised in particular by Goodman (1987), 113.
[343] See, in particular, *HJP* 2.199-226; Safrai (1974).
[344] Goodman (1987), 113-6, followed by Millar (1990b), 377.
[345] See Goodblatt (1994); McLaren (1991); Efron (1987).

interpretations recognise that contemporary sources, unlike the *Mishnah*, place more authority in the hands of the High Priest than in any council or tribunal.

Although they are certainly correct to reject the Sanhedrin-centric view presented by the *Mishnah*, these scholars do, however, seem to misinterpret the view of Judaean leadership provided by Josephus. An important passage describing the change from dynastic to provincial rule in Judaea provides valuable evidence for the role of the High Priest and a Judaean council at this time:

> καὶ τινὲς μὲν αὐτῶν ἐπολιτεύσαντο ἐπὶ τε Ἡρώδου βασιλεύοντος καὶ ἐπὶ Ἀρχελάου τοῦ παιδὸς αὐτοῦ, μετὰ δὲ τὴν τούτων τελευτὴν ἀριστοκρατία μὲν ἦν ἡ πολιτεια, τὴν δὲ προστασίαν τοῦ ἔθνους οἱ ἀρχιερεῖς ἐπεπίστευντο.[346]

> "Of these [High Priests] some held office during the reigns of Herod and Archelaus his son. After the death of these kings, the constitution became an *aristokratia*, but the High Priests were entrusted with the leadership of the nation."[347]

This passage comes at the end of Josephus' description of the High Priesthood and seems to reflect a particular change after Archelaus was deposed. The *aristokratia* Josephus refers to here has often been interpreted as the hereditary priesthood from which High Priests were typically selected. [348] According to this interpretation, Josephus presents the ἀριστοκρατία and the High Priesthood as aspects of the same priestly dominance. The ἀριστοκρατία was the wider priesthood in control of Judaea and the High Priesthood was the specific office that they dominated. The Greek, however, does not support this reading. Josephus uses two sets of μέν ... δέ, the first of which contrasts government under the Herodians with that under the praefects. The second μέν ... δέ links the new period of ἀριστοκρατία and the leadership (προστασία) of the High Priest. This second μέν ... δέ has, in line with the general interpretation of this passage, been taken as a positive conjunction.[349] It

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[346] Jos. *AJ* 20.251. Translation is my own.
[347] This translation is adapted from the Loeb edition according to my interpretation of this passage, discussed further below.
[348] Goodblatt (1994), 27; 215-6; Millar (1993a), 361; *HJP* 1.377.
[349] See, in particular, Goodblatt (1994), 27.

seems much more likely that it is, in fact, contrasting the two; the leadership of the High Priesthood was in opposition to or despite the ἀριστοκρατία.[350]

The way in which Josephus uses the term *aristokratia* throughout his works supports this interpretation. He uses it eight times and, in each case, it represents a type of government or constitution in opposition to the rule of one man; it is not used to refer to the more general domination of a particular class or group.

Several of these passages refer to pre-Roman Judaea, the first of which classifies *aristokratia* in no uncertain terms:

> ἀριστοκρατία μὲν οὖν κράτιστον καὶ ὁ κατ᾽ αὐτὴν βίος, καὶ μὴ λάβῃ πόθος ὑμᾶς ἄλλης πολιτείας, ἀλλὰ ταύτην στέργοιτε καὶ τοὺς νόμους ἔχοντες δεσπότας κατ᾽ αὐτοὺς ἕκαστα πράττετε· ἀρκεῖ γὰρ ὁ θεὸς ἡγεμὼν εἶναι. [351]

> "*Aristokratia*, with the life that is lived there-under, is indeed the best: let no craving process you for another polity, but be content with this, having the laws for your masters and governing all your actions by them; for God sufficeth for your ruler."

Aristokratia is here defined as a type of rule in opposition to the rule of one man. The term is used consistently in the other three passages relating to pre-Roman Judaea, both conceptually, as in *Antiquities* 6.36, where Samuel's opposition to monarchy is explained by his affinity for *aristokratia*, and practically, as in *Antiquities* 6.268, where the beginning of monarchy signals an end for *aristokratia*.[352] It is used to refer to a type of government or a period of government defined by its adherence to that type.

Elsewhere, Josephus uses *aristokratia* in a Roman context, in his description of the accession of Claudius:

> ἡ δὲ σύγκλητος, ἐξηγουμένων τῶν ὑπάτων Σεντίου Σατορνίνου καὶ Πομπωνίου Σεκούνδου, τρισὶν ταῖς συμμενούσαις σπείραις ἐπιτρέψασα φυλάττειν τὴν πόλιν εἰς τὸ Καπετώλιον ἠθροίσθη, καὶ διὰ τὴν ὠμότητα τὴν Γαΐου Κλαυδίῳ πολεμεῖν

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[350] This reading of the passage was first suggested by Daniel Schwartz (1983-1984), 33-4.

[351] *AJ* 4.223. Translation adapted from Loeb.

[352] *AJ* 6.36: ἐλύπησαν δὲ σφόδρα τὸν Σαμουῆλον οἱ λόγοι διὰ τὴν σύμφυτον δικαιοσύνην καὶ τὸ πρὸς τοὺς βασιλέας μῖσος· ἥττητο γὰρ δεινῶς τῆς ἀριστοκρατίας ὡς θείας καὶ μακαρίους ποιούσης τοὺς χρωμένους αὐτῆς τῇ πολιτείᾳ ("These words sorely grieved Samuel by reason of his innate righteousness and his hatred of kings; for he was keenly enamoured of *aristokratia*, accounting it divine and productive of bliss to those who adopted it."). 6.268: τοῦτο Σαοῦλος ἡμῖν ὁ Κείσου παῖς, ὁ πρῶτος μετὰ τὴν ἀριστοκρατίαν καὶ τὴν ἐπὶ τοῖς κριταῖς πολιτείαν Ἑβραίων βασιλεύσας ("Of this we have a signal example in the conduct of Saul, son of Kis, the first to become king of the Hebrews after the period of aristocracy and the government of the judges.").

ἐψηφίζετο· καταστήσεσθαι γὰρ δι᾽ ἀριστοκρατίας, ὥσπερ οὖν πάλαι διῳκεῖτο, τὴν ἀρχὴν ἢ κρινεῖν ψήφῳ τὸν ἄξιον τῆς ἡγεμονίας.[353]

"But the senate, on the motion of the consuls, Sentius Saturninus and Pomponius Secundus, after entrusting the protection of the city to the three cohorts that remained loyal to them, assembled in the capitol and, on the ground of the savagery of Gaius, decreed war on Claudius; they were determined either to revert to their former constitution as an *aristokratia*, or to elect by suffrage a leader worthy of the Empire."

This passage uses *aristokratia* to refer to Republican Rome and places the concept in opposition to Imperial Rome. It is of particular interest as Martin Goodman's model of Judaean leadership in the Herodian-Roman period relies on a Roman parallel.[354] In support of his argument, Goodman highlights a passage where Josephus refers to Augustus' *consilium* as a *synedrion*.[355] According to this argument the relationship between the High Priest and the Sanhedrin was akin to the Emperor's relationship with his *consilium*; the Sanhedrin was an advisory group acting as an extension of the High Priest's authority. Here, however, Imperial rule is explicitly contrasted with *aristokratia*, the form of government that apparently followed Archelaus' deposition.

The final two uses of the term *aristokratia* are the parallel passages describing Gabinius' organisation of Judaea in 57 BC:

μετὰ δὲ ταῦτα εἰς Ἱεροσόλυμα Γαβίνιος Ὑρκανὸν καταγαγὼν καὶ τὴν τοῦ ἱεροῦ παραδοὺς κηδεμονίαν αὐτῷ καθίστατο τὴν ἄλλην πολιτείαν ἐπὶ προστασίᾳ τῶν ἀρίστων. διεῖλεν δὲ πᾶν τὸ ἔθνος εἰς πέντε συνόδους ... ἀσμένως δὲ τῆς ἐξ ἑνὸς ἐπικρατείας ἐλευθερωθέντες τὸ λοιπὸν ἀριστοκρατίᾳ διῳκοῦντο.[356]

"After this Gabinius reinstated Hyrcanus in Jerusalem and committed to him the custody of the Temple. The civil administation he reconstituted under the rule of the best. He divided the whole nation into five unions … The Jews welcomed their release from the rule of an individual and were from that time forward governed by an *aristokratia*."

Aulus Gabinius was made governor of Syria in 57 BC. On arrival, he reinstated the recently deposed Hasmonean Hyrcanus as High Priest and established five councils to govern

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[353] *BJ* 2.205. Translation adapted from Loeb. In his *Antiquities*, Josephus gives a significantly longer account of the accession, presenting Caligula's death, the intrigue surrounding it, and his succession as a moralising tale. See *AJ* 19.14-166. This account is dealt with in detail by Wiseman (1991).
[354] See Goodman (1987), 112-8.
[355] Jos. *BJ* 2.2.5.
[356] *BJ* 1.169-70. Translation adapted from Loeb. *Cf. AJ* 14.91.

the region.[357] What is important for our purposes here is that rule by these councils, called *synodoi* here, are tantamount to *aristokratia*. This passage seems to suggest that whilst Hyrcanus was the High Priest, his authority was subject to the *synodoi*.

Josephus' use of the term *aristokratia* is remarkably consistent throughout his works. It is used to refer to councils or forms of rule involving a select group and it is consistently used in opposition to the rule of one man. Whilst scholars have maintained that Josephus uses the term to indicate the priestly dominance of the High Priesthood after Archelaus' deposition, this seems incongruous given how it is used elsewhere.

I suggest a different interpretation of the above-cited passage, *Antiquities* 20.251, in which Josephus states that the country was passed into the hands of an *aristokratia*, but that it was led by the High Priest. Based on how Josephus uses the term, *aristokratia* must refer to a council or group of some sort and the most likely option is a Judaean council that might be known as the Sanhedrin. The contrast that, in my opinion, Josephus presents between the two institutions would suggest that the council's authority was distinct to, although less than, that of the High Priest.

Josephus presents this as a particular change because there was no such council before the deposition of Archelaus in AD 6. Although our evidence for Judaean leadership both before and after AD 6 is unclear, councils convened by Herod are often made up of his friends and relatives, resembling the court of a Hellenistic king. It is only after AD 6 that we are presented with a group that might have been a regular Judaean council.

The introduction of a Judaean administrative body at this point would also explain why later rabbinic sources use the word *Sanhedrin*, loaned from the Greek *synedrion*. The necessity of using a loan word in itself suggests that the rabbinic *Sanhedrin* did not correspond to an ancient Judaean custom. If the notion that later became the rabbinic *Sanhedrin* was established in Roman Judaea then the Greek origins of the term and its link to the term *synedrion*, used repeatedly by Josephus and New Testament sources, would become clear.

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[357] On these, see Smallwood (1967); Bammel (1961); Kanael (1957).

Martin Goodman has argued persuasively for the necessity of a council after AD 6.[358] In the absence of the royal court, an administrative and judicial body would be required to undertake certain tasks. Tax collection, for instance, would have been important; Roman authorities often left local tax collection to non-Roman authorities.[359] We have evidence for a group, called a *boule* by Josephus, collecting taxes in the surrounding villages. It comes after a period of destruction in the Temple at the outset of the Jewish Revolt:

> τούτοις ὁ δῆμος ἐπέθετο, καὶ μετὰ τοῦ βασιλέως τῆς τε Βερνίκης ἀναβάντες εἰς τὸ ἱερὸν κατήρξαντο τῆς τῶν στοῶν δομήσεως, εἰς δὲ τὰς κώμας οἵ τε ἄρχοντες καὶ βουλευταὶ μερισθέντες τοὺς φόρους συνέλεγον.[360]

> "Acting on this advice, the people went up to the Temple, with the king and Berenice, and began the reconstruction of the porticos, while the magistrates and the members of the *boule* dispersed to the various villages and levied the tribute."

If we accept that Jerusalem was not made a Greco-Roman city before its destruction in AD 70, the body that Josephus depicts here is likely to be a permanent Judaean council undertaking administrative duties in Judaea.[361]

In conclusion, debate has focused on the composition, purview, and existence of an aristocratic Judaean council in the late Second Temple Period. We are given two perspectives: the third-century *Mishnah* depicts an aristocratic council called the *Sanhedrin* in charge of various aspects of Judaean life; contemporary evidence, Josephus and the New Testament, gives us an ambiguous picture, using many different terms to refer to groups that may or may not correspond to a Judaean council of some sort. Although there is much we do not know, Josephus' presentation of a change whereby an authoritative Judaean council was established under the leadership of the High Priest seems to be borne out by our evidence. Only after AD 6 is any group portrayed that could conform to modern notions of the Sanhedrin.

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[358] Goodman (1987), 115.
[359] See below, 4.3.
[360] Jos. *BJ* 2.405. Translation adapted from Loeb.
[361] This is suggested by Goodman (1987), 115, albeit used in favour of his model whereby the *boule* was an advisory council to the High Priest.

4. Taxation

4.1. Introduction

The present chapter examines taxes and how they were administered. Taxation is a necessary tool of government. Both in antiquity and in the modern world, taxes provide the funds necessary for the machinery of state to function. The Romans were well aware of the necessity of taxation; Cicero demonstrates this aptly in a letter discussing his brother's proconsulship:

> *simul et illud Asia cogitet, nullam ab se neque belli externi neque domesticarum discordiarum calamitatem afuturam fuisse, si hoc imperio non teneretur; id autem imperium cum retineri sine vectigalibus nullo modo possit, aequo animo parte aliqua suorum fructuum pacem sibi sempiternam redimat atque otium.*[1]

> "Asia must also remember that if she were not under our *imperium* she would have suffered every calamity that foreign war and strife at home can inflict. Since the *imperium* cannot possibly be maintained without taxation, let her not grudge a part of her revenues in exchange for permanent peace and quiet."

For Cicero, taxation was the price for peace and order; it was necessary to maintain *imperium*.[2] As *imperium* was only used to refer to the Empire in a territorial sense from the first century AD, Cicero links taxes to the authority given to Roman officials and to the duties that they undertook with that authority.[3] He sees taxation as being necessary to the practice of Roman governance in the provinces. It is important to discuss taxation as it is fundamental to governance in kingdoms and principalities and the provinces they later became.

As taxation is essentially the collection of wealth by the state, the study of taxation is intimately connected to economic history, the study of economies and economic phenomena in the past.[4] A significant number of scholars have taken an economic approach towards the study of kingdoms and principalities, focusing on economic phenomena – the movement of people, goods, or money – and events that affect them. For instance, Jack Pastor's 1997

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[1] Cic. *Q. Fr.* 1.1.34. Translation adapted from Loeb.
[2] See also Tac. *Hist.* 4.74; Cass. Dio 52.28.6.
[3] On the use of *imperium*, see Erskine (2010), 5-6; Richardson (2008); (1991); Champion and Eckstein (2004), 2.
[4] For an introduction to economic history, see, for instance, Bairoch (1995); Cipolla (1991); Kadish (1989).

monograph, *Land and Economy in Ancient Palestine*, sought to quantify the economic and

social role of the land from the Hellenistic to the Roman period.[5] Other scholars have focused

on the economic role of coinage – an important aspect of numismatic study often overlooked

in favour of the study of iconography – and thus provided important context to the

numismatic evidence.[6] The types of investigations mentioned here seek to answer economic

questions and establish economic models with which other human activity can be better

understood.

The present chapter seeks to answer fundamentally different questions. It compares

the practice of taxation under dynastic and provincial rule in order to better understand

dynastic rule as a form of governance. Whilst economic concerns are certainly important to

the study of taxation, this chapter seeks to understand it as a function undertaken by

governing bodies. The issues discussed are, in essence, administrative rather than economic.

An example of this approach to taxation is the 2005 monograph, *To Caesar What is Caesar's*

by Fabian Udoh, who discusses the practice of taxation in early Roman Palestine.[7]

The most significant difference between these two approaches is the importance of

scale. Historians seeking answers to economic questions are naturally concerned with the

quantity of economic resources: the amount of produce made or tax revenue collected. The

study of economic figures in the Roman Near East can lead to significant evidentiary

problems. Such issues have been quite prominent, for instance, in the study of the Herodians'

finances. Arnoldo Momigliano undertook the inenviable task of reconstructing Herod's

finances in 1934; by using figures given by Josephus he estimated the revenues produced by

different taxes in each region under Herod's control.[8] Whilst the figures he produced are

certainly plausible, Josephus' figures cannot be confirmed with supporting evidence and

much extrapolation is required.[9] It is more profitable for our purposes to determine how taxes

were levied under kings and princes: what assets or output was taxed; and how was the

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[5] Pastor (1997). Similar to this approach, see also Gabba (1999); Applebaum (1977); (1976); Klausner (1972).
[6] See, in particular, Facella (2005b); Butcher (2004). See also the debate surrounding the Arabian *melanes* ("blacks") discussed below, 4.3.
[7] Udoh (2005).
[8] Momigliano (1934). This debate is discussed further below, with bibliography, 4.2.
[9] See Udoh (2005), 181-5, for a rebuttal of some of Momigliano's arguments.

revenue collected. This chapter discusses the process by which tax was levied and how that reflects on the nature of dynastic rule.

4.2. In kingdoms and principalities

In this section, I shall discuss taxes and tax collection in kingdoms and principalities. Whilst direct evidence for taxation is relatively scarce, we can discern much from documentary and numismatic evidence as well as the accounts of Josephus. Rather than attempting to establish rates of tax or amounts of tax revenue, it is more profitable for our purposes to look at how systems of taxation were administered, investigating what was taxed and how it was taxed.

Throughout his works, Josephus gives us indications of the Herodians' economic policy. Of particular interest to him is the building program of Herod the Great: Josephus spares little detail in describing Herod's largesse and the effect that it had on his subjects.[10] He gives us some indication of the tax burden in the Herodian Kingdom as part of his description of the unrest after Herod's death in 4 BC. Josephus records a meeting between the incoming ethnarch, Archelaus, and a crowd of his subjects; the two accounts of this gathering give us an indication of how Herod's taxation was perceived:

> ἐπὶ τούτοις ἡδόμενον τὸ πλῆθος εὐθέως ἀπεπειρᾶτο τῆς διανοίας αὐτοῦ μεγάλοις αἰτήμασιν· οἱ μὲν γὰρ ἐβόων ἐπικουφίζειν τὰς εἰσφοράς, οἱ δὲ ἀναιρεῖν τὰ τέλη, τινὲς δὲ ἀπολύειν τοὺς δεσμώτας.[11]

> "Delighted at these professions, the multitude at once proceeded to test his intentions by making large demands. One party clamoured for a reduction of the taxes, another for the abolition of the duties, a third for the liberation of the prisoners."

> οἱ μὲν εἰσφορὰς ἅς ἐνιαυσίους φέροιεν ἐπικουφίζειν βοῇ χρώμενοι, οἱ δὲ αὖ δεσμωτῶν, οἳ ὑφ᾽ Ἡρώδου ἐδέδεντο (πολλοὶ δὲ ἦσαν κἀκ πολλῶν χρόνων) ἀπόλυσιν. εἰσὶ δὲ οἳ ἄρσεις τῶν τελῶν ἃ ἐπὶ πράσεσιν ἤ ὠναῖς δημοσίαις ἐπεβάλλετο πρασσόμενα πικρῶς ἠτοῦντο.[12]

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[10] For Herod's building program, see, amongst others, Edwards (2007); Roller (1998); Kasher (1990), 193-225. This issue is prevalent across Josephus' work, but in particular see *BJ* 1.408-20; *AJ* 15.292-324.
[11] *BJ* 2.4.
[12] *AJ* 17.204-5.

"Some cried out that he should lighten the yearly payments that they were making. Others demanded the release of the prisoners who had been put in chains by Herod – and there were many of these and they had been in prison for a long time. Still others demanded the removal of the taxes that had been levied upon public purchases and sales and had been ruthlessly exacted."

These extracts come after Archelaus, attempting to placate the crowd, promised the Judaeans gathered around the Temple that he would treat them better than his father did. Amongst other demands, the crowd requested that taxes be lowered. In these passages, they refer to two distinct taxes: a tax on land and a tax on sales. The tax on land is denoted with the word εἰσφορά, the name given to property taxes in a number of Greek States and the Ptolemaic Empire.[13] The interpretation of the tax on sales is less clear. In the *Jewish War*, Josephus calls it τὸ τέλος, a general term used for dues of various kinds. It is not immediately clear that this refers to a tax on sales in this passage, but the *Antiquities* explicitly states that the tax was "levied on public purchases and sales" (ἐπὶ πράσεσιν ἤ ὠναῖς δημοσίαις ἐπεβάλλετο). Given the similarity in the structure and content between these two parallel passages, we can assume that the *Jewish War* uses τὸ τέλος to refer to taxes on purchases and sales as well.

The two passages quoted above have often been used to infer more about Herod's taxes than the recognition that there were taxes on both land and sales. The fact that, on Archelaus' accession, Judaeans were asking for the remission of taxes has been seen as evidence that Herod's taxes were excessive.[14] The accession of a new ruler, however, represents an opportunity to ask for favours; this scene is evidence that the taxes were resented, not that they were excessive.[15] Scholars have recently argued against the long held narrative that Herod's economic policy was oppressive to his subjects. They have emphasised the signs of prosperity in Herodian Palestine and pointed to an occasion where Herod remitted

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[13] On εἰσφοραί, see Christ (2007); Brun (1983), 3-73; de Ste. Croix (1966); (1953).

[14] Ben-Shalom (1993), 54-5; Horsley (1993), 29; Applebaum (1977), 378; Zeitlin (1969), 97. In the absence of certain figures, proponents of this interpretation also tend to assume that Herod's lavish building program would require particularly onerous taxation to fund. Recent studies, however, have shown that Herod's personal income would likely have been able to sufficiently offset building costs such that taxes would not have to be excessive. See Udoh (2005), 115-7; Gabba (1999), 118-24; (1990), 161-8; Pastor (1997), 107-8.

[15] In particular see Rajak (1983), 122-3.

taxes to help his subjects recover from the economic effects of a drought.[16] Josephus
addresses this in his account but attributes Herod with an ulterior motive:

> τότε καὶ τὸ τρίτον μέρος ἀφῆκε τῶν φόρων τοῖς ἐν τῇ βασιλείᾳ, πρόφασιν μὲν ὡς
> ἀναλάβοιεν ἐν τῆς ἀφορίας, τὸ δὲ πλέον ἀνακτώμενος ἔχοντας δυσμενῶς· κατὰ γὰρ
> τὴν ἐξεργασίαν τῶν τοιούτων ἐπιτηδευμάτων ὡς ἄν λυομένης αὐτοῖς τῆς εὐσεβείας
> καὶ μεταπιπτόντων τῶν ἐθῶν χαλεπῶς ἔφερον.[17]

> "It was at this time also that Herod remitted to the people of his kingdom a third part
> of their taxes, under the pretext of letting them recover from a period of lack of crops,
> but really for the more important purpose of getting back the goodwill of those who
> were disaffected. For they resented his carrying out of such arrangements as seemed
> to them to mean the dissolution of their religion and the disappearance of their
> customs."

Passages such as this illustrate how Josephus can be a difficult source for the study of
Herodian economic policy.[18] As has long been recognised, Herod the Great has a particular
role in Josephus' works.[19] Whilst Josephus often praises Herod in his foreign policy, he is
overwhelmingly critical of his domestic policy, condemning his treatment of his subjects and
his family.[20] In both the *Jewish War* and the *Antiquities*, Josephus strives to show the
inadequacies of monarchic rule, represented by Herod, over the Judaeans. In the *Jewish War*,
this criticism is sometimes quite subtle, but in the *Antiquities* is it overt.[21] The drought of 25
BC addressed in the passage above is not mentioned in the *Jewish War*, but it is used in the
Antiquities as a means to cast further aspersions on Herod's domestic policy. There is no
reason to reject Josephus' account of the drought as unhistorical, but we have to be sceptical
of how Herod's motives are portrayed. We cannot easily give credence to Josephus' accounts
of particular discontent over Herod's taxation. There is little to indicate that taxation under

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[16] Udoh (2005), 115-7; Pastor (1997), 105-8.

[17] *AJ* 15.365.

[18] The motive Josephus attributes to Herod here is questioned by Pastor (1997), 106.

[19] See, in particular, van Henten (2016); Bond (2012); Rajak (2007); Landau (2006); Mason (2003), 152-64; Fuks (2002).

[20] This is emphasised in particular by van Henten (2016). The contrast is exemplified in the *Jewish War* where there is a clear point of transition between discussion of Herod's successful foreign affairs and his domestic failures: "But, in revenge for his public prosperity, fortune visited Herod with troubles at home; his ill-fated career originated with a woman to whom he was passionately attached" (1.431). Bond (2012) shows how Herod's treatment of his family is used to highlight the deficiencies of monarchic rule. Herod's treatment of his family is discussed further in 3.2.1; his treatment of his subjects, particularly with reference to Herod's interaction with Judaean traditions, is discussed in 2.2.2.

[21] See further above, 1.3.1.1; 3.2.1.

Herod was more or less onerous than under another king or under the Roman praefects of Judaea.

We can take two conclusions from Josephus' accounts of the events that followed Herod's death. Firstly, they depict two main forms of taxes in the kingdom: taxes on land and sales. Secondly, the Herodians seem to have had autonomous control over taxes in their kingdom.[22] Herod's ability to remit taxes following a period of drought and Josephus' presentation of a crowd asking Archelaus to lower taxes would suggest the kings had control over taxation in their kingdom.

A disaster narrative from the sixth-century *Chronicle of Edessa* presents a picture of taxation similar to Josephus' accounts of the drought in Herodian Palestine. The *Chronicle* repeats a report from the Edessan city archives describing a large-scale flood in the city.[23] Whilst we are not given much specific information regarding taxation from Edessa in this narrative, we are told that the king waived all unpaid taxes and remitted any further taxes for five years in the aftermath of the flood.[24] Abgar VIII clearly also had autonomy in the administration of taxation in his kingdom.

By collecting scattered information recorded by Josephus, we can identify the types, although not the rates, of tax employed in the Herodian Kingdom.[25] Although we know relatively little about how it worked in practice, there was clearly some sort of tax on land.[26] The passages quoted above unambiguously refer to a land tax, called an εἰσφορά, of some sort. Josephus also refers to a tax on land when discussing the economic impact of the drought of 25-24 BC:

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[22] This is emphasised particularly by *HJP* 1.416.

[23] It has been generally agreed to be a genuine extract from the city archives. See Millar (2011a), 98; (1993a), 473; Sommer (2010), 223-4; (2005), 225-7; Ross (2001), 106; Segal (1970), 20.

[24] *Chron. Min.* 3-4.

[25] This approach is taken by Udoh (2005), 159-79; Pastor (1997), 106 in particular. Some scholars have attempted to reconstruct the rates and figures of Herodian taxation: see, for instance, Applebaum (1977); Momigliano (1934). The only figures we are given for the taxes levied by the Herodian Kings are the total revenues collected by Herod's successors (see Jos. *BJ* 2.94-8; *AJ* 17.318-20; these passages are discussed below). We do not have sufficient evidence to make conclusions about the rate or amount levied by any particular tax.

[26] On the land tax in Herodian Palestine, see Udoh (2005), 162-4; Rocca (2008), 206; Pastor (1997), 106-8. We do not have enough evidence to know how Herod assessed his kingdom for the tax on land, but it should be noted that Nikos Kokkinos (1998a) has made some efforts towards an answer.

ἤ τε ἀνάγκη πολλὰ διὰ τὰς χρείας ἐκαινούργει. καὶ τὰς ἀπορίας οὐκ ἐλάττους εἶναι συνέβαινεν αὐτῷ τῷ βασιλεῖ, τῶν τε φόρων οὓς ἐλάμβανεν ἀπὸ τῆς γῆς ἀφῃρημένῳ, καὶ τὰ χρήματα δεδαπανηκότι πρὸς φιλοτιμίαν ὧν τὰς πόλεις ἐπεσκεύαζεν.[27]

"So their necessity made them find many new ways of sustaining themselves. And the king himself, as it happened, was in no less want, for he was deprived of the revenue which he received from the (products of the) earth, and he had used up his money in the lavish reconstruction of cities."

Whilst it is possible that Josephus is here referring to Herod's income from private estates, it seems more likely that it was from taxation.[28] This reference gives us an additional insight into Herod's land taxes: in order for the drought to have had a negative effect then the tax must have been on agricultural production. The passage also emphasises the importance of the land tax to Herod's revenues; we might surmise that this agrarian tax represented a substantial portion of the kingdom's tax base.[29]

Jack Pastor has argued that the land tax Josephus refers to here was the Roman *tributum soli*, according to which field produce was taxed at 12.5 percent.[30] According to this interpretation, the Herodians maintained the Roman land tax established under Roman rule between 60 and 47 BC. There is, however, no direct evidence with which to make this claim.

The other tax discussed in Archelaus' meeting with his subjects at the Temple is a tax on sales. In his narratives of this event, Josephus gives us little information beyond the existence of 'taxes on public purchases and sales' (τὰ τέλη ἅ ἐπὶ πράσεσιν ἤ ὠναῖς δημοσίαις ἐπεβάλλετο). We are given no further information by Josephus about this tax. The prefect Vitellius reportedly removed a tax on sales from the people of Jerusalem in AD 36, but there is no way to be sure that it was the same tax, which continued unchanged, that the people complained to Archelaus about in 4 BC.[31]

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[27] *AJ* 15.303.

[28] On this, see Udoh (2005), 162-4; Pastor (1997), 105. Much scholarship has dealt with Herod's private estates and income, see, amongst others, Rocca (2008), 208-10; Pastor (1997), 108; Applebaum (1976), 665-7; Gabba (1990).

[29] See, in particular, Pastor (1997), 105. Josephus elsewhere emphasises the importance of agricultural production to Herod's revenues, crediting it with his ability to aid Antony in the battle of Actium: *AJ* 15.109. Scholars have often characterised the economy of Herodian Palestine as primarily agrarian, see in particular Applebaum (1976). Goodman (1996), esp. 769, notes the importance of the agrarian economy but also emphasises the economic role of the Temple in Jerusalem's relatively poor hinterland. See also Broshi (1987).

[30] Pastor (1997), 106. See also Oakman (1986), 71.

[31] Jos. *AJ* 18.90. It has been commonly thought that the Herodian tax on sales continued unabated until it was removed by Vitellius. See *HJP* 1.374; Smallwood (1976), 172. For a more sceptical view, see Udoh (2005), 176.

Whilst Josephus provides us reasonably clear indications that there was both a land tax and a sales tax, scholars have attempted to attribute the Herodian Kingdom with many more. Abraham Schalit, in particular, has argued that the Herodian Kingdom levied a number of taxes known from the Hellenistic East and the Roman Empire.[32] According to Schalit, we can assume that the Herodians levied taxes common to Hellenistic kingdoms and Rome as these are the administrative traditions on which the kingdom was based.[33] He thus argues for a number of taxes that our sources do not clearly place in the Herodian Kingdom: a tax on persons; a tax on real estate; and tolls on trade goods. In what follows, I shall discuss the evidence for these taxes and the likelihood that they were levied in the Herodian Kingdom.

Scholars have contended that there was a tax on persons, a so-called 'head tax', in the Herodian Kingdom. Schalit, followed by Brook Pearson, argues that Herod periodically undertook a census, after the Roman fashion, and levied a tax based on the results.[34] There is no direct evidence for a 'head tax' in Herodian Palestine; the case for such a tax has been made on the basis of comparisons with Roman Egypt.[35] According to this argument, we can assume the existence of a census based on comparable administrative practice and structure. Pearson, in particular, has pointed out allusions to *komogrammateis* in the Herodian Kingdom.[36] The title appears in two parallel passages in Josephus' *Jewish War* and *Jewish Antiquities*: Alexander and Aristobulus, Herod's sons, reportedly threatened that they would make all of their siblings *komogrammateis* ("village scribes") if they achieved power.[37] Pearson points out the critical role that *komogrammateis* played in census administration in Roman Egypt and thus attributes the officials in Herodian Palestine with the same function.[38]

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[32] Schalit (1969), 262-98. See also Hoehner (1972), 75-7. This approach is vehemently opposed by Udoh (2005), 159-61.
[33] Schalit (1969), 263-5.
[34] Pearson (1999), 265-77; Schalit (1969), 265-78. Jones (1938), 168, thinks it is likely that the Herodians levied a personal tax, but does not contend that they ever conducted a census. Udoh (2005), 164-71, criticises the arguments of Schalit and Pearson at length.
[35] On the Roman *tributum capitis* and the censi that made it possible, see Rathbone (1989); (1993a); (1996); Brunt (1981). See further below, 4.3.
[36] Pearson (1999), 270-1.
[37] *BJ* 1.479; *AJ* 16.203. The attestations of *komogrammateis* are discussed further above, 2.2.4.
[38] For the role of *komogrammateis* in the census, see, in particular, *P Oxy.* 240; 251; 252; 254; 255; 288; 488. See Rathbone (1993b).

Without any further evidence to show that a census was made by the Herodians, these arguments are unconvincing.

There is only one known instance of a Roman census in a kingdom under Roman influence. The people of Cilicia, under the control of the Cappadocian Archelaus II, seem to have been subjected to a census in AD 36.[39] Tacitus describes how the *natio* of the Cietae revolted, barricading themselves in the hills, because of the census and direct taxation.[40] After Archelaus was deposed in AD 6, the prefect Quirinius commissioned a census which sparked a similar reaction in Judaea.[41] The public reaction in both of these cases suggests that it was not common practice to take a census under dynastic rule in Cappadocia or Judaea.[42] It seems unlikely that any of the Herodian Kings ever conducted a census and, whilst it is certainly possible, there is no evidence to suggest that they levied a tax on persons either.

The second tax attributed to the Herodian Kingdom by Abraham Schalit is the so-called house tax, a tax on real estate.[43] The argument for this tax is based on a passage from Josephus' *Jewish Antiquities*:

> καταστησάμενος δὲ τὰ περὶ τοὺς ἀρχιερεῖς οὕτως ὁ βασιλεὺς τοὺς Ἱεροσολυμίτας ἠμείψατο τῆς εἰς αὐτὸν εὐνοίας· ἀνῆκε γοῦν αὐτοῖς τὰ ὑπὲρ ἑκάστης οἰκίας, ἐν καλῷ τιθέμενος ἀντιδοῦναι τοῖς ἠγαπηκόσιν στοργήν.[44]

> "Having in this way taken care of the high priesthood, the king recompensed the inhabitants of Jerusalem for their goodwill to him by remitting to them the tax on every house, holding it right to repay the affection of his subjects with a corresponding fatherly love."

Josephus describes the removal of a tax 'on every house' (ὑπὲρ ἑκάστης οἰκίας) by Agrippa I on his accession in AD 41. The brief description given here suggests that it was a tax on real estate. As Fabian Udoh has pointed out, there are significant Roman parallels to

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[39] On this census and how it relates to practice in kingdoms and principalities in general, see Udoh (2005), 167-9; Millar (1996), 166-7; Sullivan (1980), 1167-8.
[40] *Ann.* 6.41.
[41] The events are narrated primarily by Josephus, *AJ* 18.4-23, but also mentioned by *Luke* 2:1-2. Whilst the date of the census has been questioned (see, in particular, Rhoads [2011]), the consensus date of AD 6 seems more likely. This is discussed in further detail below, 4.3.
[42] This point is made by Udoh (2005), 167-9.
[43] Schalit (1969), 290.
[44] *AJ* 19.299.

such a tax, levied on homeowners in the provinces.[45] The 'tax on every house' has been linked to a regulation found in rabbinic literature whereby homeowning citizens, defined as those who have lived there for twelve months, have to contribute to the cost of the city walls.[46] As the only information we have about this tax on real estate is that it was removed from the inhabitants of Jerusalem in AD 40/41, it cannot reasonably be linked to a homeowners tax described in the *Mishnah* in the second century.[47]

The critical question regarding Josephus' 'tax on every house' is whether it began under Herodian or Roman control. Schalit assumes that the tax was created by Herod and remained in place until it was removed by Agrippa.[48] There is, however, little evidence to attribute it with certainty to either ruling power. We might speculate that, given the significant parallels from the Roman provinces, it was instituted under the prefects, but a certain conclusion cannot be reached.

Scholars have also attributed duties on goods in transit to Herod's Kingdom.[49] As there is no evidence for these taxes in Herodian ports – Caesarea, Jaffa, Jamnia, and Gaza – commentators have relied primarily on parallels from elsewhere. Jack Pastor, based on comparable taxes levied in Classical Athens, Cyparissia, and *provincia Asia*, argues that Herod's ports most likely levied a two or two and a half percent tax on goods being imported or exported.[50] Duncan-Jones, studying the Roman Mediterranean more broadly, finds that

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[45] Udoh (2005), 179. He notes taxes on houses in Asia, 71/70 BC (App. *Hist. rom.* 12.83) and Cilicia (Cic. *Fam.* 3.8.3-5).

[46] See Heichelheim (1938), 236, followed by Schalit (1969), 290. The regulation is found in *m.BBat.* 1:5.

[47] Udoh (2005), 177-9, argues that we cannot so easily link Josephus' 'house tax' and the rabbinic 'wall tax'. He goes on to characterise the 'wall tax' as a Roman tax originating to the period of Roman rule after the Jewish revolt. While it most likely originates from this period, it cannot necessarily be linked to the Romans. I have discussed the Hebrew term used, עיר, above, 2.2.4: it designates walled settlements and can thus apply to what are, in Roman terms, relatively small and unimportant towns. It seems more likely that this tax, imposed in such places, would have been levied by the Judaean communities that it served and had little to do with the provincial authorities. Such a tax, originating from the Judaean authorities controlling walled towns, would also be more likely included in the *Mishnah*, which codified rabbinic practice, than a tax imposed on Judaea by the Romans.

[48] Schalit (1969), 290.

[49] See Rocca (2008), 206; Udoh (2005), 171-5; Pastor (1997), 107; Schalit (1969), 290-8. Udoh argues that the customs duties represented the majority of Herod's income, but there is little clear evidence to support this. As I have discussed above, the little economic evidence we have from Herodian Palestine seems to present the tax on agricultural produce as the most important.

[50] Pastor (1997), 107.

tariffs between two and five percent were common.[51] Abraham Schalit makes a significantly higher estimate of twenty five percent based on parallels with trade across the Red Sea.[52]

The clearest evidence for duties on import and export in the Roman Near East comes from the famous Palmyrene tax law of AD 137.[53] This inscription details the amount to be paid when importing or exporting certain goods including slaves, oil, clothes, leathers, furs, and other valuable commodities.[54] The taxes are levied on the basis of discrete units, where possible, or the amount that can be loaded onto a donkey or a camel.[55] On the basis of the tax law, Harold Hoehner has attributed Herod Antipas' tetrarchy with tariffs and sales taxes on the same goods explicitly mentioned in the inscription from Palmyra.[56] This argument certainly takes the parallel too far: there is no reason to expect that the same goods were important in the Galilee as in Palmyra. Nevertheless, this text is important for our purposes as it emphasises the importance of tariffs on eastern trade; a substantial proportion of the text is devoted to this purpose.

There is no direct evidence for taxes on trade coming into and leaving the ports of the Herodian Kingdom. It seems likely, however, that the Herodian Kings did levy some sort of tariff. Evidence from ports around the Mediterranean and from Palmyra suggests that taxation on the movement of goods was commonplace and it seems unlikely that the Herodians would not engage in this practice.[57] Duncan-Jones' analysis that tariffs of two to five percent were common across the Roman Mediterranean is convincing; on the basis of these findings, it seems more likely that a rate of two to five percent was levied in the Herodian ports than Schalit's higher figure of twenty five percent.

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[51] Duncan-Jones (1990), 194.
[52] Schalit (1969), 293-5.
[53] See *PAT* 0259; Healey (2009), 164-205; Matthews (1984); Teixidor (1983). On Palmyra as a centre of long-distance trade, see Millar (1998); Gawlikowski (1994).
[54] Import and export duties feature in both the new law (ii.2-62) and the old law (ii.63-73).
[55] Thus, taxes on slaves are levied per slave (ii.2-6), but taxes on perfumed oil are levied per 'camel-load' (ii.7-12).
[56] Hoehner (1972), 75-7. See Udoh (2005), 159-61 for criticism.
[57] Both Strabo and Pliny the elder also mention tariffs levied at crossings over the Euphrates: Strabo 16.1.27; Plin. *HN* 12.63-5. See also the discussion below regarding the evidence for tolls levied at Zeugma.

In two parallel passages, Josephus provides estimates of the tax incomes derived from the territories given to Herod's sons, Herod Antipas, Philip, and Archelaus.[58] They come as Josephus narrates the aftermath of Herod's death and the decision Augustus had to make regarding his kingdom. He tells us that the territories of Herod Antipas and Philip generated two hundred and one hundred talents respectively. There is a discrepancy between the two accounts with respect to Archelaus' income: the *War* claims he received four hundred talents and the *Antiquities* six hundred talents.

In 1934, Arnoldo Momigliano made a remarkable attempt to estimate the tax revenue of Herod the Great from the figures given in these passages with supporting evidence from elsewhere in Josephus' works.[59] As Momigliano himself noted, Josephus' figures pose potential problems. The significant discrepancy, of two hundred talents, between Josephus' two accounts makes it difficult to place much credence in these figures. Momigliano, by bringing together scraps of information from across Josephus' works, argued that the passage from the *Antiquities* is the more reliable of the two estimates, but the majority of his points have been more recently disproved by Fabian Udoh.[60] There is also a striking disparity between the revenues of the kingdoms of Herod and Agrippa I: Josephus estimates the revenues from Agrippa's territory to be 12 million *denarii*, whilst, according to Momigliano's calculations, the total revenue from Herod's kingdom was 1045 talents, equivalent to just over 6 million *denarii*.[61] Whilst there is no reason to completely disregard these figures, this disparity attests to the instability of tax revenues in Herodian Palestine.[62] The taxes for which we have a good evidentiary basis, taxes on agricultural produce and sales, are inherently variable. It also seems clear that the kings were able to, and did, change the rate of tax freely; Agrippa I, for instance, is reported to have imposed taxes on the Jews at Ecbatana, who were

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[58] *BJ* 2.95-7; *AJ* 17.318-20.

[59] Momigliano (1934). This general approach, whereby scholars have attempted to reconstruct a detailed economic picture from figures given to us by Josephus, has been followed by others: Gabba (1999); (1990); Applebaum (1977); (1976).

[60] See Udoh (2005), 181-5; Momigliano (1934), 351-7.

[61] This calculation is arrived at by adding the revenues of the territories of Archelaus, Herod Antipas, and Philip along with the revenues of the territory controlled by Salome, revenues from Samaria, and an estimation of the tax levied from the cities Gaza, Hippos and Gerasa, which were added to *provincia Syria* after Herod's death. These figures are also noted by Facella (2005b), 235-6. For the revenue from Agrippa's kingdom, see Jos. *AJ* 19.352.

[62] This point is emphasised by Udoh (2005), 188-9.

exempt from taxation under Herod.[63] The figures we receive from Josephus, therefore, tell us relatively little about taxation in the Herodian Kingdom. They may represent the amount of tax revenue at a particular moment, but they do not give us a realistic benchmark for the long-term revenue of the region nor can we realistically determine what proportion was raised by different types of taxation.

The evidence we get from Josephus allows us to construct a reasonable view of taxation in the Herodian Kingdom. The Herodians seem to have had the power to determine their own taxes. It seems likely that they levied a tax on agricultural produce, a tax on sales, and tariffs on goods coming through the kingdom. Whilst we do not have the evidence to compare rates, taxes under the Herodians seem to broadly equate to the forms of tax typically levied under Roman rule. The main exception to this is the *tributum capitis*; the unrest that followed Quirinius' census of AD 6 shows that the Herodians did not introduce a wholly Roman system of taxation.

We have less information regarding taxation in the Kingdom of Commagene. One of our only insights into the types of taxes that were in operation comes from Zeugma when it was attached to *provincia Syria*. Philostratus briefly mentions a τελώνης stationed in the city:

παριόντας δὲ αὐτοὺς ἐς τὴν μέσην τῶν ποταμῶν ὁ τελώνης ὁ ἐπιβεβλημένος τῷ Ζεύγματι πρὸς τὸ πινάκιον ἦγε καὶ ἠρώτα, ὅ τι ἀπάγοιεν ... ὁ δ᾽ ἤδη βλέπτων τὸ ἑαυτοῦ κέρδος, ἀπόγραψαι οὖν, ἔφη, τὰς δούλας. ὁ δὲ, οὐκ ἔξεστιν, εἶπεν, οὐ γὰρ δούλας ἀπάγω ταύτας ἀλλὰ δεσποίνας.[64]

"And as they fared on into Mesopotamia, the tax collector stationed at Zeugma took them to the registry and asked them what they were taking out of the country ... The other, with an eye to his own profit, said: 'Then, write down the name of these female slaves.' 'It is impossible,' answered Apollonius, 'it is not slaves I am taking out, but mistresses.'"

The τελώνης in this passage seems to be enforcing a tax on exporting slaves across the Euphrates. The passage refers to the period in which Zeugma was not part of the Kingdom of Commagene, but it serves to illustrate the economic importance of Commagene's position

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[63] Jos. *AJ* 17.26-8.
[64] Philostr. *VA* 1.20. On this passage see Facella (2005b), 233-4; Comfort *et al.* (2000), 112; Kennedy (1998), 146-7; Millar (1993a), 111.

on the Euphrates.[65] There is no evidence for this kind of tariff collected by the Commagenian Dynasty, but it is certainly possible that tariffs were levied in Zeugma before the city was removed from dynastic control in AD 17.[66] As I discussed above with reference to port cities in the Herodian Kingdom, there is a strong precedent of cities on prominent trading routes profiting from the taxation of import and export.

In an influential article of 2005, Margherita Facella has shown that there was a striking economic change in Commagene after its reinstatement in AD 38.[67] She has pointed out a disparity regarding the supply of coinage: there is a meagre supply of money from before AD 17, only consisting of bronze coins minted in local denominations, but a much greater amount dating to after the kingdom's reinstatement in 38, including denominations and types that related far more closely to issues from neighbouring Roman Syria. The findings present two conclusions important for our purposes: before AD 17, taxation must have been conducted mainly in kind; and the change to a more monetarised economy was certainly made in response to the period of Roman rule.

In the context of the change from a system where most taxation was conducted in kind to a more monetarised economy, it is reasonable to ask if the taxes themselves changed as well as the means of payment. In the Roman world, it was not uncommon for taxes on land, particularly in rural regions, to be paid in kind.[68] Cicero's remark regarding attempts to tax Sicilian farmers illustrates the problems involved:

> *Nummos vero ut det arator, quos non exarat, quos non aratro ac manu quaerit, boves et aratrum ipsum atque omne instrumentum vendat necesse est.*[69]

> "But for a farmer to pay money—a thing he cannot grow, nor his plough or his toil procure him—he must sell his oxen, his very plough, the whole of his gear and stock."

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[65] This point is made by Facella (2005b), 232-4, who provides an overview of the evidence for trade through Commagene. The economic and political importance of Commagene as the crossing point of the Euphrates has long been emphasised. See, amongst others, Speidel (2012a); Facella (2010), 190-2; Sartre (2001), 502-4; Comfort and Ergeç (2001); Comfort *et al.* (2000); Millar (1993a), 82-4; Wagner (1976), 132-46.

[66] For the date of Zeugma being added to *provincia Syria*, see Butcher (2009); (1998). Scholars had previously assumed the change occurred in 31 BC, see Millar (1993a), 29; Wagner (1976), 64.

[67] Facella (2005b).

[68] See Duncan-Jones (1990), 187-97, who concludes that there was little systemisation in how taxes were paid. Some regions levied all their taxes in money, taxes in others were payable in kind. See also Millar (1993a), 49-50.

[69] Cic. *Verr.* 2.3.199.

It is easy to understand why farmers in rural areas would have to pay taxes in kind. Money was not always readily available outside of urban centres and taxes on agricultural land lend themselves to this form of payment. Other forms of tax, taxes on persons, sales, or tariffs, are less easily paid in kind and were more commonly levied in money.[70]

In his *Life of Caligula*, Suetonius reports that after the Commagenian dynasty was restored to power in AD 38 Caligula gave the new king the tax revenue that had accrued over that time:

> *Ac si quibus regna restituit, adiecit et fructum omnem vectigaliorum et reditum medii temporis, ut Antiocho Commageno sestertium milies confiscatum.*[71]
>
> "And whenever he restored kings to their thrones, he allowed them all the arrears of their taxes and their revenue for the meantime; for example, to Antiochus of Commagene, a hundred million sesterces that had accrued to the treasury."

According to Suetonius the Kings of Commagene received 100 million sesterces (25 million denarii) in taxes (*vectigalia*) and personal income (*reditum*) that accrued during the twenty-year period of annexation.[72] As I have discussed above, it is problematic to take such numbers as an indication of the region's long-term tax revenues. The most important aspect of Suetonius' statement for our purposes is that the tax income for the period could be measured in terms of Roman coins.[73] During the twenty-year period of Roman rule, Commagene was most likely incorporated into Syria's taxation system, in which both the *tributa soli* and *capitis* were levied and were paid, most likely, with coins.[74] As Facella has emphasised, the new king, Antiochos IV, had to adapt to a kingdom with a ready supply of money and new cities in the recently gifted territory of Cilicia.[75] We might speculate that the types of taxes levied in this second iteration of the kingdom may have been significantly different from

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[70] See Duncan-Jones (1990), 187-97.

[71] Suet. *Calig.* 16.3.

[72] On the interpretation of *vectigal* and *reditum* here see Facella (2005b), 244.

[73] Facella (2005b), 236, similarly, sees the period of Roman rule as a decisive point of economic change in Commagene on the basis of Suetonius' evidence.

[74] As Millar (1993a), 110, has emphasised, we can largely assume that both the *tributum capitis* and the *tributum soli* were levied in all the Roman provinces. We have some indication of the nature of taxation in Roman Syria: App. *Syr.* 50, attests to a 1% on assets; and, in AD 6, Quirinius conducted a census in both Judaea and Syria, in which property had to be declared in terms of its monetary value. On the census and the resulting tax, see the discussion below, 4.3. Duncan-Jones (1990), 189, argues that all of the taxes in Syria were likely levied in money on the basis of how the census was conducted.

[75] Facella (2005b), 238. Cass. Dio 59.8.2, attests to Lycaonia and Cilicia Tracheia being added to Commagene.

those levied in the kingdom's first phase, but we have far too little evidence to be sure of how the monetary change affected taxation.[76]

The only cases where we seem to have documentary evidence for taxation in kingdoms and principalities come from the Nabataean kingdom. A series of similar phrases are used in documents, both on stone and parchment, to indicate payments made to the king. The phrase *wlmr'n' mlk' kwt* ("and to our lord, the king, the same") appears in a number of different contexts in the evidence. It appears, for instance, in seven of the much-discussed tomb inscriptions from Hegra as part of the description of fines.[77] I will quote an illustrative example:

> *… w'yt[y 'm] kl mzbn yth ldwšr'*
> *'lh' ksp sl'yn 'lp ḥ[d ḥr]ty w[lmr'n' ḥrtt]*
> *kwt* [78]

> "And anyone selling it will be liable to Dushara the god in the sum of one thousand Haretite selas and to our lord for the same amount."

This phrase, "and to our lord for the same amount", with some variation in the titles given to the king, appears in every tomb inscription that designates the king as one of multiple recipients of fines.[79] There is no equivalent phrase used in cases where the king is the only recipient of the fine nor is it used when there are multiple recipients but the king does not appear.[80]

We see the same formulaic language, with some variation, in the Nabataean documents recovered from Naḥal Ḥever. Two contracts of sale, dated to AD 97, give us a valuable insight into the use of this language:

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[76] The relationship between coinage and taxation in the Empire is discussed further below, 4.3.
[77] Healey (1993a), nos.1.8; 12.10; 19.8-9; 30.7-8; 34.13; 36.9; 38.8. These inscriptions and the legal aspects of these fines in particular are discussed at length above, 3.2.1; 3.2.2.
[78] Healey (1993a), no.30.7-9. The legal language used is discussed more extensively in 3.2.2.
[79] There is a table of the fines imposed and their recipients in 3.2.2.
[80] The king appears as the sole recipient in Healey (1993a), nos.5; 9; 11. There is only one instance where the inscription stipulates multiple recipients of fines but does not mention the king, No.16, which stipulates fines payable to Dushara, Hubalu, Manotu, and a religious functionary. This inscription is discussed at some length above, 3.2.1.

... kdnh [p]lqt 'by'dn d' '[l gnt' d'] ḥlq
mr'n<n>' 'kry lšnt' kwt bh s'yn 'šrh 'd dy yhw' 'sr ḥdt wttmn' gnt' d' b'tr 'rkls dnh
   whn 'nh 'by'dn d' '..... w'šn<n>' mn dnh
[dy] l[' brš'] 'ḥwb lk 'nt 'rkls [dn]h ..kl dmy zbny' 'lh wbklkl dy 'b'' wytb['] bšmy
   'lyk bhm wlmr'n' rb'l mlk' kwt. [81]

"And accordingly, this (same) 'Abi-'adan has [ap]portioned, what is ow[ed from this plantation], the portion of our lord, the leasing-fee/tax for a year, as well, in it(s amount of) ten se'ahs, until such time as there will be a new binding agreement and this plantation will be registered as the parcel of this (same) Archelaus. And if I, this (same) 'Abi-'adan, will …, or will deviate from this (agreement) [with]ou[t authority] then I shall owe to you, you [this] (same) Archelaus, the entire price of these purchases, and for all and everything that I may claim, or that may be clai[med] in my name against you regarding them. And, to our lord, Rab'el, the king, as well."

The two documents in question are closely related as they are both sales of the same date palm grove. The first document, *P Yadin* 2, is dated to the third of Kislev (November/December), AD 99, and records the sale of a date palm grove by 'Abi-'adan to a certain Archelaus.[82] The second document, *P Yadin* 3, records the sale of the same date palm grove, albeit extended on one side, less than a month later to Shim'on for fifty percent more money (an increase from 112 to 168 selas).[83] Shortly after purchasing the property, Archelaus seems to have pulled out of the sale, allowing 'Abi-'adan to sell it to another buyer.

In the passage quoted above, two different phrases, using similar formulaic language, denote payments to be made to the king. The first instance differs from the formula repeated in the tomb inscriptions from Hegra, but uses similar language and produces a similar meaning: *ḥlq mr'n>n<' ... kwt* ("the portion of our lord ... as well"). The phrase refers to a payment of ten se'ahs of dates shared by the current owner and the future owner on a pro rata basis.[84] The implications of *'kry*, the term denoting the payment, here are uncertain. Whilst it has been identified as a noun form of a verb meaning "to rent out" or "lease", there has been

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[81] *P Yadin* 2.13-5; 39-41 *Cf. P Yadin* 3.15; 41-2.

[82] Philip Esler (2017), 109-75 has recently traced the protagonists mentioned in these documents and convincingly explained the apparent discrepancy between *P Yadin* 2 and *P Yadin* 3. Esler argues that Archelaus' father, 'Abad-'Amanu, is the same 'Abad-'Amanu who acts as the guarantor in the Nabataean debenture document held as part of the same archive, *P Yadin* 1. In the latter document, 'Abad-'Amanu acts as the guarantor for a certain Muqimu, who loans 150 selas for a two year period. According to Esler's interpretation, the death of his father and inheritance of that debt caused Archelaus to back out of the purchase of the date palm grove. In what follows, I support his interpretation of the events that surround these two documents.

[83] For the description of the property, see *P Yadin* 2.4-5; 3.4-5. See Esler (2017), 137.

[84] See, in particular, Cotton (1997b), 256, followed by Yadin *et al.* (2002), 229.

some significant debate over whether it refers to a rent or a tax.[85] Hannah Cotton, writing before the final publication of the Semitic documents from Naḥal Ḥever, takes a literal approach towards this phrase and interprets it as "lease-rent", paid to rent the property from the king.[86] Other scholars have interpreted this as a tax on the property; Philip Esler has suggested that the language portrays the king as the "notional or symbolic landlord of all the land in the kingdom."[87] As there is no indication that the palm grove was the property of the crown, the most likely explanation seems to be that the term denotes a land tax rather than rent. It is striking that one of the abutters to the property is identified as "the land of our lord, King Rab'el".[88] If the property being transferred was also property of the king, then we might expect some similar explicit recognition of its status in these two documents of sale.[89]

The second payment to the king in this passage takes the same form as we see in the tomb inscriptions from Hegra: *wlmr'n' rb'l mlk' kwt* ("and to our lord Rab'el, the king, as well"). The payment is not explicitly specified here. It seems to be a fine of some sort as it comes as part of the consequences if the seller, 'Abi-'adan, breaks the terms of the contract. It might mean that the seller is liable to pay the entire year's tax if the deal falls through.

Similar language is used in two other Nabataean documents from Naḥal Ḥever dated to the reign of Rabbel II. Unfortunately, as they are quite fragmentary, they give us little or no context to the payments demanded. Both *P Yadin* 1 and *P Yadin* 4 clearly show the phrase *wlmr'n' rb'l mlk' kwt* ("and to our lord Rab'el, the king, as well"), but *lacunae* prevent us from knowing if this phrase was used in isolation or if the documents explain clearly what the payment entailed.[90] The *lacuna* in *P Yadin* 1 is relatively small and it thus seems likely that the amount to be paid to the king was not explicitly stated.

The formula "and to our lord, N, the king, the same", like others we find in documents from the Nabataean Kingdom, has to be understood in the context of the wider

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[85] On the interpretation of *'kry*, see Yadin *et al.* (2002), 192.
[86] Cotton (1997b), 256.
[87] Esler (2017), 130. For this interpretation in general, see Esler (2017), 130-1; Healey (2013), 171; (2009), 93; Yadin *et al.* (2002), 229.
[88] *P Yadin* 2.4; 24.
[89] This problem is recognised by Cotton (1997b), 256.
[90] *P Yadin* 1.9; 42; 4.17-8. The text of *P Yadin* 4 has recently been re-read and amended by Esler (2017), 229-33. Unfortunately the *lacuna* in question, before the phrase *wlmr'n' rb'l mlk' kwt,* still cannot be reconstructed.

Aramaic legal tradition.[91] The phrase is used to refer to both taxes and fines due to the crown and the payment to be made is not always made explicitly clear. In order for these documents to function, those reading them must have understood the implications of such phrases and been able to determine the payment to be made. From the nuanced use of formulaic legal language, we can infer the existence of a coherent system that facilitated payments made to the crown. Unfortunately, we have no further evidence with which to reinforce this view of taxation in the Nabataean Kingdom.

We have less evidence for taxation in the kingdoms and principalities west of the Anti-Lebanon mountains. Richard Sullivan notably argued that the Kingdom of the *Emesenoi* paid direct taxes to Rome.[92] This argument rests on the interpretation of one of Cicero's letters in which he discusses Pompey's role in agrarian legislation concerning Italy:

> *nunc vero, Sampsicerame, quid dices? vectigal te nobis in monte Antilibano constituisse, agri Campani abstulisse?* [93]
>
> "Very well, my Sampsiceramus, but what are you going to say now? That you have arranged a *vectigal* for us in Mt. Antilibanus and taken away our *vectigal* in Campania?"

In this letter Cicero criticises Pompey – sarcastically calling him *Sampsicerame* and thus liking him to an Eastern Prince – for agrarian legislation that removed the *vectigal*, a tax on public land, from Campania. Sullivan contends that this passage is evidence for the same type of tax being established in the Kingdom of the *Emesenoi*. There are two problems with this interpretation.[94] Firstly, it is difficult to conclusively tie this reference to the Kingdom of the *Emesenoi*. Whilst Cicero gives Pompey a name, *Sampsicerame*, closely associated with the Emesan Dynasty, the way in which he uses the same name elsewhere suggests that it was not meant as a reference to that dynasty or the Kingdom of the *Emesenoi* in particular. Cicero refers to Pompey as *Sampsicerame* in other letters that clearly have no reference to the

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[91] This is discussed further above, 3.2.2.
[92] Sullivan (1977a), 202.
[93] Cic. *Att.* 2.16.2. Translation adapted from Loeb.
[94] See also van Wijlick (2013), 62-3, who criticises Sullivan's interpretation.

Emesan Dynasty.[95] The name seems to have been a means by which Cicero characterised Pompey as an Eastern king; the fact that he used the name of an Emesan King is of no consequence.[96] We also cannot confirm whether the *mons Antilibanus* was part of the Kingdom of the *Emesenoi*. Whilst it is possible that the Emesan Dynasty's influence stretched that far south, it is far from certain.[97] Secondly, as I discussed above, *vectigal* refers to a specific tax on public land, but it can also be used to refer to tax or tribute more generally. Given Cicero's sarcastic tone in the letter, it would be odd if Pompey had actually established the same form of tax in the Anti-Lebanon as was removed in Campania. Cicero's comment would work much better if the *vectigal* Pompey established in the Anti-Lebanon was a much lesser stream of revenue than the one removed from Campania. I think it is more likely that Pompey levied some other sort of income, perhaps a tribute from the Emesan Dynasty, that Cicero mocks in this passage.[98]

In conclusion, taxation in kingdoms and principalities was heterogeneous, differing in the types of tax, the rates of tax, and how they were paid. Most kingdoms and principalities likely levied a tax on land, but whilst it taxed agricultural production in the Herodian Kingdom, it was a flat tax on land in the Nabataean Kingdom. Other types of tax – tariffs and taxes on sales – were likely only levied in major trading centres and only in places with a reliable source of coinage. The supply of coinage, both royal and civic coins, must have had a significant effect on the nature of taxation.

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[95] See Cic. *Att.* 2.14; 17; 23.
[96] See Shackleton Bailey (1965), 1.379; 381. See also Braund (1984), 65.
[97] On this, see van Wijlick (2013), 62-3;
[98] App. *B Civ.* 5.75 claims that all kings and princes under Roman influence paid regular tribute to Rome. See also 5.7 for the tribute levied from the Ituraean principalities in particular (on which, Aliquot [1999-2003], 213-4). On the basis of Appian's evidence, some scholars have argued that the payment of tribute was a common practice amongst kings and princes: Stern (1980), 188-90; Applebaum (1977), 373. There is, however, little evidence to suggest it was standard practice. The majority of known instances date from 60-40 BC, after which we have no good evidence for any such practice. See *HJP* 1.317; 416; Choi (2013), 131; Braund (1984), 63-6; Sands (1908), 133-4.

4.3. In provinces

In this section I will examine how taxes and the process of tax collection changed after kingdoms and principalities were annexed into provincial territory. A significant amount of scholarly work has discussed taxation in the provinces such that some principles common to all provinces have been established. Whilst scholarship has widely emphasised the adaptability of provincial taxation, it has been generally accepted that direct taxes on land and people, the *tributa soli* and *capitis,* as well as indirect taxes on goods being imported or exported, *portoria*, were levied in all the provinces of the Empire.[99] The widespread introduction of these terms, *tributum* and *portoria*, under Augustus did not standardise taxation in the provinces – as I shall discuss below, there was still some significant variation in taxation between provinces – but it simplified and centralised taxation such that taxes in the provinces could typically be apportioned into these categories.[100] In what follows I will discuss how the practice of taxation changed after the imposition of provincial rule on kingdoms and principalities.

The clearest indication of change resulting from provincialisation comes from the nativity story; for Luke, the imposition of provincial rule is characterised most prominently by the census:

> ἐγένετο δὲ ἐν ταῖς ἡμέραις ἐκείναις ἐξῆλθεν δόγμα παρὰ Καίσαρος Αὐγούστου ἀπογράφεσθαι πᾶσαν τὴν οἰκουμένην. αὕτη ἀπογραφὴ πρώτη ἐγένετο ἡγεμονεύοντος τῆς Συρίας Κυρηνίου. καὶ ἐπορεύοντο πάντες ἀπογράγεσθαι, ἕκαστος εἰς τὴν ἑαυτοῦ πόλιν. Ἀνέβη δὲ καὶ Ἰωσὴφ ἀπὸ τῆς Γαλιλαίας ἐκ πόλεως Ναζαρὲθ εἰς τὴν Ἰουδαίαν εἰς πόλιν Δαυὶδ ἥτις καλεῖται Βηθλέεμ, διὰ τὸ εἶναι αὐτὸν ἐξ οἴκου καὶ πατριᾶς Δαυίδ, ἀπογράψασθαι σὺν Μαριάμ τῇ ἐμνηστευμένῃ αὐτῳ, οὔσῃ ἐγκύῳ.[101]

> "In those days [of Herod the Great] Caesar Augustus issued a decree that all the world be taxed. And this taxing was first made while Quirinius was governor of Syria. And everyone went to their own town to register. So Joseph also went up from the town of Nazareth in Galilee to Judaea, to Bethlehem the town of David, because

[99] On the *tributa soli* and *capitis*, see Udoh (2005), 164-5; Rathbone (1996), 313; Millar (1993a), 110; Duncan-Jones (1990), 30-42; Neesen (1980), 117-20. On *portoria*, see Rathbone (1996), 314; Duncan-Jones (1990), 194-5. Some tax laws specifying tariffs in the Eastern Empire have survived: the Palmyrene tax law (see the discussion above in 4.2, with bibliography); and the customs law of *provincia Asia* (see, in particular, Cottier *et al.* [2008]).
[100] This is emphasised in particular by Rathbone (1996), 312-3.
[101] *Luke* 2:1-5. Translation adapted from Lane Fox (1991), 27.

he belonged to the house and line of David. He went there to register with Mary, who was pledged to be married to him and was expecting a child."

In this passage, Luke describes a census undertaken by Quirinius, the governor of Syria, in the kingdom of Herod the Great in 4 or 3 BC. The date and description of this census have led scholars to dismiss Luke's narrative as historically untenable.[102] Our other main source, Josephus, describes a census undertaken by Quirinius in AD 6 after – and as a result of – the deposition of Archelaus:

> Κυρίνιος δὲ τῶν εἰς τὴν βουλὴν συναγομένων ἀνὴρ τάς τε ἄλλας ἀρχὰς ἐπιτετελεκὼς καὶ διὰ πασῶν ὁδεύσας ὕπατος γενέσθαι τά τε ἄλλα ἀξιώματι μέγας σὺν ὀλίγοις ἐπὶ Συρίας παρῆν, ὑπὸ Καίσαρος δικαιοδότης τοῦ ἔθνους ἀπεσταλμένος καὶ τιμητὴς τῶν οὐσιῶν γενησόμενος, Κωπώνιός τε αὐτῷ συγκαταπέμπεται τάγματος τῶν ἱππέων, ἡγησόμενος Ἰουδαίων τῇ ἐπὶ πᾶσιν ἐξουσίᾳ. παρῆν δὲ καὶ Κυρίνιος εἰς τὴν Ἰουδαίαν προσθήκην τῆς Συρίας γενομένην ἀποτιμησόμενός τε αὐτῶν τὰς οὐσίας καὶ ἀποδωσόμενος τὰ Ἀρχελάου χρήματα ... Ἰούδας δὲ Γαυλανίτης ἀνὴρ ἐκ πόλεως ὄνομα Γάμαλα Σάδδωκον Φαρισαῖον προσλαβόμενος ἠπείγετο ἐπὶ ἀποστάσει. [103]

"Quirinius, a Roman senator who had proceeded through all the magistracies to the consulship and a man who was extremely distinguished in other respects, arrived in Syria, dispatched by Caesar to be governor of the nation and to make an assessment of their property. Coponius, a man of equestrian rank, was sent along with him to rule over the Judaeans with full authority. Quirinius also visited Judaea, which had been annexed to Syria, in order to make an assessment of the property of the Judaeans and to liquidate the estate of Archelaus ... But a certain Judas, a Gaulanite from a city named Gamala, who had enlisted the aid of Saddok, a Pharisee, threw himself into the cause of rebellion."

In this passage, Josephus places Quirinius' census clearly after Archelaus' deposition and the establishment of Roman rule over Judaea. He describes the beginnings of a revolt over the census led by a certain Judas of Gamala, a member of the Pharisees.[104] In the parallel passage in the *Jewish War*, Josephus does not mention the census *per se*, but attributes the revolt to direct Roman taxation after AD 6:

> τῆς δὲ Ἀρχελάου χώρας εἰς ἐπαρχίαν περιγραφείσης ἐπίτροπος τῆς ἱππικῆς παρὰ Ῥωμαίοις τάξεως Κωπώνιος πέμπεται, μέχρι τοῦ κτείνειν λαβὼν παρὰ Καίσαρος ἐξουσίαν. ἐπὶ τούτου τις ἀνὴρ Γαλιλαῖος Ἰούδας ὄνομα εἰς ἀπόστασιν ἐνῆγε τοὺς

[102] The bibliography on this topic is vast. I shall mention a few important items that take this view: *HJP* 1.399-427; Carroll (2012), 65-6; Bond (2010), 67-8; Lane Fox (1991), 27-30; Fitzmyer (1979), 393-4; Brown (1977), 547-56; Vermes (1973), 235-6. For recent works that take the opposing view, crediting Luke with a historically accurate narrative, see Rhoads (2011); Porter (2002).
[103] *AJ* 18.1-3. *Cf. AJ* 18.26.
[104] For Josephus' description of the Pharisees, see *BJ* 2.162-3; *AJ* 18.12-5. See further Baumgarten (2016).

ἐπιχωρίους, κακίζων εἰ φόρον τε Ῥωμαίοις τελεῖν ὑπομενοῦσιν καὶ μετὰ τὸν θεὸν οἴσουσι θνητοὺς δεσπότας. [105]

"With the territory of Archelaus having been marked off for a province, Coponius, a procurator from the equestrian order among the Romans, was sent. He had received from Caesar an authority that went as far as putting [people] to death. In his [term] a certain Galilean man by the name of Ioudas incited the people of the region to rebellion, lambasting them if they were going to put up with paying tribute to the Romans and tolerate mortal masters after God."

In an attempt to reconcile the accounts of Luke and Josephus, scholars have argued that the authors refer to two different censi undertaken ten years apart. [106] Josephus' description in the *Jewish War*, that the Judaeans were incited to rebellion by the prospect of paying taxes to the Romans, would suggest, however, that Judaea had not been taxed by the Romans before AD 6. [107] It seems unlikely, given the negative reaction to the census that Josephus describes, that a census had been conducted in the region before. There seems to be little possibility that Luke is referring to an earlier census that Josephus declines to mention.

It seems unlikely that Luke's census is historical; both the date at which it is reported to have happened and the way in which it was conducted seem implausible. The date of 4/3 BC is problematic. As I discussed at length in the previous section, every indication suggests that kings and princes had complete control over taxation in their territories. It seems very unlikely that the Romans would conduct a census in Herod's Kingdom. [108] In the case of Archelaus of Cappadocia – the only known instance of a census conducted in a kingdom or principality – Tacitus is quite clear that it was the king who decided to conduct a Roman census; the Romans did not impose the census. [109] The date of Quirinius' governorship, which began in AD 6, presents a further problem. Although we do not have his full *cursus honorum*, it seems unlikely that Quirinius would have served two terms as the governor of Syria within ten years. [110]

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[105] *BJ* 2.117-8.
[106] A useful overview of approaches to this passage is provided by Porter (2002).
[107] This argument is emphasised particularly by *HJP* 1.419, which points out Jos. *BJ* 2.433; 7.253 in further support.
[108] See Lane Fox (1991), 28-9; *HJP* 1.413-6.
[109] *Ann.* 6.41. This is discussed further above, 4.2.
[110] Brown (1977), 549-52, explores the possibility that Quirinius served two terms as governor, one at the end of Herod's reign and another after Archelaus' deposition, but concludes that Quirinius likely only served the latter.

Adrian Sherwin-White has raised the possibility that Luke might be referring to Archelaus, who is often called Herod, rather than Herod the Great.[111] According to this interpretation, both Luke and Josephus date Quirinius' census to AD 6. Luke's narrative, however, is quite consistent in its internal chronology and does not allow for the possibility that he is actually referring to Archelaus here. Luke is clear that Jesus was thirty years old in AD 27/28 so he must place his birth, and therefore the census, during the reign of Herod the Great.[112]

The way in which Luke depicts the census presents a further problem: it does not correspond to what we know about Augustan censi.[113] No other source suggests that Augustus ever issued a decree (δόγμα) that the 'world be taxed' (ἀπογράφεσθαι πᾶσαν τὴν οἰκουμένην). Whilst censi were widespread in the Imperial provinces from the time of Augustus, there is little indication of a universal pattern across the provinces and no evidence to suggest that all of the provinces undertook censi around this time.[114] In Egypt, the area for which we have the most evidence, the census seems to have been made initially every seven years and then every fourteen years thereafter.[115] There is no evidence for a similar pattern elsewhere.

Luke's claim that Mary and Joseph had to leave Galilee and report to their ancestral home, Bethlehem, also seems incongruous.[116] Whilst it is not impossible that people registered for the census at their ancestral homes, this would be the only known instance of such a system in the Roman world.[117]

The census Luke presents does not seem to be historical, but it serves a particular function in his narrative of the birth of Jesus. In his classic article, *The arts of government*, Nicholas Purcell emphasises the importance of the Roman census to Luke's narrative:

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[111] Sherwin-White (1963), 167.

[112] Luke dates the majority of chapter 3 to Tiberius' fifteenth year (3:1) and estimates that Jesus was thirty years old at the time (3:23). See Brown (1977), 548-50.

[113] See *HJP* 1.407-11; Lane Fox (1991), 29; Brown (1977), 548-9.

[114] On the census in general, see Rathbone (1993b); Brunt (1971); Wallace (1938).

[115] See, in particular, Bagnall (1991).

[116] See *HJP* 1.411-3; Brown (1977), 549-50.

[117] We might typically expect returns to be filed at a nearby settlement. For the Arabian census of AD 126, for instance, residents of Maoza made their returns at the nearby city of Rabbathmoab. See the two extant returns: *P Yadin* 16; *P Ḥever* 62. On this see, in particular, Isaac (1994). Bowman (1996), 346-8, in particular, emphasises the flexibility of Roman provincial practice.

"The evangelist wants to emphasize the centrality in world history of the coming of the Messiah, and accordingly links the birth of Christ to the moment when the power of Rome seemed at its most universal. For him, as often for us, the power of Rome is most potently expressed by reference to its administrative activity. St Luke, however, was wrong. We know now that no such decree commanded a universal registration of the Roman world, at this time or any other; he exaggerated Roman omnipotence on the basis of the experience of a single province."[118]

As Purcell argues, Luke ties the birth of Jesus to a new era characterised most prominently by Roman rule.[119] This new Roman context serves as the literary backdrop for Jesus' life, culminating eventually in Luke's account of Jesus' trial and execution. What is important for our purposes is that the census, and the taxation that accompanied it, defines provincial rule in this passage. For both Josephus and Luke, therefore, the census was new to Judaea in AD 6 and a distinctly Roman innovation.

Documentary evidence from *provincia Arabia* affords us a very different perspective on provincial taxation in former kingdoms and principalities. The two extant returns from the Arabian census of AD 127 details the extent of land owned by Babatha and Salome Komaise and the taxes they paid on it. Babatha's return, submitted at Rabbathmoab, describes the extent of four plots of date orchard and the tax to be paid on them:

(1) κῆπον φοινικῶνος ἐν ὁρίοις
Μαωζων λεγόμενον Αλγιφαμμα σπόρου κρειθῆς σάτου ἑνὸς
κάβων τριῶν τελοῦντα φοίνικος συρίου καὶ μείγματος σάτα δεκα-
πέντε πατητοῦ σάτα δέκα στεφανικοῦ μέλαν ἕν λεπτὰ τριάκον-
τα γείτονες ὁδὸς καὶ θάλασσα ...

(2) ... κῆπον φοινικῶνος ἐν ὁρίοις Μα-
ωζων λεγόμενον Ἀλγιφιαμμα σπόδου κρειθῆς κάβου ἑνό<ς> τελοῦν-
τα τῶν γεινομένων καθ᾽ ἔτος καρπῶν μέρος ἥμισυ γείτονες
μοσχαντικὴ κυρίου Καίσαρος καὶ θάλασσα ...

(3) ... κῆπον φοινικῶ-
νος ἐν ὁρίοις Μαωζων λεγόμενον Βαγαλγαλὰ σπόρου κρειθῆς
σάτων τριῶν τελοῦντα φοίνικος συροῦ καὶ νοαρου κόρον ἕνα
πατητοῦ κόρον ἕνα στεφανικοῦ μελαίνας τρεῖς λεπτὰ τρι-
άκοντα γείτονε[ς κλ]ηρονόμοι Θησαίου Σαβακα καὶ
Ἰαμιτ Μανθανου ...

(4) ... κῆπον φοινικῶνος ἐν ὁρίοις Μαωζων
λεγόμενον Βηθφααραια σπόρου κρειθῆς σάτων εἴκοσι τελοῦν-

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[118] Purcell (1986), 184.
[119] See also Carroll (2012), 65-6; Fitzmyer (1981), 393-4.

τα φοίνικος συρ[ο]ῦ καὶ νοαρου κόρους τρεῖς πατητοῦ κόρου[ς]
δύο στεφανικοῦ μελαίνας ὀκτὼ λεπτὰ τεσσαράκοντα πέντε γεί-
τονες Θαμαρὴ Θαμοῦ καὶ ὁδός [120]

"(1) Within the boundaries of Maoza a date orchard called Algiphiamma, the area of sowing one *saton* three *qab* of barley, paying as tax, in dates, fifteen *sata* of Syrian and mixed dates, ten *sata* of 'splits', and as *stephanikon* one 'black' and thirty *lepta*, neighbouring a road and the sea.

(2) Within the boundaries of Maoza a date orchard called Algiphiamma, the area of sowing one *qab* of barley, paying as tax a half share of the crops produced each year, abutters the *moschantic* estate of Caesar and the sea.

(3) Within the boundaries of Maoza a date orchard called Bagalgala, the area of sowing three *sata* of barley, paying as tax, one *qab* of Syrian and Noaran dates, and as *stephanikon* three 'blacks' and thirty *lepta*, abutters heirs of Thesaios son of Sabakas and Iamit son of Manthanthes.

(4) Within the boundaries of Maoza a date orchard called Bethphaaraia, the area of sowing twenty *sata* of barley, paying as tax three *qab* of Syrian and Noaran dates, two *qab* of 'splits' and as *stephanikon* eight 'blacks' and forty-five *lepta*, abutters Tamar daughter of Thamous and a road."

Before discussing how this document contributes to our understanding of taxation in the former Nabataean Kingdom, I shall discuss Hannah Cotton's contention that the payments described here represent rent paid to the Emperor rather than tax.[121] According to Cotton, Babatha's orchards were property of the Nabataean Kings to whom she paid rent.[122] Cotton maintains that, after the annexation of the Nabataean Kingdom, these lands became Imperial property and Babatha then paid rent to the provincial authorities. As I have discussed above, the argument that Babatha paid rent, rather than tax, to the crown is based on a literal translation of *'kry*, which derives from a verb meaning "to rent out", or "lease". In the Greek documents from *provincia Arabia*, the case again rests largely on the terms used to denote payments made to the authorities. For instance, the census return of Salome Komaise uses the word *phoros*, which would typically indicate 'rent' rather than 'tax'.[123]

Although the documents, both before and after 106, tend to use language associated with rent rather than tax, there is no indication, in either the Nabataean or Greek documents,

[120] *P Yadin* 16.17-33. Adapted translation.
[121] Cotton (1997b).
[122] This aspect of the argument is discussed more fully above, 4.2.
[123] See Cotton (1997b), 258.

that this land was owned by the Nabataean Kings or the Emperor.[124] One of the plots registered by Babatha for the Arabian census borders land owned by the Emperor. The return makes a clear distinction between the plot in question and the neighbouring Imperial estate.[125] We would expect, given the clear affirmation of the status of the abutting property, that the document would mention Imperial ownership of the estate in question. As we have no indication that Babatha's orchard was leased from the Emperor, it seems far more likely that the census return denotes payment of taxes on land rather than rent.[126]

The measurements used in the return require some explanation. A σάτον is a measurement of volume, it can be equated with the se'ah found in the Nabataean documents.[127] A καβ is also a measurement of volume, known from the Hebrew Bible.[128] They are used to measure the size of the orchard; they represent the volume of barley that would be needed to sow the amount of fertile land.

The orchard produces dates and is taxed in kind. The first of the four plots registered here pays fifteen *sata* of mixed and Syrian dates and ten *sata* of 'splits' (πατητοί).[129] This expression of tax in kind, divided into different varieties of date, is used in three of the four plots registered in this return. The exception to this formula is the second plot, labelled number two above, registered by Babatha, for which half of the crops produced, of unspecified variety, were paid as tax.[130]

Magen Broshi has suggested an explanation for this discrepancy, arguing that all four plots were charged with a tax equating to the value of half of their produce but that this was

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[124] See above, 4.2, for specific references to the Nabataean documents.
[125] *P Yadin* 16.23-4.
[126] This is the conclusion reached by Lewis *et al*. (1989), 65-70.
[127] Specifically *P Yadin* 2 and *P Yadin* 3. For further discussion of these documents see above, 4.2. For the equation between a *saton* and a *se'ah*, see Cotton (1997b).
[128] *2 Kings* 6:25. See Brown *et al.* (1906), no.6894.
[129] Plin. *HN* 13.26-49 gives a detailed description of the types of dates in Syria. He highlights three as being particularly juicy, the caryota, Nicolaos*, and *pateta*. The third of these is transliterated into Greek and used in this document. It also appears as an adjective describing dates in papyri from Roman Egypt (φοῖνιξ πατητός; see Mayerson [2001]). Pliny claims that this variety is so juicy that it will burst open while still on the vine, giving the impression that it has been stepped on. The same phenomenon is reported in the *Tosefta*, the "trodden of the dates" (דרוסות של תמרה; *t.MSh* 1). Pliny is quite clear that the 'Syrian dates' are of low quality (13.48) and that the '*patetae'* are of high quality (13.45). See Mayerson (2001); Broshi (1992), 232-3.
[130] *P Yadin* 16.21-4, listed as return no. 2 above.

split, in the case of plots one, three, and four, between payment in kind and in money.[131] He

reaches this conclusion by estimating the value of a se'ah of the more expensive dates, the

'splits', and the cheaper dates, the Syrian dates, adding these amounts to the money paid and

thus calculating the total value of the tax for each of plots one, three, and four. The values he

establishes for each of these plots he estimates to be half of the total worth of the crop. The

quantities required for plots one, three, and four meant that it was expedient to pay some of

the value in money but this was not necessary for plot two, which is significantly smaller.

Broshi's calculations are incisive, but his assumption that the payment in kind and the

payment in money are part of the same tax does not equate with how the text presents them.

In Babatha's census return, the payments in money are referred to as στεφανικά, often

translated as "crown-tax."[132] Far from being a regular income or property tax, the *stephanikon*

was typically paid as an extraordinary tax in the event of an Emperor's accession or after a

victory.[133] The return clearly differentiates between the payment in kind, which is given no

title *per se* but is introduced with the participle τελοῦντα, and the payment in money, which is

called the στεφανικόν.[134] It suggests that Babatha paid one tax in kind and another tax in

money.[135]

I will deal with the tax paid in kind first. Benjamin Isaac interprets the payment in

dates for plots one, three, and four as a fixed tax on the agricultural land; the different format

taken in the case of plot two is unexplained.[136] The difference in the format of the returns can

be explained if we posit that the different varieties of date were taxed at different rates.[137] The

returns for plots one, three, and four differentiate between the payments of the 'splits' and

Syrian dates because a single statement of a rate of tax would not suffice when the two types

of dates grown in the plot are taxed at different rates. Plot two is significantly smaller than the

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[131] Broshi (1992), 235-9.

[132] For this translation see Isaac (1994); Lewis *et al.* (1989), 65-70.

[133] On this, see Cotton (1994), 553; Isaac (1994), 262; Broshi (1992), 238; Neesen (1980), 142-5; Millar (1963), 38-9.

[134] Broshi (1992), 238-9, seems to assume that both payments were part of the *stephanikon*.

[135] This division is appreciated by Cotton (1997b), 257; Isaac (1994), 262.

[136] Isaac (1994), 262.

[137] On the taxation of different crops at different rates, see the evidence from Hyginus, *de limitibus*, 205L. On this, Duncan-Jones (1990), 187-8.

others and may well thus have been used to grow only one type of date; this would explain why the return was able to give a flat rate of fifty percent of the crop.[138] If we accept this suggestion then the tax depicted is clear: it is a proportional tax on agricultural produce. This tax bears at least some similarity to the tax levied in the Nabataean Kingdom. The two Nabataean documents of sale show that a tax of ten se'ahs was levied on the orchard in question, but there is no indication whether this was a fixed amount or an amount based on agricultural production.[139] In either case, the Nabataean tax does not seem to differentiate between different types of dates as we see in the return of AD 127.

There are two possible interpretations of the tax in money. If we are to take the implications of the term *stephanikon* literally then we should interpret it as an extraordinary tax. One potential problem with this interpretation is that the second extant census return, that of Salome Komaise, refers to similar payments in money as *phoroi* rather than *stephanika*.[140] Nevertheless, it seems entirely possible that, as part of the census, an extraordinary tax was levied on certain types of land.[141] Alternatively, *stephanikon* might be used here to refer to a tax levied in money on assets. Hannah Cotton has argued that the tax represents a continuation of taxes levied by the Nabataean Kings; according to this interpretation, the term *stephanikon*, often used to refer to taxes levied on the accession of an Emperor, evokes the tax's dynastic past.[142]

The coins used in the payment of this tax, the 'blacks' (μέλανες), have been the subject of much discussion. Ya'akov Meshorer argued that they were pre-Neronian Roman denarii, but this seems unlikely as the 'blacks' are distinguished from denarii in other papyri from the same corpus.[143] More likely is the interpretation of Glen Bowersock, who argued

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[138] For a helpful list of all of the information we receive about these plots, see the table in Weiser and Cotton (1996), 238, reproduced in Cotton (1997b), 264. Broshi (1992), 236 links plot 2's distinct return to its small size.
[139] See above, 4.2.
[140] *P Ḥever* 62. This distinction is emphasised by Cotton (1997b).
[141] For this interpretation, see Isaac (1994), 262. Broshi (1992), 238-9 raises the possibility that the *stephanikon* was raised in response to the arrival of the new governor of Arabia, Sextus Florentius.
[142] Weiser and Cotton (1996), 237-41; Cotton (1994), 553.
[143] Meshorer (1992). The 'blacks' also appear in *P Yadin* 21.22-4; 22.19-20 alongside, and distinct from, *denarii*. This is pointed out by Cotton (1994), 553.

that they were silver coins minted by the Nabataean Kings.[144] The division of the coins into sixtieths is typical of Near Eastern systems of currency.[145] Also the relatively low fineness of the Nabataean silver coins would have resulted in their turning black and thus taking the name *melanes* in Roman-era papyri.[146]

Babatha's census return is striking for the lack of Roman measurements or coinage.[147] The dates are measured in se'ahs, here called *sata*, and the plots are measured in bet se'ah, the amount of land sown by a se'ah. Taxes levied in money are paid with Nabataean silver coins. Whilst we have little certain information about taxes levied under the Nabataean Kings, the Roman-era taxes at least seem to be levied in forms recognisable from the dynastic period.[148]

Babatha's return demonstrates how taxation based in non-Roman measurements could be incorporated into the provincial system. Non-Roman units, coinage, and, possibly, pre-Roman taxes are incorporated into the distinctly Roman census. They are written, unsurprisingly, in Greek and some measurements or denominations – such as the so-called 'blacks' – are adapted to be understood by a Roman audience. It is reasonable to question how the 'blacks' would function in the provincial tax system. Whilst we have no information about how widely these coins could be spent they would, presumably, be worthless outside of Arabia. There is little evidence that shows how the local practice depicted in documents like Babatha's census return translates to the administration of the Near East as a whole. In what follows, I will discuss the relationship between coinage and taxation in general terms and then show how this affects our understanding of taxation in former kingdoms and principalities.

In a series of articles, Keith Hopkins suggested a core-periphery model whereby money flowed from those provinces that produced a tax surplus to Rome and out from Rome to provinces that were in deficit.[149] According to this interpretation, money flowed back and forth within the Empire by means of a single currency system. Hopkins' model makes a

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[144] Bowersock (1991), 342, followed by Lewis (1996); Weiser and Cotton (1996), 278-80; Cotton (1994), 553.
[145] See Lewis (1996), 400.
[146] See Bowersock (1991).
[147] This is pointed out in particular by Weiser and Cotton (1996), 241; Isaac (1994).
[148] Weiser and Cotton (1996), 241; Cotton (1994), 553 have argued that the provincial taxes were the same as those levied under the Nabataean Kings, but there is not enough evidence to know this for sure.
[149] Hopkins (2009); (1995-1996); (1980). See also Crawford (1970), who is also a major proponent of the single currency system theory.

number of reasonable assumptions. It seems certain, for instance, that some provinces generated more revenue than others and that the surplus must have been transferred elsewhere, either to Rome or directly to other provinces. The only reasonable means by which this transfer of wealth could have occurred is with money.

There are, however, some considerable problems with this interpretation, chief among which is the heterogeneous nature of our evidence. Whilst Hopkins' model requires an Empire-wide system of currency, provincial and civic coins rarely circulated outside of their place of origin.[150] In addition, taxes on land often seem to have been levied in kind.[151] The problem we are faced with, therefore, is that a substantial amount of tax revenue must have been taken in a form – non-Roman coins, civic coins, provincial coins, and produce – that could not be transferred outside of its place of origin.

Kevin Butcher has adapted Hopkins' model in light of these problems, emphasising the multifarious nature of coinage in the Roman world.[152] Butcher has argued, largely on the basis of evidence from Egypt, that taxes paid in civic coins, provincial coins, or in kind would be converted into other forms of wealth that could be moved to where it was needed. Thus, where tax revenue needed to be moved outside of the city, civic coins would be converted to provincial issues, most likely silver or gold coins. Provincial coins in precious metals could be used throughout the province, but would be sold in exchange for denarii and aurei in order to be moved elsewhere in the Empire. As Butcher posits: "In this way the model of coins moving as tax surplus from the provinces to Rome and out again remains valid, but it is not necessary to posit a single monetary system to make it function. Some coins (*denarii* and *aurei*) are part of an Empire-wide system but others are not."[153]

If we follow this model, coinage has a more significant role in the transmission of revenue than in the payment of tax. It was clearly common for a number of different taxes,

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[150] On the distinction between provincial and civic coins, see Butcher (2004), 17-21; (1988); Howgego (1995), 26-43. It must be noted that evidence for the distribution of coins can be problematic; see Butcher (2004), 149-51; Duncan-Jones (1990), 38-42.
[151] In general, see Hyginus, *de limitbus*, 205L. For this source, see Duncan-Jones (1990), 187-9. It seems clear that taxes on land were typically paid in kind in Roman Egypt, see Rathbone (1993a), 84-6.
[152] Butcher (2004), 245-66.
[153] Butcher (2004), 257.

particularly land taxes, to be paid in kind. The crucial role of coinage, or at least Roman coinage, to systems of taxation was as a means to utilise the wealth acquired through taxation. In the case of Babatha's 'blacks', therefore, the Nabataean coins served as a useful means of collecting taxes. If it needed to be moved elsewhere, this wealth would be transferred to another medium. In this way, the Romans were able to maintain elements of the existing tax structure whilst incorporating it into the new provincial reality.[154]

In the previous section, I discussed the monetarisation of Commagene. After – and, likely, as a result of – the brief imposition of direct Roman rule from AD 17 to 38, the amount of coinage available in the kingdom was greatly increased.[155] The nature of the coinage changed as well: before AD 17, money consisted of bronze coins in local denominations, whilst after 38 coins tended to be made in denominations and types related closely to issues from Roman Syria. If we accept Butcher's model of the relationship between money and taxation, then the process of monetarisation in Commagene can be explained as an attempt to incorporate the region into *provincia Syria*. The introduction of coin types familiar to Syria means that tax revenue could be converted into provincial or imperial coins and moved away from the prosperous region. The further implication of this is that the system of tax in Commagene did not necessarily change dramatically during the period AD 17-38 or after its annexation in AD 72. Whilst the greater availability of money would certainly facilitate different forms of taxation, tax revenue could still reasonably be collected in much the same way as in the dynastic period and then converted to a more transferable form.

We have relatively few glimpses of how taxation was administered in former kingdoms and principalities. Whilst we have some significant evidence from Palestine and Arabia, there is no evidence for the practice of taxation from Emesa, Edessa, or the Ituraean Principalities. Nevertheless, we can draw some useful conclusions from the evidence we have. As the census returns from *provincia Arabia* show, provincialisation did not necessarily entail

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[154] On the continuation of pre-Roman accounting in general, see Harl (1996), 231-49; Garnsey and Saller (1987), 21. The best-known examples of such continuity are the Tyrian silver coins used for the payment of the Temple Tax in Jerusalem. For the coins and the Neronian issues that gradually replaced them, see *RPC* 1.655-7; Kropp (2013a), 247. On the tax, see *HJP* 2.262-5; Rocca (2008), 206; Sanders (1992), 147-53; Broshi (1987).
[155] See above, 4.2. This change was identified by Facella (2005b).

an overhaul of the tax system. Pre-existing taxes, and non-Roman coins and measurements could be incorporated into provincial taxation.

The imposition of provincial rule did, however, mark some important changes in the nature of taxation. Whilst taxation varied significantly from province to province, the census and poll tax were imposed on all of the Eastern provinces.[156] There is little direct evidence for Roman tax collectors, *publicani*, in former kingdoms and principalities, but they were a consistent part of provincial taxation and thus were probably introduced across the Near East as well.[157] These distinctly Roman elements, instrinsic to provincial taxation, represent some of the only guaranteed changes in the practice of taxation. Our evidence does not allow us much insight into rates of tax or even precise information regarding what was taxed, but it is very possible that taxes on land, produce, and trade remained largely unchanged.

4.4. Conclusions

Our view of taxation in kingdoms and principalities is quite limited. We are often restricted to the snapshots of practice provided by Josephus or documents from Naḥal Ḥever. We cannot reasonably expect to reconstruct the systems of taxation in kingdoms and principalities in their entirety. Our comparison of taxation under dynastic and provincial rule does, however, allow us to understand the sort of changes that provincialisation imposed and thus better conceptualise the process of taxation under kings and princes.

In much the same way as provincial rule entailed certain distinctly Roman political and legal structures, we find that the census and resulting poll tax was intrinsically linked to that form of government. There does not seem to have been a census or poll tax levied under dynastic rule. The majority of our evidence for taxation in kingdoms and principalities attests

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[156] Our best source for conceptualising Roman provincial taxation in general is a second-century surveyor called Hyginus. See, in particular, *de limitibus*. For this source, see Thulin (1913). For a more recent discussion, Duncan-Jones (1990), 187-9. Hyginus emphasises the significant differences in practice between provinces (esp. 205L).
[157] The principal evidence for the organisation of *publicani* are Cicero's *Verrines*. On *publicani* in general, see Badian (1983); Nicolet (1979). *Publicani* are well attested in Palmyra, see Gawlikowski (1998b); Millar (1993a), 324.

to taxes on land, often collected in kind, and taxes on trade in major trade centres, ports and river crossings.

Other changes stem from the need to incorporate pre-existing practices into the provincial system. Whilst non-Roman measurements and coins could be used, they had to be described in such a way that Roman officials would understand them. Similarly, some taxes on land continued unchanged from the dynastic period but the way in which they were assessed was adapted to fit the Roman provincial system. Whilst the extension of Roman coinage to kingdoms and principalities may have affected the types of taxes levied, its primary effect was to allow revenue to be transferred in and out of the province.

Kings and princes had complete autonomy in the administration of taxes in their kingdoms as long as they were able to maintain order. The types of taxes and the way in which they were collected were the product of the particular time and place: dynasts levied taxes in accordance with the traditions of their kingdoms using the appropriate language and units of measurement. Even if many of the taxes and units of measurement remained unchanged under Roman rule, the way in which they were levied changed to suit the new provincial context.

5. Conclusions

We have now examined how territories in the Roman Near East under dynastic control were administered and how the practice of administration changed after the imposition of direct Roman rule. By contrasting administrative practice under kings and princes with provincial rule, we have been able to determine what is distinct about dynastic rule and to evaluate its role within Roman imperialism in the Near East. Each chapter above has dealt with an administrative activity essential to governance in the Roman world. In what follows, I shall address the most important research questions outlined in the introduction: in what way did dynastic rule administer regions differently from other forms of Roman imperialism; and to what extent was dynastic rule a means by which regions could be prepared for annexation and direct Roman rule.

It should be reiterated here that there is a disparity between the better attested kingdoms and principalities – the Herodian Kingdom and Nabataea – and the less well attested ones – Commagene, the Ituraean Principalities, the Kingdom of the *Emesenoi*, and Edessa. If more evidence, particularly documentary evidence, could be unearthed from the latter group, then our understanding of dynastic rule in the Near East would be significantly broadened. Nevertheless, we have enough evidence from each kingdom and principality under discussion to establish something of their local culture and organisation.

Throughout this thesis, I have emphasised the individuality of each kingdom and principality under discussion. Whilst all of these territories were ruled by dynasts who held similar positions as kings or princes under Roman influence, they were all administered by different bodies and in accordance with different customs. Across the regions under discussion, we have seen kingdoms and principalities with markedly different political and linguistic cultures. This heterogeneity is intrinsic to the practice of dynastic rule in the Roman world. Governance in kingdoms and principalities was the product of a particular region, people, culture, and language. For instance, the tension between Judaeanism and Hellenism – as well as between Judaism and paganism – particular to Herodian Palestine indelibly affected

how the region was governed.[1] Dynastic rule in both the Nabataean Kingdom and Edessa was closely linked to certain local Middle Aramaic dialects, Nabataean and Syriac. The practice of administration in these territories seems to have owed much to social and legal traditions associated with Aramaic. This study has shown that the influence of local culture and custom on the administration of kingdoms and principalities cannot be understated.

In contrast, the core administrative activities under provincial rule were largely the same from one province to another. Whilst there were unquestionably significant differences between provinces, certain distinctly Roman aspects were imposed on all former kingdoms and principalities. Provincial rule was consistently associated with the Greek language and Greek epigraphy. It was linked with the rights of culturally and ethnically Greek cities. The imposition of provincial rule necessitated the introduction of the Roman census as well as a distinctly Roman, albeit relatively limited, legal and financial infrastructure conducted through Roman officials. Whilst it was common for certain structures, laws, currencies, or customs to remain unchanged from the dynastic period, these remnants had to be incorporated into the new provincial infrastructure through the Roman administrative framework. In all the territories discussed here, the imposition of provincial rule resulted in significant administrative changes from the dynastic rule that preceded it.

We should now turn to the modern notion that kings and princes brought about provincialisation by adapting the territories under their control and preparing them for direct Roman rule.[2] The theory – espoused particularly by Maurice Sartre in his *L'Orient romain* – that dynastic rule was imposed or maintained *in order* to enact particular changes and thus prepare regions for direct Roman rule does not seem tenable.[3] The work of Benjamin Isaac and others has shown that we cannot reasonably expect Rome to engage in that sort of long-term strategic planning.[4] The history of Roman engagement with kingdoms and principalities

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[1] The issues surrounding Judaeanism and Hellenism are expressed well by Millar (1993a), 350-3, esp.353. See also Schwentzel (2013), who frames both the Herodians and Nabataean Kings as 'rois ethniques'.
[2] The bibliography on this issue is discussed in detail above, 1.2.2.
[3] See, in particular, Sartre (1991), 65.
[4] See, in particular, Isaac (1990), 377-87. See further above, 1.2.1.

in the Near East – as I have discussed at length in the introduction – does not indicate that Rome had long-term objectives in mind.

Sartre later revised his ideas, rejecting the notion that long-term objectives underpinned dynastic rule in the Near East.[5] He still maintained, however, that the territories placed under the control of kings and princes underwent a series of changes and that those changes were instrumental to the eventual annexation of the kingdoms and principalities. This pattern of unplanned development has been influential amongst scholars who have pointed to the Herodian tendency to found cities and the particular characteristics – often rural, mountainous, and lacking in civic infrastructure – of the regions placed or left under dynastic rule.[6] According to this interpretation, the way in which dynasts governed their territories made the regions more suitable for later provincial administration. A closer examination, however, has shown that each kingdom and principality was administered differently. Whilst there was a king or prince in every case, we cannot make broad statements regarding how their territories were controlled without ignoring the significant differences in how each kingdom and principality was organised and governed. The effect that dynastic rule had on the territories placed under it was necessarily different in each case.

It is also significant that Roman provincial rule was distinctly different from dynastic rule; provincialisation necessitated a significant administrative change from rule under a king or prince. Whilst the Herodian tendency to found cities has often been seen as a contributing factor towards the kingdom's annexation, the Herodians fostered different types of civic space, founding Judaean as well as Greek cities and alienating the longstanding Greek cities that were so closely associated with Roman rule.[7] Elsewhere, our evidence shows us the extent of the changes in Arabia, where the annexation of the Nabataean Kingdom resulted in the introduction of cities across the region and widespread organisational changes.[8] In general, we

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[5] Sartre (2001), esp.499.
[6] See, in particular, Sartre (2001), 499; Ball (2000), 30; Aliquot (1999-2003), 216; Mitchell (1993), 1.33.
[7] See above, 2.2.2; 2.3.2.
[8] See above, 2.2.3; 2.3.3, in particular.

see little clear evidence of continuity in the practice of administration between dynastic and provincial rule.

The two contrasts described here – between different kingdoms and between each kingdom and the province it later became – contradict the notion of unplanned development espoused by Sartre. There was no single process of change that occurred in every kingdom and principality. Each kingdom and principality was administered differently, in accordance with their distinctive traditions and political culture. There is no coherent pattern of administrative development leading from kingdoms and principalities to the provinces they later became. Whilst all the kingdoms and principalities in the Near East were eventually annexed into provincial territory, their provincialisation seems to have invariably resulted in significant administrative changes. The period of dynastic rule seems to have had little impact on when kingdoms and principalities were annexed or on how the resulting provinces were organised or controlled.

The nature of the territories placed under dynastic rule and the issues associated with administering those territories should be a central part of the discussion surrounding dynastic rule as a wider phenomenon. We cannot, however, seek to explain Roman decision-making based on administrative and territorial issues alone. A plethora of factors went into the decision to impose or maintain dynastic rule. We must also consider the complex relationships between Rome and royal dynasties; the Emperor's personal motivations; and the military threat from the Parthians and Persians. We should not see dynastic rule as part of a gradual process of development leading to Roman provincial rule; it was a distinct form of Roman governance imposed or maintained on its own merits.

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