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God's Brigands: People, Party, and Sect in Flavius Josephus's *Bellum Judaicum*

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Abstract: Renowned as a historian, Flavius Josephus enjoys little reputation as a political thinker. As heir to the classical historical tradition of Thucydides, however, considerations of the regime remained primary for him. All the more so given his most important task not inherited from them: the defense of the Jewish law and people against their pagan detractors. Josephus defended the law as having specified the best political regime (which he called “theocracy” but by which he meant a rigorous natural aristocracy). He defended the people as faithful to that law and as innocent of the terrible excesses of the great uprising of 66 CE. In so doing he was compelled to confront a phenomenon unknown to his classical predecessors: a politics not of class divisions but of sectarian ones. His response to it uncannily anticipated features of the modern (post-Machiavellian) reinterpretation of politics in terms of “peoples” and “elites.”

Flavius Josephus (ca. 37–ca. 102 CE) is usually celebrated as a historian and for his apologetic writings defending the Jewish law (and thus also the Jewish people) against their pagan detractors. He enjoys, however, little reputation as a political thinker, one to whom we might turn for guidance concerning peoples in general. While leading scholars from other disciplines, such as Tessa Rajak¹ and Daniel R. Schwartz² have begun to address

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¹Tessa Rajak, “Josephus,” in *Cambridge History of Greek and Roman Political Thought*, ed. C. Rowe and M. Schofield (Cambridge: Cambridge University Press, 2000), 585–96; Rajak, “The *Against Apion* and the Continuities in Josephus' Political Thought,” in *Understanding Josephus: Seven Perspectives*, ed. S. Mason (Sheffield: Sheffield Academic Press, 1998), 222–46.

²Daniel R. Schwartz, “Josephus on the Jewish Constitutions and Community,” *Scripta Classica Israelitica* 7 (1983–84): 30–52; Schwartz, “Rome and the Jews:

Josephus's political thought, apart from myself, the only political theorists to have taken up Josephus appear to be Michael S. Kochin³ and David Polansky.⁴

Josephus was a historian, not only in the *Bellum Judaicum* but in his later writings as well.⁵ All of these works aspire in their different ways to achieve an accurate account of a particular sequence of events. Yet he also, like so many other ancient writers whom we call historians, takes his bearings from Thucydides, whose greatness lay in his ability to disclose the general lurking within every set of particulars. Similarly, Josephus's accounts of the peoples known to him, and of the Jewish people in particular, imply important insights concerning peoples as such.

Through all the vicissitudes of Josephus's life and his standing with the Jewish community, the Jews remained his people and of special concern to him. He dutifully asserts that the Jewish way of life surpasses all others in goodness. At the same time, he does not deny that it has spawned great evils. Indeed, he exclaims at the gravity and pervasiveness of these evils (*BJ* 1.10–12, 7.259–74). In the spirit of classical political science, Josephus shows how even a people shaped by the wisest legislation remains prey to those vices that are the inevitable obverse of its virtues. The Jews emerge as at the same time the most blessed and most perverse of peoples, whose example is alike most to be admired and most to be shunned. Their singularity drives Josephus to break with the classical tradition in his presentation of the political role of the people and to strikingly anticipate the early modern approach to this question. For as Josephus could not have predicted, a peculiarity afflicting only the Jewish people of his day—sectarianism—would, because of the rise of Christianity, take hold among Western peoples generally. This problem would foster in turn a reconceptualization of the people and its relation to “elites” (among them these very sectarians). It is just this development that Josephus's treatment of the people foreshadows.

In this article I explore Josephus's presentation of the people, his radical revision of the classical notion of aristocracy to make it more friendly to the people, his preoccupation with *stasis* and its implications for his recasting of the people, the threat of messianism to any sensible solution of the

Josephus on ‘Freedom’ and ‘Autonomy,’” in *Representations of Empire: Rome and the Mediterranean World*, ed. A. K. Bowman et al., Proceedings of the British Academy 114 (Oxford: Oxford University Press, 2002), 65–81.

³Michael S. Kochin, “Education after Freedom,” in *In Search of Humanity*, ed. A. Radasanu (Lanham, MD: Lexington Books, 2015), 129–48, and “Freedom and Empire in Josephus,” *History of Political Thought* 39 (2018): 16–32.

⁴David Polansky, “Written by the Losers,” review of *On Josephus's “The Jewish War”* by Martin Goodman, <https://newcriterion.com/blogs/dispatch/11320>.

⁵I abbreviate this henceforth as *BJ*. These later writings include the *Antiquities of the Jews* (hereafter *Ant*), the *Against Apion* (hereafter *AA*), and the *Life* (i.e., his own). Translations are my own.

problem of the people, and finally, the suspension of the sectarians between hypocrisy and fanaticism and its implications for the relationship between people and elite in both its ancient and its modern versions.

People and Crowd

There are several Greek terms translatable as “people,” and Josephus uses all of them. The crucial one is *dēmos* which in his Greek, as that of other classical writers, means sometimes the people as the whole of the citizenry and sometimes the people as a part of it. The crowd is not the people in either of these senses. (The Greek word most plausibly rendered as crowd is not *dēmos* but *ochlos*). While a crowd is shifting, amorphous, and often ephemeral, the people remains a permanent feature of the political landscape. Crowds emerge from the people and disappear back into it, but the people persists forever. While the people as such is not a crowd, in the absence of leadership it may lapse into one. In *BJ* the Jewish people, whether in Jerusalem, elsewhere in Judaea, or in the Diaspora, frequently figures as a crowd in this last sense.

Josephus agrees with his classical predecessors in using *dēmos* primarily in its more restrictive sense, as denoting not the entire population but a class within it, the many poor as opposed to the few wealthy or well born. He departs from those predecessors, however, in his stance toward the people so conceived. Unlike them, he hardly ever blames or belittles it. He even displays an affinity for its modest view of the primary goals of political life: peace abroad and quiet at home. And, as we will see, he even broadens the notion of the *demos* to include all the citizens who share these praiseworthy goals. Not that Josephus presents peace and quiet as sufficient aims for political life. He agrees with his classical mentors that virtue is also required, both as an instrument and for its own sake. Ultimately Josephus's claim on behalf of his imagined Torah-observant society is that in addition to peace it would cultivate virtue in the highest degree.⁶

When it comes to life in actual cities, Josephus's sympathies almost always lie with the peace party. War with its risks and ambitions is to be avoided except where absolutely necessary, and so except where the struggle is a defensive one.⁷ He joins the people in inclining towards aristocrats of a

⁶See Clifford Orwin, “Titus Flavius Josephus,” in *Jewish Virtue Ethics*, ed. Geoffrey Clausen, Alexander Green, and Alan Mittleman (New York: State University of New York Press, forthcoming).

⁷For the argument that Josephus agreed with the rabbis on this crucial issue see Monette Bohrmann, *Flavius Josephus, the Zealots and Yavne: Towards a Rereading of the War of the Jews*, trans. Janet Lloyd (New York: Peter Lang, 1993), 244–77. Bohrmann is that highly valuable scholar, a contrarian who strips away Josephus's Hellenism and finds a rabbi-in-the-making, an opponent of the Zealots on impeccably traditional Jewish grounds. However persuasive this argument, one must face the

pacific sort. This may be an important reason why he conceives of the best aristocracy as priestly rather than lay. The model aristocrat in *BJ*—the high priest Ananus son of Ananus—is a man of peace above all (4.320).

Aristocracy Natural and Conventional

As often with other classical writers, Josephus's promotion of aristocracy is ambiguous. He will settle in practice for a regime that is aristocratic in the conventional sense of the term. An example is the regime that ruled Jerusalem and the rest of Judaea during the early phase of the rebellion (*BJ* 2.562ff.). Its rulers were committed to the war against the Romans and did what they could to advance it, but without precluding an eventual negotiated settlement. (First among them was just that Ananus who placed peace above all other goals.) In domestic affairs, this regime sought merely to preserve the status quo. Its members were drawn primarily from the traditional ruling class of Judaea, the wealthy and well born, both lay and priestly. With two exceptions, Josephus does not praise the members of this typical regime of notables as outstanding for their virtue. Only the participation of those exceptions—Ananus and another high priest, Jesus son of Gamalas—intimates that genuine aristocracy that classical thinkers had offered as their (only very rarely attainable) model.

The aristocracy that Josephus promotes in his later writings is of this Aristotelian sort. Yet he does not present such a regime as a mere city in speech or—to use Aristotle's locution—as a regime to be prayed for (instead of one intended to furnish an object of political action). Rather he casts it as actual—albeit only in the past yet also susceptible of restoration in the present and future. The permanence of the Torah and its law guarantees also the permanent possibility of this regime as allegedly mandated by that law. According to the later writings, this regime of virtue had obtained in former days through the sway of the Levitical priesthood. So perfect was the reign of human virtue instituted by this hierocracy that Josephus literally apotheosizes it. He appears to have coined the momentous term *theokratia* (for which he apologizes as a neologism and which appears nowhere else in the extant classical literature) with the express purpose of so dignifying this regime (*AA* 2.165–67). He dubs as *theokratia* what the classical tradition had understood as aristocracy in the strictest (and so least attainable) sense. As the enemies of the Jews had poured hyperbolic blame on the Torah and the

further question whether Josephus regarded the rebellion itself as an avoidable war. Here the evidence is more ambiguous than generally recognized. One should not too readily assume that King Agrippa's impressive speech at 2.345–401 states the views of Josephus at that time: quite unlike Agrippa, Josephus remained in the city to fight the war.

way of life it had commanded, so Josephus responds with hyperbolic praise of them.

***Stasis* and the Redefinition of the People**

So goes the argument of the later writings. In the *BJ*, however, the theme of aristocracy is muted,⁸ and *stasis* or factionalism comes to the fore. Josephus recounts an appalling sequence of calamities, atrocities, and violations of sacred law, all of which he ascribes to *stasis* (*BJ* 1.2–10). The focus of *BJ*, then, is less on a politics of achieving the best than on one of avoiding the worst. This emphasis is not in itself novel, for *stasis* and the necessity of avoiding it had been a theme of Thucydides, Plato, and Aristotle. New is Josephus's tendency to absolve the people of all blame for *stasis*.

According to these earlier writers, *stasis* was endemic to cities, typically taking the form of a rivalry, murderous in its intensity, between oligarchs and democrats, the few rich and the many poor. While not hostile to the people in the fashion of their adversaries the oligarchs, neither had the classical thinkers rallied to it. Rather they had been impartially critical of the versions of justice advanced by both parties. Each had grasped a part of the truth but neither of them the whole of it: each had strived to impose its inadequate account of justice as authoritative. This argument had implied a substantive critique of the people and its way of life as expressed in its political ambitions. This critique was not incidental, but a necessary aspect of the case for the superiority of aristocracy to popular rule. Only the few most virtuous could be expected to aspire to the common good in the true sense of the term.

Josephus, however, does not subscribe to this deprecation of the people. He may have inhabited a remote provincial outpost on the map of classical political thought, and in many respects his thought relied on that of his predecessors. Yet here at least his stance is strikingly novel: aristocratic but without prejudice to the people. Nothing so captures Josephus's unique blend of the praise of aristocratic virtue on the one hand and friendliness toward the people on the other as his presentation of the high priest Ananus. Ananus's fate is grim: he is butchered by the barbarous Idumaeans, allies of the Zealots, after the failure of a popular rebellion that he had helped incite. It is worth quoting Josephus's eulogy of him at length.

I should not go astray in maintaining that the capture of the city began with the death of Ananus, and the overthrow of the walls and the ruin of the Jews' affairs from that day when they witnessed the high priest and their chief hope of personal survival butchered in the midst of the city. A man revered in other respects and just in the highest degree, for

⁸See my "The Melancholy of Departure: The Mirage of Aristocracy in Josephus' *Bellum Judaicum*," in *Flavius Josephus from Jerusalem to Rome*, ed. Judith Goepfing (Leiden: Brill, forthcoming).

all the distinction of his good birth, his worth and the honors he held, he delighted in extending equal honor to all, was a friend of liberty beyond all expectation and an impassioned lover of democracy, always placing the common interest above his private concerns and esteeming peace above all else. . . . [There follows a defense of Ananus's policy toward the Romans.] With him stood Jesus [the son of Gamalas, the deputy high priest], who, while falling far short in comparison with Ananus, far excelled the rest. But it was, I suppose, because God had condemned the city to destruction for its pollutions and wished to purify the holy places by fire that he cut off those who clung to them with such affection. So they who had a little before worn the sacred garments. . . . were seen to be cast out naked, the prey of dogs and wild beasts. Virtue itself, I think, groaned for these men, lamenting how they were thus brought low by vice. (BJ 4.318–25)

Consider the framing of Ananus here as *erastēs tēs dēmokratias*, an “impassioned lover of democracy.” The phrase seems incongruous: an *erastēs* is someone seized by *erōs*, of which democracy is hardly a plausible object. Readers of Thucydides will recognize an echo of the famous Funeral Oration of his Pericles who exhorts the Athenians to gaze upon the power of their city and become its lovers (Thucydides 2.43.1). (Lovers of the city or of its power? Thucydides's Greek is ambiguous as therefore was my English.) From the fifth century onward there are a handful of other extant examples of the extension of *eros* from the private realm into the public one. Most of these, however, are to be found in Aristophanic comedy. There is none attested between the early fourth century and Josephus's writing nearly five centuries later.⁹

Yet Josephus's usage, far from merely replicating that of Pericles, appears even more problematic. A city, if only a city as magnificent as the Athens sketched by Pericles, one deemed to confer immortality on its citizens, may seem a (barely) possible object of *eros*. But a *regime* as such an object, let alone the democratic regime? Can it possibly be presumed beautiful enough to attract anyone's *eros*? However hyperbolic, Josephus's formulation is well considered. Its aim is to cast Ananus's improbable friendliness to democracy as emphatically as possible. The context implies, moreover, that this friendliness was an aspect of Ananus's surpassing aristocratic virtue. Just before this passage, in recounting the murder of Ananus at the hands of the Idumaeans, Josephus claims that they had mocked his corpse for his goodwill (*eunoia*) toward the demos (4.316). Civilized virtue beams on the people, while rude vice disdains it for doing so.

Consider also Josephus's presentation of another leading victim of the Zealots, Gurion, a layman rather than a priest but no less a patrician than Ananus. Josephus praises him as *dēmokratikos de kai phronēmatos eleutheriou mestos*, “democratic and bursting with the disposition of a free man”

⁹I am indebted for this discovery to my research assistant Logan M. Gates.

(4.358). Josephus seems determined to link aristocratic virtue with an attachment to democracy—whatever that means. What justifies Josephus's descriptions of Ananus as "an impassioned lover of democracy" and Gurion simply as "democratic"? Josephus nowhere defines the term "democracy," nor has democracy in any of its usual senses figured in the agenda of either of these characters. Neither has been shown to promote the interest of the many poor at the expense of the wealthy few, or to seek to increase the power of the people at the expense of that few. They die as they have lived, members in good standing of the partly priestly, partly lay Judean upper class of the day. How then are we to understand their supposed credentials as democrats?

Very politically, I think—if nothing so defines friendship in politics as staunch opposition to a common enemy. If Ananus and Gurion qualify as friends of the people, it is because all three incur the antagonism of the self-described faction of the Zealots. While the struggle between the people and the Zealots discloses an opposition between the few and the many, it is not that opposition as we are familiar with it from Aristotle. In fact, most of the wealthy and those of good birth are allies of the people against the Zealots (who for their part include in their number both wealthy citizens and poor ones, as well as both priests and laymen). Certainly in Jerusalem as in the cities known to Aristotle the rich were few and the poor many, but this is not the rift to which Josephus calls our attention. As the Zealots are not the party of the rich, neither are they the party of virtue in any classical sense of the term.

This is the key to understanding Josephus's novel casting of the people: the conflict between it and the Zealots. We cannot grasp this conflict without at least some understanding of what moved the Zealots. Here Josephus is less helpful than he might be. Such is his enmity toward them that he never permits us to see them as they saw themselves. Indeed, that they even called themselves Zealots is something of which he informs us only to ridicule that name (2.651, 4.161, 7.268–70: three times for emphasis!). Still, the very fact that they did so call themselves confirms that they understood themselves as defined by a certain outlook. And Josephus assigns them such an outlook, although only by inference. He even describes it as a "philosophy," the Fourth Philosophy of the Jews (*BJ* 2.118; *Ant* 18.23–25)—"Fourth" because it is later than the "philosophies" of the Pharisees, the Sadducees, and the Essenes.

Josephus thus calls attention to the fact that the Zealots differed fundamentally from the parties known to classical political thought. Unlike the oligarchs and the democrats whom we encounter in Aristotle's *Politics*, they did not represent a social class in its contention with the opposing class. Not that there weren't political disputes of the usual sort in Judaea, including those between rich and poor. Still, Aristotle's insight into the social or economic basis of the struggle between the few and the many, the oligarchs and the democrats, proved inadequate to the Judaeian situation and

therefore ultimately parochial. There is no one term Josephus's use of which so displays this defect of classical thought as *eleutheria* or liberty. This was long established as a standard term in political discourse. It alluded alike to the distinction between a free man and a slave and to the claims of certain regimes to excel their rivals in securing the freedom of their citizens. The term also played a major role in discourse about foreign affairs, in which every city aspired to be independent and cast all dependence as slavery.¹⁰

That Josephus ascribes to the partisans of the new thinking an "almost unquenchable love of liberty" (*Ant* 18.23) is not in itself surprising. Nor is it that they brandished the term against submission to Rome. As Josephus presents their love of liberty, however, it put them far beyond the pale of classical thought. For while pagan parties had debated the issue of which regime provided true liberty, they all regarded liberty as political in nature and therefore as subject to political exigencies including the inevitability of rule. The question was always who should rule, not whether anyone should. What defined the Zealots and other adepts of the Fourth Philosophy was precisely their break with this view. Rather than lay claim to rule as any party known to Aristotle would have done, they demanded its abolition (*BJ* 2.118 and 433; cf. *Ant* 18.23). Human rule as such they condemned as slavish: only God could rightly rule, at least over His chosen people.

The Zealots represented not a party but what Machiavelli and other modern thinkers would call a sect. Their opponents, accordingly, were not, as in Thucydides or Aristotle, those whose "class interest" was adverse to theirs. Rather they were those of whatever class—from the patricians Ananus and Gurion to the humblest tradesman in the Lower City—who eschewed their sectarianism. This opposition explains why Josephus, in addition to using the terms *dēmos* and *dēmokratia* in their usual classical senses, adopts a new and expanded sense in his characterizations of Ananus and Gurion.

The stated stance of the Zealots, then, while not antinomian (for they did not reject the authority of the Torah), was radically antipolitical. Josephus does not scruple, however, to ascribe political motives to them. Their leaders, according to him, aimed at tyranny or "dynasty"¹¹ (4.154). So too the leaders of the rival factions that would soon arise to challenge the regime of the Zealots. Of these groups, some were schismatics from the Zealots (5.4–7), who thus preserved their sectarian character the better to contest their authority. Then there were the Sicarii ("dagger men"), murderous rivals of the Zealots but equally attached to the Fourth Philosophy. Another faction—which irrupted into the city because summoned by the Zealots to help quash the uprising of the people—was comprised of Idumaeans, whose distinction was not doctrinal but ethnic. They were a rural rather than an urban people, only recently converted to Judaism, and

¹⁰On Josephus's treatment of freedom generally, see Kochin, "Freedom and Empire."

¹¹*Dunasteia*, a term denoting a narrow oligarchy.

their orientation seems to have remained tribal. Finally there were the factions of John of Gischala and Simon bar Gioras, which seem to have rested on personal loyalty. (There is no indication that either John or Simon made claims to rule on God's behalf: their intended tyrannies were merely worldly ones.) All these, then, contended for political direction of both the city and the revolt against the Romans.

To the people, by contrast, Josephus ascribes no ambition to rule. If it rises against the rule of the Zealots, it is not, like the *demos* in Aristotle, invoking a contrary claim to rule. It merely wishes to live in peace, free of oppression by the sectarians. In Josephus, the people suffers much but does little. Its initial uprising having been crushed, it offers the Zealots little further resistance. There is one exception to this pattern of passivity, which occurs not long after the uprising. The people colludes in the ill-starred admission of Simon bar Gioras and his followers to the city, in the hope that he will dislodge the Zealots (*BJ* 4.573–76). In fact, he will fail to do so, merely establishing himself as a rival oppressor. This gambit having failed, the people are reduced (or so Josephus claims) to hoping for a Roman victory to deliver them from the clutches of their homegrown tyrants.

Josephus does not present the people as simply passive throughout the broader narrative. In the decades leading up to the war, they frequently assemble as a crowd. They do so above all to repel assaults on the sacred law. Such assaults prove unfortunately frequent, from the Seleucids, from Herod and his son Archelaus, and finally from the Romans. Often the people and their tormentors clash over an attempt to impose some new idolatrous enormity (1.34–35, 2.39–54, 2.169–74, 2.175–77, 2.184–203). Josephus refrains from assigning leaders to these upsurges of popular resistance, thereby reserving the credit for them to the people as a whole. A seeming exception to this rule is the episode of the Golden Eagle unforgivably erected by Herod on the very gates to the Temple in ca. 6 BC (*BJ* 1.648–55). The decisive response to this sacrilege is not popular and unmediated but is led by two *sophistai* or sages, Judas son of Sepphoraeus and Matthias son of Margalus. Yet in this case it is not the people but certain cadres of the elite who stand out for their opposition to Herod and on whom his brutal reprisals fall. It is well-born young men studying with the two sages whom they persuade to tear down the eagles. True, on Herod's death the people rise to demand accountability for the deaths of these sages and their students; again there is no mention of leaders at the head of this groundswell (2.5–7).

BJ thus presents the people as "conservative" in a salutary way. Indifferent to rule and thus to political innovation, it spontaneously resists affronts to the sacred law which defines the warp and woof of its existence. Unlike the partisans of the Fourth Philosophy, it acquiesces in human authority when it comes garbed in ancestral tradition and respects the divine law. Unarmed or poorly armed as the people is, these encounters rarely end well for it.

Josephus can thus be said to vindicate the people, even when it behaves like a crowd or mob. He shows that its instincts are good: fundamentally inclined

toward its self-preservation, but willing to risk it to defend the boundaries of the sacred. Josephus absolves it of responsibility for the revolt except insofar as this last was forced on it by the intolerable exactions of the Romans. The war cannot therefore be blamed on “the Jews” in the broadest and most obvious sense of that term. This last is surely a consideration for Josephus. His treatment of the people, like all other aspects of his work, is skewed by its apologetic intent. Michael Tuval has argued for two Josephuses, the author of *BJ* on the one hand and that of the later works on the other. He claims that his outlook changed radically, from that of a Jerusalem priest to that of a diaspora Jew.¹² Others of us reject this view, and hold that the earlier Josephus shares the same fundamental concerns as the later one.¹³ In any case even the partisans of two Josephuses must concede that the earlier one already manifests the apologetic intention of his later self, because he makes this explicit (*BJ* 1.2–4). Without exaggerating the power of the Jews (and thereby also that of their Roman victors), he will clear them of the unjust imputations current among his gentile readers.

Josephus’s apologetic intention thus precludes ascribing to the Jews as such the numerous outrages perpetrated by them and which allegedly brought divine retribution on them.¹⁴ This confers a certain immunity on the people, whether taken as the population at large or as the demotic class that comprised its majority. Josephus is not shy about blaming individuals among his Jewish characters. So too he vituperates against the deeds of various groups, above all, of course, the factions. The people as such, however, remains unscathed by his censure. This reflects his redefinition of it in opposition to the factions. The closest that the Josephus of *BJ* comes to blaming the people is a passage bemoaning the corruption of all of Jewish society at the hands of the radical factions (7.259–61). Only here does he approach the typical classical critique of most actual cities as divided into two warring camps, the few and the many or the people. Yet what drives Josephus so far down this road is his determination to blame not the people but the sectarians for having debased it. We may therefore say that even in this passage the people figures as the victim of an elite.

The term “elite” was of course unknown to Josephus, nor was there a Greek approximation. Where the groups in question were factional leaders and their

¹²Michael Tuval, *From Jerusalem Priest to Roman Jew: Josephus and the Paradigms of Ancient Judaism* (Tübingen: Mohr Siebeck, 2013). At p. v Tuval acknowledges “that, to some extent, this study develops work [that his teacher Daniel R. Schwartz] began many years ago.” Cf. Daniel Schwartz, “From Joseph b. Mattathias, a Priest of Jerusalem, to Flavius Josephus, a Jew of Rome,” in *Judeans and Jews: Four Faces of Dichotomy in Ancient Jewish History*, ed. Schwartz (Toronto: University of Toronto Press, 2010), 48–61.

¹³Rajak, “Continuities.”

¹⁴Josephus cannot account for why God punished all for the sins of an alleged minority: this stands in the way of interpreting the work as a theodicy.

followers, he generously deploys another term, *lēistai* or brigands. Josephus is routinely criticized for failing to distinguish between garden variety brigands and revolutionaries such as the Zealots and Sicarii. We may note in his defense that brigands and insurrectionists have much in common. This includes violence, lawlessness, a taste for the possessions of others, and an aversion to good order as enforced by established authorities. Crucial is what the brigands are not, in Josephus's presentation of them: brigands are not the people. Nor are they its champions, class warriors ahead of their time. They are a scourge as noisome to the people as to those higher up. Precisely because the term *lēistai* embraces both revolutionaries and criminals, it is perfect for designating enemies of the people.

The Threat of Messianism

The final problem posed by the people is its attitude toward messianism. Pierre Vidal-Naquet stresses the contrast between the "cold" monarchy of Herod (and, he might as well have said, of Vespasian and Titus) and the "hot" or fervent monarchy of a succession of Jewish pretenders or usurpers. He emphasizes a concern of Josephus that is no less fundamental because he so rarely makes it explicit. For Vidal-Naquet, it is messianism above all that defines the political problem for Josephus. The child of priests and monarchs, he was no enemy of authority, but the authority of "hot" kingship threatened to destabilize all others.¹⁵ The very term "messiah" is absent from Josephus's work, although the *BJ* features characters who clearly pretended to that title, king on their own say-so (2.57–59, 2.60–65, 2.443ff.). These Josephus presents simply as brigands, whereas unarmed deceivers of the people rate as charlatans (2.259–60, 2.261–63).

We might suspect, however, that Josephus views even messianism as merely one aspect of a deeper problem. For it is but an implication of the notion that the only legitimate ruler of the Jewish people is God, the premise derived from Holy Writ that anchors the Fourth Philosophy.¹⁶ Typically for Josephus, his depiction of this "Philosophy" is both so partial and so hostile that it conceals as much as it reveals. Did the Fourth Philosophy affirm messianism, or reject it too as superfluous given the eternal rule of the living God? Josephus provides no explicit answer to this question.

¹⁵Pierre Vidal-Naquet, "Du bon usage de la trahison," in *La Guerre des Juifs*, by Flavius Josèphe, trans. Pierre Savinel (Paris: Éditions de Minuit, 1977), 73–109; "Flavius Josèphe et Masada," *Revue Historique*, no. 260 (1978) : 3–21; *Flavius Josèphe et la Guerre des Juifs* (Paris: Bayard, 2005), 55–56.

¹⁶For the most resounding declaration of this principle and the dismissal of merely human authority that follows from it, see *Judges* 8.22–23, and the fascinating study of Martin Buber, *Kingship of God*, trans. Richard Scheimann, 3rd ed. (Amherst, NY: Humanity Books, 1990).

Yet it remains the case that among the characters in *BJ* who openly play the Messiah, the most notorious is Menahem, reportedly the very son of Judas of Galilee himself (2.433ff.). Given his descent, we cannot avoid interpreting his claim to kingship in the light of the Fourth Philosophy. If, following Vidal-Naquet, we see Josephus as guided above all by his apprehensions of messianism, we can see why he views the Fourth Philosophy as so deadly. By rejecting all existing human authority in the service of a pretense to rule in the name of God, it had unleashed a new scourge into the world, a despotism of supposed theocracy.

What Josephus explores in *BJ* is a kind of politics unknown to the classical thinkers because the prophetic tradition and its implications for politics were unknown to them. It is a politics fundamentally defined, as most clearly in the case of the Fourth Philosophy, by its rejection of the sufficiency of politics. The adepts of this “philosophy” undertook the subversion of political authority as such, as exemplified by the merciless rage of the Sicarii against the entire political establishment.

Josephus’s first mention of the Sicarii and their campaign of terror (2.254–57) is silent as to any link between them and the “Fourth Philosophy.” That connection emerges only later. At 2.408 we learn that rebels have captured the fortress of Masada, but Josephus does not specify which faction of rebels. At 2.433 Menahem first appears, having arrived in Jerusalem with a numerous band of followers intending to take command of the rebellion, still in its early stages. We learn not only that he is the son of the notorious Judas the Galilean, but that he has come from Masada. After initial successes, Menahem fails spectacularly. Having offended everyone by his tyrannical ways, he is lynched by an angry mob, and of his many henchmen, only a few escape.

Still left unsaid in book 2 is that Menahem and his companions from Masada were Sicarii. At 4.398, however, Josephus discloses that it is in fact the Sicarii who have possessed that fortress, and now at 7.253, that their commander is one Eleazar the son of Jair. Josephus does not insult his readers by reminding them that this very Eleazar had accompanied Menahem to Jerusalem five years before and was among those few of his men who had eluded the wrath of the Jerusalemites (2.447). (On that occasion, Josephus had even foreshadowed Eleazar’s reappearance in book 7 by noting that having so escaped, he had returned to Masada to tyrannize over it—presumably to replace the fallen Menahem in that capacity.) Already at 2.447 we had also learned that Eleazar was a kinsman of Menachem. Finally here in book 7 Josephus discloses that he was Menachem’s kinsman on his father’s side: another descendant of Judas the Galilean. The narrative has now established the requisite link between the Fourth Philosophy and the terrorism of the Sicarii, on the one hand, and the messianic pretensions of their leader Menahem, on the other. In book 7, then, it is not Josephus’s earlier whipping boy the Zealots but the Sicarii who emerge as the primary bearers of the Fourth Philosophy and its disastrous consequences.

Hypocrisy and Fanaticism

Josephus seizes the occasion of the reappearance of the Sicarii in book 7 to launch yet another tirade against their crimes. Leading the list is their hypocrisy: while feigning indifference to rule, they had pursued it with ruthless abandon (7.256–58). Josephus thus applies to this new sect something already old and familiar: the critique of factionalism of the usual sort stated by Thucydides five centuries before (cf. Thuc. 3.82.8). He thereby apparently implies that the zeal of the sects was mere pretense.

Accordingly in the long passage that follows, Josephus treats sects as interchangeable with parties. Descending through the roster of the factions, he presents John of Gischala's clique as even worse than the Sicarii (263–64), Simon bar Gioras and his crew as even worse than John's (265–66), the tribal Idumaeans as worse still (267), and the Zealots, the first of the factions to have emerged in the war, as the worst of all (268–70). In keeping with this tendency to treat the disparate groups as indistinguishable except in the degree of their viciousness, only here in his works does Josephus expound the Fourth Philosophy without reference to the kingship of God (compare 7.255 with *BJ* 2.118 and *AJ* 18.23).

Yet in the end this conflation of party and sect proves inadequate and even obfuscatory. While all the factions may have been vicious, the sects surpassed the parties in their fanaticism. While John, Simon, and the Idumaeans would finally seek to escape the Roman vise, the Zealots and the Sicarii would not. (Indeed, the self-immolation of the Sicarii besieged in the fortress of Masada would provide Josephus with one of his most memorable set pieces.) In a concluding episode of *BJ*, Josephus leaves a Judaea now in ruins to recount further depredations of the Sicarii in far-off Alexandria and Cyrene (7.407–55). In relating the reprisals thus incurred, however, Josephus surprises us by granting the Sicarii his admiration. Even when subjected to the worst tortures of the Romans, not a single one would renounce his faith—and to the astonishment of the beholders, this proved as true of the children of the sect as of their parents (7.417–19). A parallel and equally emphatic passage occurs in the *Antiquities* (18.23). Josephus thus unwittingly anticipates a central trope of Christianity's presentation of its martyrs.

The ultimate problem posed by the Fourth Philosophy, then, even and precisely as Josephus presents it, is not the hypocrisy of its rank and file but rather their invincible faith. And even where the leaders are concerned, Josephus vacillates between presenting them as hypocrites and as fanatics. Again we confront the novelty of the challenge of the Fourth Philosophy, and the impossibility of subsuming it under any version of the classical scheme of the regimes.¹⁷

¹⁷For a thoughtful treatment of Josephus's dependence on Thucydides in fundamental respects, see Gottfried Mader, *Josephus and the Politics of Historiography* (Leiden: Brill, 2000). Mader argues convincingly that Thucydidean elements

Yet the charge of hypocrisy, if not entirely persuasive even when limited to the leaders, is not entirely useless against them either. This is one of the most remarkable features of the *BJ*: that it anticipates the modern critique of Christianity prior to the emergence of the latter as a distinct sect, let alone as an imperious church. Josephus's critique of an antipolitical politics supposedly founded on the Torah foreshadows modern critiques of the pretended otherworldliness of a church supposedly grounded in Christian scripture. For Josephus as for Machiavelli, the abjuration of rule by those who claim to serve God alone inevitably masks its pursuit, all the more ruthless because thus hidden.

BJ was a popular work in early modern times, available not only in the original Greek but in numerous Latin and vernacular versions. As Martin Goodman comments,

The drive behind a rash of publications of the *Jewish War* in the France of the second half of the sixteenth century owed most to perceived parallels between the internecine battles in Jerusalem described by Josephus and the wars of religion which threatened divine vengeance on France. A similar motive may be surmised for the publication of no fewer than seven vernacular editions of the *Jewish War* in the war-torn Netherlands in the sixteenth century.¹⁸

Goodman does not expand these observations, and offers only sparse scholarly references in support of them. I surmise that at least some of the modern writers impressed by Josephus understood the main problem facing their societies not as the likelihood of divine retribution provoked by sectarianism but as the harm inflicted by the sectarianism itself. For that would mark the replacement of still-medieval readings of religious strife by a genuinely modern one, while establishing Josephus's credentials as a resource for this crucial transformation.¹⁹ In my reading of *BJ*, divine retribution, whatever Josephus's reasons for assigning it so prominent a place in his rhetoric, proves entirely superfluous as an explanation of Jerusalem's ruin—a pattern not uncommon in classical historians.

Conclusion: The People as the Least of Evils and the Need for a Moderate Elite

I have argued that crucial to Josephus's new understanding of the people is his redrawing of the line between it and its defining adversary: not the few

crucially inform Josephus's strategy of debunking the claims of the rebels. He does not consider whether the sectarians displayed a zeal and hence a power unknown to Thucydides.

¹⁸Goodman, *Jewish War*, 51.

¹⁹On the influence on modern political thought exercised by Josephus through Spinoza see Omero Proietti, *La Città Divisa: Flavio Giuseppe, Spinoza e i Farisei* (Rome: Il Calamo, 2003).

in the sense of the rich, the well born, or the genuinely virtuous but the few as the sectarians loom as the political alternative to the people. This compels a radical reassessment of the political significance of the people and its homely concerns. These now emerge as if by no means resplendently good, at least as the least of political evils. The line between the few and the many thus conceived is no longer as distinct as those known to Thucydides or Aristotle. It is dynamic, even volatile. For despite the people's conservatism, its ignorance and superstition leave it vulnerable to incitement by sectarians, to say nothing of messiahs and downright charlatans (*BJ* 1.347–48, 2.259–60, 2.261–63, 2.433ff., 6.283–87, 6.288–300, 6.310–15, 7.437–40).

The people therefore depends on leaders to guide it in these delicate matters. Hence Josephus's recasting of the moderation of Ananus and Gurion as "democratic." As we have seen, the demos to which Josephus presents these men as so emphatically friendly is not that of the classical tradition. It is not defined by its poverty and harbors no political ambition. Good natured but short sighted, it needs protection from oppression because it is unable to protect itself from it. In this Josephus clearly anticipates Machiavelli's watershed presentation of the people in chapter 9 of *The Prince*, which would decisively inform those of Hobbes, Locke, Montesquieu, Rousseau, and the modern tradition generally. The few and the many reinterpreted not as the virtuous and those lacking in virtue, nor as the rich and the poor, but as cunning elites and innocent masses: so Machiavelli, and so Josephus before him. There is the further problem that just as sectarianism may befuddle the people, so it may tempt their betters. According to one reading, Josephus does his best to present his own priestly-cum-lay ruling class as unified in its opposition to both war and sectarianism, and only because he is so careless a writer does he inadvertently disclose how many of the upper crust had succumbed to the attraction of both.²⁰

In my view, it is rather because Josephus is so careful a writer that he thus discloses (although by dribs and drabs and therefore inconspicuously) the dangerous appeal of sectarianism to all classes of society. The Zealots were after all primarily a movement of the priestly class, including members of the high priestly class. It was Eleazar the son of Ananias the high priest and a deputy high priest himself as captain of the Temple who had taken the fatal decision to discontinue the sacrifices on behalf of Rome and the emperor (*BJ* 2.402–10). We might regard the Zealots as the (mostly) priestly and the Sicarii as the lay wing of the Fourth Philosophy.²¹ Throughout the work we hear of "men of distinction" among the rebels, including the

²⁰Jonathan J. Price, *Jerusalem under Siege: The Collapse of the Jewish State, 66–70 CE* (Leiden: Brill, 1992). On the role of the upper classes in the revolt, see Goodman, *The Ruling Class of Judaea: The Origins of the Jewish Revolt against Rome, A.D. 66–70* (Cambridge: Cambridge University Press, 1987).

²¹On the relation between the two groups, see Price, *Jerusalem under Siege*, 17–24.

sectarian rebels. Much as Josephus wishes to encourage men of rank to eschew harmful cults, he acknowledges the danger that they will not.

For Josephus as for the early modern thinkers, what is needed from moderate elites is effective leadership to rescue the people from predatory elites of sectarians. For the moderns it falls to science in all its aspects—natural, political, and economic—to forge the bond between elites in their new capacity as its practitioners and the people as its beneficiaries. Denied this distinctively modern resource, the Josephus of the later writings would scour sacred tradition for the requisite model of collaboration. He would finish by casting Moses as the responsible leader par excellence, and law in the comprehensive sense of prophecy as the required salutary restraint on the people. For this reason, he would be compelled to present his imagined Jewish people of the future as having also existed in the past—along with his imagined Legislator.