

## The Roman-Maccabean Treaty

Excerpted from “Inscription as Proof-text: the Roman–Hasmonean Treaty as Quoted in the *First Book of the Maccabees* and Flavius Josephus’ *Antiquities*” by Tibor Grull.

The general opinion about the treaty between Romans and the Jews is reflected by Peter Green: “this was a mutual defense pact, it in effect recognized Judaea as an independent state”. Interestingly, almost immediately after the treaty has been signed, Judah Maccabee died in a battle fought against Demetrius I Soter, who attacked the Judaeans ‘rebels’, and the Jews did not get any help from Rome, and the Senate took no retributive action. Peter Green continues: “in the circumstances we may legitimately wonder just what this much discussed treaty was really worth. Once again Rome had obliged with the intangible seal of her auctoritas, but then refrained from action”. What happened then? What sort of treaty has been signed at Rome in 161 BC?



*Illustration 1: Latin inscription on bronze tablet; Roman (from southern Italy), 186 BCE. The inscription records the Senatus Consultum de Bacchanalibus, which prohibited the celebration of Bacchanalia, rites in honor of the god Bacchus, throughout Italy. Vienna, Kunsthistorisches Museum.*

This historically important document survived in *First Book of the Maccabees* (8:23–30), as well as in Flavius Josephus’ *Antiquities of the Jews* (12. 417–419). Needless to say, the two texts are not identical which raises other questions. One minor group of ancient historians denies the mere existence of the Roman–Hasmonean treaty. Others say that the alliance was proposed but not ratified. Other scholars emphasize that there is no reason to question its authenticity, because no motive for a forgery is discernible, as well as the form of the treaty preserved in both sources has close parallels in the treaties between Greek states and the Roman Senate. One of the main characteristics of the era after the treaty of Apameia (188 BC) is the unceasing flow of embassies from the Greek world to Rome, as individuals and groups sought

Roman support for their own purposes. Rome became the sole arbiter of affairs in the Eastern Mediterranean.

There are nine treaties that survived on inscriptions from the period between 130—114 BC (Elaea/Pergamum, Epidaurus, Astypalaea, Cibyra, Hercalea/Pontus, Methymna/Lesbos, Byzantium, Maronea, Callatis). The treaties whose texts are extant, are virtually identical. The standardization of the form of these treaties suggests that the terms themselves were not a matter for discussion or negotiation. But it is also clear that the initiative for the conclusion of the treaties came from the Greek side.

Roman treaties have the following general format:

- Section 1)** An opening declaration stating that Rome and the contracting party are to enjoy everlasting peace, friendship and alliance, and that no war will ever be fought between the two.
- Section 2)** A neutrality agreement, in which the contracting party undertakes to bar any enemy

of Rome from passing through its territory and to withhold the supply of corn, weapons, money, and ships from such opponents of the Republic. The Republic is bound by the same stipulations towards its ally.

**Section 3)** A defense pact which commits both parties to assist when attacked.

**Section 4)** A modification clause, allowing a change in the terms of the alliance, provided that the alterations are acceptable to both parties.

**Section 5)** A testimonial clause which states that one copy of the treaty is to be placed on the Capitol in Rome, while another is to be kept at a shrine of Rome's ally.

The text preserved in 1 Maccabees contains the opening statement (section 1), a portion of the neutrality agreement (section 2), the defense pact (section 3), and the modification clause (section 4). The opening statement, however is different from the one preserved in Josephus.

1 Maccabees begins with: "Good success to be the Romans..." But the most important phrase: the type or genre of the treaty is missing. Josephus is more precise when quoting the opening sentence of the treaty: "The decree of the Senate concerning a league of assistance and friendship with the nation of the Jews" Josephus quotes two important things: ad primum, this is a decree of the Senate; ad secundum, this is a "symmachiakai eunoia" agreement. We can accept the traditional explanation that this crucially important phrase was omitted from 1 Maccabees because of the double translation process from Greek to Hebrew and from Hebrew to Greek. But there are other differences as well. The original Hebrew text of 1 Maccabees was significantly rearranged. After quoting the treaty's opening statement, the translator first listed the Jewish commitments towards Rome and then noted the Republic's reciprocal obligations towards the Jews. The Jewish obligation to give military aid to Rome is placed at the very head of the Jewish section. Dov Gera is probably right when claiming that "this arrangement is undoubtedly intended to underline Jewish strength". We can verify this statement easily: the text quoted by Josephus has the opposite order: "It shall not be lawful for any that are subject to the Romans to make war with the nation of the Jews, nor to assist those that do so." It is more embarrassing that one important phrase quoted twice in 1 Maccabees lacks from Josephus. Peter Schäfer, who noticed that "this alliance did not appear to treat both sides equally", based his opinion on two observations on the text of 1 Maccabees. One is the double occurrence of the phrase "as it hath seemed good to the Romans" (26 and 28). The other is the similarly duplicated terms "according as the time shall direct" (25) and "according as the time shall permit them" (27). Both phrases are missing from Josephus, or rather they are not emphasized so much. The Romans shall assist the Jews attacked by an enemy power, kata todynaton, viz. "as far as they are able", which is a serious restrictive phrase. This condition, however, is familiar in treaties between Greek states and Rome. Here again, Josephus gives the more customary Greek form. The modification clause (section 4) can be found in both texts, but also with significant differences.

1 Maccabees says that alterations can be made by both parties; Josephus, however, assigns the right of alteration only to the Jews. He probably wanted to emphasize the benevolence of the Romans towards the Jewish people, in accordance with the main message of his apologetic works. At last, the lack of testimonial clause (section 5) in 1 Maccabees is understandable on the one hand. These treaties always alluded to Rome's chief temple, and mentioned the deity residing in the temple, viz. Zeus or Jupiter Capitolinus. Dov Gera is right again when emphasizing that "the Jewish reader [i. e. of 1 Maccabees] would hardly have been favorably impressed by Judas Maccabaeus and his treaty with Rome, if that treaty were to be deposited in the temple of an alien god."